

Item No. 7

APPLICATION NUMBER	CB/16/05229/OUT
LOCATION	Land west of Bedford Road, Lower Stondon
PROPOSAL	Outline Application: Erection of up-to 85 dwellings together with vehicular/pedestrian access from Bedford Road; a Country Park; a play area; other open space; landscaping including an orchard; footpath links; sustainable drainage; other related infrastructure and change of use to residential garden land
PARISH	Stondon
WARD	Arlesey
WARD COUNCILLORS	Cllrs Dalgarno, Shelvey & Wenham
CASE OFFICER	Michael Huntington
DATE REGISTERED	21 November 2016
EXPIRY DATE	20 February 2017
APPLICANT	Ms E Hunter and Mr A Hunter
AGENT	Star Planning and Development
REASON FOR COMMITTEE TO DETERMINE	Major application and departure from the Development Plan
	Parish Council objection to a major application recommended for approval
RECOMMENDED DECISION	APPROVAL subject to completion of Section 106 Agreement

Reason for Recommendation

The proposal is contrary to Policy DM4 of the Core Strategy and Development Management Policies Document; however the application site is closely related to the existing settlement boundary in Lower Stondon / Henlow Camp which is considered to be a sustainable location for planning purposes. The proposal would have an impact on the character and appearance of the area, however this impact is not considered to be harmful, and there is a small scale loss of Grade 2/3 agricultural land. The proposal is considered to be acceptable in terms of landscape, archaeological and ecological impact, highway safety and neighbouring amenity and therefore accords with Policy DM3 of the Core Strategy and Development Management DPD. The benefits of the proposed country park, new footpath network, affordable housing and traffic calming are considered to add weight in favour of the development and therefore the proposal is considered to be acceptable.

Site Location:

The application site is situated to the south west of the eastern part of Lower Stondon. Lower Stondon has a distinctive east - west split, with the older part of the village located to the west, and more recent development located to the east along the A600 Bedford Road, joined up with other newer housing development at Henlow Camp. The village centre is situated at the crossroads of Bedford and Shillington Roads.

Recent housing development forms the site boundary to the north and north east, a brook and farm track forms a site boundary to the south, it abuts open farmland to the west and

the site joins up with an existing area of public open space to the north.

The site is currently arable land, and is accessed via a farm track from Bedford Road. It is gently rolling landscape.

The Application:

The applicant seeks outline planning permission for residential development of up to 85 new dwellings, with vehicular access from Bedford Road; a country park, play area, other open space, landscaping including an orchard, footpath links, sustainable drainage, and other related infrastructure.

All matters are reserved except for access.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Core Strategy and Development Management Policies - North 2009

- Policy CS1 – Development Strategy
- Policy CS2 – Developer Contributions
- Policy CS3 – Healthy and Sustainable Communities
- Policy CS4 – Linking Communities – accessibility and transport
- Policy CS5 – Providing Homes
- Policy CS7 – Affordable Housing
- Policy CS13 – Climate Change
- Policy CS14 – High Quality Development
- Policy CS16 - Landscape and Woodland
- Policy CS17 - Green Infrastructure
- Policy DM3 - High Quality Development
- Policy DM10 – Housing Mix
- Policy DM14 - Landscape and Woodland
- Policy DM15 - Biodiversity
- Policy DM16 - Green Infrastructure
- Policy DM17 - Accessible Greenspaces

Development Strategy

At the meeting of Full Council on 19 November 2015 it was resolved to withdraw the Development Strategy. Preparation of the Central Bedfordshire Local Plan has begun. A substantial volume of evidence gathered over a number of years will help support this document. These technical papers are consistent with the spirit of the NPPF and therefore will remain on our website as material considerations which may inform further development management decisions.

Supplementary Planning Guidance/Other Documents

- Central Bedfordshire Design Guide (March 2014)
- Central Bedfordshire Sustainable Drainage Guidance (May 2015)

Relevant Planning History:

Application Number	16/04079
Description	EIA screening opinion
Decision	Opinion released
Decision Date	September 2016

Consultees:

Parish/Town Council

We are writing in response to your recent publication of the above application.

At the 21st December 2016 and from the meeting of the 26th April 2017, Stondon Parish Council resolved by a unanimous vote that we **OBJECT** to this application.

