

APPLICATION NUMBER	CB/20/02193/OUT
LOCATION	Henlow Greyhound Stadium, Bedford Road, Lower Stondon, Henlow, SG16 6EA
PROPOSAL	Outline Planning Application: Residential development for up to 75 dwellings and formation of vehicular and pedestrian access, estate roads parking and amenity space. Construction of surface water attenuation basin and associated landscaping.
PARISH	Stondon
WARD	Arlesey
WARD COUNCILLORS	Cllrs Dalgarno, Shelvey & Wenham
CASE OFFICER	Thomas Mead
DATE REGISTERED	02 July 2020
EXPIRY DATE	01 October 2020
APPLICANT	Messrs McDonnell
AGENT	J & J Design
REASON FOR COMMITTEE TO DETERMINE	The application is for a major development which is contrary to the Development Plan and is subject to a Parish Council objection.
RECOMMENDED DECISION	Outline Application - Approval subject to the completion of a S.106 Obligation.

Summary of Recommendation:

The proposed development would be contrary to Policy DM4 of the Core Strategy and Development Management Policies (2009). The policy is not attributed full weight for the reasons outlined and as such conflict with it would not justify the refusal of planning permission on its own. The proposed development has been considered against the three objectives of sustainability, which are the social, environmental and economic objectives, to determine whether the development would be sustainable and the benefits would outweigh the non compliance with these policies. In considering the latter in the context of these objectives, other up-to-date Local Policies and the Policies within the NPPF have been considered.

The site is a draft allocation in the forthcoming Local Plan, however given the status of the Local Plan, it is considered that this carries limited weight.

For the reasons outlined within this report, the development is considered to be sustainable and no significant harm has been identified. It is considered that the benefits of the development would outweigh the conflict Policy DM4 of the Core Strategy and Development Management Policies (2009).

Site Location:

The application site is known as Henlow Greyhound Stadium comprising 2.9 Ha of land, which lies to the southwest of Bedford Road, Lower Stondon. The site is made up of a 250 metre greyhound track, with a number of ancillary buildings occupying bars and restaurants, as well as a number of buildings occupying Kennels for up to 75 resident Greyhounds. The site benefits from 2 No. accesses onto Bedford Road, a public access to the north and an access for trainers to the south.

The application site makes up a section of a draft allocation in the forthcoming Local Plan, through Policy HAS46. The allocation is for up to 244 dwellings, on land to the rear of Station Road, Stondon. Planning permission was granted to the west of the site, which makes up part of the allocation, for 149 dwellings under reference CB/18/00181/FULL granted 25/04/2019.

The site to the north of the application site gained planning permission for 85 dwellings under reference CB/19/01681/OUT granted 13/12/2019.

The Application:

The application seeks outline planning permission for the demolition of all buildings on site, and for the erection of up to 75 dwellings. All matters for consideration are reserved except access.

The proposal includes a provision of 35% affordable housing, including a play area (LAP/LEAP) and an area for drainage attenuation. The indicative layout shows an access which runs through the site and connects to the land to the west which benefits from planning permission, which makes up the remainder of the allocation. The access also connects to the site to the north.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (February 2019)

- 2: Achieving sustainable development
- 5: Delivering a sufficient supply of homes
- 9: Promoting sustainable transport
- 12: Achieving well-designed places
- 15: Conserving and enhancing the natural environment

Core Strategy and Development Management Policies - North 2009

- DM3 High Quality Development
- DM4 Development Within & Beyond Settlement Envelopes
- DM14 Landscape & Woodland
- DM15 Biodiversity
- DM16 Green Infrastructure
- CS14 High Quality Development
- CS16 Landscape & Woodland
- CS17 Green Infrastructure

Central Bedfordshire Local Plan - Emerging

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

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

The apportionment of this weight is subject to:

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

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

- LP HQ1: High Quality Development
- LP SP2: NPPF - Sustainable Development
- LP EE13: Outdoor sport, leisure and open space
- LP EE1: Green Infrastructure
- LP CC5: Sustainable Drainage
- LP EE4: Trees, woodlands and hedgerows
- LP HA1: Small and Medium Allocations
- LP HE1: Archaeology and Scheduled Monuments
- LP SP7: Development within Settlement Envelopes
- LP T2: Highway Safety and Design
- LP T3: Parking
- LP EE2: Enhancing biodiversity

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

Relevant Planning History:

Case Reference	CB/19/04048/SCN
Location	Henlow Greyhound Stadium, Bedford Road, Lower Stondon, Henlow, SG16 6EA
Proposal	EIA Screening Opinion: Residential development of up to 75 dwellings, New Spine Road from a junction with A600 Bedford Road, New Hedgerow and Tree Planting and a Surface Water attenuation basin
Decision	Pre-application Advice Released
Decision Date	19/12/2019

Case Reference	CB/19/02348/PAPC
Location	Henlow Greyhound Stadium, Bedford Road, Lower Stondon, Henlow, SG16 6EA
Proposal	Pre-Application Advice Other Development: Outline application for the erection of up to 75 dwellings and formation of vehicular and pedestrian access, estate roads, parking and amenity space. Construction of surface water attenuation basin and associated landscaping.
Decision	Pre-App Charging Fee Advice Released
Decision Date	13/11/2019

Case Reference	CB/18/01234/FULL
Location	Henlow Greyhound Stadium, Bedford Road, Lower Stondon, Henlow, SG16 6EA
Proposal	Retrospective:Erection of permanent static caravan to provide on site accommodation for staff
Decision	Full Application - Granted
Decision Date	31/07/2018

Case Reference	CB/17/04144/FULL
Location	Henlow Greyhound Stadium, Bedford Road, Lower Stondon, Henlow, SG16 6EA
Proposal	Erection of new kennel block
Decision	Full Application - Granted
Decision Date	17/11/2017

Case Reference	CB/16/02439/FULL
Location	Henlow Greyhound Stadium, Bedford Road, Lower Stondon, Henlow, SG16 6EA
Proposal	Extend the existing dog kennel to both sides (retrospective)
Decision	Full Application - Granted
Decision Date	10/04/2017

Consultees:

Lower Stondon Parish Council

At the meeting of Stondon Parish Council of the 29 July we **resolved to object** to this application.

We are objecting on the following key points, which we consider to be material

- access point impacts on proposed restrictions for site to the north, including crossing point
- how the site interconnects with the site to the north.
- location of access in regard to site to the west
- lack of detail in section 106
- lack of detail on ecology gain and biodiversity
- concerns over lack of detail in transport assessments
- concerns on the lack of holistic planning for all three sites
- concerns that the site will be have a management company to look after the open spaces

While this site is in the proposed local plan it has yet to be adopted and as such is not within current policies. We believe the best resolution is for it to be called in to Development Management Committee.

However, we have been talking to the proposer and in discussion with regards to potential community gain, if this site gets approval.

We would welcome more time to consider these options as we only received them on the day of the meeting.

I would welcome an opportunity to assemble an update for the Section 106 document and would request a another couple of week consultation time.

We are also concerned that yet another management company will be looking after the open space.

This currently causes lots of problems for parishioners as they do such a poor job and would welcome the chance to take on the open spaces with a suitable sum to support them.

Highways Officer

Recommendation: No objection subject to conditions

Background

Pre-application highways advice was provided in August 2019 for a proposal at this site for up to 75 dwellings.

The proposed development site lies on the western side of Bedford Road (A600), north of Lower Stondon. The site is currently occupied by the Henlow Greyhound Stadium and forms part of an allocation in the draft Local Plan 2015-2035, identified with an approximate capacity for 244 dwellings. Full planning consent was granted in April 2019 for land to the west of the proposed development site, for 149 dwellings (ref 18/00181/FULL).

The proposed development is for up to 75 dwellings and therefore up to 224 dwellings of the draft allocation for 244 would potentially be met by the two sites. One smaller parcel of land would remain of the draft allocation area.

