

## **Item No. 7**

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| <b>APPLICATION NUMBER</b>                | <b>CB/18/02373/OUT</b>  |
| <b>LOCATION</b>                          | <b>Loft Farm and West of Church Street, Langford, Biggleswade, SG18 9QA</b>   |
| <b>PROPOSAL</b>                          | <b>Outline planning application for up to 95 dwellings and associated public open space, with all matters reserved except for access.</b> |
| <b>PARISH</b>                            | <b>Langford</b>   |
| <b>WARD</b>                              | <b>Stotfold &amp; Langford</b>  |
| <b>WARD COUNCILLORS</b>                  | <b>Cllrs Dixon, Saunders &amp; Saunders</b>   |
| <b>CASE OFFICER</b>                      | <b>Stuart Robinson</b>  |
| <b>DATE REGISTERED</b>                   | <b>26 June 2018</b>   |
| <b>EXPIRY DATE</b>                       | <b>21 August 2018</b>   |
| <b>APPLICANT</b>                         | <b>Rosconn Strategic Land</b>   |
| <b>AGENT</b>                             | <b>Strutt and Parker</b>  |
| <b>REASON FOR COMMITTEE TO DETERMINE</b> | <b>Departure from the Development Plan</b>  |
| <b>RECOMMENDED DECISION</b>              | <b>Outline Application - Recommended for Approval</b>   |

### **Update to Committee:**

The application was originally considered by the Development Management Committee on 5 December 2018. The Committee resolved that further consideration of the planning application be deferred for up to two meeting cycles to enable Members to:

- Receive evidence relating to the ability of construction vehicles to enter the application site by passing through Tithe Farm Close.
- Assess the impact on the existing residents in Tithe Farm Close in the immediate vicinity of the proposed new access to the application site as a result of the increase in traffic resulting from the development.
- Find an alternative access to the application site, subject to the developer's approval to do so.

In response to the Committee's requests, the applicant has provided a Construction Management Plan, a plan showing vehicle tracking diagrams and a plan showing the construction compound location.

In order to consider these points further the Council have re-consulted the Langford Parish Council. The Parish Council have provided comments and these have been summarised below.

- Concerns have not been alleviated regarding the vehicle movement track. The tracking is based upon no cars being parking along Tithe Farm Close.
- The turning circles are extremely tight. Question whether bollards are to be erected to protect properties.
- Question whether CCTV is to be installed to police the entrance.
- Concerns regarding delivery vehicles waiting in the entrance.
- Question whether a digger can get into the site if they do not fit on the lorries stated within the documents.
- Concern regarding the response by the Police Liaison Officer not being uploaded until after the Committee meeting
- Question whether there parking for tradesmen is feasible and sufficient.
- Question whether there will be deliveries on weekends.
- Question how the end of the close will be cut off, as it could inconvenience residents and people with businesses from their homes.
- Question whether Biggleswade Town Council have been consulted as the access is via Biggleswade Road
- Insist that a drive through wheel washer be brought on to the site.
- Insist that the proposed Puffin crossing is provided prior to the start on site
- Request that an alternative access is sought.

The applicant also met with Cllr Dixon to talk through the Construction Management Plan and the issues raised at the Committee meeting.

Following on from these comments, and the meeting with Cllr Dixon, the applicant provided an amended Construction Management Plan. This Construction Management Plan seeks to address the concerns raised and has been considered below.

#### Alternative Access

The applicant has provided additional clarification following the Committee meeting and have provided a plan showing the access points they have investigated. The applicant has stated that, prior to the submission of the application, they investigated purchasing dwellings in the surrounding area adjoining the site, however it was determined that Tithe Farm Close represented the only realistic access in and out of the proposed development site. The applicant has highlighted that several surrounding properties do not directly adjoin the application site, meaning that any access would require multiple land owners agreement. They have also highlighted that many of the properties along Church Street are not wide enough and do not have sufficient visibility splays.

For these reasons, the applicant has been unable to find an alternative access which is considered to be an improvement upon Tithe Farm Close.

