
Appeal Decision

Inquiry opened on 20 January 2026

Site visit made on 20 January 2026

by G Rollings BA(Hons) MAUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th March 2026

Appeal Ref: APP/P0240/W/25/3372878

Land South of Steppingley Road, Flitwick, Bedfordshire

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Persimmon Homes (Midlands) Ltd against the decision of Central Bedfordshire Council.
 - The application Ref is CB/22/04108/FULL.
 - The development proposed is a full application for the erection of 170 dwellings including new access roads, landscaping, open space, SUDS attenuation and other associated infrastructure and engineering works.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of 170 dwellings including new access roads, landscaping, open space, SUDS attenuation and other associated infrastructure and engineering works at Land South of Steppingley Road, Flitwick, Bedfordshire, in accordance with the terms of the application, Ref CB/22/04108/FULL, subject to list of conditions in Annex A.

Application for Costs

2. An application for costs was made by the appellant against the Council. This application will be the subject of a separate decision.

Preliminary Matters

3. The Inquiry opened on 20 January 2026 and sat for three days, closing on 22 January 2026. At the Inquiry I agreed with the appellant and the Council ('the main parties') that a completed and signed planning agreement could be submitted after the Inquiry closed, and I received this on 6 February.¹
4. The description of development has changed since the application was submitted to the Council, to reflect a reduction in the number of dwellings proposed. Both main parties agreed to the change, which is reflected in the above decision.
5. I held an online case management conference (CMC) on 12 November 2025, which was attended by the main parties and at which the Inquiry format and main issues for consideration were agreed. My post-CMC note sets out a summary of the meeting.²

¹ P/ID 01

² CD 4.4

6. Together with the main parties, I visited the site and its immediate surroundings on 20 January, following a previously agreed route.³ We were accompanied by other interested parties, from which I invited suggestions for additional vantage points both before the visit and during the presentation of evidence. I made an informal, unaccompanied visit to the site the day before the Inquiry opened, and further unaccompanied visits during the Inquiry and on 27 January 2026. Locations visited at these times included Flitwick town centre and rights-of-way leading from Steppingley.

Main Issues

7. The Council refused the application for the development being considered in this appeal, providing four reasons. At the CMC the Council confirmed that it no longer wished to contest three of these reasons. The remaining reason concerned effects arising from the absence of a planning agreement. Before the Inquiry, the appellant and Council agreed the terms of the section 106 obligation, and the Council confirmed that it would no longer seek to contest the remaining reason for refusal.
8. Nonetheless, the Inquiry was structured around the reasons for refusal and interested parties were invited to make submissions accordingly. Three of the reasons form the main issues of this appeal. Matters related to the planning agreement are considered separately.
9. Additionally, the appellant submitted detailed evidence on the Council's housing land supply position, on which the Council responded and which was examined at the Inquiry. I have not included this as a main issue but consider it below as an other matter.
10. The main issues are:
- The effect of the proposed development on the character and appearance of the area;
 - The effect of the proposed development on Flitwick Wood Ancient Woodland, County Wildlife Site and Local Nature Reserve; and
 - The effect of the proposed development on highway safety.

Reasons

Character and appearance

11. The site is an undeveloped agricultural field, on the southwestern side of Steppingley Road. It is bound on its southeastern edge by a bridleway leading between Steppingley Road and Flitwick Wood, beyond which is residential development. All land along Steppingley Road opposite the site is developed, incorporating a leisure centre and senior living residential village of up to seven storeys. These areas mark the existing edges of the built-up area of Flitwick.
12. The formal Examination leading to the adoption of the extant Central Bedfordshire Council Local Plan 2015-2035 (adopted 2021)⁴ specifically considered the appeal site's release from the Green Belt and the effects of likely residential development

³ CD 8.4

⁴ CD 3.1

on the character and appearance of the area.⁵ That there would be such a change of character is implicit in the Local Plan's proposals for the site to be developed for residential development, as set out in Site Allocation HAS17. The appeal scheme incorporates the recommendations of the Examination and the site allocation by proposing a change of use and development of residential dwellings.

13. The land adjoining the site to the west gently rises to the distance, and accommodates open, farmed fields that are crossed by rights-of-way along which there are clear downward views of the site. Occasional vegetated rows and thickets are scattered within this area, in addition to the dense vegetation of Flitwick Wood, but these do not obstruct the visibility of the site, nor the obvious appearance of existing development on Steppingley Road and the wider environs of Flitwick. The mostly low-rise nature of the proposed buildings would not obstruct views of these areas from the higher open land, but the encroachment of the built-up area would be apparent, despite the proposal's inclusion of new and enhanced vegetation along its borders. The site is bordered by a large amount of undeveloped land that would remain open, and in most directions, the existing expansive views would be maintained.
14. Much of the site's value in visual terms derives from its openness enabling views from Steppingley Road towards more distant land. This part of the road appears to be changing in character owing to the newer and taller buildings being built along its length, and the urbanising effect of the appeal development would not be out of character. The proposed design along the Steppingley Road edge would incorporate open space, planting and building design that would not be unattractive or obtrusive. While visibility of the adjacent open land would no longer be possible from parts of Steppingley Road, other parts would retain views, and there would be no overall harm generated by this aspect of the development.
15. Of interest to the Inquiry was the character of the Steppingley Road to Flitwick Wood bridleway, and views from the edge of Flitwick Wood. The bridleway is mostly enclosed by tall, mature woodland trees along its length. Existing residential development is apparent along its southern edge but much of this is obscured by vegetation. Concerns were expressed by local residents that development of the appeal site would fully enclose the approach to the wood with buildings on either side of the bridleway, detrimentally altering its character.
16. The current approach along the bridleway is not a wholly bucolic experience due to its partial urban enclosure, but mature vegetation largely hides existing development. Over time, given the proposed planting and buffer within the site, this effect will be replicated on both sides of the bridleway. While the open views over the existing field will be lost, this would be an effect of any development of the appeal site.
17. Flitwick Wood does not directly adjoin the site, but I heard concerns that the loss of the open view across the appeal site could lead to a partial feeling of enclosure, which would be detrimental to the rural setting of the Wood as well as its conservation and environmental importance. Much of its character is derived from the maturity, species and density of planting within the Wood, but there are numerous areas close to its edges where I observed urban development. Emerging from the Wood to its open northern edge provides a sharp change of character from

⁵ CD 3.6, ID 05, ID 06

the enclosure within. The development of the appeal site, slightly distant from this edge, will bring visible urban encroachment but would not wholly remove the openness from most of the field-of-view from the Wood's edge. Again, any development of the appeal site would result in effects of this nature, but in this case the proposal's wooded edge will mitigate urban views. As new planting matures, the vegetation would increasingly screen the development and any visual harm in the long term would be negligible.

18. The design and layout of the proposed development is largely appropriate, containing a coherent hierarchy of streets, spaces, uses and buildings. Its generous edges, central green link between Flitwick Wood and the leisure centre opposite the site on Steppingley Road, and identification of individual character areas are all supported. Building heights would be low overall, and the tallest buildings (three storeys) would mark the open space at the bridleway's entrance from Steppingley Road. Although this would define the 'gateway' to the development on the approach from the town centre I heard with local residents that the tallest buildings on the site would perhaps be more appropriate at the other site entrance, opposite the existing taller buildings around the senior living residential village. Co-location in a hub of taller buildings and activity generated by these uses would provide legibility for the main entrance to the appeal site. Nonetheless I do not consider that the development proposed around the bridleway would result in significant visual harm.
19. Taking into account all of these considerations, although the development would change the landscape and character of the area, there would be no overall harmful effect, particularly in the long term once planned vegetation is established. There would be no acknowledgment concerns about the urbanising effects of the proposal and the growth of Flitwick into previously undeveloped land, but these effects were foreseen within the Local Plan process, and the proposed design accords with the principles set out in the site allocation and elsewhere in the Local Plan. This is in accordance with a plan-led system as set out in paragraph 15 of the National Planning Policy Framework (2024) ('the Framework'). While I heard concerns that the development may be a harbinger for further development on adjoining open land, none is proposed at the current time, and any such proposal would require thorough assessment as part of the process of adopting a new Local Plan.
20. I therefore conclude that the proposed development would not harm the character and appearance of the area and would not conflict with Policies EE5 and EE8 and site allocation HAS17 of the Local Plan. Together these policies seek to retain landscape character and value, amongst other considerations.

