



---

## Appeal Decision

Inquiry held between 28 August 2024 and 10 October 2024

Site visit made on 29 August 2024

**by C Dillon BA (Hons) MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 11<sup>th</sup> November 2024**

---

### **Appeal Ref: APP/P0240/W/24/3341832**

### **Land to the east of Langford Road, Biggleswade and north of Queens Way, and Denny Crescent, Langford, Central Bedfordshire, SG18 9QH**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
  - The appeal is made by Gladman Developments Ltd against the decision of Central Bedfordshire Council.
  - The application is Ref: CB/23/03801/OUT.
  - The development proposed is described as "outline planning application for the erection of up to 170 dwellings including affordable housing, with public open space, landscaping, sustainable drainage system (SuDS) and vehicular access, all matters reserved except for means of access."
- 

### **DECISION**

1. The appeal is allowed, and planning permission is granted for the erection of up to 170 dwellings including affordable housing, with public open space, landscaping, sustainable drainage system (SuDS) and vehicular access, all matters reserved except for means of access, at land to the east of Langford Road, Biggleswade and north of Queens Way, Central Bedfordshire SG18 9QH, in accordance with the terms of the application, Ref: CB/23/03801/OUT, and the plans submitted with it, subject to the conditions in the attached schedule.

### **PRELIMINARY MATTERS**

2. The appeal follows the Council's refusal of outline planning permission. All matters are reserved for later approval except for the means of access. Apart from the location plan (Ref: CSA/3256/112 Rev B) and access arrangement plan (Ref: 4205-F01 Rev H), the main parties agreed that the remaining drawings are illustrative. The appeal is determined on that basis.
3. The documents accepted during the course of the Inquiry are listed in the attached Inquiry Document Schedule. I am satisfied that they are directly relevant and necessary for my determination of this appeal. All parties were given the opportunity to comment on them. I am satisfied that no one has been prejudiced by my acceptance of all of these documents.
4. Another ongoing appeal (Ref: APP/P0240/W/24/3343707) was referred to at the Inquiry. I am aware that the decision for this was issued after the Inquiry closed. However, my determination is based on the evidence for the case before me. Therefore, it has not been necessary to seek further comments from the main parties.

## **BACKGROUND AND MAIN ISSUES**

5. The Council's decision notice cites 7 reasons for refusal. Subsequently, the main parties have reached agreement that reasons for refusal Nos 2, 3, 4 and 5 have been satisfactorily addressed. This revised stance is explained in a series of Statements of Common Ground (SoCGs). Furthermore, the planning obligations contained in the appellant's Unilateral Undertaking (UU) are acceptable to the Council. However, the sum sought for the monitoring of these remains in dispute. Apart from that particular matter, it is agreed that reason for refusal No 7 has also been addressed. I return to the content of the UU, including the monitoring fee, later in my decision.
6. Within this context, the main issues for this appeal are therefore:
  - whether the location of the appeal proposal is justified, having regard to the adopted strategy for windfall development and current 5-year housing land supply position
  - the effect of the appeal proposal on the character and appearance of the area, with particular regard to Langford and its landscape context
  - whether the loss of best and most versatile land is justified
  - the effect on local non-designated heritage assets; and
  - whether the proposed planning obligations meet the terms of Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended) (the CIL Regulations), with particular regard to the monitoring fee sought by the Council.

## **REASONS**

### **Locational Considerations**

#### Strategy for Windfall Development

7. The appeal proposal is located beyond the boundary of any adopted 'settlement envelope' and is within the countryside. It relates to an unallocated, previously undeveloped site and is therefore 'windfall development'. The proposal does not fall within the exceptions for development in the countryside provided for in Policy SP7 of the Central Bedfordshire Local Plan (the Local Plan).
8. From the evidence before me and my site observations, given that the appeal site immediately bounds the settlement of Langford, the proposal would offer its residents a reasonable level of accessibility to a range of local services and facilities.
9. Nonetheless, by virtue of its countryside location, the appeal proposal does not accord with the adopted strategy for the distribution of new windfall housing development in the Central Bedfordshire area. Therefore, it conflicts with Policy SP7 of the Local Plan.
10. Furthermore, Policy PD4 of the Langford Neighbourhood Plan (the Neighbourhood Plan) states that development should only take place within the settlement envelope, unless a scheme shows appropriate and direct community benefit. Policy EN2 of that plan resists the loss of any agricultural land,

whatever its grading or size, unless there are significant community benefits. I return to the conformity with these policies later.

11. From my ordinary reading of Policy PD2 of the Neighbourhood Plan and the supporting text, the title refers to residential 'limited infill'. Definitions for 'infill' and 'limited infilling' are provided. The requirements of clause (1) clearly 'support' developments of 'up to 10 dwellings'. No differentiation is made within that clause to suggest that it applies to a larger scale of development. Moreover, the only reference to 'larger' schemes is set within the supporting text and so that does not have the force of policy. Therefore, it is reasonable for me to interpret clause (1) as relating to small residential developments of up to 10 units. Given the number of units proposed, the appeal scheme does not fall within the scope of Policy PD2 for the purposes of my determination.

#### Current 5 year housing land supply position

12. The housing land supply position of Central Bedfordshire has not been confirmed through an Annual Position Statement. According to the main parties' evidence, the Council's housing land supply falls somewhere between 3.42 years and 5.36 years. It is common ground that the provision in relation to housing land supply set out in paragraph 76 of the National Planning Policy Framework (the Framework) is not applicable to this appeal. Neither is a buffer required by paragraph 77 of the Framework. The differential between the main parties is due to the disputed planning status of 14 potential housing sites and the Council's inclusion of the past oversupply in housing delivery and a large site windfall allowance in their housing land supply calculation.
13. In line with the Framework, to be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within 5 years. The planning status of the disputed sites mean that they are candidate category (b) sites, as defined in the glossary of the Framework. Therefore, each of these sites should only be considered deliverable where there is 'clear' evidence that housing completions will begin on site within 5 years.
14. Some of the Council's site specific deliverability evidence post-dates the 1 April 2024 base date of their most recent housing trajectory. However, this provides the most up to date available position for my determination. Crucially, the appellant has had an opportunity to respond to that evidence.
15. The disputed Marston Vale New Villages site (Ref: HT206 ) has been the subject of an undetermined outline planning application for a significantly protracted period. There is a master builder and evidence of recent progress on the legal agreement for the planning obligations. The Council has confirmed that the 'majority' of key technical issues are now resolved. However, it is not clear if the outstanding strategic highway objection will be overcome. There is currently no named housebuilder to deliver the scheme. In combination, the evidence provided for this site is not clear that the 220 homes proposed are deliverable within the relevant 5 year period.
16. Land north of Houghton Regis (Site 1) (Ref: HT057) forms part of a large strategic development plan site allocation with outline planning permission. It comprises several phases. A master plan has been approved and a design code has been submitted for Phase 4. Phases 3b and 4 are being marketed as there

is no known housebuilder. The timing for the submission of the outstanding reserved matters is unknown. In combination, the evidence provided is not clear that the 416 homes relating to Phase 3b and 4 are deliverable within the relevant 5 year period.

