

APPLICATION NUMBER	CB/21/03965/OUT
LOCATION	Land East of Leighton Road, Toddington
PROPOSAL	Outline Application: Erection of up to 61 dwellings with all matters reserved except means of access from Russell Road.
PARISH	Toddington
WARD	Toddington
WARD COUNCILLORS	Cllrs Collins & Walsh
CASE OFFICER	Andrew Cundy
DATE REGISTERED	07 September 2021
EXPIRY DATE	07 December 2021
APPLICANT	Landcrest Developments Ltd
AGENT	Woods Hardwick Planning Ltd
REASON FOR COMMITTEE TO DETERMINE	Call in from Cllr Silvia Collins. Cllr Collins has raised concerns with regards to loss of amenity, highway safety and construction traffic impact. (Cllr Collins full comments are included in the report below)
RECOMMENDED DECISION	Recommended for Approval

Reason for Recommendation:

As an allocated site for housing HA1 (Central Bedfordshire Local Plan (2015-2035) with the identifier HAS49 the principle of residential development is considered to be acceptable. As described within the report, the impact to residential amenity, the character of the area and the wider landscape and highway safety are considered to be acceptable. The proposal would deliver benefits in terms of strengthening the Council's housing land supply in a highly sustainable location. As such, the proposed development is considered to be acceptable in accordance with Policy HQ1 of the Central Bedfordshire Local Plan, and the Council's adopted Design Guidance (2014) subject to planning conditions and a completed S106 agreement.

Site Location:

The application site, which measures approximately 2.84ha, comprises land to the east of Leighton Road and west of Russell Road, Toddington. Toddington, classified as a minor service centre in the adopted plan, is situated 4 miles north-west of Luton, 2 miles from Harlington Railway Station and half a mile from the M1 motorway. It comprises a network of residential cul-de-sacs connected to development along its main roads, namely High Street and Leighton Road.

The settlement contains a good range of services and facilities including a pre-school, a lower school, a middle school, a health centre, chemist, a dentist, 3 community centres, a convenience store, 2 newsagent's, a post office, a petrol station, 4 restaurants/takeaways, 5 pubs, 2 children's play areas, outdoor recreational facilities and an entertainment venue.

The site is included as part of a larger housing allocation in the adopted Central Bedfordshire Local Plan under Policy HA1 with the identifier HAS49.

The majority of the application site is open with some landscape boundary features such as trees, shrubs and hedgerows. However, there is strong to moderate

intervisibility with existing dwellings (and their curtilages) that are situated off Russell Road, Bryant Way and Willow Way along the application sites north eastern edge where the landscape boundary features are less substantial.

The south eastern and southwestern boundaries, where the site meets open countryside, contains substantial landscape features. The site's north western boundary adjoins an existing play area together with the remainder of the HAS49 allocated land that extends west until Leighton Road.

Public footpaths no. 62 and 64 Toddington, run along the outside boundaries immediately SW & SE of the site.

The Application:

Outline planning permission is sought for provision of up to 61 dwellings to include 30% affordable and 10% self build.

The applicant has asked for access to be considered at this outline stage. Matters relating to landscaping, layout, scale and appearance are reserved for future consideration.

The application is accompanied by an illustrative layout showing how the site could be developed. The supporting plans and documents aim to demonstrate how the site is capable of accommodating the scale of development proposed. The illustrative layout is not necessarily the way the development will be carried out, that will be established at the reserved matters stage.

The site is included as part of a larger housing allocation in the adopted Central Bedfordshire Local Plan under Policy HA1 with the identifier HAS49. The application site some 2.84 hectares is controlled by the applicant Landcrest Developments, whilst the remainder of the allocation site some 1.01 hectare is controlled by Bloor Homes and will be considered under a separate planning application.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (July 2021)

2- Achieving sustainable development

5 – Delivering a sufficient supply of homes

6 - Building a strong, competitive economy

8 – Promoting healthy and safe communities

9 – Promoting sustainable transport

11- Making effective use of land

12 - Achieving well designed places

13 – Protecting the green belt

14 – Meeting the challenge of climate change, flooding and coastal change

15 – Conserving and enhancing the natural environment

16 – Conserving and enhancing the historic environment

Central Bedfordshire Local Plan

SP1:Growth Strategy

SP2: Sustainable Development

SP5: Preventing Coalescence/Important Countryside Gaps

SA1: North of Luton

HA1: Small and medium allocations
T1: Mitigation of Transport Impacts on the Network
T2: Highway Safety & Design
T3: Parking
T5: Ultra Low Emission Vehicles
H1: Housing Mix
H2: Housing Standards
H3: Housing for Older People
H4: Affordable Housing
H6: Self Build and Custom Housing
CC1: Climate change and sustainability
CC2: Sustainable energy development
CC5: Sustainable Drainage
HQ1: High Quality Development
HQ2: Developers Contribution
HQ10: Small Open Spaces
HQ11: Modern Methods of Construction
EE1: Green Infrastructure
EE2: Enhancing biodiversity
EE3: Nature conservation
EE4: Trees, woodlands and hedgerows
EE5: Landscape Character and Value
EE13: Outdoor sport, leisure and open space

Neighbourhood Plan Policies

Toddington are in the process of producing their own neighbourhood plan. The Neighbourhood Plan for Toddington has been through its pre-submission consultation, but is still in draft form. As such, very limited weight could be given to policies where clear community support can be demonstrated and the policies are judged to be in general conformity with the CBC Development Plan and the NPPF.

Minerals and Waste Constraints

WSP5 – Including waste management in new built developments

Minerals and Waste Local Plan: Strategic Sites and Policies (Jan 2014)

Minerals and Waste Adopted Plan Saved Policies

Supplementary Planning Guidance/Other Documents

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

Relevant Planning History:

Application Number	CB/21/01576/PAPC
Description	Pre Application Advice Other Developments: Erection of up to 65 dwellings with associated ancillary works
Decision	Comments released
Decision Date	11 th May 2021

Consultees:

Toddington Council	Parish	Objection - Insufficient access to site. Not appropriate access point for scale of development. Health and Safety will be a major issue. Through traffic will not be able to pass down Russell Road to obtain access to the
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site. Vehicles currently already park both sides of the road in a residential area. Will be dangerous for pedestrians especially children on their way to the local schools. Cause further congestion throughout the day on local roads. Parking is already an issue in this area and will be impacted by large vehicles not being able to manoeuvre around local road network to gain access to site. The local infrastructure will be insufficient to cope with this scale of development. The volume of large vehicles that will be going backwards and forwards to the development site, will cause severe damage to the highway. 61 dwellings seems to be greater than the proportion expected for this part of the site, that was originally put forward in the local plan for HAS49 Piecemeal access of the wider development sites needs to be coordinated/integrated by an access road from Leighton Road.

Internal Consultees:

CBC Archaeology

The proposed development site contains extensive archaeological remains predominantly related to Roman activity. Partially surviving earthwork remains of ridge and furrow are also present. In the surrounding area archaeological remains associated with Anglo-Saxon funeral activity have been found during 19th century. All of the above are heritage assets with archaeological interest under the terms of the National Planning Policy Framework. The proposals will have a negative and irreversible impact upon any surviving archaeological deposits present on site, and therefore upon the significance of the heritage assets they represent. This does not present an over-riding constraint on the development provided that an archaeological investigation is carried out prior to the commencement of development, and this can be secured by a pre-commencement condition.

CBC Community

A contribution of £66,831.6 to multi- purpose community buildings in the vicinity of the development:- (Toddington Village Hall refurbishments required in next 5 years Annapurna Centre – refurbishment)

CBC Digital Programme Officer

Happy that at this point - it is an outline application and a detailed layout, with more definitive broadband plans would be provided later in the process

CBC Ecology

The Ecological Appraisal which has been provided states that the development shouldn't have a significant effect on protected or important species and habitats. The provision of the biodiversity net gain metric is welcomed and shows the development should provide a net gain for biodiversity in both habitat and hedgerow units. While mitigation is noted in regard to limiting light spillage on

the existing hedgerow to be retained, lighting should also be limited on the hedgerow buffers and new planting which are being included within the development. A large turning head and some parking spaces are present directly adjacent to the eastern open space within the new tree line. It should be ensured that lighting is limited, and ideally parking should be relocated to avoid detrimental light and noise impacts on the tree line which is likely to be used by bats and birds. The ecological appraisal suggests species enhancement through the inclusion of bat tubes in dwellings and hedgehog holes in garden fencing. While this is a positive, the development should also aim to include bird and insect boxes to provide further enhancement, and a full Ecological Enhancement Strategy would need to be provided.

CBC Education

Request a contribution of £746,451.00 (Early Years £63,255.78, Primary £295,193,64, Secondary £388,001.58) £63,255.78 for the enlargement, enhancement and/or alteration of existing Early Years facility and/or the construction of a new early year's facility, to meet the educational needs for children aged 3-5 years arising from the development. £295,193,64 for the enlargement, enhancement and/or alteration of existing schools and/or the construction of a new school(s), to meet the educational needs for children aged 5-11 years arising from the development. £388,001.58 for the enlargement, enhancement and/or alteration of existing schools and/or the construction of a new school(s), to meet the educational needs for children aged 11-16 years arising from the development

CBC Highways

No highways objection subject to a S106 and conditions.

CBC Housing

Full support subject to the provision for 19 affordable dwellings.