#### Impact to Residential Amenity

In response to this point, further clarification has been provided by the applicant. They have stated that the land, situated in front of No.14 Tithe Farm Close, is not within No.14's ownership and was historically under licence by No.14, but this ceased in 2016. No.14 will retain the same sized front garden as it currently has and would have sufficient space within the site to accommodate two car parking spaces.

The construction process, would have an impact in terms of residential amenity, however, such as construction noise. This would, however, be for a limited time period, and would be controlled by the Construction Management Plan. The impact to No.14, is not considered to present an unacceptable adverse impact. It is also noted that the Pollution Team have not objected to the proposed development.

#### Construction Vehicle Access

In order to evidence that the construction vehicle access is acceptable, the applicant has provided vehicle tracking diagrams for a 10.2 metre long vehicle and a 12.0 metre long vehicle. These diagrams show that access is achievable. The Parish Council have highlighted that access is only achievable were there is no car parking on Tithe Farm Close. The road has no car parking restrictions, so it cannot be controlled that cars do not park on the access road. In response to these concerns, the applicant has stated that appropriate site management, including a "Banksman" and an assistant, if required, construction traffic can manage the access. The future builder will be required to be a member of/register the site with the National Federation of Builders, Considerate Constructors Scheme as specified in the CMP.

It has also been highlighted that delivery vehicles may adversely impact the amenity and safety of residents, by parking on Tithe Farm Close and waiting in the area. In response to this matter, the applicant has stated:

*"Delivery of all materials to the site will only take place between the hours of 0930 and 1500 to safeguard any children using Tithe Farm Close and Church Street. During these delivery times, no waiting cones will be placed along Tithe Farm Close to restrict parking. Signs informing residents of delivery times will be clearly displayed on lighting columns on Tithe Farm Close. Any vehicles that arrive to the vicinity of the site ahead of these operating hours will be required to wait at the eastbound layby on the A507 near Henlow/Perfect Aquatics."*

The Parish Council have questioned whether a digger would be able to get on site. The Construction Management Plan states that the heavy plant will be road legal, and wheel based, rather than tracked. They can be delivered away from the site and the centre of the village if necessary and driven to the site. Whilst tracked heavy plant vehicles would commonly be expected for a development of that proposed, there is nothing to suggest that wheel based heavy plant cannot be used. A Highways Officer has considered the submitted material. Whilst they have not raised an objection, they have highlighted concerns in relation to large vehicles arriving to the site outside of delivery and work hours. Without controls and/or restrictions, large vehicles may try to wait on Tithe Farm Close, impacting the amenity of residents.

Finally, the Parish Council have requested that the proposed upgrading of the Zebra crossing to a Puffin crossing takes place prior to the commencement of the development. Whilst the applicant has stated they are agreeable to this, Officers consider that this would be an unreasonable condition, as the impact in terms of pedestrian safety would occur after occupation of the development. For this reason Officers consider that the condition (which is condition 11 within the original report) should remain.

### Conclusion

Based upon the further information, it is considered by officers that the development would present an unacceptable adverse impact in terms of residential amenity or highways safety. As such, the original recommendation is reiterated within this report.

### **Reason for Recommendation:**

The proposal is located outside of the Settlement Envelope and therefore represents a departure from the development plan. However the site, due to its scale and location, is considered to represent sustainable development, which outweighs non-compliance with Policy DM4.

The applicant commits to various financial contributions to offset the impact on local infrastructure. The development would also provide affordable housing, compliant with Policy CS7. There is not considered to be any material harm in terms of highways safety, residential amenity, character, ecology or flood risk, and the development is considered to be acceptable in principle.

### **Site Location:**

The application site comprises of a 5.45 ha parcel of land, located to the north-west of Langford. The site largely comprises of a pasture field, subdivided by temporary or permanent fencing. The site contains a number of existing agricultural buildings to the centre and eastern areas of the site, including stables, pig pens and chicken huts.

