

## Item No. 8

<b>APPLICATION NUMBER</b>	<b>CB/18/04165/OUT</b>
<b>LOCATION</b>	<b>Oakridge, 13 Orchard Close, Upper Gravenhurst, Bedford, MK45 4JF</b>
<b>PROPOSAL</b>	<b>Outline Application: Redevelopment of site to provide 46 dwelling houses and 1 building with six self contained flats, retail unit and associated parking and roads. Resubmission of Application CB/17/01360/OUT dated 13/07/17</b>
<b>PARISH</b>	<b>Gravenhurst</b>
<b>WARD</b>	<b>Silsoe &amp; Shillington</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Ms Graham</b>
<b>CASE OFFICER</b>	<b>Terence Garner</b>
<b>DATE REGISTERED</b>	<b>09 November 2018</b>
<b>EXPIRY DATE</b>	<b>08 February 2019</b>
<b>APPLICANT</b>	<b>2MC Homes</b>
<b>AGENT</b>	<b>ALPS Planning Services Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION</b>	<b>Departure to Development Plan. Parish Council Objection to major application, Councillor call in.</b>
	<b>Outline Application - Recommended for Approval Subject to Satisfactory Completion of a Section 106 Legal Agreement.</b>

### **Summary and Background to the Recommendation:**

This is a second application pertaining to this site which is in part outside of the normal identified settlement boundary, as such it technically conflicts with the current settlement strategy contained within Council Policies CS1 & DM4. Consequently, the development would normally be resisted as being against the Development Plan.

It is also acknowledged that there would be a degree of harm to the open aspect of the area and its landscape character. However, the development does represent a logical expansion to the settlement and would contribute significantly to the economic and social dimensions of sustainability.

The identified harm and conflict with the Development Plan would be significantly out-weighted by the benefits of this scheme, particularly when assessed against the National Planning Policy Framework.

Members may recall that a previous application was refused by this committee in July 2017 (application 17/01360/OUT), subsequent to that refusal the applicant appealed against the refusal, **Appendix A**, is a copy of the Inspectors decision letter.

The planning appeal; reference APP/P0204/W/18/3193533, was determined on 2nd November 2018, at which point the appeal was dismissed, however, the Inspector accepted many of the issues pertaining to the application, including the impact on the character and appearance of the area, the level of harm to adjoining properties

and nearby neighbours, the development plan policy and considered that whilst the development would result in the development of land partially outside of the main settlement of Upper Gravenhurst, it would not lead to any significant harm.

Consequently, the Inspector considered that the development would be broadly consistent with the aims and objectives of Policies CS1, CS14, DM3 and DM4 of the Central Bedfordshire Core Strategy and Development Management Policies (2009) (CSDMP).

However, the benefit of such housing was considered by the Inspector as severely diminished due to the lack of affordable housing, and it was on this principle and the lack of an agreed Section 106 that the appeal was dismissed.

The current application has been submitted to resolve the issue of lack of affordable housing highlighted in the Inspectors decision letter.

### **Site Location:**

The site is located within Upper Gravenhurst Village, having its access from High Street via Orchard Close, which is a cul-de-sac. The land concerned runs from the southern end of Orchard Close out into an enclosed area of land, formerly containing 13 Orchard Close, its garden area and a number of equestrian buildings, before opening out into the wider countryside further to the south.

### **Site Description:**

The site comprises an area of land of approximately 4.5ha on the east side of Orchard Close.

The site formally included a detached bungalow and equestrian buildings, but these have since been removed or demolished.

Orchard Close is a cul-de-sac of bungalows running along the north side of the road. The lower and pre-school buildings are on the south side of the road.

The ground levels across the site slope downward away to the southeast.

There are a limited of trees on the site and these together with existing hedgerows define the boundaries of the site before reaching open countryside beyond it.

Part of the site (the former footprint of No 13 Orchard Close) is within the Settlement Envelope of the village, the remaining area of the site falls outside of the Envelope and within open countryside.

Upper Gravenhurst is designated by the Central Bedfordshire Core Strategy and Development Management Policies 2009 as a 'small village'.

### **The Application:**

Permission is sought, in outline, for the development of the site for 46 dwellings together with 6 apartments (totalling 52 units), associated retail unit, parking and access.

The overall density for the site would be approximately 12.5 dwellings per hectare over the developable area of the site.

The mix of housing and tenure for the site has not been formally agreed as the application is in outline and is to have all matters reserved for future approval.

However, a total of 35% affordable units will be provided for in accordance with policy requirements.

The application is accompanied with the following statements:

- Planning Inspectors Statement – APP/P0240/W/18/3193533
- Arboricultural Assessment
- Ecological Appraisal
- SuDs/Flood Risk Assessment
- Transport Assessment and Residential Travel Plan

## **RELEVANT POLICIES:**

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

The determination of planning applications is made; mindful of Central Government advice and the Local Plan for the area.

National planning policies are set out in the National Planning Policy Framework (NPPF), this 65-page document was originally published in March 2012 and replaces 44 documents, including Planning Policy Guidance Notes, Planning Policy Statements and a range of other national planning guidance. The NPPF is a key part of reforms to make the planning system less complex and more accessible.

The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development, consequently it includes a 'presumption in favour of sustainable development'. This is taken to mean approving applications which are considered to be sustainable and accord with the development plan.

The latest National Planning Policy Framework (NPPF) was revised on 24 July 2018 and continues to be a significant and instrumental part of the Governments reforms to make the planning system less complex and more accessible, as well as promoting sustainable growth.

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

The policies below form part of the overall consideration of the current application:

- **CS1 Development Strategy – Rural Areas – Large and Small Villages** – *Maulden is considered to be a large village within the meaning of the policy.*
- **CS2 Developer Contributions** – *The Council's Planning Obligations Strategy SPD seeks to improve the approach to negotiating and securing developer contributions with new development.*
- **CS3 Healthy and Sustainable Communities** – *Ensures that appropriate and sufficient infrastructure is provided for new and existing developments including safeguarding, supporting and identifying sites for community uses, education, recreation, sports, open space and play and health activities.*

- **CS4 Linking Communities - Accessibility and Transport** – Seeks to deliver and encourage strategic transportation schemes for road, rail, cycle networks and public transport.
- **CS5 Providing Homes** – Makes provision for new housing sites for the period 2001 – 2026.
- **CS6 Delivery and Timing of Housing Provision** – Provides for a 5 year housing land supply.
- **CS7 Affordable Housing** – Identifies a strategy for housing developments to provide 35% affordable housing.
- **CS13 Climate Change** – Encourages the use of renewable energy, low carbon technologies, sustainable construction and design, conserving water resources and recycling water, waste minimisation, re-use and re-cycling, green travel plans with better access to walking, cycling and public transport.
- **CS14 High Quality Development** – Developments required to be of highest quality respecting character, local distinctiveness, buildings of collective or individual quality and the creation of attractive, accessible and mixed use public realm.
- **CS16 Landscape and Woodland** – Conserve and enhance the varied countryside character and local distinctiveness. Conserve and enhance woodlands including ancient and semi-natural woodland, hedgerows and veteran trees.
- **CS17 Green Infrastructure** – Seeks a net gain in green infrastructure through the protection and enhancement of assets and provision of new green spaces.
- **CS18 Biodiversity and Geological Conservation** – Supports the designation, management, protection of biodiversity, geological and wildlife sites as well as habitats and species identified in the Local Biodiversity Action Plan.
- **DM1 Renewable Energy** – Requires new proposals to favour renewable energy installations, respect to residential amenity and areas of high sensitivity such as the Chilterns AONB.
- **DM2 Sustainable Construction of New Buildings** – Proposals for new development should contribute towards sustainable building principals.
- **DM3 High Quality Development** – All proposals for new development, including extensions will need to show a high quality of design, respect to scale, local distinctiveness, sense of place and choice of construction materials, together with consideration for residential amenity, community safety, accessibility and hard and soft landscaping.
- **DM4 Development Within and Beyond Settlement Envelopes** – Within Settlement Envelopes schemes will be supported for community, education, health, sports and recreation uses. Within Large Villages, small scale housing and employment uses will be permitted.
- **DM6 – Development within Green Belt Infill Boundaries** – Infill development is considered acceptable in principle within Green Belt Infill Boundaries respecting quality of development proposed and impact on the settlement and its surroundings.
- **DM10 Housing Mix** – All new developments will provide a mix of housing types, tenures and sizes to meet the needs of all sections of the community and promote sustainable communities, social cohesion and to include life time homes.

- **DM14 Landscape and Woodland** – *Trees, woodlands and hedgerows will be protected, tree planting or contributions towards planting will be sought to enhance and mitigate developments and the character of areas within the district.*
- **DM15 Biodiversity** – *Seeks to protect wildlife, species, habitats and designated sites, developers will be expected to secure the protection of wildlife and recognised habitats.*
- **DM16 Green Infrastructure** – *Will promote and protect green infrastructure by ensuring developments will contribute to the provision, extension and maintenance of green infrastructure having regard to the Spatial Strategy.*
- **DM17 Accessible Green Spaces** - Requires for new developments to contribute to the provision and maintenance of accessible green space and children's play space or in the case of small scale sites provide off site contributions.

