

REASON: To ensure an energy efficient and sustainable development in accordance with Policies CP21 (and CP26) of the Core Strategy and Rural Issues Plan 2008, Policy AD2 of the Allocations and Designations Plan 2013, saved Policy BE8 of the Bedford Borough Local Plan 2002 and the Policy Statement Update - Housing Standards 2015.

5. **APPLICATION NO: 19/00894/MAO** **RECOMMENDATION: Permit subject to a Planning Obligation** **(FORMERLY DEFERRED FOR SITE INSPECTION)**

OFFICER: Mr Alastair Wren

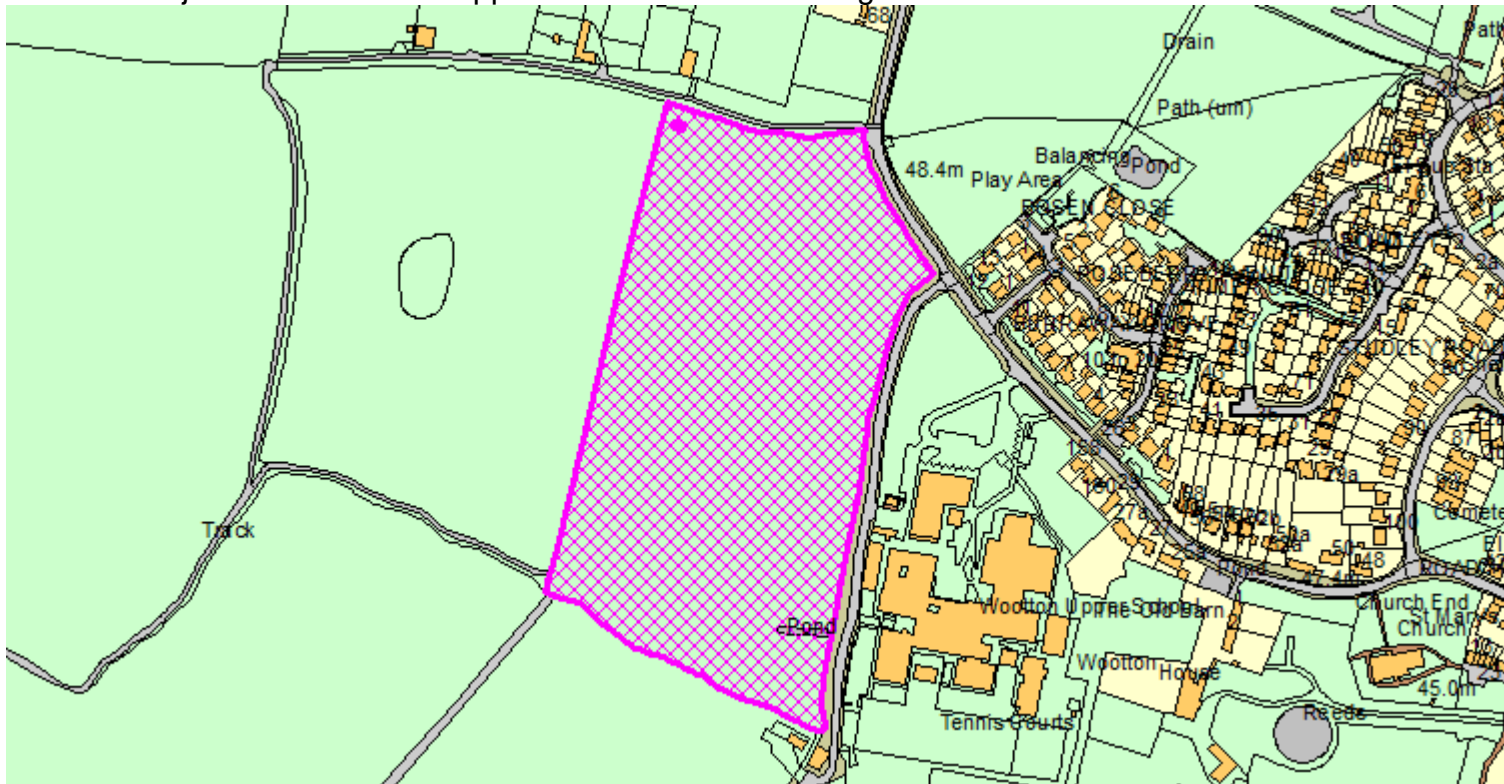
APPLICANT: Hollins Strategic Land LLP

EXPIRY DATE: 22 July 2019

LAST DATE FOR COMMENTS: 24 September 2019

PROPOSAL : Outline application with all matters reserved except access for the erection of up to 81 dwellings.

LOCATION : Land Adjacent To Wootton Upper School And Arts College Hall End Road Wootton Bedfordshire



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SITE DESCRIPTION and PROPOSED DEVELOPMENT

The site is located on land to the western side of Wootton Village and is approximately 6.5 hectares in size. It is currently being used for grazing of horses and is not considered to be previously developed land. The site is a designated County Wildlife Site and is to the southern side of Wootton wood which is an ancient woodland. Wootton is identified as a Key Service Centre within the Growth Area for the Borough as set out in Policies CP3 and CP4 of the Core Strategy and Rural Issues Plan (2008).

Adjoining land uses to the east of the site, across a tarmac driveway, is Wootton Upper School which contains a mix of education buildings built mainly in red brick, flat roofed in design and up to two storeys in height. The access track also serves Wootton Park Farm comprised of a range of buildings set to the south of the site. To the southern side is also Wootton Wood. To the North East of the site, the settlement of Wootton has recently been expanded towards this site with the construction of 58 dwellings (planning ref no. 14/02939/MAF) which was allocated through the local plan process by Policy AD3 of the Allocations and Designations Plan. Adjoining that and opposite the application site is a triangular parcel of land which is allocated by the same policy for a school extension site which is currently undeveloped. To the northern edge runs a public bridleway on the opposite side of a mature hedge beyond which is further agricultural land and a row of houses which front Hall End Road. To the west is further paddock/farmland.

Public right of way (PROW) Wootton 4 (A and B) runs within the site along the northern and western field boundaries. This bridleway joins with Hall End Road via a gate to the northeast boundary of the site and continues as bridleway Wootton 5(A) via a gate to the south west of the site and then along the northern edge of Wootton Wood. PROW Wootton 11 (A), the long distance John Bunyan Trail, runs to the north of the site on the opposite side of the northern field boundary. Footpath Wootton 4 (B) runs on the western side of the site boundary within the field immediately to the west of the site. This joins with Wootton 4 (B) within the site via the field gate to the northwest corner of the site.

The National Cycle Route 51 follows Hall End Road.

The village of Wootton is located to the south west of Bedford and is served by a rural road network. The site lies outside the Settlement Policy Area for the village, although it immediately adjoins it. The site is located within the boundaries of the Forest of Marston Vale.

RELEVANT PLANNING HISTORY WITHIN THE LAST 5 YEARS

14/01907/FUL	Application Permitted	Erection of agricultural tractor shed
14/01974/FUL	Application Permitted	Single storey front extension.
17/02714/FUL	Permitted (CIL liable)	Conversion of agricultural barn to dwellinghouse, including new access track onto Hall End Road.

RELEVANT PLANNING POLICIES

<i>Policy:</i>	<i>Description:</i>	<i>Document:</i>
AD3	Land at Hall End Road Wootton	Allocations and Designations Local Plan
CP3	Location of Development in Growth area	Core Strategy & Rural Issues Plan
BE23	Protection of Archaeology	Bedford Borough Local Plan
BE24	Protection of Ancient Monuments	Bedford Borough Local Plan
BE25	Recording of Archaeology	Bedford Borough Local Plan
CP1	Spatial Strategy	Core Strategy & Rural Issues Plan
CP2	Sustainable Development Principles	Core Strategy & Rural Issues Plan
CP4	Key Service Centres in the Growth Area	Core Strategy & Rural Issues Plan
CP5	Sequential approach to the allocation of	land for residential and employment development in the growth area. Core Strategy and Rural Issues Plan 16th April 2008
CP6	Scale pace of housing development in GA	Core Strategy & Rural Issues Plan
CP7	Meeting housing needs	Core Strategy & Rural Issues Plan
CP8	Affordable housing in the borough	Core Strategy & Rural Issues Plan
CP12	Settlement policy areas	Core Strategy & Rural Issues Plan
CP13	The countryside & development within it	Core Strategy & Rural Issues Plan
CP21	Designing in quality	Core Strategy & Rural Issues Plan
CP22	Green infrastructure	Core Strategy & Rural Issues Plan
CP23	Heritage	Core Strategy & Rural Issues Plan
CP24	Landscape protection and enhancement	Core Strategy & Rural Issues Plan
CP25	Biodiversity	Core Strategy & Rural Issues Plan
CP26	Climate change and pollution	Core Strategy & Rural Issues Plan
CP29	Accessibility	Core Strategy & Rural Issues Plan
CP30	Developer contributions	Core Strategy & Rural Issues Plan
CP31	Plan, monitor and manage	Core Strategy & Rural Issues Plan
AD25	Forest of Marston Vale	Allocations and Designations Local Plan
AD24	Green Infrastructure Opportunity Zones	Allocations and Designations Local Plan
AD36	Pedestrian routes	Allocations and Designations Local Plan
AD39	Cycling	Allocations and Designations Local Plan
NE03	County Wildlife Sites	Bedford Borough Local Plan
NE04	Retention trees, hedges, woodland	Bedford Borough Local Plan
NE06	Woodland	Bedford Borough Local Plan
NE10	Nature Conservation	Bedford Borough Local Plan
NE12	Early Landscaping	Bedford Borough Local Plan
NE13	Landscape Safeguards	Bedford Borough Local Plan

NE16	Flood Plain & Habitat Protection	Bedford Borough Local Plan
NE20	Landscape/environmental benefits	Bedford Borough Local Plan
NE24	Water Resources	Bedford Borough Local Plan
BE08	Energy Efficient Layouts	Bedford Borough Local Plan
BE11	New Development in Conservation Areas	Bedford Borough Local Plan
BE09	Character of Conservation Areas	Bedford Borough Local Plan
BE21	Setting of Listed Buildings	Bedford Borough Local Plan
BE23	Protection of Archaeology	Bedford Borough Local Plan
BE24	Protection of Ancient Monuments	Bedford Borough Local Plan
BE25	Recording of Archaeology	Bedford Borough Local Plan
BE29	Promotion of Good Design	Bedford Borough Local Plan
BE30	Control of New Development	Bedford Borough Local Plan
BE31	Urban Design Principles	Bedford Borough Local Plan
BE32	Development in the Urban Fringe	Bedford Borough Local Plan
BE35	Achieving Quality in Residential Layouts	Bedford Borough Local Plan
BE38	On and Off Site Landscaping	Bedford Borough Local Plan
H26	Housing in the Open Countryside	Bedford Borough Local Plan
T15	Car Parking Standards	Bedford Borough Local Plan
AD28	Provision open space built facilities new dev	Allocations and Designations Local Plan
BE40	Trees	Bedford Borough Local Plan
AD28	Provision open space built facilities new dev	Allocations and Designations Local Plan
CP30	Developer contributions	Core Strategy & Rural Issues Plan

CONSULTATION RESPONSES

Wootton Parish Council

Objects:

The site has not been put forward during any Bedford Borough Council Call for Sites consultations and does not feature in the Borough Council's emerging Local Plan 2030. The same Local Plan 2030 details no further development within Wootton. This site is large and development in this location would be out of character with the immediate built form of Hall End Road, Wootton extending the built form out of the village. The application is premature pending the adoption of the Wootton Neighbourhood Development Plan. Parking issues will increase in an area already suffering with congestion and poor infrastructure in terms of highways - demonstrating a highway safety issue. Vehicular access to/from the proposed site (close to a blind bend) raises health and safety issues - demonstrating a further highway safety issue. Due to its distance from the village centre and likely highway issues, it is not considered to be suitable for residential development.