Flitwick Wood

21. The Council's original concern was the effects of additional visitors to the Ancient Woodland. Those discussed at the Inquiry include the trampling of treed and undergrowth areas, pollution and pressure on the Wood's ecological sensitivity.
22. The Wood is a valuable asset, both in its value to visitors and biodiversity. Although it is partly enclosed by residential development as set out above, there is dense, diverse growth in many parts. However, others have suffered through effects such as trampling. The continuing public management of the Wood has included improvement of identified pathways to discourage informal routes that damage planting, and the enclosure of areas to stimulate regeneration.

23. Mitigation measures would include a tailored planting and regrowth regime, continued management and monitoring of existing vegetation with targeted improvement measures. More specifically, provision of additional bins for dog waste, particularly on the land between the appeal site and the Wood, information packs for new residents that explain the ecological importance of the land, and maintenance of a website are among the measures proposed. These would be sufficient to not only accommodate the increased use expected to be generated by the proposed development but would represent improved conditions for existing users.
24. I therefore conclude that the development would not have an overall harmful effect of the proposed development on Flitwick Wood Ancient Woodland, County Wildlife Site and Local Nature Reserve. There would be no conflict with Local Plan Policies EE3, EE4 and EE8, which together seek protection of ancient woodland sites, amongst other considerations.

Highway safety

25. The Appellant's evidence includes a transport assessment and additional studies undertaken during the lifetime of the application that indicate that although there would be some impact on the local road network arising from the development, this would not be severe. The work is extensive and I have no reason to doubt its accuracy. I also acknowledge the absence of any objection in principle from the Council's highways officer.
26. The Council's reason for refusal on this issue referenced two matters, with the first being the impact of additional traffic generated by the development on local roads. The appellant's studies consider the cumulative impact of traffic increases generated by other development including, latterly, the Universal Studios proposal near Bedford. I acknowledge the inclusion of trips generated by the senior living village, and the modelling undertaken by the developers of the Marston Valley scheme. Local junctions were also studied in detail, and concern about traffic conditions at these locations was expressed by many residents. Similar concerns were raised regarding additional traffic volumes during peak times and motorway closures.
27. Modelling of 2032 traffic volumes at four of the six junctions studied that even if the appeal development did not occur, these junctions would be operating over their capacity by 2032. Vehicular movements generated by the development are modelled at around 85 two-way trips during AM and PM peak hours, resulting in between 39 and 46 additional vehicular movements at two locations of particular concern amongst residents: the Steppingley Road / Flitwick Road roundabout, and the Tesco roundabout in Flitwick town centre.⁶ Whilst these numbers are low in the context of the overall numbers of vehicles using these junctions (representing an increase of less than 2% at the Tesco Roundabout), they will nonetheless add to future congestion despite being classed as minimal increases.
28. On the advice of highways officers, the appellant would provide a contribution toward mitigation of the effects described above, based on a scheme costed but not yet timetabled by the Council. This would have some impact on relieving future projected congestion within the town centre. Additional measures to encourage the use of other types of transport are acknowledged and set out in my assessment of the planning obligations.

⁶ David Cummins PoE, chapter 4.

29. Parking and traffic to and from events at the Crematorium to the north of the town were evidenced. Anecdotal evidence suggests that the timing and capacity of events does not reflect the modelling undertaken by the appellant, which was not included in the overall calculations. The appellant's additional work undertaken in response to these concerns uses information provided by the Crematorium and is based on both reasonable evidence and assumptions. Without measurable evidence to community's concerns, I have no reason to believe that the appellant's conclusions are unsound.
30. The second matter referenced by the Council in its reason for refusal was the severance of the community resulting from increased traffic on the road network. The appellant's count data suggests that traffic additional to that already on the roads would be minimal⁷. Such an impact would not result in any perceptible change for those wanting to cross roads or move around the neighbourhood, and as such I consider that there would be no substantial increase in severance.
31. In taking all of these factors into account, I consider that there would be some detrimental impact on the road network, despite the effects being minimal. Whilst there would be an increase in congestion, there is no evidence that these impacts would result in an unacceptable impact on highway safety, or that the effects on the road network would be severe. In line with the advice provided at paragraph 116 of the Framework, there is no justification to prevent or refuse the development on highways grounds.
32. I therefore conclude that the proposed development would not have an unacceptable impact on highway safety, and that there would be no conflict with Policy T2 of the Local Plan, which states that proposals for new development must not have a detrimental effect on highway safety and patterns of movement, amongst other considerations.

Other Matters

Housing land supply

33. The Local Plan has been adopted for fewer than five years, and thus its annual housing requirement of 1,967.5 dwellings per annum is the agreed target figure. Using an agreed base date of 1 April 2025, the Council considers that it can demonstrate a 4.85-year housing land supply⁸, but the appellant argues a lower supply of 3.82 years.⁹ As such, although the main parties agree that the Council cannot demonstrate that it currently has a five-year housing land supply (5YHLS), various matters contributing to the housing land supply calculations are contested.
34. The matter of past oversupply above the adopted delivery target and its applicability to the 5YHLS calculation is one that has been examined on several recent occasions by various decision-makers, but consensus has not been reached nor a common approach agreed that might be applicable to the proposal before me. Various decisions have been cited by both the appellant and the Council both in favour and against the inclusion of oversupply in the 5YHLS calculation.
35. The Planning Practice Guidance (PPG) on oversupply dates from 2019 and was most recently referenced in the superseded 2023 version of the Framework but

⁷ David Cummins PoE, chapter 5.

⁸ Council's Housing Land Supply PoE, Phillip Hughes

⁹ Appendix E of Appellant's Planning PoE: Five-Year Housing Land Supply, Ben Pycroft

deleted in the current version. Nonetheless the advice of the PPG remains current and as such, in areas where housing completions are above the delivery target, this additional supply can be used to offset any shortfall against requirements from previous years, but there is no requirement to do so. In practice this has resulted in Local Planning Authorities adopting different approaches to the issue. In this case the Local Plan does not specify a method to account for past oversupply.

36. The absence of a clear approach has resulted in the varied application of assessment methods, leading to the dichotomous outcome evident in the aforementioned decisions. This appeal case presents similarly conflicting positions between the Council and the appellant. Both arguments have their merits. However, having considered the evidence in detail I consider the Council's use of the 'Liverpool'-type approach to be the most relevant to my assessment. Although the appellant presented compelling points in favour of limiting oversupply to the 5YHLS period, the Council's housing requirement is not yet subject to the provisions of the Government's 'standard method' of calculating housing need and is operating within the initial five-year period of the Local Plan.
37. The Council's method of considering oversupply across the remaining plan period, particularly in the case of a newer plan where the remaining period is significant, enables a longer-term view of the supply trajectory. This is particularly important given the contribution of large strategic sites to the Council's future supply, which are either planned to be delivered over extended periods or delayed due to the complexity of the delivery.
38. Given that the inclusion and treatment of previous oversupply in the 5YHLS can affect the annual housing requirement, it was necessary for me to include the reasoning for this matter in some detail. This is not the case for the remaining 5YHLS matters discussed at the Inquiry, such as the inclusion of disputed sites within the calculations or the scale of the shortfall in supply, none of which significantly affect the planning balance. In any case, the current 5YHLS is deficient and with reference to Framework paragraph 11 footnote 8, I find that the Council's policies for the delivery of housing which are amongst the most important for determining this appeal are out of date

Heritage

39. The appellant's Heritage Statement¹⁰ assesses the potential effects of the appeal proposal on surrounding built heritage assets. Both the appellant and the Council agree that the appeal development would not result in harm to any of the identified built assets. Having carried out an assessment of the identified assets, including consideration of the significance and setting of two Grade-II listed buildings and a nearby conservation area,¹¹ I concur with the findings of the main parties. Accordingly, the development would preserve the character and appearance of the Conservation Area and preserve the particular significance of the listed buildings.
40. The appellant's initial archaeological investigation identified the potential presence of assets of archaeological interest.¹² Given the undeveloped status of the land, further evaluation prior to development is required to confirm the presence of any such assets. Planning conditions would ensure that any necessary recording,

¹⁰ CD 1.57

¹¹ The Church of St Lawrence, Steppingley; Park Farm, Steppingley; Steppingley Conservation Area.