The site adjoins residential development to the south, east and partially to the north. To the north-west of the site lies Chestnut Pool Fisheries. To the west lies the River Ivel, a County Wildlife Site. A small parade of shops is located to the east of the site. To the south-east of the site is Langford Village Academy, a lower school.

The site is located outside of the Langford Settlement Envelope. The western area of the site falls within Flood Zone 2.

### **The Application:**

This application seeks outline planning permission for up to 95 dwellings. All matters are reserved as part of this application, apart from access.

### **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 CS14: High Quality Development  
Policy CS16: Landscape and Woodland  
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:

SP1: National Planning Policy Framework - Presumption in Favour of Sustainable Development  
SP7: Development within Settlement Envelopes  
T2: Highways Safety and Design  
T3: Parking  
HQ1: High Quality Development  
HQ8: Back-land Development  
H2: Housing Standards  
EE2: Biodiversity  
DC5: Agricultural Land

### **Supplementary Planning Guidance/Other Documents**

Central Bedfordshire Design Guide (March 2014)

### **Relevant Planning History:**

No relevant planning history.

## Consultees:

|                              |   |
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| Langford Parish Council      | <p>Object for the following reasons:</p> <ul style="list-style-type: none"><li>• Highlight concerns regarding the Transport Assessment. The TA incorrectly states it is a 30mph road, even though it is a 20 mph road. The TA does not identify other committed developments, such as Flexmore Way.</li><li>• The access road width is not practical for the potential vehicle usage and the scale of development.</li><li>• The visibility of the access is limited and an alternative should be sought.</li><li>• Parking and access are already issues in relation to Church Street and Tithe Farm Close.</li><li>• Minimal public transport within the village.</li><li>• Concerns regarding flooding and drainage.</li></ul> |
| Anglian Water                | No objection, subject to conditions.  |
| Internal Drainage Board      | No objection, subject to a condition.   |
| Beds Fire and Rescue         | No objection.   |
| Environment Agency           | No objection.   |
| Police Architectural Liaison | Object to the application due to concerns regarding the level of permeability, which is considered to negatively impact security.   |
| CBC MANOP                    | No objection. Comments state that no less than thirteen units of mainstream housing suitable for older people should be provided.   |
| CBC Archaeology              | No objection, subject to a condition.   |
| CBC Landscaping              | Request more detail in relation to internal landscaping and tree planting   |
| CBC Leisure                  | No objection. Contributions would be expected towards indoor and outdoor sport provision.   |
| CBC Travel Plans             | No objection, subject to a condition.   |
| CBC Ecology                  | No objection, subject to a condition.   |
| CBC Trees                    | No objection.   |
| CBC Waste Services           | Comments in relation to expected bin provision  |
| CBC Pollution                | No objection, subject to a condition  |
| CBC Drainage                 | No objection, subject to conditions.  |
| CBC Sustainability           | Comments in relation to self and custom build expectations.   |
| CBC Affordable Housing       | No objections. The following mix is stated for the affordable dwellings:  |

| <b>Property Type</b> | <b>Affordable Rent</b> |
|----------------------|------------------------|
| 1 Bed Flat           | 10%                    |
| 2 Bed Flat           | 10%                    |
| 2 Bed House          | 45%                    |
| 3 Bed House          | 30%                    |
| 4 Bed House          | 5%                     |

| <b>Property Type</b> | <b>Shared Ownership</b> |
|----------------------|-------------------------|
| 1 Bed Flat           | 10%                     |
| 2 Bed Flat           | 25%                     |
| 2 Bed House          | 35%                     |
| 3 Bed House          | 30%                     |
| 4 Bed House          | 0%                      |

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| CBC Public Art         | No objection, subject to a condition                |
| CBC Minerals and Waste | Awaiting formal comments following re-consultation. |

