

APPLICATION NUMBER	CB/21/02409/OUT
LOCATION	Land East of Barton Le Clay Bedfordshire
PROPOSAL	Outline planning application (with all matters reserved except vehicular access from Higham Gobion Road) for up to 500 homes, a 2.1ha site for a lower/primary school, a 60 unit extra care facility (Use Class C2) and provision of public open space with associated infrastructure and earthworks.
PARISH	Barton-Le-Clay
WARD	Barton-Le-Clay
WARD COUNCILLORS	Cllr Shingler
CASE OFFICER	Andrew Cundy
DATE REGISTERED	22 June 2021
EXPIRY DATE	21 September 2021
APPLICANT	Taylor Wimpey UK Ltd
AGENT	Turley
REASON FOR COMMITTEE TO DETERMINE	Major Planning Application with Parish Council objections
RECOMMENDED DECISION	Outline Application - Recommended for Approval Subject to a S106

Reason for Recommendation:

As an allocated site for housing and a School HA1 (Central Bedfordshire Local Plan (2015-2035) with the identifier HAS05 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 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 Site which extends to approximately 29ha is located immediately east of the village of Barton-le-Clay in Bedfordshire approximately 5km north of the town of Luton. The site comprises a single field in arable agricultural production (shown as Grade 2/Grade 3 on the Provisional Agricultural Land Classification), with a short extension to the south to encompass a connection to PRow FP2 into Barton-le-Clay.

The western boundary is formed by the existing 20th century settlement edge. Immediately north of the Site is Higham Road which connects Barton-le-Clay to Apsley End and Shillington to the east. To the west of the Site, Higham Road connects with the A6 and the B655 Bedford Road at a large priority roundabout junction. To the east and south the Site abuts farmland separated from the Site by a stream/ditch (a tributary of the Barton Brook) lined with a mixture of intact and defunct hedgerows as well as mature hedgerow trees and a block of woodland.

The Site slopes from 66m AOD in the south western corner to 61m AOD in the north eastern corner. Utilities crossing the Site are for electricity (that enter the Site on the eastern boundary before heading south west) and telecoms (along the northern and southern boundary). The north eastern corner of the Site is crossed by an existing gas pipeline

There is an existing public footpath (FP2) that runs around the eastern and southern boundaries of the Site forming a link between Higham Road and Manor Road. To the south of the Site this footpath connects with John Bunyan Trail/Byway (FP23) that is designated as a byway and leads east towards Hexton.

A single bus service currently runs along Higham Road, the GP79 service between Luton and Shefford. The nearest bus stop to the Site for this service is located on Windsor Road to the west of the Site. The nearest rail station to the Site is located at Harlington, approximately 7km to the west of the Site.

The Application:

Outline planning permission is sought for provision of up to 500 dwellings (to include 30% affordable and 10% self build) provision of a 60 unit extra care facility (The developer advises that 18 (30%) of the care units will be affordable), a 2.1 ha site for lower/primary school and provision of public open space with associated infrastructure and earthworks. The Applicant has requested access 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 masterplan 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 necessary the way the development will be carried out, that will be established at the reserved matters stage.

The application is also accompanied by:

- an Environmental Statement consisting of volume 1 – main text and figures; volume 2 – technical appendices and volume 3 - a non-technical summary
- application drawings (for approval)
- Land use, access and movement, landscape, building heights parameter plans
- Design, Access and Landscape Statement
- Planning Statement
- Ecology Appraisal
- statement of community involvement
- Ground Investigation Phase 1 Desk Study
- Ground Investigation Phase 2 Site Appraisal
- Flood Risk Appraisal and Drainage Strategy
- Arboricultural Impact Assessment
- Transport Assessment
- Travel Plan
- Sustainability Statement

Since approval of the development brief on 16th November 2021 the Local Planning Authority have received a Development Brief Compliance Statement from the Applicant.

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
- HQ3 Provision for Social and Community Infrastructure
- HQ4 Indoor Sport and Leisure Facilities
- HQ5 Broadband and Telecommunications Infrastructure
- 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
- EE7 The Chilterns Area of Outstanding Natural Beauty
- EE13: Outdoor sport, leisure and open space
- HE1: Archaeology and Scheduled Monuments
- DC5: Agricultural Land

Neighbourhood Plan Policies

N/A

Minerals and Waste Constraints

N/A

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

WSP5 – Including waste management in new built developments

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/21/02147/DB
Description	Barton Le Clay Development Brief
Decision	Endorsed
Decision Date	16 th November 2021
Application Number	CB/20/04329/SCO
Description	EIA Scoping Opinion: Environmental Impact Assessment (EIA)
Decision	Comments released
Decision Date	6 th January 2021

Consultees:

Barton-Le-Clay Parish Council	<p>Barton-le-Clay Parish Council are pleased that some of their previous concerns have now been addressed in the revised plans resubmitted. However, the following OBJECTIONS still apply:</p> <p>a) Poor location related to the layout of the adjoining parts of Barton-le-Clay. There are very few ways to link the new and existing residential areas and integrate into the 'fabric' and layout of Barton-le-Clay. This leads to the development design being 'inward-facing' and somewhat isolated rather than combined with the existing parts of the village.</p> <p>b) Not sustainable development. There is a lack of shops, services and other facilities as part of the development, and poor off-site connections to the village for walking and cycling or support for other connections into Barton-le-Clay's shops and services. Public transport links to employment centres are extremely limited. Consequently, there is a primary focus on motor vehicle traffic for the needs of the development, thereby failing the sustainability criteria of planning policy.</p>
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c) Adversely impacts the character of the area including the Chilterns AONB. Located within approx. 1km of the AONB, the development would significantly impact the setting and views contrary to protections afforded by relevant Planning Policies/law. Building heights proposed are up to 13m (3 storey) across a large part of the site and will be visually obtrusive and unacceptable. Not only does this affect the AONB, but the style will be out of keeping with the rest of Barton-le-Clay, being considerably more urban in style than existing developments. Nothing greater than 2 storey properties would be appropriate on the site. Other aspects of the design are grid/rectangular, doing nothing to blend with the natural curves of the rural landscape.

d) Traffic volume, pressures and risks significantly underestimated. It is considered that “real-world” traffic volumes generated by the development will be significantly higher than envisaged. This is due to the lack of on site facilities, and of existing facilities within Barton-le-Clay – plus employment/leisure related journeys. Already there is major congestion into Luton and at Clophill at peak times. The road to Harlington station is extremely busy due to school transport (buses and cars). To Hitchin, the road is busy and precarious with frequent accidents. Other major developments such as the M1-A6 link road will massively exacerbate the problems of journeys to Luton from Barton-le-Clay, this proposal will make things even worse. More locally, the volume of traffic seeking to access the A6 from Higham Gobion Road will substantially increase and due to roundabout access priority being from Bedford, this will inevitably result in significant congestion on Higham Gobion Road between the development and A6 roundabout. With this congestion will come pollution, along with frustration and an associated increased risk of road traffic accidents.

Traffic flow in and around the site does also not appear to have been considered, with residents and visitors accessing/leaving the site at peak times resulting in grid-lock when meeting the traffic backed up from the A6 roundabout.

Further observations

Should Central Bedfordshire Council be minded to consider the application, the following concerns need to be addressed at the outline stage through amendments, conditions applied to any consent, and S106 agreement covering issues which would otherwise render the scheme unacceptable –strain on services and facilities in Barton-le-Clay, including village centre parking:

Ensure there's a substantial green buffer planted on the Higham Gobion Road frontage and around the edges of the site to 'soften' the urban edge, absorbing noise and to

protect the view from the AONB.

i. The suggested layout and composition of the proposed scheme may be seen as inward looking and require a major review: ▪where key features are located; the recreational facilities for instance proposed within the site are shown furthest away from the existing village.

▪the composition of the scheme –the absence of services or facilities except for the new school; even the inclusion of a single convenience store would greatly reduce the need to travel into the village.

▪the suggested layout lacks an emphasis on non-car transport, which should become a central design theme if it is to be realistically intrinsic to the future lives of people who will live here.

▪The proposed lower/primary school position should be considered if this is to accommodate children travelling into the site, particularly in terms of traffic flow in and around the site. Clarity is required regarding any plans to move to a two-tier schooling system that would have greater impact on access and parking for the school.

ii. Given the difficulty to properly integrate the scheme with the layout of nearby housing, the design therefore needs to improve non-car accessibility and to increase the sustainability in the lives of people who will be living here, to avoid a sense of isolation from the rest of the village.

iii. The existing bus routes are limited, mainly north/south between Bedford and Luton. The bus service proposed is inadequate. A more frequent service provision, especially at peak times, should be offered. With the size of the development, an increase in public transport services should be considered, linking the village to Harlington, Flitwick and Hitchin where further public transport links are available.

iv. Seek a much better quality layout for the site than that shown on the illustrative masterplan –e.g. a central access spine through the site to help give the site a distinctive character and appearance, and where footpaths and cycle paths have priority over road traffic.

v. Apply a styling which is much more akin to the “Dairy at Henlow” model, which was presented to village residents during the consultation process.

vi. Avoid grids of houses which are unsympathetic to the surrounding rural landscape.

vii. Consideration should be given to ensure roadways and pavements are adequate for

- residents to navigate the site safely. Ideally designed to incorporate proper roads and pavements, not follow the trend of flat, curb less and pavement less roadways.
- viii. Substantially reduce the proportion/remove 3 storey buildings to reduce the sense of urbanisation and locate them so as minimise visual impact from the AONB.
 - ix. Consider the build phasing for the development, with properties closest to the existing dwellings to be built first to then shield these homes from ongoing noise and dust pollution from the rest of the site's development. A review of the timings for the development works to also be undertaken to ensure this occurs outside anti-social hours of early morning or late night.
 - x. Give walking and cycling higher priority in terms of movement to achieve a more sustainable form of development with greater provisions to ensure the safety of people using the proposed walking and cycling routes, both along Higham Gobion Road and into the centre of Barton.
 - xi. Introduce 'place-making' features within the site along the central spine e.g. on the school site frontage, and where the buses would stop / turn.
 - xii. Application should include infrastructure enabling electric vehicle charging for all dwellings, plus provision for visiting vehicles
 - xiii. Include some commercial property to allow for a local convenience store and facilities within the site.
 - xiv. Retain the landscaped features on the northern and eastern sides of the site but review the location of the green space facilities within the development -allotments, BMX track, fitness and play facilities including a multi-use games area, so that they benefit the whole Village community, both existing and new residents. Consider upgrading and expansion to existing village facilities.
 - xv. The requirement for a net gain in habitat and bio-diversity will mean careful design of both buildings and landscaping to give nature as much chance as possible on this important 'edge-of-settlement' site.
 - xvi. Address the issue of future management of the green space and recreational facilities provided within the site, with ownership and future costs offered to the Parish Council in the interests of all residents.
 - xvii. Upgrade / widen the footpath along Higham Gobion Road from the site to Windsor Road

- and the centre of the village to include cycling.
- xviii. Ensure there is a mix of housing with sufficient stock of 1 and 2 bed properties to meet the village needs. The local community should have access to the affordable / social housing on the site by considering a form of priority allocation consideration process to meet local needs for elderly, young singles / couples accommodation and for key workers like health workers or teachers.

Ameliorate the impact of a large increase in the village population through the S106 agreement to improve facilities in Barton for:-Social facilities such as the village hall and library-Community facilities such as the burial ground, village-centre car parking, adequate healthcare

provision-Recreational facilities such as allotments, tennis courts, play equipment for all age groups, all-weather sports pitches, indoor sports facilities, and footpath / walks in the area.

Shillington Parish
Council

The Parish Council OBJECT to this application for the following reasons:

1.Increased Traffic Volumes and Road Safety Concerns

The access of the proposed development is onto Higham Road and Shillington Parish Council has serious concerns that this will significantly increase traffic volumes on the roads through Higham Gobion and Shillington.

Assuming an average of 2 cars per household, this development could result in an additional 1,000 vehicles using the roads. Any journeys from the proposed development towards the A1, Hitchin and Stevenage are likely to be made through Higham Gobion and Shillington and the increase in traffic volumes will have a significant impact on the residents of the village.

The road through Higham Gobion is currently at National Speed limit and any increase in the number of vehicles travelling through the village at this speed will increase the risk of road traffic accidents occurring. Two footpaths emerge onto the road in Higham Gobion and there are often walkers in the road along this stretch. The tight double bends located between Higham and Barton Le Clay are already the site of road traffic accidents and this could become more likely with increased traffic volumes.

Therefore, should Central Bedfordshire Council be minded to grant this application the Parish Council would request that the speed limit through Higham Gobion be reduced to not more than 40mph and the road markings be improved.

Where the Higham Road meets Hanscombe End Road in Shillington there is a sharp bend. This is a longstanding accident spot with vehicles regularly failing to negotiate the turn and going straight on into the hedge or damaging the road signs - street name plates, directional signs and the chevron signs have all had to be repaired / replaced in the past.

Should Central Bedfordshire Council be minded to grant this application, the Parish Council would request that the speed limit is reduced on the Higham Road on the approach to Shillington and that the markings and signage are improved at the junction of Higham Road with Hanscombe End Road.

Shillington's Speed Watch team regularly monitor the speed of vehicles travelling through Shillington along Hanscombe End Road and as can be seen from the data below, have identified that many vehicles are found to be travelling in excess of the speed limit. It should be noted that the data below was collected during the pandemic when the traffic on the roads was noticeably lighter than normal.

DATE OF SPEEDWATCH	TIME	NO. VEHICLES SEEN	VEHICLES LOGGED AT >35mph Speed limit is 30mph
10 August 20	07:58 – 08:58	91	15
14 September 20	08:00 – 09:00	112	9
9 December 20	14:45 – 15:45	90	7
3 February 21	13:50 – 14:50	59	4
26 February 21	13:30 – 14:30	75	9
30 March 21	15:00 – 16:00	116	29 (4 at 40mph)
16 April 21	16:35 – 17:35	120	16 (1 at 40mph)
4 May 21	08:00 – 09:00	120	31 (5 at 40mp)
16 July 21	08:00 – 09:00	118	3

Therefore, should Central Bedfordshire Council be minded to grant this application the Parish Council would request that additional speed control is provided at the top of Hanscombe End to reduce the number of speeding vehicles travelling into and out of the village from / towards Barton Le Clay.

2. Construction Traffic Routes

Paragraph 5.5.1 on page 15 of the submitted RT107250-05 Travel Plan document states "The scale of development proposed is such that construction of the development is likely to take a number of years. It is therefore proposed that, prior to commencement of the development, a construction environmental management plan (CEMP) will be produced for the site. The aim of the CEMP will be to minimise the impact of construction traffic on the local highway network; for example, by timing of deliveries to avoid peak hours, and routing of construction traffic to avoid local roads. It is proposed

that all construction traffic would access the site via Higham Road and the A6, with no construction traffic being permitted to travel through Barton-le-Clay village."