¹² CD 1.38

recovery and/or preservation of archaeological remains, together with any other required action, would be appropriate and proportionate.

41. The site is the location of an aircraft crash (the 'Mosquito') which has been rediscovered by residents in recent years. The location is not recognised as a heritage asset by the Council and archaeological evidence is not wholly conclusive as to any aircraft remains on the site. Nonetheless I recognise the event as being historically significant amongst the community, and that the appeal site has a similar importance as the location of the incident. No specific commemorative features are planned within the development, although evidence given by the appellant at the Inquiry positively indicated the potential to provide a memorial on the site, remembrance through measures such as the naming of new streets and open spaces, and incorporation in other features such as public art.

Other submissions by interested parties

42. Local concerns regarding drainage and biodiversity would be addressed through the creation of various new open habitats that include sustainable urban drainage and an improvement on the site's existing habitat value incorporating new management of existing mature trees, resulting in biodiversity net gain. There is a low fluvial flood risk owing to the site's location within Flood Zone 1, and a similarly low risk of surface water flooding, based on an assessment of all potential water sources. Drainage into the watercourse flowing from the site towards the northeast would not increase on current levels.
43. Of remaining matters raised by other parties, appropriate planning conditions would address many of the concerns expressed by objectors to the proposed development. Together, planning conditions and the measures within the section 106 agreement would mitigate detrimental impacts and contribute to the improvement of local infrastructure.

Section 106 agreement

44. A draft s106 agreement was provided in advance of the Inquiry¹³, with a completed agreement signed by the appellant and the Council submitted shortly after closing. Given that an obligation may constitute a reason for granting planning permission only if it meets the tests set out in Regulation 122 of the Community Infrastructure Regulations 2010 and paragraph 58 of the Framework, it falls to me to reach a finding on its acceptability. The Council's Community Infrastructure Levy Compliance Statement¹⁴ justifies each obligation against its adopted policies, and I am satisfied that all contributions sought have been accurately calculated in accordance with the adopted methods of the Council, or other parties where relevant.
45. The agreement confirms that the development would yield affordable housing comprising 30% of all proposed dwellings, which is consistent with Policy H4 of the Local Plan, and would make a positive contribution to the supply of affordable housing in meeting the high level of need for such accommodation. I am satisfied that the agreement is sufficiently robust to ensure that these homes would be delivered.

¹³ CD 8.1

¹⁴ CD 8.3

46. Local need for self-build and custom-build housing would be partly addressed by allocating 10% of housing plots for such development. The mix of accommodation to be provided would ensure that the Council met its relevant statutory obligations and contribute to mixed and balanced communities as encouraged by the paragraph 63 of the Framework.
47. Provision is made for management of open space within the appeal site to appropriately serve the varied recreational requirements of the future population, in accordance with Policy EE13 of the Local Plan. Also necessary are financial contributions to mitigate the new neighbourhood's demand for leisure and outdoor recreation facilities, which will be used to improve the facilities and equipment at Flitwick Leisure Centre and Flitwick Cricket Club. Recreational facilities for the new community's teenagers cannot be provided on the site and there is an identified lack of such activities in the wider community, and as such the contribution towards the provision or improvement of facilities located within a suitable distance of the development would both address demand and benefit the existing community.
48. Funds to improve existing or create new community facilities within the area, such as Flitwick Village Hall, are necessary to meet the demands of both new and existing residents. A contribution to be used for the improvement of the services of Flitwick Library is included for similar reasons, as is also the case for a contribution for the supply of domestic refuse bins within the development.
49. The social and environmental importance and benefits of Flitwick Wood have already been considered, and the agreement incorporates measures to mitigate the impact of recreational demand arising from the development and also benefit existing users. These include a financial contribution to be used for necessary mitigation, woodland rehabilitation and management, and information packs for future occupiers of the appeal site, addressing the requirements of Local Plan Policy EE3 and the HAS17 site allocation.
50. The agreement includes a contribution for the improvement of local health facilities and services, to accommodate demand generated by the development's residents in accordance with NHS requirements and Local Plan Policies HQ2 and HQ3. Similar considerations apply in respect of education, with contributions to provide or improve Special Educational Needs and Disabilities facilities including the creation of new school places, a contribution towards the enlargement of existing primary and secondary schools and/or the construction of new schools which includes the possibility of additional sixth form provision. A contribution will also assist the Council in fulfilling its obligations to secure appropriate childcare and early years education facilities.
51. Various measures are proposed to improve transport infrastructure around the appeal site, to meet the travel needs of its residents and to mitigate the effects of such activity, in accordance with Local Plan Policies HQ1, EE1, EE8, EE12 and T4. The measures incorporate: granting the Council the right to use land within the site for connections to walking and cycling routes; a contribution towards the provision and improvement of local bus stops to encourage sustainable travel and mitigate increased demand; and for similar reasons, funding for specific enhancements and connections to rights of way near the appeal site.
52. The effects and the proposal on the road network and the need for mitigation is set out above. A contribution will enable the Council to further develop the

aforementioned proposals for improvements to local roundabouts, or used for other improvements if it considers that alternative measures to mitigate the development's impacts would provide greater benefit. This approach accords with Local Plan Policy T2.

53. A monitoring fee would cover the costs incurred by the Council in ensuring compliance with the s106 agreement. This is necessary to ensure that the agreement is executed in accordance with its provisions.
54. All of these measures are necessary and justified, and I am satisfied that the Council could rely on the agreement to secure the obligations. Moreover, I am content that the obligations meet the requirements of the statutory and acceptability tests.

Planning Balance

55. The delivery of housing is essential, given the absence of an appropriate short-term housing land supply, and the proposed development would meet an identified need for housing in the area and reduce the imbalance between supply and demand. This attracts very substantial beneficial weight.
56. The provision of affordable housing is an additional benefit. Provision would be in accordance with the Local Plan and would help to address the high level of local demand for such accommodation. Similar considerations apply to the provision of self-building / custom-build housing, and I allocate substantial beneficial weighting to the provision of these housing types.
57. Benefits would also be derived from the obligations of the section 106 agreement. While its measures predominantly mitigate the expected increase in demand for services and infrastructure resulting from an increased population, the provision of community, transport and recreational facilities and improvement to schools and medical provision would be of value to existing residents from outside the appeal site. These benefits attract moderate weight.
58. The scheme design would deliver social and environmental benefits extending beyond those required for policy compliance. These include the improvement of retained open space within the site, incorporating measures that will improve the site's biodiversity, and a link through the site that will provide new access between the leisure centre hub and Flitwick Wood. These are benefits of moderate weight.
59. Although there are concerns that the loss of open views across the appeal site would be harmful, I found that appropriate mitigation measures would be in place. The development's design is appropriate but meeting policy requirements to attain good design that is welcoming to future users does not provide additional benefits. I therefore consider that design considerations are neutral in the balance. In the longer term, the maturation of the large amount of tree planting proposed for the site would be beneficial, and this is a consideration of moderate weight.
60. Measures to mitigate the impact of increased visitor traffic in Flitwick Wood would include interventions that would, over the long term, improve its resilience and environmental value, preserving it into the future. This is a benefit of moderate weight.