### **Other Representations:**

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| Neighbours | <p>94 objections have been received in response to the application. These have been summarised below:</p> <ul style="list-style-type: none"> <li>• The site is located outside of the Settlement Envelope</li> <li>• The site is not allocated within the emerging Local Plan</li> <li>• Overdevelopment of the site and the proposed development is too dense.</li> <li>• Infrastructure capacity issues</li> <li>• The proposed development would not provide additional services.</li> <li>• Concern regarding congestion.</li> <li>• No public benefits</li> <li>• Prejudicial to the outcome of the Neighbourhood Plan (which begun production in July 2018). The proposed development would undermine the neighbourhood plan-making process.</li> <li>• The development would be harmful to the character of the area.</li> <li>• Concerns in relation to highways safety</li> <li>• The permissive path is inaccurate and misleading.</li> <li>• The suggested footpath (annotated to the south west corner) is not a public footpath.</li> <li>• Existing public transport is not a viable option</li> <li>• All new housing should include solar panels.</li> <li>• Concerns regarding dust, noise and vibration resulting from the proposed development.</li> <li>• The ecological surveys are not sufficient. Concerns regarding impact to biodiversity.</li> <li>• Concern regarding flooding. Unclear whether flood risk has been assessed in relation to Tithe Farm Close.</li> <li>• Limited school places.</li> <li>• The doctors surgery has no capacity.</li> </ul> |
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- The sewage works has limited capacity.
- Concern regarding privacy
- Concern regarding loss of light
- Suggest a landscape buffer should be provided to existing residents

A response has been submitted in support of the proposed development, stating:

- Welcome further development and the additional amenities that development brings.

### **Determining Issues:**

The main considerations of the application are;

1. Principle
2. Affect on the Character and Appearance of the Area
3. Neighbouring Amenity
4. Highway Considerations
5. Planning Obligations
6. Other Considerations

### **Considerations**

#### **1. Principle**

- 1.1 The application site is located to the north-west of Langford, outside of the Settlement Envelope of the village. The site largely comprises of a pasture field, subdivided by temporary or permanent fencing. The site contains a number of existing agricultural buildings to the centre and eastern areas of the site, including stables, pig pens and chicken huts.
- 1.2 Several responses have been received in relation to the principle of development. These include objections in relation to the scale of the proposal, the siting outside of the Settlement Envelope and the fact that the site has not been allocated within the emerging Local Plan.
- 1.3 Policy CS1, within the adopted Local Plan, classifies settlements by virtue of their scale, services and facilities. This Policy identifies Langford as a Large Village.
- 1.4 Policy DM4, within the adopted Local Plan, applies weight in favour of development within Settlement Envelopes and restricts development divorced from the settlements identified within Policy CS1. Policy DM4 states that:

*"Beyond Settlement Envelopes, limited extensions to gardens will be permitted provided they do not harm the character of the area. They must be suitably landscaped or screened from the surrounding countryside and buildings may not be erected on the extended garden area."*

The proposed development would therefore not comply with Policy DM4. It has been confirmed by several recent appeal decisions that Policy DM4 is not out-of-date and can be afforded at least moderate weight. Whilst the proposed development would not comply with Policy DM4, it must be considered whether there are material considerations that outweigh non-compliance with this Policy.

- 1.5 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 – the 'tilted-balance' test in Paragraph 11 of the NPPF is not therefore engaged. However, proposals should still be considered in the context of the presumption in favour of sustainable development - that is the determining consideration in relation to whether the principle of the application is acceptable.
- 1.6 The settlement of Langford is classified as a Large Village within the adopted Local Plan. Langford contains a number of shops and services, including village shops, pubs, a Lower School and a village hall. In terms of accessibility, the Lower School is approximately a 10 minute walk away. It is also noted that two bus stops, with regular routes to Hitchin and Sandy, are a 10 minute walk away. Therefore, the location, in itself, is not considered to be unsustainable.
- 1.7 Settlements that are classified as Large Villages are considered to be able to accommodate small scale housing and employment uses together with new facilities to serve the village. Although 'small scale development' is not defined, the scale of the proposed development should reflect the scale of the settlement in which it is to be located. The scale of the proposal is considered to be reflective of the scale of the settlement.
- 1.8 Whilst the development would be contrary to Policy DM4, it is considered that the loss of open countryside, in this instance, is not considered to present an unacceptable adverse impact upon the character of the area. The proposal would adjoin development to the north-east, east and south. Therefore, whilst the development would fall within open countryside, it would not appear as a lone encroachment into the countryside.
- 1.9 The proposed development would provide small economic benefits, in terms of the creation of (temporary) jobs in relation to the construction of the proposal. There would also be Council Tax benefits, in terms of additional residents within the area.
- 1.10 It is considered that some weight, in relation to the sustainability of the site, can be given to the social benefits of providing additional housing, including affordable housing. This matter has limited benefits, as the provision of affordable housing would be expected in accordance with Policy CS7.
- 1.11 It is noted that the site was submitted (as two separate sites) for the Council's call for sites and was not allocated within the emerging Local Plan. The site proceeded through the first round of assessment, in relation to the emerging allocations, however the final assessment concluded that there were more

