

APPLICATION NUMBER	CB/23/04117/FULL
LOCATION	Land at Green Lane, Everton, Sandy
PROPOSAL	Erection of 23 dwellings, construction of access and internal roads, and change of use of agricultural land to school playing fields
PARISH	Everton
WARD	Potton
WARD COUNCILLORS	Cllr Wye, Cllr Zerny
CASE OFFICER	Lauren Rance
DATE REGISTERED	29 December 2023
EXPIRY DATE	29 March 2024
APPLICANT	Wheatley Group Developments Ltd
AGENT	Phillips Planning Services Ltd
REASON FOR COMMITTEE TO DETERMINE	Major application with Parish Council objections
RECOMMENDED DECISION	Full Application - Recommended for Approval subject to conditions and a s106 legal agreement to secure planning obligations. The s106 legal agreement is required to be completed within 6 months of the Committee resolution. If the s106 legal agreement is not completed within the timeframe (or as otherwise agreed), to delegate authority to the Service Director – Development & Economy to refuse the application.
APPENDIX	N/A

Summary of Recommendation:

The proposal would bring forward residential development on a site allocated for residential development within the adopted Central Bedfordshire Local Plan (CBLP) in compliance with Policy HA1 of the CBLP. In addition, the proposal would bring forward land to be transferred for use by Everton Primary School.

The proposal would result in some harm to the character and appearance of the area and landscape through the urbanisation of the site, as well as some areas around the site to facilitate the highways improvement works. The landscape plans show the retained hedgerow and additional planting which would help mitigate the harm on the character and appearance of the area and landscape.

It is considered, that the development would constitute sustainable development in the context of the social, economic and environmental objectives of sustainable development as set out in the National Planning Policy Framework (NPPF).

The proposal is not considered to result in any harmful impact to neighbouring amenity and matters relating to highways, flood risk and archaeology are considered to be neutral and / or would be appropriately controlled through conditions.

The proposal will also deliver a net gain in biodiversity.

As set out in the report, there are viability issues with the development, and therefore financial contributions have been prioritised in line with the strategy set out

in the adopted Planning Obligations Supplementary Planning Document (SPD) (June 2024)

Overall, it is considered that the benefits of the proposal outweigh the limited visual harm identified and the proposal accords with the development plan and, as such, it is recommended that subject to a S106 Agreement, full planning permission for this allocated site is approved.

Site Location:

The site is located to the north of Potton Road and to the east of Green Lane, Everton and is currently paddock and agricultural land. To the south of the site are dwellings Nos. 25-39 Potton Road, Everton Primary School and an equestrian paddock. To the west of the site is Green Lane and to the north of the site is Glebe House, Green Lane.

The Application:

The application seeks planning permission for 23 dwellings as well as a new access road and Biodiversity Net Gain (BNG) and Sustainable Drainage Systems (SuDs) area. The proposal also includes land to be given over to Everton Primary School for a sports pitch.

The site is allocated for c.23 homes in the Central Bedfordshire Local Plan under reference HAS15.

RELEVANT POLICIES:

Central Bedfordshire Local Plan (CBLP)

SP2: NPPF - Presumption in Favour of Sustainable Development

SP7: Windfall Development

H1: Housing Mix

H2: Housing Standards

T2: Highways Safety and Design

T3: Parking

T5: Ultra Low Emissions Vehicles

EE1: Green Infrastructure

EE2: Enhancing Biodiversity

EE3: Nature Conservation

EE4: Trees, Woodlands and Hedgerows

EE5: Landscape Character

EE8: Greensand Ridge Nature Improvement Area

EE13: Outdoor Sport, Leisure and Open Space

CC1: Climate Change and Sustainability

CC3: Flood Risk Management

CC5: Sustainable Drainage

CC8: Pollution and Land Instability

HQ1: High Quality Development

HQ2: Developer Contributions

HQ3: Provision for Social and Community Infrastructure

HQ11: Modern Methods of Construction

HE1: Archaeology and Scheduled Monuments

DC5: Agricultural Land

Neighbourhood Plan Policies

None adopted

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (August 2023)

Parking Standards for New Developments (August 2023)

National Planning Policy Framework (NPPF) (December 2024)

Relevant Planning History:

Case Reference	CB/22/02731/PAPC
Location	Land at Green Lane, Everton, Sandy
Proposal	Pre-application advice for other developments: residential development of 23 dwellings
Decision	Pre-App Charging Fee Advice Released
Decision Date	14/09/2022

Consultees:

Everton Parish Council	Agree with the application in principle, but object to the development on the grounds of: <ul style="list-style-type: none">• Request a close boarded/2m high fence around the BNG/Suds area• Impact on trees from the development proposals• Lack of affordable housing on site• Lack of visitor spaces• Everton not served by sustainable transport options• Inadequate junction onto Potton Road• Parking issues on Potton Road around school times• Concern over capacity of water, sewage and electricity infrastructure• Lack of leisure facilities on site• Housing need• Waste collections clashing with school pick up/drop off times
Tree and Landscape	No objection subject to conditions
Minerals and Waste	No objection
Leisure	No objection but seek contributions towards open space and leisure facilities within the local area
NatureSpace	Following additional information, no objection
Ecology	Following additional information, no objection subject to conditions
Pollution	Following additional information, no objection subject to conditions
Suds	Following additional information, no objection subject to conditions
Climate Change	No objection subject to conditions
Fire	No objection subject to conditions
Police	Concern over the post and rail boundary treatment
MANOP	Request that the proposal accords with Policy H2
Travel Plans	No comment
Archaeology	No objection

Anglian Water	No objection, request informatives
Self Build	Following amendments, no objection
Affordable Housing	Object to exclusion of an affordable housing review mechanism
Drainage Board	Outside of the Board's district
Community Halls	Seek contributions towards the local village hall
NHS	Seek contributions towards local NHS surgeries
Early Years	Seek contributions towards local early years provision
Education	Seek contributions towards local SEN and secondary school provision and support the land being transferred over to Everton School
Landscape	Following revisions, no objection subject to conditions
Highways	Following revisions, no objection subject to conditions

Other Representations:

Neighbours	<p>17 objections on the grounds of:</p> <ul style="list-style-type: none"> • Dangerous access and congestion on Potton Road • Loss of privacy • Lack of parking for the sports pitch/is the pitch going to be used by the public? • Existing infrastructure in Everton cannot support more dwellings • Impact on the hedge • Light pollution • Nesting birds • Noise • Lack of amenities • New housing will impact upon the character of the village • Air quality • Potential loss of play area at the recreational ground • No specific climate change measures • Not high-quality development • Impact on wildlife • Loss of view
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Considerations