The supporting documentation does not outline any details on the tenure of the affordable dwellings. Strategic Housing expect the tenure to comply with the requirements outlined within the Strategic Housing Market Assessment (SHMA 2017). The SHMA has identified a tenure requirement from qualifying affordable housing sites as being 72% affordable rent and 28% shared ownership. This makes a requirement of 14 units of affordable rent and 5 units of shared ownership from the development (based on the provision of 19 affordable dwellings).

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 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.

Should the application receive outline planning consent, prior to submission of the Reserved Matters application, we request;

- that the definitive affordable mix is to be agreed with Strategic Housing.
- the Reserved Matters application is submitted with a site layout plan denoting the affordable plots by tenure.

CBC Landscape

The revised layout is an improvement in terms of landscape. As this is Outline I would appreciate the following Conditions be included if the application were to be progressed:

- Landscape Mitigation Strategy - ensuring protection of TPO trees, protection and enhancement of planting to existing landscape site boundaries to the south west (ensuring a minimum landscape buffer of 15ms between site boundary and development) and south east site boundary (ensuring any SUDs features do not impact existing planting / accommodates root protection ones appropriately).
- Detailed Soft Landscaping Plan – including full specification of all proposed planting, preparation and protection / support.
- Detailed Hard Landscaping Plan – confirming specifications.
- Landscape Management Plan including full specification of all landscape maintenance works to be undertaken from implementation to ongoing maintenance including SUDs features, replacement planting and including full schedule of works and supported by plan confirming areas of management, responsibility and by whom.
- Boundary Treatments
- Street Lighting Plan

CBC Library

The proposed development will be located in the catchment of Toddington Library. The current priority for library provision in this area is for improvement works for Toddington Library, including new IT equipment and book stock. Therefore, a contribution would be sought for the Library for this project - A contribution of £12,810 is sought.

CBC Leisure

To mitigate the demand generated by the development a contribution of £58,818 is sought towards a replacement

leisure centre for Houghton Regis. and a contribution of 42,696 is sought towards a community and sports facility located at the glebe providing changing rooms and community space for use by local sports clubs In addition the development generates a requirement for 1.24 hectares of open space to be provided within the development. The Leisure team state that onsite play provision is not required on this development due to its proximity to the Russell Road play area. Therefore a contribution £97,000 is sought towards improvement plans for Russell Road play area.

CBC MANOP

Not less than eight units of mainstream housing suitable for older people.

CBC Policy

The Neighbourhood Plan for Toddington has been through its pre-submission consultation but is still in draft form. As such, some very limited weight could be given to policies where clear community support can be demonstrated and the polices are judged to be in general conformity with the CBC Development Plan and the NPPF

CBC Pollution

No objections

CBC Public Art

The proposals do not meet the threshold of 100 units plus which would require public art.

CBC Public Transport

We feel that to assist new residents to travel sustainably, improvements to local bus stops infrastructure are very crucial as this will allow bus usage to be more appealing and accessible. As mentioned in para 4.20 of the transport assessment, the nearest existing bus stops to the proposed development, named Grange Road, are located on the High Street to the north east of the site. These existing stops require improvement and It would be beneficial for both stops to be upgraded with real-time information screens. Our standard screens are made by Axentia, three-line displays procured through our consortium real-time supplier VIX Technology Ltd, and we would like to see 2 three-line battery-powered displays installed at both stops. This would be at the cost of £6500.00 per screen, this would include replacement batteries and five years maintenance costs. The other option is the up-gradation of the existing stops on the Green with raised kerbs and real-time screens, although that would have to be done in discussion with the parish council to ensure they were happy with the changes to the existing stops. As mentioned in 4.21, The 'Grange Road' bus stop on the far side of the carriageway is sheltered and looks in reasonable condition, whilst the bus stop on the development side of the carriageway is not. This northbound stop is right outside house no 62 and the location might not be appropriate for a shelter however,

If there is a suitable site nearby for this stop to be relocated with a new shelter, then it will be more beneficial for bus users especially in harsh weather condition. The shelters should be our standard Externiture City Lite three-bay shelter in CBC corporate colours which would be at the cost of £5000.00 approx. If development on the site for residential purposes is acceptable in principle, then we consider that the development should include the above transport infrastructure improvements.

CBC Rights of Way

We could work to improve the nearby public rights of way to allow those who move in to these dwellings a better chance to connect to the centre of the village but also to the countryside that will be right on their doorstep - There is a Toddington Multi Access Forum <http://toddington.info/prow-changes/toddington-multi-access-forum/> Who are very vocal and keen to improve the Rights of Way network in the Parish. I would advise the developer speak to them about possible ways we can work together to improve the network in the location of the development.

CBC SUDS

We consider that outline planning permission could be granted to the proposed development and the final design and maintenance arrangements for the surface water system agreed at the detailed design stage. 2 Planning conditions recommended.

CBC Sustainable Growth Officer

Should planning permission be granted without additional information on preventing risk of overheating occurring, it is requested that a suitably worded condition is attached requiring submission of this information with reserved matters, prior to work commencing on site. In addition, a suitably worded condition must be attached requiring submission of a Post-construction Verification Report that demonstrated that all dwellings were delivered to the agreed policy compliant standards.

CBC Waste

Wherever possible, refuse collection vehicles will only use adopted highways. If an access road is to be used, it must be to adoptable standards suitable for the refuse vehicle to manoeuvre safely around site (please see vehicle dimensions below). A vehicle tracking will need to be submitted to the Highways Team to confirm this is possible. Typically, until roads are adopted or if the RCV is unable to manoeuvre around the site, bins are to be brought to the highway boundary or a pre-arranged point. If residents are required to pull their bins to the highway, a hard-standing area needs to be provided for at least 3 wheelie bins and a food caddy per property. Bins must not encroach on or cause a hazard or obstruction to the public highway. Waste vehicles will reverse a maximum of 15m to the point of collection.

If there are any parts of the development that are not accessible to the RCV, bin collection points will need to be provided as near to the highway as is practicable.

External Consultees:

Bedford Group of Drainage Boards of No response received

Bedfordshire Fire and Rescue Service

The Fire Safety Officer requires

- Vehicle access for a pump appliance to within 45m of all points within a dwelling house;
- That turning facilities be provided in any dead end access route that is more than 20 metres long.
- The developer to install fire hydrants - 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.

And recommend the installation of fire sprinklers as per the guidance (see consultee response):

The developer must provide fire hydrants otherwise the fire and rescue service would object

Bedfordshire Police

The National Planning Policy Framework (NPPF) states;127. Planning policies and decisions should ensure that developments: f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience. Bedfordshire Police objects to this application, which appears to substantially conflict with SBD, the NPPF, county-wide agreements between the force and the local planning authorities, and the CBC Design Guide.

Luton Council

The application site is allocated in Policy HA1: Small and Medium Allocations of the adopted Central Bedfordshire Local Plan 2015 –2035 (CBLP) (July 2021) as the eastern part of Site HAS49. Site HAS49 is identified in Policy SP1: Growth Strategy of the CBLP as one of the sites which will deliver in Central Bedfordshire the unmet housing needs arising from Luton of 7,350 homes to meet Luton's housing needs by 2031.

As the application site is identified in Policy SP1 of the CBLP to meet Luton's housing needs, we would expect, if you are minded to grant permission, that the whole site would contribute to meeting the needs of Luton and as such that the market and affordable housing mix would provide for Luton's needs only.

As you will be aware, Luton's unmet need is to 2031 and it is therefore vital that sites coming forward at the start of the plan period from the SP1 list provide for Luton's unmet needs. This is particularly important given the limited supply of affordable housing achieved at North of Houghton Regis Sites 1 & 2 (CBLP Policy SC1). It is, therefore, critical that the remaining sites listed in Policy SP1 to meet Luton's unmet needs, including this application site, provide 100% of their housing supply for Luton's needs in order to comply with Policy SP1 of the CBLP and to address Luton's urgent and pressing housing need to 2031.

We consider that the application site should provide a mix of market and affordable housing to meet Luton's needs in accordance with Policies H1 and H4 of the CBLP. In particular, Luton Council would support a policy compliant level of 30% affordable housing with a tenure split of 72% affordable rent and 28% intermediate tenure. In terms of the size of the affordable dwellings we have an identified need for 2 bed, 4 person and above family accommodation. This reflects the affordable housing mix shown in Figure 99 of the latest Luton and Central Bedfordshire Strategic Housing Market Assessment 2017.

The planning application is for up to 61 dwellings so we request the following provision for Luton's needs, assuming 100% of the total site capacity is provided for Luton's needs:

- Total dwellings to meet Luton's needs: up to 61 dwellings.
- 70% market housing: 43 dwellings and 30% affordable housing: 18 dwellings.
- Tenure split: 13 affordable rent dwellings and 5 intermediate dwellings.
- The majority of the 18 affordable dwellings to be provided as 2 bed, 4 person and above family accommodation.

We appreciate that it is intended by the applicant that the mix of sizes and types of dwellings are agreed through subsequent reserved matters applications, however, we consider that the mix to be provided on the site in terms of tenure, size and types of dwellings should be set out in the Section 106 agreement, with the exact form agreed through the reserved matters applications.

In order to ensure that Luton's housing needs are met we also request that the Section 106 agreement should set out that a nominations policy and / or nominations agreement and local lettings plan will be approved by both Central Bedfordshire and Luton Councils.

We would welcome the opportunity to input into the wording of the Section 106 agreement prior to the decision being issued so that we can come to an agreement on a nominations policy and / or nominations agreement and local lettings plan, which Central Bedfordshire Council has acknowledged are important matters.