suitable sites within Langford. It must be noted that the allocation process within the emerging Local Plan is not the same process as the consideration of a planning application. This allocation process does not provide significant weight against the proposed development.

- 1.12 Based upon the above considerations, it is considered that, whilst the proposal is contrary to Policy DM4, the loss of open countryside and impact on the character of the area is not, in this instance, harmful to the extent that it would warrant a reason to refuse planning permission. Therefore, it is considered that the scheme can be considered acceptable in principle. Additional material considerations may contribute towards the benefits and dis-benefits of the development and can impact the final planning balance. These are considered in the remaining sections of the report.

## **2. Affect on the Character and Appearance of the Area**

- 2.1 The proposed development would be located to the west of Church Street, and would be accessed via Tithe Farm Close. The application site forms an irregularly shaped parcel of land, infilling between Church Street and the River Ivel.
- 2.2 The application seek outline planning permission, with all matters reserved apart from access. In order to clarify whether the site could accommodate a development of up to 95 dwellings, the applicant has provided an indicative layout plan and a development parameter plan, which identifies the broad location of residential development and open space.
- 2.3 The proposed development would be located to the rear Church Street, which is broadly typified by linear residential development. The surrounding area does contain instances of back-land development, such as Tithe Farm Close and Vicarage Close. Therefore, the location of the development is not considered to be incompatible with the character of the surrounding area.
- 2.4 Neighbouring residents have raised concerns regarding the scale of the proposed development. The layout, appearance and scale of the development have not been detailed as part of this application. It is noted that the density of the development would be approximately 32 DPH. Such a density is similar to that of the surrounding area, which is typically around 30 DPH.
- 2.5 Whilst the landscaping is a reserved matter, it is considered that the proposal would provide sufficient space to accommodate strengthening of the site's boundaries, reducing the visual presence of any development.
- 2.6 Neighbouring residents have raised concerns regarding the proposed development, suggesting it will increase flooding within the area. The western section of the site, adjoining the River Hiz, falls within Flood Zone 2. The remainder of the site is not within Flood Zones 2 or 3. Based upon the submitted parameter plan, the residential development would not be located within Flood Zones 2 or 3. The Council's Drainage officer has not raised an objection to the proposed development.

2.7 The submitted plans are considered to demonstrate that a development, of up to 95 dwellings, could be accommodated without presenting an adverse impact to the character or design of the area.

2.8 As such, based upon the information submitted, it is considered that the proposal would not present an unacceptable adverse impact to the character of the area. The proposal would be in accordance with Policies CS14 and DM3 of the Core Strategy and Development Management Policies (North) Local Plan and Policy HQ1 and HQ8 of the Central Bedfordshire Submission Local Plan.

### **3. Neighbouring Amenity**

3.1 The application seek outline planning permission, with all matters reserved apart from access. Therefore, the submitted layout provides an indication of what could be accommodated within the site. It is noted that several residents have raised concerns regarding the impact to residential amenity, including loss of light, loss of privacy and the impact of pollution upon surrounding properties. These concerns will need to be addressed through future reserved matters applications, if the outline application is approved.

3.2 The application has been considered by a CBC Pollution Officer, who has not raised an objection regarding the impact of the development upon neighbouring residents.