17. The pending reserved matters application for Council owned land at Mancroft Road, Caddington (Ref: HT125(ii)) was submitted 2 years ago. There are unresolved technical objections. A known housebuilder and affordable housing grant funding are yet to be secured. In combination, the evidence provided for this site is not clear that the 19 homes proposed are deliverable within the relevant 5 year period.
18. The submitted evidence is clear that sites at Great Thickthorn Farm (Wixams Southern Extension) (Ref: HT237) and Chase Farm & west / north east High Street (Ref: HT005) will begin to deliver homes within the relevant 5 year period. Nonetheless, neither site has been assigned a realistic lead-in time for doing so. These assumptions have not been adequately justified. Based on the evidence before me, the claimed supply from these 2 sites in the first 5 years of the trajectory should be reduced by 259 homes and 20 homes respectively.
19. The Council has provided clear evidence that housing completions will begin on the remaining 9 disputed sites within the relevant 5 year period, and they have justified the timescales and build out rates for those as contained in the housing trajectory.
20. Consequently, the Council's claimed supply in the first 5 years of the housing trajectory should be reduced by 934 homes. If the Council's treatment of the past oversupply and a large windfall site allowance are to be favoured, then the total 5 year housing requirement is 8,981 homes, or 1,796 homes on an annualised basis when rounded. After making the necessary revisions to the relevant 5 year period, the Council's housing land supply is 4.84 years. This represents a shortfall in the required 5 year housing land supply. The housing land supply shortfall would be greater if the appellant's approach to past oversupply and large windfall sites were to be favoured. It would therefore serve no useful purpose to make any further comment on those disputed matters.
21. In summary, a 5 year housing land supply for Central Bedfordshire has not been demonstrated. Consequently, the presumption in favour of sustainable development under paragraph 11(d) of the Framework is triggered.

#### Status of the 'most important policies'

22. The policies that are 'most important' for determining this appeal are Policies SP7, EE5 and HE1 of the Local Plan and Policies EN1, EN2 and PD4 of the Neighbourhood Plan as they relate to my determination on locational, heritage and character and appearance matters. Policy DC5 of the Local Plan is 'most important' as the appeal proposal involves the loss of best and most versatile land (BMVL). Policy EE2 is 'most important' as it deals with biodiversity matters. Policies T1 and T2 relate to highway matters and access is to be determined through the appeal. Policies HQ2, HQ3, EE13, H4 and H6 of the Local Plan seek to mitigate any harm. Consequently these are also 'most important' policies for my determination.

23. In combination, the 'most important' policies seek to ensure that new development respects the function and form of settlements and avoids unjustified loss of the countryside context and the harms that can flow from that. In seeking to deliver the adopted development strategy, the principle of these 'most important policies' remains consistent with the Framework. As such, the weight to be afforded to any conflicts with these 'most important' policies is not reduced on inconsistency grounds.
24. However, given the identified housing land supply shortfall, the 'most important policies' for determining this appeal are out of date, in so far as they relate to meeting housing needs. I address the implications of this later and conclude on whether the appeal proposal is justified in the context of paragraph 11(d) of the Framework.

### **Character and appearance**

25. The appeal site is situated just beyond the defined 'settlement envelope' of Langford. It forms part of a larger flat area of surrounding land which the development plan defines as countryside. The appeal site has a ploughed arable farmland appearance, with very little in the way of boundary treatment. Local public footpath, road and bridleway routes bound or intersect the site.
26. The once open gaps that existed between the lengths of ribbon development along the 3 principal roads through Langford have been infilled over time. Development has subsequently taken place at a greater depth away from those routes. However, the linear village character and appearance of Langford, set within a countryside context, remains legible.
27. The appeal site forms part of the Lower Ivel Clay Valley Local Character Area (LCA4B). It is not part of a valued landscape. Nor is it situated within a locally designated 'Important Countryside Gap' or any other landscape designation.
28. The immediate countryside context of the appeal site is characterised by an infrequent and loosely defined pattern of development, comprising small clusters of roadside dwellings, businesses and farm buildings. These are interspersed with open agricultural fields and sports pitches. However, the neighbouring railway line and Biggleswade Wind Farm have a very strong presence within that landscape context.
29. The appeal site contributes positively to the rural context and sense of separation between Langford and neighbouring Biggleswade. It forms part of the immediate undeveloped, open countryside context for a parcel of land opposite, which was subject to an earlier appeal decision (Ref: ID4). However, their respective contexts differ as the current appeal site is much more heavily influenced by the presence of the wind farm, railway and the major A1 road corridor beyond. Furthermore, due to its size and positioning, the other appeal site does not play as strong a role in defining the context of the current appeal site. Therefore the two sites are not wholly comparable. I therefore place limited weight on the Council's reliance on the findings of that earlier appeal decision. Rather, I observed this locality as a disturbed and fragmented area with an urban fringe character. This is consistent with the Local Character Assessment (LCA).
30. The appeal site is clearly visible across this relatively flat landscape from short distance vantage points when travelling out of the village towards Biggleswade.

Medium and longer distance views of it from the south are curtailed by the existing built form of Langford. Views of the site from further east are interrupted by the railway line. Long to medium distance views of the site from the west are curtailed by the vegetation along the River Ivel corridor. There are extensive views of the appeal site from the north, including upon approach from Biggleswade and from the railway line.