1. Principle

- 1.1 Sections 38(6) of the Planning and Compulsory Purchase Act 2004 and 70(2) of the Town and Country Planning Act 1990 require the Council to determine any application in accordance with the statutory development plan unless material considerations indicate otherwise.
- 1.2 The application site comprises an allocation within the adopted Central Bedfordshire Local Plan for residential development, as identified within Policy HA1: Small and Medium Allocations under site reference HAS 15 - Green Lane. The sites allocation for residential development within the adopted development plan is considered to carry significant weight in support of the application.
- 1.3 HAS15 of Policy HA1 of the CBLP sets out that the allocated site covers 0.96 hectares and is allocated for an approximate capacity of 23 dwellings. The policy requirement sets out that the development must comply with three listed criteria as set out below:

- *Site design must ensure the existing boundary features are conserved*
- *Must include provision for the expansion of Everton Heath Primary School*
- *Site is within a MSA, a Minerals Resource Assessment will be required*

- 1.4 The compliance with the policy requirements in respect of the existing boundary features are considered in the relevant sections of the report below.
- 1.5 Given the above and the sites allocation for residential development of approximately 23 dwellings within the recently adopted Central Bedfordshire Local Plan, the principle of residential development is considered to be acceptable, subject to the site-specific requirements outlined within Policy HA1 of the Central Bedfordshire Local Plan.
- 1.6 The site boundary however does include additional land (1 hectare) outside of the site allocation. Part of the housing proposal (4 dwellings along with access road) is now on land originally allocated for the school expansion. To provide sufficient space for the school and a site suitable for them to use as a playing field additional land is now included over and above what was originally allocated on the plans. The land is still adjacent to the rear of the school and would provide direct access from the existing playground. Vehicular access through the site is also provided as part of the proposal.
- 1.7 The additional land is located beyond the defined settlement of Everton and is therefore considered to form open countryside.
- 1.8 Policy SP7 states that where an identified need exists for further community facilities (such as education, health, sports and recreation uses or mixed community uses) and there is no land available within the settlement, a site adjacent to the settlement may be granted planning permission. Such development should make the best use of available land and lead to more sustainable communities.
- 1.9 The land outside the settlement envelope includes land for the school as well as a BNG/landscaped/drainage area. The Local Plan allocates land for expansion of the school and so there is an identified need for this facility and would comply with Policy SP7 of the CBC Local Plan. The landscaped BNG area would be an appropriate use within the open countryside and so although it would be serving a requirement generated by the built development, it would not be contrary to Policy SP7.

2. Climate Change and Sustainability

- 2.1 The Council adopted the Central Bedfordshire Council Sustainability Plan in 2020, the objectives of which focus on how the Council can: improve its own operations and processes; lead by example in buildings it is responsible for; facilitate investments in infrastructure-led projects; and influence, support and enable residents and local businesses to adopt sustainable behaviours and practices. Objectives for new building projects are to embrace sustainability, be resource efficient through orientation, layout, design and choice of materials, reduce carbon emissions, maximise on renewable energy generation, be climate resilient, use water resources sustainably and enhance the ecological value of a site.
- 2.2 The preamble to Local Plan Policy CC1 (Climate Change and Sustainability) identifies that The Climate Change Act (2008) establishes a legally binding target to reduce the UK's greenhouse emissions by at least 80% in 2050 from

1990 levels. The Government's expectation set through the NPPF is that each local authority contributes to meeting this target through setting local requirements for the sustainability of buildings that are consistent with the Government's zero carbon policy, adopt nationally described standards, and promote energy from renewable and low carbon sources.

- 2.3 Policy CC1 is key to achieving improved sustainable standards within the design of development and is further supported by the objectives of Policies T5, EE2, EE4, CC3, CC5 and HQ1.
- 2.4 In relation to all new development Policy CC1 requires that development increases its resilience to the impacts of climate change, take full advantage of opportunities to incorporate renewable energy technologies, reduce carbon emissions, and achieve higher water efficiency standards.
- 2.5 This policy also places a requirement for all major developments of 10 or more dwellings to provide a Sustainability Statement which must demonstrate, amongst other things, a reduction in carbon dioxide emissions by at least 10%, how opportunities to use renewable and low carbon sources have been maximised, and how the performance gap between build and designed energy use will be negated. All major developments must also submit a post construction verification report to confirm that the development has been delivered to the approved specification.
- 2.6 The application is supported by a Sustainability Statement, which as stated in the Sustainable Growth consultation response, shows that policy compliance is achievable. To ensure that the proposed development is subsequently delivered to be policy compliant, a condition should be attached to any planning permission granted requiring submission of a post construction verification report with as built evidence prior to occupation of the last dwelling.

3. Character and Appearance

- 3.1 Policy HQ1 of the Local Plan requires, inter alia, that development through appropriate design, materials, landscaping and efficient use of land respects the local context and contributes positively to creating a sense of place, respecting the varied character and the local distinctiveness of the area.
- 3.2 Policies EE4 and EE5 require that development will conserve and enhance the varied countryside character and local distinctiveness in accordance with the findings of the Central Bedfordshire Landscape Character Assessment. The site is also within the Greensand Ridge Nature Improvement Area and so Policy EE8 is of relevance.
- 3.3 National guidance confirms that good design and creation of high-quality buildings and places is a key aspect of sustainable development and is fundamental to planning.
- 3.4 Paragraph 187 of the NPPF requires development to contribute and enhance the natural and local environment by protecting and enhancing valued landscapes and respecting the intrinsic value of the countryside.
- 3.5 The site is made up of two parcels of land. The application site is bordered by a residential dwelling to the north known as Glebe House, to the south are residential dwellings that front onto Potton Road as well as Everton Heath Primary school. Whilst to the west of the site is Green Lane, a private road that

serves residential dwellings, and to the east of the site is open countryside. The parcel of land immediately adjacent to Green Lane is former paddock land whilst the parcel of land to the east of this is agricultural currently being used for arable farming.

