

## **Item No. 13**

<b>APPLICATION NUMBER</b>	<b>CB/17/02694/OUT</b>
<b>LOCATION</b>	<b>Land opposite (south) of Ivy House, Lodge Road, Cranfield, Bedford, MK43 0BQ</b>
<b>PROPOSAL</b>	<b>Outline: Erection of 10 dwellinghouses.</b>
<b>PARISH</b>	<b>Cranfield</b>
<b>WARD</b>	<b>Cranfield &amp; Marston Moretaine</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Morris, Matthews &amp; Mrs Clark</b>
<b>CASE OFFICER</b>	<b>Nicola Darcy</b>
<b>DATE REGISTERED</b>	<b>29 November 2017</b>
<b>EXPIRY DATE</b>	<b>28 February 2018</b>
<b>APPLICANT</b>	<b>c/o Kirkby &amp; Diamond</b>
<b>AGENT</b>	<b>Project Design Studio Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Major development with Parish Council objection.</b>
<b>RECOMMENDED DECISION</b>	<b>Recommended for approval subject to a Unilateral Undertaking for an offsite contribution equivalent to one unit of affordable housing.</b>

### **Summary of Recommendation**

The proposal, for residential units outside of a settlement boundary, conflicts with the current settlement strategy of the Council (denoted by Policies CS1 and DM4). This weighs against the grant of permission.

It is acknowledged that there would be some harm to the landscape character. However, when considered in the round, the development represents a logical expansion to the settlement and would contribute significantly to the economic and social dimensions of sustainability.

In the overall balancing exercise required, the identified harm and conflict with the Development Plan would be out-weighed by the benefits of this scheme, particularly when assessed against the National Planning Policy Framework as a whole.

### **Site Location:**

The application site is located towards the south of Cranfield. It is bound by Lodge Road to the north and beyond that is a residential development currently under construction.

To the west of the site is built residential form and open countryside and to the east and south the site is also bound by residential form.

The site comprises several Tree Preservation Orders and an historic wall associated with the previous use as a kitchen garden connected with the now demolished Cranfield Court.

## **The Application:**

The application originally proposed 15 dwellings which, during the application process has been reduced to 10. This application therefore seeks outline planning permission for the construction of 10 residential units with landscaping and appearance reserved for future consideration.

The density is approximately 17 dwellings per hectare.

## **RELEVANT POLICIES:**

### **National Planning Policy Framework (NPPF) (July 2018)**

#### **Core Strategy and Development Management Policies - North 2009**

Policy CS1 – Development Strategy

Policy CS2 – Developer Contributions

Policy CS7 – Affordable Housing

Policy CS13 – Climate Change

Policy CS14 – High Quality Development

Policy CS16 – Landscape and Woodland

Policy CS18 – Biodiversity and Geological Conservation

Policy DM2 – Sustainable Construction of New Buildings

Policy DM3 – High Quality development

Policy DM4 – Development Within and Beyond Settlement Envelopes

Policy DM10 – Housing Mix

Policy DM14 – Landscape and Woodland

Policy DM15 – Biodiversity

#### **Central Bedfordshire Local Plan - Emerging**

The Central Bedfordshire Local Plan has reached submission stage and was submitted to the Secretary of State on 30 April 2018.

The National Planning Policy Framework (paragraph 48) stipulates that from the day of publication, decision-takers may also give weight to relevant policies in emerging plans unless material considerations indicate otherwise.

The apportionment of this weight is subject to:

- the stage of preparation of the emerging plan;
- the extent to which there are unresolved objections to relevant policies;
- the degree of consistency of the relevant policies in the emerging plan to the policies in the Framework.

Reference should be made to the Central Bedfordshire Submission Local Plan which should be given limited weight having regard to the above. The following policies are relevant to the consideration of this application:

SP2: Sustainable Development

SP5: Preventing Coalescence/Important Countryside Gaps

H1: Housing Mix

H2: Housing Standards

T2: Highway Safety & Design

T3: Parking

EE2: Biodiversity  
CC5: Sustainable Drainage  
HQ1: High Quality Development

## Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

### Relevant Planning History:

<b>Case Reference</b>	<b>MB/06/01059/FULL</b>
Location	The Kitchen Garden, Lodge Road, Cranfield
Proposal	Full: Rebuilding and restoration of former Victorian glasshouses to form 2 no. residential dwellings and Outline: Erection of 2 no. detached dwellings (all matters reserved except siting and means of access)
Decision	Application Withdrawn
Decision Date	15/08/2006

### Consultees:

Parish Council

Cranfield Parish Council objects to this application. Comments that relate to material planning considerations are as follows:

- It is against Cranfield Parish Council's policy opposing further housing in Cranfield due to lack of infrastructure. This proposal only exacerbates this issue.
- Policy SP1, sustainability. This development is not sustainable as the current infrastructure in Cranfield cannot cope with the demands on it, and this will be exacerbated by this due to the cumulative effect of additional housing.
- It is outside the current development envelope, and thus is in the countryside.
- The development does not enhance the countryside.
- Policy CS16 of the adopted Core Strategies and Development Management Policies document of 2009, paragraph 8.4.1 states ' 8.4.1 The countryside outside settlements is a highly valued resource for agriculture, recreation, landscape and wildlife. The Council will protect the countryside for its own sake safeguarding it from the increasing pressures of development. The Council believes that this development is contrary to CS16.
- Policy SP7; This Policy states that 'Outside Settlement Envelopes the Council will work to maintain and enhance the intrinsic character and beauty of the countryside and only particular types of new development will be permitted. This includes the development of those sites allocated by this and previous development plans and

residential development within exception schemes or dwellings for the essential needs of those employed in agriculture or industry.’ This site is not required for housing for agriculture or forestry workers, and as such should not be developed.

- Policy EE2; enhancing biodiversity states that developments should provide a net gain in biodiversity. This site will not meet this criterion, and in fact it would in CPC’s opinion lead to a net loss in biodiversity as the conditions that currently allow wildlife and plants to flourish cannot exist after the proposed housing is constructed.
- Policy EE4 trees, woodlands and hedgerows states that ‘the Council will seek to safeguard protected trees from loss..’ This development, if allowed must ensure there are many trees with TPOs against them within the site (See Appendix) are left in-situ and the presence of these trees is made known to the new occupants. The council also requests that CBC arboricultural officer is tasked to ensure no damage, wilful or accidental, is made to the trees during the construction phase. An appropriate risk analysis and construction plan should be made a condition of granting the application if CBC is so minded to do so.
- The site falls within the Forest of Marston Vale, and as such needs 30% tree cover. The outline plan as presented does not appear to meet the 30% cover level. Rough calculation of the plan shows something in the region of 26%. This means more tree planting will be required.
- Increased traffic and congestion on a ‘Quiet Lane’.
- Coalescence between settlements.
- Harm in terms of highway safety.
- Loss of an architecturally important wall.

## Highways

The highway matters in terms of layout as shown on drg 2116-L5 Rev J are on the whole now acceptable and parking for visitors with inset bays (with 1 visitor space to serve plots 3 to 5 alone) have been provided. Parking though for plot 9 only has provision via a garage with no driveway so a condition is provided to cover this shortfall.

Whilst changes are required to the off-site works in relation to passing places following a walk around with Cllr Clark this can be controlled via a condition.

There has also been discussion about the status of Lodge Road being a Quiet Lane as the Council has no records that suggest this is the case, however guidance on Quiet Lanes is that traffic flows are less than 1000 vehicles per day with a carriageway width of less than 5m are acceptable as described in the Department for Traffic - Traffic Advisory Leaflet 3/04. The following advice is also provided to say that,

*“Quiet Lanes are not, however, a means of tackling safety problems on a particular stretch of road and should not be seen as a way of banning or significantly calming traffic”*

and goes on further to say that traffic calming measures are urban and therefore not suitable to the aims of Quiet Lanes. As such it is considered that the proposed development is also acceptable in terms of Quiet Lanes requirements but there is still a question as to whether the status of Quiet Lanes has been applied to Lodge Road but this should not be seen as a reason for refusal on highway grounds.

Tree and Landscape  
Officer

A revised outline application has been received with regards to allowing development of this site which was accepted as part of the "call for sites" despite having a number of trees protected by TPO. The number of dwellings has been reduced from 15 to 10 dwellings. It would appear that in revising this application the applicant has tried to avoid removal of a large number of trees many of which are protected by TPO which was indicated on the initial layout. If this application is to be advanced in any form I would suggest that we insist on a detailed Arboricultural Impact Assessment and Method Statement based on any finalised layout and including a Tree Protection Plan. This will ensure the retention of trees protected by TPO and detail how they will be protected throughout development from damage and ensure they are retained in good health and condition into the future.

The revised proposed site layout appears to show that some of the trees are retained in individual gardens, however there is an area of the site to the west alongside Plot 10 that contains a number of TPO trees and is not incorporated into any plots. This will need to be included in part of a Landscape Management Plan assuming it is to be retained in the public realm.

The site is located within the Marston Vale which has a requirement for 30% tree cover and as such retention of trees is considered of prime importance with the conditioned landscape scheme that will be required reflecting this requirement.

#### Final comments

The supplied information regarding the TPO which was requested (ie correct schedule of trees) is acceptable as are the details of the Arboricultural Impact Assessment. There is a supplied Tree Protection Plan included as part of this Assessment that would be acceptable, but I would ask that they supply photographic evidence prior to any development works taking place that clearly shows that

the tree protection fencing and ground protection is in place. This can be supplied to either me or you but as the site is relatively small and isolated we are not going to otherwise know when work will start so we should ask for evidence that all is in place prior to starting.

I see in my earlier comments that It was unclear how the area of protected trees in the south west corner of the site were to be maintained. Are they incorporated into individual plots or retained in the public realm and maintained as such.

