

Item No. 16

APPLICATION NUMBER	CB/18/04013/OUT
LOCATION	Land between 21 to 39 Thorncote Road Northill Biggleswade
PROPOSAL	Outline Application: development of land for up to 21 dwellings to include 2 No. Bungalows, all matters reserved except access.
PARISH	Northill
WARD	Northill
WARD COUNCILLORS	Cllr Mr Firth
CASE OFFICER	Benjamin Tracy
DATE REGISTERED	26 October 2018
EXPIRY DATE	25 January 2019
APPLICANT	Landscape Land and Property Ltd
AGENT	
REASON FOR COMMITTEE TO DETERMINE	Major Development - Departure Major Development - Parish Council Objection.
RECOMMENDED DECISION	Outline Application - Recommended for Approval

Reason for Recommendation

The site forms an allocation for a residential development of approximately 21 dwellings under Policy HA1 (Site reference HAS41) of the Emerging Local Plan (2018).

The proposed development does not seek to be determined under the general policy requirements of the Central Bedfordshire Emerging Local Plan, but seeks to be judged as a windfall site under the Policies within the Core Strategy and Development Management Policies (2009).

The proposed development would be contrary to Policy DM4 of the Core Strategy and Development Management Policies (2009). Notwithstanding the latter those policies are not attributed full weight for the reasons outlined and as such would not justify the refusal of planning permission on their own. A reason for refusal on grounds of prematurity in the context of the Emerging Local Plan and/or the Emerging Northill Neighbourhood Plan would not be justified for a development of this scale, in the context of Paragraph 49 and 50 of the NPPF

The proposed development has been considered against the three objectives of sustainability, which are the social, environmental and economic objectives, to determine whether the development would be sustainable and the benefits would outweigh the non compliance with the above policies. In considering the latter in the context of these objectives, other up-to-date Local Policies and the Policies within the NPPF have been considered.

For the reasons outlined within this report, the development is considered to be sustainable and no significant harm has been identified. It is considered that the benefits of the development would outweigh the conflict Policy DM4 of the Core Strategy and Development Management Policies (2009).

Site Location:

The site consists of arable field to the west of Thorncote Road, Northill. The site has an area of approximately 0.79 hectares.

To the north of the site is the neighbouring dwellinghouses known as No. 39 and 41 (formerly 20 and 24) Thorncote Road, which are a Grade II listed pair of thatched cottages.

To the south of the site is No. 21 Thorncote Road. To the east of the site but separated from the highway are Nos. 20, 22, 24, 26, 28 and 30 Thorncote Road.

To the west of the site is an open arable field.

The Application:

The application seeks outline planning permission with all matters reserved except access for the construction of up to 21 dwellings to include 2 bungalows, and associated development. Access to the site would be taken from Thorncote Road.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (July 2018)

Core Strategy and Development Management Policies - North 2009

CS1 – Development Strategy
CS2 - Developer Contributions
CS3: Healthy and Sustainable Communities
CS4: Linking Communities – Accessibility and Transport
CS5: Providing Homes
CS7: Affordable Housing Provision
CS13: Climate Change
CS14: High Quality Design
CS16: Landscape & Woodland
CS17: Green Infrastructure
CS18: Biodiversity
DM1: Renewable Energy
DM2: Sustainable Construction of New Buildings
DM3: High Quality Design
DM4: Development Within and Beyond Settlement Envelopes
DM9: Providing a range of Transport
DM10: Housing Mix
DM14: Landscape and Woodland
DM15: Biodiversity
DM16: Green Infrastructure

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:

SP1, SP2, SP7, HA1 (HAS41), H1, H2, H4, T1, T2, T3, T4, T5, T6, EE1, EE2, EE3, EE4, EE5, EE6, EE13, CC1, CC3, CC5, CC6, HQ1, HQ2, HQ3, HQ4, HQ5, HE1, HE3 and DC5.

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

Relevant Planning History:

Case Reference	CB/18/02715/OUT
Location	Land between 21 and 39 Thorncote Road, Northill, Biggleswade, SG18 9AG
Proposal	Outline application for up to 10 dwellings, to include 2 bungalows, with all matters reserved except access
Decision	Application Withdrawn
Decision Date	15/10/2018

Consultees:

Northill Parish Council Northill Parish Council object to the application on the following grounds:

- Whilst acknowledging that this site is allocated for development in CBC's draft Local Plan it is outside the settlement boundary.
- The number of dwellings (in excess of 10 dwellings) is contradictory to the views of the local community, which have been gathered through the consultation process of the Neighbourhood Plan and at a Public Meeting held on the 21st November.
- The proposal is in conflict with NP1 Housing Requirement and NP5 Back-Land and Garden Development of the Northill Parish Neighbourhood Plan which was formally submitted to CBC on the 14th November 2018 under Regulation 16.
- Concerns were raised regarding the capacity of utilities particularly the foul sewer to cope with additional dwellings.
- Concerns were raised regarding the safety of pedestrians as there is no footway or streetlighting.
- Concerns were raised regarding the volume of traffic that would be generated from this number of

dwellings. Speed calming measures may need to be introduced.

- There has been serious flooding in the area in recent years.
- There is a lack of amenities in Northill.
- It will have a detrimental visual impact on the area. The density of the development at the entrance to the village is inappropriate.
- The affordable housing proposed would not be retained for local people, unlike rural exception housing.

Strategic Housing

The Council's Strategic Housing Team have issued the following consultation response:

"Strategic Housing support this application as it provides for 7 affordable homes which reflects the affordable housing policy requirement of 35%. The supporting documentation does not indicate the tenure split of the affordable units. The Strategic Housing Market Assessment (SHMA 2017) has identified a tenure requirement from qualifying affordable housing sites as being 72% affordable rent and 28% intermediate tenure. This makes a requirement of 5 units of affordable rent and 2 units of intermediate tenure (shared ownership) from the development.

Outlined below is a suggested mix for the affordable housing. Whilst a suggested mix has been provided by Strategic Housing, Strategic Housing would welcome discussions with the applicant on the eventual affordable housing mix to ensure the mix is reflective of current needs, in particular around the mix and type of affordable rented units.

Affordable rent: 5 dwellings (72%)

2 Bed House - 60%

3 Bed House - 40%

Shared Ownership: 2 dwellings (28%)

2 Bed House - 50%

3 Bed House - 50%

We would like to see the affordable units dispersed throughout the site and integrated with the market housing to promote community cohesion and tenure blindness. We would also expect the units to meet all nationally described space standards. We expect the affordable housing to be let in accordance with the Council's allocation scheme and enforced through an agreed nominations agreement with the Council. Strategic Housing are supportive of the application and welcome discussion surrounding the eventual affordable mix".