The Parish Council has concerns about the section of the above paragraph which has been underlined. The proposal would result in construction traffic travelling from the A1 / Stevenage / Hitchin to the development site to pass through Shillington and Higham Gobion. The volume of construction traffic associated with a site of the size proposed would have a significant impact on the residents and historic buildings (which have limited foundations) along Higham Road and the affected routes through Shillington (Hanscombe End Road, High Road etc).

The village is already experiencing large volumes of construction traffic through its rural roads from the many developments taking place in neighbouring villages, which is giving residents cause for concern.

Should Central Bedfordshire Council be minded to grant this application the Parish Council would request that restrictions are put in place that require construction traffic to access the site from the A6 only.

Internal Consultees:

CBC Archaeology:	The application area is known to contain multi-period heritage assets with archaeological interest which will be adversely affected by the proposed development. However, the Archaeology Team are content that the Cultural Heritage chapter of the Environmental Statement meets with the requirements of Regulation 18 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended 2018) and that the impact of the development on the archaeological resource can be mitigated. The archaeological mitigation can be secured by an appropriately worded pre-commencement condition and the Archaeology Team request that the recommended condition in these comments is attached to any permission granted in respect of this application.
CBC Community:	No objection subject to a contribution of £547,800 towards creation of additional/larger spaces in order to increase the capacity, quantity and diversity of activities that can be provided by the village hall.
CBC Digital Programme Officer	It is now a requirement that all multiple unit developments have gigabit-capable broadband services available. Whilst we remain agnostic about the supplier, developers must engage BEFORE the build begins. Confirmation or sight of a contractual agreement for this provision should be provided before the application is approved.

Officer Comment: This is an outline application and a detailed layout, with more definitive broadband plans would be provided later in the process. To be secured by a planning condition

Holding objection due to insufficient information on European Protected Species (Bats) and Priority species (Skylark)

We have reviewed the Ecological Appraisal edp4205_r009a (EDP, March 2021), Magic Maps (<https://magic.defra.gov.uk>) and aerial photographs relating to the likely impacts of development on designated sites, protected species and Priority species and habitats.

We are not satisfied that sufficient ecological information is currently available for determination of this application.

Bats (European Protected Species)

The Ecological Appraisal edp4205_r009a (EDP, March 2021) advises in section 5.36 *"there is potential for three of the trees with bat roosting potential to be lost/disturbed (T1, T6 and T7). All trees with greater than low bat roost potential to be impacted will be subject to aerial/climbing surveys to establish if they support roosting bats(i.e. T1 and T6). Should a bat roost be confirmed, a licence from Natural England will also be required."* As trees T1 and T6 with moderate/high roosting potential may contain bat roosts we recommend clarification should be provided from the applicant's ecologist whether they will require removal. If so, details of the further aerial/climbing surveys on trees T1 and T6 and any subsequent bat emergence surveys as well as the need for any necessary mitigation measures & a licence from Natural England, should be provided prior to determination. If the applicant can confirm that T1 and T6 will be retained and unaffected by the development, then further bat surveys will not be needed.

This is because paragraph 99 of the ODPM Circular 06/2005 highlights that: *"It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision."*

Farmland Birds – Skylark (Priority species)

The Ecological Appraisal edp4205_r009a (EDP, March 2021), advises in section 5.30 *"it is likely that the proposed development will entirely displace the small*

number of breeding skylark given the nature of the development and the habitats preferred by this species. The suitability of the Site to support skylark is likely to vary from year to year depending on the cropping regime, with some crops of greater value than others and as such it is likely that usage of the Site naturally varies. Therefore, it is expected that the Site and the skylark population are part of a wider network of habitats providing a supporting role for a meta-population that use the Site as a part of their range. The loss of a single field from this habitat is not considered likely to cause a significant adverse effect on the local skylark population and the small numbers can be readily accommodated into the wider landscape."

We are not satisfied appropriate mitigation has been recommended for Skylark and consider adverse impacts are likely to be caused to this Priority Species post development. We therefore recommend that a bespoke Farmland Bird Mitigation Strategy should be provided to ensure that impacts upon nesting Skylark are mitigated and compensated for. We suggest this comprises compensation measures to be provided off site in nearby agricultural land. This could be secured as a condition of any consent if suitable land can be delivered in the applicant's control. However, if suitable land is not available in the applicant's control, then the compensation measures may be required to be secured via a legal agreement. Any territories that are unable to be mitigated for on site should be compensated for off site e.g. two bare plots in arable crops for every territory lost or displaced or additional foraging habitat to support these territories.

Further information is required to provide the LPA with certainty of impacts on Bats and Priority farmland birds – Skylark - to enable it to demonstrate compliance with its statutory duties, including its biodiversity duty under s40 NERC Act 2006.

Officer comment:

Bats

Of the trees with suitability to support roosting bats trees will be retained and as such no further surveys are required

Skylark

The applicant confirm that they control under option further agricultural land which can be used for skylark mitigation. This can be secured through the S106

Since the time of comment the Applicant has provided additional information in order to address the holding

Officer Response

	objection. Further comments will be reported in the late sheet.
CBC Education:	Support for this development is reliant upon the provision of a 2.1ha primary school site and contribution of £7,182,318
CBC Highways	While I have concerns in relation to the geometry for the compact roundabout, in principle access to the site by way of a compact roundabout is the correct one and the issues I have highlighted above could be dealt with by way of condition.
	As a whole and as detailed in my response in relation to the TA and the layout of the junction to the site and improvements to the junctions on the wider highway network I am content that in highway terms the proposal should be approved subject to conditions to deal with the above.
	Within the Section 106 Agreement there should be an obligation to provide the following: <ul style="list-style-type: none"> ·The provision of quality cycle storage and e-bike and electric motor bike charging; ·The provision for car charging points for houses; ·The provision for car charging points for flats. ·Provision for a communal car charging
CBC Housing Strategy and Implementation:	The applicant proposes a development of 500 dwellings, with an additional extra care facility for 60 units. While Strategic Housing are supportive of the affordable housing provision provided under the 500 dwellings element of the proposal, no affordable housing provision has been included for the extra care facility units. On this basis Strategic Housing object to the application. We provide further detail below on the two elements of the development.
	Officer comment: The developer has since agreed that 18 (30%) of the care units will be affordable. The Council's MANOP Officers raises no objection subject to this being secured through the S106
CBC Housing Strategy:	The newly adopted Local Plan policy H6: Self and Custom Build requires applications for 10 and more houses to deliver a minimum of 10% as serviced plots for self and custom builders. The Council's Self and Custom Build Register demonstrates demand for self and custom build dwellings, as set out in the table below, and therefore the applicant is asked to deliver a minimum of 10% of the proposed dwellings as serviced plots. The application for up to 500 dwellings is expected to deliver 10% of proposed dwellings as serviced plots for self and custom build dwellings. This equates the requirement of 50 self and custom build dwellings from the application.
CBC Landscape:	The effective and appropriate integration of proposals within the setting of the AONB is essential to protect the distinct open views across from the Barton Hills / AONB to the site and wider rolling chalk farm land and clay vale landscape to the north.

-The proposed development layout in a grid format is not typical of rural settlement pattern and could be viewed as a very urban extension in character and at odds with the existing east of Barton Le Clay village - especially in views from the AONB hills.

-The impact of street and domestic lighting generated from development on surrounding rural landscapes / dark skies is also of serious concern. The potential impact of lighting generated by an urban extension on a current dark landscape /AONB dark skies has not been assessed adequately as part of the Outline application.

- It is essential landscape mitigation within the site, e.g. substantial tree and canopy cover, is assured and

accommodated within adequate space to provide effective mitigation to more elevated views onto the development area - in summer and winter time.

- Considering the proposed layout / submitted street typologies there are concerns regarding landscape mitigation and inadequate space to include canopy trees within the streetscapes – specifically

- more information and further consideration on the scale and character of this landscape buffer is required - and dimensioned in typologies and parameters plans.

·It is not clear in plan proposals where the IDB easement corridor is required / which side of the watercourse - Typically the IDB require a shrub / tree free easement - if the easement is development side this could have a serious impact on provisions of landscape mitigation planting.

-The existing gas easement (@ 23ms wide) and numbers of proposed attenuation areas with servicing easements to the basins will need to be free of trees and which could seriously compromise the capacity of this of this landscape area to accommodate trees / canopy cover to mitigate views to built development within the rural setting.

The location of proposed recreation features / activities in close proximity to the established woodland to the eastern site boundary could result in disturbance and have a detrimental impact of habitat.

Views from the Barton Hills / AONB to the southern site boundary and visual impact of development heights of 2.5 - 3 storey units, reliant on landscape mitigation associated with the existing watercourse, is of serious landscape concerns.

The proposed introduction of a care home development 'block' of up to 3 storey / 13ms height is of concern regarding the potential impact of a built mass of this height on views from the Barton Hills and AONB. There are concerns the larger mass / high roofscape is more problematic to mitigate in views from the highly sensitive views from the south.

Officer comment

The site is allocated in the adopted Local Plan and has therefore been determined by the Council to represent a sustainable location to accommodate additional development.

The application is accompanied by an illustrative masterplan 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 necessary the way the development will be carried out, that will be established at the reserved matters stage.

The applicant has had detailed discussions with Bedford group of drainage boards regarding the 9m bylaw (offset from top of bank of existing watercourse) to ensure appropriate tree planting will be accommodated along the site's boundaries in order to filter views from the adjoining countryside and AONB. To summarise:

- i. The western and northern ditches will not be maintained by the IDB
- ii. the southern ditch will be accessed from within the site and therefore supplementary tree planting can be introduced along the southern bank.
- iii. the eastern ditch to the north of the woodland will be accessed from the east and therefore additional planting to the west would be acceptable.
- iv. the 9m bylaw relates to the trunks of trees and that in all instances canopies can therefore extend over the 9m zone.

Following negotiations the applicant has now committed to include Lateral tree lined streets – the applicant advises that Lateral tree lined streets are designed with 4.5m verges and 2.5m front gardens to allow ample space for trees to mature to 10m. In addition the applicant has agreed to include the organic placement of trees within a series of greens and the rural edge

CBC Library	<p>Officers highlight that the site has been allocated for housing development. There will be further scope to address the issues raised by the Landscape Officer at reserved matters stage.</p> <p>The proposed development will be located in the catchment of Barton-le-Clay Library. The current priority for library provision in this area is for improvement works for Barton-le-Clay Library, including a small extension providing public toilet / staff space / storage / back office, new IT equipment and book stock. Therefore, a contribution would be sought for the Library for this project – A contribution of £105,000 is sought.</p>
CBC Leisure	<p>To mitigate the demand generated by the development a contribution of: £448,128 is sought towards the refurbishment and reconfiguration changes for Flitwick Leisure Centre;</p>

£366,991 is sought towards Barton Rovers Football Club at Luton Road Playing Fields to provide a 6-changing pavilion, new artificial training pitch, new step 4 stadia artificial 3G pitch and x 1 new grass pitch (91x55m).
£5,785 is sought towards an off site cemetery

In addition the development generates a requirement for 10.15 hectares of open space to be provided within the development. (a development of this size should provide on site play facilities comprising: x 1 on site combined LAP/LEAP/NEAP play area of approx.1,350sqm and x 4 LAP/LEAPs of approx.450sqm each. However, this number of individual play areas is not practical on site, therefore, the LAP/LEAPs should be further combined to make super play areas. The following on site provision is proposed:· x 1 combined LAP/LEAP/NEAP at 1,350sqm, with MUGA (with 30m buffer). Leisure agree with the proposed co-location of this play area and MUGA with the BMX and Scooter Track.·x 2 combined Super LAP/LEAPs at 700sqm each (with 20m buffer). These should be distributed more evenly across the site for better accessibility, with one LAP/LEAP further to the west in the parkland area and the other potentially within area 12 to the south shown on the illustrative masterplan. This development should provide 0.44ha of allotment land)

Notwithstanding the above: The Parish Council have highlighted to Leisure in previous years that they would like a BMX Track in Barton-le-Clay. They will need to confirm that the provision of a BMX and Scooter Track on this development site will be their preference for this facility. It will also be the responsibility of the Parish Council to take on future management of such a site. CBC do not adopt BMX Tracks.
Officer comment

CBC MANOP
CBC Minerals and
Waste

Requested changes to play have been incorporated into the Landscape Strategy and Illustrative Master Plan No objection subject to provision of a 60 bed care home Paragraphs 4.34 – 4.37 (operational waste strategy), paragraphs 4.64 – 4.65 (Earthworks, Levels and Material Management/Disposal) and 4.71 – 4.74 (Waste Management) Chapter 4 of the Environmental Statement contains useful information on anticipated waste arising and procedures. However, for the construction stage, the estimated waste generation does not include the ground works phase which is often the most significant in terms of volume. It is not clear how much of the excavated material will be used on site and how much will be removed from the site. Therefore, should permission be granted, a condition should be included which requires a

CBC Place making

waste audit to be submitted and approved before ground works commence. The waste audit/site waste management plan should also include information described in para 4.74 of the Environmental Statement. The condition also needs to include a requirement to report on separate outcomes within six months of the last dwelling completion and school completion. A wider landscaped buffer is required to the west and south of the site to protect the existing ditch.

The location of the MUGA and car parking for the allotments next to the existing woodland is a concern as it is likely to negatively impact on the ecological activity and value associated with the woodland. These urban features should be set further away from the existing woodland and hedgerow.

There seems to be very limited new green infrastructure. The existing woodland is maintained as are the hedgerows, however there is no site wide enhancement. A stronger site wide green and blue infrastructure plan is required to show how these features will work together providing high quality green and blue infrastructure throughout the site supporting the wider network

CBC Pollution

Air Quality, odour, construction dust

The predicted risk of adverse odour from the school kitchen extraction system is predicted to be very high and Section 8.2 of the assessment provides an initial proposed odour control system for the kitchen extract.

The applicants air quality assessment has calculated a notional damage cost valuation of the scheme on the wider area. The Environmental Protection Team note that the applicant proposes a contribution of £200,690

towards mitigation measure in the associated travel plan.

Further Environmental Protection recommends that new residential developments should be provided with EV Charging Infrastructure to promote more sustainable transport and minimise adverse air quality impacts. A condition is recommended accordingly

Construction Impacts

The Council has adopted a Construction Code of Practice for Developers and Contractors in order to minimise the impact of construction work on residents who live near to development sites. Compliance with the Code can be secured by the imposition of a condition on planning approvals or as part of a S106 planning obligation.