- 3.6 The application site is bordered to the north, east and west by existing hedgerows and trees along the shared boundaries with Green Lane and the residential dwellings to the north of the site known as Glebe House and south along Potton Road. The site allocation Policy HA1, HAS15 states that the boundary hedgerow must be retained.
- 3.7 The Parish Council and several third parties have raised concerns over the proposed impact on the character and appearance of the area, impact on the landscape and the hedgerow/trees.
- 3.8 The proposal shows that the hedgerow is to be retained and existing gaps to be infilled. However, an access into the site from Green Lane is required and so to provide acceptable access it is accepted that approximately 35 metres of the hedgerow will need to be removed. In addition, in order to access the second parcel of land for residential use and for vehicular access to the land at the rear for the school, a 20-metre section of hedgerow will also be required to be removed.
- 3.9 Given the undeveloped, agricultural nature of the application site the proposal would result in the urbanisation of the site, however this is considered acceptable given its allocation for residential development. The application site is bound by existing built form to the north, west and south and would be contained by the retained landscaped boundary with a proposed school playfield to the east. As such whilst the urbanisation of the site is acknowledged and would result in some harm to the character and appearance of the area, the site is considered to be well contained given neighbouring land uses and boundary treatments, and as a result the harm to the character and appearance of the area is not considered to be detrimental and is in accordance with the Development Plan.
- 3.10 The application site would benefit from new hedgerow and shrub planting around the site boundaries along Green Lane and to the north/northeast of the site to provide landscape screen planting around the open boundaries of the site. The exception would be the school playing field land where a 2 metre high green mesh fencing would be erected, in order to meet the requirements of the school. These measures will ensure a softer transition between the proposed built form and the open countryside. Overall, it is considered that the retention of much of the existing hedgerow along Green Lane and around the boundaries of the site and the addition of new planting to the open boundaries of the site will generally comply with the requirements of site allocation HAS15 and, in addition, provides appropriate landscape screening including protecting and enhancing the Greensand Ridge Nature Improvement Area.
- 3.11 The Councils Landscape Officer has been consulted on the proposal and has provided substantial input into amendments to the site layout and landscape plans since the original submission. Consequently, this revised scheme is considered to address many of the Landscape Officers comments. The CBC Tree Officer has also been consulted and has requested pre-commencement conditions to ensure that the trees and hedgerows are retained and protected during the construction period.

- 3.12 The proposed development includes a mix of 1, 2, 3 and 4 bed terrace, semi and detached residential dwellings, as well as flats. All of which are two storey, however three of the dwellings on the furthest edge of the site and closest to the open countryside are designed as 1.5 storey with lower eaves heights, in order to reflect the countryside edge. The proposal would be in broad accordance with the CBC Strategic Housing Market Assessment (SHMA) and Policy H1 of the CBC Local Plan with 8% of the units being 1 bedroom, 8% of the units being 2, 70% being 3 bedroom units and 14% of the units being 4 bedroom units.
- 3.13 The dwellings are mostly set out around the boundaries of the site, with the layout allowing for a majority of the site boundaries to be appropriately buffered with landscape planting as set out above.
- 3.14 The site layout includes substantial planting within the public realm in the form of low level shrubs and street trees, including to key road corners and to the front of various dwellings. It is considered that the proposed site layout shows that the access road would be tree lined. There are some areas of the scheme that provide parking areas to the front of dwellings, however these are not in highly visible locations and are broken up with appropriate soft landscaping. A site wide lighting scheme will be conditioned.
- 3.15 To the north of the proposed school land is an area for drainage and to provide onsite BNG. This area is to be fenced with post and rail fencing and appropriate landscaping. It is intended that the infiltration pond will be dry except in high rainfall events. It is noted that the Parish Council have asked for this site to be fenced with 2 metre high green mesh fencing, similar to that of the school for safety reasons. Officers consider that a green mesh fencing is not a typical edge of settlement/open countryside boundary treatment and is only acceptable due to the safety/security needs of the school. A post and rail fence is considered to more typical of a village edge setting and would provide a suitable barrier.
- 3.16 Overall the site layout is considered to be acceptable given the constraints of the site, neighbouring land uses and site allocation which sets out that the site is allocated for approximately 23 dwellings, as has been provided for.
- 3.17 As set out above, the proposal primarily consists of two storey dwellings which is considered to be reflective of existing residential development within Everton. The proposal is supported by a detailed design and access statement which sets out how the design of the proposed homes will reflect the varying styles and material finishes of existing dwellings throughout Everton. Accordingly, it is considered that the proposed design, scale and material finish of the development is acceptable.
- 3.18 The proposed development is considered to comply with site allocation HAS15 in respect of retaining the existing boundary hedges and ensuring that the proposed development is sympathetic to the existing character of residential development. The internal layout and design of residential units is considered to amount to a high-quality development and is sympathetic to the design and appearance of existing built form across Everton. As such the proposal is considered to comply with Policy HQ1, EE4, EE5 and EE8 of the CBLP and Chapter 12 of the NPPF.

4. Residential Amenity

- 4.1 Policy HQ1 of the Local Plan seeks to ensure that residential amenity is not adversely affected in terms of amenity, privacy, noise or air quality.
- 4.2 The dwellings have been sited so that they are of a sufficient distance from the neighbouring properties so as not to result in any unacceptable impacts in terms of light, privacy, outlook or be overbearing. The proposed boundary treatments would also ensure that there is adequate privacy between private amenity space.
- 4.3 Third parties have raised concerns over loss of privacy and loss of a view, however as set out there would be no unacceptable loss of privacy to neighbouring dwellings and adequate back-to-back distances between dwellings has been achieved. The loss of a view is not a material planning consideration, and the development of the site is in accordance with the Development Plan.
- 4.4 Living conditions of future occupiers
- 4.5 In terms of the standard of living accommodation, Local Plan Policy H2 (Housing Standards) requires that internal space standards for all residential development are applied to all dwelling types and tenures in accordance with the Nationally Described Space Standards (NDSS). Further all new build dwellings are required to deliver at least 35% Category 2 Requirement MA (2) adaptable homes and at least 5% Category 3 Requirement M4 (3) wheelchair adaptable homes. Following recent revisions to the proposal, the scheme now accords with this requirement.
- 4.6 The proposed dwellings all benefit from internal space more than the minimum requirements of the nationally described space standards in accordance with Policy H2 of the CBLP. In addition, it is considered that the proposed site layout demonstrates appropriate separation between the proposed dwellings to ensure an acceptable level of privacy between plots.
- 4.7 Each of the proposed dwellings will also benefit from external private amenity space in accordance with the minimum requirements of the CBC Design Guide.
- 4.8 The CBC Design Guide (August 2023) states that one and two bedroom apartments should, where possible, have a minimum area of private outdoor space each (balcony, roof garden or ground level patio or open space) of 5 sqm. There should also be a minimum area for usable communal amenity space of 50 sqm, plus 5 sqm per additional unit over five units. For the proposed development of four apartments, this equates to a requirement of 50 sqm.
- 4.9 The development proposes 165 sqm of communal amenity space but no private amenity space. The communal provision is in excess of the CBC Design Guide requirements and would wrap around the flatted block and would be private to only those in the flatted units. There is no private amenity space for the flats proposed. Given the communal provision is over 3 times the minimum requirement, and would be for the exclusive use of the flat occupiers, the absence of private amenity space is considered to be acceptable, on balance.
- 4.10 Considering the foregoing, the quality of living environment to be created is found acceptable.
- 4.11 Self Build

4.12 Policy H6 of the CBLP sets out that proposals for 10 dwellings or more are required to deliver a minimum of 10% of the sites dwelling capacity as serviced plots for self build and custom house. The requirement from this development would be 3 plots, the application proposal does include the provision of 3 custom build plots. A number of layout options have been submitted with the application. Following revisions, the Self Build Officer is content with the proposal and it would accord with Policy H6.