61. The additional road traffic generated by the development would increase congestion, which would result in harm of moderate weight. The proposed mitigation measures would address this harm over time.
62. I have had regard to the potential for discovery of archaeological assets, as well as existing assets, for which the Framework suggests at footnote 75 should be treated similarly to designated heritage assets, and have found that there would be no harm in respect of archaeology. Additionally, the particular significance of nearby designated heritage assets would be preserved. The proposal does not commit to the commemoration of the Mosquito crash, and although its relevance has been acknowledged by the appellant, I have not applied any weighting to this matter.
63. The Council cannot currently demonstrate a five-year housing land supply and I have found that the Council's Local Plan policies for housing delivery, which are among the most important for determining the appeal, are out of date. In applying paragraph 11d) of the Framework, I find that 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. The Framework's presumption in favour of sustainable development applies.
64. The Local Plan supports the development of this allocated site as a location for housing, and the appeal proposal addresses the requirements of the HAS17 site allocation. Although the number of homes to be delivered is less than originally proposed, the reduction enables a greater amount of open space that might have otherwise been possible, with commensurate benefits for environmental sustainability. The material benefits of the scheme have been balanced against the conflict with individual policies of the plan. In weighing the adverse impacts of granting permission, I find that they would not significantly and demonstrably outweigh the benefits when assessed against the policies of the Local Plan as a whole.

Conditions

65. Paragraph 57 of the Framework explains that planning conditions must be necessary, relevant to planning and to the development, enforceable, precise and reasonable in all other respects. Intended conditions were discussed between the main parties at the Inquiry, arriving at a final agreed version¹⁵, with an exception set out in the following paragraph. I have made additional minor changes only for clarification and brevity. In accordance with section 100ZA(5) of the Act, the appellant has agreed to the inclusion pre-commencement conditions.
66. Following the discussion, I am satisfied that, for the reasons stated, all these conditions meet the tests and should be imposed for the reasons set out in the conditions schedule. These include protection of local residents' living conditions, environmental sustainability, ensuring appropriate design, provisions for archaeological assessment and treatment of heritage assets, mitigation against flooding and providing appropriate water infrastructure, provision of good living conditions and minimising any risks for future residents and others, and promoting sustainable travel.
67. The exception to agreement between the Council and the appellant concerns the management of landscaping as set out in condition no. 4. I agree with the appellant

¹⁵ ID 11

that it would not be reasonable to expect the condition's measures to be carried out in perpetuity. The section 106 agreement makes provision for management, and accordingly I have not included the requirement in the condition.

68. The appellant also disagrees with the Council's inclusion of a 30-year period for tree replacement within condition no. 4, stating that this is unnecessary and duplicated in biodiversity net gain (BNG) provisions. This proposal's initial application for planning permission was submitted before the commencement of the statutory BNG regime, and as such there is no requirement for BNG in this proposal.
69. Nonetheless, the appellant has committed to achieving BNG as a provision of condition no. 7. My concern is that there is no requirement for this to replicate the statutory version of BNG in every respect, including tree replacement. The planting and management of trees, and their maturation in the landscape is intrinsic to the long-term landscape character promoted by the appeal proposal, and as such there is a clear and necessary requirement for a robust, enforceable tree replacement provision. Accordingly, I have retained the 30-year tree replacement period in condition no. 4.

Conclusion

70. For the reasons set out above, the appeal is allowed and planning permission is granted.

G Rollings

INSPECTOR

Annex A: List of Conditions

1. The development hereby permitted shall begin not later than three years from the date of this permission.
2. Unless otherwise specified by Conditions within this permission the development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:

010; 002 Rev H; 005 Rev M; 011 Rev F; 012 Rev D; 013 Rev E; 014 Rev D;
 015 Rev E; 017 Rev D; 018 Rev E; 019 Rev D; 020 Rev P; 021 Rev E; 022 Rev C;
 10238-FPCR-XX-XX-DR-L-0001 Rev P11;
 10238-FPCR-XX-XX-DR-L-0002 Rev P11;
 10238-FPCR-XX-XX-DR-L-0003 Rev P11;
 10238-FPCR-XX-XX-DR-L-0004 Rev P09;
 10238-FPCR-XX-XX-DR-L-0005 Rev P07;
 10238-FPCR-XX-XX-DR-L-0006 Rev P07;
 10238-FPCR-XX-XX-DR-L-0007 Rev P07;
 10238-FPCR-XX-XX-DR-L-0008 Rev P07;
 10238-FPCR-XX-XX-DR-L-0009 Rev P07;
 10238-FPCR-XX-XX-DR-L-0010 Rev P07;
 10238-FPCR-XX-XX-DR-L-0011 Rev P07;
 10238-FPCR-XX-XX-DR-L-0012 Rev P07;
 Land Off Steppingley Road Flitwick Green Link Rev A (17th March 2025);
 Land Off Steppingley Road Flitwick Traditional Rev A (17th March 2025);
 Land Off Steppingley Road Flitwick Woodland Edge Rev A (17th March 2025);
 Land Off Steppingley Road Flitwick Gateway Entrance Rev A (17th March 2025);
 Land Off Steppingley Road Flitwick Steppingley Road Rev A (17th March 2025);
 Land Off Steppingley Road Flitwick Steppingley Village (17th March 2025);
 Garages & Flying Links (16th April 2024); Traditional Car Port (20th May 2025);
 Q10670_D Issue D; ADC1230-DR-004 Rev P12;
 Plot Passport Barnwood Elevations: Woodland Edge (28th April 2025);
 Plot Passport Barnwood Elevations: Green Link (28th April 2025);
 Plot Passport Barnwood Plans: Green Link And Woodland Edge (28th April 2025);
 Plot Passport Brampton Elevations: Green Link (28th April 2025);
 Plot Passport Brampton Elevations: Woodland Edge (28th April 2025);
 Plot Passport Brampton Plans: Green Link And Woodland Edge (28th April 2025);
 Plot Passport Kielder Elevations Green Link (28th April 2025);
 Plot Passport Kielder Elevations Woodland Edge & Traditional (28th April 2025);
 and Plot Passport Kielder Plans (28th April 2025).

3. No development above slab level shall take place until an open space phasing plan has been submitted to and approved in writing by the Local Planning Authority.

The phasing plan shall detail the timescale and triggers for the completion of all open spaces as defined by drawing number 002 Rev H including implementation, construction, installation, and completion of elements such as footpaths, footpath cycleways, bridges, rights of way connections, bins, benches, planting (including perimeter landscape buffers and pond and basin planting), surfacing, play equipment, boundary treatments (including posts, and gates), ecological enhancement features, SUDs pond, SUDs Basin and rain gardens, as approved by this planning permission and that fall within the boundaries of the open spaces as defined by drawing number 002 Rev H.

Thereafter the site shall be developed and completed in full accordance with the timescale and triggers within the approved open space phasing plan.

4. No development above slab level shall take place until details of the species of trees to be planted within the attenuation basins, and a landscape management and maintenance plan for all soft landscaping within the public open space and highway areas, has been submitted to approved in writing by the Local Planning Authority.

Thereafter the Landscaping of the open spaces and highways shall be carried out in full accordance with the details and specifications in landscape plan numbers:

10238-FPCR-XX-XX-DR-L-0001 Rev P11;

10238-FPCR-XX-XX-DR-L-0002 Rev P11;

10238-FPCR-XX-XX-DR-L-0003 Rev P11; and

10238-FPCR-XX-XX-DR-L-0004 Rev P09, as amended by Condition 9, 26 and 44 of this decision notice as well as the details approved under this condition, unless otherwise approved in writing by the Local Planning Authority and shall be managed and maintained in accordance with the approved details.

The Landscaping of the open spaces of the site shall be implemented in full accordance with the open space phasing plan as approved under Condition 3 of this decision.