Land Contamination

The applicants have submitted a Patric Parsons Phase 1 Site Appraisal dated April 2018 and a Patric Parsons Phase 2 Investigation dated September 2018. The Phase 2 included soil sampling across the site and concluded that none of the samples exceeded generic assessment criteria for contaminants of concern and together with the Phase 1 investigation into historic use of the land concluded that no significant contamination source was identified. The Council's Environmental Protection team recommend a condition requiring the developer to report to the Council any unforeseen contamination

Noise

The main noise impacts on the proposed development are noise from plant, music and pitches /recreation/play areas at the existing and proposed school and road traffic noise along Higham Gobion Road to the North of the site and the new main road in the development. Table of the report details the proposed plant noise emission limit for the school. Tables 5.3,5.4 and 5.5 show the daytime and night time noise intrusion levels. Where the noise level criteria cannot be met with windows open the noise mitigation scheme will require a ventilation and overheating strategy

The change in road traffic noise level is as a result of the proposed development is predicted to be no greater than 2.9 dB at all assessed receptor locations, which indicates a minor adverse impact at the nearest receptors. Noise level changes of up to ± 3 dB are generally imperceptible to the human ear and when compared with the criteria presented within Table 2.2 above, the change in noise levels is within the Lowest Observed Adverse Effect

Level and is not considered to be significant

The current Master plan has located residential dwellings between the existing school and the proposed school. These dwellings will experience a cumulative noise impact from both schools and are likely to require enhanced glazing and ventilation to all facades. I would recommend that a better approach may be to locate the school boundaries adjacent to one another and place the noisier parts of the new school in the centre of the combined school development. It might be appropriate to locate sports pitches and play areas along the boundary with the existing school. In addition if a school hall is likely to be used for music and functions this should be located so that noise break out from windows is into the

school premises rather than on the exterior of the school close to residential. The location of Kitchen extraction plant and a plant room should also be considered to minimise impacts on proposed dwellings. With good acoustic design the potential use of the school facilities can be maximised whilst reducing impacts on residents. The Environmental Protection Team have recommended a series of conditions.

Lighting

There are no details of proposed external lighting at any of the proposed uses. It is anticipated that there may be flood lighting to sports pitches/MUGA for the school or recreational facilities and security lighting and amenity lighting at the school facilities. Environmental Protection would advise that a lighting condition is attached to any permission granted;

CBC Private Housing	Sector	Premises must comply with relevant statutory requirements including the Housing Act 2004, or comply with relevant Building Regulations
CBC Public Art		No requirement for S106 contribution. Public art should be provided on site by Condition
		To ensure public art is integrated at all levels and scales of development it is recommended strategic opportunities for public art are embedded within framework / masterplans plans and supported by a Public Art Plan which informs design codes and subsequent public art proposals associated with the development site as a whole or individual planning applications relating to development parcels as these come forward - dependent on how the development is 'built out'. The Public Art Plan should relate to the framework / masterplan plan and open space /development parcel phasing plan, and set

out a vision for public art for the whole development area. The Public Art Plan should establish key areas / locations for public art projects within the public realm including;

- Key gateways and nodes
- Public transport interchange
- PROW, trails and cycle routes
- District / neighbourhood centres
- Community facilities, including schools
- Key public open spaces including parks, play areas and linkages - e.g. enhancing routes to schools and other community facilities

Opportunities for public art interventions can include not only 'stand alone' sculptural features but also:

- Street furniture – bollards, railings, seating, cycle racks, signage
- Lighting
- Play features
- Land sculpting
- Way marking and interpretation
- Floor scapes and wall scapes

CBC Public Transport

No objection subject to:

- S106 funding towards the increase of GP Service 79 to an hourly service between 7 am and 7 pm, Monday to Saturday - increase to half-hourly on a later or completion stage and
- The replacement of 2 existing shelters with. real time screens

CBC Right of Way

For a development of this size Rights of Way, (RoW), would require a RoW scheme to be submitted before a Reserved Measures application was submitted. This should outline in detail how rights of way will be treated within the development site.

There is a right of way, (FP58), running north/south on the eastern perimeter of the development site. The illustrative plan which shows the majority of the footpath abutting green space is welcome. It also appears the aspiration would be to retain the trees adjacent to the footpath in the southern section of the proposed development which RoW would also support. There will need to be good access links from the housing development to the footpath. The illustrative plan appears to point to access points to the footpath being made available and these would need to be formalised in future plans. FP58 is presently a soil-based path. However, the increase in housing adjacent to the route will mean that the use of the path is likely to significantly

increase. RoW would, therefore, require the developer to upgrade the path's surface to a specification supplied by the council (likely to be recycled plainings with a granite dusted top). The section requiring upgrading run from points A-C as shown in the aerial photo below. This requirement should be made a condition in the event of an outline application being approved.

Footpath 58 Resurfacing works:



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, if the following recommendations and planning conditions are secured.

CBC Sustainable Growth Officer

The updated Sustainability Statement outlines how policy compliance is intended to be achieved by the proposed development. In addition to measures proposed in the Statement, it is requested that all dwellings have garden water butt installed to minimise external potable water use.

It is requested that a sustainability condition is set to require RM applications to provide details of measures to be incorporated in the development and standards to meet policy compliance. 10% carbon emission reduction must be achieved based on the Building Regulations at the time of the RM application. The condition must also require submission of a Post-Construction Verification Report prior to occupation of the last dwelling in each completed phase/parcel that contains evidence that the policy requirements were achieved.

Officer Comment: The applicant has since confirmed that all houses will have a garden water butt.

CBC Travel Plan Officer It should be noted that CBC Public Transport team have previously requested upgrades/additional bus services.

It should be noted that we are still awaiting an updated Residential Travel Plan.

The development shall not be occupied until an updated Extra Care Travel Plan and Residential Travel Plan have been submitted to and approved in writing by the Council. Such Travel Plans 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;
- Walking, cycling, public transport and rights of way information. Site specific travel and transport information
- Travel vouchers
- Details of relevant pedestrian, cycle and public transport routes to/ from and within the site
- Copies of relevant bus and rail timetables
- Details of the appointment of a travel plan co-ordinator

100% of staff at the extra care facility should be aware of the Travel Plan.

Cycle parking should be provided as referenced in CBC cycle parking annexes 2010.

Sustainable travel information should be made available on the website for visitors to the site.

<https://liftshare.com/uk/search/from/bedford-uk> and

<https://travelwest.info/drive/car-sharing>

have been incorrectly referenced - neither cover the Central Bedfordshire area.

Staff and visitors should be directed to: Luton and Central Bedfordshire Lift share community - part

of the Lift share network

CBC Waste

A condition is recommended to secure implementation of a Travel Plan

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:

Anglian Water

Assets Affected

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site.

Wastewater Treatment

The foul drainage from this development is in the catchment of Barton Le Clay Water Recycling Centre which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission

Used Water Network

The sewerage system at present has available capacity for these flows

Surface Water Disposal

Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

Bedfordshire and River
Ivel Internal Drainage
Board

On the basis that the surface water discharge is to be restricted to the equivalent of 4 l/s per contributing impermeable hectare and that it has been stated that LDA consent will be sought from the IDB, the Board has no objection to this application. However, it is noted that the "Combined Opportunities and Constraints Plan"

indicates an 8m buffer adjacent to the watercourse under the statutory control of the Board. This is incorrect as the Board's bye law is 9m and no development will be permitted within this area. The applicant should be made aware of this error. The Board therefore suggest that planning permission should not be granted without conditions requiring that the applicant's storm water design and construction proposals are adequate before any development commences.

Officer comment

Bedfordshire Fire and
Rescue

This has been addressed and a 9m buffer is provided
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.

Primary schools and single storey health centres:-Should have a water supply capable of delivering a minimum flow of 20 litres per second through any single hydrant on the development or within a vehicular distance of 70 metres from the complex

British Pipeline Agency

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

The BPA do not wish to make any comments on this application

Cadent Gas
Environment Agency

Request an informative on decision notice

We have no objection to this application

Surface Water Drainage

Please consult the Internal Drainage Board (IDB).

Contamination

The site is located above a Principal Aquifer. However, we do not consider this proposal to be High Risk.

Therefore, we will not be providing detailed site-specific advice or comments with regards to land contamination issues for this site. The developer should address risks to controlled waters from contamination at the site, following

the requirements of the National Planning Policy Framework and the Environment Agency Guiding Principles for Land Contamination, which can be found here:

<https://www.gov.uk/government/publications/managing-and-reducing-land-contamination>

Infiltration Sustainable Drainage Systems (SuDS)

The water environment is potentially vulnerable and there is an increased potential for pollution from inappropriately located and/or designed infiltration (SuDS). We consider any infiltration (SuDS) greater than 2.0 m below ground level to be a deep system and are generally not acceptable. If the use of deep bore soakaways is proposed, we would wish to be re-consulted. All infiltration SuDS require a minimum of 1.2 m clearance between the base of infiltration SuDS and peak seasonal groundwater levels. All need to meet the criteria in our Groundwater Protection: Principles and Practice (GP3) position statements G1 to G13 which can be found here: <https://www.gov.uk/government/collections/groundwater-protection>. In addition, they must not be constructed in ground affected by contamination.

Pollution Prevention

- Any facilities, above ground, for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge into the bund.
- Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from lorry parks and/or parking areas for fifty car park spaces or more and hardstandings should be passed through an oil interceptor designed compatible with the site being drained. Roof water shall not pass through the interceptor.
- Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hard standings susceptible to oil contamination

shall be passed through an oil separator designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

- Foul and surface water manhole covers should be marked to enable easy recognition, convention is red for foul and blue for surface water. This is to enable water pollution incidents to be more readily traced.
- <https://www.gov.uk/guidance/pollution-prevention-for-businesses>
- The Environmental Permitting Regulations make it an offence to cause or knowingly permit any discharge that will result in the input of pollutants to surface waters or groundwater.

Force Architectural
Liaison
Luton Council:

No objections

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 Site HAS05. Site HAS05 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 500 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 500 dwellings.
- 70% market housing: 350 dwellings and 30% affordable housing: 150 dwellings.
- Tenure split: 108 affordable rent dwellings and 42 intermediate dwellings. The majority of the 150 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.

National Highways

Following review of the planning application, National Highways consider that the development is unlikely to have a material impact on the SRN in this location. Consequently, we offer no objection to this application.

National Grid:

-No buildings should encroach within the Easement strip of the pipeline

-No demolition shall be allowed within 150 metres of a pipeline without an assessment of the vibration levels at the pipeline. Expert advice may need to be sought which can be arranged through National Grid.

- National Grid has a Deed of Easement for each pipeline which prevents change to existing ground levels, storage of materials. It also prevents the erection of permanent / temporary buildings, or structures. If necessary National grid will take action to legally enforce the terms of the easement.

-You should be aware of the Health and Safety Executives guidance document HS(G) 47 "Avoiding Danger from Underground Services and National Grid's specification for Safe Working in the Vicinity of National Grid High Pressure gas pipelines and associated installations - requirements for third parties T/SP/SSW22. You should already have received a link to download a copy of T/SP/SSW/22, from our Plant protection Team, which is also available to download from our website.

- A National Grid representative will be monitoring the works to comply with SSW22.

- National Grid will also need to ensure that our pipelines access is maintained during and after construction.

- Our pipelines are normally buried to a depth cover of 1.1 metres however; actual depth and position must be confirmed on site by trial hole investigation under the supervision of a National Grid representative. Ground cover above our pipelines should not be reduced or increased.

-If any excavations are planned within 3 metres of National Grid High Pressure Pipeline or, within 10 metres of an AGI (Above Ground Installation), or if any embankment or dredging works are proposed then the actual position and depth of the pipeline must be established on site in the presence of a National Grid representative. A safe working method must be agreed prior to any work taking place in order to minimise the risk of damage and ensure the final depth of cover does not affect the integrity of the pipeline.

-Excavation works may take place unsupervised no closer than 3 metres from the pipeline once the actual depth and position has been confirmed on site under the supervision of a National Grid representative. Similarly, excavation with hand held power tools is not permitted within 1.5 metres from our apparatus and the work is undertaken with NG supervision and guidance.

Nature Space

The development falls within the Amber impact risk zone for great crested newts (GCN) risk zones have been derived through advanced modelling to create a species distribution map which predicts likely presence in the red impact zone, there is highly suitable habitat and therefore great crested newts may be present.

There are ponds within 500m of the development proposal.

The survey results referred to within the ecology appraisal are from 2018, and whilst they were not redone in 2020, being three years from this, there should be an update to reconfirm their status.

The applicant has submitted a further document - Land East of Barton-le-Clay, Central Bedfordshire Ecology Technical Note – Great Crested Newt Survey edp4205_r013 (27/07/2021), that provides updated survey results for the development proposal, as well as further information on pond 4.

We are satisfied that this takes into account an updated representation of the ponds within 500m. The technical note references in section 5.5 that there should be an adoption of a “Precautionary Working Methods during Construction” statement. The use of this, we suggest should be secured by planning condition.

NHS

This development, should the application be successful, will affect the Barton Le Clay surgery. Barton Le Clay's premises are deemed constrained. A premises constraint affects a surgery's ability to take on new patients and even additional GPs and allied clinical staff, especially with the requirement to offer a wider range of patient services from GP Practices. This application will result in circa 1,300 additional patient registrations and create a constraint that will require premises reconfiguration, extension or even re-location to create additional clinical capacity. In order to make this development acceptable request a total contribution of £1,222,500.00 (£407,500.00 towards the provision a proposed integrated health and care facility in the West Mid Beds area, including mental health and community services and some outreach specialist services from local hospitals, delivering care locally and reducing referrals into hospitals, supporting the delivery of the NHS long term plan, £692,750.00 towards acute services: Wards; Theatres; A & E space; Outpatients Suite/consulting rooms; MRI CT Ultrasound and X Ray etc £57,050 towards Community Health provision, specifically: treatment rooms; consulting rooms; diagnostic rooms and £65,200 towards mental health costs)

Other Representations:

Neighbours

100 letters received objecting to the application. 1 received in support. The following comments have been received.

Agricultural Land

-The proposed development site is agricultural land which is a non-renewable resource - result in a significant loss of about 28 hectares (Grade 2 (19.7 ha) and Grade 3a (7.3ha) of agricultural land.

-This land could produce up to 260 tonnes of grain a year so we mustn't destroy it.

-Lost so much agricultural land to development in Central Bedfordshire over the past few years that we can't afford to lose any more.

