



Appeal Decision

Inquiry held on 18 August 2025

Site visit made on 17 August 2025

by **S Wilkinson BA, BPI, Dip LA, MBA, MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 1st September 2025

Appeal Ref: APP/P0240/W/25/3363912

Land north of Sandy Road, Potton, SG19 2NH

- 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 Hallam Land Management Limited against the decision of Central Bedfordshire Council.
 - The application Ref is CB/24/02185/OUT.
 - The development proposed is outline planning permission with all matters reserved for future determination, save for the means of access via Sandy Road, for up to 125 dwellings (Use Class C3, comprising market and affordable dwellings, including bungalows), site access and highway works, green infrastructure including sustainable drainage, ecological habitats, children's play areas and amenity green space and ancillary works.
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Decision

1. The appeal is allowed and planning permission is granted for outline permission with all matters reserved, save for the means of access via Sandy Road, for up to 125 dwellings (Use Class C3, comprising market and affordable dwellings, including bungalows), site access and highway works, green infrastructure including sustainable drainage, ecological habitats, children's play areas and amenity green space and ancillary works at Land north of Sandy Road, Potton, SG19 2NH, in accordance with the terms of the application, Ref CB/24/02185/OUT, subject to the conditions in the attached schedule.

Preliminary Matters

2. The Development Plan comprises the Bedfordshire Minerals and Waste Local Plan 2014, the Central Bedfordshire Local Plan 2021 and the Potton Neighbourhood Plan 2019, reviewed in 2025.
3. At the Case Management Conference on 26 June 2025, it was agreed between the main parties that there were three main issues. In summary, these related to the contested housing land supply position, the appeal scheme's location and the absence of obligations in respect infrastructure and housing.
4. The appeal scheme is for outline planning permission with only access to be determined. A Masterplan submitted with the appeal is treated as illustrative only.
5. In advance of the Inquiry opening, a revised Statement of Common Ground (SoCG) signed by each of the main parties identified that the Council does not have a policy compliant five year housing land supply. This arises because two sites originally included in its housing land supply statement, dated 1 April 2025 have been removed. Whilst the appellant maintains that the figure is 3.33 years, the Council's

new figure is 4.85 years. Accordingly, the parties agree that the tilted balance as defined by Paragraph 11(d)(ii) of the National Planning Policy Framework (the Framework) applies.

6. Whilst the Council finds that the appeal scheme conflicts with policies SP1 and SP7, through the application of the tilted balance it recognises that the weight to be accorded to this conflict is limited as the adverse impacts arising from the amount of development proposed for the site would be significantly and demonstrably outweighed by the benefits of the appeal scheme. The Council agree that the appeal scheme does not conflict with the Neighbourhood Plan and that Visions A and B identified in its first reason for refusal are not policies but broad statements reflecting a series of objectives. Accordingly, it decided not to defend its first reason for refusal.
7. During the Inquiry, reference was made by an interested party¹ to several schemes coming on stream which could alter the existing housing land supply position in favour of the Council. However, as was made clear during the Inquiry, the presentation of new evidence on deliverability was unclear and the appellant had insufficient time to test this information. Having considered the extensive body of evidence on this issue together with the SoCG, I accept that the housing supply falls within the range suggested by the main parties; this shortfall is a significant matter.
8. In respect of its second reason for refusal the Council concludes that subject to the securing of planning obligations through a completed S106 Agreement its second reason would also not be defended. The appeal was accompanied by a draft S106 Agreement discussed during the Inquiry. Following the end of the Inquiry a completed agreement dated, 22 August 2025 was received; this is considered later in this decision.

Main Issues

9. The only outstanding issue between the main parties is whether or not the obligations included in the completed S106 Agreement include the infrastructure necessary to support the amount and type of housing proposed.

Reasons

Infrastructure

10. The Council's second reason for refusal identified a conflict with its adopted policies for affordable and self/custom build housing and the necessary infrastructure required for the whole scheme.
11. The Community Infrastructure Levy (CIL) Regulations 2010 and paragraph 58 of the Framework set a number of tests for planning obligations: they must be necessary to make the development acceptable in planning terms, be directly related to the development, and be fairly and reasonably related in scale and kind. The Council submitted a CIL compliance schedule identifying how each suggested obligation is consistent with its adopted policies and the requirements of the Regulations.