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

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

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

The apportionment of this weight is subject to:

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

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

- SP1: National Planning Policy Framework - Presumption in Favour of Sustainable Development
- SP7: Development within Settlement Envelopes
- T2: Highways Safety and Design
- T3: Parking
- HQ1: High Quality Development
- H2: Housing Standards
- EE2: Biodiversity
- DC5: Agricultural Land
- CG8: Important Countryside Gaps

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

1. Central Bedfordshire Design Guide (March 2014)
2. Central Bedfordshire Sustainable Drainage Guidance (May 2015)

**Relevant Planning History:**

<b>Case Reference</b>	<b>CB/18/01604/PAPC</b>
Location	Oakridge, 13 Orchard Close, Upper Gravenhurst, Bedford, MK45 4JF
Proposal	Pre-application non-householder charge- Demolition of existing bungalow and removal of equestrian facility and erection of 32 dwelling houses and associated works
Decision	Pre-App Charging Fee Advice Released
Decision Date	13/07/2018

<b>Case Reference</b>	<b>CB/18/01038/FULL</b>
Location	Gravenhurst Lower School, High Street, Gravenhurst, Bedford, MK45 4HY
Proposal	Retention of existing temporary classroom unit.
Decision	Full Application - Granted
Decision Date	01/06/2018 09:30:50

<b>Case Reference</b>	<b>CB/18/00879/RM</b>
Location	Oakridge, 13 Orchard Close, Upper Gravenhurst, Bedford, MK45 4JF
Proposal	Reserved Matters following planning permission CB/17/04349/VOC: Access to the site, Landscaping, Bungalows appearance and layout.
Decision	Reserved Matters- Granted
Decision Date	14/05/2018 14:55:02

<b>Case Reference</b>	<b>CB/17/04349/VOC</b>
Location	Oakridge, 13 Orchard Close, Upper Gravenhurst, Bedford, MK45 4JF
Proposal	Variation of Condition 4 on application CB17/00106/OUT: To allow for chalet bungalows/single storey dwellings with accommodation in roof space
Decision	Non Determination within Statutory Time
Decision Date	28/11/2017
Appeal Decision Date	19/02/2018
Appeal Decision	Allowed with Conditions

<b>Case Reference</b>	<b>CB/17/01360/OUT</b>
Location	Oakridge, 13 Orchard Close, Upper Gravenhurst, Bedford, MK45 4JF
Proposal	Demolition of existing bungalow and removal of equestrian facility and erection of 46 dwelling houses, 1 building with 6 self contained flats, retail unit and associate parking and roads.
Decision	Outline Application - Refused
Decision Date	13/07/2017
Appeal Decision Date	05/11/2018
Appeal Decision	Planning Appeal Dismissed

<b>Case Reference</b>	<b>CB/17/00106/OUT</b>
<b>Location</b>	Oakridge, 13 Orchard Close, Upper Gravenhurst, Bedford, MK45 4JF
<b>Proposal</b>	Outline: Demolition of existing bungalow and removal of Equestrian Facility and erection of 10 dwellings and associated parking and roads.
<b>Decision</b>	Outline Application - Approved
<b>Decision Date</b>	3 May 2017

**Consultees:**

Parish/Town Council

Gravenhurst Parish Council (Verbatim):

Gravenhurst Parish Council (GPC) has reviewed planning application CB/18/04165/OUT. The outcome of this review is that we remain fundamentally opposed to the application which is almost identical to CB/17/01360/OUT. We detail our new objection below and enclose those already presented within our original objection to application CB/17/01360/OUT.

This new application was discussed at length and in depth at a public meeting in which a large number of parishioners attended to voice their concerns. The attendees showed a palpable anger and frustration, with the general consensus being that they had been considerably let down by the Planning Inspectorate in relation to the appeal of CB/17/01360/OUT (reference APP/P0240/W/18/3193533), leading to this resubmission under CB/18/04165/OUT. Despite the Planning Inspector dismissing the appeal, he at the same time endorsed the bulk of the appeal contents. This has led to the resubmission of this application with some minor amendments, specifically in relation to addressing the issue of "the absence of any mechanism to deliver affordable housing (35%)".

Having read the Planning Inspectors report, GPC believe the decision was limited in its scope and understanding and lacking in any real local detail. It showed a disregard for the needs and wishes of the local community and diminished the importance of local involvement in local decision making.

To compound this fact, the judgement was unfortunately made at a time Clerk to the Council – Miss Alessandra Marabese when the Gravenhurst Neighbourhood Plan Steering Group has been successfully engaging with the local community to prepare a Neighbourhood Plan. Considerable enthusiasm has been generated and huge effort has gone into encouraging local engagement in the planning process by stressing the importance and value of those directly involved and on the periphery that local voices matter, can be heard, and will influence decision

making in a positive forward-looking manner. Arguably such distant and careless decision taking has a direct correlation with a reduction in the number of people who wish to engage with local decision making. GPC are equally disappointed at the lack of a judicial review which we feel should have been sought by Central Bedfordshire Council (CBC) for a decision so hugely at odds with the existing and proposed Local Development Plan.

Accordingly, it is of the utmost importance that CBC unequivocally now listen to local people to refuse or reduce the application size and impact, whilst maximizing any opportunity for improvements to infrastructure and the village. GPC request that CBC impose robust reserved matters conditions upon the application, if granted, to prevent the damage that unfettered, overbearing and careless development of this type will cause to the infrastructure and character of the village. In the absence of a judicial review against the decision, nothing else would be acceptable to GPC and our parishioners.

Highways safety concerns and capacity Compelling evidence of the unsuitability of Orchard Close and the High Street to support the traffic movements which would be generated by the development were detailed in the original application by the CBC Highways Officer. Quite simply, the number of movements would have a detrimental impact on the capacity and safety of the junction from Orchard Close onto the High Street.

The Planning Inspector has taken a generic desktop-based approach without due diligence being followed and made his visit during school holidays which meant traffic movements were naturally less busy. GPC consider considerable capital investment would be needed to implement highways improvements which nonetheless should not impact on the character or cause practical difficulties to existing Orchard Close and High Street dwellings (GPC would not support yellow lines or such like in the area). In light of the appalling lack of public transport options, and utter reliance on cars for local journeys which is a conflict with the current Local Development Plan, car use would effectively be endorsed by the granting of this scheme in its current format. GPC would like to see improvements further afield in the village to facilitate traffic calming measures on supporting roads such as Barton Road, Clophill Road, High Street and Shillington Road.

GPC would expect considerable investment to occur even with a smaller scheme to the current application. The impact of additional vehicle movements cannot be diminished as it is highly likely that every single dwelling would own a vehicle, sometimes two or more, which would need to be used for normal everyday activities in



the absence of an existing infrastructure and public transport provision.

In relation to vehicle movements, reliance on cars, and the absence of public transport options, GPC consider the application to be in conflict with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009) Infrastructure and sustainability GPC have previously commented on the addition of a retail unit to the application, which the developer seemed uncommitted to during the previous application process because they removed it and then put back, presumably because it was deemed useful to help persuade decision makers to grant permission for a larger scheme. GPC wish to remind CBC that no viability exercise has taken place, nor has any kind of agreement been sought for the retail space to be run on a social enterprise basis. We are also concerned at the local trend for developers to propose the inclusion of a commercial facility in developments to subsequently argue that the commercial facility is not viable, and hence apply for permission to convert the commercial facility to residential accommodation. It is not clear how CBC would protect this commercial facility from such a tactic at this stage. GPC expect and request stringent conditions to support any commercial facility.

Bearing in mind that another area in the village has been earmarked for development in the proposed CBC Local Plan, this development if granted would be considered a 'windfall' development and would not remove the other earmarked site in the proposed Local Plan. On the subject of infrastructure and sustainability, we must also not forget the planning permission already approved for land to the rear of Barton Road. Piecemeal development is now occurring at an alarming rate and the village is sleepwalking into more and more issues of sustainability because decision makers are simply not joining up the dots from application to application.

GPC make these comments to try to ensure that the developer is not able to renege on any commitment made or conditions applied.

Overall, this development would have an unmitigated, unacceptable and arguably devastating impact on Gravenhurst's limited infrastructure and hence very considerable financial contributions would be needed to mitigate this. GPC also strongly request a reduction in the number and type of housing, for example by giving permission for bungalows which could be attractive to older people without school age children. The impact on the lower school of this development alone would be tremendous, as it would immediately leave it considerably oversubscribed with no option for parents but to consider other towns and villages for schooling, whilst at the same

time being forced to use a vehicle to do so hence compounding highways issues.

In relation to infrastructure, we consider the application is conflict with:

- The National Planning Policy Framework 2018 (revised)
- CS2 (Developer contributions) Impact on the open countryside

This proposed development will clearly have a detrimental impact on the rural open countryside boundary with the new development. GPC note that the Planning Inspector in his appeal decision notice refers to (Point 12) the opportunity to make further screening along the South East boundary of the site”.