Historic England	Historic England have not offered any comments and suggest to seek the views of the Council's specialist conservation and archaeological advisers.
Conservation	<p>The Council's Conservation Officer has issued the following consultation response:</p> <p>"This Outline Planning Application is for up to 21 dwellings located in Northill, just outside the Conservation Area.</p> <p>The proposal is an outline and only access details are available. An illustrative sketch layout is included.</p> <p>The proposed appear has the potential to have in impact on the setting of the Northill Conservation Area and vistas from Thorncote Road to the Parish Church of St Mary (grade I). At this early stage, the impact is deemed as 'less than substantial' dependant on the final scheme and the quality of design and materials as well as the level of development against landscaping. Therefore, there would have to be some public benefits to outweigh this harm.</p> <p>Conclusion</p> <p>At this early stage, and with limited information, it is my view that a scheme could be delivered on this site that is sensitive to the historic environment and the setting of the Northill Conservation Area and the Parish Church of St Mary and therefore I do not object to the principle of development".</p>
Archaeology	<p>The Council's Archaeologist has raised no objection subject to the following condition:</p> <p>"No development shall take place until a written scheme of archaeological investigation, that adopts a staged approach and includes the provision for post excavation analysis and publication, has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall only be implemented in full accordance with the approved archaeological scheme.</p> <p>Reason: This condition is pre-commencement as a failure to secure appropriate archaeological investigation in advance of development would be contrary to paragraph 199 of the National Planning Policy Framework (NPPF) that requires developers to record and advance of understanding of the significance of any heritage assets to be lost (wholly or in part) as a consequence of the development".</p>
Strategic Landscape	To be reported on the late sheet.

Arboriculture

The Council's Arboriculturalist has issued the following consultation response:

"Outline application for 21 new dwellings on this area of agricultural land. Previous application for 10 dwellings was refused.

Site has a substantial existing hedgeline along the east boundary with Thorncote Road with an existing access. A new access is proposed for the site further south along this boundary. North and south boundaries have some offsite hedgelines and trees with currently an open setting to the west and open countryside.

The layout would seem to offer limited opportunity for landscaping with only limited space for any west boundary planting or buffer with the open countryside. I would like to see the available space increased with the planting retained and managed within the public realm. Some of the boundary hedge with Thorncote Road will be removed to allow Highways visibility splay requirements, we will require native tree and hedge plant similar to the current planting to be reinstated behind the visibility splay and again retained and maintained within the public realm.

A tree and hedgeline protection plan is required showing location of tree protection fencing with a distance and form as detailed in BS5837 2012 Trees in relation to Design, Demolition and Construction. Recommendations.

A detailed Landscape and Boundary treatment plan will be required including species, sizes, densities and timings of planting".

Ecology

The Council's Ecologist has issued the following consultation response:

"The site lies in the Greensand Ridge Nature Improvement Area and in accordance with the 2018 NPPF a net gain for biodiversity would be expected.

Neither the Planning or the Design & Access Statement make reference to ecology or environmental considerations and whilst the site is predominantly arable there are hedgerows on the periphery. The original layout acknowledged these with orientation of new homes retaining boundaries in the public realm, however this application layout will result in the northern hedgerow falling within the curtilage of dwellings 6 to 11 and where garden sizes are reduced to accommodate more units the retained boundary features will be threatened. Should the case officer be minded to grant permission the following condition would be required for the provision of an Ecological Enhancement Strategy, suggest wording follows;

No development shall take place (including ground works or site clearance) until an ecological enhancement strategy (EES) for the creation of new wildlife features such as hibernacula and the erection of bird/bat boxes in buildings/structures and tree, hedgerow, shrub and wildflower planting/establishment has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:

- a) purpose and objectives for the proposed works;
- b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c) extent and location of proposed works shown on appropriate scale maps and plans;
- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) persons responsible for implementing the works;

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter

Reason: To ensure development is ecologically sensitive and secures biodiversity enhancements in accordance with the National Planning Policy Framework".

Self and Custom Build

The Council's Self and Custom Build Officer has issued the following consultation response:

"Paragraph 61 of the National Planning Policy Framework requires housing mix that reflects needs of different groups in the community, including people wishing to commission or build their own homes. The Self-build and Custom Housebuilding Act 2015 (as amended) requires local planning authorities (LPAs) to have a register of people wishing to build their own home to establish a local demand. LPAs must have a regard to their register when carrying out their planning functions and meet the demand arising from the register by granting planning permissions for serviced plots.

The emerging Local Plan's policy H7: Self and Custom Build requires applications for 10 and more houses to provide serviced plots for self and custom builders. The Council's Self and Custom Build Register demonstrates demand for self and custom build dwellings, as set out in the table below, and therefore the applicant is asked to deliver a minimum of 10% of the proposed dwellings as serviced plots, this equates to two plots.

Should the planning permission be granted, it is requested that delivery of two serviced plots for self and custom build dwellings is secured through a condition or s106 agreement".

M a n a g i n g The Council's MANOP team have advised that if
Accommodation Needs development on the site for residential purposes is
for Older People acceptable in principle, then the development should
(MANOP) include not less than three units of mainstream housing
suitable for older people.

Sustainable Growth and The Council's Sustainable Growth and Climate Change
Climate Change Officer has issued the following consultation response:

"The proposed development should comply with the requirements of the development management policies: DM1: Renewable Energy; DM2: Sustainable Construction of New Buildings; and Core Strategy policy CS13: Climate Change. The supporting documents do not provide information on how the proposed development will achieve requirements set by these policies.

Policy DM1 requires all new development of more than 10 dwellings to meet 10% energy demand from renewable or low carbon sources. The proposed development is above the policy threshold and therefore all dwellings should have 10% of their energy demand sources from renewable or low carbon sources.

Policy DM2 requires all new residential development to meet CfSH Level 3. The energy standard of the CfSH Level 3 is below standard required by the Part L2013 of the Building Regulations. The development should therefore as minimum comply with the new Part L2013 of Building Regulations and deliver 10% of their energy demand from renewable sources. In terms of water efficiency, the development should achieve 110 litres per person per day as this is the closest standard to the Level 3 of the CfSH.