¹ A. Zerny, Leader of the Council

12. The Agreement includes a series of obligations in favour of the Council which include trigger points designed to ensure that housing development proceeds broadly in line with the delivery of infrastructure.
13. Obligations require that 30% of all units should be affordable and that 10% of all dwellings should comprise Custom/Self Build. These obligations comply with policies H4 and H6.
14. Other obligations include £1,905,109.37 as a contribution towards the enhancement of existing facilities or commuted sums towards new schools and education services. This is broken down to include £166,825.82 for special education needs provision (SEND) directed towards Sandy Secondary School or a commuted sum towards additional provision, £58,195.05 directed towards local primary schools at Lawnside, Biggleswade or Potton. To increase school capacity £926,625.00 is included for the local primary school in Potton or a new school in the area, £649,537.00 for Sandy Secondary School or directed towards a new school and £103,926.00 for post -16 education. In addition, £159,141.94 is provided for Early Years education in the Potton area.
15. Another obligation requires a contribution of £136,950 for community facilities which could include Potton's 'Hall for All', the Mill Lane Pavilion and the Community Centre. Other obligations include £37,000 directed towards Green Infrastructure invested in the local rights of way network and £33,300 towards Rights of Way for footpath FP15 and bridleway BW9 which respectively lie to the west and north of the site.
16. An obligation for leisure facilities includes £176,085.00 towards improvements at Sandy Leisure centre and 'The Hollow', Potton. A further £26,250.00 will be directed toward new equipment and book stock at Potton library. £32,000 will be directed towards new bus stops near the junction of Sandy Road with Nursery Close.
17. A further obligation commits £124,687.50 directed towards Greensands Medical Practice and the branch practice in Gamlingay. An obligation requiring a £20,000 fee for BNG monitoring is also included in the S106 Agreement. This is consistent with the delivery of BNG required by Paragraph 192 of the Framework.
18. The S106 Agreement includes, at Appendix 3, provisions for off-site skylark plots on land adjacent to the appeal site. I accept based on the evidence of both parties that this would be an acceptable form of mitigation. The owner of the land proposed for mitigation is a signatory to the S106 Agreement.
19. I accept that monitoring fees are required for the whole S106 Agreement and in particular the obligations for Biodiversity Net Gain.
20. I conclude that these measures comply with policies H4, H6, EE13, HQ2, and HQ3 of the Local Plan. The formulae used to calculate costs are clear and based on national and locally derived costs drivers. The S106 Agreement includes the provision of infrastructure, which is necessary, directly required and fairly and reasonably related in scale to this development. To conclude, I am satisfied that each of these obligations fall within the provisions of Regulation 122(2) of the CIL Regulations and Paragraph 58 of the Framework.

Conditions

21. The suggested conditions were considered during the Inquiry in the context of the advice in both the Framework and the Government's Planning Practice Guidance. Their wording set out in the schedule below reflects that discussion. The appellant indicated they were content with the proposed pre commencement conditions. The numbers referred to below relate to the corresponding condition in the schedule.
22. In addition to the standard conditions relating to outline schemes (1-2), it is necessary, in order to provide certainty, to identify the plans to which the decision relates (4). Condition 3 is required to ensure that bungalows are included in the scheme to address current shortfall as identified in the Neighbourhood Plan.
23. On submission of the application for reserved matters the scheme should be accompanied by a sustainability statement addressing water and energy use consistent with policy CC1. A verification report is also required to ensure compliance with the proposed measures (9, 30).
24. Any application for Reserved Matters in respect of Layout should be accompanied by schemes for the site's levels, internal road layout, a rights of way scheme, public art, the charging of electric and ultra-low emission vehicles, noise, the location of cycle parking and bin stores. This requirement is consistent with policies T2, HQ1, CC8, T3, and T5 and will ensure that these measures are addressed comprehensively from the outset of the development process (conditions 5, 6, 7, 10, 12, 13, 14 and 15).
25. Conditions are imposed to protect the site's natural environment, biodiversity and ecology which include requirements for a Tree Protection Plan, Construction Environmental and Landscape Environmental Management Plans (17,18 and 19). These are consistent with policies EE1, EE2, EE3, EE4 and HQ1,
26. I accept that the representations made by the Council on the necessity for a specific condition (12) requiring a scheme for fire hydrants to be submitted with the application for reserved matters is appropriate given water pressures within the area.
27. To ensure that the development protects the safety of highway users, surrounding occupiers construction staff condition 16 requires details of a construction traffic management plan. This is consistent with policies T2 and HQ1.
28. To ensure that the scheme promotes healthy lifestyles a condition is imposed which demonstrates how a rights of way scheme would link to the wider footpath network. This is consistent with policies EE12, EV-1 and EV-4 of the Neighbourhood Plan.
29. Condition 8 requires that the self/custom build dwellings are designed to fit within the broader parameters of the whole scheme through the submission of details for the individual plots. This would comply with policies H1 and H6 of the Local Plan.
30. In accordance with Policy CC8, conditions are necessary to ensure that any site contamination, or the potential for such, is detected and remediated accordingly and that any risks from contamination are properly dealt with to protect the health of future occupiers and to prevent pollution of the environment. (20, 21)
31. In accordance with Local Plan Policy CC6, details of schemes addressing both sustainable surface water drainage and foul water drainage scheme are required,