31. Views across Langford Road from within and around the appeal site extend towards the tree canopies along the River Ivel corridor. Views of the Greensand Ridge can also be captured across the appeal site, railway infrastructure, and A1 beyond.
32. The 'medium' value ascribed by the appellant to the appeal site and 'medium' susceptibility of the landscape to the change proposed is consistent with my site observations and assessment of the evidence before me.
33. The appeal proposal would physically adjoin only a small part of the defined settlement envelope of Langford. It would extend the settlement form beyond that envelope towards Biggleswade. However, the proposal would not be divorced from it. This is because of the close proximity and depth of the appeal proposal relative to the existing built form of the village, and its physical containment between the railway and Langford Road.
34. The appeal proposal would reduce the amount of undeveloped agricultural land between Langford and Biggleswade. However, the resulting form would not comprise ribbon development. The remaining separation distance with Biggleswade would not lead to coalescence, or a notable step towards or perception of the conjoining of settlements. Rather, Langford would remain as a separate village within the countryside.
35. Undoubtedly, the appeal proposal would significantly change the character and appearance of the appeal site. The most sensitive receptors are the occupants of the existing dwellings that face onto the appeal site and those users of the local road, footpath and bridleway network. In this case, the proposed development would be viewed alongside the mixture of land uses which define its mixed context.
36. Given the proposed number of dwellings relative to the total site area, there is scope through the reserved matters to secure a housing scheme which would not be significantly out of step with the prevailing density and grain of Langford, the medium density category of the Langford Design Code or the requirements of Policies PD3 and PD4 of the Neighbourhood Plan.
37. The appeal scheme does not require the loss of hedgerow or trees. There would be no bunding or material changes in levels. The illustrative layout plan demonstrates that suitably located extensive areas of landscaping and public open space could be incorporated into the detailed layout at the reserved matters stage. Substantial new planting could be accommodated within these areas, and separate identities of tree groups and hedgerows could be maintained. The proposed sustainable urban drainage (SuDs) basin could be engineered to be permanently wet.
38. The landscaping proposals would be compatible with the historic grain of its landscape context. Appropriate landscaping, which increases in its effectiveness between completion and year 15 to filter and soften the development, can be



secured through the reserved matters. This would avoid the creation of an abrupt or urbanising effect along Langford Road. The careful orientation and placement of buildings and treatment of landscaping and boundary enclosures would ensure that the proposal is not uncharacteristic and would assist with its assimilation with its existing mixed context. I see no reason why this could not be secured through the reserved matters. Overall, the appeal proposal would create an appropriate new settlement edge.

39. Views across and from within the appeal site towards Greensand Ridge and the River Ivel corridor would be reduced and set within a more immediate developed context. However, the Ridge is a distant component of a very small portion of the available view.
40. Furthermore, the appeal site is less related to the River Ivel corridor than the neighbouring appeal site (ID4) in both physical and visual terms. An open connection would remain between the river corridor and the land to its east, north of the proposed built form. Therefore, a westbound user of route PROW FP18 would still be able to appreciate the relationship of the River Ivel corridor to the open countryside to its east.
41. Furthermore, some views of the Ridge and river corridor will be available alongside or from within the proposed areas of perimeter landscaping and open space. These areas are also capable of providing appropriately positioned and levels of new recreational access opportunities for existing and prospective residents. This would mitigate some of the harm to the relatively short stretch of public routes that would be affected. Access would still be afforded to the existing countryside beyond Langford.
42. Overall, I am satisfied that the appeal proposal would be capable of meeting both the most important and relevant development management guidelines identified in the SoCG (CD6.1b).
43. In conclusion to this main issue, the appeal proposal would cause limited harm to the character and appearance of the area, with particular regard to Langford and its landscape context.
44. As worded, Policy SP7 of the Local Plan does not test the landscape effects of development; that is performed by Policy EE5 of the Local Plan. Consequently, there is no conflict with Policy SP7 in terms of this particular main issue.
45. Regard has been had to the key characteristics of the appeal site and its setting. The scheme will include landscape enhancement measures. It pays close attention to boundary treatment, other planting and green and blue infrastructure that would enhance biodiversity. The appeal proposal is also supported by a Landscape and Visual Impact Assessment (LVIA). It was agreed in the SoCG that it is some judgements contained within the LVIA that are in dispute, not the methodology. Furthermore, in view of my earlier findings, an overall design that is sympathetic to local character and in scale with the landscape setting of the site can be secured through the reserved matters. Consequently, there is no conflict with the requirements of Policy EE5.
46. Policy EN4 of the Neighbourhood Plan requires that proposals are designed to complement village character and should not adversely affect the length of the village. There is no conflict with this policy in view of my earlier findings on ribbon development, coalescence and character and appearance. Policy EN1 of

the Neighbourhood Plan requires compliance with the District LCA's Development Management Guidelines and Landscape Management Guidelines. On balance, there is no significant breach of these. Consequently, overall there is no conflict with either Policy EN1 or EN4. Neither is there conflict with the criteria of Policy HQ1 of the Local Plan, in so far as they relate to an outline scheme.

47. The proposed density of the development would be slightly greater than that required by Policies PD3 and PD4 of the Neighbourhood Plan. It has not been demonstrated that any harm to character and appearance would flow from that limited breach. Neither has any other conflict with either of those policies been demonstrated. Layout, appearance and landscaping are reserved matters. I am satisfied that a well-designed scheme could be secured at the reserved matters stage at the density proposed.
48. Policy EN2 of the Neighbourhood Plan resists the loss of open fields unless there are significant community benefits. I address the level of benefit and compliance with this policy later.

### **Best and Most Versatile Land**

49. It is common ground that the appeal site comprises BMVL graded 1, 2 and 3(a). Policy DC5 of the Local Plan seeks to prevent the 'significant' loss of such land. However, Policy DC5 does not quantify what level of loss is 'significant'. Rather, it directs an assessment of the grading; size of the area to be lost; and the quantum of remaining BMVL in the surrounding area. There is no reference in the policy to the historical agricultural land function. The policy wording is explicit that it is the proposed development that has to result in a 'significant' loss, not the cumulative loss around Langford.
50. The appeal proposal would result in a loss of around 9.7 ha of BMVL, which falls well below the consultation threshold of 20 hectares deemed relevant by Natural England to comment upon. However, whilst not quantified by the parties, from the Natural England mapping provided, including ID10, it is clear that a considerable level of BMVL would remain within the area.
51. This indicates to me that the appeal proposal would not represent the 'significant' loss of BMVL. Therefore, in conclusion to this main issue, the loss of this BMVL is justified. Based on my reading of Policy DC5 and the circumstances of this appeal site, there would be no policy conflict in this regard.