Policy CS13 requires that all development takes into account climate change and its impacts on the development. The development therefore should be designed with climate change in mind taking account of increase in rainfall and temperature. Light colour building and landscaping materials should be prioritised over dark coloured which absorb more sun light and retain heat increasing urban heat island effect. The development should minimise hard standing surfaces and increase green, natural areas to allow rainwater infiltration and minimise heat island effect through evaporation and tree shading. SuDS officer will provide comments on the proposed SuDS design.

The above standards are also required by the emerging Local Plan's policy CC1: Climate Change.

Should permission be granted for this development, the following conditions should be attached to ensure that policies CS13, DM1 and DM2 requirements are met:

- Dwellings will be designed to avoid overheating;
- 10% energy demand of the development to be delivered from renewable or low carbon sources or development's energy demand will be reduced by at least 10% through fabric measures;

Water efficiency to achieve water standard of 110 litres per person per day".

Highway Authority

The Council's Highways Development Control Officer has raised no objection to the proposed development subject to the following suggested conditions and informatives:

"Conditions

1/No building shall be occupied until the junction of the proposed vehicular access 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.

2/Visibility splays 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 lines 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. 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(es), and to make the access(es) safe and convenient for the traffic which is likely to use it (them).

3/ No dwelling shall be occupied until a 2m wide footway has been constructed on the western side of Thorncote Road between the entire development frontage to the junction of Thorncote Road/Bedford Road in accordance with details of the approved drawing/or 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.

Reason

In the interests of road safety and pedestrian movement.

4/ No part of the development dwelling shall be occupied until a scheme of speed reduction measures along Thorncote Road have been provided in accordance with details of a scheme to be submitted to and approved by the Local Planning Authority.

Reason

In order to minimise danger, obstruction and inconvenience to users of the highway and the premises.

5/ The development at reserved matters shall be served by means of roads and footpaths which shall be laid out and drained in accordance with the Central Bedfordshire Design Guide September 2014 or other such documents that replace them, and no building shall be occupied until the roads and footpaths which provide access to it from the existing highway have been laid out and constructed in accordance with the above-mentioned Guidance.

Reason

In order to minimise danger, obstruction and inconvenience to users of the highway and of the proposed estate road.

6/ The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall illustrate independent vehicular turning head areas for an 11.5m long refuse collection vehicle. Car and cycle parking shall also be provided in accordance with the relevant parking standards at the time of the submitted reserved matters.

Reason

To enable vehicles to draw off, park and turn outside the highway limits thereby avoiding the reversing of vehicles on to the highway and parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport.

7/ The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall include car and cycle parking in accordance with Central Bedfordshire Design Guide September 2014 or other such documents that replace them has been submitted and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and made available for use before the development is occupied and the car and cycle parking areas shall not thereafter be used for any other purpose.

Reason

To ensure a satisfactory standard of development in accordance with the Central Bedfordshire Design Guide September 2014.

Furthermore, I should be grateful if you would arrange for the following Notes to the applicant to be appended to any Consent issued by the council.

1/ The applicant is advised that in order to comply with Conditions 1, 3 and 4 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

2/ The applicant is advised that all car parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Design Guide 2014.

3/ 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".

Comments and advice in this memo are based on the information supplied in the planning application and accompanying documents/plans and no liability is accepted for any inaccuracy".

Leisure and Open Space

The Council's Leisure and Open Space Officer has issued the following consultation response:

Leisure have no comment on this application.

Education Authority

The Education Authority have raised no objection to the proposed development subject to financial contributions towards education infrastructure projects to meet the needs arising from the development, including:

- A financial contribution towards the creation of additional capacity at Northhill Lower School.
- A financial contribution towards the expansion of Edward Peake Middle School.
- A financial contribution towards the expansion of Stratton Upper School.

Education infrastructure financial contributions are to be based on the following methodology:

*Pupil yield (assessed as 0.06 pupils per dwelling, per year group) * 2009 DfE cost multiplier (inclusive of a location factor).*

Community Infrastructure	No response received.
Bedfordshire Clinical Commissioning Group (BCCG) and NHS England	No response received.
Lead Flood Authority	No objection subject to conditions.
Pollution	No response received.
Anglian Water	No response received.
Bedfordshire Fire and Rescue Service	No objection subject to compliance with Building Regulations.

Other Representations:

Neighbours 17 representations received of which 4 are in favour, 3 are comments and 10 are against the application.

The negative or neutral comments have been summarised as:

- the proposed development is cramped;
- the proposal forms overdevelopment of the site;
- there is no shop in the village;
- occupiers will require cars as the closest town with train station, shops upper schools, doctors etc;
- there is no bus service from Northhill to Sandy;
- the scheme contradicts the remit of the Greensand Ridge Group who received a lottery grant to preserve Greensand country;
- the proposal should be refused in accordance with local peoples wishes;
- the development will negatively impact the character of this small village;
- there is no housing need for dwellings in and around Northhill;
- concern in relation to capacity of sewerage and drainage infrastructure;
- concern in relation to risk of flooding;
- road access is poor to the village;
- the proposal forms a degeneration to the village and surrounding countryside;
- the proposal would lead to further loss of countryside in the future;
- impact of additional vehicular movements on the local highway network and air quality;

- negative impact on the openness of the countryside along Thorncote Road;
- harm to the character and appearance of the area and the charm of the village;
- development is unsympathetic to its rural environment;
- objection to urbanising impacts of street lighting and pavements;
- a footpath should be provided linking the greensand ride walk to the existing footpath on Thorncote Road;
- footpaths and street lighting should be provided to allow for safe access to the village, including schools;
- proposed development undermines the Neighbourhood Plan;
- Highway safety concerns in relation to access visibility;
- the proposed development is not linear;
- the development is more suited to a town not a village;
- the density of development is out of keeping with the context of the site;
- insufficient car parking spaces;
- the proposal would cause a degree of harm to the openness of the countryside and the setting of heritage assets;
- the Local Plan allocation contradicts the Neighbourhood Plan;
- 10 dwellings would be overdevelopment of this site let alone 21 dwellings;
- concern relating to accuracy of drawings;
- concern in relation to indicative access to field to the west;
- loss of views from neighbouring properties;
- no environmental audit has been undertaken, concern in relation to protected species and habitats;
- loss of light to properties on Thorncote Road in winter months;
- impact of development during construction on occupiers of neighbouring properties;
- construction vehicles will not be able to access and egress the site without trespassing and damaging neighbouring land;
- the application does not preserve and enhance the heritage of this locality;
- development is overbearing and out of scale in terms of appearance;
- the existing ancient hedgerow along Thorncote Road would be at risk;
- development is outside the village settlement envelope, is infill and contravenes the Local Plan; and
- request to consider modern and sustainable designs.