3.3 Based upon the information submitted, it is considered that the proposed development would not present an unacceptable adverse impact in terms of loss of amenity. Therefore, the proposal is considered to comply with Policies CS14 and DM3 of the Core Strategy and Development Management Policies (North) Local Plan and Policy HQ1 of the Central Bedfordshire Submission Local Plan.

### **4. Highways and Parking Considerations**

4.1 As part of this outline planning application, access has been detailed. The proposed access would be taken from via Tithe Farm Close, an existing residential estate road. Several residents have raised concerns regarding the proposed access, suggesting the access would not be wide enough, would not have sufficient visibility and would ultimately harm highways safety.

4.2 As part of the application, the applicant has submitted a Transport Assessment. This analysis concludes that the proposed development will not have a material detrimental impact on the operation of the junctions assessed or on the local highway network generally.

4.3 This Assessment has been considered by a Highways Officer, who has not raised an objection, subject to conditions. As part of these conditions, the following improvements have been suggested:

- The existing Zebra crossing outside Langford Village Academy should be upgraded to a signalised Puffin crossing. The advantage over the existing Zebra crossing is that drivers have a clear instruction to stop and they also provide assistance for pedestrians with a visual impairment.

- Provision of a speed table 10 metres from the proposed T junction.
- The provision of a portable Vehicle Activated Sign (VAS) to use on the approach to the community facilities on Church Street (shop/PH/pharmacy/hairdressers), to identify vehicle speeds, would be sought via a financial contribution.

4.4 As outline permission is sought, parking provision would have to be detailed through future reserved matters applications. Based upon the information submitted, there is nothing to suggest the car parking provision would not comply with the standard within the adopted Design Guide.

## **5. Planning Obligations**

5.1 Spending Officers were consulted as part of this application and comments were returned from Education, Leisure, Open Space and Community Buildings. Contributions towards local Early, Middle and Upper Schools, have been agreed with the applicant. Affordable housing would also be sought at 35% of the development. A LEAP would also be provided via the s106 agreement.

5.2 The NHS have also requested a contribution, which has been agreed with the applicant. The contribution relates to the re-configuring of Langford Surgery premises to allow for additional space within the surgery.

5.3 If members support the application, then these contributions would form part of a s106 agreement, to be completed and signed following the Committee.

## **6. Other Considerations**

### **Prejudicial to Neighbourhood Plan**

6.1 Langford was designated a Neighbourhood Area for the purposes of making a Neighbourhood Development Plan on 4th July 2018. Therefore, the production of a Neighbourhood Plan for Langford is at a very early stage. Several residents have raised objections in response to the application, stating that approving the application would be prejudicial to the production of the Neighbourhood Plan.

6.2 The National Planning Policy Guidance identifies that refusal of planning permission on grounds of prematurity will seldom be justified where a draft Neighbourhood Plan has yet to be submitted for examination. As the Neighbourhood Plan has yet to be drafted, there is no indication how the proposed development would prejudice the production of the plan. Therefore this matter is considered to have no weight.

### **Rights of Way**

6.3 To the west of the site lies a footpath (detailed as a permissive footpath on site), which adjoins a County Wildlife Site and an area of land maintained by the Council. The Rights of Way and Countryside Access teams have not raised an objection, and have requested access and land to improve the maintenance of this area and the improve connectivity.

- 6.4 If the application is approved, then a portion of land would be transferred to the Council and a maintenance contribution would be provided. This would be controlled within a s106 agreement.

#### **Impact to Minerals**

- 6.5 The site falls within the Minerals Safeguarding Areas for River Valley/Glacial Sand and Gravel and Woburn Sands as identified in the Minerals and Waste Local Plan 2014. Policy MSP 11 therefore requires the proposals to be accompanied by a Minerals Resource Assessment (MRA).
- 6.6 An MRA has been submitted and, whilst the report contains inaccuracies, it is accepted by officers that surface development within the site is acceptable.