### **Heritage**

52. The Council had concerns about the effect on the historic enclosure complex, field system ditches, trackway, furrows and field boundary. It is common ground that these do not have significance commensurate to a designated heritage asset. The main parties also agree that the appeal proposal would cause less than substantial heritage harm. It is common ground that appropriate mitigation measures can be secured through proposed planning condition No 20, after which a low level of residual harm to the archaeological resource would occur.
53. I concur with the assessment set out in the table at 4.1 of the Heritage SoCG. These assets do not have significance commensurate to a designated heritage asset. I agree that the appeal proposal would cause less than substantial harm



to non-designated heritage assets within the site. In the context of paragraph 209 of the Framework, I make a balanced judgement on whether that harm is justified later in my decision.

### **Planning Obligations**

54. The scope of the submitted UU extends to financial contributions for community halls; education; footpaths; green infrastructure; healthcare; leisure facilities; offsite sports and public open space; libraries; and a Traffic Regulation Order. The UU also secures onsite affordable housing; self-build and custom-build plots; a Travel Plan and a fee for the monitoring of the implementation of all of these obligations.
55. The submitted Compliance Statement demonstrates that each proposed planning obligation is reasonable and necessary to make the appeal proposal acceptable and is compatible with all of the tests for planning obligations set out in the CIL Regulations. However, Regulation 122 of these Regulations also requires that the monitoring fee sought by the Council is fairly and reasonably related in scale and kind to the development.
56. The Council's monitoring fee in respect to non-financial obligations is a fixed sum per obligation. However, the fee for monitoring financial contributions is based on a sliding scale as a percentage of their total value. The Council has proposed a fee of £81,637 to cover the Council's monitoring of the payments and delivery of the obligations in the UU. It is firmly maintained by the appellant that a value of £500 per action related to monitoring each obligation is fairly and reasonably related in scale and kind to the appeal proposal. That sum is consistent with that charged by the Council for non-financial obligations. The appellant has therefore proposed a lesser monitoring fee of £20,500 as they believe that the Council's requirement is not consistent with the CIL Regulations.
57. The UU includes a 'blue pencil' clause at section 1.1.67 so that it stands regardless of my adjudication on the monitoring fee. The Council has broadly confirmed the different officers and monitoring activities that would be involved in monitoring planning obligations. However, no itemised estimate of costs has been provided to justify what is a considerable differential between the fees for monitoring the financial and non-financial obligations. On balance, I conclude that the appellant's proposal is a reasonable value to attribute to the time and expertise required for the Council to perform its monitoring duties.
58. In conclusion, the fee proposed by the Council to monitor the proposed planning obligations does not meet Regulation 122 of the CIL Regulations. Rather, in accordance with Clause 1.1.67 of the UU, I confirm that a monitoring fee of £20,500 is fairly and reasonably related in scale and kind to the development and is necessary to make the development acceptable in terms of mitigation and specific policy requirements.
59. As an appropriate monitoring fee can be secured, and there is no conflict with Policies HQ2, HQ3, EE13, H4 and H6 of the Local Plan or Policies IF1, IF2, IF3 and IF5 of the Neighbourhood Plan, I have taken these planning obligations into account in determining this appeal.

## **Other Matters**

60. The appellant has demonstrated to the satisfaction of the local highway authority, that subject to the proposed planning obligations and relevant conditions set out in the attached schedule, the appeal proposal could be safely accessed and would not be harmful to highway safety. There is no conflict with Policies T1 and T2 of the Local Plan in those regards.
61. Based on the evidence before me, including the content of the SOCGs, and the representations made by interested parties before and during the Inquiry, no other harms would arise from the appeal proposal.

## **Conditions**

62. Condition Nos 1 and 2 are necessary to define the scope and duration of this outline planning permission in line with section 92 of the Town and Country Planning Act 1990. Condition No 3 is necessary for clarification, the avoidance of doubt and to define the permission.
63. In terms of highway matters, condition No 4 is necessary in the interests of the safe operation of the adopted highway both during the demolition and construction phase of the development. Condition No 6 seeks to secure footpath connections between the appeal site and the surrounding area. This is necessary to ensure appropriate levels of permeability to promote social cohesion. Condition Nos 21, 22, 23 and 24 are necessary to ensure that the proposed access is completed in accordance with the agreed details in the interests of highway safety. Condition Nos 25, 29 and 32 respectively seek to manage the provision of appropriate parking and charging provision within the appeal site and bus stop improvements, necessary to promote sustainable travel and healthy communities.
64. In terms of appearance, condition Nos 5, 34 and 35 are necessary to control building heights to ensure the development is sympathetic and well-integrated. Condition No 7 is necessary to ensure that the development provides high quality open space in accordance with the development plan requirements. Condition No 12 is necessary to ensure that satisfactory provision for self-build and custom-build homes is secured as part of the proposal. Condition No 14 is necessary to ensure that the detailed design will protect the living conditions of its future occupiers. Condition No 30 is necessary to ensure that the development is of a high design and has a distinct local identity. Condition No 19 is necessary to ensure that the detailed design and layout takes account of fire safety. Condition No 26 is necessary to secure appropriate refuse storage and management.
65. In terms of environmental considerations, condition No 8 is necessary to prevent existing trees from being damaged during construction work and to preserve the amenities of the locality. Condition Nos 9 and 10 are necessary in the interests of biodiversity, visual amenity and the character and appearance of the area. Condition No 27 is necessary to manage external lighting in the interests of biodiversity. Condition No 33 is necessary to ensure the development contributes to the conservation and enhancement of biodiversity within the site and the wider area. Furthermore, condition No 13 is necessary to ensure the effective implementation of mineral resource efficiency measures. Condition nos 15 and 16 are necessary to ensure that risks from land contamination to the future users of the site and off-site receptors are

minimised. Condition Nos 11 and 28 are necessary to ensure that the proposal increases its resilience to the impacts of climate change.

