

APPLICATION NUMBER	CB/19/00045/FULL
LOCATION	140 Biggleswade Road, Upper Caldecote, Biggleswade, SG18 9BJ
PROPOSAL	Application for the erection of 8 bungalows with access, parking, landscaping and all ancillary works.
PARISH	Northill
WARD	Northill
WARD COUNCILLORS	Cllr Mr Firth
CASE OFFICER	James Clements
DATE REGISTERED	17 January 2019
EXPIRY DATE	14 March 2019
APPLICANT	Maple Ridge Homes Ltd
AGENT	Oakwood Design
REASON FOR COMMITTEE TO DETERMINE	Major planning application - Departure from the Development Plan - objections from the Parish Council
RECOMMENDED DECISION	Full Application - Recommended for Approval

Reason for Recommendation

The proposed development would be contrary to Policy DM4 of the Core Strategy and Development Management Policies (2009). This policy is not attributed full weight and as such would not justify the refusal of planning permission on its own.

The proposed development would deliver an additional 8 dwellings. It is recommended that the benefits of the development would outweigh the non-compliance with this policy. 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 application site measures approximately 0.5ha in size and is rectangular in shape, located on the southern side of Biggleswade Road on the eastern edge of Upper Caldecote. The site is relatively flat gently falling away to the south.

The site shares a common boundary to the west with a public footpath and a parcel of arable land that separates the site from the main built up part of Upper Caldecote. To the south and east the site is bound by Woodlands Nursery, which is a 25ha site used for a mixture of horticultural use, storage and distribution use with ancillary offices, hardstandings and associated buildings. The shared northern boundary is with the highway beyond which on the opposite side of the road are a number of dwellings.

The north and west boundaries are characterised by native hedging and trees. The southern boundary has a row of mature leylandii trees. The east boundary with the

nursery is characterised by a mix of native hedging and close-boarded fencing. The central part of the site has recently been cleared.

The site contains an existing two-storey detached dwelling set back approximately 11m from Biggleswade Road, with a number of outbuildings to the rear within the site.

The vehicular access to the site is taken from Biggleswade Road. Public Right of Way (PROW) 9 (Northhill) runs adjacent to the western boundary from Biggleswade Road in a southerly direction where it joins PROW 7 (Northhill), which runs through the Woodlands Nursery site.

The site is outside of a settlement envelope and is therefore within the open countryside. The nearest settlement envelope is Upper Caldecote's approximately 150m to the west of the site. There are no listed buildings or other heritage assets within the vicinity of the site. The site is not, or close to, a statutory wildlife site.

The site is within Flood Zone 1. Flood maps identify the central part of the site as being within an area with a 1 in 1000 year surface water flood risk. Mains water and sewerage is within the vicinity of the site along Biggleswade Road.

The landscape character of the area is 4B Lower Level Clay Valley.

The Application:

The application proposes the construction of 8 chalet/dormer style bungalows on land to the rear of the existing dwelling, 140 Biggleswade Road. The existing dwelling is to be retained as part of the development. A new access and spine road from Biggleswade Road is proposed to serve the development.

The proposed bungalows with first floors in the roof space would be detached and with the exception of plot 7, which faces northwards, would face westwards towards the public footpath. Private amenity space is shown to the rear of the properties. Parking provision would be to the front or side of the plots on the basis of two per dwelling. Three visitor parking spaces are shown adjacent to plots 2 & 3 on the opposite side of the spine road. Bin storage and cycle storage is shown to the rear of the properties with the exception of plots 7 & 8 where the bin store is shown to the rear of the parking areas.

Plots 3,4,6,7 & 8 would be 3-bed, have integral garages, with approximately 140sqm of internal space, measuring up to approximately 12.5m in width, 10.5m in depth, 3m to eaves and 7m to ridge height. Plots 1,2 & 5 would be two-bed (with large study that could potentially be used as a bedroom) with an internal area of approximately 96sqm, measuring up to approximately 17m in width and 20.5m in depth, 3m to eaves and 7m to ridge height.