In addition we consider that a condition could be imposed ensuring that nomination rights will be agreed between the registered providers of affordable housing and Luton Council which would give further surety and we would welcome a discussion on the wording of such a condition.

Nature Space UK

We are satisfied with the ecological survey, but recommend that a compliance condition is used to secure the measures and recommendations as outlined in the ecological report.

NHS

In order to make this development acceptable request a total contribution of £64,629.50. (£49,715.00 towards the provision of the Houghton Regis integrated health and care hub and also other schemes within the local PCN, supporting the delivery of the NHS long term plan, (£6,960.10 towards Community Health provision, specifically: treatment rooms; consulting rooms; diagnostic rooms and £7,954.40 towards mental health costs)

NHS Ambulance

EAST notes in the Design and Access Statement, vehicular access is proposed to be taken as an extension to Russell Road with a proposed 5.5m carriageway with 2.0m footpaths either side. The design speed of 20mph in the proposed development is welcomed by EEAST. EEAST notes the Transport Assessment and are satisfied the review of accident data suggests the proposed development would not cause any significantly adverse safety impact of road users on the surrounding road network. The change of use from grassland to housing will impact on emergency ambulance services. The capital required to create additional ambulance services to support the population arising from the proposed development is calculated to be £13,127.00.

Wildlife Trust

Our nature reserve at Dropshort Marsh, which is also a Site of Special Scientific Interest (SSSI), is approximately 350m from the proposed development. Dropshort Marsh, a wet meadow, is a living example of the traditional landscape that has now disappeared from most of the surrounding countryside. It is a botanically rich grassland, marsh and scrub nature reserve which is managed by cattle grazing. The local hydrology is a vital aspect of the site. The special habitats are fed by two springs, one which flows through the site and a second which creates the marsh.

We are concerned about the impact that this proposal would have on the nature reserve for the reasons outlined below and therefore wish to **object**.

Site Hydrology

As previously mentioned the ecological significance of Dropshort Marsh SSSI is dependent on the two springs which are found within the nature reserve. Any changes in the quality or quantity of water which comes from these springs would have an impact on the habitats for which the site is designated. As an SSSI, Dropshort Marsh has been recognised as being of national significance and receives legal protection under the Wildlife and Countryside Act, 1981 (as amended). We have noted that the proposal includes a drainage basin and no discharge to the ditches which drain towards the SSSI, however, the potential hydrological impact of the proposal on the springs has not been considered. The application needs to consider potential impacts on both the quantity of water (for example, changes to the recharge of the groundwater caused by the increase in sealed surfaces or increasing flows as a result of the drainage basin) and the quality of water.

Visitor Numbers

At present Dropshort Marsh is a quiet site where local residents have the opportunity to enjoy its ecological significance. The 61 dwellings which are proposed are a short walk from the nature reserve along direct footpath links. The scheme includes two pedestrian links to The Glebe through the hedgerow on the south-eastern edge of the proposed development, from there the nature reserve is a short walk away. We are concerned that the proposal would increase visitor numbers to the nature reserve which could have an impact on its significant features. The nature reserve is wet and therefore the paths become muddy. An increase in visitors would enhance this problem and, as people go around muddy areas, would encroach on the surrounding habitats. As visits to a site increase there are often other impacts, for example, the creation of new informal paths, littering and stock worrying all of which have the potential to degrade the nature reserve. Cattle grazing is a vital management tool for the SSSI to maintain its rich habitats. We would strongly recommend that, should this proposal receive permission, the suggested access point at the southern edge of the hedgerow adjoining The Glebe is removed to maximise the walking distances to Dropshort Marsh. Additional opportunities to provide informal recreation areas within the proposed development site should also be included to try to alleviate additional recreational pressure on the SSSI.

Hedgerows

The Ecological Appraisal (ELMAW, August 2021) identified all the of the hedgerows surrounding the site as UK Priority Habitat. Although the road access may not require hedgerow removal, the two pedestrian access points which are proposed onto The Glebe would both require sections of the hedgerow to be modified. More information is required on these access points to assess their impact on the mitigation scheme and biodiversity net gain calculation. The Appraisal also identified probable bat roosts in the trees within The Glebe. We would recommend that this area remains well connected to the wider hedgerow network and is not disturbed by the creation of additional entrances.

Other Representations:

Cllr Silvia Collins

Loss of amenity

Noise, disturbance, congestion, mud and debris on the local roads and properties, along with the threat to vehicular damage by construction traffic gaining entrance to the site, would incur significant loss of amenity to the residents. This would affect several residential roads in Toddington, and most notably impact the residents of Russell Road for many months. This can be avoided by using access to the site from Leighton Road.

Highway safety grounds

This residential area has a lot of tight bends and several blind spots which are created by the necessity of on street parking by residents. Close to the proposed site access there is also an entrance to a playground for young children. It is difficult enough to negotiate these roads in a family car, but it is doubtful that construction traffic would be able to do this, let alone safely. It would create a real danger to residents and their property. It is not an appropriate or safe route of entry to the site for construction vehicles.

Other

This site was approved for development, in principle, as part of the Local Plan. However, it was understood that there would be an access to the site from Leighton Road and it was reasonable to expect that all construction traffic would enter the site via that route. This would have much lower impact on the amenity of existing residents. It has come to light that the applicant is no longer working with the owner of the other part of the site and now wishes to bring all construction materials through a quiet residential area which is not suitable to take it.

Neighbours

31 local residents consulted by letter and site notices erected in Russel Road and Bryant Way.

1 letter in support and 44 letters of objection received raising the following issues:

- Is there an environmental impact assessment
- Local area does not have infrastructure to support this additional amount of people and vehicles
- There is enough construction close to the village
- The number of houses planned for this parcel of land is too large. The whole of HAS49 was approved in the Local Plan for 92 houses. Middle Lakes looks like it constitutes around half the overall site and the site proposer has put forward a plan to build 61. This overdevelopment will have a significant impact on the above.
- request a condition be considered to ensure that there will be nothing coming forward at a later date that is out of character with the village/local environment, i.e. nothing taller than existing houses (2 storey).
- There are not enough medical provisions for the existing residents in the village so any additional strain on these services will impact the current residents and any new residents alike
- the new development also raises safety concerns, given its close proximity to the existing park used by young children
- With most family households having 2 cars, that could be an additional 244 journeys up and down Russell Road, Meadow Road and Grange Road in order for those households to access the main road network, not to mention the additional delivery drivers etc visiting the properties. This is a lot of extra traffic on roads not designed to handle it. Especially when driving at the end of Russell Road you encounter two very tight and blind corners, where cars already regularly park on the road, so I fear with the extra traffic this is a recipe for a serious accident
- The school run makes chapel close a no go zone
- A safer and more logical solution would be for the new houses to have access directly to Leighton Road, which could be done if both this site and the next door one were developed together.
- the developer has marked a proposed/possible access road to link the two estates but this is not guaranteed to happen
- The access from Russell road was not agreed by the inspectors during the Council's local plan hearings
- No construction vehicles should be allowed along residential road – roads have not been designed to withstand heavy goods vehicles
- There's a safety issue regarding traffic the elderly, disabled and the young moving around the roads and areas that the construction vehicles want to use
- Grange Road and Chapel Road are busy now and we don't want construction vehicles with mud and loud noise
- The plan as shown should be flipped so as to give the residents of Russell road some sort of privacy to reduce

the noise and pollution from the build site (mixers, dust, radios, swearing shouting)
-The school is full
-would ask you to also consider the affect this will have on residents mental and physical health, with the noise dirt, air pollution etc
-Development will have a negative Impact on the countryside view
-There is also an active tree protection order along the hedgerow in place
-The area needs to be looked at for the safety of endangered species - Protected wildlife such as Bats, Kites, Newts - Birds including sparrowhawks, little owls and bullfinches also seen
- my house currently has a fabulous rear view which will be completely blocked out by the housing proposal.

Determining Issues:

As set out within the Planning and Compulsory Purchase Act 2004 (section 38(6)) and the Town and Country Planning Act 1990 (section 70(2)) in dealing with planning applications the Local Planning Authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. This is reiterated within paragraph 47 of the NPPF (2021). The development plan is defined in section 38(3) (b) of the 2004 Act as "the development plan documents (taken as a whole) that have been adopted or approved in that area". In Central Bedfordshire the Development Plan consists of: Central Bedfordshire Local Plan

The main issues to consider in assessing this application are whether there is any conflict with Development Plan policies. If there is any conflict, whether the application can be considered to be in accordance with the Development Plan when taken as a whole. If the application is not in accordance with the Development Plan, whether there are any material considerations, which indicate that planning permission should be granted.

It is considered that the principal, important and controversial issues in this case are:

1. The Principle of Development
2. Impact upon the Character and Appearance of the area, including the intrinsic character and beauty of the Countryside and Landscape Visual Impacts
3. Access and Highway Safety (Sustainable Modes of Travel, Predicted Trip Generation and Distribution, Proposed Access, Illustrative Layout Plan, Construction Access)
4. Impact on the natural environment (Impact on trees and hedgerows, Ecology and Biodiversity)
5. Impact on the historic environment
6. Impact on residential amenity
7. Other considerations

Considerations

1. The Principle of Development

- 1.1 The NPPF states that housing applications should be considered in the context of stainable development and in paragraph 73 acknowledges that the supply of new homes may be best achieved through planning for large-scale development

and suggests that this could be an extension to an existing village or town.