The proposal will have an adverse effect on the street scene. The proposal will have an adverse effect on noise and air pollution levels. The proposal will lead to a loss of important trees (Wootton Woods) - demonstrating a nature conservation concern as the area is recognised as a County Wildlife Site.

Archaeological Officer

No objection subject to conditions. This application has been identified by the Bedford Borough Historic Environment Team (Archaeology) as being located in an area with archaeological interest. The application is accompanied by a desk-based assessment prepared by CgMs Consulting together with a report detailing the results of a geophysical survey undertaken by SUMO Services Ltd.

Checking the current Historic Environment Record shows that the entry for ridge and furrow on this site has been removed following completion of the recent Bedford Borough National Mapping Programme (NMP) project for this area (an analysis of historic and modern aerial photographs) which failed to identify the earthworks as being substantially intact here. In addition to this a recent survey of ridge and furrow in Bedford Borough has been undertaken (Albion Archaeology 2017) and this site was visited during the survey. The site visit identified some trace elements of surviving ridge and furrow in the western part of the field however the condition was described as being very poor.

Only trace elements of the former ridge and furrow earthworks in this field now survive. These remains can be considered to have minimal heritage significance and do not represent a constraint on development of the site.

The geophysical survey was done which identified the ridge and furrow earthworks and failed to highlight any significant focus of archaeological activity in the proposed development site. The results indicate that the development site is unlikely to contain remains of such significance as to prevent development of the site it should be highlighted that geophysical surveys can be misleading. As such a further stage of intrusive trial trench evaluation is still required here.

Anglian Water

Desktop analysis has suggested that the proposed development will lead to an unacceptable risk of flooding downstream. We therefore highly recommend that you engage with Anglian Water at your earliest convenience to develop in consultation with us a feasible drainage strategy.

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

HECS (Env Health & Trading Standards)

British Horse Society

No objection to the application.

Comments: The application site is bounded on one side by a Bridleway (BW4) and part of the John Bunyan Trail.

Currently there is a gate at the access point from Hall End Lane to the Bridleway from the road. As the designation of the field will be changing to residential and no livestock would be present, we therefore request that the gate be removed to allow easier access for all equestrians and other users. It is noted from the application documents that the landscaping scheme incorporates tree planting on the boundary of the site. Please be aware that any tree planting must not obstruct the line of the bridleway or reduce the width in any way. If it is necessary to divert any part of the bridleway then a diversion order must be made. It is the responsibility of the Borough council to ensure that the bridleway surface is not compromised or changed without consultation to the Rights of Way team and the BHS. The most ideal surface is grass, however if the bridleway becomes shielded by tree canopy then it may stay wet and become boggy. This would then need to be addressed.

Please ensure that during the construction phase of the development that full access is maintained to the bridleway and that consideration is given to passing horses (ridden or driven), both by those using the bridleway and on the passing road as the amount of large vehicles will increase during this time.

Conservation Officer

The proposal site currently makes a very minor contribution to the significance of the Wotton Conservation Area and St Mary's Church. Both assets are best experienced in close proximity and both benefit from an enclosed character formed by natural screening and the nature of the road network. Additionally, intervening development has reduced the contribution made by the site to the significance of these assets. Therefore, providing that development is set back from Hall End Road on the approach to these assets and is domestic in scale, the proposal is unlikely to result in harm. The indicative plans show this to be the case, and whilst improvements could be made (more effective screening along northern boundary) no harm is likely to occur.

The application is therefore in line with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990; policy CP23 of the Bedford Borough Core Strategy & Rural Issues Plan and saved policies BE11 and BE21 of the Bedford Borough Local Plan 2002, as well as chapter 16 of the NPPF.

Drainage Engineer

Do not wish to restrict the grant of planning permission: There is sufficient room on site to accommodate Sustainable Drainage Systems on site. There is mention of discharging surface water to the adjacent ditch. In any reserved matters application it should be established whether the ditch has a connection to a watercourse, or is only a longitudinal soakaway.

Environment Agency

No objection to the application.

The application states that the method of foul drainage is "unknown". If a connection to the mains sewer is not proposed we would wish to be re-consulted in order to object to this planning application.

The water environment is potentially vulnerable and there is an increased potential for pollution from inappropriately located and/or designed infiltration (SuDS). We consider any infiltration (SuDS) greater than 2.0 m below ground level to be a deep system and are generally not acceptable. If the use of deep bore soakaways is proposed, we would wish to be re-consulted. All infiltration SuDS

require a minimum of 1.2 m clearance between the base of infiltration SuDS and peak seasonal groundwater levels. All need to meet the criteria in our Groundwater Protection: Principles and Practice (GP3) position statements G1 to G13.

Advice offered on pollution prevention measures.

Highways (Development Control) Officer

No objection subject to conditions:

Details of junctions will need to be conditioned

Links to the public rights of way will be required

Bus stop improvements will be required

The indicative layout is not acceptable however as this is not being considered the reserved matters will need to revise this.

The access to the site will require a raised table area, parking restrictions for 25m on Hall End Road opposite the site entrance, a new low level pedestrian crossing point from the site and bollards to prevent people walking along the highway verge.

With these measures the implementation of the proposed development would not have a severe negative impact upon the highway network when considering traffic across the day however there are issues at the busiest times of day (often in relation to the adjacent school) which need to be addressed in order to make access to and from this development safe and practical for pedestrians and motorists entering and leaving the site. This includes a raised access junction on Hall End Road incorporating uncontrolled/informal pedestrian crossing facility (to access the only footway into the village & school) and parking restrictions to the north-west of the proposed access.

The Board has no comments to make with regard to this planning application.

**Beds/River Ivel Internal Drainage Board
Forest Of Marston Vale**

The site is a County Wildlife site which raises concerns about the loss of the neutral grassland. There is also the potential impacts on the adjacent woodland. The proximity could result in predation from cats of ground nesting birds, small mammals and amphibians. The Forest have strong concerns regarding the negative impacts this application will have on the County Wildlife Site.

**Ramblers Association
Scientific Officer**

No comments received.

No objection subject to conditions: the submitted desk top study concludes that further works are recommended with intrusive ground investigations comprising trial pits and lab testing. This should be secured prior to development.

**Arboricultural Officer - HER
Team**

In the respect of existing 'trees' and the potential for them to be compromised by development, the indicative layout suggests that this is not an issue, as large buffer areas have been indicated around the periphery allowing for development to occur a significant distance outside of any Root Protection Area.

The proposed access into the site requires the removal of a section of hedgerow, as the land is currently agricultural, intact and over 20m in length therefore all hedgerows fall under the hedgerow regulations 1997 and an assessment under the eight criteria needs to be provided prior to the access being agreed. While it is accepted this is an outline application once the principle of planning has been approved there will be nothing to prevent the total removal of the hedgerows on the site once reserved matters are processed.

There is scope for a robust landscaping scheme for the site which will be important due to the character of the area being rural. Where trees are planted within close proximity to built structures and within areas of hard landscaping the tree pit design needs to be incorporated as part of the infrastructure planning and design stage of any new development.

The Wildlife Trust

The current National Planning Policy Framework (NPPF) states that all new developments must result in measurable net gains for biodiversity (paragraph 170) and we would consider the proposals, albeit extensive, do not go far enough with regard to the semi-improved grassland, which is also recognised as part of a County Wildlife Site (CWS).

We are broadly supportive of all the measures proposed in the Ecological Appraisal but there are certain points that we would like to highlight. The Ecological Appraisal briefly mentions that the retained and new ponds will be protected from pollution and sedimentation during construction through implementation of best practice and the appropriate method statements. We would like to see more detail about what these best practice measures are in the CEMP given that the existing pond is of NERC Act (2006) Priority habitat status and it is an important component of the habitat mosaic in the wider area. 2019 records show the presence of indicator plants of good quality habitat including a species of stonewort (*Chara vulgaris*) found in the pond.

Education (Planning) -

From a pupil place planning and education perspective, it is always desirable that lower school places are provided locally. As such, Education Officers wouldn't encourage applications that result in pupils having to attend a school where there is a necessity to provide ongoing school transport provision.

It is however accepted that capacity may be available within neighbouring villages although this would require young children to travel to school, which would be inconvenient for families, create additional traffic on rural roads and have financial implications for the borough council due to the need for school transport.

The solution albeit not ideal is to seek CIL contributions towards Education infrastructure and a separate s106 contribution for transport costs. On this basis, Education would seek financial contribution for the pupil yield multiplied by the annual cost of transport for the period of years pupils would be expected to attend school outside of the village.

Police Architectural Liaison Officer

Bedfordshire Police object to this application, which appears to substantially conflict with Secured By Design, the NPPF, and county-wide agreements between the force and the local planning authorities. The application doesn't appear to make any reference to community safety which is surprising given the inherent crime risk which can be associated with 81 dwellings. The indicative layout would appear to be a permeable perimeter block layout, which compounds this further.

Access Officer

Recommends a condition to secure 10% Mobility housing,

THIRD PARTY COMMENTS

The application was advertised by site notices and neighbour letters.

71 letters of objection were received to the consultations (some are duplicate) and none in support.

An E petition with 8 signatures was received through the Council web site.

Wootton Academy Trust also objects to the proposal.

Issues raised are grouped under several categories below.

General:-

- * Over development of a small rural village (Fields Road north and South already taken place).
- * Encroaches into a natural boundary between Wootton and Hall End.

- * Wootton does not have the facilities or infrastructure to support more houses, the shop that is there runs out of basics. New shopping facilities under existing planning permissions have not yet been built. Until such time as they are available no new planning permissions should be granted, lack of education spaces, access to medical facilities are stretched already with the existing population.
- * The village has had more than its share of development both domestic and commercial and the infrastructure does not exist to support any more.
- * Loss of beautiful field.
- * Increase in noise and air pollution levels for residents, students and staff.
- * Plans are not accurate and include land in private ownership. There is no right of access from the site to the east.
- * As this is outline houses could move within the site.

Policy:-

- * Not in the 2030 local plan allocation and was not put forward in the 'call for sites' site is entirely speculative.
- * Site is a designated County Wildlife Site (Wootton Wood).
- * It is outside of the Settlement Policy Area and in open countryside.
- * Neighbourhood Plan - Wootton Parish has made good progress with the NDP therefore this application is premature pending adoption.
- * The Parish Council has already carried out the site assessments and liaised with landowners and is preparing for the pre-submission consultation on the Neighbourhood Development Plan.
- * Brownfield land should be preferenced over this green field site.
- * The Council's Policy (AD43 Urban Open Spaces and Gaps) states that County Wildlife Site are considered to be 'urban open spaces' and "development will not be permitted on land designated as urban open space and gaps unless it can be demonstrated that the reasons for designation are not compromised or that other material considerations outweigh the need to retain the urban open space and gaps undeveloped." The proposed development will compromise the County Wildlife Site and there are no material considerations which outweigh the need to retain this County Wildlife Site.
- * Application is premature pending the Neighbourhood Plan.