The proposed bungalows would be constructed in facing brickwork, weatherboarding and render with UPVC windows and doors. Each dwelling with the exception of plot 8 would have a rear dormer, as well as roof lights on the front and rear roof slopes. Plot 8 would have a front dormer. The rear of the properties would have flat-roofed elements which would form part of the kitchen/diners. The front elevations would have projecting pitched-roof elements that would form part of the dining rooms.

Landscaping is proposed within the site as shown on the submitted landscaping plans. The plots would be defined by timber knee rail fencing and reinforced by ornamental hedge and shrub planting. The private paths would be off-white coloured concrete flag stones. The private drives would be 'rustic' concrete blocks

laid in herring bone pattern. The western boundary would be demarcated by a 1.2m timber post and rail fence which will be set back a minimum of 2 m from the public right of way to the west. The eastern boundary will be demarcated by a 1.8m high close-boarded fence.

The hedge line on the western boundary is in poor condition and does not currently provide an effective screen. Therefore a new native buffer hedge mix is proposed between the site and the open arable field to the west. The soft landscaping proposal also includes hedgerows and shrub planting around each plot. Tree planting is proposed throughout the development. An area of buffer native hedge, bulb and tree planting is shown on area of land to the west of the spine road opposite to plots 1-4.

A new access will be created off Biggleswade Road to serve the proposed development and the existing dwelling. The main site access road will be surfaced with tarmac, with concrete upstand kerb and pedestrian path. The site entrance would incorporate shrub planting with a grass verge on the western side of the access road. A new native hedge would be planted on the shared highway boundary to the front of no.140.

The hard landscaping plan identifies that the development would provide integrated bird boxes and hedgehog holes in fences.

RELEVANT POLICIES:

National Planning Policy & Development Plan

National Planning Policy Framework (2019):

- 5. Delivering a sufficient supply of homes
- 9. Promoting sustainable transport
- 11. Making effective use of land
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment

Core Strategy and Development Management Policies (North) - 2009

The development plan for the north part of the authority area comprises the Central Bedfordshire Core Strategy and Development Management Policies and Site Allocations DPD adopted in 2009 ("the Core Strategy") and the saved policies of the Mid Bedfordshire Local Plan 2005 ("the MBLP"). Relevant policies are listed below.

CS1 Development Strategy

CS2 Developer Contributions

CS3 Healthy & Sustainable Communities

CS4 Linking Communities - Accessibility & Transport

CS5 Providing Homes

CS6 Delivery & Timing of Housing Provision

CS7 Affordable Housing

CS13 Climate Change
CS14 High Quality Development
CS16 Landscape & Woodland
CS17 Green Infrastructure
CS18 Biodiversity & Geological Conservation
DM1 Renewable Energy
DM2 Sustainable Construction of New Buildings
DM3 High Quality Development
DM4 Development Within & Beyond Settlement Envelopes
DM9 Providing a Range of Transport
DM10 Housing Mix
DM14 Landscape & 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:

SP2: Sustainable Development
H1: Housing Mix
H2: Housing Standards
T2: Highway Safety & Design
T3: Parking
EE2: Biodiversity
EE3: Nature conservation
EE4: Trees, woodlands and hedgerows

CC5: Sustainable Drainage

HQ1: High Quality Development

Supplementary Planning Guidance/Other Documents

A Site Allocations DPD was adopted in 2011 and also comprises part of the development plan. In addition, the Council has adopted the following supplementary planning documents:

- Central Bedfordshire Design Guide in March 2014
- Sustainable Drainage Guidance SPD (2014 – update 2015)
- Landscape Character Assessment (2015)

Relevant Planning History:

Case Reference	CB/18/04211/FULL
Location	140 Biggleswade Road, Upper Caldecote, Biggleswade, SG18 9BJ
Proposal	Erection of 9 bungalows with access, parking, landscaping and all ancillary works.
Decision	Application Withdrawn
Decision Date	17/12/2018