- 1.2 Toddington is classified as a 'Minor Service Centre' within paragraph 9.1.3 of the Local Plan. Within the settlement envelopes of both Major and Minor Service Centres, the Council will approve housing, employment and other settlement related development commensurate with the scale of the settlement, taking into account its role as a local service centre.
- 1.3 More importantly is the fact that the site has the benefit of being allocated for development in the Adopted Local Plan 2021. The site is identified as allocation HAS 49 land east of Leighton Road Toddington. The 3.85 ha site will accommodate approximately 92 dwellings. The proposed allocation sets out a number of requirements which need to be addressed specifically
 - A site specific FRA and
 - Landscape mitigation including green infrastructure enhancement required to south-western site boundary to integrate development and create new landscape settlement edge
- 1.4 As an allocated site in the adopted Local Plan, it can be concluded that the principle of development is acceptable.

2. Impact upon the Character and Appearance of the area, including the intrinsic character and beauty of the Countryside and Landscape Visual Impacts

- 2.1 The site consists of 2.84 hectares of agricultural land within the Toddington-Hockliffe Clay Hills landscape character area.
- 2.2 The Landscape Strategy for the Toddington-Hockliffe Clay Hills is to enhance the landscape. Specifically landscape enhancement would result from conserving, restoring and improving positive features to strengthen landscape pattern and visual integrity. This landscape has retained a distinctive land cover pattern (for example the hedgerow network) and has a number of features that combine to form a distinctive sense of place.
- 2.3 The site does not fall within any landscape designations at the national, regional or local scale. Nonetheless, the adopted development plan policy EE5 states that the Council will protect landscapes against unsympathetic development and work to ensure new development is of a high quality that respects landscape character. The policy goes on to state that in order to safeguard intrinsic character, scenic beauty and perceptual qualities of the landscape such as tranquillity, all development proposals will need to have regard to the key characteristics and sensitivities of the site and its setting, as set out in the Central Bedfordshire Landscape Character Assessment.
- 2.4 The landscape of the site falls northwest to southeast, with the highest point reaching approximately 148m AOD in the northern corner adjacent to Russell Road. The lowest point is located at the southern boundary, at approximately 137.5m AOD. The site generally slopes steadily across its length, and more steeply in the south eastern section towards the watercourse.
- 2.5 The site consists of a small rectangular field parcel of land on the southern settlement edge of Toddington village, consisting of grassland which has been used for pasture. The site contains a wooden shelter with a corrugated steel sheet roof, vehicle parts along and overhead cables.

It is well enclosed with mature hedgerows and trees along the north western and south western boundaries, with a thicket of mature trees along the drainage ditch which flows adjacent to the south eastern boundary.

- 2.6 To the north east of the site, residential properties along Russell Road, Bryant Way and Willow Way back and side on to the site with a mixture of timber fencing, post and wire fencing and hedgerows with trees adjacent to the site boundary. To the north west of the site, Russell Road Play Area is accessed by a path connecting Frenchman's Close and Russell Road which runs adjacent to the site boundary. There are further small paddocks beyond this between the site and the properties along Leighton Road which make up the wider allocation site HA49.
- 2.7 To the south east of the site, Glebe Recreation Ground is located on the rising land form consisting of a grassed open space with sports pitches, along with Glebe Allotments located off the B5120 Dunstable Road. A number of Public Rights of Way are located within the recreation ground and PRow Footpath ref: 62 runs adjacent to the site south western boundary through the thicket of trees. East of the Recreation Ground are residential streets off the B1520 along with Toddington Fire Station.
- 2.8 Open fields lie to the south west as the land falls away towards the low-lying land at Dropshort Marsh and similar to the site they are small in nature with intact, mature hedgerows along their boundaries. A linear strip of woodland adjacent to the marsh runs from Leighton Road to meet the B5120. Further south towards Tebworth and Wingfield, fields become larger and more irregular.
- 2.9 The Illustrative Concept Plan broadly demonstrates how the site could be developed to accommodate a policy compliant provision of 1.24 hectares of Public Open Space, surface water attenuation and the provision of up to 61 dwellings at a density of approximately 21.5 dph. It is considered that an appropriately designed and landscaped development could be achieved at reserved matters stage.
- 2.10 It is considered that a development within the site of the scale proposed could be designed to respect its local context, including substantial soft landscaping to the south-western site boundary to integrate development and create new landscape settlement edge. Subject to the latter the Council's Landscape Officer has raised no objection to the application, in the context of landscape visual impacts. It is also considered that a development within this site could achieve up to 61 dwellings with a character that respects the existing settlement pattern and that could form high quality development that positively contributes to the local character and distinctiveness, albeit the details of which would be the subject of a reserved matters application.
- 2.11 When considering the immediate character of built development, within the context of the site and the edge of settlement location of the development, it is considered as a matter of principle that the built development should be restricted to a maximum of two and a half storeys in scale, which could be secured by condition.
- 2.12 For the reasons outlined above it is considered that subject to an appropriately designed scheme including a landscaping scheme, that the proposed development would not cause harm to the character and appearance of the

area, including the intrinsic character and beauty of the countryside and the character of the landscape, in accordance with Policies EE4, EE5 and HQ1 of the Central Bedfordshire Local Plan, as well as the policies within the NPPF, in this context.

3. Access and Highway Safety (Sustainable Modes of Travel, Predicted Trip Generation and Distribution, Proposed Access, Illustrative Layout Plan, Construction Access)

3.1 Sustainable Modes of Travel

NPPF Paragraph 105 states that significant development should be focussed on locations which are, or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. Further NPPF Paragraph 112 states that developments should be located and designed to:

- Give priority first to pedestrian and cycle movements, both within the scheme and within neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use.

3.2 As an allocated site, this assessment has been undertaken and was found to be a sustainable location with an acceptable level pedestrian and cycle routes to key infrastructure.

3.3 The closest Public Rights of Way (PRoW) to the site are footpaths 62 and 64 which are situated to the east and south of the site respectively. Footpath 62 extends northwards into Toddington, and to the south linking to Toddington Road. Footpath 64 provides a link between footpath 62 and Leighton Road to the west. Additionally, there is a footpath link from Russell Road to Frenchmans Close and Leighton Road to the west. The route that will be provided for pedestrians through the site will connect to the eastern boundary facilitating access to the Public Right of Way Footpath 62, that runs adjacent to the eastern boundary.

3.4 The existing pedestrian infrastructure facilitates access to public transport services, including the 'Garage Road' bus stops which are situated 650-700m to the north of the site and are accessible within an 8–9-minute walk. Additional bus stops are present along the B5120 including 'BP Garage' and 'The Green' that are accessible within a reasonable walking distance from the site. Following negotiation with the applicant, they have agreed a contribution of £25,000 towards a new replacement bus shelter and real-time passenger information screens at both the northbound and southbound 'Grange Road' bus stops.

3.5 Cycling is well suited to form part of longer journeys made by public transport. Therefore, it is important to note that Harlington Train Station, which is situated approximately 5km to the north east of the site, is accessible within a 16-minute cycle. Harlington Station provides cycle storage for up to 44 bicycles. A travel plan condition is recommended to promote these sustainable travel modes.

3.6 Predicted Trip Generation and Distribution

Paragraph 111 of the National Planning Policy Framework sets the test that

development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development would be severe. The main issue is whether there would be any severe adverse effects on highway safety and traffic flow arising from the proposed development of 61 new dwellings.

- 3.7 In determining whether the development would have a severe residual cumulative impact, the Council's Highway Engineers were consulted on a Transport Assessment. The Transport Assessment (TA) that accompanies the planning application takes a robust approach to the likely level of vehicle trip generation. The current authorised use of the site for agricultural purposes generates only a small number of vehicle trips. The applicant states that the proposed development would be expected to generate a maximum of 48 two-way vehicle trips (10 arrivals and 38 departures) in the AM (8-9 am) peak hours and 43 two-way vehicle trips (28 arrivals and 15 departures) in the PM (5-6pm) peak hours. This equates to an additional 4 extra trips every 5 minutes on average across the am peak period and just over 7 extra trips every 10 minutes on average across the pm peak period. The applicant argues that this would not result in a severe impact upon the safety or operation of the surrounding local highway network.
- 3.8 The Council's highway engineers broadly agree with the assignment and distribution of trips presented. Further the engineers are satisfied that the predicted level of vehicle trips can be accommodated by the adjacent and local highway network. The junction considered to be most sensitive to additional trips, and predicted to be used most frequently by future residents of the proposed development (Grange Road / B5120 High Street), has been modelled and shown to operate with reserve capacity.
- 3.9 Given the above the proposal fails to demonstrate that the residual cumulative impacts of the development on the local and strategic highway network would not be severe. Accordingly the proposal is not contrary to Paragraph 111 of the National Planning Policy Framework.
- 3.10 Proposed Access _
The site forms part of the Local Plan allocation reference HAS49 which has an identified overall capacity for 92 dwellings. The Local Plan does not stipulate how the site should be accessed but, as part of the public examination of the Local Plan, CBC did state in relation to Small & Medium Sites and HAS49 that access would be off Leighton Road and Russell Road. The planning submission relates only to the southern portion of the allocation and is proposed to accommodate up to 61 dwellings with vehicular access gained solely from an extension of Russell Road.
- 3.11 Russell Road meets the carriageway width requirements of both an 'Access Street' and a 'Main Street' (5.5m for both), as defined in CBC's *Highway Construction Standards & Specifications* guidance (HCSSG). An Access Street is intended to serve 51-150 dwellings and a Main Street is intended to serve 151-299 dwellings. It is estimated that there are some 124 dwellings currently served by the single point of access immediately south of Meadow Road. The proposed 61 dwellings would increase that to 185 dwellings, the implication being that Russell Road south of this location should meet the geometric parameters of a Main Street to suitably serve the proposed development. Notwithstanding,

HCSSG is not intended to be applied rigidly and so the fact that footways within the existing estate are typically 1.8m wide rather than 2m wide, for example, is not sufficient justification to object to the proposal. Footways are available on both sides of the existing roads.