The comments in support of the application have been summarised as:

- the development would form a logical extension to the village;
- the development would not form backland development;
- the development will not cause detrimental harm to the

- open countryside because there is already development to the north, south and east of this site;
- the site has already been appraised as suitable for housing by CBC via the Local Plan;
- the increase in build plots from 10 to 21 will help Northill to meet its future housing target, and help with the future sustainability of the village, without overly crowding the site;
- construction of a footway is an improvement;
- support the opportunity for some low cost properties to be planned in the village to help with the diversity of people required to live in a small community like Northill; and
- support the proposed development and the increased provision of affordable housing within the Parish.

Determining Issues:

The main considerations of the application are;

1. Principle
2. Affect on the Character and Appearance of the Area, including the intrinsic character and beauty of the Countryside and Landscape Visual Impacts
3. Trees, Hedgerows, Biodiversity, Ecosystem Services and Natural Capital
4. Amenity of Existing and Future Occupiers
5. Car Parking, Highway Safety and Sustainable Modes of Transport
6. Contamination, Flood Risk and Surface Water Drainage
7. Housing Mix and Affordable Housing
8. Infrastructure and Planning Obligations
9. Human Rights and Equality

Considerations

1. Principle

- 1.1 The Committee are advised that applications for planning permission are to be determined in accordance with the development plan unless material consideration indicate otherwise. The Central Bedfordshire Emerging Local Plan (2018) is a material consideration in this regard.
- 1.2 The site subject to this application is allocated for residential development by Policy HA1 (Site reference HAS41) of the Emerging Local Plan (2018). Policy HA1 indicates that the site referenced HAS41 has an approximate capacity of 21 dwellings calculated at a density of 30dph. Policy HA1 does not identify any additional policy requirements for this site over and above the general policy requirements of the Emerging Local Plan.
- 1.3 The Council considers that Policy HA1 of the Emerging Local Plan is consistent with the policies in the Framework, but when considering the stage of preparation of the emerging plan and the stage of examination, it is considered at this time this policy allocation can only be afforded limited weight in decision making.
- 1.4 In the context of the adopted development plan, the site is located beyond but adjacent to the settlement envelope of Northill as defined by the Proposal Maps (2011). Policy CS1 of the Core Strategy and Development Management Policies (2009) defines Northill as a Small Village for the purposes of the

Development Plan. Policy DM4 permits development within settlement envelopes commensurate with the scale of a settlement taking into account the role of identified settlements within the Development Plan area. The accompanying text to the Policy makes clear that outside settlements where the countryside needs to be protected from inappropriate development, only particular types of new development will be permitted where it accords with the now deleted national guidance in PPS7 - Sustainable Development in the Countryside.

- 1.5 The development proposed would not comply with Policy DM4. Nonetheless, since Policy DM4 takes reference from superseded national advice and the National Planning Policy Framework ("the Framework") does not seek to protect the countryside for its own sake, then the policy does not have full weight. However Paragraph 170 of the Framework outlines that planning should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services".
- 1.6 Furthermore, there is no restriction on the use of settlement boundary policies in the Framework which sets out the Government's requirements for the planning system only to the extent that it is relevant, proportionate and necessary to do so. The envelopes provide a check on unrestrained development in the countryside outside of villages which in turn contributes to compliance with the spatial distribution of housing identified in Policy CS1. The Council considers that the principle of settlement envelopes is not inconsistent with the Framework.
- 1.7 As previously stated applications for planning permission shall be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The National Planning Policy Framework 2018 (NPPF) forms a material consideration.
- 1.8 Paragraph 11 of the NPPF states: *"Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:*
 - c) approving development proposals that accord with an up-to-date development plan without delay; or*
 - d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of date, grant planning permission unless:*
 - i. the application of policies in this framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole".*
- 1.9 When determining whether policies are out-of-date, this includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73 of the NPPF); or where the Housing Delivery Test indicates that the delivery of housing was substantially below the housing requirement over the previous three years.

- 1.10 At the date of this report the Council can demonstrate a five year housing supply of deliverable housing sites and the appropriate buffer, as well as demonstrate that the Councils delivery of housing is not substantially below the housing requirement over the previous three years.
- 1.11 Furthermore; for the reasons outlined within this report it is considered that the principle of settlement envelopes under Policy DM4 within the Core Strategy and Development Management Policies (2009) is not inconsistent with the Framework. Additionally it is considered that Policy DM4 is broadly consistent with the NPPF and as such is not considered to be out-of-date. In line with recent appeal decisions the policy is considered to have moderate weight.
- 1.12 Paragraph 12 of the NPPF states: *"The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local Planning Authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed"*.
- 1.13 It is considered that the principle of the proposed development would be contrary to Policy DM4 of the Core Strategy and Development Management Policies (2009). However it is considered that residential development that accords with the general policy requirements with the Central Bedfordshire Local Plan would be supported by Policy HA1.
- 1.14 The proposed development does not seek to be determined under the general policy requirements of the Central Bedfordshire Emerging Local Plan, due to its stage at examination, but seeks to be judged as a windfall site under the Policies within the Core Strategy and Development Management Policies (2009).
- 1.15 The Committee are also advised that objections from the Northill Parish Council and third parties include lack of compliance to Policies within the Northill Neighbourhood Plan which seek to restrict developments to be no greater than 10 dwellings among other policies. However the Committee are advised that the Northill Neighbourhood plan has not reached the end of the Local Planning Authority publicity period and has not been examined or adopted by referendum, whereby paragraph 50 of the NPPF indicates that a refusal on grounds of prematurity at this stage of the Neighbourhood Plan making process will seldom be justified.
- 1.16 The Committee are advised that a reason for refusal on grounds of prematurity in the context of the Emerging Local Plan, in the context of Paragraph 49 and 50 of the NPPF.
- 1.17 In summary Policies within the Emerging Local Plan, the Emerging Northill Neighbourhood Plan and Policy DM4 of the Core Strategy and Development Management Policies are not attributed full weight for the reasons outlined these would not justify the refusal of planning permission on their own, nor would a reason for refusal on grounds of prematurity likely be justified.
- 1.18 Thereby, the Committee are advised to determine the application as proposed a windfall site against the three objectives of sustainability, which are the social, environmental and economic objectives, to determine whether the

development would be sustainable and would outweigh the non compliance with these policies. It is noted that Paragraph 9 of the NPPF states: *"These objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework"*. Therefore in considering the development in the context of these objectives, other up-to-date Local Policies and the Policies within the NPPF shall be considered.