Landscape Officer

#### Initial comments

There are very serious concerns regarding this Application in principle and also that there does not seem to have been any landscape studies undertaken to inform the design in terms of suitability or mitigation. The site is in a sensitive location, being part of / adjacent to the Cranfield Court parkland, a distinctive local landscape. Lodge Road , despite the recent development is also semi-rural in character , the southern boundary marking the rural edge. Conservation of the existing hedges and also the quality local views are important. There has been no assessment of visual impact, including night time impact.

The Application indicates a very "hard " scheme which would result in the loss of important mature trees which contribute to the parkland character. There does not appear to be any provision of boundary mitigation or street tree planting. Developments within the Forest of Marston Vale require a high level of tree cover, contributing a 30% canopy cover and respect the sense of place within the Vale.

A key positive sensitivity of the Cranfield landscape is the remaining strong rural character , which is vulnerable to urban influence. The visual impact of development and the loss of hedgerow and mature trees which would arise as a consequence of development is not acceptable, and would be contrary to landscape character.

The development should be **refused** as Contrary to Policies 14 and 16 - High Quality Development and Trees and Woodlands.

#### Revised comments

The development has been reduced in scale to 10 dwellings. There are still landscape concerns, not least because there does not seem to be any plan with regard to either the new landscape provision or the management of the retained treed area. Also of significance is the treatment of boundary walls - it is understood from the ecology report that the brick wall on the southern

boundary will be retained. The DAS has not been updated and erroneously refers to the site as "*making no contribution to the area* " despite the presence of trees with a TPO and the boundary walls.

As advised previously, the position within the Forest of Marston Vale requires a high level of tree planting to meet the 30% cover . At this site the frontage hedge , albeit intermittent, on Lodge Road is an important feature, retaining rural character.

The landscape scheme will need to secure some tree and hedge planting for Lodge Road. The single mature tree in the north east corner appears to be retained within a hard surface , which is unacceptable. A Landscape and Ecology Management Plan will also be required which provides an effective strategy for the long-term management of the site.

At present, there is insufficient space allocated to secure the standards of landscape design expected for such a sensitive site - one which is part of a wider parkland landscape, containing significant trees, and within the FMV.

Discussions are required as to how the mitigation and management can be achieved.

## Ecology

The amended plan is showing a reduction in units is welcomed, however it is important that the retained piece of undeveloped land is managed appropriately. The self set trees will need management and thinning and it may be possible to create further opportunities for enhancement through planting of native shrubs as an understorey. As such the previous recommendation for an ecological enhancement strategy should include a focus on the ongoing management of this area.

## Ecology CB/17/2694 REVISED COMMENTS

Having read the updated ecological information provided concerns over uncertainty in relation to protected species are alleviated. However, the NPPF and policy EE2 of the Draft Local Plan call for development to deliver net gains for biodiversity. At the time of survey the site was dominated by areas of dense bramble and sapling ash trees with small areas of open habitat dominated by grasses with scattered mature ash trees in the south west corner. It is understood that the site is now partially cleared however the pre-clearance state would represent an ecological baseline upon which to focus net gains. The amended layout plan shows a 0.5m corridor around the edge of the development to act as a wildlife corridor outside dwelling curtilages. 0.5m is minimal and is likely to be abused by householders as a repository for garden waste. A preferred option would be for the development

to demonstrate enhancements by retaining permeability through the site with 'hedgehog highways' in fences and new hedgerows planted within post and rail fencing. This would potentially achieve a greater corridor than 0.5m and could compliment a native, nectar / berry rich landscaping scheme.

To ensure ecological enhancements are secured the following condition should be applied;

No development shall take place until an ecological enhancement strategy (EES) has been submitted to and approved in writing by the local planning authority. The EES shall include the following;

- a) Purpose and conservation objectives for the proposed works.
- b) Review of site potential and constraints.
- c) Extent and location/area of proposed works on appropriate scale plans.
- d) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- e) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- f) Persons responsible for implementing the works.

The EES shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Pollution

No objection subject to condition.

Archaeology

There is no evidence that the proposed development site contains any archaeological deposits relating to the Iron Age and Roman occupation known to exist in the immediate area. The site does contain archaeological remains associated with the 19th century walled kitchen garden and horticultural use of the site, however, these are of limited significance. The proposed development will result in the loss of these remains and a loss of significance to the heritage asset with archaeological interest they represent. However, such a loss will only result in limited harm to the significance of the heritage asset, therefore, I have no objection to this application on archaeological grounds.

Conservation Officer

Proposed is the development of the land South of Ivy House at Lodge Lane in Cranfield with 10 dwellings. On site, there is a wall, which is proposed to be demolished and has been highlighted by various sources to be of some historic significance.

I note that the application does not include a heritage statement and no assessment of this wall has been carried out by the applicant.

Upon my research, and the research carried out by archaeology, it appears that the remains on site are those linked to the 19th Century walled garden in relation to Cranfield Court (which was demolished in the 1930s). Said wall is therefore considered to be a non-designated heritage asset and with historic and evidential links to the village and lost heritage (Cranfield Court).