In addition, outline planning consent for 85 dwellings was granted in December 2019 for land immediately north of the proposed development (ref 19/01681/OUT).

Proposed Vehicular Access

Access to the development is proposed off Bedford Road in the form of a simple priority-controlled junction. As per pre-application advice, the junction comprises 6m radii and a 6.0m carriageway. Two-metre wide footways are proposed each side of the access and an uncontrolled dropped kerb crossing is proposed across the bellmouth. The applicant will be required to enter into a Section 278 Agreement with the Highway Authority to construct the access broadly in accordance with MTC Drawing

No.2480-08. The drawing indicates junction visibility splays of 2.4m x 43m, suitable for vehicle approach speeds of up to 30mph. The position of the proposed site access currently lies within a 40mph speed limit, which is a transition zone between the 30mph speed limit at Henlow Camp and the national speed limit (60mph) to the north.

However, details for Condition 19 of the planning consent to the north have been approved (Jubb Drawing No.18109-005 rev P5) and now a Traffic Regulation Order (TRO) is required (one has been submitted but clarification is being sought from colleagues as to whether it has yet been fully approved). The details include the extension of the 30mph speed limit on Bedford Road past the proposed development site and beyond the access for that site. A new 40mph transition zone is proposed beyond that. The scheme also comprises a raised table at the access to the consented development, a new 2.0m wide footway from that access that connects with the existing footway within Lower Stondon, a raised zebra crossing on Bedford Road at Nos.6 & 8 Bedford Road, and an additional speed hump between that and the site's access. Some widening of existing footways to 2.0m on the approaches to / from the proposed zebra crossing are also proposed. Condition 19 requires these works to be complete prior to occupation of that site.

MTC Drawing No.2480-08 confirms that if the speed limit extension, footway works, speed hump and raised zebra crossing have not been constructed by the time the proposed development occurs then it would be constructed as part of this proposed development (albeit the footway only as far northwest as Public Footpath 5). This development would also need to fund any new TRO or amendment as may be needed to deliver the scheme, and the works should be undertaken under a Section 278 Agreement. The works should be similarly conditioned (i.e. constructed prior to occupation).

However, should this proposed development be consented, the standalone speed hump that forms part of Condition 19 should be replaced by the proposed site access installed as a raised table arrangement, similar to that consented for the development to the north. This would provide consistency of junction treatments but be too close to the standalone speed. If the standalone speed hump has been constructed by the time development on this site starts then the standalone speed hump shall be removed as part of the proposed access works.

The proposed site access junction visibility splays would then be appropriate (albeit visibility in excess of the 43m y-distance visibility would appear to be available). Should Outline planning consent be granted, the applicants should liaise with CBC's Highways Agreement Team with respect to Section 278 and its requirements.

Pedestrian Access

The Illustrative Landscape Masterplan indicates three separate pedestrian accesses in addition to those alongside the proposed vehicular access. Whilst indicative, such additional points of pedestrian access would assist with satisfying pedestrian desire lines to local destinations. These footways connect with the proposed footway along the site frontage and should be a minimum of 2.0m wide.

Construction

The greyhound stadium's existing northern and southern accesses off Bedford Road would be closed as part of the proposal, but the TA suggests that they may be retained for construction purposes whilst the development is built out. Each of the existing accesses lie c.80-90m from the proposed access and would be considered sufficiently spaced. However, to avoid confusion and to limit impacts, I would suggest only one is retained for construction purposes. I have suggested a planning condition to secure the approval of a Construction Traffic Management Plan where this matter can be considered in greater detail.

Predicted Vehicle Trip Generation and Distribution

A new exercise has been undertaken to establish the likely volume of vehicle trips that the proposed development would generate, using the TRICS database. The methodology described in the TA to derive the trip rates is reasonable and results in trip rates that are comparable to those approved for the adjacent consented developments.

I agree that use of the traffic distribution applied previously for consented developments, based on Census journey to work data, is appropriate.

Predicted Highway Impact

Turning to the highway impact assessments, the TA presents a robust assessment that includes TEMPRO growth to forecast year 2025 as well as specific local development commitments. An element of double counting could therefore be included. Furthermore, the

TA treats all of the proposed development's trips as 'new' to the highway network with no discounting for trips already generated by the greyhound stadium.

The assessment of the proposed site access shows ample reserve capacity. Whilst the development trips to and from the site appear to have been entered into the model incorrectly for the AM peak hour, the amount of reserve capacity nonetheless modelled is unlikely to be significantly altered with corrected flows. I disagree with the visibility measurement entered into the model which takes the y-distance from an x-distance from 2.4m, whereas the modelled x-distance should be from 10m. But again, reserve capacity is such that a change to this parameter is unlikely to alter the narrative that there would be significant reserve capacity.

With respect to the A507 / Hitchin Road / Chapel Road roundabout, it should be noted that the TA submitted for planning ref NH/19/01758/FP was not approved by this highway authority, lying as it does within Hertfordshire. The assessment of this roundabout is based on geometry used in the ARCADY model for that development and, from a cursory inspection of the mapping I have available to me, I do not agree with some of the parameters entered. Some entry and half widths are rather generous. However, it is noted that the impact of the proposed development on this junction is predicted to be small, adding seven two-way vehicle trips in the AM and six in the PM peak hour.

With respect to the Bedford Road / Hitchin Road / Station Road roundabout, I broadly agree with the geometry used to model this junction which has again been sourced from the Hertfordshire application. Whilst more vehicle trips are expected to route towards this junction, the assessment shows it to operate within capacity for all scenarios presented.

Relationship to Adjacent Consented Developments

It is noted that the two adjoining development sites (to the north and west) would both connect to the proposed development site albeit the TA states that, at this outline application stage, these may not be all-purpose connections and could be restricted to pedestrians and cycles only. This would improve permeability for active modes between the three developments. If all-purpose connectivity were to be provided, then the volume of traffic using the proposed access off Bedford Road may experience different levels of traffic although not necessarily more. However, given the significant reserve

capacity predicted for the proposed development's access and the consented development to the west's access off Station Road, I am satisfied that they would continue to operate efficiently and could remain as simple priority-controlled arrangements.

Public Bus Transport

CBC's public transport officer has confirmed that the nearest pair of bus stops on Bedford Road are not currently served by any operating services. The TA therefore refers to the next nearest bus stops which are located south of the roundabout with Station Road / Hitchin Road, on Bedford Road. The TA describes how if these bus stops have not been upgraded to include Real Time Passenger Information (RTPI) by the time this development takes place then the improvement can be secured by planning condition / planning obligation. CBC's public transport officer has recommended instead that the Henlow Camp 'Camp Gates (Borton Avenue)' stops on Hitchin Road are instead upgraded with new / replacement shelters and RTPI. These stops are only slightly further from the proposed development site and still lie within 400m of the site. They are served by the same bus routes, and the improvements would be of benefit to more people owing to the greater use of these stops adjacent to the RAF base. These works should be undertaken under a Section 278 agreement.

Internal Layout

Whilst the internal layout is not being determined as part of this Outline planning application, the advice provided to the pre-application submission should be heeded for subsequent reserved matters applications, should the Outline permission be consented. I nonetheless provide some suggested but not exhaustive conditions that would be applicable to and should inform subsequent approval of details, relating to car parking for example.

Summary

I have no objection to the proposed development subject to the conditions suggested.

Trees and Landscape

Outline application for redevelopment of this site to include 75 dwellings, demolition works, SUDS and landscaping.

The site currently consists of a greyhound track, associated infrastructure and substantial car parking/hardstanding. There are a number of boundary trees and hedgelines.

Supplied with the application from RGS Arboricultural Consultants is a Tree Survey Report dated April 2020, this clearly identifies all trees, groups of trees and hedgelines both on and offsite that could be affected by the proposals. The majority of these are of B or C category with none of A category. However with the exception of G3 consisting of some poor quality Ash which are given the option of removal we would be looking for retention and protection of boundary trees and hedgelines.