#### **Security**

- 6.7 Concerns have been raised by the Bedfordshire Police Architectural Liaison regarding the risk of crime and impact to security of the area, resulting from the proposed development. This objection principally relates to the level of permeability within the site and through to the surrounding area.
- 6.8 As this application is for outline planning permission, the layout has not been explicitly detailed as part of this application. Therefore, the permeability through the site would be detailed as part of reserved matters applications. In its current form, the proposed development provides a single vehicle access and an additional pedestrian access. Such an arrangement is not considered to present an overly permeable site. With this in mind, and due to the outline nature of the application, the development is not considered to present an unacceptable adverse impact in terms of security.

#### **Human Rights and Equality Act issues**

- 6.9 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.

#### **Recommendation:**

That Planning Permission be approved subject to the following:

#### **RECOMMENDED CONDITIONS**

- 1 Applications for the approval of the reserved matters shall be made to the Local Planning Authority within two years from the date of this permission. The development shall begin not later than one year 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, landscaping, layout and scale of the development within that area (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 development shall be implemented in accordance with the approved Travel Plan (June 2018).

Reason: To promote sustainable modes of travel and to reduce the potential traffic impact of the development on the local highway network, in accordance with Policy DM3 of the adopted Local Plan, Policy HQ1 of the emerging Local Plan and the NPPF.

- 4 **Prior to the commencement of the development, hereby approved, a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment and Sustainable Drainage Statement (June 2018) and an assessment of the hydrological and hydrogeological context of the development, shall be submitted to the Local Planning Authority for approval in writing. The scheme shall also include details of how the system will be constructed, including any phasing, and how it will be managed and maintained after completion. The scheme shall be implemented in accordance with the approved final details before the development is completed, and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.**

**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 the NPPF. These details are required prior to the commencement of development, as any construction may limit the ability of the development to provide adequate SuDS arrangements.**

- 5 Prior to the occupation of the development, hereby approved, 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 shall be submitted to the Local Planning Authority for approval in writing. The surface water drainage system shall be maintained in accordance with the approved details thereafter.

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 and the NPPF.

**6 Prior to the commencement of development, an Ecological Enhancement Strategy (EES) shall be submitted to the Local Planning Authority for approval in writing. The EES shall contain the following:**

- (A) Review of the site potential and constraints as informed by species survey;**
- (B) Purpose and conservation objectives for the proposed works;**
- (C) Detailed working methods to achieve stated objectives including locations of integrated bird and bat boxes to be erected in accordance with RSPB and BCT guidelines on appropriate scale maps and plans;**
- (D) Details of lighting considerations to prevent disturbance to bats;**
- (E) Type and source of materials to be used where appropriate , e.g. native species of local provenance;**
- (F) Timetable for implementation demonstrating that works are aligned with proposed phasing of development;**
- (G) Persons responsible for implementing the works;**
- (H) Details of initial aftercare and long-term maintenance.**

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

**Reason: To secure a net gain in terms of biodiversity, in accordance with DM3 of the adopted Local Plan, Policy HQ1 of the emerging Local Plan and the NPPF. These details are required prior to the commencement of development, as any construction may limit the ability of the development to provide net gains in terms of biodiversity.**

**7 No development shall take place until a written scheme of archaeological investigation; that includes 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 the National Planning Policy Framework that requires developers to record and advance of understanding of the significance of any heritage assets affected by development before they are lost (wholly or in part).**

**8 Prior to the occupation of the development, hereby approved, the junction of the proposed vehicular access (altered road priority layout) with the highway shall be constructed in accordance with the approved details on Drg DWG-02 Rev C and retained thereafter. Furthermore, no building shall be occupied until a speed table (circa 10m from the centre line of the new T junction**

layout) has been submitted to the Local Planning Authority, for approval in writing. The approved speed table shall have been constructed in accordance with the approved details, prior to the occupation of the development, and retained thereafter..

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises, in accordance with Policy DM3 of the adopted Local Plan, Policy HQ1 of the emerging Local Plan and the NPPF.

- 9 Prior to the occupation of the development, hereby approved, the visibility splay at the junction of the access with the public highway, as shown on the approved drawing (DWG-02 Rev C), shall be provided. All parts of the splays shall thereafter be kept free of all obstructions above the adjacent carriageway level.