2. Impact upon the setting of Listed Buildings, the character and appearance of the Conservation Area and the character and appearance of the area more generally, including the intrinsic character and beauty of the countryside.

2.1 Built Heritage Assets

The site is located adjacent but beyond the Northhill Conservation Area. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires the Local Planning Authority to pay special attention to the desirability of preserving or enhancing the character and appearance of a Conservation Area.

2.2 It is considered that the site is within the setting of the Grade II Listed Building known as No. 39 and 41 (formerly 20 and 24) Thorncote Road, Northhill and the Grade I Listed St Mary's Church, whereby the tower of the Grade I Listed St Mary's church can be viewed when approaching the site from the north over open land and existing buildings to the north of the village. Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires the local planning authority, in determining applications for planning permission, to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interests which it possesses.

2.3 Policy DM3 seeks to ensure that all new development is appropriate in design that respects and complements the context of the site including the setting of all heritage assets, particularly those that are designated. Policy CS15 seeks to protect, conserve and enhance the district's Heritage including Conservation Areas and their setting. Policy DM13 states: the Council will ensure that planning applications for development within Conservation Areas are assessed against the Conservation Area appraisals and inappropriate development will be refused.

2.4 Paragraph 192 of the NPPF states: In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

2.5 Paragraph 193 and 194 of the NPPF continues that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. In accordance with paragraph 193 great weight is given

to the conservation of these heritage assets.

2.6 Conservation Area

In accordance with the requirements above the development has been assessed against the Northhill Conservation Area Appraisal which comments broadly upon the importance of the Church forming the dominant feature within the Conservation Area which can be glimpsed from all entrances into the conservation Area including the northern approach to the village, however the Northhill Conservation Area Appraisal states that; the entrance to Northhill upon Thorncote Road is somewhat compromised by recent development on the west site, which does not add to the special character of the conservation area. It is however noted that there is an absence of kerbs and footpaths on the entrance to the Village upon Thorncote Road.

2.7 The Conservation Area Appraisal identifies boundary walls and hedgerows which make an important contribution to the village scene. The Northhill Conservation Area Appraisal (2004) identifies the hedgerow within the frontage of the site as an important hedgerow, and provides the following conservation area guidance: "where necessary, seek to retain important walls and hedgerows".

2.8 Taken as a whole the north eastern side of Northhill Conservation Area is characterised by a sense transition between countryside and the village or Northhill with frontage hedgerows and green verges, with the absence of footpaths. Buildings on the Eastern site of Thorncote Road are low density with large plots, with more modern properties on the western site with smaller plots.

2.9 In accordance with the advice of the Council's Conservation Officer, notwithstanding the required provision of a footpath upon Thorncote Road, it is considered that subject to the provision or retention of soft landscaping at the site frontage, the development would cause less than substantial harm to the character and appearance of the Conservation Area which includes the northern approach. Subject to the latter the introduction of up to 21 dwelling development, of suitable and sensitive design, scale, layout, landscaping and appearance, that the proposed development would cause less than substantial harm. This harm shall be weighed against the public benefits of the development.

2.10 Setting of Listed Buildings

The tower of the Grade I Listed St Mary's church can be seen above existing buildings on this side of the settlement. There is some modern building along the road. However it is considered that the proposed development would cause less than substantial harm to the significance of this heritage asset, which includes its setting.

2.11 The site is located within the immediate setting of the Grade II Listed Building known as No. 39 and 41 (formerly 20 and 24) Thorncote Road. However in accordance with the advice of the Council's Conservation Officer, it is considered that subject to the development being of suitable and sensitive design, scale, layout, landscaping and appearance, that the proposed development would cause less than substantial harm to the significance of this heritage asset when considering the buildings historic and architectural significance including its setting and all the features of special architectural or

historic interests which it possesses. This harm shall be weighed against the public benefits of the development.

2.12 Harm to the significance of heritage assets weighed against public benefits

As outlined above it is considered that subject to the detail of the proposal to be assessed at reserved matters stage, the proposed development would cause less than substantial harm to the significance of Northill Conservation Area, as well as the Grade I Listed St Mary's church and the Grade II Listed Building known as No. 39 and 41 (formerly 20 and 24) Thorncote Road. However it is considered that public benefit of providing up to 21 dwellings including affordable homes to positively contribute towards the identified Housing Need, the benefit of providing a new footpath connection to serve both new and existing residents, as well as the benefit of new residents helping to support local services and facilities, would outweigh the degree of harm identified.

2.13 Impact on the character and appearance more generally including the intrinsic character and beauty of the countryside

It is considered that subject to the development of a development of up to 21 dwellings being of a suitable and sensitive design, scale, layout, landscaping and appearance, in this rural and edge of countryside location, including a soft landscaping buffer to the western and eastern boundary of the site, it is considered that the proposed development would not cause harm to the character and appearance of the area, including landscape visual impacts.

2.14 Concern has been raised in relation to the detail of the indicative layout submitted, however the detail of layout, landscaping, scale and appearance have been reserved and are not subject to this outline planning application.

2.15 It is however considered necessary to impose conditions to ensure that any reserved matters application received includes a soft landscaping buffer on the western boundary of the site, and that dwellings would be of a scale no greater than 2 storeys in height.

2.16 Concern has been raised in relation to the potential density of development if 21 units were to be constructed within the site however the committee are advised that 21 units could be achieved at a density of approximately 30dph which is considered for form an appropriate and low density scheme, reflecting the proposals rural and edge of settlement location.

2.17 For the reasons outlined above it is considered, subject to conditions, that the proposed development would be acceptable within the context of conserving and enhancing the built historic environment. Furthermore; it is considered that the development would be of a high quality and would not cause harm to the character and appearance of the area more generally. The proposal would conform with Policies DM3, DM13, DM14, CS14, CS15 and CS16 of the Core Strategy for the North of Central Bedfordshire; Policies HQ1 and HE3 of the Submission Central Bedfordshire Local Plan; the Central Bedfordshire Design Guide; and the NPPF.

3. Trees, Hedgerows, Biodiversity, Ecosystem Services and Natural Capital

3.1 The site does contain existing hedgerows, which have the potential to be affected by development of the site, it is considered necessary, relevant and reasonable to impose a condition that would ensure that the layout agreed at

reserved matters stage would retain and protect any retained hedgerows including during construction.