Education:-

- * Lack of school capacity the schools cannot take more children.

Sustainability:-

- * Site is 1km from the village centre and is not a sustainable location for development

Highways:-

- * Traffic issues already exist with the school with congestion at peak times.
- * Increased parking issues in the area which already suffers congestion, roads are narrow, deviate and often congested.
- * There is the potential for increased inconsiderate and nuisance parking - affecting safety and the ability of parents to drop off and pick up children.
- * Safety concerns for school children due to traffic increases due to this and school allocation site
- * Safety of horse riders.
- * The road surfaces are degrading, the roads are almost permanently being dug up and are in dire need of major resurfacing.
- * Should the development go ahead the Section 106 Agreement should include necessary traffic/pedestrian safety measures.
- * Any future planning permissions must include adequate parking to prevent additional parking on Hall End Road which currently takes place, causing additional hazards.
- * Whilst there is only proposed pedestrian access from this development on to WAT land, over land owned by Wootton Farm, onto WAT's "Service Road", this road is nonetheless a private road.
- * No buses serve the site.

Ecology:-

- * Proximity to the ancient woodland.
- * Area is regularly used by dog walkers and is home to wildlife.
- * Loss of neutral grassland once grassland/pasture is removed it is difficult to repair.
- * Proposal does not contribute to the Forest of MV in meaningful way.
- * No indication of who will maintain ecological enhancements proposed.
- * Loss of important trees.
- * The proximity of the proposed development to ancient woodland is likely to incur adverse impact on the woodland and its fringe habitats due to increased disturbance and loss of grassland.
- * Rabbits, deer, owls, hares, hedgehogs, badgers will be forced from their homes.
- * GC Newts are documented within half a mile.

Heritage:-

- * Loss of local historic interest brick making reported to have once taken place on the site.
- * The Planning Statement refers to there being no evidence of ridge and furrow across the field. This is factually incorrect. On the ground there is clear visible evidence of ridge and furrow on site.
- * The Wootton Conservation Area is the last bastion of what is left of the old village and should be preserved. Already the school traffic is eroding both this environment along with quality of life for residents.

Footways:-

- * Impact on views over Hall End.
- * Impact on Bridle path and the John Bunyan Trail and bridleway which is adjacent to the site.

Agricultural Land:-

* The site is classified Grade 3 agricultural land. Although it is accepted that some loss of Grade 3 agricultural land locally is likely to be necessary to meet the likely allocated housing allocation, there are other sites closer to the village centre which are more sustainable with less visual and landscape impacts and with safer access options than this proposed site.

Character:-

- * Out of character with the surrounding area.
- * Development would link the Hamlet of Hall End with Wootton village.

Flooding:-

- * Whilst expert comments indicate there is no flooding risk, our service road does flood in the autumn, winter and spring when there is heavy rainfall when there is heavy rainfall already. This water runs onto the school site and into the staff car park. The removal of green fields opposite the school will reduce the standing area for water and will inevitably exacerbate the situation.
- * Concern is that water will naturally fall through into the southern area (which is shown on the plans with two additional ponds being created) which will then continue into land within our ownership to the south of the site (being Wootton Wood which is part of the County Wildlife Site).
- * Any proposed drainage will need careful consideration to ensure that existing flooding and drainage problems are not escalated.

Other matters:-

- * People are struggling to sell houses due to the new developments.
- * Wootton does not need more houses.
- * Told no more new houses before 2030.
- * Loss of Countryside views.
- * Should the development go ahead the Section 106 Agreement should stipulate either a local shop or a financial contribution to another shop within the village.
- * Water mains bursting is becoming more frequent as infrastructure cannot cope. Water pressure is often low.

- * Crime rate in Wootton has gone up with new houses.
- * Council tax is increasing to support tackling crime.

ASSESSMENT OF APPLICATION

1. CONTEXT & POLICY CONSIDERATIONS

1.1 The application is reported to the Planning Committee for determination at the request of Councillor Wheeler, as neighbour objections have been received and because the site size, at 6.5 hectares, exceeds the threshold (set out in the Planning Committee's Scheme of Delegation) below which applications may be determined by officers.

1.2 The planning application seeks outline permission for the erection of up to 81 dwellings. The overall site size is 6.5ha with the developable area identified as being 3.02ha located towards the northeast of the site towards Hall End Road. At this time the size and scale of the properties proposed are not known. An indicative layout has been submitted to illustrate how the development could be laid out incorporating access, amenity and open space, ecology areas and landscaping on the site. The layout is however for illustrative purposes and all matters except the site access are reserved for future approval if outline permission is to be granted.

1.3 No Pre application advice was sought on the site.

1.4 Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that proposals should be determined in accordance with the development plan unless material considerations indicate otherwise. For the purpose of this application the development plan comprises:

- The saved policies in the Local Plan (2002)(BBLP);
- The Core Strategy and Rural Issues Plan (2008) (CSRIP);
- The Allocations and Designations Local Plan (2013) (ADLP).

1.5 Other material considerations which also need to be taken into account include the National Planning Policy Framework (NPPF) (2019) and the associated Planning Practice Guidance (PPG) (first published in March 2014 but regularly updated), the Council's draft Local Plan 2030 (currently at the modifications stage), as well as Bedford Borough Council's adopted parking standards for sustainable communities Supplementary Planning Document (SPD) 2014, adopted design guidance Residential Extensions, New Dwellings and Small Infill Developments 2000, Open Space SPD 2013, Planning Obligations SPD 2014 and Achieving Quality in Residential Layouts SPD 1997.

1.6 Other material considerations can also be taken into account in decision making, such as planning history, but material considerations can encompass many things so are therefore determined on a case by case basis.

1.7 During the course of the application a revised transport assessment (Dated July 2019) and framework Travel plan was received to address initial Highway Officer concerns which have been re-advertised.

2. MAIN ISSUES ARISING

Principle of Development

2.1 Wootton is identified as a Key Service Centre in the Growth Area by current Policy CP4 of the CSRIP. This identifies the village as a focal point for the provision of homes, jobs, facilities and services. Policy CP3, however, restricts growth to 'within the defined limits of the key service centre'. The site itself is located outside of defined limits of Wootton, which is the Settlement Policy Area (SPA) for Wootton. The SPA boundary for the village adjoins the site to the east and is tightly drawn around Wootton Upper School. So despite Wootton being within the growth area, by virtue of the site itself being outside the SPA it is located in the open countryside in policy terms. Policy CP13 states that development in the open countryside will only be permitted if it would be consistent with national policy.

2.2 Paragraph 77 of the NPPF (2019) states that in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Paragraph 78 states that to promote sustainable development in rural areas, new housing should be located where it will enhance or maintain the vitality of rural communities.

2.3 Paragraph 79, however, is much more restrictive and seemingly draws a distinction between homes proposed in or close to rural settlements and those more remote. Paragraph 79 states that the development of isolated homes in the countryside should be avoided except where one of the closed list of circumstances applies, as follows:

- a) an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
- b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
- c) the development would re-use redundant or disused buildings and enhance its immediate setting;
- d) the development would involve the subdivision of an existing residential dwelling; or
- e) the design is of exceptional quality, in that it:

- is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
- would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

2.4 It is therefore necessary to consider in the first instance whether the proposal is isolated. There is no definition of isolated in the NPPF but the recent Court of Appeal decision *Braintree District Council v SSCLG* [2018] EWCA Civ 610' has clarified that the term "isolation" simply connotes a dwelling that is physically separate or remote from a settlement because settlements are the preferred location for new housing development in rural areas. However, as settlement is also undefined in the NPPF, whether a proposed new dwelling is, or is not, "isolated" in this sense will be a matter of fact and planning judgment for the decision-maker in the particular circumstances of the case in hand (Braintree Paragraphs 29-31).

2.5 In assessing the application site in terms of 'isolated' the land falls immediately adjacent to Wootton Upper School on the edge of Wootton Village and is located in close proximity to housing on the north eastern side of the site. Wootton is also defined as a key service centre village (which is the preferred location for new rural housing pursuant to Policy CP14). The site therefore cannot be regarded as physically or functionally isolated from the settlement; as such the exceptional circumstances noted in Paragraph 79 of the NPPF do not need to be considered. It remains, however, that the principle of residential development in the rural area is still to be considered against the advice in Paragraphs 77 and 78.

2.6 Both Paragraphs 77 and 78 indicate that some villages should be able grow as long as the development is responsive to local circumstances and where the development will enhance or maintain the vitality of rural communities.

2.7 Wootton is considered to be a sustainable location (hence being a growth area) and there is no reason to argue that the development would not in principle enhance or maintain the vitality of the village. However, it has undergone a considerable growth in the last few years, in particular along Fields Road where there are still houses under construction, and for this reason the emerging local plan has resolved not to allocate any additional housing for the village. The emerging Local Plan 2030 was submitted for examination in December 2018 and the hearings have now finished and the consultation on proposed modifications has just been completed; it is therefore at a fairly advanced stage and is anticipated for adoption within the next 2-3 months.

2.8 Despite the lack of allocation for Wootton, this does not mean that development should not occur. Windfall sites are to be considered on their merits and it also remains open to the Neighbourhood Plan Group to allocate their own sites (or not), which is an option supported by the emerging Local Plan.

2.9 The Wootton Local Neighbourhood Plan Group has started work on the neighbourhood plan however this is still at a fairly early stage with no public consultation having taken place and it has not been through an examination and therefore at this time this cannot be given weight in the planning balance.

2.10 Notwithstanding, as noted in Section 1, Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that proposals should be determined in accordance with the adopted development plan unless material considerations indicate otherwise. The NPPF is a notable material consideration and Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development. It adds that for decision-taking this means:

“c) approving development proposals that accord with an up-to-date development plan without delay; or

d) 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:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. 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.”

2.11 While adopted Policies CP3 and CP13 identify that residential development outside settlement policy areas like this should be restricted, unfortunately those policies are considered to be out of date by virtue of the fact that the Council is unable to demonstrate a 5 year supply of housing delivery sites, which means that Paragraph 11(d) of the NPPF applies in this case, which means that the balance at the start of the assessment must now be tilted in favour of approval unless the application of policies in the NPPF that protect areas or assets of particular importance provide a clear reason for refusing the development proposed or the adverse impacts arising from development would significantly and demonstrably outweigh the benefits (i.e. tip the scales the other way) to justify a refusal of planning permission.

2.12 A consideration of all the relevant issues surrounding the development of this site is therefore required in order to undertake this balancing exercise.

Character and Appearance

2.13 Paragraph 170 of the NPPF states that the open countryside should be recognised for its intrinsic character and beauty. Landscape considerations will therefore play a significant part in the determination of planning proposals and consideration will need to be given to the impact of proposals on the surrounding area in terms visual intrusion and loss of landscape features.