In addition (Point 16) he states that "It would be possible to develop the site to provide a layout and design which would provide a suitable transition between the open developed land to the South East and the existing (and proposed) built form of the village”. Therefore GPC request that a substantial landscape buffer added around any future development to mitigate its impact and provide a boost to green infrastructure and bio-diversity. GPC make this comment with the knowledge that the developer has systematically removed numerous trees and an ancient apple orchard previously on the site which has demonstrated a lack of care and understanding of the need for careful and sympathetic development.

GPC would therefore request that the area covering plots 14 to 25 and the block of flats are removed and replaced with green infrastructure which could present a pleasant area of amenity for new residents and existing villagers with views of open countryside.

We also draw your attention to the conditions put on the site for the smaller application of 10 dwellings (CB/17/04349/VOC & CB/17/00106/OUT) in respect of the use of dormer windows and low roof heights. This resubmitted application should also contain an identical provision and condition to reduce the impact of the housing. It also seems entirely illogical and careless of the developer to propose a three storey block of flats in an area which is the most vulnerable to impact directly abutting the open countryside. The inclusion of this building, which would be the only block of flats in the village, is utterly unnecessary, arguably greedy and is probably not viable. A three storey block of flats is completely out of character with the entire village housing stock and will needlessly impact on the need for a suitable transition between built and undeveloped land and referenced by the Planning Inspector.

In summary, GPC request that a limit be made on the height of buildings on the proposed site and that the design of new buildings is in keeping with the character of the village.

In relation to infrastructure and the impact on the open countryside, GPC consider that the scheme as proposed conflicts with:

- The National Planning Policy Framework 2018 (revised)
- The Central Bedfordshire Core Strategy & Development Management Policies (2009):
  - Policy CS14 (High Quality Development)
  - Policy CS16 (Landscape and Woodland)
  - Policy CS17 (Green Infrastructure)
  - Policy DM3 (High Quality Development)
  - Policy DM4 (Development within and outside of Settlement Envelopes)
  - Policy DM14 (Landscape and Woodland)
  - Policy DM15 (Biodiversity)
  - Policy DM16 (Green Infrastructure)

#### Summary

In summary;

- GPC consider the size of the proposed development to be overdevelopment and wholly unsuitable. We would like to see a development closer to the 10 dwellings already granted but in all cases a reduction in the number of dwellings.
- The design of new buildings should be in keeping with the character of the village.
- Strict planning conditions on height and elevations of dwellings should be imposed in line with the previously granted application for 10 dwelling on the same site.
- It is regretful that the bar has been set so low by the Planning Inspector for the need to have infrastructure to support development, so as to make it virtually a non-existent requirement given little material consideration.
- GPC consider considerable capital investment would be needed to implement highways improvements.
- We are extremely concerned at the impact on the lower school in respect of the increase in demand on school places, a problem which has been wilfully ignored to date.
- GPC expect and request stringent conditions to support any commercial facility.
- GPC request that a substantial landscape buffer added around any future development to mitigate its impact and provide a boost to green infrastructure and bio-diversity
- GPC do not approve of the location of a play area on site and would request appropriate s106 leisure contributions be made so that improvements to the current facilities on the Recreation Ground can be made.

GPC now expect CBC to deal robustly with this outline planning application and in turn repair some of the damage caused to relations with parishioners, many of whom were enthusiastically helping in the preparation of the Gravenhurst Neighbourhood Plan. GPC are very concerned that the message being promoted that local people can shape their community, has at the moment has been undermined. We therefore look hopefully to the CBC Planning Officer and the Development Management Committee to support GPC and our parishioners to protect the character of the village and to tackle the considerable issue of sustainability. Finally, GPC object to this application. We are determined to protect the special nature of the village of Gravenhurst and its considerable amenity whilst being pragmatic and forward looking. We believe that with careful consideration a reasonable development can be achieved which would be sympathetic to its surrounding and does not cause undue harm. This is what the village and its residents deserve.

#### **Other Representations:**

Neighbours X 32

Object to the application on the following grounds (in summary):

- Increase traffic generation
- Noise disturbance to existing residents
- Air pollution
- Pedestrian/car conflicts, especially with school drop off
- Doctors surgery at capacity
- Loss of trees & Landscape detrimental to character of  
the area
- Biodiversity harm
- Retail unit not sustainable
- Upper Gravenhurst village character harmed due to cumulative development of this site but also Barton Road (24 houses)
- Impact on existing services & facilities, bus service virtual none entity and no community facilities
- Parking issues
- Construction impact
- High Street traffic calming measures required

- Disagrees strongly at planning inspector's assessment of the village and the impacts from this development, over development
- Inspector visited site in august when school closed
- Schools over capacity
- Strain on existing access
- Impact on sewage and water supply
- Village character and identity will be lost
- No real local benefits
- Development not in keeping with the character and grain of development
- Safety of children travelling to school, 70 children attend school and are mostly dropped off by car, parking on Orchard Close, another 52 houses off this road unrealistic
- Play area and equipment insufficient and not over looked sufficiently
- Impact on the landscape
- Unacceptable impact on quality of life of existing residents

### **Internal Consultee Responses:**

#### Ecology

It is noted that planning permission has been granted for 10 dwellings. The Ecological Survey (ES) submitted in support of this application for 46 dwellings still refers to the earlier, CB/17/00106 site area for the 10 dwellings. Indeed it states in its introduction that the application the survey is informing is for 10 dwellings and no mention is made of the 46.

The site layout for 46 dwellings is cramped and severely overdeveloped.

The ES acknowledges Habitats of Principal Importance on site and makes recommendation for their retention in 1.1.9 'the orchard and pond should therefore be retained and protected throughout the development.'. The report also notes the NPPF requirement seeking development to deliver net gains for biodiversity and makes recommendation for enhancements which could have been incorporated into the development of 10 dwellings but the proposal for 46 gives little provision for mitigation let alone enhancement.

The loss of a Habitat of Principal Importance and the impacts on biodiversity as a result cannot be mitigated for in this proposal and hence it is contrary to policy.

Archaeology - No comment received.

Waste and Recycling – No comment received

## Rights of Way Officer

Please refer to the comments made by my colleague Andrew Gwillam regarding previous application CB/17/01360/OUT, particularly in relation to the legal line of Footpath 7. (I have attached Andrew's comment to the bottom of my comments).

Footpath 7 runs along the boundary of the development. From a Rights of Way perspective, the orientation of the properties adjacent to the footpath will make informal "policing" of the footpath more difficult. It would be more desirable for the properties to directly face the footpath with gardens acting as a buffer between the houses and the footpath.

From the proposed site plan it is unclear who will own and be responsible for the management of the fruit trees adjacent to the footpath. The trees should be planted at least 1.5m away from the footpath itself and the owner of the land shall be responsible for their on-going maintenance.

## Map showing line of FP 7



There should be good permeability to the footpath from the development. A dedicated footway leading to the right of way would be ideal. There is a proposed road which directly abuts the footpath and there appears to be a footway on either side of this road. These paths should link to the Rights of Way footpath. There should be at least a 1.5 metre buffer between the road and the RoW footpath. An appropriate kissing gate and fence should be installed at the intersection between footway and the RoW footpath to reduce the risk of motor cycles and quad bikes accessing the footpath network.

If planning permission is granted and developers feel footpath 7 will need to close during the construction phase, then they are reminded that they will need to complete a temporary closure application form at least 6 weeks before the development is due to start.

It is requested that the above be made a condition to approving the application.

Andrew Gwillam's comments to CB/17/01360/OUT Gravenhurst Public Footpath No.7 runs along the north-eastern boundary of the application site and appears to cross into and then out of the application site at the north eastern corner before running eastwards thereafter.

I suggest the applicant sends a detailed site drawing to Chris Wilson requesting a check as to this issue. If the legal line of the Public Footpath is indeed within the red line boundary, I suggest the following:

- The applicant might wish to divert the length of the footpath that falls within the red line of the application site or more simply fence the right of way out from the planned development. I attach a plan of the footpath in question below.

Please submit a diversion as soon as is possible as there is a 18 month waiting list for processing. The applicant will be unable to develop over the legal line of the footpath nor render it un-usable or obstructed.

The proposed site plan indicates that an estate road will be used to allow the residents to gain access to Public Footpath No.7 at the site boundary. I support this measure as long as it is legal and the Right of Way is accessed from within the application site and does not require walking over farm land outside the boundary to get to the footpath.

CAREFUL analysis of this corner in relation to the legal path line must be made by the applicant.

#### Senior Drainage Engineer

Position: Having reviewed the submitted documents, we support the approval of outline planning permission for the proposed development. The final surface water drainage design and maintenance arrangements for the system shall be agreed at the detailed design stage, if the recommendations and planning conditions provided are secured.

Sustainable Growth - No Objection, subject to the imposition of conditions to secure energy efficiencies.

Pollution – No comments received

SuDs - No Objection, subject to the imposition of conditions to secure a SuDs strategy and its associated maintenance.

#### Trees Officer

This is the resubmission of a previous outline application that was refused, supplied is a site layout proposal along with a Tree Survey which identified trees on site including an old area of orchard. However, the majority of trees on site including the old Orchard have been subsequently removed.

The layout that is proposed would seem cramped with little in the way of landscape opportunities. It is not clear what is intended for retention in the manner of boundary hedge lines.