- 3.2 The application is not accompanied by an Ecological survey however the Council's Ecologist has raised no objection to the application on the grounds of insufficient information or protected species. The Council's Ecologist has advised that subject to a condition that would require a Ecological Enhancement Strategy to ensure the proposal can achieve net gains in biodiversity, within this Greensand Ridge Nature Improvement Area, there is no objection in that context.
- 3.3 Paragraph 170 of the NPPF outlines that planning should "contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland".
- 3.4 The site consists of arable land with periphery hedgerow and some trees, however it is considered that the development would not result in a significant loss of best and most versatile agricultural land. The natural capital and ecosystem services that the site provides are acknowledged, however it is considered that the benefits of development, including the provision of 21 dwellings including affordable homes would positively contribute towards the Councils housing need whilst providing temporary jobs during construction. Furthermore the development would support local services/ facilities and would be required at reserved matters stage to provide an appropriate landscaping scheme as well as a biodiversity enhancement scheme to mitigate the identified impacts in the context of landscaping, ecology, natural capital and ecosystem services. Therefore it is considered that development could deliver a net gain for biodiversity and would be acceptable in this context.
- 3.5 For the reasons outlined above it is considered that the proposed development, subject to conditions that would secure an acceptable landscaping scheme and biodiversity enhancements that would ensure a net gain for biodiversity as well as retain and protect the hedgerow would be acceptable in the context of policies CS18, DM3, DM14 and DM15 of the Core Strategy and Development Management Policies (2009) and policies EE2, EE4 and EE5 of the Submission Central Bedfordshire Local Plan, as well as the policies within the NPPF, in this context.

4. Amenity for Existing and Future Occupiers

- 4.1 This application forms an outline planning application with all matters reserved, whereby the detail of the development would be subject to a reserved matters application.
- 4.2 It is considered from the information provided that 21 dwellings, could be constructed within the site, which would provide an acceptable standard of amenity for future occupiers, and would ensure that neighbouring dwellings would retain an acceptable standard of amenity, including an acceptable standard of privacy to neighbouring properties and immediate private amenity spaces.
- 4.3 For the reasons outlined above it is considered that the proposed development is acceptable within this context.

5. Car Parking, Highway Safety and Sustainable Modes of Transport

- 5.1 This application forms an outline planning application with all matters reserved, whereby the detail of on site car parking will be required to be approved at the reserved matters stage. A condition would ensure that any reserved matters application would feature a policy compliant car parking scheme.
- 5.2 Concern has been raised in relation to highway safety and capacity by neighbours, however no objection has been received from the Highway Authority. The Highway Authority have confirmed that access to the site can be achieved.
- 5.3 The Highway Authority have requested the provision of footpath connections and traffic calming measures to ensure the proposal is acceptable in the context of highway safety.
- 5.4 Subject to conditions it is considered that the proposed development would be acceptable in the context of Car Parking, Highway Safety and highway capacity, in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009) and Policies T2 and T3 of the Submission Central Bedfordshire Local Plan, as well as the policies within the NPPF, in that context.
- 5.5 Concern has been raised in relation to the sustainability of the development in relation to access to sustainable modes of transport with particular emphasis to accessibility of services and facilities. The NPPF Paragraph 103 states, "Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan making and decision-making".
- 5.6 The proposed development is not considered to form significant development or to be isolated. Although bus services are not as frequent as a more urban location, the development has good access to the bus service currently provided for residents in Northill; it is also considered that this development would support services and facilities within Northill, which are walkable, and would support services and facilities within neighbouring settlements, whereby the proposed development would positively contribute towards maintaining the vitality of this community.
- 5.7 For the reasons outlined above it is considered that the proposed development is acceptable in the context of access to services and facilities, in the context of sustainable modes of transport.
- 5.8 Policy T5 of the Emerging Local Plan and Paragraph 105 of the NPPF emphasis the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles. It is considered necessary, relevant and reasonable to impose a condition for the submission of a scheme for the provision of such charging points.
- 5.9 Subject to conditions it is considered that the proposed development would be acceptable within the context of Policy T5 and Paragraph 105 of the NPPF.

6. Flood Risk and Surface Water Drainage

6.1 The Lead flood Authority have raised no objection to the development subject to sustainable urban drainage being provided, therefore it is considered that the proposed development is acceptable within this context.

7. Archaeology

7.1 The proposed development has the potential to impact heritage assets of archaeological interest, however the Council's Archaeologist has raised no objection subject to a condition that would ensure a written scheme of archaeological investigation, that adopts a staged approach and includes the provision for post excavation analysis and publication, is approved by the Local Planning Authority prior to the commencement of development and implemented.

7.2 Subject to conditions it is considered that the proposed development would be acceptable within this context.

8. Housing Mix and Affordable Housing

8.1 The proposed development would deliver 35% on-site provision of affordable housing with a tenure split requirement of 73% affordable rent and 27% intermediate tenure. Thereby it is considered that the proposed development would be in accordance with Policy CS7 of the Core Strategy and Development Management Policies (2009).

8.2 Therefore subject to the above being secured it is considered that the proposed development is acceptable within this context.

8.3 It is noted that MANOP have requested the dwellings within the site should be designed to be suitable for older persons. However the standards referred are not currently outlined within adopted or Emerging Planning Policy within the Local Plan or Supporting Document and as such it would not be reasonable to impose a condition that would secure such units on this site. However Policy H2 of the Emerging Local Plan, which relates to accessible home standards states:

8.4 "In requiring adaptable and accessible homes from all future developments; the Council will:

- require all new build housing to deliver at least 35% Category 2 Requirement M4(2) adaptable homes (or any new revised regulations revoked or modify the Building Regulations); and
- require all new build housing to deliver at least 5% Category 3, Requirement M4(3) wheelchair accessible homes (or any new or revised regulations that revoke or modify the Building Regulations)".

8.5 However given the stage of the Local Plan this Policy can only be given limited weight. The site is required to deliver 35% affordable housing, in accordance with the adopted development plan. The Committee are advised that the Emerging Local Plan requires 30% affordable housing in addition to the requirements of policy H2. It would be considered unreasonable to impose the requirement of 35% affordable housing as required by the adopted development plan, at the same time as imposing the requirements of policy H2 of the Emerging Plan.

8.6 At this outline stage the housing mix to be provided by this site is unknown and this would be subject to the reserved matters application, however the proposal does include the provision of 2 bungalow style dwellings, which

would be suitable for elderly persons.

- 8.7 The Committee are advised that no self and custom build housing is proposed.

9. Infrastructure and Planning Obligations

- 9.1 Policy CS2 of the Core Strategy and Development Management Policies (2009) states that developers are required to make contributions as necessary to offset the cost of providing new physical, social, community and environmental infrastructure.