Policies BE29 and BE30 of the Bedford Borough Local Plan (2002) and CP21 of the Core Strategy and Rural Issue Plan (2008) expects all new development to be designed to the highest standards whilst Policy BE30 sets out a list of twelve (12) material considerations against which all applications will be considered including the visual impact of development, relationship with townscape and landscape, scale, density, massing, height, materials and layout, quality of public spaces, traffic impacts, accessibility, access arrangements, noise, smells and health and safety, neighbourhood disturbance, waste and the adequacy of existing infrastructure.

2.14 The Council's CSRIP document advises that landscape enhancement is an important issue in the rural area of the borough where there are smaller villages and the impact of development could have a detrimental impact on the landscape if not appropriately controlled. Local Plan Policy BE32 states that where new development is permitted on the edges of the rural or urban area, or of villages, it should be carefully designed to minimise the impact of development on the surrounding land. Policy CP24 also seeks to ensure that new development protects and enhances the character of the landscape.

2.15 Neighbours have objected to this proposal on the basis of the loss of the rural character, encroachment of built development into the Countryside and also the closing of the gap between Wootton and properties in the hamlet of Hall End.

2.16 A landscape and visual impact assessment has been submitted with the application to assess the impact of the development (dated 8th April 2019) on the landscape and character of the area. The assessment looking at the existing landscape outlines, based on the Bedford Borough Landscape Character Assessment. This identifies that the southern section of the proposed site lies predominantly within the general Landscape Character Type 5: Clay Vales and specifically within the North Marston Clay Vale Landscape Character Area. The northern section of the site lies just within the general Landscape Character Type 1: Clay Farmland and specifically the Cranfield to Stagsden Clay Farmland Landscape Character Area. The overall landscape strategy for the Cranfield to Stagsden Clay Farmland character area is to 'enhance and renew the landscape and conserve its rural agricultural character' and the overall landscape strategy for the North Marston Clay Vale Landscape Character area is 'to continue to enhance and renew this post-industrial landscape'.

2.17 The applicants have assessed the site from viewpoints within a 2.5km radius of the site looking at the landscape sensitivity. The site has been described as:

"generally featureless, apart from a small pond and associated vegetation to low lying ground towards the southeast boundary. Lengths of temporary paddock fencing, a water trough and a small and slightly dilapidated shed to the northern section of the site are associated with horse grazing."

2.18 In assessing the impacts of the development the report identifies that the residential receptors and the potentially most sensitive group are the nearest houses which are the closest to the site. These will have views of the development over the hedge. Views from these properties are currently predominantly rural in the direction of the site. These properties have been categorised as having a

High Sensitivity with those further away or with more oblique views including within Hall End being categorised as having a medium sensitivity. The indicative layout shows the development closest to the northeast corner of the site and the change for those residents will be from an open rural scene (albeit within the context of the existing school building) to a view onto a built residential edge behind a landscape buffer.

2.19 There are footpaths immediately adjoining the site (PRoWs) including the John Bunyan long distance trail which will also be impacted by the development. These are categorised as having a high sensitivity to the development. The report concludes the development is going to be visible to users of the pathways but it will be viewed as a natural extension to the settlement of Wootton as it will sit adjacent to the school, the recently completed housing development and opposite the school expansion site. The 100m gap proposed from Wootton Wood will maintain a large gap to the development from the wood.

2.20 The impact on Wootton Upper School is classified as Medium to Low Sensitivity with views from the School grounds. Road users have been identified as having a medium sensitivity. It is highlighted that the site will be viewed within the context of the new residential development and school.

2.21 Taking into account the Landscape and Visual Appraisal report and assessing the site it is clear that there will be a change in character of the land from open paddock to a developed site. It will however sit within the context of surrounding built development being enclosed by the new housing to the north east, Wootton Upper School to the east and Wootton Wood to the South. The land is aligned visually and geographically with the built edge of the settlement of Wootton.

2.22 The indicative layout Cranfield to Stagsden Clay Farmland LCA identifies erosion of hedgerows and hedgerow trees as a strategic sensitivity within this landscape, as well as the potential neglect and mismanagement of woodland. The proposal retains hedgerow boundaries and reinforces vegetation here with native tree and woodland planting to the perimeters of the developable area. The developable site area is pulled away from the northern edge of Wootton Wood and the buffer space between allocated as an open, managed meadow land area.

2.23 Visual sensitivities associated with the LCA include long ranging views to wooded horizons and across lower lying rural landscape of the North Marston Vale (5d). The applicants have demonstrated how the developable area would be aligned with the edge of Wootton and have little impact on the long ranging views to the east.

2.24 Elements identified as contributing to future change in the landscape include the potential further linear expansion of development along road corridors. The illustrative layout shows how only a small section of the developable area is aligned with Hall End Road, and this area is set well back with a landscape buffer and SUDs zone. These features would also contribute to the avoidance of potential coalescence between the new development and the hamlet of Hall End to the north of the site.

2.25 The North Marston Clay Vale LCA also identifies the needs to conserve and enhance the green infrastructure of the many PRoW in the area. The Masterplan demonstrates how a new landscaped footpath fringes the development site and connects the new homes with built form to the edge of settlement. The proposed development will not obstruct the existing PRoW within the northern and western site boundaries; this bridleway will be managed to ensure it remains suitable for use, with users encouraged to respect the areas of protected Meadow land.

2.26 Visual sensitivities of this LCA include views from areas that border the prominent landform of the Cranfield Ridge and how contrasts here between the landform, woodland and undeveloped lower slopes should be maintained, and development which obstructs from these views should be avoided. Setting the built form back from Hall End Road and incorporating a strong landscape buffer of native tree and woodland planting to the east of the site, would help to ensure a predominantly green view is maintained towards the Cranfield Ridge from the east.

2.27 The presence of existing large vegetation groups surrounding the site, the adjacency of a settlement edge and a rising topography to the west means that the development of the site would have limited visual influence on the surrounding environment.

2.28 The incorporation of a landscape buffer to the perimeter of the site as well as potential for larger tree species planting within the development here will further break up the visual mass of built form and screen views of the development as it matures over time.

2.29 Carefully assessing the site from the surrounding area and the submitted Landscape and Visual Appraisal it is concluded that the development, whilst resulting in a change in the character of the area from the rural landscape to a residential one, would not cause a demonstrable harm to the wider character of the area or Wootton which would justify a refusal of planning permission. The development will be viewed within the context of the existing school, the new housing development and the future school expansion site. It is bound by Hall End Road and is screened to the south by Wootton Wood.

2.30 A high number of neighbours have objected to the development on the loss of the rural character of the area and the impact on views across the site, however as set out the proposal tries to retain the rural character edge, and the loss of a particular view to residents is not a planning consideration.

Amenities of Neighbours

2.31 The nearest residential properties to the site are located on the opposite side of Hall End Road and further to the north in Hall End separated by agricultural fields with boundary hedges. Whilst an indicative layout has been submitted at this stage only limited weight can be given to this as the details are not being agreed. It does however demonstrate that up to 81 dwellings could be accommodated on the site along with suitable boundary treatments and landscaping, to ensure that there is suitable separation from the existing neighbours to prevent any unreasonable loss of privacy, impact on daylight or sunlight or being overbearing.

The additional traffic being generated by this development within the context of the existing traffic on Hall End Road would not be unreasonable.

2.32 The proposed access to the site is opposite land which is allocated for a school expansion site which development of the application site would not compromise and will not have an impact on amenity.

2.33 Based on the information submitted to date it has been demonstrated that the proposal could accord with policies BE29, BE30 and BE37 of the Bedford Borough Local Plan (2002) and CP21 of the Core Strategy and Rural Issue Plan (2008).

2.34 A condition is proposed for a construction management plan which would control the delivery of materials and parking within the site; however, an element of noise is inevitable as with any new development during the construction phase and noise during construction is not a sufficient ground for refusing the proposal. The actual construction on site and any noise generated however falls outside of the planning remit and would be controlled by on site management and Environmental Health legislation if for example builders were working outside of reasonable daytime hours. The Council's Environmental Health Officer whom would investigate any complaints under Environmental Legislation has been consulted on the application and raises no objection.

2.35 In this case the application seeks outline planning permission with only the site access being agreed. An indicative layout has been submitted which demonstrates that a layout for 81 properties is possible which would meet all of the Councils standards in terms of privacy distances and daylight and sunlight therefore no objection is raised on this basis.

Highway Access and Parking Layout

2.36 BBLP Policies BE30 and CSRIP Policies CP2, CP28 and CP29 of the Core Strategy seek to ensure that new developments provide adequate and sustainable transport infrastructure. In support of the planning application the applicant has submitted a Transport Assessment, Safety Audit and a Travel Plan. The application seeks approval of the access arrangements for the development (although the internal roads and parking courts are not being considered at this time). The application site would be accessed from the south-west side of Hall End Road which is an adopted unclassified road subject to a 30mph speed restriction. On the south-west side of the carriageway there is a grass verge and ditch.

2.37 A large number of the objections received to this development relate to the highways and parking situation and in particular the close proximity to Wootton Upper School and the traffic generated at drop off and pick up times which can reduce the carriageway of Hall End Road to single lane only. The School has expressed concerns about pupil safety resulting from the additional traffic generated by this development. The British Horse Society has raised a concern about safety during construction.

2.38 The submitted Transport Assessment (TA) provides traffic flow information advising that the average daily traffic flow on Hall End Road is around 1,000 vehicles per day which is considered a relatively low flow, albeit with its highest concentration of existing traffic around each end of the school day.

2.39 The TA indicates that the trip generation that would result from the development would be around 45 and 42 vehicle movements in the AM and PM peak hours respectively. The peak hours in relation to traffic generation due to the development are 8AM to 9AM and 5PM to 6PM. The daily total would be in the order of 395 trips. This would be 1 additional vehicle every 2 to 3 minutes on average across the day (with around 1.4 vehicles per minute in the am/pm peak hours) on any particular section of Hall End Road.

2.40 Of the traffic entering or exiting the site it is stated that there would be an approximate 50 / 50 split of traffic heading north-west towards Keeley Lane and Bedford and south-east towards the centre of Wootton, but even if the split were different it would not have a detrimental effect on junction capacities.

2.41 The TA provides the results of capacity calculations for the following junctions:

Site access with Hall End Road;
Bedford Road, Cranfield Road and Church Road; and
Bedford Road and Fields Road.

Each of the junctions was assessed for the year 2025 with baseline traffic, currently committed developments and the proposed development.

2.42 The report concludes that all of the junctions would operate within capacity with the development in place with the two existing junctions only having a small reduction in available capacity due to the proposed development. The junction with Hall End Road with Keeley Lane has not been assessed but the additional vehicle every 2 or 3 minutes would not have a significant impact upon its operation.

2.43 The application has been carefully assessed by the Highways Development Control Officer who advises that subject to highways mitigation measures the implementation of the proposed development would not have a severe negative impact upon the highway network when considering traffic across the day however there are issues at the busiest times of day (often in relation to the adjacent school) which need to be addressed in order to make access to and from this development safe and practical for pedestrians and motorists entering and leaving the site.