The Landscaping of highway verges and street trees shall be implemented within the timescales/ triggers / phasing approved under Condition 16 of this decision notice.

Any trees that die or are destroyed within a period of 30 years following implementation of the landscape scheme shall be replaced during the next planting period (October to March).

5. No dwelling shall be first occupied until the plot has been landscaped in full accordance with the details and specification in landscape plan numbers:
10238-FPCR-XX-XX-DR-L-0005 Rev P07;
10238-FPCR-XX-XX-DR-L-0006 Rev P07;
10238-FPCR-XX-XX-DR-L-0007 Rev P07;
10238-FPCR-XX-XX-DR-L-0008 Rev P07;
10238-FPCR-XX-XX-DR-L-0009 Rev P07;
10238-FPCR-XX-XX-DR-L-0010 Rev P07;
10238-FPCR-XX-XX-DR-L-0011 Rev P07; and
10238-FPCR-XX-XX-DR-L-0012 Rev P07.
6. No development above slab level shall take place until details of the design, materials and type of boundary treatment to be erected, as indicated on drawing number 015 Rev E, (as may be amended by details approved under Condition 26 of this permission) has been submitted to and agreed in writing by the LPA.

Thereafter:

- No dwelling shall be first occupied until the boundary treatments (including gates to communal parking areas) associated with that plot, including its car parking spaces, have been fully constructed / erected / installed, in full accordance with the approved details and drawing number 015 Rev E.
- All boundary treatments within the open spaces as defined by Drawing 002 Rev H shall be fully constructed / erected / installed, in full accordance with the

approved details and drawing number 015 Rev E and the approved open space phasing plan as approved under Condition 3 of this planning permission and they shall be thereafter retained in perpetuity.

7. No development above slab level shall commence until a detailed Landscape and Ecological Enhancement Strategy has been submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure that Landscaping, Ecological, habitat and small-scale species enhancement measures would deliver a net gain for biodiversity (in combination with any necessary off site mitigation) and a high-quality landscaping scheme. The Landscape and Ecological Enhancement Strategy shall include the following:

- Purpose and conservation objectives for the proposed works;
- Review of site potential and constraints;
- Detailed design(s) and/or working method(s) to achieve stated objectives;
- Extent and location/area of proposed works on appropriate scale maps and plans (including elevation plans);
- Type and source of materials to be used where appropriate, e.g. native species of local provenance;
- A biodiversity metric demonstrating a net gain in biodiversity;
- Timetable for implementation demonstrating that works are aligned to the proposed phasing of development;
- Persons responsible for implementing works;
- Details of after-care and long-term maintenance and management of all soft landscaping and ecological enhancement measures, including the ecological management area and measures for the replacement of dead or dying trees;
- Details for monitoring and remedial measures;
- Details for disposal of any wastes arising from works.

The approved Landscape and Ecological Enhancement Strategy shall be implemented in accordance with the approved details, and all features shall be retained in that manner thereafter.

8. Notwithstanding the details submitted with the application, no dwelling hereby approved shall be first occupied until, details of the design and location of dog waste bins, litter bins and bridges within the open space, as well as all benches within the open space (including Play Area), have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include provisions for future management and maintenance of the items proposed as well as a timetable for their implementation.

The details shall include suitable arm rests (to assist users to stand) on all benches, and the bridge, benches and bins shall be located in broad accordance with the details illustrated on drawing numbers 10238-FPCR-XX-XX-DR-L-0003 Rev P11, and Q10670_D Rev D.

Thereafter the dog waste bins, litter bins, benches, and bridge shall be installed in full accordance with the approved details.

9. No development above slab level shall commence until a detailed specification of the proposed Rain Gardens, as shown on plan number 10238-L-01 Flitwick_Gi Masterplan Rev E, have been submitted to and approved in writing by the Local Planning Authority. The detailed specification shall include a section detail of the proposed rain gardens inclusive of shallow depression, details of edging (if required), absorbent free draining soil, depth of topsoil and overflow treatment as well as a timetable for implementation.

Thereafter the development shall be constructed in full accordance with the approved details.

10. The development and tree works shall only be carried out in full accordance with BS5837:2012 and the detail and recommendations contained within the approved Tree Survey Arboricultural Impact Assessment and Method Statement reference AAS/0268 Rev 09 dated 15/05/2025.
11. No equipment, machinery or materials shall be brought on to the site for construction purposes until the substantial protective fencing for the protection of any retained trees, as detailed within the approved Tree Survey Arboricultural Impact Assessment and Method Statement reference AAS/0268 Rev 09 dated 15/05/2025, has been erected in the positions shown on the at Appendix 2 and Appendix 6 of that document. The approved fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, other than the works to be undertaken as detailed within the approved Tree Survey Arboricultural Impact Assessment and Method Statement reference AAS/0268 Rev 09 dated 15/05/2025.
12. No development shall commence until, a detailed surface water drainage scheme for the site, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include provision of attenuation for the 1 in 100 year event (+40% CC), and shall include a 10% allowance for urban creep over the lifetime of the development. The final detailed design shall be based on the agreed FRA & Drainage Strategy (Ref: ADC1230-RP-A, Rev 7, 21/3/2025), and DEFRA's Non-statutory technical standards for sustainable drainage systems (March 2018). Surface water will be controlled and disposed of via infiltration in line with Building Regulations Part H. An overflow from the pond can be constructed in line with drawing ref; ADC1230/DR/050, rev P7, 06/05/25 with a maximum of QBar discharge rate.

The applicant should address the following points when submitting details to discharge the condition:

- The submission shall include a Hydrological Impact Assessment that considers impacts of the detailed Surface water drainage scheme on the Veteran Tree 43 and shall demonstrate the detailed surface water drainage scheme would not result in the loss of or deterioration of the veteran tree;
- Details of headwalls shall be provided;

- Evidence of the use of infiltration and reasons why not in the areas not used;
- Half drain times should be adjusted to 24 hours;
- Permeable block paving should be laid to CIRIA C768 “Guidance on the construction of SuDS” guidelines. This guidance also stipulates following Interlay guidance;
- The final detailed design including proposed standards of operation, construction, structural integrity and ongoing maintenance shall be compliant with the ‘Non-statutory technical standards for sustainable drainage systems’ (March 2015, Ref PB14308), ‘Central Bedfordshire Sustainable Drainage Guidance’ (Adopted April 2014, Updated May 2015), and recognised best practise including the Ciria SuDS Manual (2016, C753);
- Land drainage consent under the Land Drainage Act 1991 must be secured to discharge surface water to an existing watercourse/ditch, and details of this provided with the full detailed design.

The surface water drainage scheme shall be implemented and phased as approved. Any variation to the connections and controls indicated on the approved details which may be necessary at the time of construction would require the resubmission of those details to the Local Planning Authority for approval.

13. No building/dwelling shall be occupied until a Maintenance and Management Plan for the entire surface water drainage system, inclusive of any adoption arrangements and/or private ownership or responsibilities, has been submitted to and approved in writing by the Local Planning Authority. Any watercourses within or immediately adjacent to the site should be included in the maintenance and management plan, even if there is no discharge to them. Thereafter the entire surface water drainage system and watercourses shall be maintained in full accordance with the approved maintenance and management plan in perpetuity.
14. No development shall commence until a detailed foul water drainage scheme, to manage foul drainage from the development has been submitted to and approved in writing by the Local Planning Authority. The final detailed design shall be based on a scheme for discharge to the mains drainage network and shall include measures for the maintenance of the proposed scheme. Thereafter the development shall only be carried out in full accordance with the approved foul water drainage scheme and no dwelling shall be occupied until the foul water drainage facilities for the dwelling are available.
15. No development shall take place until details of the existing and final ground levels and slab levels of the buildings hereby approved have been submitted to and approved in writing by the Local Planning Authority. Such details shall include:
 - A plan showing existing and proposed ground levels, and finished floor levels, all referenced to a fixed datum point like the Ordinance Datum, including adjoining land;
 - Sections through both the site and the adjoining land, the location of which shall first be agreed in writing with the Local Planning Authority; and
 - A plan showing the proposed gradients of all footpaths, cycleways, rights of way connections, crossings, open spaces and gardens.