3.12 The vehicular route through the existing estate from the wider highway network to reach the proposed development site would be rather convoluted in terms of alignment and length (470m to the nearest external highway via Meadow Road). Two 'T-junctions' along the alignment of Russell Road are of particular note. Although they do not have road markings, these are not 'bends' in the highway alignment and they do not meet the minimum centreline or forward visibility requirements to be considered as bends. Whilst HCSSG states, with respect to horizontal alignment, that junctions should not be used to change the direction of any category of street, this is an existing arrangement rather than a design proposal. The two T-junctions (at No.72 and at No.75 Russell Road) essentially require a driver to come to a stop before proceeding and therefore assist to reduce vehicle speeds. Adequate visibility is available for the speed of traffic and there are no recorded injury accidents. Indeed, the existing estate roads are subject to a 20mph speed limit, which is arguably better than the 'target speed' of 25mph for a Main Street. So, whilst the access route and alignment is convoluted, the Council's highway engineers find there to be no safety or capacity reason to object in highway terms.

3.13 Illustrative Layout Plan

The planning application is made in outline with all matters reserved except for access. The submitted layout is therefore only indicative. The applicant however recognises the need to provide parking as follows 1 space per 1 bed, , 2 per 2/3 bed, 3 for 4 bed and 1 visiting parking space for every 4 houses.

3.14 The TA has provided a development traffic distribution for the scenario whereby the full allocation is built out, with a highway link connecting the application site with the rest of the allocation. The TA assumes that half of traffic would access the site via Leighton Road and half via Russell Road. Whilst this is rather simplistic, it does highlight a potential for additional traffic to travel via Russell Road. Conversely, the road alignment shown on the Illustrative Layout Plan, together with the alignment of the roads in the existing estate, may mean that most traffic chooses to route via the Leighton Road access.

3.15 As stated previously the Local Plan does not stipulate how the site should be accessed but, as part of the public examination of the Local Plan, CBC did state in relation to Small & Medium Sites and HAS49 that access would be off Leighton Road and Russell Road. A number of local residents have argued that a safer and more logical solution would be for the new houses to have access directly to Leighton Road, which could be done if both this site and the next door one were developed together. The developer has marked a proposed / possible access road to link the two estates. In the longer term it is envisaged that access will be delivered from the north west of the site to Leighton Road. Should planning permission be granted a condition will be appended to secure a link up to the site boundary.

3.16 Construction Access

Drawing No.18006-RUSS-5-101 Revision A confirms that two HGVs cannot pass one another along large portions of the existing estate roads, although a

HGV would be able to pass cars much more easily. If construction access cannot be achieved directly from Leighton Road, Drawing No.18006-RUSS-5-101 Revision A highlights the importance of planning for construction vehicle movements. Specifically the Council's highway engineers are concerned that the Council's endorsed Construction Code of Conduct may not be sufficiently robust to adequately address these challenges. Therefore it seems that it would be necessary to schedule HGV arrivals and departures such that they do not conflict, and it may also be necessary to manage on-street parking during the construction phase. Alongside a condition to secure a site specific Construction Traffic Management Plan the applicant have agreed a contribution of £5000 to fund temporary traffic regulation orders that may be necessary during the construction phase.

4. Impact on the natural environment (Impact on trees and hedgerows, Ecology and Biodiversity)

- 4.1 Paragraph 174 (a) and (b) states that planning decisions should contribute to and enhance the natural environment by – protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils – recognise the intrinsic character and beauty of the countryside and the wider benefits from natural capital and ecosystem services, including the economic and other benefits of the best and most versatile agricultural land and of trees and woodland. Paragraph 179 (b) in the 2021 NPPF promotes the conservation, restoration and enhancement of priority habitats, ecology networks and the protection and recovery of priority species and identify and pursue opportunities for securing measurable net gains for biodiversity.
- 4.2 Natural England mapping system classifies the application site as 2.84 hectares of Grade 3 agricultural land which falls within the BMV classification. It is considered that the loss of the BMV land is a negative impact of the development that weighs against the scheme. This was, however, an issue considered at the allocation stage and found to be acceptable
- 4.3 Neither the site nor the immediate context is covered by any landscape designations at the national, regional or local scale, e.g. National Parks, AONB's, Special Landscape Areas, AGLV's etc. Directly adjacent to the site's southwestern boundary is the South Bedfordshire Green Belt, however this is a planning policy and not a landscape designation.
- 4.4 Dropshort Marsh is a Nature Reserve and also a designated Site of Special Scientific Interest (SSSI) which lies approximately 350m south of the site. Dropshort Marsh, a wet meadow, is a living example of the traditional landscape that has now disappeared from most of the surrounding countryside. It is a botanically rich grassland, marsh and scrub nature reserve which is managed by cattle grazing. The local hydrology is a vital aspect of the site. The special habitats are fed by two springs, one which flows through the site and a second which creates the marsh. It is noted that the Wildlife Trust are concerned about the impact that this proposal would have on the nature reserve. Specifically that
 - Any changes in the quality or quantity of water which comes from these springs would have an impact on the habitats for which the site is designated.

- the proposal would increase visitor numbers to the nature reserve which could have an impact on its significant features. (The nature reserve is wet and therefore the paths become muddy. An increase in visitors would enhance this problem and, as people go around muddy areas, would encroach on the surrounding habitats.)

- 4.5 The applicant has submitted an ecology appraisal with their application. The appraisal assesses the impact on the SSSI and the five other national sites of nature conservation interest within a 5km zone. Notwithstanding the site itself was not found to be designated as a site of nature conservation importance, the site is considered to be of low biodiversity value with limited value to feeding and foraging bats, nesting birds and possibly hedgehogs. The appraisal stated that the proposed development is not predicted to significantly affect protected or important species and habitats and the proposed mitigation, compensatory and enhancement measures can demonstrate a biodiversity net gain.
- 4.6 The ecology appraisal alongside the objection from the Wildlife Trust has been carefully considered by the Council's Ecology Officers. The Council's Ecology Officers are satisfied that the proposal will not have a significant effect on protected or important species and habitats.
- 4.7 An Arboricultural Impact Assessment (AIA) has been submitted with the planning application. Whilst the site does not lie with a conservation area, some of the trees on site are afforded protection by tree protection order 2/1972. None of these protected trees will be removed. Notwithstanding the assessment advises that three ash trees are recommended for removal as a result of their health condition. In addition the AIA states that in order to implement the proposal it will be necessary to remove some hawthorn, elder, ivy and Blackthorn. The AIA has been considered by the Council's landscape officer who has raised no objection to the proposed works.
- 4.8 It is recognised that this is an outline application and that there will undoubtedly be changes to the layout. It is accepted that should permission be granted an updated AIA including a method statement should be submitted at reserved matters stage. A condition would be recommended accordingly. Any full application will also require landscape and boundary treatment details which will include species, sizes and densities of planting. The site would offer ample opportunity to add to and enhance the existing landscape detail.
- 4.9 Given the discussion above it is, therefore, considered that the impact upon the natural environment is acceptable.

5. Impact on the historic environment

- 5.1 The Council is required by Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the settings of listed buildings and the character and appearance of a Conservation Area.
- 5.2 Given that the nearest heritage asset (listed building / conservation area) is over 700 metres from the site and separated by intervening development that there will be not be an unacceptable impact on the historic environment.

6. Impact on residential amenity

- 6.1 The NPPF and HQ1 of the Central Bedfordshire Local Plan seeks to ensure developments do not have an unacceptable impact upon residential amenity for both existing and future occupiers, the NPPF within the core principles states that planning should "always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings".
- 6.2 The layout, landscaping, scale and appearance of buildings are reserved matters and as such the detailed impacts of development upon neighbouring dwellings, in relation to loss of light, outlook, privacy or overbearing impacts cannot be assessed in detail at this stage. However it is considered that it has been demonstrated that the site is of a scale that a development up to 61 dwellings could be designed without causing significant harm to the amenity and living conditions of neighbouring dwellings and providing acceptable amenity and living conditions of future occupiers, in accordance with the Central Bedfordshire Design Guide (2014). The detail of the development will be assessed at reserved matters stage.
- 6.3 Officers have also considered the noise and general disturbance caused by increased numbers of motorised and non-motorised vehicles accessing the site when fully occupied. Specifically the impact on nos 77 and 96 Russell Road which during at the busiest times will have 48 motorised movement per hour (am peak) 43 motorised movement per hour (pm peak) passing their properties. The relationship of the access with existing residential properties is not unusual and thus could not be considered as harmful or out of character. This conclusion is supported by the Council's pollution team who have raised no objection.
- 6.4 For the reasons outlined above it is considered that the proposed development could be acceptable in the context of Policy HQ1 of Central Bedfordshire Local Plan and the National Planning Policy Framework.
- 6.5 Notwithstanding the above, it is noted that concern has been raised by local residents with regards to the potential noise and disruption during construction. It is accepted that some noise and dust impact from construction activities are inevitable even where the developer is employing best practice to keep these to a minimum. The developer has agreed to comply with both the Councils Construction code of practice and environmental code of practice. Both will be secured through the S106 to ensure that these impacts are minimised.
- 6.6 Officers are, however, concerned that the Construction Code of Conduct on its own may not be sufficiently robust to adequately address these challenges. For this reason a condition to secure a site specific Construction Traffic Management Plan is recommended. This will be in addition to the Code of practices referred to above.
- 6.7 Critically, given that the construction impacts are temporary and that the harm can be mitigated by a condition that the construction noise and disturbance should not be a reason to refuse this application.