The following is a list of the key points to the objection

- The site is situated outside the settlement envelope
- The site is not sustainable as it is not within an acceptable walking distance of the following core services:
 - Community facilities
 - School
 - Doctors Surgery
 - Garage
 - Car Servicing
 - Village shops
 - Food Outlets
 - Bus stop and related public transport
- The site is not sustainable as it does not provide accessible cycling to Arlesey Railway station
- We have had no assurances that the footpaths and visibility splays can be delivered
- The improvements to the A600/A507/Chapel Road roundabout will not provide mitigation to the increased traffic and there is insufficient detail on how these will be delivered
- There has been no assessment of the impact of increased traffic on Station Road due to the unsustainable nature of this proposed development

- There will be a loss of agricultural land which has not been assessed but is thought to be listed as Grade 1
- There has been no assessment of school capacity to determine whether pupils could be accommodated locally
- The development represents an encroachment into the open countryside
- There is no agreement or proposal in place to show how the countryside park will be managed or identification of a long term sustainable maintenance provision (S106)
- This development borders the parish of Henlow, Ickleford, Holwell, NHDC and there is no indication they have been consulted

SETTLEMENT ENVELOPE

Clearly this site is situated outside the settlement envelope. The applicant has not demonstrated that the economic and social benefits arising from the application will significantly and demonstrably outweigh any adverse environmental impacts.

Our understanding is that in October 2016, CBC had achieved 4.89 years (98%) provision of its housing land supply and preparation of the local plan are material to the determination of this application. This changed in April 2017 when CBC could not engage the 5% commitment as it could not show it was not consistently under delivering and could demonstrate a housing land supply of 5.88 years.

We believe that it can be argued that these are sufficient to fully engage Policy CSDMP Policy DM4 and that the application should be refused for non-compliance, consequently it should not be assessed against the policy requirements of the NPPF.

Developers promoting sites outside settlement limits in Central Beds have argued that NPPF paragraph 49 unambiguously applies which states that the Council's housing policies are not up to date and at paragraph 14 the NPPF states among other things that where the development plan policies are out of date the Council should grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole.

That does not, however, provide any applicant with generic grounds for arguing that since the development policies are out of date, development outside of the village of Lower Stondon will be acceptable. The applicant must demonstrate that the economic and social benefits arising from the application **will significantly and demonstrably** outweigh any adverse environmental impacts. This is weighing the sustainable benefits of the application against the sustainable dis-benefits.

SITE LOCATION

The site is located outside of the southern boundary and settlement limits of the village of Lower Stondon. It is not adjacent to the historic core of the village (A600/Station Road junction) which lies approximately 800m to the north of the site access.

The site area set out in the application form is 10.41ha (25.72acres). It has **an irregular shape and oddly has a rectangular parcel of land omitted** but contained by the application boundary. The future use of this land (albeit outside the application site) is pertinent to a consideration of the application proposals and we have sought clarification from CBC as to its ultimate purpose.

As outlined above this site is not easily accessible, apart from a single track used by farm machinery to manage the high quality agricultural land that is currently in use.

The sharing of the proposed new road with pedestrians, vehicular traffic and **large farming machinery** we believe will present an unacceptable risk to potential residents.

SUSTAINABILITY

Access to Local amenities

We do not believe the location of this site is sustainable, as it is not within an acceptable walking distance of the core community facilities.

These include, but are not limited to, the following, Lower School, Doctors surgery, shops, bus stop, as per the guidance given by the Institute of Highways and Transportation "Guidelines for Providing Journeys on Foot, 2000".

The access road is greater than 275m from the A600 resulting in a very isolated community and thus has very limited access to local amenities.

Furthermore the site, being located on the southern periphery of the settlement is not, contrary to the propositions in the planning submission, located within easy walking distance of

local services, facilities and bus stops. It does not comply with Policy CSDMP CS4 which requires development to be in locations where easy convenient access to all local facilities can be achieved by walking, cycling, bus or train. As such it also fails the social role in NPPF and the thrust of Section 4 of the NPPF on sustainable transport.

Access to Rail Links

The site is not sustainable as it does not provide accessible cycling to Arlesey Railway station and will consequently increase the drain on local resources. There is no certainty that the access to the site, footpaths and visibility splays can be delivered within the highway boundary.

Both of these items will increase the volume of road traffic into the area and increase the load on the very busy route in an out of the Hitchin/Stondon via the A600.

Access to Footpath and Entrance to Development

We have had no assurance that the footpaths and visibility splays can be delivered as there is no indication on the plan that the applicant owns the land to deliver these.

The Parish Council believes that this land is owned by private individuals and that they have not been asked if they wish to sell the land. Their land abuts the highway and the only footpath available is by crossing the A600 which has high traffic volumes.

There are references on drawings that some areas could not be surveyed due to ditches and dense vegetation, but no details have been provided on how these will be mitigated. If ditches are present, there is no mention on how these will be managed.