The NPPF says that the effect of an application on the significance of a non-designated heritage asset should be taken into account when determining an application and a balanced judgement is required for the scale and harm, in my view, the harm to the historic wall would be substantial as the proposal includes total demolition of the non-designated heritage asset, however, given that the wall is not a designated heritage asset, the balance test does not apply and simply a balance judgement is required. The wall is considered to be historic and of some significance, however, it is not perceived to be of enough significance to warrant designation, given the extensive loss of historic fabric and lost relationship to other heritage assets.

In my opinion, my balanced judgement is that the wall can be demolished, given the limited significance historically. However, I do note that there is some significance, and as the LPA, we have to ensure that the loss is acceptable and in accordance with paragraph 199 of the NPPF, we require developers to record and advance understanding of the significance of the heritage asset to be lost (in this case wholly) in a manner proportionate to their importance and impact, and to make this evidence publicly accessible (to be deposited with the Bedfordshire Historic Environment Record, and any archives with a local museum or other public depository found relevant). I therefore recommend that a condition is attached to a decision, if minded to grant planning permission, for a survey to take place prior to the demolition of the wall.

Paragraph 198 of the NPPF says; Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred. I therefore would want to include a condition stating that the wall is not be demolished unless the development is progressing.

## CONCLUSION

In conclusion, I do not object to the proposal given the limited significance of the historic wall (the only remains of a historic barn within the Kitchen Gardens relating to Cranfield Court, now lost) and recommend that the following two conditions are attached to your recommendation, if minded to recommend granting of planning permission.

MANOP

All developments of ten (10) dwellings or more should be mainstream homes of a design that makes them suitable for older people unless one or more of the following apply:

- a. Other policy or site constraints would prevent some or all of the proposed dwellings being designed to be suitable for older people.
- b. The cost of ensuring that all of the proposed dwellings were suitable for older people would mean that the scheme was not economically viable.
- c. The proposal is for a specialist scheme to meet the needs of a specific vulnerable group.
- d. The applicant can demonstrate that there is no current unmet need for accommodation for older people in that locality.

In the circumstances where one or more of the above apply, the proposal should nonetheless seek to maximise the number of dwellings that are suitable for older people.

Based on this the proposal should provide one (1) unit of mainstream housing suitable for older people

Summary:

If development on the site for residential purposes is acceptable in principle, then we consider that not less than one (1) of the proposed dwellings should be of a design and layout that makes it suitable for older people.

Anglian Water

No objection subject to conditions.

"Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence."

### Other Representations:

Neighbours

95 objections have been received from surrounding addresses in objection to this proposal. Comments are summarised as:

- Harm to biodiversity.
- Harm to the character of the area.
- Increased traffic and congestion.
- Noise and disturbance during construction.

- Lack of services and facilities (including doctors and healthcare services).
- Harm in terms of vehicular and pedestrian safety.
- Harm to living conditions, in terms of overbearing and overlooking.
- Harm to protected vegetation.
- Outside of settlement envelope.
- Harm to an architecturally important wall.
- Lack of affordable housing provision.
- Harm to a 'Quiet Lane'.
- Light pollution.
- Harm in terms of flooding and drainage.
- Harm to heritage assets.

### **Determining Issues:**

The main considerations of the application are;

1. Principle
2. Sustainable Development
3. Highways
4. Character and appearance
5. Neighbouring Amenity
6. Other Considerations
7. Planning Balance
8. Conclusion

### **Considerations**

#### **1. Principle of Development**

- 1.1 The site is located towards the south of Cranfield, opposite the recently constructed Home Farm development.
- 1.2 Policy CS1 classifies settlements by virtue of their scale, services and facilities. Further, the thrust of Policy DM4 is to apply weight in favour of development within Settlement Envelopes and restrict development divorced from the settlements identified within Policy CS1. This policy position is largely echoed by Policy SP7 within the emerging Local Plan.
- 1.3 Policy DM4 restricts new housing development on land outside of the settlement envelope and, on this basis, the application site is regarded as contrary to that policy.
- 1.4 The Council is able to demonstrate a five-year supply of housing land in excess of the 5 year requirement. Therefore, the Council's policies concerned with the supply of housing are not considered to be out of date and paragraph 11 of the NPPF is not therefore engaged. However, the three objectives of sustainable development are material to the determination of the application.
- 1.5 As indicated above, the Local Plan is afforded limited weight only at the present time, given its stage of preparation. The Local Plan sets out a clear direction of travel for the allocation of various sites within the administrative boundary of the Council.