2.44 There are already existing parking restrictions in proximity of the Wootton Upper School access and the new housing development junction opposite. There are however currently no parking restrictions by the proposed site access section of Hall End Road and parents have been observed parking there. Due to the parking that occurs in the vicinity of the bend to the north-west of

the access which results in single-file around the bend with minimal visibility it would be potentially unsafe for traffic turning left out of the new development junction which may then be forced to reverse back if encountering oncoming traffic overtaking parked cars which at busy times of day would not be safe. Furthermore, any parking opposite the junction would affect access to and from the site.

2.45 Consequently to make the access safe and acceptable double yellow lines are required which would extend from the existing double yellow lines on the road on the north-east side of the Hall End Road, and from the end of the School Keep Clear zig-zag markings on the south-west side around the bend to a point approximately 25m past the farm access on the outside of the bend. This can be conditioned but will have implications for parents dropping off pupils at the school.

2.46 The Highways Development Control Officer has identified that as part of this development a new dropped kerb pedestrian crossing point will also be required linking the development to the existing footpath on the northern side of Hall End Road. To prevent residents attempting to walk along the narrow verge from the development to the school this will also require bollards to be installed along the front of the site and the school on highways land. The traffic will also need to be slowed down which will require a raised junction table at the site access. This would both slow traffic down entering the village and provide the level crossing point. This can improve safety for the school.

2.52 A Framework Travel Plan has been produced and a full Travel Plan will be required prior to occupation with targets and specific dates for the actions and include the latest version of the Bedford and Kempston Walking and Cycling Map along with reference to the Travel Bedford website.

Rights of Way connections

2.47 There is public right of way in the form of a bridleway within the site alongside the western and northern boundaries as well as rights of way running on the opposite side of those boundaries with connections between them. The footpath on the north side of the northern boundary (Footpath 11) is part of the promoted John Bunyan Trail. Convenient direct connections (dedicated as public highway) from the development will therefore be required to the PRow in the north-west and south-west corners of the site as part of the reserved matters application.

Public Transport

2.48 The Transport Assessment makes reference to the location of bus stops and provision of bus services. There are existing bus stops on Cause End Road around 530m from the site entrance and hence most of the proposed dwellings would be over 700m, which is significantly more than the normal maximum distance of 400m. However; the bus service at the stops is frequent and the stops have been recently upgraded. There are also request stops by The Chequers Inn on Hall End Road that are around 360m from

the site entrance. These request stops do not have pole, timetable or shelter. These bus stops therefore require some upgrading. A section 106 contribution would be required for £10,000 in accordance with advice from the Public Transport Team.

2.49 Having carefully assessed the application with access to be agreed as part of this proposal the Highways Development Control Officer has raised no technical objections to the proposal subject to all of the mitigation measures highlighted in the report (double yellow lines, dropped kerb crossing, installation of bollards and a traffic table being installed) and has suggested conditions to secure the final details.

2.50 Should Members not be satisfied with the Highway improvement works required to make the access acceptable then this application would have to be refused as access is being considered at this time and therefore should not be conditioned to be repositioned elsewhere.

Archaeology

2.51 Policies BE23, BE24 and BE25 (Archaeology) state that proposals which would have an adverse effect on scheduled ancient monuments and other important archaeological sites and monuments, and their settings, will not be permitted except in circumstances where the adverse impact of a proposal can be overcome and the site or monument physically preserved in situ and that the Borough Council will have regard to the need to protect, enhance and preserve sites of archaeological interest and their settings. A neighbour has raised concerns about the impact of the development on ridge and furrow features on the site.

2.52 This application has been identified by the Bedford Borough Historic Environment Team (Archaeology) as being located in an area with archaeological interest. The application has been accompanied by a desk-based assessment prepared by CgMs Consulting together with a report detailing the results of a geophysical survey undertaken by SUMO Services Ltd.

2.53 The Officer advises that the current Historic Environment Record shows that the entry for ridge and furrow on this site has been removed following completion of the recent Bedford Borough National Mapping Programme (NMP) project for this area (an analysis of historic and modern aerial photographs) which failed to identify the earthworks as being substantially intact here. In addition to this a recent survey of ridge and furrow in Bedford Borough has been undertaken (Albion Archaeology 2017) and this site was visited during the survey. The site visit identified some trace elements of surviving ridge and furrow in the western part of the field however the condition was described as being very poor. No objection is therefore raised due to impact on the ridge and furrow.

2.54 The NMP Project also identified the cropmark of a probable Iron Age ditched banjo enclosure (BBHER22049) located c.230m to the west of the proposed development site. The cropmark is sub-circular, with a diameter of c.100m and has parallel double-ditches extending south-east from the south-east facing entrance. Its location in relatively close proximity to the site can be considered to increase the likelihood of contemporary remains surviving here.

2.55 The geophysical survey succeeded in identifying the below ground remains of the ridge and furrow earthworks and did not highlight any significant focus of archaeological activity in the proposed development site. Whilst the results provide an indication that the development site is unlikely to contain remains of such significance as to prevent development of the site, a further stage of intrusive trial trench evaluation is still required here.

2.56 The present site does not appear to have been subject to recent development and there is therefore potential that should archaeological remains be present that they will be undisturbed and well preserved. Groundworks associated with the proposed development will have the potential to destroy or disturb important archaeological deposits and features associated with the nearby Iron Age cropmark site and the nearby settlement at Church End, Wootton which may survive here.

2.57 It is therefore recommended that should planning permission be granted an archaeological strategy should be submitted to the planning authority before development commences. This can be secured via a condition.

Heritage

2.58 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a statutory duty on Local Planning Authorities to have special regard to the desirability of preserving listed buildings and their settings and any features of special architectural or historic interest they may possess. BBLP Policy BE21 reflects this duty. Policy CP23 of the CSRIP requires that development must protect and, where appropriate enhance, the character of listed buildings. Paragraph 193 of the NPPF sets out that great weight should be given to the asset's conservation in a manner proportionate to the significance of the heritage asset irrespective of the level of harm to its significance.

2.59 The application has been assessed by the Council's Heritage Team and they have identified the development would result in a very low level of less than substantial harm which could be removed all together with suitable siting and screening of the development. The nearest heritage assets are being Wootton Conservation Area, St Marys Church (Grade 1 listed, Wootton House (Grade 11 listed), Wootton House Stables (Grade 11 listed) and others within the village including Ivy Cottage and its barn, 48 Church Road, The Chequers Inn and 41-45 Hall End Road. They have advised that the site makes very limited contribution to the significance of the identified heritage assets or Wootton Conservation Area given the more modern development which has taken place in between the site and those assets.

2.60 The application is therefore in accordance with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990; policy CP23 of the Bedford Borough Core Strategy & Rural Issues Plan and saved policies BE11 and BE21 of the Bedford Borough Local Plan 2002, as well as chapter 16 of the NPPF.

Ecology

2.61 The site falls within a designated County Wildlife Site (Wootton Woods) totalling about 13% of that total designated area. A County Wildlife Site is a non statutory designated site for nature conservation that has been recognized as important for wildlife when assessed against a set of criteria. The selection guidelines consider aspects of the site such as Size, Diversity, Rarity, Fragility, Typicality and Recorded History. It contains hedgerows, a pond and trees and is close to the mature woodland of Wootton Wood.

2.62 Recognition as a County Wildlife site does not confer protection on the site, or right of access, however for any significant change of land use such as that proposed in this application it is expected the wildlife interest will be taken into account alongside other normal planning considerations.

2.63 The NPPF paragraph 170 sets out that Planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan)

2.64 CSRIP Policy CP25 sets out objectives for the biodiversity and geodiversity of the Borough to be protected and enhanced where appropriate. The development clearly has the potential to impact on the ecology and biodiversity of the site and surrounding area.

2.65 The application has been accompanied by a phase 1 Habitat Survey and Ecological Report prepared by ERAP dated April 2019. This identifies that the CWS comprises of ancient semi-natural broadleaved woodland, neutral grassland and hedgerows. Priority Habitats at the site comprise the pond (to be retained and brought into appropriate management) and the boundary hedgerows.

2.66 The Habitat Survey has confirmed the presence of Great Crested Newts in the existing pond on site (protected under European and UK law) and the presence of Badgers on the land, although no setts were identified within the site.

2.67 The development is proposing mitigation for the loss of habitat with Habitat creation /compensation benefits (hedgerow planting, pond excavation and hibernacula creation) to achieve a significant net gain in length of native hedgerow, great crested newt breeding ponds and enhanced habitat connectivity through the site; and habitat creation within the built environment to provide opportunities for fauna such as roosting bats and nesting birds, particularly Priority Species.

2.68 The Wildlife Trust has been consulted on the application and they do not object to the development. They advise (3rd June 2019) that conditions are required to ensure that there is a minimum of a 10% biodiversity net gain across the site if the development is approved. This should be done using the DEFRA biodiversity Metric.

2.69 They have commented that nearly half (47.7%) of the existing semi-improved grassland within the site is to be developed, a significant amount is proposed to be enhanced to Lowland Meadow Priority Habitat. This is not considered to be meet biodiversity gain factoring in it takes a minimum of 12 years for Lowland Meadow Priority Habitat to establish.

2.70 They therefore recommend that the measures proposed in the Ecological Appraisal are implemented and delivered through a Construction Environment Management Plan (CEMP) and a Landscape and Habitat Management and Monitoring Plan (LHMMP) with adequate funding provided in perpetuity and secured by a suitably worded planning condition. Additional measures that should be added to the management plans include:

Details of how pollution and sedimentation of the pond network will be prevented both during construction and into the future with adequate monitoring to ensure that the quality and quantity of water in the ponds is maintained. Tests should be carried out prior to and during construction to collect baseline levels, as well as, at regular intervals during operation. Incorporation of swift bricks with an average allocation of two boxes in every other dwelling or three boxes in every third dwelling. The management plans should adhere to the following conditions provided in Biodiversity –Code of Practice for Planning and Development (BS 42020:2013).

2.71 Taking into account the submitted Ecology report and the advice from the Wildlife Trust it is recognised that the site is a designated County Wildlife site which has been locally designated for its ecological benefits. Any scheme which will impact on this ecological value must therefore result in a net biodiversity benefit across the development and the site. In this case the Wildlife Trust has not objected to the development based on the highlighted improvements subject to conditions securing these benefits in to the future.

2.72 It is therefore concluded that the scheme will result in an improvement to the biodiversity value of the site and that the benefits to be achieved and secured by the scheme outweigh the estimated loss of c. 3.1 hectares of the neutral grassland at the CWS to achieve compliance with the NPPF, Policy NE3 of the Bedford Borough Local Plan and Policy CP25 of the Core Strategy and Rural Issues Plan.

2.73 Natural England have been consulted and advise they have no comments to make on the application although they highlight they have not assessed the application for impacts on protected species.

2.74 The developer will require a specific licence from Natural England to carry out works which affect the GCN habitat.

Drainage

2.75 Policy U2 (Flood Plain) states that the Council will not permit development that compromises the capacity of the floodplain, balancing ponds, drainage pipes, channels and other flood defences. Residents and the School have raised concerns about flooding at the site and in particular surface water runoff which is reported to have caused flooding issues. The site however falls within Flood Zone 1 which is not an area identified as being at flood risk.