7. Other Considerations

7.1 Planning Obligations

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 HQ2 of the Central Bedfordshire Local Plan 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. Policy HQ2 is considered to be in accordance with Paragraph 57 of the NPPF which states: Planning obligations must only be sought where they meet all of the following tests:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development

These tests are also set out by Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 (as amended).

Affordable Housing

Under Policy H4 of the Local Plan, 30% of all developments for ten dwellings and above should be provided as Affordable Housing units. The proposal for up to 61 units would qualify for Affordable Housing provision at 30%. The developer advises that up to 19 (30%) of the 61 dwellings will be affordable dwellings.

In addition to the above, spending Officers were consulted and comments returned from Community Halls, Education, Fire Service, Leisure, Libraries, NHS and Public Transport. The following contributions have been sought and agreed with the applicant to form heads of terms for the legal agreement.

Community Halls

A contribution of £66,831.60 is required towards enhancements to multi purpose community buildings within vicinity of the development – specifically Toddington Village Hall and the Annapurna Centre

Education

An education contribution of £746,451 (Early years: £63,255.78, Primary £295,193,64, Secondary £388,001.58) required from this development:

£63,255.78 (early years) contribution towards the enlargement, enhancement and/or alteration of existing Early Years facility and/or the construction of a new early year's facility, to meet the educational needs for children aged 3-5 years arising from the development. £295,193,64 (primary) towards the enlargement, enhancement and/or alteration of existing schools and/or the construction of a new school(s), to meet the educational needs for children aged 5-11 years arising from the development. £388,001.58 (secondary) towards the enlargement, enhancement and/or alteration of existing schools and/or the construction of a new school(s), to meet the educational needs for children aged 11-16 years arising from the development.

Highways

A contribution of £5,000 is required to fund temporary traffic regulation orders that may be necessary during the construction phase

Leisure:

A contribution of £58,818 is required towards a replacement leisure centre for Houghton Regis, a contribution of £42,696 is sought towards a community and sports facility located at The Glebe providing changing rooms and community space for use by local sports clubs and a contribution of £97,000 is sought towards improvement plans for Russell Road play area

Libraries:

A contribution of £12,810 is required towards improvement works at Toddington Library, including new IT equipment and book stock.

NHS

A contribution of £64,629.50 is required (£49,715.00 towards the provision of the Houghton Regis integrated health and care hub and also other schemes within the local PCN, supporting the delivery of the NHS long term plan, £6,960.10 towards Community Health provision, specifically: treatment rooms; consulting rooms; diagnostic rooms and £7,954.40 towards mental health costs)

NHS – East of England Ambulance Service

The East of England Ambulance Service have sought a contribution of £13,127.00 to create additional ambulance services to support the population arising from the development. It is considered that this request fails to meet the CIL tests outlined above. The Ambulance Service have failed to provide details as to how the money will be spent. However more crucially, such a contribution is not considered necessary to make the development acceptable in planning terms criteria (a) Paragraph 57 of the NPPF

Public Transport

A contribution of £25,000 towards a new replacement bus shelter and real-time passenger information screens at both the northbound and southbound 'Grange Road' bus stops

Subject to the above financial contributions it is considered that the proposed development would be making appropriate contributions to off set the impact on local infrastructure.

7.2 **Air quality**

The NPPF requires that planning policies and decisions should sustain compliance with and contribute towards EU limit values of national objectives for pollutants, taking into account the presence of Air Quality Management Areas (AQMAs) and the cumulative impacts on air quality from individual sites in local areas. Central Bedfordshire District Council is responsible for the management of air quality in the vicinity of the proposed development site. The site is not situated in or close to any Air Quality Management Areas (AQMA)

Notwithstanding consideration should be given to the application of good design and good practice measures i.e ensuring good cycling and walking infrastructure to reduce reliance on vehicle use, and the provision of electric

vehicle rapid charge points. Accordingly should the application be recommended for approval, it is considered appropriate to impose a condition requiring the imposition of a scheme for the provision of electric vehicle charging points on the site to future proof the development and ensure that it accords with Policy T5 of the Central Bedfordshire Local Plan and paragraph 110 of the National Planning Policy Framework. Taking into account the comments above it can be concluded that the proposed development will not lead to unacceptable risk from air pollution or to any breach in national objectives.

7.3 **Archaeology**

The proposed development site contains extensive archaeological remains predominantly related to Roman activity. Partially surviving earthwork remains of ridge and furrow are also present. In the surrounding area archaeological remains associated with Anglo-Saxon funeral activity have been found during 19th century. All of the above are heritage assets with archaeological interest under the terms of the National Planning Policy Framework.

The proposals will have a negative and irreversible impact upon any surviving archaeological deposits present on site, and therefore upon the significance of the heritage assets they represent. This does not present an over-riding constraint on the development provided that an archaeological investigation is carried out prior to the commencement of development, and this can be secured by a pre-commencement condition. The Councils Archaeology Team have no objections subject to a pre-commencement condition.

7.4 **Energy Efficiency**

Policy CC1 requires that a sustainability statement is submitted with all major applications. This statement has been submitted and reviewed by the Council's Sustainable Growth Officer. The officer raises no objection subject to one condition to secure additional information with on preventing risk of overheating occurring and a second condition to secure a Post-construction Verification Report that demonstrated that all dwellings were delivered to the agreed policy compliant standards.

7.5 **Equality and Human Rights**

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.

7.6 **Fire Hydrants**

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 could be secured by condition. In addition officers are satisfied that fire trucks can enter and turn within the site.

7.7 **Flood Risk/SuDs**

The overall approach to the consideration of flooding in the planning process is given in paragraphs 159-169 of the NPPF and these paragraphs set out a sequential, risk-based approach to the location of development. This approach is intended to ensure that areas at little or no risk of flooding are developed in preference to areas at higher risk.

It involves applying a Sequential Test to steer development away from medium and high flood risk areas (FZ2 and FZ3 land respectively), to land with a low probability of flooding (FZ1).

The site is in Flood Zone 1. Table 1 of the Technical Guidance to the NPPF defines land located within Flood Zone 1 as areas which are outside the flood plain and have little or no chance of flooding. These are areas with an indicative probability of flooding of 1 in 1000 years or greater (i.e. less than 0.1% chance in any given year) from fluvial sources.

From 6th April 2015 local planning policies and decisions on planning applications relating to major development, must ensure that sustainable drainage systems (SuDS) for the management of surface water runoff are put in place, unless demonstrated to be inappropriate. A flood risk assessment 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 limit any flooding potential and as such has not wish to raise any objection to this proposal subject to the imposition of conditions to control detailed design and provision

7.8 **Foul Water Drainage**

Anglian Water have been consulted in relation to this development and the capacity of foul water drainage. Despite chasing for a response officers are still waiting for their comments. Notwithstanding developers have the right to connect to the public network. Any site with permission can submit an application to connect to their network and they cannot stop this connection on ground of capacity. A condition is recommended to secure details of foul water drainage

7.9.1 **Comments from Luton Borough Council**

The Comments from Luton Council have been considered carefully as they are a material consideration in the determination of the application.

7.9.2 Luton Council rightly advise that site HAS49 is identified in Policy SP1: Growth Strategy of the Central Bedfordshire Local Plan as one of the sites which will deliver 7,350 homes in Central Bedfordshire to meet Luton's housing needs.

7.9.3 Luton Council add that as the application site is identified in Policy SP1 of the CBLP to meet Luton's housing needs, that they would expect that the whole site would contribute to meeting the needs of Luton and as such that the market and affordable housing mix would provide for Luton's needs only.

7.9.4 In response it is important to note that policy SP1 sets out the strategic policy for the delivery of housing including the unmet need from Luton and demonstrates how that growth can be accommodated. It does no more than that. There is no separate trajectory for Luton's need and its delivery. The overall housing target in the adopted Local Plan includes both CBC's need and the unmet need figure of 7,350. This overall figure constitutes CBC's target. It must be highlighted that there are no development control policies within the Local Plan that require applications to be determined in accordance with Luton's requirements. Further there is no obligation to elevate Luton's Council's role in the determination of individual applications.

7.9.5 Luton Council advise that their unmet need is to 2031 and it is therefore vital that sites coming forward at the start of the plan period from the SP1 list

provide for Luton's unmet needs. This is particularly important given the limited supply of affordable housing achieved at North of Houghton Regis Sites 1 & 2 (CBLP Policy SC1). They add that it is, therefore, critical that the remaining sites listed in Policy SP1 to meet Luton's unmet needs, including this application site, provide 100% of their housing supply for Luton's needs in order to comply with Policy SP1 of the CBLP and to address Luton's urgent and pressing housing need to 2031.