- 1.6 The emerging Local Plan proposes to allocate the site for residential development under Policy HA1: Small and Medium Allocations (Site Ref: NLP 139). The site assessment states that the number of houses the site could accommodate is 14 dwellings.
- 1.7 The Parish Council are objecting to the application with regard to the pressure of cumulative development upon the infrastructure of Cranfield, harm to highway safety and harm to the open countryside resulting in coalescence. Cranfield represents a minor service centre with a good level of services with good public transport links.
- 1.8 It is noted that the NHS facility is under pressure until a new facility comes forward. The NHS does own land in Cranfield where they are able to provide a new health care centre and/or other development approved at appeal has incorporated land for a new doctors surgery. The quantum of development will result in added pressure on existing health care but, health care provision is the responsibility of the NHS and there is land which has come forward with other application approvals to be invested into this.
- 1.9 In terms of harm and encroachment into the open countryside, the site is relatively enclosed and bound by mature landscaping, trees and walls, adjacent and opposite are newly built housing estates. The development of this plot has support within the emerging Local Plan and is considered to be a logical expansion to the development to the west. Specific matters with regard to protected trees and the historical wall are discussed below.

## **2. Sustainable Development**

- 2.1 Although it is acknowledged that the development is contrary to policy DM4 it is also considered that the individual merits of this site and its relationship to the existing settlement (as explained in more detail below) are such that the loss of countryside in this instance is not considered to result in a significantly harmful impact on the character and appearance of the area.
- 2.2 Weight can also be given to the benefit of the site providing housing and the provision of affordable housing (by way of an off site contribution). The NPPF requires Local Authorities to significantly boost the supply of housing and the evidence base which supports the emerging Local Plan sets out a clear need for affordable units. Significant weight can therefore be given to the provision of housing and affordable housing.
- 2.3 Considerations of other material considerations relating to the objectives of sustainable development are discussed further in the report.

## **3. Highway impact and access**

- 3.1 Concerns have been raised with regard to the impact upon Lodge Road as a "Quiet Lane" and the street sign at the end of Lodge Road is acknowledged. There is a concern as to whether or not the road has been officially designated as such. In any case, guidance on Quiet Lanes states that traffic flows should be less than 1000 per day on carriageways with widths of less than 5m.
- 3.2 The Highways Officer considers that the proposed development is acceptable in terms of Quiet Lanes requirements but there is still a question as to whether the status of Quiet Lanes has been applied to Lodge Road but this should not

be seen as a reason for refusal on highway grounds.

- 3.3 The Highways Officer has suggested several conditions, including the requirement for the provision of passing places along Lodge Road which is considered to be a benefit of the scheme. A condition requiring further parking information for 'plot 9' has also been requested, however, a revised plan showing this detail has now been submitted and is considered to be acceptable.
- 3.4 In conclusion, there will inevitably be increased traffic movements associated with the development and the concerns from the Parish Council are acknowledged. However, no objections are raised by the Highway Officer in relation to capacity of existing highway infrastructure and the development does not represent a severe impact in NPPF terms, subject to conditions.

#### **4. Character and Appearance**

- 4.1 The proposed development, comprising of 10 dwellings will inevitably and fundamentally alter the character of the site. The character of the location has changed dramatically since the Home Farm development but still retains its rural character, mainly due to the open parkland associated with Cranfield Court which lies to the west of the site.
- 4.2 The Site is well enclosed, with trees and hedgerows along much of its boundaries and Ailwyns Acre to the east of the site with Harter Avenue to the south.
- 4.3 A group of protected trees lies to the south western corner of the site with another on the north western corner and the final TPO in the south eastern corner. The draft allocation policy cites that the protected trees must remain protected and none are to be removed as part of this application.
- 4.4 Since the original submission, the developer has reduced the number of dwellings from 15 to 10. The Tree and Landscape Officer is satisfied with the Arboricultural Report but has requested that the TPO trees are to be incorporated into one plot and managed by a single owner which can be dealt with by way of condition.
- 4.5 The Landscape Officer comments \_

The Landscape Officer has raised concerns with regard to lack of landscaping along the southern boundary. Additionally, the site being within the Forest of Marston Vale requires a high level of tree planting to meet the 30% cover. The Landscape Officer states that a landscape scheme would need to secure some tree and hedge planting for Lodge Road and that the single mature tree in the north east corner appears to be retained within a hard surface, which is unacceptable. A Landscape and Ecology Management Plan will also be required which provides an effective strategy for the long-term management of the site.

- 4.6 The comments from the Landscape Officer are noted. The number of dwellings has been reduced in order to provide more protection of the protected trees on the site. The Ecologist is satisfied that the site can provide a net gain in biodiversity.

4.7 The landscaping on the frontage of the site comprises overgrown brambles and hedgerow which is not protected and could be cleared without any notification to the Local Authority. It is important to note that the application is in Outline form with Landscaping to be considered as a Reserved Matter which could incorporate some landscaping to the frontage to soften the impact of the development.

4.8 It is acknowledged that there would be some harm to the landscape character. However, when considered in the round, the development represents a logical expansion to the settlement and would contribute significantly to the economic and social dimensions of sustainability.