- 9.2 Policy CS2 is considered to be in accordance with Paragraph 56 of the NPPF which states: Planning obligations must only be sought where they meet all of the following tests:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

- 9.3 These tests are also set out by Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 (as amended).

- 9.4 The Education Spending Officer has raised no objection to the application in relation to the capacity of education facilities subject to necessary, relevant and reasonable contributions to meet the needs arising from the development, which shall be secured via S106 agreement.

- 9.5 The Leisure Spending officer has confirmed that no contributions or conditions are required for this development.

- 9.6 The NHS and the Council's Community Facilities Spending Officer have been consulted on this application and have been chased for a response, however at the time of writing no representation has been received. If a representation is received prior to the Development Management Committee, the Committee shall be updated. However in the absence of a representation, there is no evidence provided by the statutory body responsible for healthcare and Community Infrastructure to suggest that the existing or planned capacity of existing facilities is unable to accommodate the growth in needs arising from this development and no necessary, relevant or reasonable contribution towards an infrastructure project has been identified that would comply with the Community Infrastructure Levy Regulations.

- 9.7 A delivery clause shall be included within the S106 agreement to ensure that the site would be delivered within 5 years of the date of the decision notice.

10. Other Considerations

10.1 Climate Change

The Council's Sustainable Growth and Climate Change Officer has requested a condition to ensure compliance with policies: DM1, DM2 and CS13 of the Core Strategy and Development Management Policies, to ensure the development would be designed to:

- avoid overheating;
- to meet the energy efficiency standard of 10% energy demand of the development to be delivered from renewable or low carbon sources or development's energy demand will be reduced by at least 10% through

fabric measures;

- to meet the water efficiency standard of 110 litres per person per day.

10.2 **Foul Drainage**

Concern has been raised in the context of the capacity of foul drainage infrastructure in the area. Anglian Water has been consulted by has provided no response. It has been considered necessary to impose a condition for the submission of a foul drainage strategy for the approval of the Local Planning Authority.

10.3 **Construction**

Concern has been raised in relation to potential impacts upon amenity during construction, however no concern has been raised by the Pollution Team and it is considered that such matters are controlled under separate legislation.

10.4 **Human Rights and Equality**

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.

11. **Planning Balance**

11.1 It is considered that the principle of the proposed development would be contrary to Policy DM4 of the Core Strategy and Development Management Policies (2009). Notwithstanding the latter this policy is not attributed full weight for the reasons outlined and as such would not justify the refusal of planning permission on its own.

11.2 Furthermore; the Committee are advised that a reason for refusal on grounds of prematurity in the context of the Emerging Local Plan and/or the Emerging Northhill Neighbourhood Plan would not likely be justified for a development of this scale, in the context of Paragraph 49 and 50 of the NPPF.

11.3 The proposed development has been considered against the three objectives of sustainability, which are the social, environmental and economic objectives, to determine whether the development would be sustainable and the benefits would outweigh the non compliance with these policies. In considering the latter in the context of these objectives, other up-to-date Local Policies and the Policies within the NPPF have been considered.

11.4 For the reasons outlined within this report the Committee is advised that, subject to conditions and a S106 agreement the development, it is considered it would be sustainable and no significant harm has been identified, including in the context of heritage assets. It is considered that the benefits of the development would outweigh the conflict Policy DM4 of the Core Strategy and Development Management Policies (2009).

Recommendation:

That Planning Permission be **APPROVED** subject to the applicant entering into a legal agreement to secure financial contributions, on-site provision of affordable housing and, subject to the following planning conditions:

RECOMMENDED CONDITIONS

- 1 Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as 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 Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

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.

- 3 The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters 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.

- 4 The number of dwellings approved shall not exceed 21 and shall be no less than 18. Any subsequent reserved matters application shall include no less than 2 bungalow style dwellings.

Reason: To appropriately manage the scale of the development at the site, in accordance with Policies CS14, DM3 and DM4 of the Core Strategy and Development Management Policies 2009, and to clarify any ambiguity regarding the description of the approved development.

- 5 Any subsequent reserved matters application for the approval of landscaping shall include details of hard and soft landscaping (including any replacement tree and hedgerow planting), together with a timetable for its implementation and maintenance for a period of 5 years following implementation. Any subsequent reserved matters application submitted under Condition 2 of this permission shall include details measures for the protection of retained trees/hedgerows within or neighbouring the site during the course of development. The approved measures shall be implemented in accordance with a timetable to be included as part of the landscaping scheme. The development shall be carried out as approved and in accordance with the approved timetable.

Reason: To ensure the development would acceptably mitigate landscape visual impacts, provide a net gain for biodiversity, safeguard retained trees/hedgerows during construction, and ensure the development would provide a high quality landscaping scheme in the interest of the visual amenities of the locality, in accordance with Policies CS16, DM14, DM15 and DM3 of the Core Strategy and Development Management Policies (2009) and the NPPF.

- 6 Any subsequent reserved matters application shall include a soft landscaping buffer along the entire length of the western and eastern boundaries of the site (except that required for vehicular accesses with visibility splays, as well as footpath connections), to soften the visual impact development from the open countryside and to preserve a soft landscaped approach to Northhill Conservation Area along Thorncote Road.

Reason: To ensure the development would acceptably mitigate landscape visual impacts and preserves the character of Northhill Conservation Area, in accordance with Policies CS15, CS16, DM13, DM14, DM15 and DM3 of the Core Strategy and Development Management Policies (2009) and the NPPF.

- 7 Any application for the approval of reserved matters except any application that relates solely to access shall include details of the existing and final ground and slab levels of the buildings. The details shall include sections through both the site and the adjoining properties and the proposal shall be developed in accordance with the approved details.

Reason: To ensure that an acceptable relationship results between the new development and adjacent buildings and public areas, in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009) and the NPPF.

- 8 **No development shall commence until a detailed surface water drainage scheme, to manage surface water run off from the development for up to and including the 1 in 100 year event (+40%CC) for the scheme has been submitted to and approved in writing by the Local Planning Authority. The discharge rate from the development will be limited to the equivalent 1 in 1 year rate, or an appropriate rate as agreed by the Bedford Group of Internal Drainage Boards or sewage undertaker. The final detailed design shall be based on the agreed drainage Strategy (Part 4 of the Environmental Statement Addendum (including appendix C1) by PBA Nov 2018, and DEFRA's Non-statutory technical standards for sustainable drainage systems (March, 2018), and shall be implemented as approved. Any variation to the connections and controls indicated on the approved details which may be necessary at the time of construction would require the resubmission of those details to the Local Planning Authority for approval.**

Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with para 103 of the NPPF.