Case Reference	CB/18/02111/PAPC
Location	140 Biggleswade Road, Upper Caldecote, Biggleswade, SG18 9BJ
Proposal	Pre-Application Non-Householder Advice: 8 No. dwellings to replace existing dwelling and outbuildings.
Decision	Pre-App Charging Fee Advice Released
Decision Date	17/07/2018

Adjacent to application site:

Case Reference	CB/17/04476/OUT
Location	Woodlands Nurseries, Biggleswade Road, Upper Caldecote, Biggleswade, SG18 9BJ
Proposal	Outline application for new plant production unit and access road and enabling commercial development (B1/B2/B8) of up to 9,275sqm and residential development of up to 35 dwellings
Decision	Outline Application - Granted
Decision Date	07/08/2018

Consultees:

Parish/Town Council Northill Parish Council's Planning Committee considered the above application at a recent meeting and the recommendation is to object to the proposal because:

- It is not compliant with policies NP1 and NP5 of the draft Northill Parish Neighbourhood Plan.
- It is outside the settlement boundary.
- It is back land development.
- It is not a rural exception site.
- CBC have their 5-year land supply.
- It was not submitted for development in CBC's 'Call for Sites'.

- There are concerns as to the capacity of the foul sewer and drainage of surface water in the parish.
- There are concerns regarding the limited access to the new dwellings.
- There are concerns regarding the increase in traffic along Biggleswade Road which already has issues with vehicles not obeying the 30mph limit.

Rights of Way	No objection.
Tree & Landscape Officer	No objection.
SUDS Team	No objection subject to condition.
Highways Officer	No objection subject to conditions.
Ecology	No objection.
British Pipelines Agency	BPA Pipelines not affected.
Internal Drainage Board	No objection.
Bedfordshire Fire and Rescue Service	Would like to draw the developer's attention to the requirements of Building Regulations, and the suitable provision of vehicle access for a pump alliances and turning facilities.
Cadent Gas	No objection.
Landscape Officer	No objection.
Anglian Water	None received.

Other Representations:

Neighbours	<p>One letter has been received raising the following concerns:</p> <ul style="list-style-type: none"> • The sewers in our road don't seem to be able to cope with the current amount of waste and we already suffer from drain smells during the summer months. • We live opposite the site and have already been blocked in by a builders vehicle. Can there be a clause if this is approved that all construction traffic is parked on the site? Can there also be a clause regarding keeping the road clean during construction? • Finally with all of the development at this end of Biggleswade road there needs to be some traffic calming installed by the council as the 30mph sign is completely ignored already and with the additional cars once these developments are finished the chance of accidents is going to increase.
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Determining Issues:

The main considerations of the application are;

1. Principle of development
2. Character and appearance
3. Neighbouring amenity
4. Highway safety and parking considerations
5. Other Considerations