I would suggest that a full application should be redesigned to allow an improved, less dense proposal with more opportunity for planting and landscape areas, incorporate a planting belt along the southern boundary with the open countryside that includes extensive native planting of both bare root and standard planting this will be incorporated into the public realm as opposed to individual property boundaries and included in a landscape management plan. An orchard area should be included to replace the old orchard trees that have already been removed.

Tree survey should be updated to include trees and hedgelines that are currently in existence and provide a tree protection plan based on final agreed layout and design. Landscape proposals will include, species, sizes timings and densities of planting.

## Landscape Officer

CB/18/04165 Oakridge, Gravenhurst - Landscape and Visual: this site has been subject to a previous application, at a time when the site still benefitted from a surviving group of mature orchard trees. It is understood that these trees have since been felled, leaving only the boundary hedging and occasional trees. Whilst this hedging provides containment for the site, the visual impact is still a concern as the southern boundary is very open in the view from the open landscape to the south. Views across the site from the north enable views to the Chiltern Hills.

The site lies within the Upper Gravenhurst-Meppershall Clay Hills landscape character area, where the landscape strategy is to enhance the landscape, conserving and improving the positive features to strengthen the distinctive landcover pattern and distinctive sense of place. Visual sensitivities of the area include the areas of highest ground- the skyline is considered vulnerable to visual intrusion resulting from development. The rural quality of the undeveloped slopes and the qualities of the reciprocal views across the vale to the south are key characteristics to be safeguarded from the impact of inappropriate development. The dilution of settlement identity is also identified as a further area of concern.

Visual intrusion and impact on landscape character:

The current Application for 46 dwellings plus the block of 6 flats and a shop would introduce a very dense residential area, with a building form and layout which does not relate to the village setting. The Applicant is aware of the importance of the former orchard in terms of local distinctiveness and yet this Application fails to respond to the need for landscape integration and the need to provide nett gain, as required by the NPPF. The Application is not supported by an acceptable landscape scheme – the density of development prevents a scheme being secured as Reserved Matters.

The Application site is located on rising ground and forms part of the rural interface between the village settlement envelope and the wider rural landscape to the south of Upper Gravenhurst. The existing settlement edge sits within the village envelope with field boundaries forming the transition from village to the strongly rural farmed vales.

The distinctive ironstone tower of St Giles Church forms an iconic feature on the Upper Gravenhurst skyline, a key view which will be disrupted by the proposed development. The scale and arrangement of development is not acceptable. This is a sensitive and elevated location on rising ground, the proposal would result in a tiered effect of development in views especially from the south and southeast.

The proposed inclusion of potentially 2.5 storey dwellings and flats along the settlement edge is not in keeping with the scale and character of the existing rural interface or the character of the village. Arrangement of proposed development relates poorly with the village morphology, typology and character of Upper Gravenhurst. The proposed layout plan includes a shop and play area.

These are poorly related to the site and setting – a playground should be a central feature and have good surveillance, but the corner location proposed is unacceptable.

Lack of a landscape scheme or contribution to green infrastructure:

The landscape strategy for this site would need to accord with the Design Guide and provide a significant offset to enable landscape mitigation to the rural boundaries and be sympathetic to the wider rural setting. Development on slopes cannot be mitigated effectively without the inclusion of trees in appropriate locations within the development and which are able to mature to produce adequate canopies to screen facades and roof-tops.

No landscape mitigation has been proposed to limit intrusion along the sensitive southern site boundary ; this and development orientated with rear gardens backing on to the wider countryside would result in an exposed, hard, poorly integrated development edge which is not in accordance with the CBC Design Guide guidance or CBC Policy regarding quality in design. The potential impact of lighting, including



domestic, along this sensitive elevation is also a key concern.

SuDS do not appear to have been included in the proposed layout plan; surface water drainage should not be pipe based but conveyed, attenuated and filtered on the surface and from features within the site landscaping - space for this has not been allocated for this. The Proposed Site Plan details at Amendment E that an "Eco-area" has been added - but this is not obvious on the Plan.

Conclusion:

There are strong objections to this Application on landscape grounds. The development is contrary to Policy DM 14 as it would detract from local landscape character, and does not deliver high quality design, as expected by Policy 3 and the Design Guide.

## **Technical Officer**

### Leisure Strategy – Policy Standards & Facility Requirements

Chapter 1: Leisure Facilities Strategy: indoor sport and leisure facilities

Chapter 2: Recreation & Open Strategy: 9 types of open space

Chapter 3: Playing Pitch Strategy: 9 types of outdoor pitch facilities

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#### 1. Chapter 1: Leisure Facilities Strategy

1 Chapter 1 identifies the requirements for new/improved facility requirements for indoor sports and leisure centre facilities. A multi-facility leisure centre offers a range of facilities / activities to which residents will travel an accepted drive time of 20 mins.

Chapter 1 therefore seeks contributions from developments within this catchment for the provision/improvement of relevant facilities at the respective leisure centres.

2 The development is within the catchment of Flitwick Leisure Centre

3 To mitigate the demand generated by the development a contribution of £46,123 is sought towards the reconfiguration of the fitness suite at Flitwick Leisure Centre.

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#### 2. Chapter 2: Recreation & Open Strategy

1 Chapter 2 identifies local standards for nine open space typologies. The standards set the baseline requirement for the provision of on-site open space facilities, or off-site works/contributions for the strategic typologies.

2 In the first instance on-site provision of all typologies should be made, in particular major developments should provide new spaces at a variety of scales and characters.

3 The table calculates the open space requirements for 125 estimated occupants based on an estimated occupancy of 2.4 occ./dwgs.

This development generates a requirement for 1.06ha of open space to be provided within the development or as a contribution to identified local needs.

## Children Play Facilities

- 1 The development proposes an onsite play area however, it is poorly located. As it is tucked away behind the retail unit at the corner of the development, it is lacking informal surveillance from the surrounding houses. Due to the proximity of the site to the nearby recreation ground play area, it will be more appropriate to provide an offsite contribution to these facilities instead of providing an onsite play facility.
- 2 Onsite provision for a development of this size would normally comprise a combined LEAP/LAP play area of approx. 450sqm. Comprising 3 pieces of equipment for 3-6 year olds (100sqm), 5 pieces of equipment for 6-12yr olds (400sqm) with safety surfacing and ancillary facilities. There should also be a 20m buffer of amenity space to the nearest dwelling.
- 3 The Parish Council has identified a requirement for new and upgraded facilities at the Recreation Ground play area, and therefore a contribution should be sought instead towards this project. As the development requires a combined LAP/LEAP, the equivalent cost in offsite provision for this type of facility would be £75k.

## Allotments

- 4 A development of this size should also make provision towards allotments. Onsite provision is not appropriate and therefore a contribution is sought instead. Gravenhurst have identified the following requirements for allotment improvements: security fencing - £3,000, irrigation system - £5,000 and eco toilet - £3,500. There is no methodology to calculate an amount based on the number of dwellings being provided, so it is hoped that the developer can suggest an appropriate amount to contribute towards this project.

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## 3. Chapter 3: Playing Pitch Strategy

- 1 Chapter 3 identifies facility requirements for nine types of outdoor sports facilities. The Council will assess the needs generated by a development for each sport using the data in Chapter 3: Playing Pitch Strategy. For major developments, on-site sports facilities will be sought in line with local and / or strategic sporting needs.
- 2 Where facilities are provided on-site, they must be designed and constructed in accordance with Sport England and National Governing Bodies for Sport (NGB) design guidance.
- 3 The number and mix of pitches and facilities required for this development will be developed in consultation with Sport England and all sports NGBs.
- 4 Where relevant, pitches are to be supported by the provision of changing facilities/pavilion, car parking and ancillary facilities.
- 5 As on-site sport provision is not proposed for this development a contribution could be sought instead.
- 6 There is a high demand in Gravenhurst for use of its pitches at the recreation ground. Gravenhurst PC has identified a requirement for new outdoor gym equipment / trim trail at its recreation ground. This will help cope with demand for use of the facilities available there. £12,000 is required for the Parish Council's project for the provision of new outdoor gym equipment / gym trail at Gravenhurst Recreation Ground.

7 For outdoor gym equipment no methodology exists to calculate an amount based on the number of dwellings being provided, so it is hoped that the developer can suggest an appropriate amount.

#### 4. Library Strategy

4.1 Based on an estimated occupancy of 2.4/dwgs x 52 dwgs, the development generates 125 estimated occupants. Taking into account current facilities and future requirements for Libraries in the catchment area of Shefford Library we have assessed the requirements for a contribution towards new/improved facilities.

4.2 There is an identified project for refurbishment works at Shefford Library. Therefore, a contribution could be sought towards this project at a cost of £10,920.

Housing Development Officer - Strategic Housing support this application as it provides for 19 affordable homes which equates to 36.5% affordable housing provision which is above affordable housing policy requirement of 35%. This is much welcomed by strategic Housing. The supporting documentation does not indicate the tenure split of the affordable units. The Strategic Housing Market Assessment (SHMA 2017) has identified a tenure requirement from qualifying affordable housing sites as being 72% affordable rent and 28% intermediate tenure. This makes a requirement of 14 units of affordable rent and 5 units of intermediate tenure (shared ownership) from the development.