## **5. Neighbour amenity impact**

5.1 On the basis of the submitted layout plan, it appears that the site is capable of accommodating the number of dwellings proposed. In terms of the detailed relationships between proposed dwellings and the existing settlement, there would be in excess of 20m between the plots along eastern boundary and the existing dwellings. There would be no mutual overlooking from dwellings within the application site and the back to side relationship with 'Pipers Lodge' along the western boundary is considered to be acceptable. Any forthcoming Reserved Matters application could ensure that privacy would be safeguarded by the careful placement of windows.

5.2 In relation to the impact of construction and construction vehicles on neighbouring properties in terms of noise and general disturbance. Development of this scale and given the relationship with existing dwellings will inevitably result in a degree of impact on existing residents. However, subject to the imposition of a planning condition requiring detailed construction management plans, is such that such harm will not be significant or to such an extent as to warrant the refusal of the application.

## **6 Other considerations**

### **6.1 S106 and financial contributions**

Significant weight should be given to the National Planning Policy Framework, which calls for the achievement of the three dimensions of sustainable development: economic, social and environmental. It is considered that Policy CS2 of the Core Strategy for the North is in accordance with the National Planning Policy Framework. This states that developers are required to make appropriate contributions as necessary to offset the cost of providing new physical, social, community and environmental proposals. Emerging policy in the Local Plan sets out a similar requirement.

6.2 Due to the proposed quantum of development, the triggers with regard to Section 106 contributions are not met, however the developer has agreed to make highway improvements along Lodge Road by providing much needed passing places.

6.3 It is noted that the NHS is under pressure until a new facility comes forward. The NHS does own land in Cranfield where they are able to provide a new health care centre and/or other development approved at appeal has incorporated land for a new surgery. The quantum of development will result in added pressure on existing health care but, health care provision is the responsibility of the NHS and there is land which has come forward with other application approvals, to be invested into this.

#### 6.4 Affordable Housing

On 13th May 2016 the government won a legal challenge against a High Court ruling that quashed a national planning policy intended to exempt small sites from affordable housing obligations. This ruling has been reflected in the National Planning Practice Guidance setting out the Government's position that affordable housing and tariff-style planning obligations should not be sought for certain small developments (110 dwellings or less or 1,000 square metres of gross floor space). However, the NPPF was revised in July 2018 and now considers that major developments (sites of 10 dwellings or more), should provide affordable housing. The Housing Development Officer has requested that 35% affordable housing be provided on site, however, as it is unlikely that an RP would be interested in such a low number of housing, this request is not considered to be reasonable. Therefore, it is considered to be appropriate to seek affordable housing in line with the NPPF guidance (10%) rather than the Council's policy of 35%.

Section 5, paragraph 64 of the NPPF;

*Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups.*

Due to the small provision (1 dwelling) it is also considered to be more appropriate to allow for an off-site contribution. The developer has agreed to this rationale which would be subject of a unilateral undertaking following any resolution by Members to approve the application.

#### 6.5 Meeting the Accommodation Needs of Older People (MANOP)

The MANOP team have identified that 1 unit of Category 2 homes should be provided. As the relevant policy, H3, is within the emerging Local Plan, only limited weight can be applied. An offsite contribution for affordable housing has been agreed to, this contribution taken together with the potential for Category 2 homes coming forward in a Reserved Matters application are considered to be a benefit to the scheme.

#### 6.6 Flood Risk and sewerage

The application site does not lie in a flood risk zone for fluvial or surface water drainage. The Flood Risk Team have requested that a technical note be added to a drawing to ensure that surface water drainage would be dealt with by condition. Anglian Water have also requested conditions with regard to sewerage.

#### 6.7 Ecology

The Council's Ecologist notes that the amended layout plan shows a 0.5m corridor around the edge of the development to act as a wildlife corridor outside dwelling curtilages but this is likely to be abused by householders as a repository for garden waste. A preferred option would be for the development to demonstrate enhancements by retaining permeability through the site with 'hedgehog highways' in fences and new hedgerows planted within post and

rail fencing. This would potentially achieve a greater corridor than 0.5m and could compliment a native, nectar / berry rich landscaping scheme.

6.8 The Ecologist has agreed that a condition could be imposed to address potential net gain of biodiversity on site.

## 6.9 Conservation

On site, there is a wall, which is proposed to be demolished and has been highlighted by various sources to be of some historic significance, it appears that the remains on site are those linked to the 19th Century walled garden in relation to Cranfield Court (which was demolished in the 1930s). Said wall is therefore considered to be a non-designated heritage asset and with historic and evidential links to the village and lost heritage (Cranfield Court).

6.10 It is the view of the Conservation Officer that the harm to the historic wall would be substantial as the proposal includes total demolition of the non-designated heritage asset, however, given that the wall is not a designated heritage asset, the balance test does not apply and simply a balance judgement is required. The wall is considered to be historic and of some significance, however, it is not perceived to be of enough significance to warrant designation, given the extensive loss of historic fabric and lost relationship to other heritage assets.

6.11 The NPPF says that the effect of an application on the significance of a non-designated heritage asset should be taken into account when determining an application and a balanced judgement is required for the scale and harm, and the balanced judgement is that the wall can be demolished, given the limited significance historically.