The entrance is outside the 30 mph limit to the village and would expose all traffic to increased risk. This area has had a small number of fatal accidents. Stondon Parish Council has implemented, under the "Rural Match Funding Scheme", a buffer zone to try and mitigate the issue of speeding in this area.

We believe that additional measures, beyond those suggested will be required. This is based upon the information provided by the applicant that vehicle speeds are still in excess of 40 mph close to the proposed entrance and within the current buffer zone.

Traffic Calming and Crossing point

The proposed traffic calming scheme does not have an

assessment report from CBC Highways Team. In addition there is no indication that residents of Henlow Camp have been consulted for their input, as this development will impact on traffic volumes and proposals might affect their properties. The proposed traffic calming will potentially impact on services provided by North Herts District Council and Ickleford Parish Council.

There seems to be no consideration to providing access to the south of the estate (via footpath, walkways or other routes) with the increased risk of having to cross the road to access public transport.

Junction Improvements A600/A506

While this junction is some distance away from the proposed development the improvements to the A600/A507/Chapel Road roundabout will not mitigate the increased traffic and there is a lack to detail on how these improvements will be delivered. In the proposed application the Sustainability Statement (page 9) advises that these improvements will meet the environmental role but these are not proven and there is a distinct lack of evidence.

Omissions of text from the “Access and Sustainable Transport” paragraph 5.26 would seem to suggest that the report is incomplete and will require re-submission.

Economic Gains

The economic gains will be short lived and relate only to the construction period.

Loss of prime Agricultural Land

There will be a loss of agricultural land which has not been assessed by the applicant. Our brief research shows that The Natural England Agricultural Land Classification for the site as Grade 1 quality. Grade 1, 2 and 3a defines the best and most versatile (BMV) land by policy guidance – refer Annex 2 of the NPPF.

Para 112 of the NPPF states that 'local authorities should seek to use areas of poorer quality land in preference to that of higher quality'.

Para 142 of the NPPF notes that 'in preparing Local Plans, local planning authorities should safeguard the long term potential of the best and most versatile agricultural land'.

Other sites of a lower agricultural grade are available within the District and those sites should be considered first. Surely this is a matter that applicant has to demonstrate that the selection

of this site is significantly preferable to other sites. Productive agricultural land is essential to reduce the declining food security of the UK.

Local Resources

School

There has been no assessment of school capacity to determine whether pupils could be accommodated. There is a suggestion that contributions might be made but no detail or analysis has been provided. We understand a meeting was held with Stondon

Lower School but we are not aware that similar meeting with Derwent took place, nor have we been provided with the outcome of those meetings.

Doctors

There does not seem to have been any consultation with the nearest Doctors Surgery to the proposed site and we understand that this practice is already at capacity. There has been no suggestion on how the increased population will be accommodated within local health services, nor has there been any indication as to the level of contribution to assist in developing the surgery. All other facilities are not within reasonable walking distance and thus further impact on the unsustainable transport methods that will be used to access them.

Water, Sewerage, Flooding and Communications

The location is close to a flood plain (as housing close by has, in the past, been advised of this risk) and no plans have been provided on how this will be managed. The ground permeability is very low and from the information provided the use of proposed foul water scheme and discharge into a local water course could yield sources of contamination.

There is insufficient detail on the provision of water supply and removal of foul water and how this will be delivered. We believe there is no existing capacity within the current services. The proposed pumped scheme will be required to be connected to this system within the suggested timeframe, although detail of the consequences and associated impact are unknown.

Encroachment into Open Countryside

The development represents a significant encroachment into the open countryside. There is no doubt that any development of the application site would lead to a change in character and appearance of this area. The site has a significant undulating nature, something that is extremely rare in the mostly flat

vicinity, making it a Valued Landscape in Framework terms. Consequently any development would unacceptably erode the rural setting of the area, neither conserving nor enhancing the varied countryside character or quality of the wider landscape. Subsequently the terms of CS Policies CS16, DM4 and DM14 would be unacceptably compromised with regard the core principles of the NPPF.

The “Sustainability statement” seeks to prove that soils will be protected and conserved (page 11), although there is no contamination report, no agricultural viability report and no consideration of the groundwater protection zone. The statement does not accurately record the answer to loss of green field land. The definition of Greenfield is land that has not been previously developed and is outside the urban area. It is clear that there is a loss of green field land. The assertions cannot be proven to ensure there are acceptable environmental impacts.

Proposed Countryside Park

Stondon Parish Council will need to be provided with a long term (20 years) economically sustainable plan on how this park will be delivered and managed. We have not been provided with any details as to the **Heads of Terms of the S106 proposal** and there is no support documentation on what is proposed within the delivery of the Country Park. CBC is not in a position to manage this park area.