Thereafter the site shall only be developed in full accordance with the approved details.

16. Notwithstanding the details submitted, no dwelling hereby permitted shall be first occupied until details of all surfacing materials for parking areas, footpaths, dropped kerbs and roads (including traffic calming measures and kerbs) have been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that the design incorporates measures to meet the needs for those with disabilities and shall accord with the approved detailed surface water drainage strategy for the site.

The scheme shall include details of triggers/ timescales / phasing of all hard surfacing of all roads and associated paths, crossings, highway landscaping (including verges and street trees) and visitor car parking areas as well as details of long-term maintenance and management of those spaces has been submitted to and approved in writing by the Local Planning Authority. Thereafter the hard landscaping shall be completed in full accordance with the approved scheme, and managed and maintained thereafter in accordance with the approved details.

17. No development above slab level shall take place until details of the proposed electric vehicle charging points has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the design/appearance of charge points to be installed at the locations indicated on drawing number 011 Rev F including at least one charging point per dwelling. The development shall be completed in accordance with these approved details.
18. No development above slab level shall take place at the units specified below until a communal parking scheme, has been submitted to and approved in writing by the local planning authority. The scheme shall include:

- A detailed specification for each of the communal car parks serving plots:
 - a. 3-11;
 - b. 138, 139, 140, 141, and 142;
 - c. 157, 158, 159, 160, and 161;
 - d. 162, 163, 164, and 165,including details of surfacing, surface water drainage, demarcation of car parking spaces, gates, boundary treatments and lighting;
- Specification of gates;
- A plan indicating the land subject to the scheme; and
- A maintenance and management plan for the communal parking scheme, including details of the responsible body.

Thereafter no dwelling at plots 3-11, 138, 139, 140, 141, 142, 157, 158, 159, 160, 161, 162, 163, 164, and 165, shall be first occupied until the communal car park serving that plot has been completed in full accordance with the approved details and landscaped in full accordance with drawing numbers:
10238-FPCR-XX-XX-DR-L-0005 Rev P07;
10238-FPCR-XX-XX-DR-L-0007 Rev P07;

10238-FPCR-XX-XX-DR-L-0008 Rev P07;
10238-FPCR-XX-XX-DR-L-0009 Rev P07; 10238-FPCR-XX-XX-DR-L-0010 P07;
and 10238-FPCR-XX-XX-DR-L-0011 P07.

The communal car parks shall be managed and maintained in full accordance with the approved details in perpetuity.

19. No dwelling hereby permitted shall be first occupied until all car parking spaces associated with that dwelling (including any associated garage building, flying link, car port, and private access road within the curtilage of that dwelling), as indicated on drawing reference 011 Rev F, has been constructed and surfaced in full accordance with the approved plans.
20. The development hereby permitted shall not be occupied until details of sheds within gardens to provide secure long term cycle parking at a minimum of 1 space per dwelling as indicated on drawing reference 011 Rev F has been submitted to and approved in writing by the Local Planning Authority. Thereafter no dwelling shall be first occupied until the secure long term cycle parking to be provided within garages, cycle stores or sheds within gardens, as indicated on drawing reference 011 Rev F, to serve that dwelling has been provided in full accordance with the approved details and plans.
21. No dwelling hereby approved shall be first occupied until the bin storage/collection areas serving that dwelling have been provided in full accordance with the approved details. The bin storage/collection areas shall be provided and retained thereafter.

No dwelling at Plots 3-11 shall be first occupied until:

- The bin store to serve those dwellings has been constructed in full accordance with the approved plans;
 - The bin store to serve those dwellings is served by a dropped kerb to enable access and egress from the highway;
 - The access to the bin store to serve those dwellings from the public highway has been surfaced in full accordance with approved plans;
 - Lighting within the bin store to serve those dwellings has been provided; and
 - The bin store to serve those dwellings has been secured with a lock to prevent fly tipping and a lock code has been provided to the Local Planning Authority to enable access for waste collection.
22. The development hereby permitted shall not be occupied or brought into use until the details of any external lighting to be installed on the site, including the design of the lighting unit, any supporting structure and the extent of the area to be illuminated, have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed in accordance with the approved details.

The lighting scheme shall accord with the WLC Lighting Assessment Version F3 and the MKA Ecology Technical Note: Lighting Assessment dated 02 May 2024.
 23. No works above slab level shall take place and no construction of hard surfacing shall take place, until a scheme has been submitted to and approved in writing by

the Local Planning Authority for the provision of fire hydrant(s) at the development. Prior to the first occupation of a dwelling the fire hydrants serving that development shall be installed as approved. Thereafter the fire hydrants shall be retained as approved in perpetuity.

24. No dwelling hereby approved shall be occupied until the junctions between the proposed estate road and the highway and the supporting highways works including cycleway/ footpath, footpaths, raised junction plateau proposed uncontrolled crossing, as shown on drawing references 005 Rev M and ADC1230-DR-004 Rev P12 have been constructed in accordance with the approved details, amended as necessary by the technical and safety audit process, and opened to traffic/use.
25. No vehicular access or footway/cycleway road crossing hereby approved shall be first brought into use until the visibility splays for that access have been provided, in full accordance with the specifications set out below:
 - a) Visibility splays shall be provided at both junctions with Steppingley Road with minimum dimensions of 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 54.0m to the south and 50.0m to the north, measured from the centre line of the proposed access along the line of the channel of the public highway.
 - b) At all internal road junctions within the site, visibility splays shall be provided with minimum dimensions of 2.4m measured along the centre line of the proposed access from its junction with the channel of the through road and 25m in each direction along the through road, measured from the centre line of the proposed access along the line of the channel of the through road. This is with the exception of the driveways parallel to Steppingley Road, where 2.4x17m splays are required.
 - c) At each private vehicular access, triangular pedestrian visibility splays shall be provided on both sides of the access with dimensions of 2.8 metres measured along the back edge of the highway and 2.0 metres measured into the site, taken from the centre line of the anticipated vehicle path.
 - d) At each location where a footway/cycleway crosses a road, non-motorised user cyclist visibility splays of 2.5x25m or 2.5x17m, or pedestrian splays of 1.5mx25m shall be provided, in accordance with drawing ADC1230-DR-017 P4 (Internal layout visibility assessment).

Thereafter, within all visibility splays required by this condition, no building, structure, fence, wall, planting, earthworks or other obstruction to visibility exceeding 600 millimetres in height above the adjoining footway or carriageway level shall be erected, planted or retained.

26. No development above slab level shall take place until details for turning areas or emergency route for Fire Tenders (8.6m in length) has been submitted to and approved in writing by the Local Planning Authority. The details shall include any necessary changes required to landscaping or boundary treatments. The approved scheme shall be implemented prior to any occupation of the dwellings effecting by this scheme and shall remain for this purpose throughout the lifetime of the development.

27. Prior to the first occupation of the development hereby approved, the footway / cycleway works on Steppingley Road, running from the development site to the entrance to Templefields Lower School, as shown indicatively on drawing references ADC1230-DR-011 P8 and ADC1230-DR-019 P1 shall have been provided in accordance with details that shall first have been submitted to and approved in writing by the local planning authority and amended as necessary by the technical and safety audit process
28. No dwelling shall be first occupied until a scheme for the provision of broadband infrastructure, has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall only be carried out in full accordance with the approved details.
29. No development above slab level shall take place, notwithstanding the details submitted with the application, until a detailed specification of the materials to be used for the external walls, roofs, rainwater goods, fascia boards, architectural detailing, windows, doors and garage doors to be provided in the development hereby approved, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
30. No development above slab level shall take place, notwithstanding the details submitted with the application, until details of the location, quantum and design of solar panels to be installed upon the dwellings hereby permitted, have been submitted to and agreed in writing by the Local Planning Authority. The submitted details shall be sufficient to achieve or exceed the targets set out in the JSP Ltd Sustainability (March 2024) Sustainability Statement Revision A.