66. Condition Nos 17, 18 and 31 are necessary to ensure that there is a satisfactory means of drainage and that the risk of creating or exacerbating a flooding problem and pollution is avoided for the lifetime of the development. Condition No 20 is necessary to make provision for the investigation and recording of any archaeological remains which may be present, in accordance with the Framework.

### **Heritage Balance**

67. Great weight should be given to the conservation of the non-designated heritage assets that would be harmed by the appeal proposal. In making a balanced judgement required by paragraph 209 of the Framework, the limited scale of the identified heritage harm and the particular significance of the non-designated heritage assets which would be affected does not indicate to me that the proposal should be resisted on that basis. There is no conflict with Policy HE1 of the Local Plan or Policy EN1 of the Neighbourhood Plan.

### **Presumption in favour of sustainable development**

68. I have found that the Council cannot demonstrate a 5-year housing land supply and the 'most important policies' are out of date in so far as they relate to housing delivery. As such, Paragraph 11(d) of the Framework directs that permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
69. The application of the policies in the Framework that protect areas or assets of particular importance do not provide clear reason for refusing the development proposed.
70. In this instance, the appeal scheme is not in accordance with the development plan as a whole because of the conflict with Local Plan Policy SP7 and Neighbourhood Plan Policies PD4 and PD3. However, the harms arising from these identified policy conflicts are limited. Moreover, the weight to be attributed to Policies SP7 and PD4 as 'most important policies' is reduced in view of the shortfall in the housing land supply. For these reasons, these policy conflicts each carry limited weight against the appeal proposal.
71. Despite the absence of a conflict with Policy HE1, there would be limited harm to non-designated heritage assets. There would also be limited harm from the loss of agricultural land, even though I have found no conflict with Policy DC5. These harms each carry limited weight against the appeal proposal.
72. The submitted UU would secure up to 119 market homes, up to 51 affordable homes and 17 self-build and custom-build homes. Consequently, the proposal would deliver a significant number and range of new homes overall. It is evident that housing delivery has been above the Housing Requirement of the Local Plan over the first 9 years of the adopted plan period. The Council's Local Plan partial review which will provide an updated housing requirement has not progressed to a stage which carries weight. The continued delivery of housing to meet identified local needs is an important aspect of both national and local

planning policy which will bring a wide range of socio-economic benefits for those seeking new homes. Maintaining a consistent supply of housing is of very high importance in this context.

73. The Council has evidenced a good track record of affordable delivery. It is common ground that around 7 persons in every thousand residents in central Bedfordshire are currently on the housing register compared to around 22 persons nationally. However, Central Bedfordshire currently ranks 110th highest out of 295 local authority areas in England in terms of the median affordability ratio. It remains that each household in need represents a person or persons in real need of suitable accommodation. The level of proposed affordable homes to be secured through the UU accords with the minimum requirement of Policy H4 of the Local Plan. Nonetheless, the appeal scheme would contribute significantly towards addressing this need. There is nothing before me which substantiates that the proposed new additional homes would not come forward, and in a reasonable timeframe, given the foreshortening of timescales prescribed by Condition No 2.
74. For all of these reasons, I attribute substantial positive weight to the contribution that the appeal proposal will make overall to maintaining a pipeline supply of housing capable of meeting a variety of local housing needs.
75. The nature and scale of the economic benefits at the construction and post construction phase have not been quantified in any detail. However, there would be benefits to the local employment and business chains. These benefits would be notable due to the scale of the proposal and, in this instance carry moderate weight.
76. The UU would secure the provision of new green infrastructure which will provide accessible formal and informal open space over around 44% of the appeal site. Dialogue with the local community about the finer detail of that provision could take place at the reserved matters stage so that it meets community aspirations. This is a benefit carrying moderate weight as it will add to the type and level of provision for the wider community. The benefits arising from the contributions to community infrastructure will result in improvements that could be of significant benefit to residents beyond the appeal scheme. Collectively, these carry moderate weight. There would be no conflict with Policies PD4 and EN2.
77. The extent of the biodiversity net-gain to be secured is compliant with Policy EE2 of the Local Plan and Policy PD4 of the neighbourhood Plan. It is a benefit which also carries moderate weight.
78. In addition, the identified social, economic and environmental benefits of the appeal scheme are consistent with the national planning policy approach to securing sustainable development and weigh substantially in favour of it.
79. Overall, the adverse impacts of granting permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. This is a significant material consideration and weighs substantially in favour of this appeal proposal.

### **Planning Balance**

80. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires decisions to be made in accordance with the development plan unless material considerations indicate otherwise.
81. Subject to the proposed conditions and planning obligations, those matters which I have identified as weighing in favour of the appeal proposal outweigh the identified conflict with the development plan when taken as a whole.

### **CONCLUSION**

82. For the reasons given, the proposed development conflicts with the development plan but material considerations, which include the Framework, indicate that a decision should be made other than in accordance with it. Therefore, the appeal should be allowed.

*C Dillon*

INSPECTOR

## **SCHEDULE OF CONDITIONS**

1. No development shall take place until approval of the details of the appearance, landscaping, layout and scale of the development within the planning application site (herein called "the reserved matters") has been obtained in writing from the Local Planning Authority. The development shall be carried out in accordance with the approved details.
2. Application for the approval of the reserved matters shall be made to the Local Planning Authority not later than two years from the date of this permission. The development shall begin no later than one year from the final approval of the reserved matters or, if approved on different dates, the final approval of the last such matter to be approved.
3. The development hereby permitted shall be carried out in accordance with the following approved drawings:
  - Location Plan CSA/3256/112 Rev B; and
  - Access Arrangement Plan 4205-F01 Rev H
4. No development shall take place, including any works of demolition, until a Construction Traffic Management Plan, associated with the development of the site, has been submitted to and approved in writing by the Local Planning Authority which will include information on:
  - the parking of vehicles
  - loading and unloading of plant and materials used in the development
  - storage of plant and materials used in the development.
  - the erection and maintenance of security hoarding / scaffolding affecting the highway if required
  - wheel washing facilities
  - measures on site to control the deposition of dirt / mud on surrounding roads during the development
  - footpath/footway/cycleway or road closures needed during the development period
  - traffic management needed during the development period
  - times, routes and means of access and egress for construction traffic and delivery vehicles (including the import of materials and the removal of waste from the site) during the development of the site
  - details of escorts for abnormal loads
  - temporary removal and replacement of highway infrastructure and street furniture
  - the reinstatement of any signs, verges or other items displaced by construction traffic



- banksman and escort details; and
- tracking diagrams.