The illustrative site plan indicates an appropriate mix of affordable housing provision with a mix of 2 bed flats and 2,3,&4 bed houses. The inclusion of 1x4 bed house is much welcomed within the affordable mix. Central Bedfordshire has an identified need for the provision of 4 bed houses for affordable rent. We would like to ensure the 1x4 bed house is part of the affordable rented element to help deliver the identified unit type of need. The illustrative layout plan also indicates the provision of 2x2 bed flats for disabled persons as part of the affordable element.

We would like to see these come forward as part of the affordable rented mix in order to provide for the more specialist unit types for those in the greatest housing needs.

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

Affordable rent: 14 dwellings (72%)

Unit Type	Percentage
2 Bed Flat X 2	14%
2 Bed House X 5	36%
3 Bed House X 6	43%
4 Bed House X 1	7%

## Shared Ownership: 5 dwellings (28%)

Unit Type	Percentage
2 Bed House X 1	20%
3 Bed House X 4	80%

The Strategic Housing Market Assessment (2017) has identified the main affordable unit types of need as being 2 bed houses and 3 bed houses. The affordable units provided through this scheme will be delivering affordable housing inline with the identified requirements of the SHMA, whilst providing affordable rented accommodation for those in greatest housing need and low cost home ownership opportunity through the provision of shared ownership for those unable to buy on the open market.

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

Public Art - No Objection.

Highways: This is an outline application following a previous refusal at appeal, whilst there was a highway objection the Planning Inspector concluded that "the proposed development would not result in unacceptable impact on highway safety" and as such the scheme proposed now under this planning application is the same as previously submitted at appeal which has therefore been deemed as being acceptable.

A Section 106 contribution should be sought for the implementation of a Traffic Regulation Order for parking restrictions along Orchard Close to ensure that traffic is not hindered by parked cars and to help protect existing residents of Orchard Close.

The level of contribution for the TRO would be £5,000.00.

The Proposed Site Plan, although not for approval at this stage, would not be compliant with the Councils 2014 Design Guide and any layout submitted for reserved matters should seek to address the following comments.

Internal access roads are to have widths of between 5.5m to 4.8m with 2.0m footways/service margins on both sides of the carriageway. The footway/service margin to continue fully around turning heads Plots 1 to 3 need only be served by a private drive at 4.8m in width with suitable turning area for a fire tender.

- A link to FP7 should be considered for recreational purposes.
- No more than five dwellings served via a private drive.
- Parking spaces to be
- 1 space per 1 bedroom dwelling
- 2 spaces per 2/3 bedroom dwelling
- 3 spaces per 4+ bedroom dwelling

0.25 spaces per dwelling for visitor parking which should be in the form of inset parking bays. Visitor bays are to be dispersed evenly through the development.

Parking spaces should measure 2.5m x 5.0m each (6m in front of a garage door or where access to cycle parking is required) with a single garage 7.0m x 3.3m internal dimensions.

Tandem spaces should be no more than two vehicles, inclusive of a vehicle in a garage. Further details can be found in the Councils Design Guide 2014.

Covered/secure cycle parking should accord with the 2010 cycle parking standards.

Pedestrian visibility splays will be required at either side of the access/drives within the site and driver/driver intervisibility will be required within the site and at any bends in the proposed access.

A requirement for more turning heads to (vicinity of plots 25/27/28 and opposite plots 43/44 to which these areas should be large enough to accommodate the swept path of the Councils 11.5m long Refuse Collection Vehicle (RCV) has been tracking is to be provided to ensure such manoeuvres can be performed without hindrance. The 2m wide footway or service margin is required in full around all turning heads and that shown serving plots 11 to 17.

The proposed shop takes no account of servicing requirements as it is not known who the business owner would be. Turning for a 10m pantehnicon should be provided.

Self-Build/Custom Build - Welcomes the proposal for 3 custom build plots however there is a greater demand in the locality for self build provision and as such would recommend an additional 6 plots be provided.

Following clarification that self build is not possible due to construction constraints (such as piling), accept custom build plots as proposed subject to them being secured through legal agreement.

### MANOP

Defining and Quantifying the Housing Needs of Older People in Central Bedfordshire. The requirement for new housing development to meet the needs of older people is set out in Policy H3 of the Local Plan 2015-2035.

Central Bedfordshire Council has undertaken research into the housing needs of older people<sup>1</sup>. Designed to align with the Strategic Housing Market Assessment (SHMA)<sup>2</sup>, the research asked a representative sample of people over the age of 65 about their current and likely future housing needs and used their responses to determine likely requirements over the period of the Local Plan and what proportion of the overall housing requirement this represents.

### **Types of housing suitable for older people**

The three housing types defined are:

- Mainstream Housing suitable for older people
- Housing with Support ]
- Housing with Care ] Specialist Housing

The research indicates requirement for a total of 9050 dwellings of these types in Central Bedfordshire during the period of the Local Plan 2015-35. This represents 23% of the proposed housing growth of 39,350 dwellings. This is set out in the table

below:

### Forecast Older Persons Housing Requirement for Central Bedfordshire 2015-2035

Types of Dwelling				
	Total Housing suitable for Older People	Mainstream Housing Suitable for Older People (Downsizer Dwellings)	Housing with Support (Modern Sheltered)	Housing with Care (Extra Care)
Number of Dwellings	9050	5400	2120	1530
% of Planned Growth (based on 39,350 dwellings)	23.00%	13.72%	5.39%	3.89%

This requirement will be incorporated into the Housing Delivery Strategy and the following policy is proposed:

In urban extensions or other development outside existing settlement boundaries:

1. All developments of ten (10) dwellings or more shall provide not less than 13.72% of the dwellings as mainstream homes of a design that makes them suitable for older people.
2. All developments of one hundred (100) dwellings or more shall provide not less than 5.39% of the dwellings in a scheme of housing-with-support for older people.
3. All developments of one hundred (100) dwellings or more shall provide not less than 3.89% of the dwellings in a scheme of housing-with-care for older people.
4. 4. Where the development proposed would result in a total requirement under 2 and 3 above of between twenty (20) and eighty (80) dwellings, then the policy requirement can be met by the provision of a single scheme of either housing with care, housing with support or a hybrid of the two. The type of provision shall take into account local needs.
5. 5. Where the development proposed would result in a total requirement under 2 and 3 above of less than twenty (20) dwellings, then the policy requirement can be met by a housing with support scheme or mainstream homes of a design that makes them suitable for older people in addition to the requirement under 1 above.

Where development or redevelopment is proposed on sites inside existing settlement boundaries:

6. All developments of ten (10) dwellings or more should be mainstream homes of a design that makes them suitable for older people unless one or more of the following apply:
  - a. a. Other policy or site constraints would prevent some or all of the proposed dwellings being designed to be suitable for older people.

- b. b. The cost of ensuring that all of the proposed dwellings were suitable for older people would mean that the scheme was not economically viable.
- c. c. The proposal is for a specialist scheme to meet the needs of a specific vulnerable group.
- d. d. The applicant can demonstrate that there is no current unmet need for accommodation for older people in that locality.
- e. In the circumstances where one or more of the above apply, the proposal should nonetheless seek to maximise the number of dwellings that are suitable for older people.

Based on this the proposal should provide no less than the following:

- Seven (7) Units of Mainstream Housing for Older People

### Summary

If development on the site for residential purposes is acceptable in principle, then we consider that the development should include the following dwellings of a design and layout that makes them suitable for older people in accordance with the standards set out in the appendix to this response:

- Not less than seven (7) units of mainstream housing suitable for older people.

### Sustainable Transport - Travel Plans – No comments received

### **External Consultees:**

Bedfordshire Fire and Rescue - Our comments are as in A. and B. below:

A – Although this should normally be dealt with at Building Regulations consultation stage, I would like to draw the developer's attention to the requirements of Building Regulations "Approved Document B (Fire Safety) Volume 1 Dwellinghouses" or "Volume 2 – Buildings other than dwellinghouses" as appropriate, particularly 'B5 - Access and Facilities for the Fire Service', to ensure compliance is met and specifically as below with respect to dwelling houses:

Vehicle access for a pump appliance to within 45m of all points within a dwelling house;

Turning facilities should be provided in any dead end access route that is more than 20 m long. This can be by a hammerhead or turning circle, designed on the following table.

Vehicle Access Route Specification:

If the criteria for fire appliance access to within 45 metres as set out above cannot be reached for residential premises, the Building Control and Fire Authority should be consulted at an early stage, as alternative arrangements may be acceptable. Typically, this is either because the new site is landlocked or because the new access is too narrow to get an appliance close enough.

The following options are available if access is within:

- 45 - <60 metres - Domestic/residential sprinklers required;
- 60 - 90 metres - Domestic/residential sprinklers and a fire hydrant installed immediately by the access driveway;
- Over 90 metres - Not acceptable

B. We would ask that fire hydrants are installed in number and location at the developer's cost as follows:-

On a residential site we will need one hydrant at least every 180 metres – with no property further than 90 metres from the nearest hydrant. The minimum flow should be as described in the National Guidance Document published by UK Water and the Local Government Association. The relevant section is copied below from Appendix 5:-

#### 1. Housing

"Housing developments with units of detached or semi-detached houses of not more than two floors, should have a water supply capable of delivering a minimum of eight litres per second through any single hydrant. Multi-occupied housing developments with units of more than two floors, should have a water supply capable of delivering a minimum of 20 to 35 litres per second through any single hydrant on the development."