Thereafter the development shall only be carried out in full accordance with the approved details and the JSP Ltd Sustainability (March 2024) Sustainability Statement Revision A.
31. All dwellings hereby approved must comply with the water efficiency standard of 110 litres per person per day as detailed by Regulation 36(2)(b) of Part G of Schedule 1 and Regulation 36 to the Building Regulations 2010 (as amended).
32. No more than 164 dwellings on the site shall be first occupied until a Post-Construction Verification Report, has been submitted to and approved in writing by the Local Planning Authority. The Pre Construction Verification Report shall confirm that the measures to address climate change and sustainability, as set out in the approved JSP Ltd Sustainability (March 2024) Sustainability Statement Revision A, have been implemented and the emission rate will better Part L 2021 by 10% and each dwelling has achieved water consumption lower than 110 litres per person per day. The report shall include the following information:
 - Part L compliance documents for the worst performing dwellings for each type;
 - Part G calculation for each type; and
 - Part O compliance documents for the worst performing dwellings for each type.
33. The dwellings hereby approved at Plots 1, 2, 12, 13, 14, 15, 16, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 54, 56, 57, 58, 60, 61, 62, 63, 64, 65, 66, 68, 69, 85, 86, 87, 88, 89, 90, 91, 92, 106, 107, 109, 110, 115, 116, 122, 123, 124, 125, 126, 127, 128, 129, 130, 137, 138, 139, 141, 142, 143, 144, 145,

- 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 157, 158, 159, 162, 163, and 165, as indicated on drawing reference 022 Rev C, shall only be constructed in full accordance with the optional requirements of M4(2) for accessible and adaptable dwellings as defined in the Building Regulations 2010 as amended and Approved Document M (Access to and use of buildings).
34. The dwellings hereby approved at Plots 3, 4, 5, 112, 120, 121, 131, 132, and 133 as indicated on drawing reference 022 Rev C and Document titled Gateway Entrance Rev A (Ground Floor Apartments), shall only be constructed in accordance with the optional requirements of M4(3)(2)(a) for wheelchair adaptable dwellings as defined in the Building Regulations 2010 as amended and Approved Document M (Access to and use of buildings).
35. Each dwelling at Plots 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, and 53 as indicated on drawing number 014 Rev D, shall not be first occupied until the final details of the internal layouts of that building have been submitted to and approved in writing by the Local Planning Authority. The buildings at Plots 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, and 53 shall thereafter be carried out in accordance with the approved details.
36. Notwithstanding the provisions of Part 1, Class A of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no side extensions to the dwellinghouses at Plots 2, 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 29, 30, 31, 32, 33, 34, 36, 38, 39, 41, 42, 43, 44, 45, 46, 49, 51, 52, 54, 55, 57, 58, 59, 60, 61, 62, 63, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 86, 87, 88, 89, 90, 92, 93, 94, 95, 96, 97, 98, 99, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 112, 113, 114, 115, 116, 118, 120, 122, 124, 125, 127, 128, 134, 144, 145, 146, 147, 148, 149, 152, 153, 155, 156, 166, 168, 169, and 170 hereby approved and as indicated on drawing number 005 Rev M, shall be carried out without the grant of further specific planning permission from the Local Planning Authority.
37. Notwithstanding the provisions of Part 1, Class A of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no rear extensions to the dwellinghouses at Plots 23, 28, 47, 53, 56, 94, 102, 119, 129, 149, and 143, hereby approved and as indicated on drawing number 005 Rev M, shall be carried out without the grant of further specific planning permission from the Local Planning Authority.
38. Notwithstanding the provisions of Part 1 Class E and Part 2 Class A 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 buildings or other structures and no fences, gates (other than the approved gates for communal parking areas), walls or other means of enclosure shall be erected or constructed in whole or in part on land which forms a car parking space, or on land between a car parking space (including garages) and the vehicular access to the highway, as illustrated on drawing 011 Rev F without the grant of further specific planning permission from the Local Planning Authority.

39. Part A:

The development hereby approved shall be carried out in full accordance with Knight, R (2024) Steppingley Road, Flitwick, Bedfordshire: Written Scheme of Archaeological Resource Management. Cotswold Archaeology project reference MK1248, version 3, dated 28th March 2025.

Part B:

This condition shall only be fully discharged when:

- a) all elements of the archaeological fieldwork have been completed and the date of completion has been confirmed in writing by the Local Planning Authority
- b) a final archaeological report or (if appropriate) a Post Excavation Assessment report and an Updated Project Design has been submitted to and approved in writing by the Local Planning Authority. This shall be done within 12 months of the date of completion of the archaeological fieldwork unless otherwise agreed in advance in writing by the Local Planning Authority
- c) the post-excavation analysis as specified in the approved Updated Project Design (if one is prepared) has been completed.
- d) the preparation of the site archives (including the completion of the archive report) for deposition at stores approved by the Local Planning Authority has been undertaken and confirmed in writing by the Local Planning Authority. For the digital archive this will include confirmation of the intention to deposit with a CoreTrustSeal certified repository dedicated to storing archaeological archives.
- e) the publication report text has been prepared for submission to either a recognised archaeological journal or an approved final report is submitted to the Historic Environment Record, and this has been confirmed in writing by the Local Planning Authority.

Unless otherwise agreed in advance in writing by the Local Planning Authority, items 3, 4 and 5 of Part B of this condition shall be completed within 2 years of the archaeological fieldwork date of completion. Should the project not warrant the production of a Post Excavation Assessment report, an Updated Project Design and a publication text, Item 5 can be completed on the approval of the final archaeological report.

40. If during the works, contamination is encountered which has not previously been identified, then the additional contamination shall be fully assessed in an appropriate remediation scheme which shall be submitted to and approved in writing by the local planning authority. The scheme shall be of such a nature as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters. The Local Planning Authority shall approve in writing such remedial works as required prior to any remediation works commencing on site. Thereafter the development shall be carried out in full accordance with the approved details.
41. 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 include the following:

- Risk assessment of potentially damaging construction activities.
- Identification of “biodiversity protection zones”.
- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements), including measures for construction lighting.
- The location and timing of sensitive works to avoid harm to biodiversity features.
- The times during construction when specialist ecologists need to be present on site to oversee works.
- Responsible persons and lines of communication.
- The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- Contact details for the ECoW or alternative contact
- Use of protective fences, exclusion barriers and warning signs.

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

42. No development shall take place, until a Construction Management Plan, associated with the development of the site, has been submitted and approved in writing by the Local Planning Authority which will include information on:
- a) Construction working hours;
 - b) Measures for vibration;
 - c) Measures for air quality and dust suppression;
 - d) The parking of vehicles including measures to ensure that construction workers park within the development site;
 - e) Loading and unloading of plant and materials used in the development;
 - f) Storage of plant and materials used in the development;
 - g) The erection and maintenance of security hoarding / scaffolding affecting the highway if required;
 - h) Wheel washing facilities;
 - i) Measures on site to control the deposition of dirt / mud on surrounding roads during the development;
 - j) Footpath/footway/cycleway or road closures needed during the development period;
 - k) Traffic management needed during the development period;

- l) 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;
- m) Details of measures for surface water drainage during construction; and
- n) Contact details for Site Manager or other appropriate contact.

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

43. No more than 50% of the dwellings hereby approved shall be first occupied until a Public Art Plan has been submitted to and approved in writing by the local planning authority. The Public Art Plan should detail:
- a) Management – identify who will administer the plan including programming b) to f) below.
 - b) Brief for involvement of artists, site context, background to development, suitable themes and opportunities for Public Art.
 - c) Method of commissioning artists / artisans, means of contact, selection process / selection panel and draft contract for appointment of artists.
 - d) Community engagement - need to plan a programme of engagement with appointed artist/s.
 - e) Funding - budgets and administration.
 - f) Future care and maintenance.