2.76 Whilst the details of the proposal being considered are not yet known it is proposed to incorporate a SUDS scheme which can be conditioned. The Council's Flood Investigation officer has no objection to the surface water disposal proposals in the Flood Risk Assessment subject to conditions requiring full drainage details.

2.77 Anglian Water has confirmed they have capacity for waste water and foul sewerage however they have to manage this capacity. They have highlighted that a public sewer is shown on record plans within the land identified for the proposed development which will require a 3m easement. This will need to be addressed at the reserved matters stage.

2.78 There is no reason to believe that the scheme could not meet the requirements and it will be for the future developer to demonstrate this at the reserved matters stage this.

Sustainability/Energy

2.79 Policy CP26 Climate Change and Pollution requires amongst other things that development achieve a minimum of 10% reduction in carbon emissions. This can be secured via a condition.

Trees Hedges and Landscaping

2.80 The site is outside the conservation area and is not subject to a Tree Preservation Order. The proposed access into the site requires the removal of a section of hedgerow, and as the land is currently agricultural, intact and the development proposes removal of around 20 metres in length it falls under the Hedgerow Regulations 1997. The applicant has identified that the hedge is a priority habitat and therefore its loss would result in harm. To mitigate this loss the development is proposing a significant increase in hedgerow planting across the site (up to 490 metres) which is considered to adequately mitigate for the section to be lost forming the junction.

2.81 The site is considered agricultural under rough grazing management, for this reason a majority of the trees are situated within the hedgerows except for a small group located in the South East corner. Therefore in the respect of 'trees' the indicative layout indicates that they are unlikely to be compromised by the development, as large buffer areas have been indicated around the periphery allowing for development to occur a significant distance outside of any Root Protection Area.

2.82 There is scope for a robust landscaping scheme for the site which will be important due to the character of the area being rural. Where trees are planted within close proximity to built structures and within areas of hard landscaping the tree pit design needs to be incorporated as part of the infrastructure planning and design stage of any new development.

2.83 Using innovative products to incorporate planting pits into the water management for a site while providing the rooting environment required needs to be demonstrated. This is to ensure sustainability and longevity for the approved landscape scheme to establish and deliver within the new development. The use of root barriers, cellular systems and alternatives to achieve this must be demonstrated.

2.84 A comprehensive pallet of trees needs to complement any development and provide structure and diversity both in height and species taking into consideration their arboricultural features and characteristics. Where fruit trees are to be included local varieties need to be included for local distinctiveness and promote local biodiversity. These details can be required as part of the reserved matters on landscaping.

2.85 The British Horse Society has commented they would not want planting to affect the width of the bridleway which can be addressed at the reserved matters stage.

Forest of Marston Vale

2.86 The site is located within the boundary of the Forest of Marston Vale which is one of 12 nationally recognised Community Forests. ADLP Policy AD25 states that the Council will expect proposals to address the aims of the project and seek contributions towards its implementation, including a target of 30% woodland cover for the area. Off-site planting schemes in the Forest of Marston Vale will be required through a section 106 agreement

2.87 At present the tree coverage on the site is very low being a field. There is the potential to significantly increase the tree cover within the site and any developer will need to demonstrate how policy AD25 will be met at the reserved matters stage. At this time there is sufficient land on the site to enable this to be achieved.

2.88 The Forest Officer has also commented on the impact moving residential development closer to Wootton Woods will have on wildlife particularly in relation to potential predation from cats. This is a consideration the developer will have to address as part of the biodiversity enhancements and measures proposed for the site. The illustrative layout shows a 100m separation buffer between the potential houses and the woodland which gives space for mitigation. The Council are not proposing a restriction on pet ownership for occupiers of the development and this is not considered to be a reason to refuse planning permission.

Affordable Housing

2.95 CS RIP Policy CP8 requires 30% provision of affordable housing on sites of 15 units and over, except in exceptional circumstances. The submitted Planning Statement confirms that it is proposed to provide 30% affordable housing across the site. This will need to be secured through a s106 agreement.

Contamination

2.89 The application has been accompanied by a desk based study which has concluded that further intrusive ground investigations will be required. The Council's Contaminated Land Officer has raised no objection to the findings of the report which recommends full intrusive investigation (and any required mitigation) is undertaken. Subject to a condition to require this investigation the proposal is considered acceptable in terms of contaminated land.

2.90 The Council's Environmental Health Team has raised no objections to the application.

Loss of Agricultural Land

2.91 Paragraph 170 of the NPPF states that decisions should contribute to enhancing the natural environment by, amongst other things, recognising the intrinsic character and beauty of the countryside and the wider benefits from natural capital, ecosystem services including the economic and other benefits of the best and most versatile agricultural land. Paragraph 171 of the NPPF states that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of higher quality. The framework defines best and most versatile agricultural land as land in grades 1, 2 and 3a of the Agricultural Land Classification. The NPPF fails to define what significant development of agricultural land constitutes. The submitted agricultural land assessment states that the land comprises of grade 3a land. Officers consider that the proposed development constitutes a significant loss of grade 3a agricultural land. No assessment has been submitted with the application to demonstrate that the development could not be located on poorer quality land. The development would therefore be contrary to policies CP1 and CP2 which seek to ensure sustainable levels, locations and forms of development and to ensure resources are used efficiently. Subsequently, the proposal is considered to conflict with paragraph 170 of the NPPF.

Utilities

2.92 Neighbours have objected to the proposal due to potential impact on water pressure and the local network. A Utilities report accompanies the application which has concluded that there are no issues. Connection to the sewerage network would be dealt with at the Building Regulations stage and Anglian Water has a statutory obligation to make foul connections available.

Play and Open Space

2.93 Policy AD28 of the Bedford Borough Allocations and Designations Local Plan 2013 (ADLP) requires new housing development to provide on-site open space in accordance with the adopted standards. This will be secured as park of the reserved matters.

Education

2.94 The site is immediately next to Wootton Upper School and opposite an allocated school expansion site. The Education Department has however confirmed that pupil yield arising from additional development within Wootton could not be supported with the current local lower school capacity.

2.95 From a pupil place planning and education perspective, it is always desirable that lower school places are provided locally. As such, Education Officers wouldn't encourage applications that result in pupils having to attend a school where there is a necessity to provide ongoing school transport provision.

2.96 It is however accepted that capacity may be available within neighbouring villages although this would require young children to travel to school, which would be inconvenient for families, create additional traffic on rural roads and have financial implications for the borough council due to the need for school transport.

2.97 The solution albeit not ideal is to seek CIL contributions towards Education infrastructure and a separate s106 contribution for transport costs. On this basis, Education would seek financial contribution for the pupil yield multiplied by the annual cost of transport for the period of years pupils would be expected to attend school outside of the village.

CIL

2.98 The site falls within Wootton where the CIL rate is £100 per square metre (plus currently 36% indexation) for residential development and this will be payable.

NHS Services

2.99 Bedfordshire CCG has confirmed that on applications for 50 – 150 dwellings and greater there will need to be a s106 contribution for Primary Care General Medical Services which equates to primary care GMS, Community and Mental Health contributions with the usual methodology rationale for those costs. These requests would total £1,122.50 per dwelling so for this development of 81 houses this equates to £90,922.50 to be secured via a legal agreement for health care provision.

Other Matters

2.100 Some neighbours have objected to the development on the basis of a loss of a view. This is not a matter which can be given any weight in the planning balance.

2.101 Objections have been received on the basis that the level of development within Wootton is making existing houses difficult to sell. This is not a consideration which can be given any weight in the planning system.

2.102 Residents have raised a lack of facilities within Wootton as being a concern. This proposed development is not of a scale which would justify the requirement for the developer to provide an additional shop; however, it can aid the viability of an additional shop should one come forward as a planning application.

2.103 A neighbour has raised issues of land ownership in relation to the track and verges running between the site and Wootton Upper School. The applicant has confirmed that at this stage they are only seeking the main access to Hall End Road and not a pedestrian link shown on an indicative plan. The development will therefore not encroach on the adjoining land. Ownership of land however is a civil matter and cannot be considered as material to the planning decision.

Planning Balance

2.104 Section 38(6) PCPA 2004 states that “if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise”. The proposed development is contrary to the development plan, being major residential development, in the open countryside, within the growth area but outside of the defined limit (Settlement Policy Area) boundary. The development will also result in building on a designated County Wildlife site, loss of 20m of hedgerow and will result in the loss of 3a Agricultural land.

2.105 The NPPF (2019) is a material planning consideration and its presumption in favour of sustainable development as set out in paragraph 11 of the NPPF applies given that Bedford Borough Council currently cannot demonstrate a 5 year supply of deliverable housing sites, meaning that its housing related policies are out of date.

2.106 As set out in this report Paragraph 11(d) of the NPPF is set out in two parts. Part (i) states that permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance (set out in Footnote 6 of the NPPF) provide a clear reason for refusing the development proposed. As set out Footnote 6 does not apply to this site as it is not one of those protected sites listed. If, however, the restrictive policies do not provide a clear reason for refusing the development, then Part (ii) must be considered. Part (ii) must also be considered if none of the restrictions in Footnote 6 apply.

2.107 Part (ii) engages the 'Tilted Balance' and states that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

2.108 Harm has been identified in terms of the loss a grade 3a agricultural land, a section of hedgerow and the loss of part of the County Wildlife Site. There would also be a notable change in character from grazing land to residential built form. Individually those harms are considered to be of a minor nature, but in sum they would amount to moderate harm. Such moderate harm, however, would not significantly and demonstrably outweigh the benefits in the form of additional market and affordable dwellings which would contribute towards remedying the 5 year land supply deficit, the associated support to the local economy, ecological enhancement to the site, public open space provision and highway improvement works to slow traffic near the school.

2.109 On balance the scales tip in favour of approval.

Prematurity

2.110 Paragraph 49 of the NPPF states that "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 advance stage but is not yet formally part of the development plan for the area."

2.111 Paragraph 50 of the NPPF also states that refusal of planning permission on grounds of prematurity will seldom be justified where a draft plan has yet to be submitted for examination; or – in the case of a neighbourhood plan – before the end of the local planning authority publicity period on the draft plan. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how granting permission for the development concerned would prejudice the outcome of the plan-making process.

2.112 The emerging local plan is at an advanced stage but nothing about this proposal is central to the emerging plan that its approval would result in the emerging plan being undermined.

2.113 It is also noted that Wootton Parish has started neighbourhood plan preparation but has yet to complete a site allocation assessment; as a result, the neighbourhood plan is not sufficiently advanced to establish whether the aspirations of the Parish are achievable or whether any sites (additional or larger sites) will be allocated through that process. As a result, it is considered that limited weight should be given to the emerging neighbourhood plan and that a reason for refusal based on prematurity would not meet the requirements of Paragraph 49 of the NPPF.

Pre-commencement conditions

2.114 Pursuant to the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, the local planning authority must obtain the written agreement of the applicant to the terms of any pre-commencement condition recommended before it can be imposed on any planning permission granted. In this case, the applicant's agent has been requested to provide agreement to the pre-commencement conditions recommended at the end of this report and an update on any agreement will be given at the committee meeting.