In addition to the formal guidance or requirements, I would add that where possible consideration is given to access for the hydrants, so they are positioned on pathways/pedestrian areas, close to but not within vehicle standing areas where they are likely to be obstructed by parked cars/lorries(e.g. in an area designated for parking or loading as part of the development).

Bedfordshire and River Ivel Internal Drainage Board – No comments to make

Environment Agency – No objections to the application

Internal Drainage Board - No Comments to make

Highways England - . No Objection, subject to the imposition of conditions to secure a travel plan.

Anglian Water - No Objection, subject to the imposition of a condition to secure a foul water strategy.

Bedfordshire Police - Concerns expressed over the levels of permeability and the lack of natural surveillance of shared spaces.

Historic England - No Comments to make

#### **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. Environmental
5. Highway Considerations
6. Other Considerations



## Considerations

### 1. Principle

- 1.1 Upper Gravenhurst is designated as a small village where Policy DM4 seeks to restrain new housing development to small scale allocations within the settlement boundary which respect the scale of the settlement. Based on Policy DM4 a residential proposal outside of the settlement envelope which does not represent small scale development bounded by development, would be regarded as contrary to policy.
- 1.2 The Council is able to demonstrate a five-year supply of housing land slightly in excess of the 5 year requirement. Therefore, the Council's policies concerned with the supply of housing are not considered to be out of date and paragraph 11 of the NPPF is not therefore engaged. However, proposals should still be considered in the context of the presumption in favour of sustainable development (the overarching principle of the NPPF) that is the determining consideration for this proposal.
- 1.3 The application site lies partly within the settlement envelope which does lend support for the site development, notwithstanding this, there is an existing planning approval for permission to erect 10 dwellings on the same site (CB/17/00106/OUT), which was granted planning approval in May 2017, it is clear therefore that the site has development status.
- 1.4 Whilst it is acknowledged that this site already has planning permission for residential development, this current application seeks to increase the number of dwellings from 10 units to 52 dwelling units (including 6 apartments).
- 1.5 In the context of the overall strategy for Central Bedfordshire, this is not a significant number of units, whilst the site is not identified on the emerging local plan, its development would not prejudice the Local Plan process due to the limited number of units. A refusal of planning permission on prematurity grounds would not therefore be justified, notwithstanding this, the increase in the number of units would assist in the Council achieving the housing build figures.
- 1.6 The Planning Inspector in his decision letter did not consider that the increase in number of 42 units above that already approved, did not involve any significantly different impacts than that of the 10 dwelling scheme, as such he did not raise this as a significant issue which would warrant a refusal.
- 1.7 Upper Gravenhurst is a settlement that at present contains very limited services having only a school and limited public transport services. The recent planning approval for 24 dwellings at Barton Road and the current proposal would improve the sustainability of the village by introducing an increased population into the area which would create greater demand for additional services, improved facilities, as well as a greater need for accessibility to and from the village.
- 1.8 This will all auger well for the improved sustainability of the village, notwithstanding this, the scale of the proposed development is considered to be reflective and proportionate to the scale of the settlement in which it is to be located.

- 1.9** Although it is acknowledged that the development is in part contrary to policy DM4, it is considered that the individual merits of this site and its relationship to the existing settlement do not have a significantly harmful impact on the character and appearance of the area.
- 1.10** Notwithstanding this, consideration should be given to any material consideration of the scheme which would outweigh the conflict with policy DM4.
- 1.11** As such regard should be had to the National Planning Policy Framework which carries a presumption in favour of Sustainable Development. There are three objectives to sustainable development which require consideration such as economic, social and environmental roles. Paragraph 8 of the NPPF states that these roles are mutually inclusive and as such in order to achieve sustainable development all three of the dimensions should be sought simultaneously.

#### Economic

- 1.12** The NPPF makes it clear that planning policies should aim to minimise journey lengths for employment, shopping and other activities, therefore planning decisions should ensure developments that generate significant movements are located where the need to travel will be minimised and the use of sustainable transport modes maximised. It is acknowledged that the construction of 52 dwelling units would support a limited increase in the level of employment in the area which will have associated benefits to the local economy, albeit on a temporary basis during the construction period.
- 1.13** It is also acknowledged that new residents are likely to support existing local services, whilst these are limited at present the increase in population residing in the area would provide an impetus for provision of such services and facilities.
- 1.14** Further, there will be an increase in council tax revenues that could be spent in the area and there will be benefits to accrue from the Section 106 contributions to help improve school facilities and community services. Cumulatively these will make positive contributions to fulfilling the economic and sustainable roles.
- 1.15** Stondon, Henlow Camp and Silsoe are all within reasonable distance of Upper Gravenhurst village and provide some employment opportunities including services and facilities such as public houses, village stores and schools.
- 1.16** In addition, there are other areas which are within a reasonable distance, for example Hitchin and Arlesey, which constitute Major Service Areas which have access to a wider range of facilities and would also provide local employment opportunities, although these are not within walking distance of the site they would be dependent on public and private transportation.

#### Social

- 1.17** The provision of 52 additional dwellings within the village is given weight having regard to the Councils housing supply figures. The provision of affordable housing is noted as a benefit to the scheme, as is the provision of suitable housing mix which may include bungalow accommodation which could provide an appeal for an ageing population.

- 1.18** It is noted that MANOP have requested a specific proportion of dwellings within the site to be designed to be suitable for older persons. However, the standards outlined are not currently within the adopted development plan or emerging Planning Policy, as such it would be unreasonable to impose a condition that would secure such units on this site.
- 1.19** Policy H2 of the emerging Local Plan, relates to accessible home standards and states that a proportion of Cat 2 & Cat 3 Homes should be considered. The scheme provides for 10% of the units of Cat 2 homes and all affordable housing would be lifetime home compliant, as such the scheme provides for a degree of housing that would be suitable to meet the needs of a range of occupiers with varying degree of needs and also those of an ageing population.
- 1.20** The report has detailed that the site is regarded as a sustainable location and it is considered that the settlement offers services and facilities that can, to an extent, accommodate the growth resultant from this scheme. The development will impact on local infrastructure and as a result, development of a scale as proposed here, is required to offset those impacts, by entering into a S106 agreement to provide financial contributions to mitigate those impacts, the development is considered to meet this strand of sustainable development.

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

- 2.1** Local Plan Policy DM3 & CS14 states that proposals should take full account of the need for, or opportunities to enhance or reinforce the character and local distinctiveness of the area, and that the size, scale, density, massing, orientation, materials and overall appearance of a development should complement and harmonise with the local surroundings, particularly in terms of adjoining buildings, spaces and longer views.
- 2.2** The overall density for the site would be approximately 12.5 dwellings per hectare which is fairly representative of the density within the immediate vicinity of the site, especially bearing in mind the ribbon nature of the village.
- 2.3** The north-east and western boundaries of the site are flanked by existing and future development. To the south and south eastern boundaries is open countryside, these boundaries will be improved through the planting of an appropriate buffer of additional trees and landscaping which will continue the full length of the boundary and would provide a suitable buffer and distinction from the built form and prevailing open landscape.
- 2.4** Formal opportunities are proposed for connectivity to the existing public right of way network, in particular footpath FP+7, which runs parallel with the south/eastern boundary of the site.

Species of planting and trees will be subject to a comprehensive landscape management statement having particular reference to the more open boundaries of the site in accordance with the Councils Landscape Officers advice. As such, it is considered that the proposal will take into account the need to protect existing trees, replace those that have already been lost and provide a quality and appropriate landscape plan for the site.

- 2.5** In addition to the trees and planting scheme, parcels of amenity space and play areas will be required in key locations within the scheme that are to be utilised for recreation and provide a positive contribution to green infrastructure.

Whilst the application as submitted included for an indicative layout plan this is not to be included as an approved layout drawing as the application is in outline only with all matters reserved for future consideration and approval.

- 2.6** Any new layout for the site will need to conform to established good principles of design, including building design and orientation, high quality building materials, a respect for street design, setbacks, boundary treatments, parking and typologies whilst respecting the surrounding landscape buffers and the need for bio-diversity.
- 2.7** The proposed dwellings will be required to be designed to give the development an individual character and local distinctiveness. The buildings will also need to make good use of a variety of house types, storey heights and materials. Materials and fenestration of the dwellings proposed will need to be sympathetic to the existing residential properties, whilst seeking to reinforce the established character of the area. The new development will need to provide suitable frontages which address the street creating a frontage to the highway and to avoid the presence of physical boundaries whilst providing an appropriate level of surveillance where required.
- 2.8** The scheme would therefore provide for an appropriate standard of urban design in accordance with the Councils adopted Design Guide. As such it is considered that the proposal would conform with policies CS14 & DM3 of the Core Strategy for the North of Central Bedfordshire, the Central Bedfordshire Design Guide and Section 12 of the NPPF.