The proposed access to footpaths linking to the other parts of the village have been suggested but we have not been provided with details on how they will be delivered or if the CBC Footpaths Officer has been consulted.

The proposed Park borders to an open space in Pollards Way. No detail or information has been provided on how the Countryside Park will integrate with this open space. Again, there are concerns that the applicant does not detail land ownership between the two sites.

The current Allotments in Stondon have some spaces but we believe that this influx and with current demand we will have an unmet need. This will need to be accommodated within this proposal.

This development borders the parish of Ickleford, Holwell and NHDC and there is no indication they have been consulted

This development, the proposed traffic calming and the additional drain on resources will potentially impact on neighbouring Parishes and it would seem that they have not

been consulted. NHDC (North Herts District Council) in their call for sites has identified a site directly opposite the proposal for an additional 120 houses and this will further impact on the applicant's plans. No consideration has been made for this.

Land Ownership

In addition the applicant has made offers to residents that abut the proposed development offering them land that the Parish Council do not believe they have clear ownership of and that we would want clarification of ownership and that they are authorised to make this offer. The applicant has not provided any clarity to the land it owns and what additional land might be required. We have concerns that any potential residents would be exposed to unreasonable risk in accessing the development on foot, by cycle or car. We believe that the community benefits proposed will be at the expense of a large cost to the local community and that some aspects, such as the public footpaths, are not deliverable.

Conclusion

The Parish Council has requested clarifications from CBC in regard to this development but have yet to receive satisfactory responses.

The Parish Council, at the last meeting on 21 December 2016, voted unanimously to support the following resolution.

Following submission of minor changes to the layout and a review at the Parish Council meeting of 26 April 2017, the Parish Council have not changed their viewpoint from the original application.

Resolved to OBJECT to Application no CB/16/05229/OUT on the grounds of being outside the settlement envelope, location, sustainability, deliverability and in breach of several core policies in both the NPF and the local plan.

Anglian Water

The site is in the catchment of Shillington Water Recycling Centre which does not have the capacity available. A drainage strategy will need to be prepared in consultation with Anglian Water and the Environment Agency to determine whether additional flow can be discharged to watercourse and to cover temporary measures in the interim, if additional capacity can be provided at the STW.

Development will lead to an unacceptable risk of flooding downstream. A drainage strategy will need to be prepared in consultation with Anglian Water to determine mitigation measures.

Planning conditions will be necessary requiring the drainage

strategy covering the above issues to be agreed.

Environment Agency

We have no objection to this application.

The site is located above a Principal Aquifer and within Source Protection Zone (SPZ) 3. However, we do not consider this proposal to be High Risk.

Internal Drainage Board

The development is close to the Drainage Board's watercourse, and development should not take place within 7m of the watercourse without the Board's prior consent.

Sustainable drainage

Outline planning permission could be granted to the proposed development and the final design and maintenance arrangements for the surface water system agreed at the detailed design stage, subject to recommendations and planning conditions.

Archaeology

The proposed development site lies within a landscape that is known to contain multi-period archaeological remains including the medieval moat and settlement at Holwellbury (HER 419) that lies to the south-west of the application area. While the proposal could have a damaging impact on any surviving archaeological remains at the site, this piece of land is currently considered to have low archaeological potential. Therefore, there would be no archaeological constraint on this development.

Ecology

No objection to the proposal.

Ecological surveys undertaken have found limited species interest present on the existing site and there is ample opportunity for the development to deliver a net gain for biodiversity.

Proposals include ecological enhancement measures securing features beneficial to wildlife.

A condition requiring the provision of a Landscape and Ecological Management Plan will ensure these are delivered as part of any approved scheme.

Education

Contributions will be required for additional school places.

Footpaths

Welcomes the creation of a new footpath link to connect to the west, but would suggest an upgrade to cycle path.

Green Infrastructure

This proposal shows good potential for delivering a net gain in green infrastructure, with the creation of hedgerows, a woodland copse, significant areas of recreational open space, habitat enhancements, enhanced footpath access, the integration of greenways within the residential development and habitat enhancement along the brook corridor.

The proposals for sustainable drainage appear to be positive, and further proposals for SuDS should be developed with officers in the flood risk and environmental policy teams.