Included in the supplied report is a Tree Protection Plan based on this outline proposal. Provided there is little change as regards layout then this should be sufficient to ensure trees are retained throughout the development process in good order. It does however indicate the requirement for further details with regards to the demolition phase where impact on trees is possible as such we will require a demolition method statement.

Although there is a proposed 2 metre wide path for the front boundary of the site it would appear that the intention is to retain the current existing managed hedge. This is important as a feature and its retention is significant.

Detailed landscape and boundary proposals will be required.

Ecology	No Objection subject to a condition requiring any reserved matters to be accompanied by an Ecological Enhancement Strategy (EES).
Pollution	No Objection subject to conditions

Noise

Noise assessments submitted for adjacent sites (e.g. CB/18/00181/Full) have identified a number of noise sources in the immediate area (including the Greyhound stadium and kennels which will cease if this application is granted) including bird scarers in nearby fields, RAF Henlow aircraft noise. There is also an established cycle track to the south of the site. A noise assessment should be submitted at reserved matters stage to ensure that any noise mitigation required is incorporated into the final layout and design.

Land contamination

The applicant have submitted a Paddock Geo Engineering Preliminary Contamination Risk Assessment dated March 2020, the report recommends an intrusive site investigation is required post demolition to investigate potential contamination pathways associated with the historic use of the site and surrounding area. Potential asbestos containing materials were also noted on site and therefore appropriate Health and Safety precautions should be taken and relevant permissions obtained prior to their removal. Evidence of safe removal should form part of any validation report for the site.

Construction Environmental Management

There will potentially be impacts on neighbours from noise , dust and artificial light during the construction phase.

The Council has adopted a Construction Code of Practice for Developers and Contractors in order to minimise the impact of construction work on residents who live near to development sites. The Code can be accessed on the Council's website using the following link:

https://www.centralbedfordshire.gov.uk/info/44/planning/674/codes_of_practice_for_planning.

I understand that compliance with the Code will be secured by the imposition of a condition on planning approvals or as part of a S.106 planning obligation. Therefore I have not recommended a separate Construction Environmental Management Condition is imposed.

Strategic Housing

Strategic Housing support this application as it provides for 27 affordable homes which provides for 35% affordable housing, complying with current affordable housing policy requirements. The supporting Affordable Housing Statement indicates the tenure of the affordable dwellings will comply with the requirements of the Strategic Housing Market Assessment (SHMA 2017), with the application providing for 72% affordable rent (20 affordable rented units) and 28% intermediate tenure (7 intermediate tenure units).

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

Affordable Rent; 20 units (72%)

<i>Property Type</i>	<i>Affordable Rent</i>
1 Bed Flat	10%
2 Bed Flat	10%
2 Bed House (can include an element of bungalow provision)	45%
3 Bed House	30%
4 Bed House	5%

The Council has pressures to deliver 4 bed houses for affordable rent throughout Central Bedfordshire. With the pressures to deliver 4 bed houses for affordable rent, we would like to see incorporated into the mix a minimum of 1x4 bed house for affordable rent.

Intermediate Tenure (shared ownership); 7 units (28%)

<i>Property Type</i>	<i>Intermediate Tenure</i>
2 Bed House	60%
3 Bed House	40%

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

Public Art

No requirement for public art

MANOP

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

- Not less than ten (10) units of mainstream housing suitable for older people.

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.

- 1) The SuDS feature to the front of the site is a great addition to the experience of arrival. The connection from here into the site is lacking though, there is little added vegetation after this. It would be great to see a swale and tree lined lane up the spine road. Raingardens and swales to the road instead of gully pots especially on the main route would enhance the arrival but are equally as important on the supporting roads. A tree and swale lined spine could be connected through tree boxes and rills to convey surface water instead of the pipe to pond solution would be preferred. A little more creativity with this system would make a real difference to the welcoming effect already provided at the entrance.
- 2) Culverting of existing watercourses will not be permitted, however, the removal of access culverts that are no longer in use would be favourable.
- 3) We will require evidence that the extra 800 cubic metres of storage available is sufficient to contain surface water flows on to the site.
- 4) 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. Flooding of gardens should not happen during any rainfall event up to the 1 in 30.
- 5) 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.
- 6) We will require full drainage drawings showing all connections, control features, storage, invert etc. and how it communicates with the development wide scheme.
- 7) Detailed site investigation results (including any site-specific soakage tests and ground water monitoring shown in accordance with BRE 365) will need to be provided with the detailed design.
- 8) 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).

- 9) 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).
- 10) 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.

Local Plan

The Council's Local Plan underwent its EiP in May 2019 and was completed in July 2019. Since this time, the Council has been undergoing additional work required by the Local Plan Inspectors, as set out in their letter dated 30th September 2019 (EXAM 69). This additional work is currently subject to public consultation which began on the 18th June 2020 and will run for eight weeks. This consultation is available to view on our website. At present, the draft Local Plan has not been adopted therefore, the degree of weight given to its policies shall be for the case officer to decide on a case by case basis. In addition, as of April 2020, the Council can demonstrate a five-year housing supply of 5.62 years.

The application is part of a proposed allocation in the draft Local Plan, HAS46. As part of the allocation already has planning permission, it is essential that the design of this application does not appear piecemeal and appropriately incorporates the site into the adjacent permitted site. The site assessment process undertaken for HAS46, identified very few constraints on the site, Policy HA1 in the draft Local Plan requires the following to be considered:

- 1) Developers will need to undertake a site-specific FRA.
- 2) Landscape buffering required along the northern edge*.

3) Due to the nature of neighbouring land uses, all development proposals for this site must have regard to the prevention of major accidents and limiting their consequences, including the increase of vehicular movements on the A600**.

*As the northern edge lies adjacent to another permitted development, landscape buffering may no longer be as essential therefore, comments provided by the Landscape Officer for this application should supersede this requirement.

At present, the site lies outside the settlement envelope, however, as permitted lies both to the rear of the site and immediately to the north, the site becomes well contained within these developments and has little conflict with Policy DM4 or Policy SP7.

Technical Placemaking Group (incorporating the Landscape Officers comments)

No Objection

All pre app comments have been considered which is acknowledged and appreciated. There is an opportunity to make the main roadway a greener corridor with trees and planting which could support the drainage with rainwater gardens, water attenuation and link with the wider landscape scheme. This would also help mitigate against climate change. This is in line with the Landscape and Visual Appraisal which states that the main elements which are intended to form part of any future detailed design, include:

1) tree lined spine road of 5.5m wide carriageway and 2m footways either side of the road;

2) tree lined secondary spur roads with footways either side;

Important landscape features, such as boundaries, must be within the public realm and not form part of rear private gardens to ensure they are maintained and managed appropriately.

An Ecological Enhancement Strategy will be required and the Ecologist will provide details for a condition.

Archaeology

The proposed development site is located within Henlow Greyhound Stadium (HER 12942) a heritage asset with archaeological interest as defined by the NPPF, the asset also has historical interest. The site is also located within a landscape containing evidence of a later prehistoric and Roman landscape and has the potential to contain remains relating to that landscape.

Henlow Greyhound Stadium, one of the first wave of greyhound tracks, was founded in 1927 within a year of the introduction of greyhound racing into Britain in 1926. By Second World War there were over 100 tracks in Britain but by 2016 only 24 licenced tracks remained (Historic England (2017) *Sports and Recreation Buildings Listing Selection Guide*). The surviving structures are examples of a once important popular sporting and recreational activity whose heyday was in the 20th century.