The approved Construction Management Plan associated with the development of the site shall be adhered to throughout the development process.

5. Any application for reserved matters relating to layout shall be accompanied by details of the existing and final ground levels and finished floor levels of all buildings. Such details shall include sections through both the site and the adjoining properties. Thereafter the site shall be developed in full accordance with the approved details.
6. Any application for reserved matters relating to layout shall be accompanied by a scheme showing details of any footpaths that are to be proposed through the development site and their proposed connections to public rights of way FP1, FP10 and FP18, where these public rights of way are located within the development site. The footpaths within the development site shall be provided in accordance with the approved details.
7. Any reserved matters application for layout and landscaping shall include the following:
  - details of the size, location and type of Open Space
  - details and specifications for works and materials showing how the Open Space will be graded, drained, landscaped, seeded, planted, laid out and provided fit for use by the public
  - details of the design and layout of the play area, the construction specification, the safety surfacing, materials and play equipment, demonstrating that they meet relevant European safety and disability standards, together with details of fencing, seating for supervising adults and a buffer zone landscaped with low level planting
  - a specification of the construction method and materials to be used; and
  - a timetable for the implementation of the approved landscaping in relation to the provision of other aspects of the development.

The development shall be provided in accordance with the approved details and retained thereafter.

8. No equipment, machinery or materials shall be brought on to the site for the purposes of development except for the purposes of ground and archaeological investigation until an Arboricultural Method Statement and a Tree Protection Plan showing the details of substantial protective fencing for the protection of any retained trees and hedgerows have been submitted to and approved in writing by the Local Planning Authority and the protective measures have been erected.

The development shall be implemented in accordance with the approved Arboricultural Method Statement and Tree Protection Plan and the

approved fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site.

9. No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority.

The CEMP shall set out measures during the construction phase to protect retained habitat features of importance and protected and priority fauna including bats, breeding birds, reptiles, common toad, harvest mouse and hedgehog, including through appropriate fencing and site best practice and the avoidance of pollution from run-off.

The approved CEMP shall be strictly adhered to throughout the construction process.

10. Prior to the commencement of development, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority.

The LEMP shall include measures to ensure that the retained, newly created and enhanced areas of habitat within the site are managed appropriately, with consideration of their inherent ecological importance as well as their ability to support protected and priority fauna species, to maximise their benefit to biodiversity and offset increased levels of disturbance from the public once the site is operational. The LEMP shall also include a programme of monitoring and a mechanism to modify the management prescriptions, if required.

The LEMP shall be operated throughout the lifetime of the development.

11. The details to be submitted for approval of reserved matters in connection with this development shall be accompanied by a Sustainability Statement to include a scheme of measures to mitigate the impacts of climate change and deliver a sustainable and resource efficient development including opportunities to meet higher water efficiency standards and building design, layout and orientation, natural features and landscaping to maximise natural ventilation, cooling and solar gain.

The scheme shall include:

- details to demonstrate how 10% energy demand of the development to be delivered from renewable or low carbon sources or that the development's energy demand will be reduced by at least 10% through fabric measures, will be achieved; and
- details to demonstrate that water efficiency to achieve water standard of 110 litres per person per day will be achieved.

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

12. The submission of any Reserved Matters application concerning Layout shall be accompanied by individual Plot Passport Details for all Self Build and Custom Housing plots. The Details shall include:

- an indicative Site Layout Plan for the relevant Area

- indication of building height, massing and bulk for the relevant Area; and
- indicative plot size and width for the relevant Area.

Thereafter, the reserved matters for any individual Self Build and Custom Housing plot shall accord with the approved Plot Passport Details.

13. Prior to the commencement of development, a Minerals Recovery Plan, based upon the draft Minerals Recovery Plan set out at Appendix 5 of Wardell Armstrong Mineral Resource Assessment Report Number 001 V5 dated November 2023, shall be submitted to and approved by the Local Planning Authority.

The Minerals Recovery Plan shall be implemented upon the commencement of development and shall be adhered to throughout the entirety of the construction phase.

14. Any application for reserved matters relating to layout shall be accompanied by a noise assessment for approval of external noise levels, details of the sound insulation of the building envelope, orientation of dwelling plots and habitable rooms in relation to major noise sources, and of acoustically attenuated mechanical ventilation, as necessary to achieve internal room and external amenity noise standards in accordance with the criteria of BS8233:2014 (or any Standard that may replace it) and the Council's Design Guide.

The development shall be carried out in accordance with the approved details which shall be permanently retained thereafter.

15. Before the development hereby permitted is commenced, a site investigation shall be carried out to establish whether the site is contaminated, to assess the degree and nature of any contamination present and to determine its potential risk to other receptors.

The investigation shall be carried out according to the requirements of the Local Planning Authority, including BS 10175:2011+A2:2017 - Investigation of Potentially Contaminated Sites Code of Practice (or any standard that may replace it).

16. Part (A):

A method statement setting out the proposed means of dealing with any contamination identified on the site, shall be submitted in writing to the Local Planning Authority for approval before the development commences.

The remediation strategy shall set out a timetable of works and the proposed means of dealing with any contamination on site, including provisions for monitoring any specified actions and validating the outcomes.

The development shall then proceed in strict accordance with the measures approved. If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall

be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Part (B):

Upon completion of the remediation scheme(s) as approved by Part (A) of this condition, a Verification Report(s) shall be submitted to and approved in writing by the local planning authority.

Any contamination that is subsequently found during the course of construction that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority.

These approved schemes shall be carried out before the development, in the relevant part of the site, is resumed or continued.

- 17.No development shall commence until a detailed surface water drainage scheme, to manage surface water runoff from the development for up to and including the 1 in 100 year event (+40%CC), via attenuated discharge to an existing watercourse has been submitted to and approved in writing by the Local Planning Authority.