Health	None received
Highways Development Control	<p>Would like to see a widened footway alongside Bedford Rd., from the site access to the Orchard Way roundabout. Although the applicant proposes a 1.5 to 2metre wide footway, the highway verge is such that it could be wider subject to a piped culvert in the ditch. Ideally would like to see a 2 metre footway with a 1 metre kerbside verge. It will also require street lighting which would in all probability need to be introduced anyway as part of the 30mph speed limit extension. All of this will help change the nature of the road in tandem with the proposed speed limit reduction measures, helping to make the access visible.</p> <p>In addition would like to see improved connectivity to Orchard Way and this could be achieved through the existing play area. A contribution would need to be secured in this regard such that a hard but permeable surface could be introduced facilitating use all year round.</p>
Housing	<p>Support this application as it provides for 30 affordable homes which reflects the current affordable housing policy requirement of 35%. The supporting documentation does not indicate the tenure split of the affordable units.</p> <p>The Strategic Housing Market Assessment (SHMA) has identified a tenure requirement from qualifying affordable housing sites as being 73% affordable rent and 27% intermediate tenure. This would make a requirement of 22 units of affordable rent and 8 units of intermediate tenure (shared ownership) from this proposed development.</p>
Landscaping	<p>No objections to the outline proposals in principle regarding landscape but mindful of the sensitivity of the wider rural setting, including the elevated AONB landscapes to the south, and potential impact of change on views.</p> <p>The proposed development could assist in enhancing the existing urban edge and provide a quality landscape setting for the south of Lower Stondon.</p>
Leisure and open space	<p>This development generates a requirement for 1.73ha of open space to be provided within the development or as a contribution to identified local needs.</p> <p>A good level of Amenity Space has been provide on-site and has been designed to incorporate the play space to create a multi-functional space. There are good linkages between the gateway parkland, the central green, play area and country park.</p>
Public Art	Requests a Public Art Condition
Public Protection	No objection subject to a planning condition requiring remedial measures to be undertaken should contamination be found while carrying out any development.
Self build plots	Would like to encourage the developer to provide a number of

serviced plots for self and custom housebuilders registered on the Central Bedfordshire's Self and Custom Build Register and would like to hear from the developer how many serviced plots this development would be able to offer.

Sustainability

No objection subject to a planning condition requiring development to provide

- 10% energy demand of the development to be delivered from renewable or low carbon sources;
- Water efficiency to achieve water standard of 110 litres per person per day,

and to incorporate climate change measures into the development to minimise risks of overheating in buildings.

Trees

Acceptable in principle, subject to more detail at the appropriate stage.

Other Representations:

Neighbours

Applecroft 24
Bluebell Drive 5, 9, 30, 31
Bedford Road 32
Goldfinch Place 2
Holwellbury Farm the apple store, little orchard, the lodge
Holwellbury farm cottages 1,2
Holwellbury farmhouse
Karen House 10
Long Close 32
Meadowsweet 5, 29
Midlands way 7
Orchard Way 4, 8, 17, 23, 25, 27, 29, 31, 39, 41, 43, 45, 49
The Pastures 5
Pear Tree Close 3
Plum Tree Road 5, 14, 16, 18, 20, 22, 24, 25, 26, 28, 29, 30 32, 34, 38, 40, 44, 52
Pollards Way 8, 15, 16, 22
Poynters Road 162
The Railway 12, 21
Shannon Close 7
The Sidings 12
Signal Close 1,12
Station Road 5a, 10, 20b, 26, 36a, 53, 148, 149, 161, 169, 212
Wilbury Road 3

These comments can be summarised as follows:-

Agricultural land - high quality, loss of

Distance from facilities - site is not within an acceptable walking distance for core services such as schools - not within 800m some existing amenities are private to the air base,

Five year land supply

Landscape beauty

Infrastructure deficit - doctors, schools, shops, public transport

Pollution - air and noise

Public transport due to be reduced

Privacy - 35m distance between houses not sufficient - human rights act right to privacy, effect on Plum Tree Road in particular

RAF Henlow closure announcement - other development already announced in the village, unsustainable level of growth

Vehicular access to the site - A600 - very busy road - access to the site - speed

Village envelope - development outside of

Traffic - potential for congestion

Travel Plan not specific

Wildlife - impact upon

Deliverability of footpath along A600 = land ownership issues. Access is used by farmer to get to fields

NPPF paras 112 and 143 high quality land

Flood risk from watercourse

Utilities - insufficient capacity for both the water main and the foul sewer

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 contributions
6. Planning balance
7. Other considerations

Considerations

1. Principle

- 1.1 The site lies outside of the settlement envelope of Lower Stondon and is therefore located on land regarded as open countryside. The adopted policies within the Core Strategy and Development Management Policies 2009 limit new housing development on unallocated sites to within settlement envelopes (Policy DM4). Lower Stondon is designated as a large village where Policy DM4 limits new housing to small scale developments. On the basis of Policy DM4 a residential proposal outside of the

settlement envelope would be regarded as contrary to policy. As of April 2017 the Council can demonstrate 5.88 years housing land supply. Policies relating to housing supply are no longer considered to be out of date and appropriate weight can now be applied. However it is necessary for the Council to consider whether material considerations outweigh the non-compliance with the NPPF.