To the north cropmarks have been identified including sub-square and rectilinear enclosures and circular features (HER 403). A recent archaeological field evaluation of this site (PCA 2020) characterised the site as a Mid-Late iron Age settlement. It also forms part of a wider landscape of sites and features largely known from cropmarks. Immediately to the west is another group of cropmark enclosures (HER 16792) where archaeological evaluation confirmed that the cropmarks represented an area of Iron Age occupation (EBD 1788). Further to the south are further cropmarks including an irregular enclosure (HER 16793) and archaeological excavation recorded an early-middle Iron Age enclosure (HER 19455) adjacent to the cropmarks. To the west are further groups cropmarks (HERs 402 and 16791) and to the north is rectangular enclosure which it has been suggested may date to the Roman period although there is no corroborative evidence for the dating of this site.

The *Planning Statement* submitted with the application recognises that the impact of the proposal on heritage assets is one of the main issues affecting the application (6.1). Consequently, the application is supported by a *Heritage Statement* (Albion Archaeology, 2nd April 2020) which describes the archaeological and historical background, context and potential of the proposed development site. It concludes that the site has moderate to high potential to contain archaeological remains of prehistoric date and low or low to moderate potential for Roman and later periods. Groundworks required by construction of the proposed development are identified as having a destructive effect on any archaeological remains surviving within the site which would result in a loss of significance to the heritage assets with archaeological interest. The *Heritage Statement* suggests that any impact on archaeological remains can be mitigated through a programme of archaeological investigation in advance of development. This is a reasonable conclusion on the basis of the available

evidence, any programme of investigation would need to comprise an initial phase of trial trench evaluation with further, more detailed investigation depending in the results of the evaluation.

The Heritage Statement also describes the origins and evolution of the Greyhound Stadium. It had its origins as an informal whippet racing track in the early 1920s and became a greyhound track in 1927. Although the structures and buildings at the track changed and evolved through time and some are relatively recent, there are buildings within the complex that date from the 1950s, the heyday of the tracks use. The proposed development will result in the demolition of the track and all the associated buildings which would result in the total loss of significance of the non-designated heritage asset. It is indicated that this loss of significance can be mitigated through a programme of building recording undertaken in advance of demolition.

The proposed development will have a negative and irreversible impact upon any surviving archaeological deposits present on the site, and therefore upon the significance of the heritage assets with archaeological interest. It will also result in the demolition of the Greyhound Stadium and a complete loss of significance of this non-designated heritage asset. This does not present an over-riding constraint on the development providing that the applicant takes appropriate measures to record and advance understanding of any surviving heritage assets with archaeological interest. This will be achieved by the investigation and recording of any archaeological deposits that may be affected by the development, adopting a staged approach. The archaeological scheme will include the post-excavation analysis of any archive material generated and the publication of a report on the investigations. It will also be necessary to undertake a programme of building survey and recording of the Greyhound Stadium structures and buildings. The scheme of building recording will include the post-recording analysis of any archive material generated and the publication of a report on the recording. In order to secure these schemes of work, please attach the recommended conditions to any permission granted in respect of this application.

Travel Plan

Residents should be provided with cycling, walking and public transport information to enable sustainable travel to local schools.

Baseline surveys should be undertaken within the first three months/ 50% of occupation.

A 10% minimum reduction target of single occupancy vehicles within 5 years should be set.

The Travel Plan should be finalised before occupation, with updates added following the baseline survey. Annual surveys/ reports should be sent to the local authority.

An Action Plan should be included.

Details of the provision of cycle parking (ref. cycle parking annexes 2010) to be included.

Details of the TPC to be sent to the local authority once appointed.

There should be reference to Liftshare

<https://liftshare.com/uk/community/luton-and-central-bedfordshire> within the welcome packs.

Details of sustainable incentives (e.g. public transport/ cycle vouchers) to be included in the welcome packs.

Cycle map to Arlesey rail station to be included in the welcome packs.

Train timetables to be included in the welcome packs.

Please refer to the Highway officer's comments regarding bus stops on Bedford Road/ Hitchin Road and the Highway access. Travel Plan to be updated accordingly.

Condition wording as follows;

The development shall not be occupied until an updated residential travel plan has been submitted to and approved in writing by the Council, such a travel plan to include details of:

- Predicted travel to and from the site and targets to reduce car use
- Details of existing and proposed transport links, to include links to both pedestrian, cycle and public transport networks
- Proposals and measures to minimise private car use and facilitate walking, cycling and use of public transport
- Timetable for implementation of measures designed to promote travel choice
- Plans for monitoring and review, annually for a period of 5 years at which time the obligation will be reviewed by the planning authority
- Details of provision of cycle parking in accordance with Council guidelines
- Details of marketing and publicity for sustainable modes of transport to include site specific welcome packs. Welcome packs to include;
 - 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

Detail

No part of the development shall be occupied prior to implementation of those parts identified 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.

Highways England	No Response
Rights Of Way	No Response
Environment Agency	No Objection
Education Spending Officer	<p>Spending Officer has requested the following contributions for the following projects:</p> <ul style="list-style-type: none"> • Early Years - £77,773.50 (Stondon Stompers) • Lower - £259,245.00 (Derwent Lower School) • Middle - £260,863.20 (Robert Bloomfield Academy) • Upper - £319,887.36 (Samuel Whitbread) <p>This is based on the pupil yield (assessed as 0.06 pupils per dwelling, per year group) *2009 DfE cost multiplier.</p>
Leisure Spending Officer	<p>The following financial contributions have been requested for the following projects:</p> <ul style="list-style-type: none"> • £68,816 towards refurbishments and potential extension of the Saxon Pool Leisure Centre in Biggleswade • £40,919 towards Pollards Way outdoor sports facilities and/or The Pastures/Hillside Road outdoor sports facilities. • £15,750 which would contribute towards refurbishment works and additional book stock for Shefford Library • 0.47 ha of Informal recreation on-site; • 0.22 ha of Large Formal Recreation Areas on-site; • 0.10 ha of Small Amenity Spaces on-site

Other Representations:

Third party responses. 23 responses have been received towards the application, 22 objections and 1 letter of support. Of the 22 objections it is clear that a number of them are written by people with an interest in the site, but do not appear to be local residents. The objections received have been summarised as follows:

- Loss of jobs – Trainers, kennel hands and staff
- Shutting of the stadium would result in the need to rehome a significant amount of greyhounds
- Stadium has been running since 1928 and should be considered as having historic significance
- Community hub which is good for mental health
- Stadium is central to Luton, Bedford, and Central Beds
- Houses will be unaffordable
- Lower Stondon has not got the facilities to accommodate more housing
- Roads are already dangerous
- No footpath connecting the site, simply a grass verge
- Families to lose livelihood
- Loss of the only sports venue in the region
- Great Crested Newts in the vicinity
- Increased pressure on the highway network
- Entertainment hub for a wide and vast area
- Would lead to unemployment
- Loss of a social area
- Do not need more houses
- Loss of local amenities and a unique event
- If the venue closes, all staff who had been furloughed would have wasted the taxpayers money?
- Company could not cope with the rehousing of all the greyhounds housed at Henlow

The letter of support is summarised as follows:

- Affordable housing need outweighs cruel, outdated way of using animals as entertainment
- The sport risks animals' health

Considerations

1. Principle of Development

- 1.1 The application site lies beyond the defined settlement envelope of Lower Stondon, and is therefore located on land regarded as open countryside. Lower Stondon is designated as a large village where Policy DM4 limits new housing development to small scale allocations within the settlement boundary which respect the scale of the settlement. On the basis of Policy DM4 a residential proposal outside of the settlement envelope would be regarded as contrary to policy.
- 1.2 As of 1st April 2020, the Council have demonstrated that they have a robust five year supply of deliverable housing, and now have a provision of 5.62 years. This position is supported by two recent appeal decisions which were dismissed by the Planning Inspectorate on Sunderland Road, Sandy, Langford Road, Langford and Langford Road, Henlow. The Inspectorate dismissed the appeals, whilst concluding that the Council were able to demonstrate a robust and deliverable 5 year supply of housing.
- 1.3 The Council have received a number of recent appeal decisions in which the Inspectors agreed that Policy DM4 is moderately compliant with paragraph 170 of the NPPF given that paragraph 170 states that planning decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside. Therefore due to the levels of consistency the Policy maintains with the NPPF, DM4 therefore carries moderate weight.
- 1.4 The site is allocated for residential development in the draft Local Plan under Policy HAS46. The site lies adjacent to the existing settlement boundary, and is bound to the west and north by sites which benefit from extant planning permission for large residential schemes. The site to the west also makes up the majority of the proposed allocation HAS46, and therefore the principle of a large proportion of the allocation has already been established. Whilst the fact that the majority of HAS46 has been granted planning permission is a material consideration, given the status of the Local Plan, the weight to be applied to the allocation of the site remains limited.
- 1.5 Paragraph 49 of the NPPF states:

However in the context of the Framework – and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than in the limited circumstances where both:

a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and

b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

- 1.6 Given that the majority of the proposed allocation already benefits from full planning permission, and also given the scale of the site forming a 'small to medium allocation', it is considered that the determination of this planning application would not be premature in terms of the Local Plan process.
- 1.7 Paragraph 118 (c) of the NPPF also states that planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land. Annex 2 of the NPPF defines Previously Developed Land or 'Brownfield Land' as Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure.
- 1.8 The existing site consists of a 250 metre Greyhound track, with a number of buildings across the site to accommodate a bar/restaurant, and kennels for the temporary or permanent residents of the Greyhounds. The majority of the site has been developed, and therefore the entire site would be considered as Previously Developed Land (or PDL), and as such the NPPF attributes substantial weight to the redevelopment of the site to residential development. However, the loss of the existing leisure use could be argued as being a negative aspect of the proposal.
- 1.9 The National Planning Policy Framework carries a presumption in favour of sustainable development, whereby paragraph 11 states that decisions should apply a presumption in favour of sustainable development, which for decision making means approving development proposals that accord with an up-to-date development plan without delay. Therefore a presumption in favour of sustainable development would need to be applied, which is discussed in Section 6 of this report.

2. Character and Appearance of the Area

- 2.1 The site lies directly adjacent to the settlement envelope and existing built form along Bedford Road, and Station Road to the south. As mentioned, the site also is also adjacent to and bound to the west and north by sites which benefit from extant planning permission (at the time of writing the site to the west is being built out). Therefore, it is not considered that the proposed development would form encroachment into the open countryside, given that it sits within an area bound on each side by either existing residential development or forthcoming development.

- 2.2 The proposed development would have a density of 25 dwellings per hectare across the site which is considered to be appropriate and inkeeping with the adjacent sites with extant planning permission. The indicative masterplan proposes parcels of green open space across the site, as well as a drainage basin feature at the access of the site. The indicative scheme also demonstrates a mix of tenures across the site, with an acceptable range of detached, semi detached and terrace houses. Therefore it is considered that the proposed layout would demonstrate effectively that the application site can accommodate up to 75 dwellings, as well as open space and natural drainage features.
- 2.3 Policy HAS46 requires a landscape buffer to the north of the site to mitigate the impact of the proposed development on the adjacent open countryside. However, it is considered that this policy requirement is less relevant due to the site to the north benefiting from extant planning permission for 85 dwellings. As such the requirement for such extensive landscape buffering to mitigate the visual impact from the north is reduced given the large residential site to the north. The indicative masterplan does however provide an extensive buffer along the northern boundary, as well as a connecting highway adjoining the application site to the north and west. Therefore, whilst landscape detail is a reserved matter, it is considered that the indicative layout is broadly acceptable.
- 2.4 Therefore, it is considered that the proposed development would not result in harmful encroachment into the open countryside, and would therefore not be considered to result in harm to the character and appearance of the area, in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009).

3. Neighbouring Amenity

- 3.1 The application site lies to the north of existing residential development fronting Bedford Road and Station Road. To the south of the site is an existing parcel of open space with a BMX track, which acts as a buffer between the site and the dwellings to the south and southeast. The closest dwelling to the application site is No. 2 Bedford Road, which is separated from the site by 13 metres to the red outline. Layout and scale are not considerations for this application, and therefore the siting of this dwelling is not finalised. It is considered that the separation distance from the boundary of the site to No. 2 Bedford Road is sufficient, and would therefore not result in any adverse impact to the occupiers of this dwelling, by virtue of a loss of light, outlook, privacy or overbearing impact.
- 3.2 Due to the significant separation between the application site and the dwellings fronting Station Road, it is considered that the proposed development in principle would not result in any adverse impact upon the amenity and living conditions of neighbouring occupiers of dwellings fronting Station Road, by way of a loss of light, outlook, privacy or overbearing impact. Similarly, the detailed layout of the development could be designed to ensure no undue impact on the consented residential developments to the west and north.

- 3.3 The Councils Pollution Officer has raised in their response that there is a certain level of noise produced by the site, its operations and the onsite kennels. The site has also received a number of noise complaints relating to the kennels. The proposed redevelopment of the site to residential would therefore result in a use which would be considered to produce less noise.
- 3.4 The application site is screened from the sites to the north and west by extensive landscape buffers, and therefore would not result in harm to the amenity of the dwellings forthcoming within these sites.
- 3.5 As such, it is considered that the proposed development would not cause harm to the amenity and living conditions of occupiers of any neighbouring dwellings, in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009).

4. Highways

- 4.1 The development includes a new access onto Bedford Road to the northeast of the site, and the illustrative layout shows a primary road running through the site connecting to the site to the west and the north. The connecting road to the west would be expected, given that both sites make up the whole allocation and avoid isolating from each other.
- 4.2 The site to the north of the application site (CB/19/01681/OUT) was granted outline planning permission for the erection of 85 dwellings, whereby the scheme secured traffic calming measures. For this current application, the requirements and traffic calming works are the same as the site to the north, and therefore to ensure the works are in place prior to the occupation of any dwelling, regardless of which site delivers them first, the same measures and requirements are proposed and secured through this application. Therefore, regardless of which site comes forward first, the measures will be in place.
- 4.3 The traffic calming works secured by the site to the north included the extension of the 30mph limit up to and beyond the access of the site. Therefore, subject to this extension being in place, the application site subject to this proposal would propose an access onto a 30mph road. In order to ensure this extension is in place prior to the occupation of any dwellings, regardless of the site to the north, the Councils Highways Officer has advised that the 30mph speed limit should be extended up to at least the access of this application site. This will be achieved by a Traffic Regulation Order funded by the developer.
- 4.4 Therefore, subject to the condition that the speed limit extension is in place, the site can achieve acceptable visibility. The applicant will be required to enter into a Section 278 agreement in order to properly construct the access, given that it would be on land beyond the ownership of the applicant.
- 4.5 The site to the north also secured a 2.0 metre wide footway, connecting the site to Lower Stondon. This proposed development continues the footpath across the frontage of the site, as well as through the open space and attenuation basin. Therefore, both the application site and the site to the north would be connected via pedestrian link to the existing settlement, which again is to be secured by a condition and implemented via a S278 agreement.

- 4.6 Also secured through planning permission reference CB/19/01681/OUT is a new raised zebra crossing on Bedford Road at Nos. 6 and 8, and an additional speed hump between the sites access and the crossing. Were the traffic calming measures secured through the scheme to the north to be implemented, it is considered that the proposed development would be acceptable in terms of highway safety. Therefore, given that the works proposed are the same, to ensure they are in place prior to the occupation of any dwelling, and as agreed by the applicant within plan No. MTC Drawing No.2480-08, they will be constructed as part of this proposed development. As such, the Highways Officer has suggested a condition to ensure the highways measures are in place prior to occupation, and are to be secured through a S278 agreement.
- 4.7 The Councils public transport officer has outlined the requirement to upgrade existing bus shelters, with the nearest stop served by an operator being the Henlow Camp 'Camp Gates (Borton Avenue)' on Hitchin Road be upgraded, to which the applicant has agreed to. The stop is within 400 metres of the site, with proposed footpath linkages therefore making the site within close proximity for pedestrians to the aforementioned bus stop. Therefore the works would increase the sustainability of the site, and would be acceptable.
- 4.8 Therefore, subject to the traffic calming measures mentioned above being secured, and the recommended conditions suggested by the Councils Highways Officer, it is considered that the proposed development would be acceptable in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009).