5. Highways

5.1 Central Bedfordshire Local Plan Policy T2 requires that new development does not have a detrimental effect on highway safety and patterns of movement and must provide appropriate access. Further, should not impede the free flow of traffic.

5.2 In addition Policy T3 requires new residential development to have regard to the car parking standards set out in the Central Bedfordshire Council Design Guide and Parking Strategy. Policy T5 also requires that new residential developments provide active charging points, passive provision and electricity supply to meet future demand for Ultra Low Emission Vehicles.

5.3 Several parties, including the Parish Council have raised concern in regard to the proposals impact on highway safety.

5.4 The application is supported by a Transport Statement and associated access and layout plans which show that access to the site will be taken from Potton Road with the existing Green Lane to be diverted and accessed from this new access.

5.5 Potton Road itself is subject to a 30mph speed limit. Everton Primary School is located 70 metres to the east of the proposed junction, with the nearest bus stops 135 and 245 metres respectively. A new Zebra crossing has also been installed recently to assist with children crossing from the school to the recreation ground. The transport assessment includes details of speed surveys which also provided a speed survey which demonstrates free flow traffic speeds of 34.7mph eastbound with 33.6mph westbound.

5.6 The Councils Highways Officer has been consulted on the proposal and has confirmed that the access would achieve sufficient visibility based on the speed of the road. The Highways Officer will also pursue a 20mph limit or variable 20mph to coincide with the start/finish of the school day at cost to the applicant.

5.7 The Councils Highways Officer had previously raised a number of concerns with the internal road layout and associated tracking, in response the applicant has made a number of amendments to the proposed site layout to directly address those concerns. As a result the Councils Highways Officer has confirmed that their previous concerns have been addressed by the most recent layout and that they have no objection to the proposal, subject to conditions. The layout is considered to provide a road of sufficient width, sufficient footway to allow for pedestrian access across the site and appropriate and acceptable turning areas for servicing and refuse collection as demonstrated through the inclusion of appropriate tracking diagrams.

5.8 The revised site layout ensures that each dwelling benefits from sufficient parking which accords with the requirements of the Central Bedfordshire Design Guide and Parking SPD.

- 5.9 The Councils Highways Officer has not raised any objection to the proposal subject to conditions.
- 5.10 The submission does not include details of electric vehicle charging (EVC) however it is considered that relevant provision to the proposed dwellings can be secured via a suitably worded condition requiring the submission and approval of an EVC scheme in accordance with Policy T5 of the CBLP.
- 5.11 Given the above, the proposal is not considered to result in any harmful impact on highway safety or capacity nor is the residual cumulative impact on the road network considered to be an issue. As such the proposal is considered to be acceptable, in accordance with Policies T1, T2, T3 and T5 of the Central Bedfordshire Local Plan.

6. Ecology

- 6.1 Local Plan Policy EE2 states that applications should avoid negative impacts on biodiversity and geodiversity and that developments should provide a net gain for biodiversity and opportunities for enhancement. Whilst Policy EE3 sets out the importance of protecting, maintaining and enhancing habitats.
- 6.2 The provision of Biodiversity Net Gain (BNG) is mandatory under Schedule 7A of the Town and Country Planning Act 1990. In accordance with the Act, developers must deliver a BNG of 10%. Where proposals are shown to be exempt from requiring a 10% BNG, the adopted Central Bedfordshire Local Plan also requires the provision of a net gain in biodiversity with Policy EE2 (Enhancing biodiversity).
- 6.3 This application is exempt from providing the mandatory BNG of 10% as it was submitted prior to 12 February 2024, when the 10% requirement for major applications came into force. However, in accordance with Policy EE2 the provision of a net gain is required. The proposal demonstrates that a BNG would be achieved on site and the ecologist offers no objection, subject to conditions.

7. Other Considerations

7.1 Minerals and Waste

- 7.2 CBC Minerals and Waste have been consulted and have not responded to the application. They did however provide comments at pre-application stage and they noted that no Mineral Resource Assessment is required.

7.3 Flood Risk

The site is located within Environment Agency defined Flood Zone 1 and there are no areas of surface water flooding on site. Policies CC3, CC4 and CC5 of the CBC Local Plan are relevant to this application.

- 7.4 The application site is located entirely within EA flood zone 1 and as such is not identified as being at any increased risk of fluvial flooding. In addition, the site is not identified as being at any increased risk from surface water flooding. The Councils Drainage Officer has raised no objection to the revised proposals, subject to condition.
- 7.5 The revised proposal includes the provision of some above grounds sustainable urban drainage features including attenuation features which

would also provide some visual landscape interest.

- 7.6 Given the above, the proposal is considered to be acceptable in the context of providing appropriate surface water drainage and it is not considered that the proposal would result in a harmful impact on flood risk. As such the proposal is considered to be acceptable.

7.7 Rights of Way

- 7.8 Policy EE12 of the CBC Local Plan looks to protect and enhance Public Rights of Way. No rights of way are directly impacted by the proposal and the Rights of Way Officer has not objected to the scheme.

7.9 Archaeology

- 7.10 The site is within an archaeological notifiable area and Policy HE1 of the CBC Local Plan is relevant to this application.

- 7.11 The proposal site lies adjacent to the known medieval core of the settlement of Everton and close to several medieval pottery kilns associated with the village, these are heritage assets with archaeological interest.

- 7.12 Prior to this application, a geophysical survey and targeted trial trench evaluation were carried out in early 2023. Five trial trenches were investigated, with only two containing post-medieval or modern archaeological features, predominantly 18th century onwards.