Considerations

1. Principle of development

- 1.1 Sections 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require the Council to determine any application in accordance with the statutory development plan unless material considerations indicate otherwise.
- 1.2 Policy CS1 classifies settlements by virtue of their scale, services and facilities. Further, the thrust of Policy DM4 is to apply weight in favour of development within Settlement Envelopes and restrict development divorced from the settlements identified within Policy CS1. This policy position is largely echoed by Policy SP7 within the emerging Local Plan. There is therefore a clear settlement strategy directing residential developments to larger, more sustainable, urban areas. Additionally, the National Planning Policy Framework seeks to encourage residential developments in sustainable locations only.
- 1.3 The site is located outside the Settlement Envelope of Upper Caldecote. Therefore, the proposal would not comply with Policy DM4 of the adopted Local Plan. Policy CS1 of the Core Strategy defines Upper Caldecote as a Large Village, and it is worth noting that it remains a Large Village in the settlement hierarchy of the emerging Local Plan. The emerging Plan also retains the approach of defining Settlement Envelopes to define the boundaries between settlements and surrounding countryside (Policy SP7).
- 1.4 Policy DM4 of the Core Strategy seeks to direct the majority of development to the major and minor service centres, within defined settlement envelopes. As a Large Village smaller-scale developments are supported within the settlement boundary of Upper Caldecote. However, the site is unallocated and is located outside (separated by a field) of the defined settlement envelope for Upper Caldecote.
- 1.5 Policy DM4 is considered to be entirely consistent with the thrust of the NPPF which seeks to promote sustainable social, economic and environmental development. Overall, it is considered that moderate weight may still be attributed to this policy in the determination of this application as the Council seeks to deliver planned development in a sustainable manner. However, the proposal, for residential units outside of a settlement boundary, conflicts with the current settlement strategy of the Council (denoted by Policies CS1 and DM4), which weighs against the proposal in principle.
- 1.6 The Council has identified and demonstrated in the latest Annual Monitoring Report a five year supply of housing (5.71) and, it is noted that the position in respect of five year housing has been extensively tested now at appeal. Accordingly, the most important housing policies in the Core Strategy relevant to this application, including CS1, CS5 and DM4, are not considered to be out of date and the presumption in favour of sustainable development in paragraph 11

of the NPPF is not therefore engaged.

- 1.7 However, in considering the principle of development, one must consider whether there are other material matters which outweigh the lack of compliance with Policy DM4. The purpose of the planning system is to contribute to the achievement of sustainable development and it is necessary to assess the merits of the site more broadly having regard to the NPPF.
- 1.8 It is noted that the site is located on the site of an existing dwelling, with existing built form to the north and east. The site is not therefore considered to be isolated. The site is bound to the east and south by a site which has outline planning permission (CB/17/04476/OUT) for up to 35 dwellings, a new plant production unit and access road and enabling commercial development (B1/B2/B8) of up to 9,275sqm. This approval is a material consideration which weighs in support of the development proposed within this application.

2. Character and appearance

- 2.1 Design is at the heart of the planning system. Chapter 12 of the Framework emphasises the importance of good design in context, stating that, 'The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work'. The Framework requires that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.
- 2.2 Policies CS14, DM3 and DM14 of the Core Strategy require that proposals are of a high quality of design, respect the local context in which they are in, are appropriate in terms of scale and have an acceptable impact upon the landscape, which would provide hard and soft landscaping appropriate in scale and design to the development and its setting.

Layout and design of the dwellings

- 2.3 The character of the site and its surroundings is mixed with no strong architectural or design cues. The surrounding residential development is predominately of 1 & 2-storey dwellings dating from the late 19th century and post war periods, faced primarily in brick with some render and roofs of slate, plain tile or concrete tile. Residential properties either form ribbon development along Biggleswade Road or cul-de-sac type development seen to the west with Upper Caldecote.
- 2.4 The proposed layout is considered to be acceptable in this context given the site's linear form, and would provide a suitable landscape buffer between the site and arable land to the west. To the east and south the dwellings would be screened by the Woodland Nursery site. The relatively modest heights of the proposed bungalows would aid in reducing the visual impact of the development on the wider landscape.
- 2.5 The proposed density is low and appropriate for this edge of settlement location. The siting of the dwellings satisfies the requirements of the Council's design guide with regards to distances from the access road and from rear boundaries. The dwellings would also be set back from side boundaries which would provide

adequate maintenance space.

- 2.6 The design of the bungalows is also considered to be appropriate in this context given the mixed type and character of dwellings in the locality, and the proposed landscape screening. The proposed facing materials are brickwork, weatherboarding, render and roof tiles, which are broadly reflective of the locality. The exact details of which will be secured through planning condition.