5. Planning Obligations and Contributions

- 5.1 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 CS2 of the Core Strategy for the North is in accordance with the National Planning Policy Framework. This states that developers are required to make appropriate contributions as necessary to offset the cost of providing new physical, social, community and environmental proposals. Emerging policy in the Local Plan sets out a similar requirement.
- 5.2 Section 122 of the Community Infrastructure Levy Regulations 2010 (CIL Regs), a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is—
- (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.

Affordable Housing

- 5.3 In accordance with Policy CS7 of the Core Strategy and Development Management Policies (2009), 35% of all developments for four dwellings and above should be provided as Affordable Housing units. The proposed development would deliver 27 affordable homes, which would equate to an affordable housing provision of 36%, and therefore would meet the 35% policy requirement, in compliance with Policy CS7. It could be ensured that a policy compliant tenure mix and also a housing mix which would meet local needs would be provided. This would need to be secured by a legal agreement.

Education

- 5.4 The proposal is for 75 residential units and contributions to projects for the improvement to education facilities have been demonstrated as being required in mitigation.
- 5.5 The Council's Education Team have determined that there is a requirement for financial contributions to meet the education needs of children that would be likely to occupy the development. Education contributions are based on a formula that includes the likely pupil yields from development, based on a comprehensive local evidence base that reflects average pupil yields from past developments within Central Bedfordshire and Department of Education cost multipliers (which includes a location factor). The use of DfE multipliers to understand the cost per pupil place is an approach taken by a number of local authorities, and allows for the total financial contribution to be fairly and reasonably related in scale and kind to the development.
- 5.6 The Education Spending Officer has commented that support for the application is dependent on the financial contributions recommended. The applicant has offered the following contributions in light of the requirements within the response offered from the Education Spending Officer:
- Early Years - £77,773.50 (Stondon Stompers)
 - Lower - £259,245.00 (Derwent Lower School)
 - Middle - £260,863.20 (Robert Bloomfield Academy)
 - Upper - £319,887.36 (Samuel Whitbread)

Total - £917,769.06

- 5.7 Therefore the contributions offered by the applicant would be considered to successfully mitigate the impact on existing school infrastructure, in accordance with the financial contributions requested by the Spending Officer, and would need to be secured by a legal agreement.

Leisure

- 5.8 The Councils Leisure Spending Officer has determined the need for financial contributions to meet the leisure needs of children and occupants that would be likely to occupy the dwellings. The need for financial contributions have been calculated based on the Councils Leisure Strategy. The officer has outlined that the additional population increase generated by the development would place pressure on the existing outdoor and sport facilities in an area whereby there is a high sport team generation rate. As well as this, there would be an increase in children and young people as a result of the development, and they will require appropriate facilities to enable them to be physically active.
- 5.9 The Spending Officer and Parish Council have identified the need for improvements and the enhancement of outdoor sport facilities at Pollards Way, as well as the refurbishment and potential extension of the Saxon Pool in Biggleswade, which is the closest Central Bedfordshire Leisure Centre. The Spending officer has requested that based on the standard methodologies (Sport England Facilities Calculator and Playing Pitch Calculator), and has requested a contribution of:
- **£68,816** towards refurbishments and potential extension of the Saxon Pool Leisure Centre in Biggleswade
 - **£40,919** towards Pollards Way outdoor sports facilities and/or The Pastures/Hillside Road outdoor sports facilities..
- 5.10 The applicant has offered contributions to meet these financial requirements for the identified projects outlined above, and therefore the proposed development would successfully mitigate the impact on the leisure needs of the area and would need to be secured by a legal agreement.
- 5.11 The applicant has also at the request of the Leisure officer, provided a combined LAP/LEAP on site, which would meet the requirements of the officer in terms of size, and should also be secured by a legal agreement.
- 5.12 In addition to the above, it is considered necessary, relevant and reasonable to impose a condition that would ensure an adequate provision of on-site provision of public open space, in accordance with the Council's Leisure Strategy. The Parish Council have requested the rights to the maintenance of the open space, and whilst the Council have passed this request on to the applicant, it would be unreasonable for the Council to insist that the maintenance is undertaken by any particular party. It is however the role of the Council to ensure that the open space is maintained properly , regardless of who maintains it.
- 5.13 The Leisure Officer has referenced in their response the Parish Councils desire for improvements to the BMX track to the south of the site, which is also requested in the Parish Council response. This matter is being discussed with Parish Council and the applicant, and will be reported in the late sheet.

Library

- 5.14 The Councils Leisure Officer has also requested a sum of **£15,750** which would contribute towards refurbishment works and additional book stock for Shefford Library, which is the closest Library to the site within the Central Bedfordshire catchment. The applicant has agreed to the figure, and therefore the financial contribution should be secured by a legal agreement.
- 5.15 Therefore, it is considered that subject to the signing and completion of a S106 agreement to secure these planning obligations, that the obligations offered would successfully mitigate the impact on existing infrastructure, and would be acceptable.

6. Sustainable Development

- 6.1 Although the Council has determined that it is able to demonstrate a deliverable 5 year housing land supply Paragraph 11 of the NPPF still applies and states that the presumption in favour of sustainable development is at the heart of the NPPF, for decision-making this means:
- *approving development proposals that accord with the development plan without delay; and*
 - *where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
 - *the application of policies within this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole;*
- 6.2 Consideration should still be given to the individual merits of the scheme in light of the presumption in favour of sustainable development. Paragraph 8 of the NPPF sets out the three dimensions to sustainable development; economic, social and environmental. The scheme should therefore be considered in light of these.

Environmental

- 6.3 The proposal would provide environmental benefits through the provision of formal and informal open space, which are proposed and incorporated throughout the site. The Councils Ecologist is satisfied that the proposal can secure a net gain in Biodiversity subject to an ecological enhancement scheme, and as such would be a significant benefit. The existing site includes a number of buildings with hardstanding throughout. Therefore the proposal which includes open space and sufficient hedging and landscaping throughout would be seen as a significant enhancement. Therefore, the proposal is considered to be environmentally sustainable.

Social

- 6.4 The application site adjoins the settlement boundary of Lower Stondon, which benefits from a range of services and social infrastructure, such as shops, public houses and a school, and therefore is regarded as a sustainable location and it is considered that the settlement offers services and facilities that can, to an extent, accommodate the growth resultant from this scheme.

- 6.5 The proposal offers a provision of policy compliant affordable housing which is a benefit to the scheme. The proposal also offers contributions for the enhancement of existing leisure facilities, library facilities and for the enhancement of existing Early years, Lower School, Middle School and Upper school facilities within the catchment.
- 6.6 It is considered that the proposed development would impact the existing local infrastructure, however the planning obligations offered would successfully mitigate the impact on existing infrastructure, and therefore would be socially sustainable, subject to the entering into of a S106 agreement.

Economic

- 6.7 It is accepted that the proposed scheme would bring economic benefits to Lower Stondon and the surrounding area during the construction period of the scheme. It is acknowledged that new residents are likely to support existing local services, although these are limited.
- 6.8 Whilst it is considered that there would be a loss of direct employment as a loss of the Greyhound track, it is considered that with the proposed mitigation through the financial contributions offered, that the loss of jobs will be mitigated to some degree within the catchment. For example, through construction and labour jobs, increased school capacity allows for more school staff, maintenance of the open space and through more employment within the enhanced leisure facilities.
- 6.9 The future Council Tax payments that would be spent in the area are considered as benefits. Cumulatively the above make positive contributions to fulfilling the economic roles, and it is therefore considered that the proposal fulfills the economic strand of sustainable development.