together with details for ongoing management which are essential to ensure that the scheme performs as intended, to avoid pollution and to prevent increased risk from flooding (23, 24, 31).

32. Having considered the representations of the County as Minerals and Waste Authority, Condition 22 is necessary to allow the development to proceed in a way which enables the recovery of minerals within the site as part of the construction process.
33. Consistent with the provisions of the Environment Act 2021 I have imposed a condition requiring the submission of a Biodiversity Net Gain Plan (25). I accept that given the numbers of residents who would be living at the site then investment in local reserves and protected areas is required as mitigation (26). These measures would be consistent with policy EE2 of the Local Plan. For the same reason details of a lighting strategy for the whole scheme is required to protect the nocturnal activities of local wildlife, in particular the foraging habits of bats (27).
34. To protect highway safety a condition is required to widen the existing footway along the north side of Potton Road from FP15 to link with the existing footway on the approach to Nursery Lane (28). For the same reason, the layout of the site access with the visibility displays included in the approved access drawing is necessary before any dwelling is occupied. These measures are consistent with policies T2 and H1 of the Local Plan (29).
35. Furthermore, in order to ensure that the proposed scheme would allow occupiers of the appeal scheme access by a choice of transport modes I have imposed a condition requiring a Travel Plan (32). This is consistent with policies T2 and HQ1 of the Local Plan.

Planning balance and conclusion

36. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning decisions are made in accordance with the development plan unless material considerations indicate otherwise.
37. Both main parties acknowledge that there is an undersupply of housing land. In these circumstances there is a presumption in favour of sustainable development as defined by the Framework.
38. The fact that policies are deemed as out of date does not mean that they carry no weight. To carry weight, policies must be consistent with the Framework, as explained in Paragraph 232, which amongst other things, states that the closer that local policies are to those in the Framework, the greater weight that may be given to them. As such it is perfectly possible for policies which are deemed out of date by reason of an inadequate land supply to still carry significant weight.
39. Policies SP1 and SP7 broadly align with the Framework's policies on sustainable development. Policy SP1 supports planned development in major sites at large settlements in the borough. Whilst the appeal proposal is a piecemeal scheme there is no evidence before me to demonstrate how this prejudices the delivery of other allocations included in the policy; the present undersupply is telling in this regard. For this reason, I accord only limited weight to the conflict between the appeal scheme and this policy.