- 7.13 As the archaeological investigations at the proposed development site have been completed, the reports entered onto the Historic Environment Record (HER) no further archaeological work is required and the CBC archaeologist offers no objection.

7.14 Pollution

- 7.15 CBLP Policy CC8 requires that proposals for new development must have regard to current national guidance as well as the Council's Design Guide, Contaminated Land Strategy, Air Quality and Emissions Planning Guidance and Air Quality Action Plans in terms of pollution and land instability. Pollution includes matters in relation to noise, waste management, litter, pests, vibration, odour, surface and ground waters, light, tranquillity, soil, contaminated land and airborne pollution.

- 7.16 Noise and Phase I Land Contamination reports were submitted with the application. The noise report concludes that subject to sufficient boundary treatments and double glazing the proposed dwellings would have a suitable noise environment. The Phase I Land Contamination report sets out that further testing will be required on the site with possible works and remediation if necessary.

- 7.17 The CBC Pollution Officer offers no objection to the scheme subject to conditions. The proposal is therefore considered to accord with Policy CC8 of the CBC Local Plan.

7.18 Financial Contributions and Affordable Housing

- 7.19 In accordance with Local Plan Policy HQ2 (Developer Contributions)

developments will be required to make appropriate contributions to provide new physical, social and environmental infrastructure or the enhancement of existing infrastructure, where necessary, to mitigate the impact of development.

- 7.20 Further Local Plan Policy H4 (Affordable Housing) requires that all qualifying sites of 10 or more units will provide 30% affordable housing which should be provided on-site. Off-site contributions will be considered where evidence is provided to confirm that on-site provision is not viable or that off-site contributions are more appropriate.
- 7.21 As such, and as stated in the Strategic Housing consultation response, the proposal for 23 dwellings generates a policy requirement for 7 affordable units.
- 7.22 A Financial Viability Assessment (Optimis Consulting) has been submitted in support of the application along with subsequent Financial Viability Rebuttals (Colliers) which concludes that the completion of the development would result in a significant deficit making it not viable to deliver all planning obligations on this site, in the form of affordable housing and financial contributions towards community infrastructure.
- 7.23 The Viability Assessment has been reviewed by an independent assessor appointed by the Council (Aspinall Verdi) who has concluded that the scheme cannot viably provide both affordable housing and the required financial contributions required by Policy.
- 7.24 Paragraph 59 in Section 4 (Decision-making) of the NPPF states *'It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force.'*
- 7.25 Similar, the Planning Obligations SPD, June 2024 states at paragraph 26.2.1: *'When an applicant has failed to provide the affordable housing and/or infrastructure requirements set out in the Local Plan, the Council will use the viability assessment to establish whether the level of contributions proposed by the developer is the maximum that can be reasonably delivered, or whether there is scope for further contributions to be made. The viability assessment will be a material consideration in the planning balance but the weight given to it will be for the decision maker to decide.'*
- 7.26 The application has been considered in consultation with key stakeholders and contributions have been requested as follows:
- 7.27 Education
- Early Years - £29,282.12
 - Primary – £12,237.59 (for Additionally Resourced SEN Provision)
 - Secondary – £119,514.90
 - Playing field – see below.
- 7.28 These contributions are requested by the Education Spending Officer to the enlargement, enhancement and / or alteration of existing early years facilities, primary and secondary schools or the construction of new such facilities to

serve the additional education capacity resulting from the proposed development.

7.29 Provision of Land for Everton Heath Primary School

7.30 Allocation HAS15 also requires land to be provided for the use of Everton Heath Primary School. The submitted plans include land to the rear of the school that would be subject to a S.106 agreement. Discussions with CBC education officers have confirmed that they welcome this additional land so that the school has dedicated playing fields within the school boundary.

7.31 A proposed vehicular access to the playing field is also proposed for maintenance purposes, but this is not for use for everyday access by staff and pupils., The existing school entrance along Potton Road will be retained.

7.32 The land will be fenced with a 2m high wire mesh boundary treatment and will be free from contamination and well drained, these matters will be dealt with via condition and secured through the S.106 agreement.

7.33 Affordable Housing

7.34 As stated, the submitted Financial Viability Assessment concludes that the scheme cannot viably provide affordable housing and financial contributions, and this has been independently verified.

7.35 This independent verification, particularly, provides significant weight in the planning balance. Furthermore, following a period of negotiation, the applicant has put forward the following to officers which would provide a limited affordable housing offer in the form of two options:

7.36 Option A: Provide the 4 flatted units (plots 20-23) as on-site affordable housing with no viability review mechanisms in the S106 Agreement. The proposed mix is 2 affordable rent/2 shared ownership).

7.37 Option B: £70,000 financial contribution towards affordable housing with S106 Viability Reviews

7.38 Strategic Housing have rejected both options. They have requested a third option of provision of the 4 affordable units, plus review mechanisms. The Applicant has not agreed to provide this third option.

7.39 Option A would not be in accordance with the Planning Obligation SPD as it would not include the required review mechanism to seek to ensure full compliance with Policy H4 (7 affordable units). However, it would guarantee the provision of 4 affordable units within Everton. It should be noted that the provision of 4 units is beyond that which has been evidenced as viable, and it is not therefore considered that a reason for refusal on the basis of a lack of review mechanism could be successfully defended.

7.40 Option B would deliver a payment in lieu of affordable housing provision but this would be unlikely in itself to deliver a single off-site unit and would only contribute towards off-site provision, along with contributions secured from other developments. The planning obligation could ensure that this money was spent within the locale of the site. The review mechanism may deliver additional contributions towards affordable housing provision if the viability of the scheme i.e. residential sales values increased and/or construction costs

decreased.

7.41 Given this is a relatively small scheme (23 units) which will be delivered in a single phase, it is considered that there is unlikely to be a significant change in values which will deliver the equivalent provision of 4 affordable homes. On balance, Officers are recommending that Option A is accepted.

7.42 Other Obligations

7.43 The Applicant has also conditionally offered the planning obligations set out below which are considered to sufficiently mitigate the impact of the development on existing local infrastructure and facilities which would be utilised by future occupiers. The contributions as well as securing the self-build provision would be secured through a S106 agreement.

- Leisure Facilities - £23,995 (towards the Jenkins Sports Pavilion)
- Children's Play Facilities - £25,000 (to upgrade the existing facilities within Everton)
- Playing Pitch strategy - £5,813
- Community Hall - £25,198 (Everton)
- NHS - £17,319.00 (Primary Care)

7.44 However, officers consider that in accordance with Paragraph 3.19.3 of the Planning Obligations SPD (August 2024) which prioritises education and affordable housing, these contributions (totalling £97,325) should instead be secured for off-site affordable housing provision, in addition to the 4 on-site units.