7. Archaeology

- 7.1 The Councils Archaeology Officer has identified the site as a Non-Designated Heritage Asset, given the sites potential to possess items with significant archaeological interest. The application has been supported by a Heritage Statement which details the history of the site and its significance, and therefore the demolition of the buildings and greyhound track would result in a loss of significance of this non-designated heritage asset.
- 7.2 Paragraph 197 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 7.3 Paragraph 199 of the NPPF states that Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

- 7.4 However, the Officer does not object to the proposed development and states that the loss of the site does not present an over-riding constraint on the development providing that the applicant takes appropriate measures to record and advance understanding of any surviving heritage assets with archaeological interest. This will be achieved by the investigation and recording of any archaeological deposits that may be affected by the development, adopting a staged approach. The archaeological scheme will include the post-excavation analysis of any archive material generated and the publication of a report on the investigations. It will also be necessary to undertake a programme of building survey and recording of the Greyhound Stadium structures and buildings. The scheme of building recording will include the post-recording analysis of any archive material generated and the publication of a report on the recording.
- 7.5 The requests of the Archaeology Officer can be achieved by the recommended conditions proposed, and subject to the imposition of the conditions and the findings resultant, it is considered that the proposed development would be acceptable in archaeological terms, and the loss of the significance of the Non-Designated Heritage Assets would be mitigated.

8. Planning Balance and Conclusion

- 8.1 The proposal would result in the redevelopment of a site considered to form Previously Developed Land (PDL), on a site which lies directly adjacent to the existing settlement boundary, and is bound to the west and north by site which benefit from extant planning permission. Whilst the application falls outside of the defined settlement boundary and therefore would not comply with Policy DM4, the scheme would be considered to utilise an existing site with extensive built form, and would not result in harmful encroachment into the open countryside.
- 8.2 The provision of housing and the provision of policy compliant affordable housing units, financial contributions offered to help mitigate the impact on existing infrastructure in terms of education and leisure along with economic advantages associated with the construction of development and the way in which future residents will support existing facilities would be a significant benefit to the scheme.
- 8.3 The scheme proposes highway improvements by virtue of the traffic calming measures to be secured by a S278 agreement. Therefore the scheme includes methods of traffic calming sought to improve the safety of the highway and its users, including pedestrians. These works are seen as a significant benefit to the scheme.
- 8.4 Therefore, it is considered that benefits associated with the proposed development would significantly and demonstrably outweigh the harm associated with the development, and would outweigh the non-compliance with Policy DM4. As such, the scheme is deemed to be acceptable, subject to the signing of a legal agreement to secure the planning obligations discussed above.

9. Other Considerations

Human Rights and Equality Act issues:

- 9.1 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.
- 9.2 The Council has adopted a Construction Code of Practice for Developers and Contractors in order to minimise the impact of construction work on residents who live near to development sites. The applicant has agreed to comply with the requirements of the Code, and compliance will be secured by planning obligation.

Recommendation:

That Outline Planning Permission be **GRANTED** subject to the signing of a S106 agreement.

RECOMMENDED CONDITIONS / REASONS

- 1 Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
- Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
- Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 3 The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.
- Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 4 The submission of any reserved matters application, pursuant to this outline permission, shall include a mix of housing types and sizes, and shall demonstrate how the proposed mix and tenure types meets identified housing needs.

Reason: To ensure that the overall mix of dwellings across the site as a whole contains a mix of residential units providing accommodation in a range of types, sizes and affordability, to meet identified housing needs, in accordance with up to date Strategic Housing Market Assessment and/or Local Housing Needs Surveys, in accordance with Policy DM10 of the Core Strategy and Development Management Policies (2009); Policy H1 of the Emerging Local Plan and the NPPF.

- 5 Any application for the approval of reserved matters pursuant to Layout or Landscaping details under condition 1 of this permission, shall include a Landscaping and Public Open Space scheme, including details of phasing/timescales for implementation of all landscaping and public open spaces. The public open space scheme shall include the provision of public open space, consisting of Informal Recreation Areas, Large Formal Recreation Areas and Small Amenity Spaces. The scheme shall include details of the location, layout, and size of each open space, as well as details of proposed planting, boundary structures, furniture and surfacing materials. The development shall be carried out as approved and in accordance with the approved phasing and timescales.

Reason: To ensure an acceptable provision of public open space within the site and to ensure the visual impacts of the development would be mitigated, in accordance with Policies CS16, DM14, DM15, DM17 and DM3 of the Core Strategy and Development Management Policies (2009); Leisure Strategy; and the NPPF

- 6 No development above ground level shall take place until a Public Open Space Maintenance and Management Plan which incorporates a Landscape Maintenance Scheme and a Ecological Enhancement Management Plan, has been submitted to and approved in writing by the Local Planning Authority. The public open spaces, trees, shrubs, grass and ecological enhancement features shall subsequently be maintained in accordance with the approved scheme and any ecological features, trees, shrubs or grass which die or are destroyed shall be replaced in accordance with the Management Plan.

Reason: To ensure maintenance of public open spaces and landscaping, as well as a net gain for biodiversity, in accordance with Policies CS16, DM14, DM15, DM16 and DM3 of the Core Strategy and Development Management Policies (2009); and the NPPF

- 7 **Any Reserved Matters application shall be accompanied by an Ecological Enhancement Strategy (EES) for the creation of new wildlife features such as bird/bat and bee boxes in buildings/structures and tree, hedgerow, shrub and wildflower planting/establishment has been submitted to and approved in writing by the local planning authority. Content shall include the:**
- a) detailed design of enhancements (including, where relevant, type and source of materials to be used);**
 - b) extent and location of proposed works shown on appropriate scale maps and plans;**

- c) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- d) persons responsible for implementing the works;
- e) details of initial aftercare and long-term maintenance.

The development shall be implemented in exact accordance with the details approved, and shall be maintained as such thereby after.

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

- 8 Prior to any above ground level development commencing the applicant shall submit a noise assessment to predict noise levels from local noise sources including road traffic noise, bird scarers, aircraft and the cycle track at the proposed dwellings and amenity spaces. The assessment shall include a scheme of recommended remedial measures if required. The approved scheme shall be fully implemented before any of the dwellings are occupied and thereafter maintained in accordance with the approved details.

Reason: To protect the amenity of future occupiers of the dwellings and to safeguard commercial and leisure interests.
(Section 12, NPPF)

- 9 **No above ground level development approved by this permission shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:**

A Phase 2 investigation report as recommended by the previously submitted Paddock Geo Engineering Preliminary Contamination Risk Assessment dated March 2020 ref P19-216pra along with a Remediation Method Statement should the Phase 2 discover the need for remediation.

**Reason: To protect human health and the environment
(Section 12, NPPF)**

- 10 No occupation of any permitted building shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:

A Validation Report by means of which the effectiveness of the remediation implemented by any Remediation Method Statement shall be demonstrated to the Local Planning Authority (to incorporate photographs, waste transfer notes and depth measurements).

Any unexpected contamination discovered during works should be brought to the attention of the Planning Authority.

Reason: To protect human health and the environment
(Section 12, NPPF)

11

No above ground level development shall commence 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 limited to 2l/s. The final detailed design shall be based on the agreed drainage Strategy (Ref: MTC 21480 – FRA & DS – Rev A – May 2020), DEFRA's Non-statutory technical standards for sustainable drainage systems (March 2018) and the CBC SUDS SPD (2015), and shall be implemented and maintained as approved. 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 points 1, 2, 3, 4, 5, 6, 7 and 10 of the LLFAs recommendations 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.

12

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

Reason: To ensure that the implementation and long term operation of a sustainable drainage system (SuDS) is in line with what has been approved, in accordance with Written Statement HCWS161, 18th December 2014

13

No development shall take place until a written scheme for an archaeological trial trench evaluation of the whole site has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full and a report that complies with the agreed parameters in the approved written scheme has been submitted to the Local Planning Authority.