- 9 No building/dwelling shall be occupied until the developer has formally submitted in writing to the Local Planning Authority a finalised 'Maintenance and Management Plan' for the entire surface water drainage system, inclusive of any adoption arrangements and/or private ownership or responsibilities, and that the approved surface water drainage scheme has been correctly and fully installed as per the final approved details.

Reason: To ensure that the implementation and long term operation of a sustainable drainage system (SuDS) is in line with what has been approved, in accordance with Written Statement HCWS161.

- 10 **No development shall take place until a foul drainage strategy has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing the works shall be carried out in accordance with the approved details prior to the occupation of any dwelling subsequently approved.**

Reason: Details are required prior to the commencement of development to prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity in accordance with policy DM2 of the Core Strategy and Development Management Policies 2009.

- 11 No building shall be occupied until the junction as of the proposed vehicular access with the highway as shown on Drawing: 18093-NHIL-5-500 has been constructed in accordance with the approved details.

Reason: To minimise danger, obstruction and inconvenience to users of the highway and of the proposed estate road, in accordance with Policy DM3 and CS4 of the Core Strategy and Development Management Policies and the NPPF.

- 12 Visibility splays 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 lines 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. 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(es), and to make the access(es) safe and convenient for the traffic which is likely to use it (them).

- 13 Any subsequent reserved matters application shall include a 2m wide footway from Thorncote Road at the northeastern corner of the site to the northern side pedestrian dropped kerb of the site access as approved and illustrated on Drawing Number: 18093-NHIL-5-500. The approved footpath shall be constructed in accordance with the approved details prior to the first occupation of any dwelling hereby approved and shall thereafter be retained in perpetuity and made available for public access.

Reason: In the interests of road safety and pedestrian movement.

- 14 No dwelling hereby approved shall be first occupied until a scheme for the provision of 2 metre wide footway on the western side of Thorncote Road between the development access to the junction of Thorncote Road/Bedford Road, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, no dwelling hereby approved shall be first occupied until the approved footway has been constructed and completed in accordance with approved details. The scheme shall include the re-siting of any Statutory Undertakers equipment or street furniture to provide an unobstructed footway.

Reason: In the interests of road safety and pedestrian movement.

- 15 No dwelling hereby approved shall be first occupied until a scheme of speed reduction measures along Thorncote Road with a timescale for completion has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the speed reduction measures along Thorncote Road shall be completed in accordance with the approved scheme and within the approved timescale.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises.

- 16 The development shall be served by means of roads and footpaths which shall be laid out and drained in accordance with the Central Bedfordshire Design Guide September 2014 or other such documents that replace them, and no building shall be occupied until the roads and footpaths which provide access to it from the existing highway have been laid out and constructed in accordance with the above-mentioned Guidance.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the proposed estate road.

- 17 The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall include car and cycle parking in accordance with Central Bedfordshire Design Guide September 2014 or other such documents that replace them has been submitted and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and made available for use before the development is occupied and the car and cycle parking areas shall not thereafter be used for any other purpose.

Reason: To ensure a satisfactory standard of development in accordance with the Central Bedfordshire Design Guide September 2014.

- 18 As part of any reserved matters application a scheme for the provision of spaces and electric charging points to serve the development shall be submitted for the approval by the Local Planning Authority. The scheme shall include a timescale for implementation. The approved scheme shall be implemented in accordance with the details approved.

Reason: The need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles, in accordance with Policy T5 of the Emerging Local Plan and Paragraph 105 of the NPPF.

- 19 The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall illustrate an independent vehicular turning head areas for an 11.5m refuse collection vehicle.

Reason: To enable vehicles to draw off, park and turn outside the highway limits thereby avoiding the reversing of vehicles on to the highway.

- 20 **No development shall take place until an ecological enhancement strategy (EES) for the creation of new wildlife features such as hibernacula, the erection of bird/bat and bee boxes in buildings/structures and tree, hedgerow, shrub and wildflower planting/establishment has been submitted to and approved in writing by the local planning authority. The content of the method statement shall be informed by an up to date Ecological Appraisal of the site and include the:**

- a) purpose and objectives for the proposed works;
- b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c) extent and location of proposed works shown on appropriate scale maps and plans;
- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) persons responsible for implementing the works;

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter

Reason: Details required prior to the commencement of development to ensure development is ecologically sensitive and secures biodiversity enhancements that are integrated into the development in accordance with the National Planning Policy Framework.

- 21 No development shall take place until a written scheme of archaeological investigation, that adopts a staged approach and includes the provision for post excavation analysis and publication, has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall only be implemented in full accordance with the approved archaeological scheme.

Reason: This condition is pre-commencement as a failure to secure appropriate archaeological investigation in advance of development would be contrary to paragraph 199 of the National Planning Policy Framework (NPPF) that requires developers to record and advance of understanding of the significance of any heritage assets to be lost (wholly or in part) as a consequence of the development.

- 22 The details required by Condition 2 of this permission shall include a scheme of measures to mitigate the impacts of climate change and deliver sustainable and resource efficient development including opportunities to meet higher water efficiency standards and building design, layout and orientation, natural features and landscaping to maximise natural ventilation, cooling and solar gain. The scheme shall include:

- details to demonstrate how 10% energy demand of the development to be delivered from renewable or low carbon sources or development's energy demand will be reduced by at least 10% through fabric measures, will be achieved; and
- details to demonstrate that Water efficiency to achieve water standard of 110 litres per person per day will be achieved.

Thereafter the development shall be carried out in full in accordance with the approved scheme.

Reason: To ensure the development is resilient and adaptable to the impacts arising from climate change in accordance with the NPPF.

23 **No equipment, machinery or materials shall be brought on to the site for the purposes of development until a method statement for protecting the retained trees is provided to and agreed in writing by the Local Planning Authority, which shall include details of the location of tree protection fencing. The approved methods for protecting trees shall be undertaken in accordance with the approved details until all equipment, machinery and surplus materials have been removed from the site.**

Reason: Details are required pre commencement to ensure the trees are suitably protected during earthwork and construction.

24 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: Site Location Plan - FINAL 26.10.18; and 18093-NHIL-5-500.

Reason: To identify the approved plans 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 Conditions 12, 13, 14 & 15 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
3. The applicant is advised that all car parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Design Guide 2014.
4. 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".

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35

The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

DECISION

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