-This proposed development will compromise the ability of future generations in Central Beds. to meet their own needs as the development would destroy seventy acres of soil that is needed to grow food.

-every ten acres lost to housing development around rural communities results in the effective loss of twenty acres of farmland - Apart from the land actually taken for development, the new population in the area, with their dogs, children and so on, tend to reduce the productive capability of the land around new housing

-it is on the fringes of urban areas that interference with agriculture is greatest. Close to urban areas, where pressures for public access are greatest, agricultural efficiency is reduced by trespass, damage to crops and field boundaries, harassment of livestock, fly tipping and so on

Air pollution

-Cars idling in traffic will cause increased pollution, and have a deleterious effect on local air quality, most significantly for the residents along the Higham Gobion road.

-will cause traffic congestion and air pollution within 100 metres of two primary schools

-small increases in people's exposure to air pollution are linked to significant rises in depression and anxiety.

-I have asthma the dust and dirt that will come from the

site really concern

AONB

-The development is too close (within 1km) of the setting of the Chilterns AONB, which is entitled to have its setting and views respected

-Chilterns Conservation Board Management Plan 2019-24 Describes one of the significant elements of the Chilterns AONB being dark skies and it includes policies to protect the AONB from impact and harm of light

-figure 8.9 (night time photograph) supplied by the applicant shows the swathe of dark countryside that would be illuminated by the proposed development, with the light pollution made worse both by the excessively tall buildings, particularly in the proposed estates urban core and by the too-thin band of trees at the proposed estates southern edge.

Character of the area

-Will result in a 20% increase in the size of Barton-le-Clay

-We have already seen a massive increase with the new estate an infill created from the construction of the bypass.

-500 houses on this area of Green Belt is totally out of keeping for this area being surrounded by hills which are AONB – the view from the top of the Sharpenhoe Clappers and all the other hills would be spoilt with this development

-There is little precedent in Barton for buildings of 13 metres in height – so this development would be completely out of keeping with the existing landscape

-The building heights across approximately 2/3 of the development site are stated as being up to 13m, which is three storeys high and will undoubtedly dominate the area.

-The visual impact of these buildings on the countryside and the nearby area of outstanding natural beauty will be significant and irreversible.

Community Engagement

-Would look more like New Cardington (Shortstown) rather than the much more acceptable 'Dairy at Henlow' (which was presented as the model to Barton residents during the consultation process)

-Residents concerns on the capacity of the village facilities were included in the consultation feedback, but nothing appears to be incorporated in the outline plans to deal with these concerns

-application does not integrate with the landscape and settlement as promised by the developer during engagement with the community.

Construction

-Will take upwards of 5 years

-There will be constant noise from heavy construction traffic and machinery as well as the pollution that comes with this

Crime

-The elderly are worried about security in their homes, increased car theft, and problems caused by youths

Design

-The plans have many obvious inaccuracies

-Residential streets closest to the AONB are shown in a rectangular, grid pattern, more suited to an urban landscape. This is completely insensitive to the natural, curved forms of the rural landscape setting and hills. Neither does it reflect the existing Barton street layout, which is curved or offset and without a rigid grid structure.

-There is no provision for children's play areas close to the residential parts of the development, such as small pocket parks which are helpful for parents to allow children access to open space close to home.

Ecology

- object to the loss of habitat for many species of birds including the Skylark, a rapidly declining farmland species which is on the Red List. (Red is the highest conservation priority, with species needing urgent action (RSPB) - will also seriously adversely affect other rapidly declining farmland species such as Grey Partridge and Lapwing - specific ecological requirements of these species make it impossible to achieve mitigation

-Will impact on the buzzards' kestrels and sparrow hawks populations

-In 1990 Red Kites were reintroduced into The Chilterns where, over recent years Barton-le-Clay has become one of their precious habitats, bringing joy to all who visit. Will these majestic birds be forced away

-The adjacent properties contain unusual floral species such as bee orchids.

-In the field boundary there are hedgehog nests and burrows

-Muntjac, foxes and grey squirrels will be lost from the area

-The more you build on our beautiful countryside, that will affect the wildlife chain from insects, to humans.

-Will possibly pollute the brook which is one of the river level tributaries

Existing residential amenity

-Many properties on the perimeter of this proposed site are bungalows which will be dwarfed, thus causing visual intrusion to residents of existing dwellings

-Loss of light, due to houses being constructed close to the boundary of the properties of 69a Manor Road and 71A Manor Road.

-Will create a loss of privacy – will overlook 69A Manor Road and 71a Manor Road

-The inclusion of 2.5 storey houses adjacent to existing properties on Norman Road will directly overlook existing residence

-The shading on building heights drawing is difficult to clearly understand

- All of the properties that runs along the boundary of the existing buildings should not exceed 2 storeys.

-loss of view

-the increased noise will be a disturbance - Our well-built bungalow shakes yes shakes from thundering great lorries coming past our beautiful bungalow now, what impact would the development traffic and potential home owners have on our day-to-day life be.

-Unacceptable loss of beautiful rural footpaths and bridleways used for exercise - walking, horse riding, cycling & mental well-being, within walking distance.

Flooding

-The drainage strategy report is misleading. The report indicates that the existing watercourse is at levels varying between 2.4-3.4m

-A development the size of that which is proposed will only make flooding matters worse – This is in addition to the

fact that we are now experiencing more extreme weather events as a result of climate change

-To build further houses on a bed of Clay will compound the issue as the water will have nowhere to disperse causing even more flooding issues.

-You should be made aware of the fact that there is already surface water flooding in the area directly adjacent to the proposed development, during or after persistent rainfall - this is particularly problematic in King William Close

-The proposed development will be in an area upstream from an area which is already sensitive to rainfall and prone to flooding

-Because of the high presence of gault clay, the Clay resists water drainage and percolation

-Water main has burst continually since 2004

Green Belt

- goes against the purposes of the Green Belt and against the fundamental aim of the policy which is to prevent urban sprawl

- CBC should ensure that coalescence does not occur between villages

Heritage Assets

-A significantly higher traffic load will result in increased air and noise pollution in the older part of the village containing listed buildings

-will also have an adverse impact on the special character of the historic town of Hitchin

Housing need

-There are already a vast number of developments and proposed developments in this local area. Many of which are not selling, which suggests the need for more housing in this area is not there.

– We need affordable housing for local people in areas of the county where they are needed

-The vast majority of the houses in this proposed development will be executive houses for people (who already have a decent roof over their heads) from outside the area.

-The development does not meet the local housing needs

of local people, who are predominantly either elderly or young couples, both of whom require small and affordable housing.

-There is a lack of accommodation for older people who are forced to remain in family homes as there is nowhere local for them to move.

Landscape

-The plans do not provide sufficient screening of this development from the visual impact it would cause on the AONB

-The plans show that a number of the streets closest to the AONB are not to be tree-lined – this is not appropriate for a development so close to the AONB –

-Only a narrow, linear band of green cover (trees or corridor) has been planned for the S/SE boundary - should be a more substantial covering of green to soften the edge of the development as viewed from the AONB.

-Tree cover in the southern part of the residential layout will be largely within the private gardens and therefore at the discretion of the individual home owners (and might be removed)

-There is no tree canopy relief from the urban heat

Leisure

-Barton and the surrounding villages would benefit from a 4g Weather football pitch

Mental Health

-My mental health will suffer not being able to do my lovely walks round these fields.

Principle

-There is plenty of space to expand

-I support the application, I feel it will bring more opportunities to the community including jobs for the unemployed due to covid 19

-Amptill, Flitwick, Greenfield, Pulloxhill, Silsoe, Clophill and Maulden have all had significant extra housing expansion and it throws into question why the council are prepared to support further erosion of green space on such a large scale

-Barton for the size is already over populated

-Applications should be reviewed holistically and CBC need to consider the wider implications to the area and its

current residents – specifically the application needs to be considered in conjunction with the Greenwoods application CB/21/02011/OUT

-this does not fall within the local development plan worked on and agreed with locals over the last 2 years

-This development contravenes the guidance set out in the current National Planning Policy Framework, which stipulates in para 118c that any development should give substantial weight to the value of using suitable brownfield land within settlements

-The village itself has been expanded significantly and there needs to be a limit on how much housing can be added to the existing community without a detrimental impact.

-Emerging Draft Local Plan Enquiry has yet to be determined

-object to the use of Greenbelt and good agricultural land in full view of an AONB

-Soon there will not be any villages left – just mini urban towns

-Perhaps adding to an existing large town or creating a new one would be a better solution

S106

-No consideration of a post COVID contribution to needs of Central Bedfordshire appear to have been made.

-Taylor Wimpey should be asked to provide S106 funding for extra parking spaces at Harlington station to absorb the additional users which the development will create

-very little being offered to the community in its current form

Services

– The doctors surgery is already over subscribed and cannot cope with the number of patients that it already has - it is a struggle to get an appointment now so not sure how it will cope with another 2,500+ patients

-There should be the requirement in the S106 for the developer to deliver a medical centre/medical centre improvements in phase 1 of the development

-Dentist is full and cannot cope with an increase in population - The dentists are not taking on any new

patients

-The Schools are all over-subscribed in Barton-le Clay

-The Coop is a too smaller supermarket – the shelves struggle to be full with many items out of stock

-Barton is constantly losing amenities – most recently the bank

-As the TBS bank has recently closed the only place you can get money from in BLC now is the co op ATM or at the Post Office

-We have lovely shops in BLC dentists, opticians, chemist, baker, chippy, hairdressers, barbers. Where on earth are the people from this development going to park– the village would be unable to cope with more vehicles parking to access the facilities there

-No new community facilities proposed

-The developers have now removed the football field so this suggest that they are going to try to put in extra houses.. and not provide an area for children / adults to exercise.

-a BIG problem with the green waste site in Barton Le Clay

SSSI

- Over one thousand people plus their hundreds of cats and dogs just 950 m of the SSSI will have a serious negative impact on it

-The rubbish left around the nature reserve in summer has increased with its popularity – the additional footfall will only add to the problem

Sustainable Travel

-The developers proposals regarding sustainable transport options are inadequate and will result in most families taking most journeys by car

-The site itself will not be integrated into the village and will require residents to walk at least 1.6km to the nearest shop.

-We are also very concerned about foot traffic, people walking from the new developments into the village. Over the pandemic foot traffic has increased, dog walkers.

-Serious accidents along the roads surrounding Barton

are inevitable if levels of traffic increase and more pedestrians/cyclists are encouraged to use them as proposed by the developers.

-The roads cannot cope already and the additional traffic causes concern for children walking to and from the two village schools

-The footpaths in Shillington village where I live are narrow and unlit and many parts of the village have no footpaths at all and pedestrians must walk on the road.

-The bus service proposed is wholly inadequate and does not take into account residents feedback. It should according to the Local Plan be a half hourly bus service at peak times and bus stops should be within 400m maximum of the development

-The present bus routes 81 and 79 do not operate in the later evenings/ nights or on Sundays, so there would be no public transport provision for many workers (such as key workers working later shifts or on Sundays: e.g. NHS staff working in Luton (36% of Barton residents work in Luton)).

-No provision has been made for safe cycle routes to the station along the country lane (which is a busy rat run used by motorists travelling to and from the M1). Much of this route is unlit, winding and with a very steep and narrow hill into Harlington. It is completely unsuitable for cycling to work and presents a serious health and safety risk

-The cycle routes in Barton are already extremely bad with cyclists choosing to travel along the busy A6 due to potholes and unkept verges.

-A lack of station parking forces cars to park in the village, causing inconvenience to and understandable tension with Harlington residents.

-is already dangerous for horses with the amount of traffic using that road, with this estate thrown into the mix, the potential increase in traffic using that road for the school, station and motorway access would be disastrous.

Traffic

-The traffic on the bypass and roads leading into Barton from other areas are busy and dangerous with the current amount of traffic

-The A6 Barton-le-Clay to Clophill road cannot cope with the volume of traffic in the morning and evening

-The minor roads that support these traffic flows at the moment will be easily overwhelmed by the additional journeys to train stations, child care settings and other amenities in these locations associated with this development.

-During the construction of the proposed development, and more importantly afterwards, the traffic load in Manor Road will increase substantially thus creating increased danger in particular to school children making their way to Ramsey and Arnold schools.

-The actual morning rush hour trip rate out of the site is likely to be significantly higher than 281 vehicles, as many of the 500 dwellings would have two working adults (and may also have young working adults living in the parental home also). Therefore it is possible that c.1000 individuals could commute to work from the new development

-The Transport Assessment acknowledges that a high percentage of current Barton residents travel by car so one questions why this new development should be significantly different.

-The proposed mitigation measures, i.e. signaling, may prove inadequate as they are based on figures which cannot be relied upon.

-The effect of increased congestion at the Barton roundabout (as well as the various other junctions surveyed) will have severe costs for individuals and, ultimately for taxpayers in terms of delays/loss of earnings/loss of economic productivity/cost of future infrastructure and also an increase in pollution as cars idle in all directions in traffic jams

-Impact on Upper Gravenhurst which is already used as cut through from the A6 to the A507

-The site itself does not appear to promote traffic flow, with many T-junctions. This, combined with villagers entering the site at school pick-up/drop-off times will cause traffic congestion and air pollution within 100 metres of two primary schools.

-The roads are already in a poor condition (several complaints have already been made to the council about Greenfields to very little avail) and this traffic will worsen the state of the roads, before we even discuss the damage building trucks will also do.