- 7.9.6 Each application is assessed on their own individual merits and there is a robust justification as to why only a limited supply of affordable housing has been agreed on the north of Houghton Regis sites. Importantly the Housing Solutions Teams comments confirm that sufficient affordable homes are being provided to Luton residents, as a result of rehousing activity within Central Bedfordshire that is continuous and ongoing, to align with the unmet housing needs arising from Luton Borough as detailed within CBC Local Plan. Further as the Local Housing Authority, CBC is already assisting, and will continue to assist, with a proportion of the unmet housing needs arising from Luton Borough. CBC does so by rehousing people in housing need each year whose most recent permanent settled accommodation was in Luton Borough. The salient point is that households in affordable housing need, whose most recent settled accommodation was in Luton Borough, have been rehoused to affordable homes located within Central Bedfordshire. Central Bedfordshire Council will continue to assist Luton Borough Council meet a proportion of its affordable housing need, as the Council has done for many years.
- 7.9.7 Luton Council consider that the application site should provide a mix of market and affordable housing to meet Luton's needs in accordance with Policies H1 and H4 of the CBLP. In particular, Luton Council would support a policy compliant level of 30% affordable housing with a tenure split of 72% affordable rent and 28% intermediate tenure. In terms of the size of the affordable dwellings Luton Council have an identified need for 2 bed, 4 person and above family accommodation. This reflects the affordable housing mix shown in Figure 99 of the latest Luton and Central Bedfordshire Strategic Housing Market Assessment 2017.
- 7.9.8 Policies H1 and H4 in your officers view do not provide any support for Luton's approach. Specifically Policies H1 and H4 require the housing mix to be determined in accordance with the Strategic Housing Market Assessment (SHMA). Central Bedfordshire Local Plan refers to the SHMA and its findings in respect of Central Bedfordshire and its need (see for example, Chapter 11, para 11.1.2) It does not refer to Luton's need. Policy H1 refers to the mix being determined in accordance with the SHMA unless there is more appropriate up to date evidence. There is no more upto date housing assessment other than the SHMA. The Council Strategic Housing team have been consulted on the application. Strategic Housing expect the tenure to comply with the requirements outlined within the (SHMA 2017). The SHMA has identified a tenure requirement from qualifying affordable housing sites as being 72% affordable rent and 28% shared ownership. This makes a requirement of 14 units of affordable rent and 5 units of shared ownership from the development (based on the provision of 19 affordable dwellings). The Council are satisfied that this can be secured through the S106.
- 7.9.9 Luton Council also request that the Section 106 agreement and a planning condition should set out that a nominations policy and / or nominations

agreement and that a local lettings plan will be approved by both Central Bedfordshire and Luton Councils. Luton Council add that they would welcome the opportunity to input into the wording of the Section 106 agreement prior to the decision being issued so that we can come to an agreement on a nominations policy and / or nominations agreement and local lettings plan. As stated above there is no obligation to elevate Luton's Council's role in the determination of individual applications. Luton Council are of course entitled to comment on drafts of the section 106 agreement in the same way that any interest party may do so.

7.10 **Meeting the Accommodation Needs of Older People**

The MANOP Officer has requested the provision of 8 no. units of mainstream housing provision for the elderly. The applicant has not included any housing for older people in their development. As permission is sought for less than 100 dwelling there is no specific requirement for dwellings for the elderly within the local plan.

7.11 **Self and Custom Build**

In accordance with local plan policy H6 the proposed scheme provides 6 plots for people who wish to build their own home. A condition is recommended to agree a series of design parameters for future house builder.

Conclusion

Subject to the imposition of the attached conditions, the proposal is acceptable having been assessed in the light of the all material considerations, including weighing against relevant planning policies of the development plan and specifically:

- The site is part of an allocated site for housing HA1 (Central Bedfordshire Local Plan (2015-2035) with the identifier HAS49
- The proposed access is at an appropriate standard to serve the development and parking provision would be provided in accordance with parking standards
- The scale and design of the development would respect the character and appearance of the surrounding area;
- The development makes adequate provision for the residential amenity of the future occupiers of the properties
- The development would not result in an unacceptable impact on the amenity of occupiers of existing neighbouring dwellings.
- The development will not result in an adverse impact on the natural or historic environment

Hence the proposal accords with parts 2,5,6,8,9,11,12,13,14,15 and 16 of the NPPF, and to policies SP1, SP2, SP5, SA1, HA1, T1, T2, T3, T5, H1, H2, H3, H4, H6, CC1, CC2, CC5, HQ1,HQ2, HQ10, HQ11, EE1, EE2, EE3, EE4, EE5 and EE13

Recommendation:

That Planning Permission be Granted subject to a S106 and the following:

RECOMMENDED CONDITIONS / REASONS

- 1 No development, excluding works necessary to facilitate archaeological

investigations, shall commence at the site until approval of the details of the appearance, landscaping, layout and scale of the development (herein called “the reserved matters”) has been obtained in writing from the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To comply with Part 3 Article 6 of the Town and Country Planning (General Development Procedure) Order 2015.

- 2 Application for the approval of the reserved matters shall be made to the Local Planning Authority within three years from the date of this permission. The development shall begin not later than two years from the final approval of the reserved matters or, if approved on different dates, the final approval of the last such matter to be approved.

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

- 3 Part A: No development shall take place until an archaeological written scheme of investigation (WSI), has been submitted to and approved in writing by the Local Planning Authority. The WSI shall include the following components:

- 1.method statements for the recording of any surviving earthwork's present at the site
- 2.method statements for the investigation of all archaeological remains present at the site
- 3.method statements for the preservation in situ of any archaeological remains that cannot be fully investigated (if appropriate)
- 4.an outline strategy for community engagement
- 5.an outline strategy for post-excavation assessment, analysis and publication, including details of the timetable for each stage of the post-excavation works

Part B: The said development shall only be implemented in full accordance with the approved WSI and this condition shall only be fully discharged when:

- 1.All elements of the archaeological fieldwork have been undertaken and the date of completion has been confirmed in writing by the Local Planning Authority
- 2.a Post Excavation Assessment report and an Updated Project Design or a final archaeological report has been submitted to and approved in writing by the Local Planning Authority. This shall be done within 12 months of the date of completion of the archaeological fieldwork unless otherwise agreed in advance in writing by the Local Planning Authority
- 3.the post-excavation analysis as specified in the approved Updated Project Design (if one is prepared) has been completed
- 4.the preparation of the physical site archive ready for deposition at a store approved by the Local Planning Authority has been undertaken and confirmed in writing by the Local Planning Authority
- 5.the preparation of the digital archive for deposition with a Core Trust Seal certified repository dedicated to storing archaeological archives has been completed and confirmed in writing by the Local Planning Authority

6.the preparation of an archive report and the submission of a publication report have been completed and confirmed in writing by the Local Planning Authority

Unless otherwise agreed in advance in writing by the Local Planning Authority, items 3, 4 and 5 of Part B of this condition shall be completed within 2 years of the archaeological fieldwork date of completion. Item 6 shall be completed within 3 years of the archaeological fieldwork date of completion.

Reason: To record and advance understanding of the heritage assets with archaeological interest which will be unavoidably affected as a consequence of the development (and to secure that protection and management of archaeological remains preserved in situ within the development). (Section 12 & 16, NPPF)

- 4 No development, excluding works necessary to facilitate archaeological investigations, shall commence until a detailed surface water drainage scheme, to manage surface water runoff from the development for up to and including the 1in 100 year event (+40%CC), and a maintenance and management plan for the scheme has been submitted to and approved in writing by the Local Planning Authority. The discharge rate from the development will be limited to the equivalent 1 in 1 year or QBar rate, or an appropriate rate as agreed by the Bedford Group of Internal Drainage Boards. The final detailed design shall be based on the agreed drainage Strategy (Ref: WHW FRA&DS, first issue, August 2021) 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, 2, 3, 4 and 9 (see note ??? on decision notice) when submitting details to discharge the condition:

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.

- 5 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, 18th December 2014

- 6 No development, excluding works necessary to facilitate archaeological investigations, shall take place 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 any of the dwellings hereby approved the fire hydrants serving that dwelling shall be installed as approved. Thereafter the fire hydrants shall be retained as approved in perpetuity.

Reason: The condition must be pre-commencement to ensure that any ground works do not prejudice the appropriate siting of fire hydrants, in the interests of fire safety and providing safe and accessible developments.

- 7 Any Reserved Matters application will be supported by an Ecological Enhancement Strategy (EES) for the creation of new wildlife features such as the inclusion of integrated bird/bat and bee boxes in buildings/structures, hedgehog holes in fences and tree, hedgerow, shrub and wild flower planting/establishment has been submitted to and approved in writing by the local planning authority. The content shall 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 development shall be carried out strictly in accordance with the approved strategy and identified measures shall be retained in that manner thereafter

Reason: To ensure the development secures biodiversity enhancements in accordance with the National Planning Policy Framework.