6.12 As there is some significance, and as the Local Planning Authority, we have to ensure that the loss is acceptable and in accordance with paragraph 199 of the NPPF, developers are required to record and advance understanding of the significance of the heritage asset to be lost (in this case wholly) in a manner proportionate to their importance and impact, and to make this evidence publicly accessible (to be deposited with the Bedfordshire Historic Environment Record, and any archives with a local museum or other public depository found relevant). It is therefore recommend that a condition is attached to a decision, for a survey to take place prior to the demolition of the wall.

## 7. **Planning Balance**

7.1 The NPPF sets out that the purpose of the planning system is to contribute to the achievement of sustainable development – there are three objectives (economic, social and environmental) which are mutually dependent and should be sought simultaneously through the planning system. Consideration of the development in relation to these dimensions therefore forms part of the balance of considerations of this application:-

### 7.2 Economic

The NPPF makes it clear that planning policies should aim to minimise journey lengths for employment, shopping and other activities, therefore planning decisions should ensure developments that generate significant movements are located where the need to travel will be minimised and the use of sustainable transport modes maximised. It is acknowledged that the construction of 10 houses would support a level of employment, with

associated benefits to the local economy, within the local area on a temporary basis during the construction period.

7.3 It is also acknowledged that new residents are likely to support existing local services although these are limited. The future Council Tax payments that would be spent in the area are considered as benefits. Cumulatively these make positive contributions to fulfilling the economic roles.

7.4 The site is located in a Minor Service Area which has access to a range of facilities and services which would provide local employment opportunities, although these are not within walking distance of the site and therefore there would be a dependency on public and private transportation. However on the basis of all the considerations above, the development is considered to meet this strand of Sustainable Development.

#### 7.5 Social

The provision of 10 houses with an offsite contribution for one unit of affordable housing is given weight.

7.6 The site is regarded as a sustainable location and it is considered that the settlement of Cranfield offers services and facilities that can accommodate the growth resultant from this scheme.

#### 7.7 Environmental

The NPPF states that opportunities should be taken to protect and enhance the natural environment and to improve biodiversity. The Councils Ecologist is satisfied that the proposal could secure additional biodiversity gain through effective detailed design and has suggested a condition to secure this.

7.8 It is acknowledged that there would be some harm to the landscape character. However, when considered in the round, the development represents a logical expansion to the settlement and would contribute significantly to the economic and social dimensions of sustainability.

7.9 The development site is considered to be sustainably located with appropriate access arrangements. Therefore, it is considered that the scheme can be considered acceptable.

#### 7.10 Human Rights and Equality Act issues:

Based on information submitted there are no known issues raised in the context of Human Rights / The Equalities Act 2010 and as such there would be no relevant implications.

### **8. Conclusion**

8.1 The development proposal represents a conflict with policy DM4 of the Development Plan. The NPPF is a material consideration in the determination of planning applications and this sets out that there is a presumption in favour of sustainable development and there is a need to boost the supply of housing. For the reasons outlined above the development is considered to be sustainable and no significant harm to material considerations is identified.

8.2 Some harm to the countryside setting is acknowledged. Other environmental matters including ecology, flood risk and contamination are either neutral, positive or are able to be mitigated by condition.

- 8.3 In the overall balance of considerations, the material considerations weighing in favour of the application, are considered to outweigh the conflict with the Development Plan and harm identified.

## RECOMMENDED CONDITIONS

- 1 Application for the approval of the reserved matters shall be made to the Local Planning Authority within three years from the date of this permission. The development shall begin not later than two years from the final approval of the reserved matters or, if approved on different dates, the final approval of the last such matter to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 **No development shall take place until approval of the details of the appearance and landscaping of the development (herein called “the reserved matters”) has been obtained in writing from the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

**Reason: To comply with Part 3 Article 6 of the Town and Country Planning (General Development Procedure) Order 2015.**

- 3 The number of dwellings approved on the site shall be restricted to 10 as shown on the revised site layout plan no. 2116 L5 K and shall not exceed the scale of the buildings as shown on plan no. 2116 L3 A.

Reason: To ensure that adequate provision of housing is provided and that the scale of the development is adequately controlled.

- 4 No development approved by this permission shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:

- A Phase 1 Desk Study report documenting the ground conditions of the site with regard to potential contamination;
- A Phase 2 Site Investigation (where shown as necessary the Phase 1 Desk Study);
- A Phase 3 Remediation Scheme (where shown as necessary by the Phase 2 Site Investigation)

All such work shall be undertaken in accordance with BS:10175:2011 or other appropriate guidance issued by the regulatory authorities. The work shall be sufficient to ensure that measures will be taken to mitigate any risks to human health and the wider environment.

Prior to any permitted dwelling being occupied a validation report shall be submitted and approved in writing by the Local Planning Authority to demonstrate the effectiveness of any agreed Remediation Strategy . Any such validation shall include responses to any unexpected contamination discovered during works.