Trees and landscaping

- 2.7 The site currently consists of garden area with fairly extensive scrub and tree cover along with boundary hedges and trees.
- 2.8 The application is accompanied by a Tree Survey Schedule and Tree Removals Plan. The survey identifies that the majority of trees on site are C or U category trees, which are not considered to be high value. Their removal can be mitigated by the proposed tree planting.
- 2.9 The submitted soft landscape plan identifies areas of planting including a new hedgelines, shrubs and trees. The Tree & Landscape Officer considers that the planting proposals are appropriate and acceptable for this site. The proposed buffer planting on the western boundary would, in time, provided a suitable screen between the site, the public footpath and views from the arable land to the west. The Tree & Landscape Officer has requested that the specification for the hedge shown on the submitted plan is amended to provide a new hedge buffer which could grow and be maintained to a suitable height. At the time of writing an amended landscape plan has not been received. A planning condition will therefore be recommended in respect of this.

3. Highway safety and parking considerations

- 3.1 Policy DM3 of the Core Strategy requires that development provides adequate areas for parking and servicing. Para. 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 3.2 The guidance within 'Design for Central Bedfordshire: A Guide for Development' states that, generally, one bedroom units will require one parking space, two and three bedroom units will require two parking spaces and four bedroom units will require three spaces. Each plot could be expected to produce 6-8 traffic movements a day.
- 3.3 The proposed access is from the west of the site from Biggleswade Road which has a 30mph speed limit. To the east of the access and fronting the site is a "hail and ride" bus stop.
- 3.4 The proposed development would provide a new 5m wide access providing footways and a service margin, which would provide an acceptable level of visibility with no harm to highway safety. The proposal although to adoptable standards in geometry is to remain private. The turning area is suitable for a refuse vehicle used by the council and could potentially be served by the council's waste services.
- 3.5 Parking provision would be on the basis of two parking spaces per dwelling, located to the front or side of the properties, which accords with highway

guidance in the Council's design guide. The larger 3-bed bungalows contain internal garages but these do not accord with the Council's design guidance and are not therefore counted as a parking space.

- 3.6 The Highway Officer has no objection to the proposal subject to a number of conditions including the provision of a Construction Management Plan.

4. Residential amenity

- 4.1 Policy DM3 requires that development respects the amenity of surrounding properties. Guidance in paragraph 127(f) of the NPPF requires a high standard of amenity for all existing and future occupiers of land and buildings. Further guidance is found within the Central Bedfordshire Design Guide.
- 4.2 The nearest existing residential properties are properties on the northern side of Biggleswade (nos. 193-199) and properties to the east (nos.142 & 144). The impact on dwellings on the northern side of Biggleswade would be negligible given the adequate separation distance of 50m, the presence of the intervening existing dwelling and the orientation of the dwellings. Similarly, the 30m separation distance from Nos.142 & 144 to the nearest proposed bungalow would ensure that residential amenity of these properties would not be harmed. There is no first floor flank window proposed for plot 1 therefore there would be no affect on the host dwelling, no.140 Biggleswade Road. As such, it is considered that the proposed development would not harm the amenity of existing or future occupiers with regard to loss of light, overbearing impact or loss of privacy.
- 4.3 The Central Bedfordshire Design guide sets out minimum standards for both garden depths and sizes. Dwellings of 3 bedrooms or larger are required to have a minimum garden area of 60 square metres and a minimum depth of 12 metres. The proposed development satisfies these design guide requirements.
- 4.4 It should be noted that outline permission CB/17/04476/OUT with all matters reserved granted permission for 35 dwellings. The indicative masterplan shows the housing being located adjacent to the site subject of this application. As discussed above, the rear garden depths largely satisfy the design guide requirement and would provide suitable separation distance from the boundary, which would reduce the impact of the development on any future residential development on the adjoining site.
- 4.5 The proposed dwellings would satisfy the internal space standards outlined in both the Council's Design Guide and the nationally described space standards, thereby protecting the amenity of future occupiers.
- 4.6 Given the existence of surrounding residential units and the scale of the proposal, it is considered that the access would not result in significant harm in terms of increased noise and disturbance from vehicular movements associated with the development.
- 4.7 A neighbouring property has raised amenity concerns regarding the construction phase of the development. It is considered that this matter can be adequately resolved by the submission of a construction management plan.
- 4.8 The proposed development is considered to be acceptable with regards to residential amenity in compliance with policy DM27, the CBC Design Guide and the NPPF.