-nearby streets likely to be filled with residents cars, due

to limited driveway parking available per house within the planned development

-large parking facility will be needed for BMX track - BMX tracks are rare in central Bedfordshire this facility will attract people from neighbouring villages

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 principle, the most significant 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 Area of Outstanding Natural Beauty, and Landscape Visual Impacts
3. Access and Highway Safety (Sustainable Modes of Travel, Predicted Trip Generation and Distribution, Proposed Access, Illustrative Layout Plan)
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 (Air quality/Energy Efficiency/Equality and Human Rights/ Fire Hydrants/Flood Risk/SuDs/Foul Water Drainage/Meeting the Accommodation Needs of Older People/Self and Custom Build)
8. Planning Obligations

Considerations

1. The Principle of Development

- 1.1 The NPPF states that housing applications should be considered in the context of sustainable 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 Barton Le Clay 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 05 land east of Barton Le Clay. The 27.80 ha site will accommodate approximately 498 dwellings. The proposed allocation sets out a number of requirements which need to be addressed specifically
- a site specific FRA
This has been submitted – please refer to Section 7 below
 - a site should be provided to allow the delivery of a new 2FE lower / primary school with appropriate contributions
The indicative masterplan sets aside 2.1 hectares of land for a 2FE lower/primary school. The applicant has also agreed a contribution of 7,182,318 toward education – please refer to Section 8 below
 - Provide appropriate mitigation/compensation to ensure potential indirect impacts such as increased visitor pressure on the nearby Barton Hills NNR / SSSI are avoided or if this is not possible mitigated -
Please refer to Section 4 of this report for detailed analysis
 - Provide appropriate landscape mitigation in terms of scale and character to protect the setting to and views from Chiltern's AONB. An LVIA will be required to inform the Development Brief - Please refer to Section 2 of this report for detailed analysis
 - Must be integrated within a treed landscape setting to conserve landscape character and views - Please refer to Section 2 of this report for detailed analysis
 - Provision of a development brief in accordance with HQ9
- 1.4 At their November 2021 Development Management Committee meeting the Local Planning Authority endorsed the Barton Le Clay Development Brief (Application Number CB/21/02147/DB)
- 1.5 The endorsed Development Brief set out a series of nine key design objectives with which the proposals are required to comply.
- 1.6 **Objective 1: To deliver approximately 500 dwellings for the allocation site with a range of house types and tenures that meets the needs of the local community**
The accommodation delivered on site will provide a range of accommodation types to meet a variety of needs including the provision of the following:
- 30% affordable housing
 - 60 unit extra care facility
 - 35% Category 2 Requirement MA(2) adaptable homes
 - 5% Category 3 Requirement MA(3) wheelchair adaptable homes
 - 10% self-build and custom housing
 - Bungalows in the north-west corner of the site on the Higham Road frontage.
- 1.7 **Objective 2: To provide a new primary/lower school to meet the needs of the development**
The proposed development will deliver a 2.1 ha site for a new primary/lower school site. This will be secured through a Section 106 agreement.
- 1.8 **Objective 3: To integrate with/enhance the existing infrastructure and**

facilities within Barton-le-Clay providing suitable vehicular access and sustainable transport connections

The following sustainable transport improvements are proposed:

- Widening of existing foot way on the south side of Higham Road between the Orchard School and Windsor Road to provide a 3m wide shared foot/cycle route to be delivered by the Applicant;

- Improvements to the existing surfacing and way marking along footpath FP2 to the south of the development;

- S106 contribution to provide 60-minute frequency bus service between the development and Luton, plus provision of a new bus stop to serve the development;

- Cycle parking provided at each individual dwelling;

- New Residents Travel Packs for each dwelling; and

- Implementation of a Residential Travel Plan.

1.9 Objective 4: To provide new or improved footpath/cycle way links and upgrades to the existing PRow

The following are proposed

- widening of the existing foot way on the south side of Higham Road between the Orchard School and Windsor Road to provide a 3m wide shared foot/cycle route to be delivered by the Applicant

- an additional footpath/cycle way link along the eastern portion of the northern site
- improvements to surfacing/way marking of public footpath route FP2 to the south of the site
- a network of pedestrian and cycle routes throughout the site and linking in to existing routes.

1.10 Objective 5: To create a new high quality edge to the settlement creating a new defensible Green Belt boundary and an appropriate transition from the development edge to the surrounding countryside

The following are proposed

- Retention of woodland, perimeter green corridors, field boundary hedgerows and tree belts,
- Inclusion of an informal park to the north-east of the site
- Inclusion of a network of tree lined streets, greens and squares
- Neighbourhood greens and urban squares set out to accommodate substantial tree species which will rise above building rooftops and filter views from the Barton Hills

1.11 Objective 6: To create a new park at the northern extent of the site and a GI corridor along the eastern boundary incorporating the existing watercourse to strengthen and extend existing valuable habitats along this GI corridor

- An informal park is located to the north-east of the site

- The south eastern boundary is defined by an existing watercourse, trees and hedgerows, which provide an attractive, rural countryside edge which is supplemented with additional tree planting.
- 1.12 **Objective 7: To create distinctive places that strengthen the local sense of place including the approach to the Conservation Area**
The detailed design of the proposals will be considered at the reserved matters stage and will demonstrate compliance with Objective 7.
- 1.13 **Objective 8: To create attractive, landscape-led development with high quality public open spaces and circular recreational routes for healthy living**
- The applicant is committed to delivering a safe and secure circular recreational route around the site's periphery
 - The proposed development will include a network of organic neighbourhood greens and more urban squares to accommodate recreational amenity, children's play, and planting of substantial tree specimens.
 - The applicant is committed to delivering a series of Neighbourhood greens and incidental squares will be located along the primary street avenue which together with lateral tree lined streets create a high quality network of landscaped streetscape and public realm spaces.
- 1.14 **Objective 9: To consider the evolving climate throughout the development**
-The applicant is committed to the delivery of sustainable homes which include measures which provide economic and social benefits, protect and enhance the environment, as well as mitigating and adapting to the long term effects of climate change. Please refer to Section 7 of this report for detailed analysis.
- 1.15 The proposals will deliver housing on an allocated site that would help deliver housing towards the targets within the Local Plan. This would assist in delivering the spatial strategy as set out within this document.
- 1.16 Given the above it can be concluded that the principle of development on this allocated site is acceptable.
- 2. Impact upon the Character and Appearance of the area, including the intrinsic character and beauty of the Countryside and Area of Outstanding Natural Beauty, and Landscape Visual Impacts**
- 2.1 At the heart of the National Planning Policy Framework (NPPF) is a presumption in favour of sustainable development; this being the golden thread running throughout the document. For landscape, this means recognising the intrinsic character and beauty of the countryside (para. 170 (b)) and balancing any 'harm' to the landscape resource with the benefits of the scheme in other respects.
- 2.2 **National designation**
The site does not fall within any landscape designations at the national or regional scale. Notwithstanding it is noted that the site is situated some 0.8 km north of the Chilterns AONB boundary and this falls within the setting of the AONB. Section 85 of the CRow (Countryside and Rights of Way) Act 2000 places an explicit duty on relevant authorities to have regard to the purpose of conserving and enhancing the natural beauty of an AONB when exercising or performing any function in relation to or so as to affect an AONB.
- 2.3 The special qualities of the Chilterns AONB of relevance to the Site, which sits outside the AONB, include:

- “Panoramic views from and across the escarpment interwoven with intimate dip slope valleys and rolling fields.”
- “relatively dark skies, of great value to human and wildlife health; unspoilt countryside, secret corners and a surprising sense of remoteness.”

2.4 **National Character Area**

At the national level (profile published by Natural England) the site and its surroundings falls within National Character Area (NCA) 110 ‘Chilterns’ with NCA 88: ‘Bedfordshire and Cambridgeshire Claylands’ to the north.

2.5 NCA 110: ‘Chilterns’ comprises the Chiltern hills stretching from the Thames in Oxfordshire at their south-western point, across Buckinghamshire and Hertfordshire to Bedfordshire in the north-east. They form a distinctive outcrop of chalk rising to just above 260m, with a dramatic scarp forming the north-western boundary. From the long, north-west-facing scarp there are extensive, panoramic views over the adjacent vales.

2.6 The key characteristics of primary relevance here are: “The north-west-facing escarpment is an abrupt relief feature beside low-lying vales, breached notably by the Thames at the Goring Gap. The escarpment lowers northwards, terminating as distinct hills. The Chiltern ridge offers panoramic views.”

2.7 NCA 88 is an expansive NCA covering most of north and mid-Bedfordshire, western Cambridgeshire, and part of east Buckinghamshire and Northamptonshire. A distinct boundary exists to the south where it meets both the elevated Chilterns NCA.

Key characteristics of NCA 88 of relevance here include:

“Gently undulating, lowland plateau divided by shallow river valleys that gradually widen as they approach The Fens NCA in the east.

Variable, scattered woodland cover comprising smaller plantations, secondary woodland, pollarded willows and poplar along river valleys, and clusters of ancient woodland particularly on higher ground to the northwest representing remnant ancient deer parks and Royal Hunting Forests.

Predominantly open, arable landscape of planned and regular fields bounded by open ditches and trimmed, often species-poor hedgerows which contrast with those fields that are irregular and piecemeal.”

Whilst this is useful background information. The Local Landscape Character Assessment is a more useful tool in determination of this application.

2.8 **Local designation**

The site does not fall within any landscape designations at a local level. Notwithstanding the site is within the North Luton Chiltern Landscape Clay Vale (5B) character area.

This is flat open arable landscape of the eastern section of the landscape character area creates a striking contrast to the Sundon/Sharpenhoe chalk escarpment. Hedgerows have been lost, reducing the landscape pattern, but this area is still attractive and has a remote and tranquil character. Trees and hedgerows tend to mark the course of streams and drainage ditches.

The Landscape Strategy for this Character Area is to conserve the rural character of the area in view of the growth proposals north of Luton. Green Infrastructure can contribute by:

- Enhancing the setting of Barton as a gateway to the Chilterns.
- Restoring and reinstating hedgerows to enhance the view from the escarpments.
- Enhancing green corridors to Harlington and the Mid Bedfordshire Greensand landscape.
- Strengthening character, including recreation of pasture, associated with the streams and ditches.
- Mitigation of the A6

2.9 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.

2.10 **Local Plan policies**

Adopted development plan policy EE7 states that proposals effecting the setting of the AONB will be restricted to proposals that:

- 1 - Conserve and enhance the Chiltern AONB's special qualities, distinctive character, tranquillity and remoteness in accordance with national planning policy and the overall purpose of the AONB destination;
- 2 - Are appropriate to the economic social and environmental well being of the

area or are desirable for its understanding and enjoyment

3 – Meet the aims of the statutory Chilterns AONB management plan, making practical and financial contributions towards management plan delivery as appropriate and

4 - Avoid adverse impacts from individual proposals (including their cumulative effects) unless these can be satisfactory mitigated.

2.11 Policy EE7 goes on to state that developments in the Chilterns setting should respond to the landscape character (having considered all the relevant landscape character assessments) and be informed by landscape and visual impact assessment to understand the impacts of the proposed to development on landscape character and what options for mitigating negative impacts are possible.

2.12 **Chilterns AONB Management Plan**

The Chilterns Conservation Board has produced a Management Plan for the AONB which provides a framework within which Local Authorities, Government and the Board itself operate. The Chilterns AONB Management Plan sets out the vision, policies and actions for the management of the Chilterns AONB for the period 2019–2024, and describes how best to conserve, enhance and enjoy the Chilterns. Its creation is led by the Chilterns Conservation Board and it is the only plan which guides the management of the AONB as a whole. Of relevance is Policy DP4 'In the setting of the AONB, take full account of whether proposals harm the AONB. For example, development of land visible in panoramic views from the Chilterns escarpment or which generates traffic in or travelling across the AONB, or which increases water abstraction from the chalk aquifer, thereby reducing flow in chalk streams.

- 2.13 The site some 27.8 hectares comprises a single arable field, with a short extension to the south to encompass a section of public right of way (PRoW – footpath FP2), which provides a pedestrian link into the Barton-le-Clay. The Site is bounded by the settlement edge to the west, Higham Road to the north, and farmland to the east and south. The curved eastern and southern boundary comprises a mixture of both intact and defunct hedgerows as well as mature hedgerow trees and a block of woodland, which collectively form a defined boundary to the wider area.
- 2.14 The applicant has submitted a Landscape and Visual Impact Assessment (LVIA). The LVIA makes the case that
- that the character of the landscape has been weakened by the urbanising influence of the recent settlement edge and degradation of characteristic landscape elements.
 - The site is visually contained by vegetation and topography that limit views from within the vale to the north, east and south
 - There are view to the site from elevated facing open slopes of the scarp slope of the AONB, however in these views the site is seen in the contact of, and as an extension to, the existing settlement.
- 2.15 It is evident that the LVIA has informed the masterplan for the proposed scheme. Specifically the applicant has demonstrated through this document that a sensitive layout alongside strategic planning would mitigate views and retain and reinforce the characteristic landscape fabric.
- 2.16 Further the Illustrative Master Plan broadly demonstrates how the site could be developed to accommodate a policy compliant provision of 10.15 hectares of Public Open Space, surface water attenuation, the provision of a 2.1 hectare site for a lower/primary school, a 60 unit extra care facility and up to 500 dwellings at a density of approximately 20.14 dwellings per hectare (dph). It is considered that an appropriately designed and landscaped development could be achieved at reserved matters stage. Most importantly development on this site must be integrated within a treed landscape setting to conserve landscape character and views.
- 2.17 It is considered that a development of the scale proposed by integration through a treed landscape setting could respect its local context and in turn create new improved landscape settlement edge. Further it is considered that the proposal 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.
- 2.18 Taking into account 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 and the sensitive edge to a maximum of three storeys in scale, which could be secured by condition.
- 2.19 For the reasons outlined above it is considered that subject to an appropriately designed scheme including a landscaping scheme, that the proposed development would have an acceptable impact on the character and appearance of the area, including the intrinsic character and beauty of the countryside, nearby Area of Outstanding Natural Beauty, and the character and appearance of the landscape more widely, in accordance with Policies EE4, EE5, EE7 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)

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 There are currently no foot ways or cycle ways along the site frontage on Higham Road. To the west of the site, there is an existing foot way on the south side of the route that runs between the Orchard school and roundabout junction with the A6. There is an existing shared foot way/cycle way on the east side of the A6 at the roundabout junction with Higham Road.
- 3.4 Approximately 400m to the west of the site Higham Road forms the major road of a priority T-junction with Windsor Road. There are foot ways on both sides of Windsor Road, which provide an alternative walk route to Barton-le-Clay village centre (via Manor Road). In terms of cycle routes, there is an existing shared foot way/cycle way on the east side of the A6 at the roundabout junction with Higham Road. The route leads north to Silsoe and terminates on the B655 Bedford Road, just to the south of the roundabout. Higham Road and the B655 Bedford Road through the village centre form part of the Chilterns Cycle way leisure route and this route is sign posted through the village.
- 3.5 The closest Public Rights of Way (PRoW) to the site is footpath 58 (FP58). FP58 runs from Higham Road along the eastern boundary of the site and then connects with public footpath FP2 which leads from the southern boundary of the site to Manor Road.
- 3.6 The Chartered Institution of Highways and Transportation in their document 'Guidelines for Providing for Journeys on foot' state that "walking accounts for over a quarter of all journeys and four fifths of journeys less than one mile". The document also provides guidance on acceptable walking distances and suggests that a preferred maximum walking distance of 2km is applicable for commuting or school trips.
- 3.7 A 2km walking catchment from the site incorporates most of the village, including the local schools, shops, health and leisure facilities.
- 3.8 Proposed access from the site will be provided on the access on Higham Road. A 3m wide shared foot way/cycle way will be provided to the west of the site access, and a shared foot way/cycle way will continue westwards to the junction with Windsor Road. A separate pedestrian/cycle access is also proposed towards the eastern boundary of the site.
- 3.9 To the south of the site a connection to FP58 is proposed. The increase in housing adjacent to the route will mean that the use of the path is likely to significantly increase. FP58 is presently a soil-based path. The applicants have agreed to upgrade the path's surface to a specification supplied by the council, including improvements to the small footbridge and provide the link. The applicant has also agreed to provide enhanced way marking. These improvement will be secured by a planning condition.
- 3.10 In addition to the above the applicant has agreed provide cycle parking for

each dwelling in accordance with CBC cycling strategy.