Reason: This condition is pre-commencement as a failure to secure appropriate archaeological investigation in advance of development would be contrary to paragraph 199 of the *National Planning Policy Framework* (NPPF) that requires developers to record and advance of understanding of the significance of any heritage assets affected by development before they are lost (wholly or in part).

This request is in line with the requirements of Chapter 16 of the NPPF.

14 **No development shall take place until a written scheme of archaeological investigation, which uses the results of the trial trench evaluation referred to in condition A as its basis, has been submitted to and approved in writing by the Local Planning Authority. The scheme of heritage asset resource management must contain the following information:**

- 1) A method statement for the investigation of any archaeological remains present at the site;**
- 2) A programme of interpretation, public outreach and community engagement**
- 3) An outline strategy for post-excavation assessment, analysis and publication;**
- 4) A timetable for each stage of the archaeological works.**

The development hereby permitted shall only implemented in full accordance with the approved scheme of heritage asset resource management.

Reason: This condition is pre-commencement as a failure to secure appropriate archaeological investigation in advance of development would be contrary to paragraph 199 of the *National Planning Policy Framework* (NPPF) that requires developers to record and advance of understanding of the significance of any heritage assets affected by development before they are lost (wholly or in part).

This request is in line with the requirements of Chapter 16 of the NPPF.

15 **No development or demolition shall take place until a written scheme of historic building recording; that includes post recording analysis and publication 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 historic building recording scheme.**

Reason: To record and advance understanding of the archaeological and historic resource which will be unavoidably destroyed as a consequence of the development. This condition is pre-commencement as a failure to secure appropriate archaeological investigation in advance of development would be contrary to paragraph 141 of the *National Planning Policy Framework* that requires developers to record and advance of understanding of the significance of any heritage assets to be lost (wholly or in part) as a consequence of the development.

This request is in line with the requirements of Chapter 16 of the NPPF.

- 16 The development shall not be occupied until an updated residential travel plan has been submitted to and approved in writing by the Council, such a travel plan to include details of:
- 1) Predicted travel to and from the site and targets to reduce car use
 - 2) Details of existing and proposed transport links, to include links to both pedestrian, cycle and public transport networks
 - 3) Proposals and measures to minimise private car use and facilitate walking, cycling and use of public transport
 - 4) Timetable for implementation of measures designed to promote travel choice
 - 5) Plans for monitoring and review, annually for a period of 5 years at which time the obligation will be reviewed by the planning authority
 - 6) Details of provision of cycle parking in accordance with Council guidelines
 - 7) 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

Reason: To promote sustainable modes of travel and to reduce the potential traffic impact of the development on the local highway network.
(Section 9, NPPF)

- 17 No part of the development shall be occupied prior to implementation of those parts identified 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.
(Section 9, NPPF)

- 18 If the scheme of traffic calming measures and a zebra crossing shown on Jubb Drawing No.18109-005 rev P5, associated with planning ref 19/01681/OUT, has not already been constructed as approved then prior to occupation of the proposed development the scheme as translated to this development and illustrated on MTC Drawing No.2480-08 shall be constructed prior to occupation with the following amendments to be submitted to and approved in writing by the Local Planning Authority: the proposed site access junction shall be installed on a raised table and will replace the nearby proposed speed hump.

Reason: In the interest of highway safety
(Section 9, NPPF)

- 19 The site access shall be constructed in exact accordance with MTC Drawing No. 2480-08 and further to the completion of a Section 278 Agreement. No building shall be occupied until that junction has been constructed in accordance with the approved details.

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

(Section 9, NPPF)

- 20 Visibility splays shall be provided at the junction of the access with the public highway before the development is brought into use. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 43m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall for the perpetuity of the development remain free of any obstruction to visibility.

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

(Section 9, NPPF)

- 21 Except where required for construction purposes, before the new access is first brought into use any existing access within the frontage of the land to be developed shall be closed in a manner to the Local Planning Authority's written approval and constructed in accordance with the approved details. Any existing access retained for construction purposes shall be closed in the same manner on completion of the development.

Reason: In the interest of road safety and to reduce the number of points at which traffic will enter and leave the public highway.

(Section 9, NPPF)

- 22 No dwelling shall be occupied until a 2.0m wide footway has been constructed on the western side of Bedford Road between Public Footpath 5 and the proposed zebra crossing in the vicinity of Nos.6 & 8 Bedford Road. The works comprise the construction of a new footway and widening of existing footway. Any Statutory Undertakers equipment or street furniture shall be re-sited to provide an unobstructed footway.

Reason: In the interests of road safety and pedestrian movement

(Section 9, NPPF)

- 23 Details of new and upgraded shelters and Real Time Passenger Information at the pair of bus stops known as 'Camp Gates (Borton Avenue)' shall be submitted to and approved in writing by the Local Planning Authority and thereafter installed by the developer prior to occupation of the development.

Reason: In the interest of encouraging use of sustainable modes of travel.

(Section 9, NPPF)

24 Estate Road Layout

No dwelling on the development hereby approved shall be occupied until the carriageway(s) (including surface water drainage/disposal, vehicular turning head(s) and street lighting) providing access from the nearest public highway to that dwelling have been completed to at least binder course level and the footway(s) to surface course level.

Reason: To ensure a satisfactory means of access for occupants of the development

(Section 9, NPPF)

25 Any application for the approval of reserved matters pursuant to Layout or Landscaping details under condition 2 of this permission, shall include a scheme for the secure and covered parking of cycles on the site (including the internal dimensions of the cycle parking area, stands/brackets to be used and access thereto), in accordance with the Bedfordshire Cycle Parking Guidance and Annexes or any subsequent revision thereof, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.

Reason: To ensure the provision of adequate cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport.

(Section 9, NPPF)

26 Prior to the construction of vehicular parking areas associated with the approved dwellinghouses, a scheme for the charging of electric vehicles shall be submitted to and approved in writing by the Local Planning Authority. Subsequently, the development shall be completed in accordance with these approved details.

Reason: To assist with the transition to low-emission vehicles in line with paragraph 110 of the National Planning Policy Framework (2019).

27 The development hereby permitted shall not be carried out except in broad accordance with the details shown on the submitted plans, numbers 20016-TLP-PA01B, 1744/1, MTC Drawing No. 2480-08.

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

INFORMATIVE NOTES TO APPLICANT

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
2. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the National Planning Policy Framework (NPPF) and the Core Strategy for North Central Bedfordshire.
3. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Central Bedfordshire Council's Highway Help Desk.

The applicant is advised that in order to comply with Conditions 1-6 & 8 above 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 Team.

Should planning consent be granted, the proposed development site should be designed to adoptable standards regardless of whether the intention is for the internal roads to be adopted or not, and reference should therefore be made to the 'Highway Construction Standards and Specifications Guidance (July 2019)'. Car parking should be provided in accordance with Section 1.0 of the Design Guide. Both documents are available on the CBC website.

The applicant is advised that if it is the intention to request the Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Highways Agreement Team. The applicant should make reference to the 'Highway Construction Standards and Specifications Guidance (July 2019)' and car parking should be provided in accordance with Section 1.0 of the Design Guide. Both documents are available on the CBC website. 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.

The comments and advice in this letter are based on the information supplied in the planning application and accompanying documents/plans and no liability is accepted for any inaccuracy contained therein.

4. The British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoils that are moved or traded and should be adhered to. The British Standard for Subsoil, BS 8601 Specification for subsoil and requirements for use, should also be adhered to.

There is a duty to assess for Asbestos Containing Materials (ACM) during development and measures undertaken during removal and disposal should protect site workers and future users, while meeting the requirements of the HSE.

Applicants are reminded that, should groundwater or surface water courses be at risk of contamination before, during or after development, the Environment Agency should be approached for approval of measures to protect water resources separately, unless an Agency condition already forms part of this permission.

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

The Council acted pro-actively through early engagement with the applicant at the pre-application stage 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.