5. Other Considerations

Pollution

- 5.1 The site shares boundaries with Woodlands Nursery which is a commercial site with a mix of uses. Public Protection have in the past received complaints regarding noise from this site. Whilst the site does have outline approval for residential development, a reserved matters application for the residential element has not yet been submitted. It is therefore necessary to assess the potential impacts of the adjacent commercial use on future occupiers of the proposed development.
- 5.2 Although a noise survey of the site has been provided with the application this does not meet the British Standard required by Public Protection. At the time of writing an updated noise monitoring survey and report is being undertaken. This survey will determine whether mitigation such as acoustic fencing is required. Its findings will be updated on the Late Sheet.

Drainage

- 5.3 Policy CS13 seeks to ensure that proposals incorporate suitable drainage infrastructure.
- 5.4 The site lies wholly within Flood Zone 1 which has a low probability of flooding and but part of the site is within a 1 in 1000 year surface water flood area.
- 5.5 The SUDS Team have no objections subject to two conditions to secure the drainage strategy and ensure the final detailed design and maintenance arrangements are approved by the Council prior to their implementation. The development is therefore acceptable in flood risk terms.
- 5.6 The Parish Council and a neighbour has raised concerns regarding the capacity for foul water in the area. It is understood that there is mains sewerage along Biggleswade but at the time of writing a consultation response has not been received from Anglian Water. The agent has stated that if there is not available capacity then they will provide non-mains sewerage within the site. Foul water details will be secured by condition.

Ecology

- 5.7 The site contains semi natural habitat including woodland, scrub and semi-improved grassland, the majority of which will be lost as a result of the proposal. The Preliminary Ecological Appraisal which accompanies the application does not foresee any harm to protected species provided its recommendations are adhered to.
- 5.8 The submitted landscaping scheme would provide an improvement with more native species and nectar and berry rich planting. Biodiversity gains will also be achieved by the inclusion of integrated bird boxes and hedgehog holes in fences.
- 5.9 The Council's Ecologist has no objection to the proposal. Conditions will secure the proposed biodiversity gains.

Public Rights of Way

- 5.10 Footpath 9 runs directly on the western border of the development. The development will have a post and rail fence erected 2m back from the footpath with additional planting set behind to create a buffer between the development and the footpath.
- 5.11 This approach is considered to be appropriate and in accordance with the Council's public rights of way guidance. The Rights of Way Team has no objection to the proposed development.

Affordable housing and planning obligations

- 5.12 Policy CS7 states that development of four or more dwellings should provide an element of affordable housing (AH). However, national guidance within the NPPF states that AH should only be sought for major developments (10 or more dwellings). AH would not therefore be sought from the proposed development.

Draft Northhill Neighbourhood Plan

- 5.13 Northhill Parish Council has objected to the proposed development as they consider it be in conflict with policies NP1 and NP5 of the draft Northhill Parish Neighbourhood Plan.
- 5.14 Given the draft stage of the Neighbourhood Plan it is considered that these policies cannot be afforded weight in the determination of this application.

Sustainable development

- 5.15 The Framework adopts a broad definition of sustainable development in that it states that the policies within the document constitute the Government's view of what sustainable development means in practice. The Framework also establishes that the purpose of the planning system is to contribute to the achievement of sustainable development, which includes economic, social and environmental dimensions.