### **3 Environmental**

- 3.1** The site will provide environmental benefits through the provision of formal and informal open space including a suggested play area.
- 3.2** The NPPF states that opportunities should be taken to protect and enhance the natural environment and to improve biodiversity. The Councils Ecologist has concerns in regard to the density of the development but is satisfied that the proposal can allow for mitigation and enhancement of more habitat features in the proposed scheme provided that full consideration is given to the layout and the needs for bio-diversity. The public benefits which include the efficient use of land to provide additional local housing, would outweigh the associated harm by way of its loss.
- 3.3** Additionally, the development would be demarcated by an appropriate landscape buffer mitigating against wider view implications. It is accepted that the proposal would have some visual impact however when considering the benefits of the proposal, it is not considered to be significant or demonstrably harmful.
- 3.4** As such it is considered that the proposal would represent an appropriate scale of development being bound on three sides by existing development and that given alongside the presumption in favour of Sustainable Development and the additional community benefits which are identified, will outweigh any identified visual harm to the character of the area. Especially when the landscape

proposals would allow for the provision of a landscape buffer along the exposed edges of the site. The proposal therefore would accord with Section 2: Achieving sustainable development and Section 5: Delivering a sufficient supply of homes, of the NPPF.

#### **4 Neighbouring Amenity**

- 4.1** The layout of the site is yet to be agreed, as this application is in outline only, notwithstanding this it is clear that the proposed development demonstrates that the increase in number of units can be accommodated within the site, with minimal overlooking of adjoining properties, especially bearing in mind that only 11 Orchard Close, abuts the northwestern boundary of the site and the school forms the other northwest boundary. Clearly there will be a minimal number of properties directly affected by the development.
- 4.2** In regard to the other properties on Orchard Close (1 - 11 [Odd nos]), the only impacts that they would encounter would be that of pedestrians walking to and from the new estate and an increase in traffic, for which the Highways officer is to introduce a controlled parking zone to restrict parking along the access road.
- 4.3** The highways officer has not raised any issues with this aspect of the development, consequently it is not considered to be significantly harmful to the amenity of the area or the existing local residents.
- 4.4** Further, the proposed dwellings on the current application site would be fronting the approved scheme of development along Barton Road to the western boundary (see Appendix B), for which the distances and layout for the scheme are already agreed.
- 4.5** This current scheme would also need to comply with the Council's Design Guide therefore there should be no conflicts with regard to privacy and overlooking between the two sites and the amenity and character of the properties on Orchard Close should not be harmed as a result of this development.

#### **5 Highway Considerations**

##### Capacity of the Highways

- 5.1** The Transport Assessment has reviewed surrounding junctions having regard to capacity for vehicles, pedestrians and school access. The survey as undertaken assessed all the areas of concern and found that there were no significant concerns and that the local road network was acceptable for the additional traffic associated to this development proposal.

##### Access/Layout

- 5.2** With regard to the proposed internal road layout, the design speed is proposed to be no more than 20mph with traffic calming features such as flat top raised tables.
- 5.3** Internal junctions and visibility splays will also comply with the council's design guides.
- 5.4** It is acknowledged that there would be an increase in traffic as a result of the construction phase, however this is to be managed through a Construction Management Plan which will be secured by condition.

## Parking

- 5.5** Parking provision would be in accordance with the parking standards contained within the Central Bedfordshire Design Guidance, this will be further assessed with the reserved matters submissions.

## Rights of Way & Sustainable Travel

- 5.6** A travel plan will need to be supplied in support of the application which needs to demonstrate initiatives to improve/reduce the reliance on private modes of travel which would be secured by condition. In addition, in the interest of future proofing the site in relation to the increased uptake in electric vehicles, a condition will be imposed to realise a scheme for the charging of electric vehicles.
- 5.7** The Highways Officer has not wished to raise an objection to the granting of this approval subject to the imposition of relevant conditions. As such it is considered that the proposal would not be prejudicial to highway safety and would conform with policy DM3 of the Core Strategy for the North of Central Bedfordshire, the Central Bedfordshire Design Guide and Section 9 (Promoting sustainable transport) of the NPPF.

## **6 Landscape, Play and Green Infrastructure**

- 6.1** The issues pertaining to landscape, play and green infrastructure have been outlined earlier in the report, and the effects of this development are to be mitigated with the Section 106 agreement, together with further assessment with the reserved matters.

## **7 Future Occupiers**

- 7.1** The indicative layout demonstrates that 52 dwelling units can be sited such that there would be no resultant impact on future occupiers in terms of loss of light/overshadowing or privacy concerns, this is to be reviewed in more detail as part of the reserved matters application.

## **8 Other Considerations**

### Affordable Housing Provision

- 8.1** Under Policy CS7 of the Core Strategy, 35% of all developments for four dwellings and above should be provided as Affordable Housing units. The proposal for 52 units would qualify for Affordable Housing provision and 35% would equate to 19 units which will be policy compliant tenure mix and also a housing mix which would meet local needs. This, together with other mitigation costs, will form the heads of terms for the legal agreement that would be required if Members resolve to grant planning permission. As such the proposal would comply with the requirements of Policy CS7.

### Archaeology

- 8.2** The Archaeological officer made no comment on this application consequently there are no issues to reference from this aspect.

### Climate Change

- 8.3** Policy DM1 requires all development above 10 dwellings to deliver 10% of the development's energy demand from renewable or low carbon sources. The

proposed development is over the policy threshold. Policy DM2 requires all new residential development to meet CfSH Level 3.

- 8.4** The energy standard of the CfSH Level 3 is below the standard required by Part L2013 of the Building Regulations. All new development should therefore as a minimum, comply with the new Part L2013 of the Building Regulations and deliver 10% of their energy demand from renewable sources to meet the requirement of policy DM1.
- 8.5** The Councils Sustainability Officer would wish to encourage the developer to achieve a higher energy efficiency standard than that prescribed by the 2013 part L of the Building Regulations, as energy efficient fabric leads to lower energy demand and smaller renewable energy installation to satisfy the requirement of policy DM1.

#### Contamination

- 8.6** The Councils Pollution Officer has not advised of any issues with land contamination investigation, remediation etc. the site is considered suitable for residential use.

#### Cumulative Impact on Village

- 8.7** Whilst concerns have been expressed by local residents in respect of the cumulative impact on Upper Gravenhurst due to the number of residential development proposals in recent years. However, planning applications can only be determined on the basis of their individual merits. In regard to the Barton Road development (24 units) and this current proposal (52 units) this is considered to be a suitable level of additional dwellings within the village, which will add to the vitality and sustainability of the village.

#### Ecology

- 8.8** The NPPF calls for development to deliver a net gain for biodiversity and the Councils Ecologist has raised concerns over the increased density, however the scheme is as mentioned an outline application which is to be subject to reserved matters for subsequent consideration and approval, as such a Bio-diversity and Ecological Management Plan will need to be produced prior to any commencement of work on site to assess the existing levels of habitat, how future enhancements and management of the site will be implemented and maintained.
- 8.9** In addition the former pond and orchard have now been removed which has reduced some of the bio-diversity on the site.
- 8.10** The proposal will need to be agreed with the Ecologist Officer and seen to accord with policies CS18 & DM15 of the Core Strategy for the North and Section 11 (Making effective use of land) and Section 15 (Conserving and enhancing the natural environment) of the NPPF.

#### Fire Hydrants

- 8.11** The Bedfordshire Fire Service has identified that new residential developments should allow for the provision of fire hydrants and appropriate access. This is a matter that can be designed into the layout prior to commencement.

### Financial Contributions

- 8.12** Significant weight should be given to the National Planning Policy Framework, which calls for the achievement of the three dimensions of sustainable development: economic, social and environmental. It is considered that Policy CS2 of the Core Strategy for the North is in accordance with the National Planning Policy Framework. This states that developers are required to make appropriate contributions as necessary to offset the cost of providing new physical, social, community and environmental proposals.
- 8.13** In this case, Spending Officers were consulted and comments returned from Education, Leisure & CCG, highways and housing officer. The contributions as highlighted under heading S106 Sustainability Mitigation Obligations shall form heads of terms for the legal agreement that will be required if Members resolve to grant permission. As such, it is considered that the proposal would conform with policy CS2 of the Core Strategy for the North.

### Flood Risk & SuDs

- 8.14** The site is located within Flood Zone Area 1 whereby the probability of flooding is identified as being low. As such, no objections have been raised by the Environment agency.
- 8.15** From 6th April 2015 local planning policies and decisions on planning applications relating to major development (developments of 10 dwellings or more; or equivalent non-residential or mixed development [as defined in Article 2(1) of the Town and County Planning (Development Management Procedure) Order 2015], must ensure that sustainable drainage systems (SuDS) for the management of surface water runoff are put in place, unless demonstrated to be inappropriate. A drainage strategy was supplied for consideration as part of the application and the Councils SuDs Officer is satisfied that an appropriate Sustainable Drainage System could be implemented on site so as limiting any flooding potential, as such the EA have not raised any objection to this proposal subject to the imposition of conditions to control its provision. In addition, neither the Internal Drainage Board or Anglian Water have wished to raise an objection to this application. As such it is considered that the proposal accords with the Councils adopted SuDs guidance and section 14 of the NPPF.