The final detailed scheme shall be based on the agreed FRA (Ref: Enzygo, SHF.1132.280.HY.R.001.A.Nov 2023) and DEFRA's Non-statutory technical standards for sustainable drainage systems (March 2018) (or any standard that may replace it) and shall include details of the proposed discharge rate and any infiltration methods proposed.

The scheme shall thereafter be implemented and maintained as approved.

- 18.Prior to the commencement of any construction above the damp proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the local planning authority.

Prior to the occupation of any dwelling, the foul water drainage works relating to that dwelling must have been carried out in accordance with the approved scheme.

- 19.Any application for reserved matters relating to layout shall be accompanied by a scheme for the provision of fire hydrants to serve the development. Prior to the first occupation of any dwelling, the scheme shall be implemented in accordance with the approved scheme.

Thereafter the fire hydrants shall be retained as approved for the lifetime of the development.

- 20.Part A:

No development shall take place until a written scheme of archaeological resource management (WSARM) has been submitted to and approved in writing by the Local Planning Authority. The said development shall only be

implemented in full accordance with the approved archaeological scheme and the WSARM shall contain the following components:

- an outline method statement for the investigation of all archaeological remains which will be impacted upon by the development hereby approved
- an outline method statement for the preservation in situ of any archaeological remains (if appropriate)
- an outline strategy for a programme of interpretation, public outreach and community engagement; and
- an outline strategy for post-excavation assessment; analysis, publication, and archive deposition for the investigation stages of the project. This will include details of the timetable for each stage of the post-excavation works.

Part B:

This condition shall only be fully discharged when:

- all elements of the archaeological fieldwork have been completed and the date of completion has been confirmed in writing by the Local Planning Authority
- it has been confirmed in writing by the Local Planning Authority that the programme of interpretation, public outreach and engagement has been completed
- a final archaeological report or (if appropriate) a Post Excavation Assessment report and an Updated Project Design has been submitted to and approved in writing by the Local Planning Authority. This shall be done within 18 months of the date of completion of the archaeological fieldwork unless otherwise agreed in advance in writing by the Local Planning Authority
- the post-excavation analysis as specified in the approved Updated Project Design (if one is prepared) has been completed
- the preparation of the site archives (including the completion of the archive report) for deposition at storage locations approved by the Local Planning Authority has been undertaken and confirmed in writing by the Local Planning Authority. For the digital archive this will include confirmation of the intention to deposit with a Core Trust Seal certified repository dedicated to storing archaeological archives; and
- the publication report text has been prepared for submission to either a recognised archaeological journal or an approved final report is submitted to the Historic Environment Record, and this has been confirmed in writing by the Local Planning Authority.

Items 2, 4-6 of Part B of this condition shall be completed within 3 years of the archaeological fieldwork date of completion. Should the project not warrant the production of a Post Excavation Assessment report, an Updated

Project Design and a publication text, Item 6 can be completed on the approval of the final archaeological report.

21. No building shall be occupied until the junction between the proposed estate road and the highway, and the footway leading from the site access and connecting with the existing footway provision to the south, as shown on plan ref 4205-F01 Revision H, have been constructed in accordance with the approved details, amended as necessary by the technical and safety audit process, and opened to traffic.
22. No building shall be occupied until visibility splays have been provided at the junction of the access with the public highway (B659 Langford Road). The minimum dimensions to provide the required splay lines shall be (unless otherwise agreed by the approval of a scheme to change the speed limit and the approval of any associated Traffic Regulation Order (TRO)):
- looking South - 4.5m measured along the centre line of the proposed access from its junction with the channel of the public highway and 90m looking left (south) measured from the centre line of the proposed access along the line of the channel of the public highway; and
  - looking North - 4.5m measured along the centre line of the proposed access from its junction with the channel of the public highway and 215m looking right (north) measured from the centre line of the proposed access along the line of the channel of the public highway.

Prior to the commencement of development, a scheme to implement a change of speed limits on Langford Road, as shown on approved plan Ref: 4205-F01 Revision H (the final extents of the speed limit changes to be agreed with the local planning authority), including the identification of the appropriate visibility splays at the site access junction in relation to the speed limit changes and all associated highway works (including the provision of accompanying signage and road markings, as may be refined as part of the technical approval and safety audit process), shall be submitted to and approved in writing by the local planning authority.

If the proposed change in speed limit is subsequently confirmed by a TRO, which is to be applied for prior to occupation of any building, the scheme to change the speed limits and any associated approved visibility splays, shall be implemented in accordance with the approved details.

23. Any Reserved Matters applications for layout and landscaping shall demonstrate that the development shall be served by means of roads and footpaths which shall be laid out and drained in accordance with the Central Bedfordshire Design Guide (August 2023) and Highway Construction Standards & Specifications Guidance (Issue 8) (or any documents that may replace them).

No building shall be occupied until the roads and footpaths which provide access to it from the existing highway network, have been laid out and constructed in accordance with the above-mentioned Guidance - the carriageway(s) to at least binder course level and the footway(s) to surface course level. Parking shall be provided for each respective dwelling prior to



occupation and shall accord with the Council's Parking Standards for New Development SPD (August 2023) (or any document which may replace it).

24. Before the development hereby approved is commenced, a scheme of footway improvement works in the vicinity of the Church Street / East Road mini-roundabout, in accordance with that shown on plan Ref: 4205-F01 Revision H, shall be submitted to, and approved in writing by the local planning authority.

The scheme shall comprise widening of the existing footway to a minimum of two metres between Footpath 10 and East Road, save for where it is clearly demonstrated that locally existing utility apparatus may cost effectively limit this. The footways on the approach to the crossing point of the East Road arm of the mini-roundabout shall be rationalised, including reinstatement of grass verge where needed, and a new or amended dropped kerb crossing of East Road provided, including tactile paving.

The approved scheme shall be implemented prior to occupation of any dwelling, amended as necessary by the technical and safety audit process, and opened to users.

25. Any reserved matters application for layout shall be accompanied by a scheme for cycle parking associated with each dwelling, to be designed in accordance with Central Bedfordshire Council's SPD: Parking Standards for New Developments (or any document that may replace it).