- 1.2 Lower Stondon is designated as a large village. Lower Stondon is very closely related to Henlow Camp and the RAF base which is due to close in 2020. Lower Stondon and Henlow Camp contain a number of services including village shops, petrol station, doctor's surgery, restaurant/pubs, school, local businesses, community halls and public transport availability via buses. Taking these points into account it is considered that, as a settlement, Lower Stondon should be regarded as being sustainable.
- 1.3 Settlements that are designated 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 this proposal is considered to be reflective of the scale of development of the area, namely that of Orchard Way and Plum Tree Road north and east of the site. In the wider context of the settlement, the addition of up to 85 dwellings is considered to be small scale.
- 1.4 With this scheme, 35% of the up to 85 dwellings would be affordable homes. The applicant will be required to commit to a legal obligation that would confirm the extent of deliverability of the development on the site within a five year period to show how it would contribute to the Council's housing land supply. The development would positively contribute towards the supply of housing to help meet need and weight should be attributed to that benefit in the planning balance.
- 1.5 The site falls within both grade 2 (very good) and 3 (good to moderate), when looking at the agricultural land classification map. The loss of such a small area of arable land is not considered to be significantly harmful.
- 1.6 The site will be accessed via the existing farm track. Subject to achieving the necessary technical approvals, the location of this access is considered acceptable. Pedestrian and cycle access will also be achieved through connections to the existing open space routes to the north and through Orchard Way and Pollards Way. The provision of a new public footpath link to connect to the existing footpath network to the south west is a planning benefit that will link the two parts of Lower Stondon and encourage the use of the wider public footpath network.
- 1.7 The site is within reasonable walking distance of village facilities, and the proposed cycle / pedestrian link through the Pollards Way open space will provide an attractive leisure route to the village centre, and a new footpath along Bedford Road will contribute to traffic calming along this road.
- 1.8 The provision of the Country Park and extension to the existing open space is considered to be a significant benefit to the wider community.

2 Affect on the Character and Appearance of the Area

- 2.1 Development of the site will increase the built form in the area. Development will result in a loss of open countryside and this is considered to be an adverse impact. However the site abuts residential development and curtilage on two of its four sides. It can be regarded as a sympathetic extension of the village, and while there would be a loss of open countryside it is not considered that the impact would detrimentally harm the character and appearance of the area to the extent that it is regarded as significant and demonstrable in this instance.

- 2.2 The site is clearly viewed from public vantage points along FP49 to the south and from the adjacent Pollards Way public open space. The view from FP49 towards the site is of a hard edge formed by the houses and rear gardens of Plum Tree Road and particularly Orchard Way. The site itself is part of a large arable field, with a gently sloping character. There are long views offered from the site to the south west towards the Chilterns. The development will have a neutral affect on the character and appearance of the edge of Lower Stondon, and the softer edge to the development as identified on the indicative layout could even improve the view of Lower Stondon from this footpath.

3 Neighbouring Amenity

- 3.1 The site does adjoin a number of residential curtilages on its northern and eastern boundaries on Orchard Way and Plum Tree Road. The development would be visible from these properties but the indicative layout shows development could be proposed that would not result in buildings being overbearing or causing any loss of light.
- 3.2 The indicative masterplan indicates that there will be a minimum of 35 metres between existing and future properties, and some existing gardens will be extended. This distance is considered acceptable, and although the layout is indicative, planning conditions will secure this as a minimum distance when a more detailed scheme comes forward.
- 3.3 A planning condition could also be used to ensure that new properties alongside these existing residential areas have a mix of 2 and 1.5 storey elements.

4 Highway Considerations

- 4.1 Highway interventions will be necessary to make the proposal acceptable in planning terms. These interventions include:-
- a) The provision of a footpath alongside Bedford Road to ensure that pedestrians can access the village facilities and others from the access to the site.
 - b) The provision of traffic calming between the site access as far as the Holwellbury turn approximately 200 metres to the south east along Bedford Road. This will include a speed reduction to 30mph along this stretch of highway.
 - c) Minor changes to the Airman roundabout to enable the roundabout to work more smoothly.

Following concerns expressed by the Parish Council relating to the capacity of the roundabout junction of the A507 with the B659 at Henlow, the applicant undertook further technical work to assess the potential impact of the proposed development on that junction. This work confirmed that the junction is currently working at capacity, with delays on all arms of the roundabout, but that potential additional movements at the junction from this development would have minimal impact upon queue lengths.