- 3.11 The nearest existing bus stops to the proposed development are located on the B655 Bedford Road, approximately 600m to the west of the site. These stops are served by the Stagecoach 81 service, which operates between Luton

and Bedford at a 60-minute frequency, Monday to Saturday. Both bus stops have shelters, seating and timetable display cases and the stop for southbound services is located in a lay-by.

- 3.12 There is also a single bus service, the Grant Palmer 79 service, that operates along Higham Road past the proposed development (although the closest stops are on Windsor Road, approximately 700m to the west of the site). This service operates between Shefford and Luton on a limited frequency (four buses a day in each direction), Monday to Saturday.
- 3.13 The applicant has agreed £200,690 S106 funding towards the increase of Service 79 to an hourly service between 7 am and 7 pm, Monday to Saturday. This will be increased to half-hourly as more dwelling are occupied. In addition the applicant has agreed placement of 2 existing shelters with real time screens.
- 3.14 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 7km to the west of the site, is accessible within a 22-minute cycle. Harlington Station provides cycle storage for up to 44 bicycles. A travel plan condition is recommended to promote these sustainable travel modes
- 3.15 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 up to 500 new dwellings, 60 unit extra care facility and lower/primary school.
- 3.16 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 (500 dwellings + 290 pupil primary school) would be expected to generate a maximum of 481 two-way vehicle trips (142 arrivals and 339 departures) in the AM (8-9 am) peak hours and 381 two-way vehicle trips (230 arrivals and 151 departures) in the PM (5-6pm) peak hours. This equates to an additional 8.02 extra trips every minute on average across the am peak period and 6.35 extra trips every minute 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.
- 3.17 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.
- 3.18 The junctions considered to be most sensitive to additional trips are the
- 1- A6/Higham Road Roundabout,
 - 2- B655 Bedford Road / Sharpenhoe Road mini-roundabout,
 - 3- B655 Bedford Road / Hexton Road priority T-junction,
 - 4- A6 / Church Road roundabout, Streatley

- 3.19 The following off-site highway improvements are proposed to mitigate the impact of development generated traffic:
- Improvements at the A6/Higham Road roundabout junction to provide partial signal control; and
 - Junction improvement scheme at the A6/Church Road roundabout junction in Streatley.
- 3.20 With regards to the other two junctions 2 and 3 it is noted that both will operate at or above capacity. However given that the impact of development generated at the junctions are negligible (2. increase in maximum queue length of 2 vehicles) (3. two-way flows of less than 10 vehicles being generated through the junction by the proposed development during a typical weekday peak hour) improvements to these junctions could not be justified.
- The proposals 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.
- 3.21 Proposed Access _
- Vehicular access to the development is proposed via a new compact roundabout junction onto Higham Road. Pedestrian and cycle access to the development would also be provided from the proposed access onto Higham Road. It is proposed that a 3m wide shared foot way/cycle way be provided to the west of the site access to connect to the existing foot way on the south side of Higham Road (to the west of The Orchard School). It is proposed that this shared foot way/cycle way would continue westwards to the junction with Windsor Road. A separate pedestrian/cycle access is also proposed towards the eastern boundary of the site, with the potential for this route to also be used for emergency vehicle access, should there be an incident at the proposed site access junction. To the south of the site a connection is proposed to public footpath FP2, which leads south-west and provides a link to Manor Road.
- 3.22 The Council's highway engineers have been consulted on the application and find there to be no safety or capacity reason to object in highway terms
- 3.23 Illustrative Layout Plan
- The application is in outline only and therefore the internal layout of the proposed development is yet to be finalised. The applicant does however confirm that the main site access route will include for a 6.5m wide carriageway to allow the street to be used as a bus route, and a loop arrangement will be provided within the internal highway layout to allow buses to turn around easily within the site.
- 3.24 In addition the Applicant 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.

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 The site extends to approximately 29 hectares of which 27 hectares are in arable use and 2 hectares in non agricultural use.
- 4.3 Natural England mapping system classifies the application site as 27 hectares of Grade 2/3a 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.

- 4.4 No part of the Site is covered by any statutory designation and there are no internationally designated sites within 10km of the Site. However, there are seven nationally designated sites within the Site's potential Zone of Influence.
- 4.5 Barton Hills SSSI and NNR is situated 950 metres to the South of the site. Barton Hills includes examples of unimproved chalk grassland, wetland and mature beech woodland. Smithcombe, Sharpenhoe and Sundon Hills SSSI is situated 2km south west of the site. The SSSI includes examples of unimproved calcareous grassland with a rich assemblage of characteristic plants merging into mature beech woodland. Deacon Hill SSSI is situated 3.3 km south east of the site. The SSSI includes remnants of chalk downland with a characteristic species rich, calcareous grassland flora. Pulloxhill Marsh SSSI is situated 3.3 km north-west of the site. The SSSI includes a very good example of a base-rich marsh. Galley and Warden Hills SSSI is situated 4km south of the site. The SSSI includes unimproved neutral and calcareous grassland with structural variety provided by scattered and dense scrub. Knocking Hoe SSSI is situated 4km east of the site. The SSSI includes unimproved chalk grassland with scattered and dense scrub dominated by hawthorn and Rosa. Flitwick Moor SSSI is situated 4.8 km North-west of the site/ The SSSI includes remnant of a eutrophic (nutrient rich), valley mire and the largest area of wetland in Bedfordshire.
- 4.6 No part of the site is covered by any non-statutory designation. (In Central Bedfordshire, such designations are named County Wildlife Sites (CWS) with Roadside Nature Reserves (RNR) and Local Geological Sites (LGS) also considered at this level. The Zone of Influence also extends into Hertfordshire where such designations are named Local Wildlife Sites (LWS) with Regionally Important Geological/Geomorphological Sites (RIGS), Ancient Woodland Inventory Sites (AWIS) and Veteran and Mature Trees also considered at this level) Notwithstanding there are nine such designations within the Site potential ZOI.
- 4.7 The Applicant has submitted an ecology appraisal with their application. The appraisal assesses the impact on the Statutory and Non-Statutory designations within a 5km zone and concludes no detrimental effect.
- 4.8 **Birds**
All wild birds, their nests and eggs are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended), with certain species afforded additional protection measures. In addition, certain conservation concern species are listed as Priority Species

The applicant advises that during the breeding bird survey, 26 species were recorded in total. Of these, 17 were common and widespread species. Of the remainder, six were Red list species (dunnock, yellowhammer, linnet, starling, house sparrow and skylark).

The applicant states that given that the site relates to an urban edge and taking into account the nature of habitats present, the site is considered unlikely to support a significant breeding bird assemblage, although low

numbers of common, widespread and typical passerine birds may breed in trees, hedgerows, woodland and scrub habitats as well as the arable land for ground nesting birds such as skylark

Mitigation

The applicant proposes the following mitigation

- The provision of ecological protection zones (EPZs), and their delivery via a Construction Environmental Management Plan (CEMP)
- Enhancement of the retained habitats
- Provision of bird boxes
- Avoid disturbing any bird potentially nest – specifically removal of hedgerows, scrub or trees to take place between September and February

It is noted that the Council's ecologist is not satisfied that sufficient ecological information with regards to Skylark is currently available for determination of this application. Specifically the Council's ecology officer is not satisfied appropriate mitigation has been recommended for Skylark and consider adverse impacts are likely to be caused to this Priority Species post development. The officer adds that they recommend a bespoke Farmland Bird Mitigation Strategy be provided to ensure that impacts upon nesting Skylark are mitigated and compensated for.

The applicant confirm that they control under option further agricultural land which can be used for skylark mitigation. This can be secured through the S106

4.9

Bats

All species of British bat and their roosts are afforded strict protection under the Conservation of Habitats and Species Regulations 2017(as amended). Additional protection for bats is also afforded under the Wildlife and Countryside Act 1981 and a subset of the British bat assemblage are listed as Priority Species

The applicant advises that no bat or evidence of bats were found during the ground level tree assessments. The visual assessment identified seven trees within the Site with potential to support roosting bats. Further transect surveys and automated detector surveys recorded low to moderate levels of bat foraging/commuting activity across the Site. The typical and widespread species included the common pipistrelle and soprano pipistrelle bats accounting for the vast majority of recordings made. Additional species recorded included noctule,serotine, Leisler's, Myotis sp and long eared as well as the rarer barbastelle albeit in relatively low numbers.

It is noted that the Council's ecologist is not satisfied that sufficient ecological information with regards to Bats is currently available for determination of this application. *Specifically there is potential for three of the trees with bat roosting potential to be lost/disturbed. The Council's ecologist adds that if the applicant can confirm that T1 and T6 will be retained and unaffected by the development, then further bat surveys will not be needed. The applicant has advised that all of the trees with suitability to support roosting bats trees will be retained and as such no further surveys are required*

Mitigation

The applicant proposes the following mitigation

- strengthening the existing boundary vegetation with additional tree, shrubs and species-rich grasslands to create strong green linkages/corridors across the Site

-

- a new wildlife pond and both wet and dry SUDSs features will provide further habitat diversity across the proposed open space which will provide additional foraging resources for bats

- The development should be subject to a wildlife-sensitive lighting scheme

- Inclusion of a range of good quality bat boxes are installed either on retained mature trees or incorporated into dwellings to provide additional roost features for bats.

4.10 **Badgers**

Badgers and their setts receive protection under the Protection of Badgers Act 1992.

The applicant states that the woodland, hedgerow and scrub habitats all provide habitat of suitability to support badger though no evidence of badger was recorded during any of the on-site surveys.

Mitigation

The applicant proposes the following mitigation

- Retention and strengthening of the vegetated boundary habitats around the development

- To retain corridors of open space along all of the site boundaries

4.11 **Reptiles and Amphibians**

All species of widespread reptile (including common lizard (*Zootoca vivipara*), slow-worm (*Anguis fragilis*) and grass snake (*Natrix helvetica*)), receive at least limited protection from harm under the Wildlife and Countryside Act 1981 (as amended).

The applicant completed a Great Crested Newt survey on all of the accessible water bodies within 500m of the Site. The survey identified pond P1 as having below average suitability, P2 poor suitability and P3 average suitability. Access to pond P4 was not granted, however, aerial imagery suggests that this is a small lake fed by stream D1 and with a reasonable likelihood that it supports fish and or waterfowl, thereby reducing its suitability for great crested newt. Critically no great crested newts were found during the traditional surveys and the eDNA survey returned a negative result for all three water bodies.

The woodland, hedgerow, grassland, ruderal and scrub habitats all provide suitable terrestrial habitat to support reptiles. Notwithstanding during the surveys, no reptiles were recorded

Mitigation

- the creation and management within the development of wild flower meadow and wet grassland, hedgerows and woodland.

- In addition to the two new suds features a wildlife pond is proposed to be sited in proximity to retained boundary features. The applicant states that this will be designed and managed for its biodiversity value.

4.12 **Otter and Water Vole**

The water vole is fully protected under Schedule 5 of the Wildlife and

Countryside Act 1981 (as amended) and is a priority conservation species. The Site supports a few dry, shallow ditches and a single small stream (D1) flowing south to north along the eastern Site boundary. This stream

is a short tributary of the Barton brook, likely fed by a spring to the south of Hexton Road (B655) with its confluence 1.2km north of the Site. The stream habitats are considered to provide some potential to support populations of otter and water vole though the dry ditches were scoped out of this survey as they offer habitat of negligible potential. Notwithstanding the above no signs of otter or water vole were recorded during surveys in 2018 or 2020.

4.13 Hedgehog

Hedgehogs are listed on schedule 6 of the Wildlife and Countryside Act (1981), which makes it illegal to kill or capture wild hedgehogs, they are also listed under the Wild Mammals Protection Act (1996), which prohibits cruel treatment of hedgehogs. Under the NERC Act, hedgehogs are also listed as a species of 'principal importance'.

The applicant has not undertaken a survey for hedgehog. Notwithstanding suitable hedgerow and woodland habitat is present within the Site and as such presence is considered likely.

Mitigation

To enhance the Site for this species the applicant states that log/brush piles and compost heaps will be installed within the woodland and other areas of open space to provide additional opportunities for foraging and refuge.

- 4.14 The appraisal concludes that there are limited constraints posed by the site's habitats and protected species interest, coupled with the scale and scope of the proposed mitigation measures.
- 4.15 The ecology appraisal has been carefully considered by the Council's Ecology Officers. Aside from their comments on bats and skylark the Council's Ecology Officers are satisfied that the proposal will not have a significant effect on protected or important species and habitats.
- 4.16 An Arboricultural Impact Assessment (AIA) has been submitted with the planning application. The site does not lie within a conservation area and none of the trees on site are afforded protection by tree protection order. The assessment advises that two areas are impacted by the development proposals.
- 4.17 G46, a moderate quality group requires a small section to be removed in order to implement the access and H47, category low quality hedgerow which runs parallel to Higham Road requires complete removal in order to implement the access.



- 4.18 The AIA has been considered by the Council's landscape officer who has raised no objection to the proposed works.
- 4.19 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.
- 4.20 Given the discussion above, and subject to skylark mitigation to be secured through a S106 it is considered that the impact upon the natural environment is acceptable.

5. Impact on the historic environment

5.1 Archaeology

The application area is known to contain multi-period heritage assets with archaeological interest which will be adversely affected by the proposed development. Notwithstanding the Council's Archaeology Team are content that the Cultural Heritage chapter of the Environmental Statement meets with the requirements of Regulation 18 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended 2018) and that the impact of the development on the archaeological resource can be mitigated. The Council's Archaeology Team have no objections subject to mitigation through a pre-commencement condition.

5.2 Listed Buildings/Conservation Areas

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. There are no designated heritage assets within the Site.