40. The appeal scheme conflicts with policy SP7 which is predicated on directing development, apart from a few exceptions, to within Settlement Envelopes. The purpose of the policy is to provide a clear distinction between settlements and the countryside. Major housing schemes are not one of the categories deemed acceptable for a location beyond Potton's Settlement Envelope.
41. The appeal site is an arable field comprising around 9.17ha lying to the west of the existing settlement envelope. The appeal scheme would not lead to visual coalescence with Deepdale to the west as the proposed extent of development would not be beyond the edge of the site of the haulage yard which lies adjacent to the appeal site. Furthermore, the considerable area proposed for landscaping and as public open space, would limit the extent of harm arising to the intrinsic character of the countryside. This would partially address many of the objections from interested parties concerned about the erosion of the countryside gap. Accordingly, I accord only limited weight to the conflict with policy SP7.
42. There is no conflict with the Neighbourhood Plan and both Vision A and B referred to in the Council's decision letter are not policies for the purposes of this decision.
43. Set against the limited conflict with policies, the scheme includes a range of benefits. The site lies in a sustainable location allowing access by a range of transport modes consistent with Paragraph 110 of the Framework. The Travel Plan required by condition 32 would support this.
44. The scheme includes market and affordable housing. This is accorded substantial weight given the undersupply in housing land; the inclusion of 125 dwellings, 30% of which would be affordable and ten percent self/custom build attracts substantial weight. Furthermore, the appeal scheme includes seven bungalows; a form of development supported by the Neighbourhood Plan. Both the amount and range of housing included in the scheme would address both local housing need and demand. The housing proposed accords with Paragraph 61 of the Framework.
45. The appeal scheme would result in benefits to the local economy through employment during its construction and the spend power of new residents. This could benefit existing local shops and services and is consistent with Paragraph 85 of the Framework. I accord this significant weight.
46. The scheme also includes Biodiversity Net Gain with mitigation for skylark territories which ecological surveys identify as present on the site, new areas of public open space and proposed investment in Public Rights of Way FP15 and BW9 and in the locality. These measures accord with policies EV-1 and EV-4 of the Neighbourhood Plan and Paragraph 192 of the Framework. They are accorded significant weight.
47. Furthermore, the scheme includes a series of measures included in the S106 Agreement designed to mitigate its impacts on education, medical services, libraries and leisure provision. These obligations address many of the concerns of interested parties on the scheme's impacts on local infrastructure. As these measures are largely designed as mitigation they are given a neutral weight in the overall planning balance.

48. Overall, I conclude that the benefits of the appeal scheme would significantly and demonstrably outweigh the harm identified when assessed against the policies of the Development Plan, when taken as a whole. As such the proposed development benefits from the Framework's presumption in favour of sustainable development.
49. Accordingly, the appeal is allowed, and planning permission is granted.

S Wilkinson

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 that area (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 three years from the date of this permission. The development shall begin not later than two years from the final approval of the reserved matters or, if approved on different dates, the final approval of the last such matter to be approved.

3.

No more than 125 dwellings shall be constructed on the site pursuant to this planning permission and the final housing mix for the site shall include for a minimum of 7 no. single-storey bungalows.

4.

The development hereby permitted shall be carried out in accordance with the following approved drawings:

Location Plan CSA/2642/137 Rev E

Building Heights Parameters Plan CSA/2642/145 Rev C

Land Use Parameters Plan CSA/2642/146 Rev B

Access Arrangement Plan 2208-025 PL01 Rev D

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 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).

7.

Any reserved matters application relating to Layout shall be accompanied by a Rights of Way Scheme which will

- Demonstrate how the development will protect, enhance and promote the Public Rights of Way network within and / or in close proximity of the site, including the provision of new specimen trees, dog/litter bin and signage to the south of Bridleway 9 within the site.
- Indicate the details of any footpaths that are to be proposed through the development site and their proposed connections to the existing public rights of way network. The footpaths within the development site shall be provided in accordance with the approved details.

8.

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:

- a) an indicative Site Layout Plan for the relevant area;
- b) indication of building height, massing and bulk for the relevant area; and,
- c) 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.

9.

Any reserved matters application(s) relating to Layout shall be accompanied by an updated 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:

- a) 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,
- b) that water efficiency to achieve a 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.

10.

Any reserved matters application relating to 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.
- Timescales / triggers for implementation of the scheme.

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

11.

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.

12.

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.

13.

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.

14.

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

15.

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.

16.

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.

17.

No equipment, machinery or materials shall be brought on to the site for the purposes of development, except for the purposes of ground investigation, until a Tree Protection Plan showing the details of substantial protective fencing for the protection of any retained trees and hedgerows has 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 Tree Protection Plan and the approved fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site.

18.

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 badgers, bats, breeding birds, reptiles, common toad, harvest mouse and hedgehog, including through appropriate fencing, precautionary working methods, and site best practice and the avoidance of pollution from run-off. The approved CEMP shall be strictly adhered to throughout the construction process.