The approved scheme shall be implemented at each dwelling in the development and made available for use before that dwelling is occupied and the cycle parking areas shall not thereafter be used for any other purpose.

26. Any reserved matters applications for layout and appearance shall be accompanied by a scheme for the bin storage / collection areas associated with each dwelling to be designed in accordance with Central Bedfordshire Design Guide August 2023 (or any document that may replace it).

The bin storage / collection areas shall be implemented in accordance with the approved scheme and retained thereafter.

27. Prior to the first occupation of the development, a scheme for the installation of external lighting on the site, including the design of the lighting unit, any supporting structure, the extent of the area to be illuminated, a lighting design scheme for biodiversity, and a programme for implementation, shall have been submitted to and approved in writing by the local planning authority.

The scheme shall identify those features that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, lux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. This should be in line with Guidance Note 08/18 Bats and artificial lighting in the UK (Bat Conservation Trust and Institute of Lighting Professionals, 2018) (or any guidance that may replace it).

All external lighting shall be installed in accordance with the approved scheme and implementation programme and maintained as approved thereafter.

28. Prior to occupation of any dwelling hereby permitted, a Verification Survey shall be submitted to and approved in writing by the Local Planning Authority, which confirms that the measures to address climate change and sustainability, as secured by Condition 11 of this permission, have been implemented in full.
29. Any reserved matters application for layout shall be accompanied by a scheme for the charging of electric and ultra-low emission vehicles. The scheme shall accord with Policy T5 of Central Bedfordshire Local Plan and the Electric Vehicle Charging: Guidance for New Developments – SPD (2022) (or any document that may replace it) and shall include the following:
- details of active charging posts or passive provision such as cabling and electricity supply for each space provided; and
  - timescales / triggers for implementation of the scheme.

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

30. Any reserved matters application for layout shall be accompanied by a Public Art Plan which shall include:
- a description of where the public art is to be provided on site
  - a description of the commissioning and procurement process, including detail on budget
  - a timetable for implementation and completion of the public art on the site; and
  - the long term management and maintenance plan.

The Public Art shall thereafter be implemented and maintained in accordance with the approved details.

31. No building/dwelling shall be occupied until a finalised 'Maintenance and Management Plan' for the entire surface water drainage system, inclusive of any adoption arrangements and/or private ownership or responsibilities, and written confirmation that the approved surface water drainage scheme for each dwelling has been correctly and fully installed as per the final approved details prior to its first occupation, has been submitted to and approved in writing by the local planning authority.

The details thereby approved shall be implemented in full and maintained in perpetuity of the development.

32. Notwithstanding the details shown on plan Ref: 4205-F01 Revision H, development shall not commence until a scheme to upgrade the Holme Mills bus stops has been submitted to, and approved in writing by, the local planning authority. The scheme shall, as a minimum and in accordance with the Council's Bus Stop Specification (December 2021, or any subsequent revision), comprise:

- for the existing bus stop providing access to northbound services, the provision of raised kerbs, real time passenger information, and if feasible, a shelter
- the relocation of the existing southbound bus stop to a position falling within the site's frontage northwards of the site access as shown on approved plan 4205-F01 Revision H. This position to be agreed with the local planning authority, and provided with raised kerbs, real time passenger information and a shelter; and
- details of pedestrian connectivity to the relocated and retained bus stops, including appropriate pedestrian crossing facilities on Langford Road.

The Holme Mills bus stops shall thereafter be upgraded in accordance with the approved scheme prior to the first occupation of the development.

33. Any reserved matters applications for layout and landscaping shall be accompanied by a Site Wide Biodiversity Net Gain Strategy. The Site Wide Biodiversity Net Gain Strategy shall include:

- an updated Biodiversity Net Gain metric
- the baseline biodiversity position for the site
- details of how a 10% biodiversity net gain over the baseline position will be achieved by the development; and
- a scheme for the future management and monitoring of any habitat created to achieve this gain.

34. All buildings within the development shall be restricted to a maximum of two storeys in height and the tallest part of any building shall not exceed 8.7 metres at any point.

35. Notwithstanding the provisions of Part 1 Class B of Schedule 2 to the Town and Country (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additions or alterations to the roof of any building shall occur without the grant of further specific planning permission from the Local Planning Authority.

END OF SCHEDULE

## **APPEARANCES**

### FOR THE APPELLANT:

Mr Carter; he called

Mr Pyecroft of Emery Planning

Mr Self of CSA Environmental

Mr Dutton of Gladman Developments Ltd

### FOR THE LOCAL PLANNING AUTHORITY:

Mr Henderson; he called

Mr Lee of Central Bedfordshire Council

Ms Cox of Central Bedfordshire Council

Mr Hughes of PHD Chartered Town Planners

and for the round table discussions:

Mr Gauntlet of Central Bedfordshire Council

Mr Archard of Central Bedfordshire Council

### INTERESTED PARTIES:

Mr A Lewis, local resident and member of Langford Neighbourhood Plan  
Steering Group

Mr R Arnott, Langford Parish Council

Ms R Jackson, local resident

## **INQUIRY DOCUMENTS**

- ID01 Appearances (the Council)
- ID02 Appearances (the appellant)
- ID03 Decision notices (CB2400487PAEC and CB2400490 FULL\_ HT175 13-16a  
Market Square)
- ID04 Appeal decision letter Land west of Langford Road, Langford  
(Ref: 3236423)
- ID05 Opening statement (the Council)
- ID06 Opening statement (the appellant)
- ID07 Site visit walking route and view points
- ID08 School admission booklet (relevant sections on admission criteria)
- ID09 Appeal decision letter Firwood Lodge and Jays View, Ashford Road,  
Harrietham (Ref: 3305441)
- ID10 Agricultural Classification Plan
- ID11 CIL Compliance Statement (version 2)
- ID12 Revised schedule of planning conditions (version 2)
- ID13 Pre- commencement conditions acceptance letter
- ID14 Draft unilateral undertaking (24 September 2024)
- ID15 Planning obligation monitoring fee note
- ID16 Windfall allowance note (appellant)
- ID17 Draft planning conditions (version 3)
- ID18 Windfall allowance note (Council)
- ID19 Decision notice Jewson site, Beal Street, Dunstable
- ID20 Weightings note
- ID21 Signed unilateral undertaking.