- 5.3 The Barton-le-Clay Conservation Area is sited 423 metres to the west of the site. Give that the majority of the conservation area and the buildings within it are screened from the Site by modern housing on the eastern side of the settlement and the Arnold Middle School it is accepted that the site does not form part of the setting of the conservation area, such that the proposed scheme will have no effect on its significance.
- 5.4 There are 28 listed buildings located within 1km of the site 1 Grade I listed building (Grade I listed church of St Nicholas) and 27 Grade II listed buildings. The nearest listed buildings, the Manor House and Manor Cottage, are located 50 metres and 90 metres from the western boundary of the Site respectively. The listed buildings cannot be experienced from any part of the site and the site cannot be experienced from any part of the listed building. Given the above it is concluded that the proposed scheme will have no effect on these heritage assets. In addition the Grade II Listed 17th century timber framed Westhey Manor is located c.95m to the north of the northern extent of the Site and the Higham Road. It is accepted that there will only be glimpsed view, at most, of the northern extents of the site from the southern windows of the building. Given that the sensitive elements of the listed buildings setting that contribute to its significance are its relationship with the courtyard, outbuildings, brook and Higham Road it can be concluded that those elements will not be affected by the proposed scheme.

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 500 dwellings an extra care facility and school 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). Comments from the pollution control team with regards to noise are noted and will be appropriately addressed at reserved matter stage.
- 6.3 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 subject to details of reserved matters.
- 6.4 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 the Councils Construction code of practice. This will be secured through the S106 to ensure that impacts are minimised.

7. Other Considerations

7.1 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)

- 7.2 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 (see Sustainable Modes of Travel section above), 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 The predicted risk of adverse odour from the school kitchen extraction system is predicted to be very high. Section 8.2 of the applicant's air quality assessment provides an initial proposed odour control system for the kitchen extract. The Council's pollution team have raised no objection. Notwithstanding a condition is recommended to secure odour mitigation

7.4 **Construction Management**

Should permission be granted, it recommended that the S106 agreement include a requirement for the developer to comply with the Council's Construction Code of Practice.

7.5 **Energy Efficiency**

The endorsed Development Brief set out a series of nine key design objectives with which the proposals are required to comply.

7.6 **Objective 9: To consider the evolving climate throughout the development**

The applicant proposes to deliver on this objective by:

- Low Carbon Homes – homes will be designed to reduce carbon emissions in accordance with the interim FHS 31% carbon reduction
- Low carbon construction - The design of homes will include a Life Cycle Assessment to review key building materials and alternative options to help reduce construction stage carbon emissions.
- Low Carbon Transport – inclusion of cycle storage for all homes – infrastructure to enable the installation of electric vehicle
- New homes will be designed to be adaptable for the future and able to incorporate smart energy systems to facilitate efficient energy use, battery technology and energy generation.
- The development will be designed to include Sustainable Drainage Systems (SuDS), including attenuation basins to accommodate a 1 in 100 year storm event including a 40% allowance for climate change.
- Risks of overheating will be managed in accordance with the Cooling Hierarchy prioritising passive design features.
- To reduce the use of potable water new homes be designed to reduce water consumption to achieve a water consumption rate of 110l/p/d, with the school achieving 2 Wat01 BREEAM water efficiency credits, incorporating measures such as water meters, low flow fittings and water butts to reduce water use.

- The development will provide at least a 10% gain in biodiversity through the protection of existing site habitats and creation of new habitats such as species rich wild flower grassland and SuDS features designed to accommodate wildlife. The Landscape Environmental Management Plan (LEMP) will include the specification of climate tolerant species.
- 7.7 The proposal has been carefully reviewed by the Council's Sustainable Growth Officer. The officer raises no objection subject to a condition requiring that such measures be incorporated in the development at reserved matters stage.
- 7.8 **Environmental Code of Practice for Developers and Contractors**
The Council has endorsed an Environmental Code of Practice for Developers and Contractors in order to minimise the impact of development on natural features and secure their integration into development rather than removal. Should permission be granted, it recommended that the S106 include a requirement for the developer to comply with the Council's Environmental Code of Practice for Developers and Contractors.
- 7.9 **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.
- 7.10 **Fire Hydrants**
The Bedfordshire Fire Service has identified that new development should allow for the provision of fire hydrants and appropriate access. This is a matter than could be secured by condition. In addition officers are satisfied that fire trucks can enter and turn within the site.
- 7.11 **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).
- 7.12 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.
- 7.13 **Foul Water Drainage**
The foul drainage from this development is in the catchment of Barton Le Clay Water Recycling Centre. Anglian Water have been consulted in relation to this development and the capacity of foul water drainage. Anglian Water advise that the recycling centre does not have capacity to treat the flows the development site. Notwithstanding Anglian Water are obligated to accept the

foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission. A condition is recommended to secure details of foul water drainage.

7.14 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.

Luton Council rightly advise that site HAS05 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.

- 7.15** 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. 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. 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.

- 7.16** 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. As stated above 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. Importantly the Housing Solutions Team's comments confirm that sufficient affordable homes are being provided to Luton residents, as a result of re-housing 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.

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.

- 7.17 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.
- 7.18 Policies H1 and H4 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 up to 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 108 units of affordable rent and 42 units of shared ownership from the development (based on the provision of 150 affordable dwellings). The Council are satisfied that this can be secured through the S106.
- 7.19 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.

8. Planning Obligations

- 8.1 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).

It is recommended that if planning permission is granted a legal agreement under section 106 of the Town and Country Planning Act 1990 makes provision for the following:-

8.2 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 500 units would qualify for Affordable Housing provision at 30%. The developer advises that up to 150 (30%) of the 500 dwellings will be affordable dwellings.

8.3 Older peoples housing

Policy H3 states that on larger sites of 300 units or more, the provision of an extra care facility will be required, unless an alternative approach can be demonstrated to be more suitable. The proposed development includes provision of a 60 bed (C2) This would also qualify for Affordable Housing provision at 30%. The developer advises that 18 of the care units will be affordable. The Council's MANOP Officers raises no objection subject to this being secured through the S106.

8.4 Self and Custom Housing

Under Policy H6 of the Local Plan, 10% of all developments for ten dwellings and above should be provided as Self Build and Custom Housing. The proposal for up to 500 units would qualify for Self Build and Custom Housing provision at 10%. The developer advises that up to 50 (10%) of the 500 dwellings will be Self Build/Custom Housing.

8.5 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.

8.6 Cemetery

A Contribution of £5,785 towards off site cemetery provision.

8.7 Community Halls

A contribution of £547,800 is sought towards creation of additional/larger space at unity hall/church hall in order to increase the capacity, quantity and diversity of activities that can be provided by the village hall. This item would also include necessary associated equipment/technology and infrastructure upgrade, along with increased car parking capacity.

8.8 Education

1 - Transfer of a 2.1ha primary school site to Central Bedfordshire Council
2 - An education contribution of £7,182,318.40 (Early years: £610,412.40, Primary £2,848,591.50, Secondary £3,723,314.50) required from this development: £610,412.40 (early years) contribution towards a nursery that will be built on school site. £2,848,591.50 (primary) towards a new 2 form entry primary school that will be built on school site. £3,723,314.50 (secondary) towards the provision of additional accommodation for the children from this development.

8.9 Leisure:

A contribution of £448,128 towards refurbishment and reconfiguration changes at Flitwick Leisure Centre. A contribution of £366,991 toward improvements at Barton Rovers Football Club specifically to provide a 6-changing pavilion, new artificial training pitch, new step 4 stadia artificial 3Gpitch and x1 new grass pitch (91x55m).

- 8.10 Libraries:
A contribution of £105,000 towards improvement works at Barton-le-Clay Library, including a small extension providing public toilet / staff space / storage / back office, new IT equipment and book stock.
- 8.11 NHS -
A contribution of £1,222,500 is required (£407,500.00 towards the provision of additional capacity at Barton Le Clay Surgery, £57,050.00 towards Community Health provision, £692,750.00 towards mental health costs and £65,200 towards secondary health care provision).
- 8.12 Public Transport
1 – A contribution of £200,690 towards the increase of Service 79 to an hourly service between 7 am and 7 pm, Monday to Saturday.
2 - A contribution of £23,000 towards new replacement bus shelters and real-time passenger information screens at the two nearest bus stops.
- 8.13 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. The contributions are considered to meet the tests within CIL Regulation 122.

Conclusion

Subject to the imposition of the attached conditions and section 106 agreement, the proposal is acceptable having been assessed against policies within the development and all other material considerations, and specifically:

- The site is an allocated site for housing HA1 (Central Bedfordshire Local Plan (2015-2035) with the identifier HAS05
- The site will deliver new housing to meet the need identified within the Local Plan, including a policy compliant amount of affordable, custom/self build and old peoples housing
- The proposal secures delivery of a 2.1 hectare site for a lower/primary school
- 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 including the nearby Area of Outstanding Natural Beauty;
- The development makes adequate provision for the residential amenity of the future occupiers of the properties
- The development would result in an acceptable 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 or ground investigations, shall commence at the site until an Areas Plan defining the relevant Areas in which the development be delivered and the relevant part of the site that is included in each area has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out in accordance with the approved Areas Plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: To allow the development hereby approved to be delivered as in a timely manner

- 2 No development, excluding works necessary to facilitate archaeological or ground investigations, shall commence in any Area defined under the Areas Plan approved by Condition 1 until approval of the details of the appearance, landscaping, layout and scale of the development (herein called "the reserved matters") for the relevant Area has been obtained in writing from the Local Planning Authority. The development of each Area 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.

- 3 Application for the approval of the reserved matters for any Area defined under the Areas Plan approved by Condition 1 shall be made to the Local Planning Authority within three years from the date of this permission. Development in any Area defined under the Areas Plan 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.

- 4 Excluding the Extra Care Area, the development hereby approved shall comprise no more than 500 dwellings.

Reason: For the avoidance of doubt.

- 5 Notwithstanding the details hereby approved, no dwelling shall exceed 3 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.

- 6 No development in an Area defined under the Areas Plan approved by Condition 1, excluding works necessary to facilitate archaeological or ground investigations, shall take place until a scheme has been submitted to and

approved in writing by the Local Planning Authority in consultation with the Fire and Rescue Service, for the provision of fire hydrants within the relevant Area. Prior to the first occupation of any dwelling in the relevant Area the fire hydrants serving the property or group of properties in that Area shall be provided as approved. Thereafter the fire hydrants shall be retained as approved for the lifetime of the development.

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 Development in an Area defined under the Areas Plan approved by Condition 1 shall not be occupied until the details of external lighting to be installed in the relevant Area, including the design of the lighting unit, any supporting structure and the extent of the area to be illuminated, within that Area have been submitted to and approved in writing by the Local Planning Authority. The external lighting in the relevant Area shall be installed in accordance with the approved details for that Area.

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

- 8 Prior to the submission of a reserved matters application for the Area of the development that includes the provision of plots for Self Build and Custom Housing, individual Plot Passport Details for all Self Build and Custom Housing plots shall be submitted covering:
- An indicative Site Layout Plan for the relevant Area,
 - Indication of building height, massing and bulk for the relevant Area,
 - Indicative plot size and width for the relevant Area.
- The Plot Passport Details shall be approved in writing by the Local Planning Authority and thereafter the reserved matters for any individual Self Build and Custom Housing plot in that Area shall accord with the approved Plot Passport Details unless otherwise agreed in writing with the Local Planning Authority.

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

- 9 No above ground development in an Area defined under the Areas Plan approved by Condition 1, excluding works necessary to facilitate archaeological or ground investigations, shall take place until a scheme for the provision of adequate ducting arrangements to facilitate superfast broadband (fibre-optic) technology to each residential property in the relevant Area has been submitted to and approved in writing by the Local Planning Authority. No dwelling in the relevant Area shall be occupied until the ducting arrangements 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.

- 10 No dwellings in an Area defined under the Areas Plan approved by Condition 1 shall be occupied until details of the bin storage/collection areas for that Area have been submitted to and approved in writing by the Local Planning Authority. The bin storage/collection areas shall be implemented in accordance with the approved details and retained thereafter.

Reason: In the interest of amenity

- 11 Part A: No development in an Area defined under the Areas Plan approved by Condition 1 shall take place until a Written Scheme of Archaeological Resource Management (WSARM) has been submitted to and approved in writing by the Local Planning Authority. The said development shall only be implemented in full accordance with the approved archaeological scheme and the WSARM shall contain the following components:
1. a method statement for the investigation of archaeological remains present at the site. This shall be prepared with reference to the results of the evaluation (Magnitude Surveys 2018 and PCA 2019) and Appendix 9.1 of the Environmental Statement (EDP 2021).
 2. a method statement for the preservation *in situ* of any archaeological remains that cannot be fully investigated (if appropriate)
 3. an outline strategy for community engagement
 4. an outline strategy for post-excavation assessment; analysis, publication, and archive deposition including details of the timetable for each stage of the post-excavation works

Part B: Development in an Area defined under the Areas Plan approved by Condition 1 shall only be implemented in full accordance with the approved WSI for the relevant Area and this condition shall only be fully discharged when:

1. all elements of the archaeological fieldwork have been completed and the date of completion has been confirmed in writing by the Local Planning Authority
2. a final archaeological report or (if appropriate) a Post Excavation Assessment report and an Updated Project Design 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 site archives (including the completion of the archive report) for deposition at stores approved by the Local Planning Authority has been undertaken and confirmed in writing by the Local Planning Authority. For the digital archive this will include confirmation of the intention to deposit with a Core Trust Seal certified repository dedicated to storing archaeological archives.
5. the publication report text has been prepared for submission to either a recognised archaeological journal or an approved final report is submitted to the Historic Environment Record, and this has been 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. Should the project not warrant the production of a Post Excavation Assessment report, an Updated Project Design and a publication text, Item 5 can be completed on the approval of the final archaeological report.

Reason: In line with policy HE1 of the Central Bedfordshire Local Plan 2015-2035 (adopted July 2021) and paragraph 205 of the National Planning Policy Framework (July 2021): to investigate and record any archaeological remains affected by the development, to safeguard the long-term future of the archive and to make the record of all the work publicly available. Part A of this condition is pre-commencement because development works can have an irreversible impact on archaeological remains and an approved programme of investigation must be in place before the development starts.

- 12 No development above slab level in an Area defined under the Areas Plan approved by Condition 1 shall take place until a detailed surface water drainage scheme, to manage surface water runoff from the development for up to and including the 1 in 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 staged as discussed in the FRA/DS. The final detailed design shall be based on the agreed drainage Strategy (Ref: Tetrattech, RT107250-02, PR2, April 2022) 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, 5, and 7 (informative 1) 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, in accordance with para 163 and 165 of the NPPF and its supporting technical guidance.

- 13 No development above slab level in an Area defined under the Areas Plan approved by Condition 1 shall take place 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)

- 14 No groundworks shall commence in an area, as defined by the areas plan required by condition 1, of the development until a Construction

Environmental Management Plan (CEMP), with site waste management plan, has been submitted to and approved in writing by the Local Planning Authority for that relevant area. The CEMP shall accord with Chapter four of the Environmental Statement submitted as part of this planning application and shall include details of:

Anticipated tonnage of waste generated during the groundworks phase.