### Impact on Utilities

- 8.16** Whilst concerns have been expressed by local residents about the impact of the proposed dwelling houses on the existing water and sewage connections, the Internal Drainage Board and Anglian Water have not raised any objections in this regard.

### Public Art

- 8.17** Central Bedfordshire Council actively encourages the inclusion of Public Art in new developments and looks to developers / promoters of sites to take responsibility for funding and managing the implementation of Public Art either directly or through specialist advisers and in consultation with Town and Parish Councils and Central Bedfordshire Council. The Councils Public Art Officer has raised no objection to the granting of this permission, however, for a scheme of this size, public art is not required to make this development acceptable.



## S106 Sustainability Mitigation Obligations

**8.18** Healthcare: No comments have been received in regards to a contribution to improve health care facilities in the village, but it is envisaged bearing in mind the increase in dwellings, that there will be a need to improve local health facilities.

**8.19** Education: (Appendix C)

Total financial contribution:

Early Years £52,885.98

Lower £176,286.60

Middle £177,386.98

Upper £217,523.40

Total £624,082.96

The contribution total includes a 50% reduction for the 2 no 2 bed flats which are within the dwelling mix.

## Libraries Leisure and Open Space

**8.20** Libraries Strategy -To mitigate the demand generated by the development a contribution would be required. There is an identified project for refurbishment works at Shefford Library. Therefore a contribution is sought towards this project of £10,920.

**8.21** Leisure/Open space - Gravenhurst PC has identified a requirement for new outdoor gym equipment / trim trail at its recreation ground. This will help cope with demand for use of the facilities available there. £12,000 is required to go towards the Parish Council's project.

**8.22** The development is within the catchment of Flitwick Leisure Centre, to mitigate the demand generated by the development a contribution of £46,123 is sought towards the reconfiguration of the fitness suite at Flitwick Leisure Centre

**8.23** Gravenhurst have identified the following requirements for allotment improvements: security fencing - £3,000, irrigation system - £5,000 and eco toilet - £3,500.

## **Highways**

**8.24** Traffic Regulation Order for parking restrictions along Orchard Close to ensure that traffic is not hindered by parked cars and to help protect existing residents of Orchard Close. The level of contribution would be £5,000.00.

## **Housing**

**8.25** The level of affordable housing to be provided requires 14 units of affordable rent and 5 units of intermediate tenure (shared ownership) from the development.

**8.26** Of 52 dwelling units not less than seven (7) units of mainstream housing suitable for older people should be provided.

## **Completion Agreement**

- 8.27** The Council will require the applicant to enter into an agreement to complete the development within 5 years of the issue of the decision notice.

### Human Rights and Equality Act issues

- 8.28** 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 completion of a s106 agreement and the following:

### **RECOMMENDED CONDITIONS**

- 1** Application for approval of 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** The development hereby permitted shall begin not later than two years from the date of the last reserved matters to be approved.

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

- 3** Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

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

- 4** Development shall not begin until details of the junction between the proposed estate road and the highway have been approved by the Local Planning Authority and 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.

- 5** Visibility splays shall be provided at all internal road junctions within the site. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the side road from its junction with the channel to the through road and 25m measured from the centre line of the side road along the channel of the through road. The vision splays required shall be provided and defined on the site by or on behalf of the developers and be entirely free of any obstruction.

**Reason:** To provide adequate visibility at road junction in the interest of road safety.

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

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

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

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

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

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

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

include information on:

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

The approved Construction Management Plan associated with the

development of the site shall be adhered to throughout the development process.

**Reason:** In the interests of safety, protecting the amenity of local land uses, neighbouring residents and highway safety.

- 10** The dwellings hereby approved shall not be occupied until details of the bin storage areas have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and retained in accordance with details approved in this regard.

**Reason:** To ensure a satisfactory appearance to the development in accordance with Policies CS14, DM3 and DM14 of the Core Strategy and Development Management Policies 2009.

- 11** No development shall take place until a landscaping scheme to include all hard and soft landscaping has been provided, together with tree protection measures to protect existing trees/hedgerows referring to the natural canopy spread and root protection areas of the trees/hedgerows. A scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.

**Reason:** To ensure an acceptable standard of landscaping. (Section 12, NPPF)

- 12** No development shall commence until a detailed surface water drainage hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include provision of attenuation for the 1 in 100 year event (+40% allowance for Climate change) and a restriction in run-off rates to a maximum of 5l/s as outlined in the Assessment of Surface Water Capability Report (April 2017). Any revisions to the agreed strategy shall be fully justified and approved before the development is completed and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan. Details of how the system will be constructed including any phasing of the scheme, and how it will be managed and maintained after completion will also be included.

The scheme shall be implemented in accordance with the approved final details before the Development is completed, and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

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

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

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

- 14** No development shall take place until details of the method of disposal of foul water drainage have been submitted to and agreed in writing by the Local Planning Authority. Thereafter no part of the development shall be occupied or brought into use until the approved drainage scheme has been implemented.

**Reason:** This condition is pre-commencement as ground works will be required prior to construction to ensure that adequate foul water drainage is provided and that existing and future land drainage needs are protected. (Section 14, NPPF)

- 15** No development shall take place until an Ecological Enhancement Strategy (EES) has been submitted to and approved in writing by the local planning authority. The EES shall include the following:
- a) An ecological assessment of the site prior to any development taking place,
  - b) Purpose and conservation objectives for the proposed development informed by a review of the existing ecological assessment.
  - b) Review of site potential and constraints.
  - c) Detailed design(s) and/or working method(s) to achieve stated objectives.
  - d) Extent and location/area of proposed works on appropriate scale plans.
  - e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
  - f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
  - g) Persons responsible for implementing the works.
  - h) Details of initial aftercare and long-term maintenance.

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

**Reason:** In the interest of biodiversity, in accordance Policy CS18 of the Core Strategy and Development Management Policies 2009.

- 16** No development shall take place above slab level, until a scheme has been submitted to and approved in writing by the Local Planning Authority for the provision of fire hydrants at the development. Prior to the first occupation of the dwellings the fire hydrants serving that development shall be installed as approved. Thereafter the fire hydrants shall be retained as approved in perpetuity.

**Reason:** This condition is pre-commencement as the ground works for connectivity will need to be considered prior to construction in order to ensure appropriate access to fire hydrants for use in the event of emergency in accordance with policy DM3 of Central Bedfordshire Core Strategy for the North and Section 12 of the NPPF.

**17** No development shall take place (including ground works or site clearance) until an Ecological Enhancement Strategy (EES) for the creation of new wildlife features such as hibernacula, the erection of bird/bat and bee boxes in buildings/structures and trees, hedgerow, shrub and wildflower planting/establishment has been submitted to and approved in writing by the local planning authority. The content shall be informed by an up to date Ecological Appraisal of the site and include the:

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

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

**Reason:** This condition is pre-commencement to ensure development is ecologically sensitive and secures biodiversity enhancements in accordance with the National Planning Policy Framework. (Policy DM15 of the Core Strategy for the North and Section 15, NPPF)

**18** No dwelling shall be occupied until a timetable for the implementation of Local Equipped Areas of Play and Local Areas of Play has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved and in accordance with the approved timetable.

**Reason:** To ensure that the appearance of the development and facilities for residents would be acceptable in accordance with Policy DM3 of the Core Strategy and Section 8 of the NPPF.

**19** No development shall take place until details of the existing and final ground 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, the location of which shall first be agreed in writing with the Local Planning Authority. Thereafter the site shall be developed in full accordance with the approved details.

**Reason:** This condition is pre-commencement to ensure that an acceptable relationship results between the new development and adjacent buildings and public areas.(Policy DM3 of the Core Strategy and Section 12, NPPF)

- 20** No development shall commence above slab level, until a scheme demonstrating how and which 10% of units on the development will meet Category 2 standards.

**Reason:** To ensure that an appropriate level of housing to meet the needs of future generations by being adaptable and accessible, have been provided in accordance with Nationally Described Space Standards and having regard to the benefits proposed of the scheme. (Section 5 of the NPPF)

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

**Reason:** This condition is pre-commencement to ensure that the estate streets serving the development are completed and thereafter maintained to an acceptable standard in the interest of residential / highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway, in accordance with Policies DM3 of the Core Strategy and Sections 9 & 12 of the NPPF.

#### **INFORMATIVE NOTES TO APPLICANT**

1. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the National Planning Policy Framework (NPPF) and the Core Strategy for North Central Bedfordshire.
2. 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.
3. This permission is subject to a Legal Obligation under Section 106 of the Town and Country Planning Act 1990.
4. The applicant is advised that in order to comply with Condition 1 of this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. You are advised to contact the Highways Agreements Officer, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ. E-mail [highwaysagreements@centralbedfordshire.gov.uk](mailto:highwaysagreements@centralbedfordshire.gov.uk) The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.
5. The applicant is advised that all car parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Design Guide 2014.

6. 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 at the preapplication stage and 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.

APPENDIX - A - PLANNING INSPECTORATE DECISION LETTER  
APPENDIX - B - ADJOINING SITE WITH PLANNING APPROVAL FOR 24  
DWELLINGS  
APPENDIX - C EDUCATION CONTRIBUTIONS