Social:

- 5.16 The proposal would make a contribution to the existing housing stock. One of the key aims of the NPPF is to significantly boost the supply of housing, the proposal is considered sustainable in this regard which weighs in favour of the proposal.
- 5.17 Upper Caldecote is defined as a Large Village within Policy CSI and has a number of services and facilities. Taking this into account, and given the statutory duty of relevant bodies to provided services (such as health and education) it is considered that there are sufficient services with the Large Village to accommodate the additional four units. The site is considered to be in a sustainable location within walking distance of amenities, services and facilities in Upper Caldecote, which can be accessed by footways.

Economic:

- 5.18 The proposal would also result in economic benefits through the purchase of materials and services in connection with the construction of the dwellings and

an increase in local household expenditure. There would also be economic benefits from the New Homes Bonus. Again, this weighs in favour of the proposed development.

Environmental:

- 5.19 It is acknowledged that the proposal would result in some harm to the character of the rural setting. However, as noted above, the proposal would not be prominent in the countryside and would be predominately screened from public views. The site is in a sustainable location close to services and facilities and, overall, the development would not be environmentally unsustainable.

Conclusion

- 5.20 The proposal, for eight residential units outside of a settlement boundary, conflicts with the current settlement strategy of the Council (denoted by Policies CSI and DM4), which weighs against the grant of permission. There would be some harm to the character of the countryside but the proposed development would contribute to the economic and social dimensions of sustainability. However, in the overall balancing exercise, the identified harm and conflict with the Development Plan, would be out-weighed by the benefits of this scheme.

5.21 **Human Rights and Equality Act issues:**

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

Recommendation:

That Planning Permission be Approved subject to the following:

- 1 The development hereby permitted shall begin not later than three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 Within two months of development commencing a detailed design of the surface water drainage scheme for the site (in its entirety), to manage up to and including the 1 in 100 year event (+40%CC) within the system, shall be submitted to and approved in writing by the Local Planning Authority. The scheme to be submitted shall include detailed plans and drawings of the final drainage system, including location, pipe run reference numbers, dimensions, gradients and levels (in metres above Ordinance Datum) and shall include all elements of the system proposed, including source control, storage, flow control and discharge elements. The scheme shall be implemented in accordance with the approved details before the development is completed and subsequently 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 line with para 164 of the NPPF and the DEFRA approved Technical Standards for SUDS (2015).

- 3 No building dwelling shall be occupied until the developer has formally submitted in writing to the Local Planning Authority a management and maintenance plan for the surface water drainage.

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

- 4 Prior to their use in the development hereby approved samples or details of the materials to be used on the external surfaces shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter proceed in accordance with the approved materials.

Reason: In the interest of visual amenity and to ensure the development will harmonise visually with the character and appearance of the site and its surroundings.

- 5 Prior to the occupation of the dwellings hereby approved the bird boxes and hedgehog fencing gaps identified on plan JBA18/216-02 Rev D shall be implemented and retained in situ thereafter.

Reason: In the interests of biodiversity.

- 6 Before the dwellings hereby approved are occupied the following works shall have been completed and surfaced in accordance with the approved plans and thereafter retained as such:

- all on site vehicular areas including the turning space for vehicles;
- the junction of the proposed vehicular access with the highway;
- the replacement parking provision and new access thereto for the existing dwelling (no. 140);
- the refuse collection point located at the site frontage outside of the public highway.

Reason: In the interests of highway safety, parking provision and visual amenity.

- 7 No development shall be carried out unless a Construction Management Plan (CMP) has been first submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall specify details of:

- loading and unloading of plant and machinery;
- facilities for the storage of plant, machinery and materials used in the construction of the development;
- wheel washing facilities;
- a scheme for the recycling/disposal of waste resulting from the scheme.

The development shall thereafter proceed in strict accordance with the approved CMP.

Reason: In the interests of local amenity.

- 8 Prior to the occupation of the dwellings hereby approved details of the method of foul water drainage shall be submitted to and confirmed in writing by the Local Planning Authority. The development shall thereafter proceed in accordance with the approved details.

Reason: In the interests of pollution control.