CBC have commissioned an A507 route study in order to understand capacity issues along this road. This will form the basis for future financial contributions to address any capacity issues along this stretch of road, if and when appropriate.

5. Planning Contributions

Planning contributions could be secured, following on from the guidance that states that any contribution must be:-

- a. necessary to make the development acceptable in planning terms
- b. directly related to the development

- c. fairly and reasonably related in scale and kind to the development

Due to regulations introduced in 2014, restrictions on the use of s106 contributions have been limited for all Local Planning Authorities. The impact of this is that authorities will only be able to accept a maximum of five contributions towards each infrastructure project.

The following will be secured by s106 planning agreement:-

up to £693,425 towards the provision of places at nursery, lower, middle and upper schools

contributions towards the following:-

provision of a new community hall in Lower Stondon

upgrading the footpaths FP46 and FP48 adjacent to the site

and:-

provision of a new footpath westwards from the proposed open space to connect to the existing PROW network at FP46 and FP48

creation of a country park integrated with the adjacent existing Pollards Way recreation ground, together with associated car park and seating, and with transfer to Parish Council or other organisation, together with appropriate commuted sum for maintenance purposes

local area for children's play

improvements to the existing surface water drainage system on the existing recreation ground as part of wider drainage strategy

new lit footpath along Bedford Road

traffic calming measures along Bedford Road

travel plan implementation

35% affordable housing in accordance with CBC housing requirement

6. The planning balance and whether the scheme is sustainable development

- 6.1 When the application was originally submitted, the Council could not demonstrate a 5 year supply of deliverable housing. The Council can now demonstrate a 5 year supply, but this does not mean that planning applications on unallocated land can be automatically rejected, and indeed such applications still have to be determined in the context of the presumption in favour of sustainable development as set out in the NPPF, and its commitment to significantly boost housing supply.

Other than the village framework policy H4, there are no other technical or environmental considerations that would prevent housing development in this location.

The provision of 60% of the site as publicly accessible open space, improvements to the drainage problems on the existing Pollards Way open space, new public footpath connections, traffic calming on Bedford Road, and the provision of 35% affordable housing all weigh favourably in the planning balance towards recommending approval in this location.

7. Other Considerations

- 7.1 Anglian Water have indicated that there are capacity issues at the sewage treatment works. The applicant will be required to work with Anglian Water to expand the capacity

of the treatment works to cater for this development proposal.

- 7.2 A brook is located close to the access track that serves the site. There will be no danger of the brook flooding any of the proposed dwellings, as the ground rises to where the buildings are proposed to be located. A surface water drainage strategy will be required to ensure that any surface water is appropriately managed before it leaves the proposed development site
- 7.3 The proposed development site lies within a landscape that is known to contain multi-period archaeological remains including the medieval moat and settlement at Holwellbury that lies to the south-west of the application area. While the proposal could have a damaging impact on any surviving archaeological remains at the site, this piece of land is currently considered to have low archaeological potential. Therefore, there would be no archaeological constraint on this development
- 7.4 **Human Rights issues:**
Based on the information submitted, there are no known issues raised in the context of the Human Rights / Equality Act 2010, and as such there would be no relevant implications with in this proposal.

Recommendation:

That Planning Permission be granted subject to the completion of a S106 agreement and the following:

RECOMMENDED CONDITIONS / REASONS

- 1 Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
- Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 Details of the layout, scale, appearance and landscaping, including boundary treatments (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
- Reason: To comply with Article 3 of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended)
- 3 **No development shall take place until details of all external materials have been 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 control the appearance of the buildings in the interests of the visual amenities of the locality in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009). This is a pre-commencement condition as materials cannot be altered after start of construction.**

- 4 The landscaping details required to be submitted by condition 2 of this permission shall include details of hard and soft landscaping (including details of boundary treatments and any public amenity open space, and Local Areas of Play) together with a timetable for its implementation. The development shall be carried out as approved and in accordance with the approved timetable.

The soft landscaping scheme, which will include ecological enhancement measures, shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes at the time of their planting, and proposed numbers/densities where appropriate; and details of a scheme of management/maintenance of the soft landscaping areas. The landscaping areas shall be managed thereafter in accordance with the approved management/maintenance details.

The scheme shall also include an up to date survey of all existing trees and hedgerows on and adjacent to the land, with details of any to be retained (which shall include details of species and canopy spread); measures for their protection during the course of development should also be included. Such agreed measures shall be implemented in accordance with a timetable to be agreed as part of the landscaping scheme.

Reason: To ensure that the appearance of the development would be acceptable in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009 and the principles of the NPPF.