- 8 No part of the development shall be occupied until a full residential travel plan has been submitted to and approved in writing by the Council, such a travel plan to include details of:
- Predicted travel to and from the site and targets to reduce car use
 - Details of existing and proposed transport links, to include links to both pedestrian, cycle and public transport networks
 - Proposals and measures to minimise private car use and facilitate walking, cycling and use of public transport
 - Timetable for implementation of measures designed to promote travel choice
 - Plans for monitoring and review, annually for a period of 5 years at which time the obligation will be reviewed by the planning authority
 - Details of provision of cycle parking in accordance with Council guidelines
 - Details of marketing and publicity for sustainable modes of transport to include site specific welcome packs. Welcome packs to include;
 - 1 Walking, cycling, public transport and rights of way information. Site specific travel and transport information
 - 2 Travel vouchers
 - 3 Details of relevant pedestrian, cycle and public transport routes to/ from and within the site

4 Copies of relevant bus and rail timetables

- Details of the appointment of a travel plan co-ordinator

No part of the development shall be occupied prior to implementation of those parts identified in the Travel Plan [or implementation of those parts identified in the Travel Plan as capable of being implemented prior to occupation]. Those parts of the approved Travel Plan that are identified therein as being capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.

Reason: To promote sustainable modes of travel and to reduce the potential traffic impact of the development on the local highway network.

- 9 The landscaping details required to be submitted by condition 1 of this permission shall include details of hard and soft landscaping (including details of boundary treatments and public amenity open space) together with a timetable for its implementation. The development shall be carried out as approved and in accordance with the approved timetable. The soft landscaping scheme, which shall include ecological enhancement measures, shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes at the time of their planting, and proposed numbers/densities where appropriate; and details of a scheme of management/maintenance of the landscaping areas. The landscaping areas, including public amenity open space shall be managed thereafter in accordance with the approved management/maintenance details. The scheme shall also include an up to date survey of all existing trees and hedgerows on and adjacent to the land, with details of any to be retained (which shall include details of species and canopy spread); measures for their protection during the course of development should also be included. Such agreed measures shall be implemented in accordance with a timetable to be agreed as part of the landscaping scheme.

Reason: To ensure that the appearance of the development would be of high quality and would be maintained as such thereafter.

- 10 Prior to the commencement of any construction above the damp proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate shall be submitted to and approved in writing by the Local Planning Authority in consultation with Anglian Water. Prior to the occupation of any phase the foul water drainage works relating to that phase must have been carried out in complete accordance with the approved scheme.

Reason: To ensure that adequate foul drainage is provided and to prevent environmental and amenity problems arising from flooding.

- 11 Prior to the construction of vehicular parking areas associated with the approved dwellings, 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 / triggers for implementation of the scheme.

The development shall be completed in accordance with these approved details including the agreed timescales / triggers.

Reason: To assist with the transition to low-emission vehicles in line with Policy T5 of the CBLP and paragraph 110 of the National Planning Policy Framework

- 12 Any reserved matters application shall include a waste strategy scheme, to include details of all waste storage facilities, waste collection points and a scheme for the provision of all waste receptacles. No dwelling shall be occupied until the waste storage facilities, waste collection point and waste receptacles serving that dwelling have been provided and they shall be retained thereafter.

Reason: In the interest of residential amenity and to reduce waste generation in accordance with the Councils's Minerals and Waste Local Plan 2014, Policy WSP5 and the adopted SPD "Managing Waste in New Developments" (2006).

- 13 The details required by Condition 1 of this permission shall include a scheme of measures to mitigate the impacts of climate change and deliver sustainable and resource efficient development including how the development would meet water efficiency standards of 110 litres per person per day and achieve a minimum of 10% carbon emission improvement over the requirements of the Building Regulations in force in 2020 through a fabric first approach and/or installation of renewable energy technologies. The development shall then be carried out in full in accordance with the approved scheme.

Reason: To ensure the development is resilient and adaptable to the impacts arising from climate

- 14 The development hereby approved shall comprise no more than 61 units.

Reason: For the avoidance of doubt.

- 15 The development hereby permitted shall not be occupied or brought into use until the details of external lighting to be installed on the site, including the design of the lighting unit, any supporting structure and the extent of the area to be illuminated, have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed in accordance with the approved details.

Reason: To protect the safety and visual amenity of the site and its surrounding area.

- 16 The development hereby approved shall be implemented strictly in

accordance with the recommendations/measures stated in section 6.2.8 of the supporting document Ecological Appraisal, Land at Middle Lakes Russell Road Toddington (ELMAW Consulting, Updated August 2021)

Reason: To minimise the impacts of development on biodiversity.

- 17 Development, excluding works necessary to facilitate archaeological investigations, shall not begin until details of the intersection between the proposed estate road and the highway have been approved by the Local Planning Authority (to comprise the extension of the existing 5.5m carriageway of Russell Road and its footways) 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.

- 18 The development at reserved matters 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) and 'Highway Construction Standards & Specifications Guidance' (July 2019) 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.

- 19 Any future reserved matters application for the layout of the development shall include a vehicular and pedestrian link to the north west site boundary to allow access to the remainder of the local plan allocation. The entire route between the site boundary and Russell Road shall be provided and available for use in accordance with a timescale to be submitted and approved in writing by the local planning authority prior to the commencement of the development. The route shall conform, or be able to conform using land dedicated as public highway, to a Minor Street standard or higher, as detailed in Highway Construction Standards & Specifications Guidance' (July 2019).

Reason In order to safely and adequately accommodate levels of traffic likely to use the route.

- 20 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. Turning areas shall also be required for a 6.5m long delivery vehicle where that vehicle would otherwise need to reverse more than 12m. Car and cycle parking shall also be provided in accordance with the relevant parking standards at the time of the submitted reserved matters.

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.

- 21 If access for construction traffic is to be gained other than from Russell Road, development shall not commence until a scheme detailing access provision to and from the site for construction traffic, including arrangements for restricting such vehicles to approved points of access and egress, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be operated throughout the period of construction work.

Reason: To ensure the safe operation of the surrounding road network in the interests of road safety.

- 22 No development, excluding works necessary to facilitate archaeological investigations, 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 any temporary traffic orders to restrict on-street parking, for example.
 - 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.
 - j) details of escorts for abnormal loads;
 - k) temporary removal and replacement of highway infrastructure and street furniture;
 - l) the reinstatement of any signs, verges or other items displaced by construction traffic;
 - m) banksman and escort details;
 - n) tracking diagrams along Fairfield Road / Shortmead Lane

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.

- 23 Prior to the first submission of any reserved matters application, a Design Guide for the provision of 10% self build across the site; incorporating

individual plot passport details for all individual custom build plots shall be submitted covering:

- Building height, massing and bulk
- Plot size and width
- Plot ratios, site coverage and density
- Urban grain – street and building pattern and connectivity
- Building lines and boundary treatments
- Building orientation
- Landscaping and the public realm
- Building frontage and townscape features
- Car parking and cycle provision and access
- Provision of waste and recycling storage

Alongside, an updated site layout plan shall also be submitted which includes all individual plot passport details. The Design Guide and updated site layout plan shall be approved in writing by the Local Planning Authority prior to the submission of reserved matters and thereafter the reserved matters shall be in accordance with the approved Design Guide and site layout plan. Any application for reserved matters approval for the custom build plots shall be in accordance with the approved Design Guide and site layout plan and shall include a Statement demonstrating compliance with the Design Guide and site layout plan. Any minor variations to the Design Guide and site layout plan and justification for the variance shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: To allow the Local Planning Authority to maintain control of the development and to ensure high quality

- 24 No development, excluding works necessary to facilitate archaeological investigations, shall take place until a scheme for the provision of a superfast broadband (fire-optic) connection to each residential property has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the connection to that property has been implemented.

Reason: The condition must be discharged prior to commencement to ensure that groundworks does not prejudice the possibility of providing the necessary connections. The condition is required to facilitate self-employment and sustainable working practices.

- 25 Notwithstanding the details hereby approved, no dwelling shall exceed 2.5 storeys in height.

Reason: To ensure that the appearance of the development would be of high quality and in keeping with the character of the area.

- 26 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans,

Reason – To identify the approved plans and to avoid doubt

INFORMATIVE NOTES TO APPLICANT

1. The applicant is advised that in order to comply with Condition 1 of this permission it may 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
2. The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways within the site as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Highways Agreements Officer, Highways Contract Team, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
3. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained by contacting The Street Works Co-ordinator, Central Bedfordshire Highways, by contacting the Highways Helpdesk 0300 300 8301.
4. The applicant is advised that parking for contractors vehicles and the storage of materials and deliveries associated with this development should take place within the site and not extend into within the public highway without authorisation from the highway authority. If necessary the applicant is advised to contact The Street Works Co-ordinator, Central Bedfordshire Highways, by contacting the Highways Helpdesk 0300 300 8301. Under the provisions of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of demolition/construction of the development hereby approved.
5. The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to: deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; deliberately obstructing access to a resting or sheltering place. Planning consent for a development does not provide a defence against prosecution under these acts.

Should great crested newts be found at any stages of the development works, then all works should cease, and Natural England should be contacted for advice.

6. The PEA also acknowledges that if left unmanaged the site may become more suitable in the future, therefore if ecological baseline of the site changes prior to a Reserved Matters/Full planning application being submitted, then the ecological report may require an update to best reflect current site conditions and whether the impact to great crested newts has changed.
7. If the applicant wishes to, they can also consider the use of the Councils Organisational District Licence more information available at www.naturespaceuk.com
8. There is a contribution to pay for the supply/delivery of the bins. This must be paid prior to discharging the relevant condition. A purchase order must be raised for the quantity of bins required and sent to Environmental Services quoting the relevant planning reference number. We will also require a map of the site detailing street names, plot and house numbers
9. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35

The Council acted pro-actively through positive engagement with the applicant 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.