19.

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.

20.

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).

21.

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.

22.

Prior to the commencement of development, a Minerals Recovery Plan, based upon the draft Minerals Recovery Plan (ref. P22/1), 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.

23.

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) has been submitted to and approved in writing by the Local Planning Authority.

The final detailed design shall be based on the agreed FRA & Drainage Strategy (Ref; TPA, issue D, November 2024) 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.

24.

No development shall commence 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 dwelling, the foul water drainage works relating to that dwelling must have been carried out in accordance with the approved scheme.

25.

No development hereby permitted shall commence until a Biodiversity Gain Plan has been submitted to and approved by the local planning authority. The Biodiversity Gain Plan must include the following:

- information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat
- the pre-development biodiversity value of the onsite habitat
- the post-development biodiversity value of the onsite habitat
- details of any registered off-site biodiversity gain allocated to the development and the biodiversity
- details of any biodiversity credits associated with the development

The development shall be carried out in accordance with the details thereby approved.

26.

Prior to first occupation of the development, full details of Public Open Space Interpretation Boards and Residents Information Packs to mitigate potential impacts upon the nearby Sandy Warren SSSI, Bunker's Hill CWS and The Lodge RSPB Reserve from increased recreational pressures arising from the development together with a programme for implementation, shall be submitted to and approved in writing by the local planning authority.

The Public Open Space Interpretation Boards shall be installed in accordance with the approved scheme and implementation programme and maintained as approved thereafter. The Residents Information Packs shall be included within all Welcome Packs associated with each dwelling.

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 first occupation of the development, the footway on the north side of the B1042 Sandy Road fronting the site shall be widened up to a 2.0m width along the frontage of the site and the site boundary set back and dedicated as public highway and a tactile

crossing provided at the junction of Sandy Road and Nursery Close. These provisions shall be laid out and constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority with the footway has been constructed in accordance with the approved details. No part of the development shall be occupied until any Statutory Undertakers equipment or street furniture has been re-sited to provide an unobstructed footway.

29.

No building shall be occupied until visibility splays have been provided at the junction of the access with the public highway (B1042 Sandy Road). The minimum dimensions to provide the required splay lines shall accord with the approved access drawing (Access Arrangement Plan 2208-025 PL01 Rev D) and supporting visibility splay plan (Proposed Access Arrangement Visibility Plan 2208-025 PL02 Rev D). The required visibility splays shall remain free of any obstruction to visibility in perpetuity of the development.

30.

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 9 of this permission, have been implemented in full.

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.

The development shall not be occupied until a Residential Travel Plan has been submitted to and approved in writing by the local planning authority. Such a Travel Plan shall include details of:

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

- Travel vouchers
- Details of relevant pedestrian, cycle and public transport routes to/ from and within the site
- Copies of relevant bus and rail timetables
- Details of the Travel Plan Coordinator

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

APPEARANCES

FOR THE APPELLANT:

Mr M Carter, of Counsel who called:

Mr D Murray-Cox BA (Hons) MPlan, MRTPI, Director, Turley

Mr D Fovargue BA (Hons) Dip TP MRTPI

FOR THE LOCAL PLANNING AUTHORITY:

Mr G Keen KC who called:

Mr P Hughes BA (Hons) MRTPI, FRGS, FRSA, Dip Man MCIM

Mr C Whitehouse BSc, MRICS

Mr D Gauntlet BSc (Hons) MSc

INTERESTED PARTIES:

Mr A Zerny, Leader, Central Bedfordshire Council

Mr D Craig, Vice Chair, Pottton Town Council Council

INQUIRY DOCUMENTS

ID1. Inspector Email to the parties dated, 15 August 2025

ID2. Response of Marrons, agreed with the Council, dated 18 August 2025

ID3. Opening of the Appellants

ID4. Opening of the Council

ID5. Statement of Mr Craig, Vice Chair of Pottton Town Council

ID6. Decision letter CB/24/03159/FULL, Sunnyside, 100 Sandy Road, Pottton

ID7. Statement of Mr A Zerney, Leader of Central Bedfordshire Borough Council

DOCUMENTS RECEIVED AFTER THE INQUIRY

Completed S106 Agreement dated 22 August 2025