- Adherence to the waste provisions of the Environmental Protection Act 1990 and the Environmental Protection (Duty of Care) Regulations 1991, setting out the principles and legal requirements relating to waste (including hazardous waste);
- Adherence to BREEAM Wst 01 Construction Waste Management;
- Details of material and waste storage/handling on-site and procedures for the removal of waste off-site in line with appropriate licensed handling procedures, especially with respect to hazardous waste,
- Methods for the efficient management of materials, including the ability to source sustainable construction materials;
- Targets for the reduction of construction waste and monitoring procedure for targets throughout the construction phase; and
- Outline further best practice measures to be adopted in order to achieve identified targets, taking account of the waste hierarchy of reduce, reuse, recycle, recovery and disposal.

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

REASON: To ensure that the development is constructed using methods to mitigate nuisance or potential damage associated with the construction period and in accordance with Minerals and Waste Local Plan: Strategic Sites and Policies policy 5 and Bedfordshire and Luton Minerals and Waste Local Plan policy 5.

- 15 A report shall be submitted to and approved in writing by the Local Planning Authority within six months of the last dwelling completion and school completion which reports on the following outcomes:

Tonnage of soil imported onto the site.

- Volume of construction waste produced.
- Volume of construction waste removed from the site.
- The locations of waste storage and recovery facilities.

Reason: To ensure that the development is constructed in accordance with Minerals and Waste Local Plan: Strategic Sites and Policies policy 5 and Bedfordshire and Luton Minerals and Waste Local Plan policy 5.

- 16 In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To protect the amenity of future occupiers and the environment.

- 17 No development above slab level in an Area defined under the Areas Plan approved by Condition 1 shall take place until full details of existing and proposed ground levels within the site by means of spot heights and cross sections, proposed siting and finish floor levels of all buildings and structures have been submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented in accordance with the approved level details.

Reason: As this matter is fundamental to the acceptable delivery of the permission to safeguard the amenities of nearby properties and to safeguard the character and appearance of the area.

- 18 No development above slab level in an Area defined under the Areas Plan approved by Condition 1 shall take place until details of the external materials to be used have been submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the approved details.

Reason: To ensure a satisfactory external appearance.

- 19 No development above slab level in an Area defined under the Areas Plan approved by Condition 1 shall take place until a scheme for protecting the dwellings, extra care home and school hereby permitted from noise from road traffic has been submitted to and approved in writing by the local planning authority. The scheme shall include the details of any noise barrier, building insulation and alternative ventilation arrangements for the dwellings concerned. The scheme shall ensure that the internal noise levels from road traffic shall not exceed 35 dB LAeq, 0700-2300 in any habitable room or 30 dB LAeq 2300-0700 and 42 dB L_{Amax} 2300-0700 inside any bedroom and that noise levels from road traffic in any amenity area shall not exceed 55 dB LAeq (1 hour) within the first 5 metres from the building façade to which the amenity area relates. No dwelling shall be occupied until the works to protect the dwelling concerned have been completed in accordance with the approved details.

Reason: To protect future residents from road traffic noise.

- 20 Details, including acoustic specification of all fixed plant, machinery and equipment to be used by reason of the granting of this permission shall be submitted to and approved in writing by the Local Planning Authority before

installation. The development shall be carried out in accordance with the approved details and maintained in that form thereafter.

Reason: to protect the amenity of future occupiers.

- 21 Prior to the development of the proposed educational facilities including associated sports pitches, informal and formal play areas a noise scheme to protect noise sensitive uses from detriment to amenity shall be submitted for written approval to the local planning authority. The scheme shall be implemented prior to the educational facilities being brought into use.

Reason: In order to safeguard the amenities of adjoining residential occupiers. The details are needed prior to the start of work so that any mitigating measures can be incorporated into the build

- 22 Prior to the first occupation of the non-residential units hereby permitted (school) details of the hours of operation for the non-residential units hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The non-residential units shall thereafter be occupied solely in accordance with the approved details.

Reason: To ensure that no nuisance or disturbance is caused to the detriment of the amenities of adjoining occupiers or users of the area generally.

- 23 No development above slab level in an Area defined under the Areas Plan approved by Condition 1 shall take place until a ventilation and summer cooling scheme for the proposed dwellings has been submitted to and approved in writing by The Local Planning Authority. The scheme shall enable appropriate internal ambient noise levels to be achieved whilst ventilation is provided at the minimum whole building rate as described in The Building Regulations Approved document F. The scheme shall also ensure that the thermal comfort criteria defined in the Chartered Institute of Building Engineers (CIBSE) Environmental Design Guide (2015) is achieved with windows closed where required to meet the noise standards for educational and leisure noise. The residential use of the relevant properties shall not commence until the approved ventilation scheme has been installed in full accordance with the approved scheme.

Reason: To protect the amenity of future residents of the development

- 24 Equipment shall be installed to effectively suppress and disperse fumes and/or odours produced by cooking and food preparation, and the equipment shall be effectively operated for so long as the extra care home or educational food use continues. Full details of the method of odour abatement and all odour abatement equipment to be used, including predicted noise levels of the equipment in operation, shall be submitted to and approved by the Local Planning Authority prior to the installation of the equipment. The approved equipment shall be installed and in full working order to the satisfaction of the Local Planning Authority prior to the use hereby permitted commencing.

Reason: In order to prevent the adverse impact of odours arising from cooking activities on the amenity of nearby residents.

- 25 The kitchen ventilation system(s) approved in accordance with condition 24 above, shall be so enclosed, operated and/or attenuated that noise arising from such plant shall not exceed a noise rating level equal or lower than the background noise level when measured or calculated according to BS4142:2014, at the boundary of any neighbouring residential dwelling. The applicant shall clearly demonstrate that noise from the installed plant achieves the required noise standard, prior to the use hereby permitted commencing.

Reason: To protect neighbouring residents from any adverse impact from noise arising from the kitchen extract ventilation system (s).

- 26 A Sustainability Statement is to be submitted with the relevant reserved matters application for each Area defined under the Areas Plan approved by Condition 1 in order to demonstrate compliance with policy CC1 of the Local Plan 2035. Prior to occupation of the first dwelling in the relevant Area a Post-verification Report is to be submitted to confirm that the development achieves the relevant standards in place at the time: Part L and Part G compliance documents.

Reason: In order to ensure sustainability of the development and to minimise development's impact on climate, in accordance with Policy CC1 of the Local Plan.

- 27 Prior to the commencement of any construction above the damp proof course in each Area defined under the Areas Plan approved by Condition 1, a scheme for on-site foul water drainage works in the relevant Area, 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 dwelling in the relevant Area the foul water drainage works relating to that dwelling 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.

- 28 No development, demolition, clearance or preparatory operations (including excavations) shall commence in an Area defined under the Areas Plan approved by Condition 1 until an Arboricultural Method Statement to include Tree Protection Measures relevant to that Area has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details.

Reason: To ensure suitable protection of the trees on and adjacent to the site for the duration of the construction works pursuant to the permission and in the interest of visual amenity, to enhance that character and appearance of the site. This condition is pre commencement to ensure that site operations do not harm any trees shrubs and hedges to be retained.

- 29 No development in an Area defined under the Areas Plan approved by Condition 1 shall commence above slab level until a Public Art Plan has been submitted to the Local Planning Authority to include:
- a) a description of where the public art is to be provided on site;
 - b) a description of the commissioning and procurement process, including detail on budget;
 - c) a timetable for implementation and completion of the public art on the site;
 - d) long term management and maintenance plan.

Reason: In accordance with Policy HQ7 of the Local Plan 2035.

- 30 Any Reserved Matters application specific to the layout and landscaping 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 wildflower 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.

- 31 No dwelling hereby permitted shall be occupied until an ecological welcome pack comprising
- information about the sensitive nature of all SSSI within 5km and other locally designated sites
 - the wildlife species present
 - guidelines for visiting, such as keeping dogs on-lead, keeping to the marked public footpaths and proper disposal of litter
- has been submitted to and approved in writing by the local planning authority. The welcome pack shall be produced in accordance with the approved details and distributed to all new properties within 3 months of first occupation of the new property.
- Within three months of occupation evidence of the distribution of the welcome pack should be submitted to and approved in writing by the local planning authority unless alternative time scales are agreed in writing

Reason: To manage the impact of the new development on the SSSI and other locally designated sites

- 32 The landscaping details for an Area defined under the Areas Plan approved by Condition 1 and required to be submitted by Condition 2 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 of the relevant Area shall be carried out as approved and in accordance with the approved timetable. The soft landscaping scheme for the relevant Area shall include -
- Ecological enhancement measures
 - 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 management/maintenance of the landscaping areas.
- The landscaping for the relevant Area, 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 the land within the relevant Area, with details of any trees or hedgerows 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.

- 33 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 CBC electric vehicle parking standards in place at the time of submission 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 112 of the National Planning Policy Framework

- 34 Development shall not begin until details of the junction between the proposed estate road and Higham Gobion Road have been approved by the Local Planning Authority and no building shall be occupied until that junction has been constructed in accordance with the approved details. Such details shall include technical approval.

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

- 35 Development shall not begin until details of the Highway improvements/traffic calming to Higham Gobion Road from the junction with the A6 (Bedford Road) to the Easterly most boundary of the site has been approved by the Local Planning Authority. Such improvements shall include, but not exclusively, the following:
- Scheme to manage the speed of traffic
 - Bus stops either side of the road to include real time information, bus shelter and seating and raised kerbs. An element of footway be included on the northerly side of Higham Gobion Road to allow for convenient and safe crossing of the highway along with some localised widening.
 - A footway/cycleway along that entire length of Higham Gobion Road and no more than 100 dwellings shall be occupied until those improvements have been constructed in accordance with the approved details.

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

- 36 Development shall not begin until details of the improvements of the roundabout between Higham Gobion Road and A6 (Bedford Road) have been approved by the Local Planning Authority and no more than 200 dwellings shall be occupied until those details have been delivered. Such details shall include technical approval and be in line with the concept shown within drawing number A107250/35/18/002.

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

- 37 Development shall not begin until details of the improvements of the roundabout between Church Road, Streatley and A6 (Luton Road) have been approved by the Local Planning Authority and no more than 200 dwellings shall be occupied until those details have been delivered. Such details shall include technical approval and be in line with the concept shown within drawing number A107250/35/18/001 but include further consideration of the merging taper on the exit to Luton.

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

- 38 Prior to commencement of above ground works (excluding demolition) details of the junction to the mini-roundabout at Sharpenhow Road/ Bedford Road shall be approved by the Local Planning Authority and no more than 400 dwellings shall be occupied until that scheme has been delivered. Such details may include such things as road markings and signing.

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

- 39 Prior to commencement of above ground works (excluding demolition) Footpath Number FP2 shall be improved; realigned; widened; surfaced and lit in accordance with details to be approved by the Local Planning Authority and no more than 400 dwellings shall be occupied until that scheme has been delivered in accordance with those details.

Reason: To promote sustainable modes of transport

- 40 No part of the development shall be occupied prior to 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 as being capable of implementation after occupation shall be implemented in accordance with an agreed timetable 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.

- 41 No development above slab level in an Area defined under the Areas Plan approved by Condition 1 shall take place until details of secure cycle parking facilities for the occupants of and visitors to that dwelling shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the occupation of that dwelling and shall thereafter be available for use at all times.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicle

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

Parameter Plan Land Use (18 948 SK18.1 Rev G)

Parameter Plan Access and Movement (18 948 SK18.2 Rev I)

Parameter Plan Landscape (18 948 SK18.3 Rev G)

Parameter Plan Building Heights (18 948 SK18.4 Rev G)

Proposed Compound Roundabout Access General Arrangement 011 P04

Reason – To identify the approved plans and to avoid doubt

INFORMATIVE NOTES TO APPLICANT

1. In discharging the surface water drainage conditions the developer shall have regard to :
 1. We will require a full set of calculations, providing evidence of all surface water retained on site for the 1 in 100 (+40%CC). Any exceedance should be shown with pathways with maximum depths and velocity.
 2. Any watercourses within or adjacent to the site should be included in the maintenance and management plan, even if there is no discharge to them. This would be a riparian ownership issue but leaving it as such is no longer acceptable.
 3. We will require full drainage drawings showing all connections, control features, storage, inverts etc. and how it communicates with the development wide scheme.

4. Under Central Bedfordshire Council and IDB bylaws, any watercourse within or adjoining the site boundary will maintain a 9m development free easement (on the development side), unless otherwise agreed with the relevant drainage authority. This applies to all watercourses, where water is present for all or some of the year, including those not clearly stated on mapping, topography or planning documents.

5. The Council does not, and is not required to, adopt any SuDS feature. It is the responsibility of the applicant to ensure that the surface water drainage system, in its entirety, will be effectively maintained in the long-term. We therefore expect confirmation of the proposed arrangements for maintenance to be provided with the final detailed design, including the future maintenance and operational needs and the responsible bodies for undertaking maintenance (for all public and private drainage components).

6. The final detailed design including proposed standards of operation, construction, structural integrity and ongoing maintenance must be compliant with the 'Non-statutory technical standards for sustainable drainage systems' (March 2015, Ref: PB14308), 'Central Bedfordshire Sustainable Drainage Guidance' (Adopted April 2014, Updated May 2015), and recognised best practise including the Ciria SuDS Manual (2016, C753).

7. Land drainage Consent under the Land Drainage Act 1991 must be secured to discharge surface water to an existing watercourse/ditch, and details of this provided with the full detailed design. An easement should be provided on the developable side of the watercourse to allow for access for maintenance, this should be 9m but may depend on the maintenance requirements considered appropriate.

2. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority
3. 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
4. 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.

5. 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 from the Central Bedfordshire Council's Highway Help Desk, P.O.Box 1395, Bedford, MK42 5AN.
6. The applicant is advised that if it is the intention to request the Central Bedfordshire County Council as Local Highway Authority, to adopt the proposed highways as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Development Planning and Control Group, Central Bedfordshire Council's Highway Help Desk, P.O. Box 1395, Bedford, MK425AN. No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.
7. The applicant is advised that it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. You are advised to contact the Highways Agreements Officer, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
E-mailhighwaysagreements@centralbedfordshire.gov.uk
8. All roads to be constructed within the site shall be designed in accordance with Central Bedfordshire Council's publication Central Bedfordshire Council's publication 'Highway Construction Standards & Specifications Guidance, Central Bedfordshire Council' and the Department of the Environment/Department of Transport's "Manual for Street.

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.