Reason: To protect human health and the environment. (Section 8 NPPF)

5 **No development shall take place until an ecological enhancement strategy (EES) has been submitted to and approved in writing by the local planning authority. The EES shall include the following;**

- a) **Purpose and conservation objectives for the proposed works.**
- b) **Review of site potential and constraints.**
- c) **Extent and location/area of proposed works on appropriate scale plans.**
- d) **Type and source of materials to be used where appropriate, e.g. native species of local provenance.**
- e) **Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.**
- f) **Persons responsible for implementing the works.**

**The EES shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.**

**Reason: To restore existing habitats on site or create new habitats off site that have been destroyed by the development.  
(Section 15, NPPF)**

6 **The non-designated heritage asset (the historic wall) shall not be demolished until the applicant or developer has secured the implementation of a Written Scheme of Investigation in respect of architectural recording, equivalent to English Heritage Recording Level 2, which has been submitted to and approved in writing by the Local Planning Authority and the Historic Environment Record.**

**Reason: To ensure that the removal of the wall is carried out in accordance with Section 16 of the National Planning Policy Framework (2018) and the required recording is undertaken to an appropriate national recording standard as defined and published by English Heritage in 2006 ('Understanding Historic Buildings; A guide to good recording practice').**

7 **No building shall be occupied until the junction of the proposed vehicular access points with the highway has been constructed in accordance with the approved details.**

**Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises. (Section 9 NPPF)**

8 **Visibility splay shall be provided at the junction of the access with the public highway before the development is brought into use. The minimum dimensions to provide the required splay line shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 43m measured from the centre line of the proposed access along the line of the channel of the public highway to the northern side of the access on Foundry Road. The required vision splays shall for the perpetuity of the development remain free of any obstruction to visibility.**

**Reason: To provide adequate visibility between the existing highway and the proposed access, and to make the access safe and convenient for the traffic which is likely to use it. (Section 9, NPPF)**

- 9 No dwelling shall be occupied until a revised scheme for passing places on Lodge Road has been provided in accordance with details of a scheme to be submitted to and approved by the Local Planning Authority. Any Statutory Undertakers equipment or street furniture shall be re-sited to provide an unobstructed footway to the crossing.

Reason: In the interests of road safety and pedestrian movement. (Section 9, NPPF)

- 10 No development shall take place, including any works of demolition, until a Construction Traffic Management Plan, associated with the development of the site, has been submitted and approved in writing by the Local Planning Authority which will include information on:

- (A) The parking of vehicles
- (B) Loading and unloading of plant and materials used in the development
- (C) Storage of plant and materials used in the development
- (D) The erection and maintenance of security hoarding / scaffolding affecting the highway if required.
- (E) Wheel washing facilities
- (F) Measures on site to control the deposition of dirt / mud on surrounding roads during the development.
- (G) Footpath/footway/cycleway or road closures needed during the development period
- (H) Traffic management needed during the development period.
- (I) Times, routes and means of access and egress for construction traffic and delivery vehicles (including the import of materials and the removal of waste from the site) during the development of the site.

The approved Construction Management Plan associated with the development of the site shall be adhered to throughout the development process.

Reason: In the interests of safety, protecting the amenity of local land uses, neighbouring residents and highway safety. (Section 9, NPPF)

- 11 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any amendments thereto, the garage accommodation on the site shall not be used for any purpose, other than as garage accommodation, unless permission has been granted by the Local Planning Authority on an application made for that purpose.

Reason: To retain off-street parking provision and thereby minimise the potential for on-street parking which could adversely affect the convenience of road users.(Section 9, NPPF)

- 12 No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding. (Section 14, NPPF)

- 13 No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding. (Section 14, NPPF)

- 14 Before the development is first occupied, a plan shall be submitted and approved in writing by the Local Planning Authority, detailing the intended ownership of the protected trees on the site.

Reason: In order to safeguard the future of the protected trees.

- 15 **No equipment, machinery or materials shall be brought on to the site for the purposes of development until substantial protective fencing for the protection of any retained tree, has been erected on site and photographic evidence submitted in writing to the Local Planning Authority. The approved fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made.**

**Reason: To protect the trees so enclosed in accordance with Section 8 of BS 5837 of 2012 or as may be subsequently amended. (Sections 12 & 15, NPPF)**

- 16 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 2116 L5K, 2116 L3A, 2116 L2, 16073/101, 2116 L6 & 2116 L7.

Reason: To identify the approved plan/s and to avoid doubt.

## **INFORMATIVE NOTES TO APPLICANT**

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
2. The applicant is advised that in order to comply with the highway related conditions of this permission, it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. You are advised to contact the Highways Agreements Officer, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ. E-mail [highwaysagreements@centralbedfordshire.gov.uk](mailto:highwaysagreements@centralbedfordshire.gov.uk)

3. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.
4. The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways within the site as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Highways Agreements Officer, Highways Contract Team, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ .
5. The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council's "Cycle Parking Annexes - July 2010".
6. The applicant is advised that Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

## **DECISION**

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