- 9 Prior to commencement of any above ground building works details of hard and soft landscape works, including an implementation and management plan, shall have been submitted to and approved in writing by the local planning authority.

Details of soft landscape works shall include retention of any existing trees and hedges; finished levels/contours; planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate. The hard landscape works shall include means of enclosure; boundary and surface treatments. All works shall be carried out in accordance with the approved details and the implementation plan and thereafter maintained in accordance with the approved management plan.

Reason: To secure a landscape scheme that will complement the development in the interests of visual amenity.

- 10 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers OAK-034 Sheet 1 (Site Plan), OAK_034 Sheet 01 (Sit Plan & Location Plan), OAK-034 Site Layout/Block Plan, OAK-034 Sheet 02 (Plot 1,2 & 5), OAK-034 Sheet 03 (Plot 3,4,6,7,& 8), JBA18/216-01 Rev D (Soft Landscaping) & JBA18/216-02 Rev D (Hard Landscaping).

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

INFORMATIVE NOTES TO APPLICANT

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
2. **Please note** that there is a contribution to pay for the supply/delivery of the bins. Our current charges for this are:

£240 - £25 + VAT per bin.

This must be paid prior to discharging the relevant condition. A purchase order must be raised for the quantity of bins required and sent to Waste Services quoting the relevant planning reference number. We will also require a map of the site detailing street names, plot and house numbers.

Wherever possible, refuse collection vehicles will only use adopted highways. If an access road is to be used, it must be to adoptable standards suitable for the refuse vehicle to manoeuvre safely around site (please see

vehicle dimensions below). Typically, until roads are adopted or if the RCV is unable to manoeuvre around the site, bins are to be brought to the highway boundary or a pre-arranged point. If residents are required to pull their bins to the highway, a hard-standing area needs to be provided for at least 3 wheelie bins and a recycling caddy per property. Bins must not encroach on or cause a hazard or obstruction to the public highway. Waste vehicles will reverse a maximum of 15m to the point of collection.

Please also refer to the Design Guide as the Council will not be able to supply waste collections where the bin and access requirements do not meet our contractual provision, anything else differing to this will be incorporated as a condition.

<http://www.centralbedfordshire.gov.uk/planning/design/info.aspx>

3. **The applicant is advised that in order to comply with Conditions 6 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**

- The applicant is advised that no private surface water drainage system designed as part of a new development, will be allowed to enter any existing highway surface water drainage system.

- The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained by this link on the Council website

<http://www.centralbedfordshire.gov.uk/transport/request/dropped-kerb.aspx> or contact Central Bedfordshire Council Tel: 0300 300 8301.

- The applicant is advised that parking for contractor's vehicles and the storage of materials associated with this development should take place within the site and not extend into within the public highway without authorisation from the highway authority. If necessary the applicant is advised to follow this link on the Council website

<http://www.centralbedfordshire.gov.uk/transport/request/dropped-kerb.aspx> or contact Central Bedfordshire Council Tel: 0300 300 8301. Under the provisions of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of demolition/construction of the development hereby approved.

- Best practical means shall be taken at all times to ensure that all vehicles leaving the development site during construction/demolition of the development are in a condition such as not emit dust or deposit mud, slurry or other debris on the highway, in particular efficient means shall be installed prior to commencement of the development and thereafter maintained and employed at all times during construction of the development of cleaning the wheels of all vehicles leaving the site.

- The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed

highways within the site as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Highways Agreements Officer, Highways Contract Team, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ The applicant is advised that as a result of the development, new highway street lighting will be required and the applicant must contact the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ for details of the works involved, the cost of which shall be borne by the developer. No development shall commence until the works have been approved in writing and the applicant has entered into a separate legal agreement covering this point with the Highway Authority.

- All roads to be constructed within the site shall be designed in accordance with Central Bedfordshire Council's publication "Design in Central Bedfordshire A Guide to Development" and the Department for Transport's "Manual for Streets", or any amendment thereto.

- 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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