7.45 Human Rights and Equality Act issues:

7.46 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.

7.47 Code of Conducts

7.48 The Council has adopted a Construction Code of Practice for Developers and Contractors in order to minimise the impact of construction work on residents who live near to development sites. The applicant has agreed to comply with the requirements of the Code, and compliance will be secured by condition.

7.49 The Council has also adopted an Environmental Code of Practice for Developers and Contractors in order to minimise the impact of construction work on the natural environment on and around development sites. The applicant has agreed to comply with the requirements of the Code, and compliance will be secured by planning condition.

7.50 EIA

7.51 Consideration has been given to the Environmental Impact Assessment Regulations 2017 and it has been determined that an Environmental Impact Assessment is not required for the proposed development.

7.52 Addressing the Comments from the Parish Council and Neighbours

7.53 Everton Parish Council have objected to the scheme, and the Council has received a number of objections, as well as support to the scheme. The points

raised by those parties have been addressed within the relevant sections of this report above. Only material planning issues have been considered.

8. Sustainable Development and Planning Balance

- 8.1 The Framework adopts a broad definition of sustainable development in that it states that the policies within the document constitute the Government's view of what sustainable development means in practice. The Framework also establishes that the purpose of the planning system is to contribute to the achievement of sustainable development, which includes economic, social and environmental dimensions.
- 8.2 Social
- 8.3 The proposal would make a contribution to the existing housing stock by bringing forward an allocated site for residential development in the CBLP. The proposal would also provide a range of dwelling types including custom build. One of the key aims of the NPPF is to significantly boost the supply of housing and the proposal is considered sustainable in this regard which weighs in favour of the proposal.
- 8.4 The proposal would provide 4 affordable housing units on site as well as financial contributions to offsite provision however no review mechanism would be secured. Although this would be a benefit, it would not be in accordance with Policy H4, and so this is a matter weighs against the proposal.
- 8.5 The proposal would also provide land for Everton Primary School to use as a sports pitch/playing field so that pupils will no longer have to cross Potton Road to exercise on the public space opposite. This would provide a community benefit and accord with Policy HQ3 and weigh in favour of the application.
- 8.6 The application is supported by a viability assessment, which has been independently reviewed - both assessments conclude that the scheme cannot viably provide both affordable housing provisions and financial contributions. This independent verification, particularly, provides significant weight in the planning balance. The proposed option put forward includes providing full contributions to the educational requests as well as the land for the school, four affordable units on site as well as financial contributions towards affordable housing offsite.
- 8.7 Paragraph 59 of the NPPF states *'The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case'*. In this instance, as stated above, the proposal has been independently checked and confirmed that the scheme is unable to produce a viable scheme with the requested contributions.
- 8.8 However, the failure to provide the full sought financial contributions would result in unmitigated impact on community infrastructure and this weighs negatively against the proposed development.
- 8.9 It is noted that Everton constitutes a small village as set out in section 9.1 of the CBLP however the limited availability of services and facilities within Everton and the sites impact on those services and local infrastructure did form part of the Councils previous site assessment process in allocating the site for residential development and the site was considered sustainable in this regard.

As set out in paragraph 79 of the NPPF development in one village may support services in nearby villages. In this instance the proposed development would help to support existing rural services in Everton, such as the public house and school whilst also allowing for travel to other nearby towns and villages such as Potton and Sandy. Given the above and the sites allocation for residential development it is considered that the proposal would comply with the social objective of sustainable development, and this is a matter which is attributed significant weight in favour of the proposal.

8.10 Economic

8.11 The proposal would result in some impact to the existing agricultural business given the reduction in agricultural land although in the context of the overall agricultural land holding and the allocation of the site through the Development Plan, this impact is considered to be limited.

8.12 The proposal would result in economic benefits through the purchase of materials and services in connection with the construction of the dwellings and an increase in local household expenditure. There would also be economic benefits from the planning obligations identified above. On balance the proposal is therefore considered sustainable in this regard and this weighs in favour of the proposed development and this is a matter which can be attributed positive weight.

8.13 Environmental

8.14 It is acknowledged that the proposal would result in some harm to the character and appearance of the area as a result of the urbanisation of the site which weighs against the scheme. It is considered however that this harm is mitigated to an acceptable level by the proposed landscape scheme to open boundaries of the site and the containment of the site between existing neighbouring land uses.

8.15 It is considered that the proposal would deliver a net gain in biodiversity and this would be secured via condition.

8.16 The proposal is not considered to result in any harmful impact to neighbouring amenity and matters relating to highways, flood risk, archaeology are considered to be neutral and / or would be appropriately controlled through conditions.

8.17 The proposal would ensure the delivery of housing allocated in the adopted CBLP in a sustainable location as set out in the sustainability appraisal considered in support of the CBLP.

8.18 It is considered that the identified environmental impacts of the proposal have been suitably mitigated and the proposal is considered to comply with the environmental objective of sustainable development. This is a matter which can be attributed significant weight in favour of the proposal.

8.19 On balance it is considered that the benefits of the proposal outweigh the limited harm identified and as such it is recommended that planning permission for the allocated site is granted.

Recommendation:

That Planning Permission be GRANTED subject to conditions and

And the completion of a s106 legal agreement in respect of the recommended obligations below:

- Education contributions totalling - £161,034.61
- Playing field land transfer to Everton Heath Primary School with the installation of boundary treatment and free from contaminates
- Affordable Housing – 4 units onsite plus £97,325 towards off-site provision.
- 3 self-build plots
- Monitoring fees

The s106 legal agreement will be required to be completed within 6 months of the Committee resolution.

If the s106 legal agreement is not completed within the timeframe (or as otherwise agreed), Committee are asked to delegate authority to the Service Director – Development & Economy to refuse the application.

RECOMMENDED CONDITIONS / REASONS

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

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

- 2 No building shall be occupied until the junction of the proposed vehicular access with the highway has been constructed in accordance with the approved details.

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

- 3 Prior to any occupations, visibility splays shall be provided at all 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.

- 4 No dwelling shall be occupied until the scheme for car and cycle parking (with access thereto) has been provided in accordance with the approved plans. The spaces for each dwelling shall be retained throughout the lifetime of the development and shall thereafter be kept available for parking at all times.

Reason

To minimise the potential for on-street parking and thereby safeguard the interest of the safety and convenience of road users.