3. CONCLUSION

In line with Section 38(6) PCPA 2004 determinations must be made in accordance with the development plan unless material considerations indicate otherwise. The subject site lies within the Growth Area but beyond the settlement boundary area for Wootton and is therefore regarded as open countryside for planning policy purposes. The Council's adopted Core Strategy aims to direct new housing to key service centres where housing, services and facilities can be provided close together. Wootton is a key service centre, however the proposal conflicts with Policies CP3 and CP13 in so far as the site is outside of the limits of the growth area. Notwithstanding, the Council cannot demonstrate a 5 year supply of deliverable housing sites and therefore those Core Strategy policies are deemed out of date.

Having applied the tilted balance assessment required by Paragraph 11(d), officers consider that as there are no notable reasons for recommending refusal, the benefits of the proposed development by virtue of the provision of the additional housing tilts the balance in favour of granting planning permission.

It is therefore recommended that outline planning permission is granted subject to a S106 agreement to secure the affordable housing, tree cover and NHS contributions and highways improvements works and subject to the conditions as set out in this report.

RECOMMENDATION: Permit subject to a Planning Obligation subject to the following conditions:-

01. The development hereby approved shall be carried out in accordance with the plans and documents listed on this notice, unless required otherwise by a separate planning condition of this permission.
REASON: To provide certainty on what is being authorised by this permission.
02. Development shall not commence other than construction of the access road until details of the following matters (in respect of which approval is expressly reserved) have been submitted to and approved in writing by the Local Planning Authority: (1) Appearance (2) Landscaping (3) Layout (4) Scale (5) Access (internal road and footpath details). The development shall be carried out in strict accordance with the approved details.
REASON: In accordance with Section 92 of the Town and Country Planning Act
03. Application for approval of the reserved matters shall be made to the Local Planning Authority in writing before the expiration of 3 years from the date of this permission.
REASON: In accordance with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning Compulsory Purchase Act 2004, to prevent the accumulation of unimplemented planning permissions.
04. The development hereby permitted shall be begun before the expiration of 2 years from the date of the last of the reserved matters to be approved.
REASON: In accordance with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning Compulsory Purchase Act 2004.
05. The submission of reserved matters for layout shall include details for triangular pedestrian visibility at all vehicular accesses within the site that cross a footway. The splays on both sides of each access shall measure 1.8 metres x 1.8 metres within the land being accessed adjacent to the rear edge of the footway. The splays shall be provided before the access to which the splays relate is first brought into use. All parts of the splays shall thereafter be kept free of all obstructions over a height of 0.6 metres above ground level.
REASON: In the interests of highway and pedestrian safety and in accordance with saved policy BE30 iv), v) and vi) of the adopted Bedford Borough Local Plan 2002.
06. Notwithstanding the details shown on plan no. 533.0001.002revC, beyond the first 15m of the access road details the submission of reserved matters for layout shall include details of the site's internal roads, footways/paths and cycleways. No building shall be occupied until the roads, footways/paths and cycleways which provide access to it from the existing highway have been laid out and constructed in accordance with the approved plans.
REASON: In order to minimise danger, obstruction and inconvenience to users of the highway and of the proposed estate road in accordance with saved policy BE30, iv), v) and vi) of the adopted Bedford Borough Local Plan 2002.
07. The submission of reserved matters for layout shall include details of bin storage/collection point(s) in accordance with Bedford Borough Council guidance 'Waste & Recycling Operational Policies' or any superseding guidance. Storage and collection of bins shall be provided in accordance with the approved scheme and thereafter retained.
REASON: In the interest of amenity and in accordance with saved policy BE30 vi) of the adopted Bedford Borough Local Plan 2002 and Bedford Borough Council guidance 'Waste & Recycling Operational Policies'.

08. The submission of reserved matters for layout, appearance and scale shall include plan details with dimensions, materials, finishes and colours of all boundary treatments, screen walls and fences to the perimeter and individual plot gardens, including a timetable for carrying out the works. The works shall be carried out in accordance with the approved details and timetable.
REASON: To ensure a satisfactory standard of development and in accordance with saved Policy BE30 of the Bedford Borough Local Plan 2002 and Policy CP21 of the Core Strategy and Rural issues Plan 2008.
09. Details submitted in respect of the reserved matters for layout shall make provision for 10% of the total number of dwellings to be built in accordance with the Mobility Standards set out in the document produced by Bedford Borough Council entitled 'Mobility Housing' (2000) or such replacement document or policy which exists at the time of the development commencing. The submitted details shall specifically indicate which dwellings are to be built to these standards and the relevant dwellings shall be built and retained in accordance with the approved details.
REASON: To improve the accessibility of housing to the whole community and particularly disabled people and in accordance with 'saved' Policies BE30 and BE48 of the Bedford Borough Local Plan 2002 and CP21 of the Core Strategy and Rural Issues Plan 2008.
10. No development shall take place until a scheme for car and cycle parking with access thereto in accordance with Bedford Borough Council's Parking Standards for Sustainable Communities: Design and Good Practice 2014 has been submitted and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and made available for use before the development is occupied and the car and cycle parking areas shall not thereafter be used for any other purpose.
REASON: To ensure a satisfactory standard of development in accordance with saved policy BE30 iv), v) and vi) of the adopted Bedford Borough Local Plan 2002 and policy CP2 vii of the Core Strategy and Rural Issues Plan 2008.
11. No development shall take place until an archaeological strategy for evaluation and if necessary, a further mitigation strategy based on the outcome of the evaluation, has been submitted to and approved in writing by the Local Planning Authority. The archaeological mitigation strategy shall include a timetable and the following components (the completion of each to the satisfaction of the Local Planning Authority will result in a separate confirmation of compliance for each component):-
(i) fieldwork and/ or preservation "in situ" of archaeological remains;
(ii) a post-excavation assessment report (to be submitted within six months of the completion of fieldwork);
(iii) a post-excavation analysis report, preparation of site archive ready for deposition at a store approved by the Local Planning Authority, completion of an archive report, and submission of a publication report (to be completed within two years of the completion of fieldwork). The archaeological mitigation strategy shall be carried out in accordance with the approved details and timings.
REASON: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Saved Policies BE24 & BE25 of the Bedford Borough Local Plan 2002, Policy CP23 of the Bedford Borough Core Strategy and Rural Issues Plan (2008) and according to national policies contained in the National Planning Policy Framework (MHCLG,2019). The Local Planning Authority is satisfied that the timing of compliance is fundamental to the development permitted and that the permission ought to be refused unless the condition is imposed in this form.

12. No development shall take place, including any works of demolition, until a Construction Management Plan, associated with the development of the site, has been submitted and approved in writing by the Local Planning Authority which shall include information on:
- (A) The parking of vehicles
 - (B) Loading and unloading of plant and materials used in the development
 - (C) Storage of plant and materials used in the development
 - (D) The erection and maintenance of security hoarding / scaffolding affecting the highway if required.
 - (E) Measures on site to control the deposition of dirt / mud on surrounding roads during the development.
 - (F) Footpath/footway/cycleway or road closures needed during the development period (to include all proposals for road closures or traffic diversions prior to the adoption of roads within the development)
 - (G) Traffic management needed at the interface with the public highway during the development period
 - (H) Times, routes (to include specific measures such as delivery ticket instructions and location of signage) and means of access and egress for construction traffic and delivery vehicles (including the import of materials and the removal of waste from the site)
- The approved Construction Management Plan associated with the development of the site shall be adhered to throughout the development process.
- REASON: In the interests of safety, protecting the amenity of local land uses, neighbouring residents and highway safety and in accordance with saved policy BE30 iv) and vi) of the adopted Bedford Borough Local Plan 2002. The Local Planning Authority is satisfied that the timing of compliance is fundamental to the development permitted and that the permission ought to be refused unless the condition is imposed in this form.
13. No development shall take place until a surface water drainage scheme for the site which accords with the Council's adopted Sustainable Drainage Systems (SuDS) SPD 2018, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be subsequently implemented in accordance with the approved details before the development is occupied.
- REASON: To prevent the increased risk of flooding by the development proposals and to ensure the satisfactory drainage of the site and in accordance with saved Policies BE30, NE16 and U2 of the Bedford Borough Local Plan 2002, Policy CP26 (criterion viii) of the Core Strategy and Rural Issues Plan 2008 and the Council's Sustainable Drainage System (SuDS) SPD 2018. The Local Planning Authority is satisfied that the timing of compliance is fundamental to the development permitted and that the permission ought to be refused unless the condition is imposed in this form.
14. No development shall take place until details of the proposed arrangements for future management and maintenance of the proposed streets & paths within the development have been submitted to and approved by the local planning authority. The streets and paths shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a private management and maintenance company has been established.

REASON: To ensure that the estate streets serving the development are completed and maintained to the approved standard, and are available for use by the occupants, and other users of the development, in the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway, in accordance with Policy BE30 of the Bedford Borough. The Local Planning Authority is satisfied that the timing of compliance is fundamental to the development permitted and that permission ought to be refused unless the condition is imposed in this form.

15. No development shall take place until detailed drawings showing the pre development ground levels and the proposed ground levels have been submitted to and approved in writing by the Local Planning Authority unless the existing and proposed levels details are submitted and approved as part of any reserved matters application. The development shall be implemented in accordance with the approved details or particulars.

REASON: To ensure that the effects of the proposal in relation to existing and proposed levels are fully assessed and in accordance with Policy BE30 of the Bedford Borough Local Plan 2002. The Local Planning Authority is satisfied that the timing of compliance is fundamental to the development permitted and that the permission ought to be refused unless the condition is imposed in this form.

16. No development shall take place until a scheme for the enhancement of the site for biodiversity purposes, in accordance with the submitted Ecology Report authored by ERAP Consultant Ecologists dated April 2019 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include timescales for implementation and future management, and shall be implemented in accordance with the approved details and thereafter so retained.

REASON: To identify and ensure the survival and protection of important species and those protected by legislation that could be adversely affected by the development, having regard to Policy CP25 of the Core Strategy and Rural Issues Plan (2008). The Local Planning Authority is satisfied that the timing of compliance is fundamental to the development permitted and that the permission ought to be refused unless the condition is imposed in this form.

17. No development shall take place until an energy audit (including timetable) has been submitted to and approved in writing by the Local Planning Authority. The energy audit shall demonstrate how the development will achieve a 19% improvement in the Dwelling Emission Rate over the Target Emission Rate as defined in The Building Regulations Approved Document L1A: Conservation of Fuel and Power in New Dwellings (2013) and shall include:

- An assessment of the predicted carbon dioxide emissions of the development once occupied.
- A review of alternative methods for reducing the predicted carbon emissions of the development once occupied and their anticipated effectiveness.
- Proposals for measuring the effectiveness of the chosen methods for reducing the predicted carbon dioxide emissions of the development once occupied.
- Consideration of how the layout, orientation, design and materials used in the development can affect the consumption and use of energy.

The development shall be carried out in accordance with the approved energy audit.

REASON: To ensure an energy efficient and sustainable development in accordance with Policies CP21 (and CP26) of the Core Strategy and Rural Issues Plan 2008, Policy AD2 of the Allocations and Designations Plan 2013, saved Policy BE8 of the Bedford Borough Local Plan 2002 and the Policy Statement Update - Housing Standards 2015. The Local Planning Authority is satisfied that the timing of compliance is fundamental to the development permitted and that the permission ought to be refused unless the condition is imposed in this form.

18. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.
- a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones".
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

REASON: In the interests of safety, protecting the amenity of local land uses, neighbouring residents and highway safety and in accordance with saved policy BE30 iv) and vi) of the adopted Bedford Borough Local Plan 2002. The Local Planning Authority is satisfied that the timing of compliance is fundamental to the development permitted and that the permission ought to be refused unless the condition is imposed in this form.

19. No development shall take place, including demolition, ground works and vegetation clearance, until a biodiversity monitoring strategy has been submitted to, and approved in writing by, the local planning authority. The purpose of the strategy shall be to establish the effectiveness of protection, mitigation and compensation measures for biodiversity and inform contingency and/or remedial measures if necessary. The content of the Strategy shall include the following.
- a) Aims and objectives of monitoring to match the stated purpose.
 - b) Identification of adequate baseline conditions prior to the start of development.
 - c) Appropriate success criteria, thresholds, triggers and targets against which the effectiveness of the various conservation measures being monitored can be judged.
 - d) Methods for data gathering and analysis.
 - e) Location of monitoring.
 - f) Timing and duration of monitoring.
 - g) Responsible persons and lines of communication.
 - h) Review, and where appropriate, publication of results and outcomes.

A report describing the results of monitoring shall be submitted to the local planning authority at intervals identified in the strategy. The report shall also set out (where the results from monitoring show that conservation aims and objectives are not being met) how contingencies and/or remedial action will be identified, agreed with the local planning authority, and then implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The monitoring strategy will be implemented in accordance with the approved details.

REASON: To identify and ensure the survival and protection of important species and those protected by legislation that could be adversely affected by the development, having regard to Policy CP25 of the Core Strategy and Rural Issues Plan (2008). The Local Planning Authority is satisfied that the timing of compliance is fundamental to the development permitted and that the permission ought to be refused unless the condition is imposed in this form.

20. No development shall take place until an ecological design strategy (EDS) addressing mitigation, compensation, enhancement and creation works for biodiversity has been submitted to and approved in writing by the local planning authority.

The EDS shall include the following.

- a) Purpose and conservation objectives for the proposed works.
- b) Review of site potential and constraints
- c) Detailed design(s) and/or working method(s) to achieve stated objectives.
- d) Extent and location/area of proposed works on appropriate scale maps and plans.
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- g) Persons responsible for implementing the works.
- h) Details of initial aftercare and long-term maintenance.
- i) Details for monitoring and remedial measures.
- j) Details for disposal of any wastes arising from works.

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

REASON: To identify and ensure the survival and protection of important species and those protected by legislation that could be adversely affected by the development, having regard to Policy CP25 of the Core Strategy and Rural Issues Plan (2008). The Local Planning Authority is satisfied that the timing of compliance is fundamental to the development permitted and that the permission ought to be refused unless the condition is imposed in this form.

21. No development shall take place until a contaminated land assessment and, if necessary, associated remedial strategy, together with a timetable of works, has been submitted to the Local Planning Authority for approval. The assessment shall comprise the following:

- a) The Contaminated Land Assessment shall include a desk study and site reconnaissance exercise to produce a conceptual model of the site. This shall be used to propose a site investigation strategy, which shall be approved by the Local Planning Authority prior to the investigations commencing on the site.

- b) The site investigation shall include relevant soil, soil gas, surface and groundwater sampling, in accordance with the quality assured sampling and analysis methodology of the Contaminated Land Reports as well as other appropriate guidance where necessary. This shall include risk assessment based on the Contaminated Land Exposure Assessment Model or where appropriate other guidance providing adequate justification can be provided for such use.
- c) The site investigation report shall detail all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remedial strategy. The Local planning Authority shall approve this remedial strategy as proposed prior to any redemption commencing on site. The work shall be of such a nature so as to render harmless the identified contamination, given the proposed end use of the site and surrounding environment including any controlled waters. Any laboratories used for sampling shall be compliant with United Kingdom Accreditation Service or an equivalent approved accredited quality control scheme.
- d) The remediation work as outlined in the approved strategy shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during any works, contamination is encountered which has not previously been identified, including new hotspots uncovered by demolition; then the additional contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Planning Authority for approval. All works will be made available for witnessing by an appropriate Council Officer.

Upon completion of works, this Condition shall not be discharged until a validation report has been submitted to and approved in writing by the Local Planning Authority. The validation report shall include details of the proposed remediation works and the quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology. Details of any post remediation sampling to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site. No part of the development shall be occupied until such works have been completed.

REASON: In order to control pollution of land and water in the interests of both the environment and public safety. To ensure the effective investigation and remediation of the contaminated land sites and in accordance with saved Policy BE30 of the Bedford Borough Local Plan 2002 and Policy CP21 of the Core Strategy and Rural issues Plan 2008.

- 22. There shall be no development above slab level until details of the provision of a raised table at the proposed site junction with Hall End Road incorporating informal/uncontrolled pedestrian crossing facility with dropped kerbs and tactile paving and a line of bollards along the highway verge between Wootton Upper School's two vehicle accesses have been submitted to and approved in writing. The development shall not be occupied until the raised junction table and crossing facilities provided have been completed in accordance with the approved plans.

REASON: In the interests of highway safety and for the convenience of pedestrians in accordance with saved policy BE30 iv) and vi) of the adopted Bedford Borough Local Plan 2002.

23. Visibility splays shall be provided at the junction of all proposed access points with the public highway prior to the use of the relevant access point(s). The splay lines shall be not less than 4.5m for HGV access points and 2.4m for car access points measured along the centre line of the proposed access from its junction with the channel of the carriageway and not less than 43m measured from the centre line of the proposed access along the line of the nearside channel of the carriageway. All parts of the splays shall thereafter be kept free of all obstructions above the adjacent carriageway level.
REASON: In the interests of highway and pedestrian safety and in accordance with saved policy BE30 iv), v) and vi) of the Bedford Borough Local Plan 2002. The Local Planning Authority is satisfied that the timing of compliance is fundamental to the development permitted and that the permission ought to be refused unless the condition is imposed in this form
24. No development shall take place until a scheme for on-site foul water drainage works, including connection point and discharge rate, has been submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any phase, the foul water drainage works relating to that phase must have been carried out in complete accordance with the approved scheme.
REASON: To prevent the increased risk of flooding by the development proposals and to ensure the satisfactory drainage of the site and in accordance with saved Policies BE30, NE16 and U2 of the Bedford Borough Local Plan 2002, Policy CP26 (criterion viii) of the Core Strategy and Rural Issues Plan 2008 and the Council's Sustainable Drainage System (SuDS) SPD 2018. The Local Planning Authority is satisfied that the timing of compliance is fundamental to the development permitted and that the permission ought to be refused unless the condition is imposed in this form.
25. Prior to the construction above damp proof course , a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any phase, the foul water drainage works relating to that phase must have been carried out in complete accordance with the approved scheme.
REASON: To prevent the increased risk of flooding by the development proposals and to ensure the satisfactory drainage of the site and in accordance with saved Policies BE30, NE16 and U2 of the Bedford Borough Local Plan 2002, Policy CP26 (criterion viii) of the Core Strategy and Rural Issues Plan 2008 and the Council's Sustainable Drainage System (SuDS) SPD 2018. The Local Planning Authority is satisfied that the timing of compliance is fundamental to the development permitted and that the permission ought to be refused unless the condition is imposed in this form.
26. Prior to the occupation of any dwelling served by the roads hereby permitted a scheme of measures to provide for: (1) the provision of restrictions on service margin and footway parking within the site (2) restriction on parking on the carriageway within the site and on both sides of Hall End Road from the end of the parking restrictions to the south-east of the proposed access to a point 25m north of the junction of Public Footpath 11 and Hall End Road (3) the limitation of vehicle speeds to 20mph (including additional physical measures) and (4) a delivery strategy including timetable of implementation, shall be submitted to and approved in writing by the Local Planning Authority. The provisions of the scheme thereby approved shall be complied with in full.
REASON: In the interests of the avoidance of congestion and of highway safety and in accordance with Policy BE30 of the Bedford Borough Local Plan.
27. No building shall be occupied until an energy statement has been submitted to and approved in writing by the Local Planning Authority. The energy statement shall include:

- An assessment of the actual effect on carbon dioxide emissions demonstrating the measures previously agreed as part of the energy audit have achieved a reduction of at least 10% in carbon emissions below the normal requirement set by the Building Regulations.

- A statement of how the layout, orientation, design and materials used in the development have actually been influenced by the energy audit.

REASON: To ensure an energy efficient and sustainable development in accordance with Policies CP21 (and CP26) of the Core Strategy and Rural Issues Plan 2008, Policy AD2 of the Allocations and Designations Plan 2013, saved Policy BE8 of the Bedford Borough Local Plan 2002 and the Policy Statement Update - Housing Standards 2015.

28. The development shall not be occupied until a detailed travel plan has been submitted to and approved in writing by the local planning authority. The travel plan shall include:

- * A baseline survey of site occupants (if known) or a timetable to undertake a baseline survey of occupants (within 6 months of first occupation) to establish current/proposed travel patterns;
- * Details of existing and proposed transport provision and facilities, to include links to pedestrian, cycle and public transport networks and conformity with the local planning authority's car and cycle parking standards;
- * Proposals and measures to minimise private car use and facilitate walking, cycling and use of public transport;
- * A detailed set of Travel Plan targets with relevant target dates;
- * A detailed 'Action Plan' to include specific timetabled measures designed to promote travel choice;
- * Proposed plans/methods to monitor and undertake annual reviews of the Travel Plan and its targets for a period of 5 years. After each of the five annual reviews, local planning authority for information;
- * Details of site specific marketing and publicity information to be provided to all occupiers of the development, to include:
 - o Site specific travel and transport information;
 - o Incentives to encourage sustainable modes of travel (e.g. travel vouchers);
 - o Details of relevant pedestrian, cycle and public transport routes to/ from and within the site;
 - o Maps showing the location of shops and other facilities; and
 - o Copies of relevant bus and rail timetables; and
- * The appointment of a travel plan co-ordinator who will be responsible for the preparation and submission of the Action Plan and of the 5 annual reviews thereof.

The Travel Plan shall be carried out in accordance with the timetable contained therein and shall continue in force for 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 in accordance with saved policy BE30 iv), v) and vi) of the adopted Bedford Borough Local Plan 2002 and DfT's 'Good Practice Guidelines: Delivering travel plans through the planning system'.

29. The gradient of the vehicular access within the site and across the highway shall not be steeper than 1 in 50 for the first 15m.

REASON: In the interests of the safety of persons using the access and users of the highway in accordance with saved policy BE30 iv), v) and vi) of the adopted Bedford Borough Local Plan 2002.

30. No external lighting shall be installed on the site except in accordance with an external lighting scheme submitted to and approved in writing by the Local Planning Authority. The scheme shall include the type, quantity, height and location of lighting (to include contour plans and technical specifications as appropriate) and identify those areas / features on site that are particularly sensitive for bats roosting, resting and foraging. The lighting installations shall be designed to minimise light spillage beyond the boundaries of the site. REASON: To prevent light pollution in accordance with Policy CP21 of the Core Strategy and Rural Issues Plan 2008 and saved Policy BE42 of the Bedford Borough Local Plan 2002.
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