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), in accordance with Policy DM3 of the adopted Local Plan, Policy HQ1 of the emerging Local Plan and the NPPF.

- 10 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, in accordance with the adopted Policy DM3 of the adopted Local Plan, Policy HQ1 of the emerging Local Plan, the adopted Design Guide and the NPPF.

- 11 Prior to the first occupation of the development, details of a PUFFIN signalled crossing (which would upgrade the Zebra crossing in near vicinity to Langford Village Academy on Church Street) shall be submitted to the Local Planning Authority for approval in writing. The PUFFIN signalled crossing shall be installed in accordance with a timescale to be agreed between the applicant and the Local Planning Authority and retained thereafter. 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, in accordance with Policy DM3 of the adopted Local Plan, Policy HQ1 of the emerging Local Plan, the adopted Design Guide and the NPPF.

- 12 Prior to the commencement of works above ground level a scheme for protecting the proposed dwellings from noise shall be submitted to the Local Planning Authority, for approval in writing. None of the dwellings hereby approved shall be occupied until such a scheme has been implemented in

accordance with the approved details, and shown to be effective, and it shall be retained in accordance with those details thereafter.

Reason: To protect human health and residential amenity in accordance with Policy DM3 of the adopted Local Plan, Policy HQ1 of the emerging Local Plan and the NPPF.

- 13 **No development shall commence until a foul water strategy has been submitted to the Local Planning Authority for approval in writing. 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, in accordance with Policy DM3 of the adopted Local Plan, Policy HQ1 of the emerging Local Plan and the NPPF. These details are required prior to commencement as the viability of the strategy could potentially be affected by the commencement of the development.**

- 14 **No development shall be commenced until an estate street phasing and completion plan has been submitted to and approved in writing by the local planning authority. The estate street phasing and completion plan shall set out the development phases and the standards that estate streets serving each phase of the development will be completed.**

**Reason: To ensure that the estate streets serving the development are completed and thereafter maintained to an acceptable standard in the interest of residential / highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway, in accordance with Policy DM3 of the adopted Local Plan, Policy HQ1 of the emerging Local Plan and the NPPF.**

- 15 Prior to commencement of any above ground building works, details of electrical wiring to accommodate facilities for charging plug-in and other ultra low emission vehicles for dwellings shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the development protects and exploits opportunities for the use of sustainable transport modes for the movement of people in accordance with section 4 of the National Planning Policy Framework.

- 16 No development shall take place, including any works of demolition, until a Construction 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) Footpath/footway/cycleway or road closures needed during the development period
- (F) Traffic management needed during the development period.
- (G) 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.
- (H) details of the responsible person who can be contacted in the event of a complaint;
  - mitigation measures in respect of noise and disturbance during construction including piling techniques, vibration and noise limits, prior notification to the occupiers of potentially affected properties, monitoring technology, screening, a detailed specification of plant and equipment to be used, and construction traffic routes; and
  - a scheme to minimise and monitor the emission of dust and dirt during construction and to prevent the burning of materials on site.
  - Measures for controlling the use of site lighting whether required for safe working or for security purposes.

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

Reason: This condition is pre-commencement, in the interests of safety, protecting the amenity of local land uses, neighbouring residents and highway safety. (Policy DM3 of the Core Strategy for the North and Section 9 of the NPPF).”

- 17 No ground works shall take place unless and until a Minerals Recovery Plan (MRP) has been submitted to and approved in writing by the local Planning Authority. The MRP shall be followed at all times during construction.

Reason: To secure the best use of materials, in accordance with Policy MSP11 within the Minerals and Waste Local Plan 2014 and the NPPF. This condition is required prior to the commencement of the development, as any development may adversely affect any mineral recovery.

- 18 This consent relates only to the details shown on the submitted plans, numbers DWG-04, DWG-02 Rev.C, DE322\_003 Rev.C and DE322\_005.

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 a number of the highways 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)

**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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