- 5 **No development shall commence until details of (a) porch canopies; (b) doors, windows, garage doors, and associated reveals, sills and lintels; (c) ducts, flues and vents; (d) rainwater goods; (e) meter boxes; and (f) areas for storage of refuse and recycling bins and the kerbside collection point; have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.**

Reason: To control the appearance of the buildings in the interests of the visual amenities of the locality in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009). This is a pre-commencement condition as materials cannot be altered after start of construction.

- 6 **Prior to the approval of the details required by condition 2 of this permission, details of the method of disposal of foul and surface water drainage shall be submitted to and agreed in writing by the Local Planning Authority, including any land drainage system. Thereafter no part of the development shall be occupied or brought into use until the approved drainage scheme has been implemented.**

Reason: To ensure that adequate foul and surface water drainage is provided and that existing and future land drainage needs are protected. (Section 10, NPPF). This is a pre-commencement condition as drainage systems are required to be installed prior to construction of the dwellings.

- 7 No dwelling shall be occupied until details of a scheme for the provision of public art to form part of the development, including a timetable for its provision, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To control the appearance of the development in the interests of the visual amenities of the locality in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 9 No external lighting shall be installed until details have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and retained as such thereafter.

To control the appearance of the development in the interests of the visual amenities of the locality in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

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

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

- 11 The development shall take place in accordance with the principles set out in the Approved drawing number 230201_PS_IMP_003 April 2017 Illustrative Masterplan, including the extent of development, the location of the play area, extent of open space, footpath and cycle linkages, and the back to back distance of a minimum of 35 metres between existing houses on Plum Tree Road, Orchard Way and the proposed development..

Reason: For the avoidance of doubt

- 12 **No development shall take place until details of the existing and final ground, ridge and slab levels of the buildings hereby approved have been submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties. Thereafter the site shall be developed in accordance with the approved details.**

Reason: To ensure that an acceptable relationship results between the new development and adjacent buildings and public areas in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009). This is a pre-commencement condition as final ground, ridge and slab levels need to be agreed before development commences.

- 13 The dwellings hereby permitted shall not exceed 2 storeys in height, and will consist of a mixture of 2 and 1.5 storeys alongside existing houses on the northern and eastern boundaries of the site.

Reason: To ensure that the site is not overdeveloped and that the character and

visual appearance of the area is not adversely affected
(Section 7, NPPF)

- 14 The development hereby approved shall comprise no more than 85 units.

Reason: For the avoidance of doubt

- 15 In the event that contamination is found at any time when carrying out the approved development, it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall then be undertaken by a competent person, in accordance with 'Model Procedures for the Management of Land Contamination, CLR 11'. A written report of the findings should be forwarded for approval to the Local Planning Authority. Following completion of remedial measures a verification report shall be prepared that demonstrates the effectiveness of the remediation carried out. No part of the development should be occupied until all remedial and validation works are approved in writing.

Reason: To ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990.

- 16 **No development shall take place until details of the junction between the proposed estate road and the highway have been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until that junction has been constructed in accordance with the approved details.**

**Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the proposed estate road.
(Section 4, NPPF). This is a pre-commencement condition as the details of the junction need to be agreed before construction of the road begins.**

- 17 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan number 5779.005 rev E (insofar as it proposes the development access arrangements only).

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

- 18 **No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of:**

- a) Construction traffic routes and points of access/egress to be used by construction vehicles;**
- b) Details of site compounds, offices and areas to be used for the storage of materials;**
- c) Contact details for site managers and details of management lines of reporting to be updated as different phases come forward;**

Construction working hours shall be 8am to 6pm Monday to Friday and 8am to 1pm on Saturdays, with no working on Sundays or Bank Holidays. There shall be no burning on site.

The development hereby permitted shall be carried out only in accordance with the approved CEMP.

Reason: To safeguard the amenity of existing and future residents. (Section 7, NPPF) This is a pre-commencement condition as this detail needs to be agreed before the start of construction.

- 19 The development shall take place in accordance with the land use budget as set out in the Approved drawing number 230202/PS006 March 2017 Land Use Budget.

Reason: For the avoidance of doubt

INFORMATIVE NOTES TO APPLICANT

1. The applicant is advised that in order to comply with Condition 16 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. Further details can be obtained from the Development Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ. (HN viii)
2. The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways 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 Development Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ . No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place. (HN xii)
3. The applicant is advised that no highway surface water drainage system designed as part of a new development, will be allowed to enter any existing highway surface water drainage system without the applicant providing evidence that the existing system has sufficient capacity to account for any highway run off generated by that development. Existing highway surface water drainage systems may be improved at the developer's expense to account for extra surface water generated. Any improvements must be approved by the Development Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ. (HN ix)
4. 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.

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 (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

DECISION

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