- 5 Before (any of) the access(es) is first brought into use, a triangular vision splay shall be provided on each side of the new access drive and shall be 2.8m measured along the back edge of the highway from the centre line of the anticipated vehicle path to a point 2.0m measured from the back edge of the highway into the site along the centre line of the anticipated vehicle path. The vision splay so described and on land under the applicants control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

Reason

To provide adequate visibility between the existing highway and the proposed access(es), and to make the access(es) safe and convenient for the traffic which is likely to use it (them).

- 6 Prior to first occupation, a scheme for a Variable 20mph Speed Limit as per Traffic Signs Manual – Chapter 4 (Figure 8.12) in the near vicinity of Everton Heath Primary School has been submitted to and approved by the Local Planning Authority. Any Statutory Undertakers equipment or street furniture shall be re-sited to provide an unobstructed footway to the crossing. No dwelling shall be occupied until this scheme has been fully installed to the satisfaction of the Local Planning/Highway Authority.

Reason

In the interests of road safety and pedestrian movement.

- 7 The proposed vehicular driveways shall be surfaced in bituminous or other similar durable material (not loose aggregate) as may be approved in writing by the Local Planning Authority for a distance of 5m measured from the rear of the footway before the premises are occupied. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site into the highway so as to safeguard the interest of highway safety.

- 8 **No development shall take place, including any works of demolition, until a Construction Traffic and Environmental 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:**

- 1. The parking of vehicles**
- 2. Loading and unloading of plant and materials used in the development**
- 3. Storage of plant and materials used in the development**
- 4. The erection and maintenance of security hoarding / scaffolding**
- 5. Wheel washing facilities**
- 6. Measures on site to control the deposition of dirt / mud on surrounding roads during the development.**

7. Footpath/footway/cycleway or road closures needed during the development period
8. Traffic management needed during the development period.
9. 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.
10. Details of any temporary construction access, including appropriate visibility splays.
11. Details of any temporary speed restrictions or other works which may be necessary to facilitate safe construction access.
12. Permitted working hours and use of any lighting (including lighting specification)
13. Measures of protecting existing vegetation and landscaping for the lifetime of the construction works

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 and the environment.

This condition is pre-commencement to ensure that the construction details are approved prior to being implemented.

- 9
- Prior to the commencement of development, a landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority. The content of the LEMP shall include the following.
- a) Description and evaluation of features to be managed.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management.
 - d) Appropriate management options for achieving aims and objectives.
 - e) Prescriptions for management actions.
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - g) Details of the body or organization responsible for implementation of the plan.
 - h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

Reason: To ensure the development delivers net gains for biodiversity

and these are managed in an appropriate manner. (Policy EE2, CBLP July 2021, and Section 15, NPPF December 2024)

This condition is pre-commencement to ensure that the biodiversity and landscaping details are approved prior to being implemented.

- 10 The surface water drainage shall be constructed to manage surface water runoff from the development for up to and including 1 in 100 year event (+40%CC+10%UC), via infiltration. The final detailed design shall be based on the agreed FRA and DS (Ref: MTC, 2935 – FRA & DS – Rev B – Sept 2024) and DEFRA's Non-statutory technical standards for sustainable drainage systems (March 2018) and shall be implemented and maintained as approved. Maintenance will ensure the system functions as designed for the lifetime of the development. Any variation to the connections and controls indicated on the approved drawing which may be necessary at the time of construction would require the resubmission of those details to the Local Planning Authority for approval.
- The applicant should address the following points 1 to 3 when submitting details to discharge the condition:

1. Permeable block paving should be laid to CIRIA C768 "Guidance on the construction of SuDS" guidelines. This guidance also stipulates following Interlay guidance.
2. The Council does not, and is not required to, adopt any SuDS feature. It is the responsibility of the applicant to ensure that the surface water drainage system, in its entirety, will be effectively maintained in the long-term. We therefore expect confirmation of the proposed arrangements for maintenance to be provided with the final detailed design, including the future maintenance and operational needs and the responsible bodies for undertaking maintenance (for all public and private drainage components).
3. The final detailed design including proposed standards of operation, construction, structural integrity and ongoing maintenance must be compliant with the 'Non-statutory technical standards for sustainable drainage systems' (March 2015, Ref: PB14308), 'Central Bedfordshire Sustainable Drainage Guidance' (Adopted April 2014, Updated May 2015), and recognised best practise including the Ciria SuDS Manual (2016, C753).

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 CBC Local policy CC3 to CC5 and Chapter 14 of the NPPF.

- 11 The application hereby approved shall be built in accordance with the noise recommendations as set out in the submitted Noise Impact Assessment (PJB9614/23279/V1.1) and retained as such.

Reason: To demonstrate high quality living standards.
(Policy CC8, CBLP July 2021, and NPPF, 2025)

- 12 Prior to the occupation of the last dwelling hereby permitted, a Post-Construction Verification Report with as built evidence to demonstrate policy compliance with the measures outlined in the submitted Energy and Sustainability Statement shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To demonstrate high quality sustainability standards.
(Policy CC1, CBLP July 2021, and Sections 2 and 14, NPPF 2025)

13 **The development hereby permitted shall not begin until a scheme to deal with contamination of land/ground gas/controlled waters has been submitted to and approved in writing by the local planning authority. The scheme shall include all of the following measures, unless the local planning authority dispenses with any such requirement specifically in writing:**

1. A Phase II intrusive investigation report detailing all investigative works and sampling on site, together with the results of the analysis, undertaken in accordance with LCRM. The report shall include a detailed quantitative human health and environmental risk assessment.

2. A remediation scheme detailing how the remediation will be undertaken, what methods will be used and what is to be achieved. A clear end point of the remediation shall be stated, and how this will be validated. Any ongoing monitoring shall also be determined.

3. If during the works contamination is encountered which has not previously been identified, then the additional contamination shall be fully assessed in an appropriate remediation scheme which shall be submitted to and approved in writing by the local planning authority.

4. A validation report detailing the proposed remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology shall be submitted prior to first occupation of the development. Details of any post-remedial sampling and analysis to demonstrate that the site has achieved the required clean-up criteria shall be included, together with the necessary documentation detailing what waste materials have been removed from the site.

Reason: To minimise and prevent pollution of the land and the water environment and in accordance with national planning policy guidance set out in CHapter 15 of the NPPF, and in order to protect human health and the environment.

This condition is pre-commencement to ensure that the any land contamination is identified and remediated prior to the development being implemented.

14 The dwellings hereby approved shall be built in the materials as set out within the Design and Access Statement dated December 2023 unless otherwise approved in writing by the Local Planning Authority.

Reason: To control the appearance of the building in the interests of the visual amenities of the locality.
(Section 12, NPPF)

15 No above ground development hereby permitted shall take place until a plan showing the locations of fire hydrants within the site have been submitted to and approved in writing by the Local Planning Authority. No buildings shall be occupied until the fire hydrants have been installed, and shall thereafter be retained.

Reason: To ensure sufficient provision of fire hydrants to meet the

requirements of the proposed development. (Policy HQ1, CBLP July 2021, and Section 12, NPPF, 2024)

16

Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of the retained trees and hedgerows, in accordance with BS 5837:2012, including a tree/hedgerow protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.

Specific issues to be dealt with in the TPP and AMS must include:

- a) Location and installation of services/ utilities/ drainage.**
- b) Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees and hedgerow.**
- c) Details of construction within the RPA or that may impact on the retained trees and hedgerow.**
- d) A full specification for the installation of boundary treatment works.**
- e) A full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them.**
- f) Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.**
- g) A specification for protective fencing to safeguard trees and hedgerow during both demolition and construction phases and a plan indicating the alignment of the protective fencing.**
- h) A specification for scaffolding and ground protection within tree/hedgerow protection zones.**
- i) Tree/hedgerow protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.**
- j) Details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires**
- k) Boundary treatments within the RPA**
- l) Methodology and detailed assessment of any root pruning**
- m) Arboricultural supervision and inspection by a suitably qualified tree specialist**
- n) Reporting of inspection and supervision**
- o) Methods to improve the rooting environment for retained and proposed trees/hedgerow and landscaping**

The development thereafter shall be implemented in strict accordance with the approved details.

Reason: Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, in accordance with Policies HA1, EE4 and EE8 of the CBC Local Plan.

- 17 “The development hereby approved shall be implemented strictly in accordance with the recommendations/measures stated in the supporting document- ‘Land at Green Lane, Everton, Bedfordshire: Reasonable Avoidance Measures for Great Crested Newt, James Blake Associates, August 2024’

Reason: To minimise the impacts of development on biodiversity, in accordance with Central Bedfordshire Council’s Districts Local plan policy, Section 15 of the NPPF, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.”

- 18 Prior to occupation of the first dwelling, a scheme for landscape maintenance for a period of five years following the implementation of the approved landscaping scheme (plan numbers JBA23/227-DT03 Rev A, JBA 23/227-SK01 Rev E, JBA 23/227-01 Rev G, JBA 23/227-02 Rev G, JBA23/227-DT01, JBA23/227-DT02, JBA23/227-DT04) shall have been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme hereby approved 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.
(Sections 12 & 15, 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: To ensure that an acceptable relationship results between the new development and adjacent buildings and public areas.
(Section 12, NPPF)**

- 20 Prior to any above ground development, a lighting design strategy shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- a) identify those areas/features on site to which bats and other noctule species are particularly sensitive and that are likely to cause disturbance in or around their breeding sites and resting places, or along important routes used to reach key areas of their territory, for example, for foraging, and
 - b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local

planning authority.

Reason

To ensure development is ecologically sensitive and does not negatively impact upon protected species in accordance with the National Planning Policy Framework

- 21 Prior to occupation of the first dwelling, a scheme for the charging of electric and ultra-low emission vehicles shall be submitted to and approved in writing by the Local Planning Authority.
The scheme shall accord with Policy T5 of CBLP and shall include the following:
- Details of active charging posts or passive provision such as cabling and electricity supply for each dwelling
 - Timescales for implementation

The scheme shall be completed in accordance with these approved details.

Reason: To assist with the transition to low-emission vehicles in line with the National Planning Policy Framework (2025) and Policy T5 of the Central Bedfordshire Local Plan.

- 22 **No development shall commence until a Soil Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Soil Management Plan shall include:**
- **Maps showing topsoil and subsoil types and areas to be stripped;**
 - **Methods for stripping, stockpiling, respreading and improving soils;**
 - **Haul routes;**
 - **Location and content of each soil stockpile;**
 - **Schedules of volumes for each material;**
 - **Formation level decompaction measures;**
 - **Soil re-spreading and decompaction;**
 - **Soil dispersal (if necessary); and**
 - **Who is responsible for supervising soil management.**

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

Reason: Details are required prior to commencement of development, to mitigate impacts on geodiversity through avoiding the loss, damage or contamination of valuable soil resources and reduce impacts on climate change, whether the soil will be retained for future landscaping on-site, or used or sold off-site, in accordance with Policies CC1 and EE2 of the Central Bedfordshire Local Plan (2021) and the NPPF.

- 23 The development hereby permitted shall be undertaken in full accordance with the Council's adopted 'Construction Code of Practice for Developers and Contractors - November 2023 Update'
https://www.centralbedfordshire.gov.uk/info/44/planning/674/codes_of_practice_for_planning.

Reason: In order to minimise the impact of construction work on the amenities of nearby residential properties.
(Section 12, NPPF 2024)

- 24 The development hereby permitted shall be undertaken in full accordance with the Council's adopted 'Environmental Code of Practice'.

Reason: In order to minimise the impact of development on existing trees, landscape features and biodiversity.
(Section 15, NPPF 2024)

- 25 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers P04 Rev A, P05 Rev B, P06 Rev A, P07 Rev A, P08 (Opt1) Rev A, P08 (Opt 2) Rev A, P08 (Opt 3) Rev A, P08 (Opt 4) Rev B, P10 Rev B, P11 Rev B, P12 Rev B, P13 Rev B, P14 Rev B, P15 Rev B, P16 Rev B, P17 Rev B, P18 Rev A, P19 Rev A, P21 Rev C, P22, P23, P03 Rev AC, P20 Rev E, P26 Rev C, P27 Rev C, P28 Rev B, P29 Rev B, P30 Rev B, P09 (Opt 4) Rev A, JBA23/227-DT03 Rev A, JBA 23/227-SK01 Rev E, JBA 23/227-01 Rev G, JBA 23/227-02 Rev G, JBA23/227-DT01, JBA23/227-DT02, JBA23/227-DT04, P01 Rev A, P02,
Reason: To identify the approved plan/s and to avoid doubt.

INFORMATIVE NOTES TO APPLICANT

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
2. GDP Policy Informative – Central Beds Local Plan

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 Central Bedfordshire Local Plan and the National Planning Policy Framework (NPPF).

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 pre-application 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.