Installation of Public Art will be completed no later than 12 months of occupation of the final unit. The Public Art Plan shall be implemented in full and as approved details.

44. Notwithstanding the details submitted with the application, no dwelling hereby permitted shall be first occupied until details of tree guards and tree grilles have been submitted to and approved in writing by the Local Planning Authority. The tree grilles shall be circular in design to maximise their effectiveness in protecting trees while allowing for natural airflow and water penetration. Details shall also include measures for maintenance of the installed grilles.

Thereafter the tree guards and grilles and landscaping shall be undertaken and installed in full accordance with the approved details.

45. No dwelling hereby permitted shall be first occupied until a detailed scheme for protecting the proposed dwellings from noise from Steppingley Road, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details and locations for all attenuation measures, to ensure appropriate internal noise levels within habitable rooms and external amenity areas (such as gardens) are achieved and an appropriate ventilation strategy. The scheme shall accord with the Noise Harvest (20th May 2025) Environmental Noise Report 2021-07-01 A0047 Rev E. No dwellings shall be occupied until the works to protect the dwelling concerned have been completed in accordance with the approved details.

Annex B: Core documents

CD1 Application Documents

- 1.1 Application Form
- 1.2 Public Open Space Layout (JIG028-002 H)
- 1.3 Planning Layout (JIG028-005 M)
- 1.4 Parking Dispersion (JIG028-011 F)
- 1.5 Storey Heights (JIG028-012 D)
- 1.6 Occupancy (JIG028-013 E)
- 1.7 Tenure (JIG028-014 D)
- 1.8 Boundaries (JIG028-015 E)
- 1.9 Garden Areas (JIG028-016 E)
- 1.10 Refuse Storage (JIG028-017 D)
- 1.11 Materials Layout (JIG028-018 E)
- 1.12 Character Areas (JIG028-019 D)
- 1.13 Presentation Layout (JIG028-020 P)
- 1.14 Public Rights of Way Scheme (JIG028-021 E)
- 1.15 BR Part M Dispersion (JIG028-022 C)
- 1.16 Green Infrastructure Masterplan (10238-L-01 E)
- 1.17 Proposed access locations (ADC1230-DR-004 P12)
- 1.18 Proposed Drainage Strategy Layout Sheet 1 (ADC1230-DR-050 P7)
- 1.19 Proposed Drainage Strategy Layout Sheet 2 (ADC1230-DR-051 P4)
- 1.20 POS General Arrangement (10238-FPCR-XX-XX-DR-L-0001 P11)
- 1.21 POS Detailed Planting Plan (1 of 2) (10238-FPCR-XX-XX-DR-L-0002 P11)
- 1.22 POS Detailed Planting Plan (2 of 2)
- 1.23 Root Barrier Plan (10238-FPCR-XX-XX-DR-L-0004)
- 1.24 On plot Planting Plan (10238-FPCR-XX-XX-DR-L-0005 P07)
- 1.25 On plot Planting Plan (1 of 7) (10238-FPCR-XX-XX-DR-L-0006 P07)
- 1.26 On plot Planting Plan (2 of 7) (10238-FPCR-XX-XX-DR-L-0007 P07)
- 1.27 On plot Planting Plan (3 of 7) (10238-FPCR-XX-XX-DR-L-0008 P07)
- 1.28 On plot Planting Plan (4 of 7) (10238-FPCR-XX-XX-DR-L-0009 P07)
- 1.29 On plot Planting Plan (5 of 7) (10238-FPCR-XX-XX-DR-L-0010 P07)
- 1.30 On plot Planting Plan (6 of 7) (10238-FPCR-XX-XX-DR-L-0011 P07)
- 1.31 On plot Planting Plan (7 of 7) (10238-FPCR-XX-XX-DR-L-0012 P07)
- 1.32 Steppingley Road LEAP (Q10670 B)
- 1.33 Design and Access Statement (JBB8910.C7853 Updated March 2025)
- 1.34 Design Statement (Pegasus Uploaded 21/03/2025)
- 1.35 Planning Statement (RPS) (March 2025)
- 1.36 Air Quality Assessment (J10-16259A-10-D1 Rev 01)
- 1.37 Arboricultural Impact Assessment and Method Statement (AAS/0268 Rev 09)
- 1.38 Written Scheme of Archaeological Resource Management (AAS/0268 Rev 2)
- 1.39 Preliminary Ecological Appraisal (Rev 3.0)
- 1.40 Reptile Survey (Rev 2.0)
- 1.41 Bat Activity Survey Report (Rev 2.0)
- 1.42 Breeding Bird Survey (Rev 2.0)
- 1.43 Biodiversity Net Gain Plan (Rev 3.0)
- 1.44 Ecology Technical Note (20th Jan 2023)
- 1.45 Ecology Planning Response Note (15th October 2024)
- 1.46 Ecology Planning Response Note (March 2025)
- 1.47 Ecology Technical Note: Lighting Assessment (Rev 1.0)

- 1.48 Updated Site Walkover (Rev 2.0)
- 1.49 Flitwick Wood Impact Assessment (May 2019)
- 1.50 Flitwick Wood Impact Assessment Update (7th October 2022)
- 1.51 Flitwick Wood CWS Mitigation Strategy (11 March 2025)
- 1.52 Flood Risk Assessment (ADC1230-RP-A Rev V7)
- 1.53 Flood Risk Addendum (ADC1230-RP-F V3)
- 1.54 WATERCOURSE CULVERT SURVEY (ADC1230-RP-G V3)
- 1.55 Geotechnical and Geo-Environmental Report (210384-RGL-ZZ-XX-RP-G-
- 1.56 Geophysical survey (21/100)
- 1.57 Heritage Assessment (JAC 27490 Updated 08/05/2024)
- 1.58 Landscape and Visual Assessment (Updated March 24)
- 1.59 LVA Addendum (Uploaded 26/01/23)
- 1.60 Lighting Assessment (WLC501-LA-001)
- 1.61 Mineral Resource Assessment (210907)
- 1.62 Environmental Noise Report (A0047 E)
- 1.63 Sustainability Statement (Rev A)
- 1.64 Topographical Survey
- 1.65 Updated Transport Assessment (ADC1230-RP-H v3 – 11/03/2024)
- 1.66 Transport Assessment Addendum (ADC1230-RP-J v4 (14th October 2024)
- 1.67 Transport Technical Note – Response to CBC Highways Comments
- 1.68 Transport Technical Note - Response Note to CBC Highways Comments
- 1.69 Transport Technical Note - Site access junction modelling (ADC1230 RP U
- 1.70 Residential Travel Plan (ADC1230-RP-E V6)
- 1.71 Steppingley Road CA Housetype Pack (17th March Rev A)
- 1.72 Steppingley Village CA Housetype Pack (17th March Rev A)
- 1.73 Green Link CA Housetype Pack (17th March Rev A)
- 1.74 Traditional CA Housetype Pack (17th March Rev A)
- 1.75 Woodland Edge CA Housetype Pack (17th March Rev A)
- 1.76 Gateway Entrance Housetype Pack (17th March Rev A)
- 1.77 Garages and Flying Links Pack (17th March Rev A)
- 1.78 Traditional Car Port (20th May 2024)
- 1.79 Location Plan (JIG028-010)

CD2 Officer Report, Decision Notice, Application Correspondence

- 2.1 Decision Notice
- 2.2 Officer Committee Report
- 2.3 Committee Late Sheet
- 2.4 CBC Highways consultation response of 16 May 2025
- 2.5 Response to planning application CB/22/04108 - CBC Countryside Team (22nd
- 2.6 RPS email to LPA (requesting clarification on RfR2) – 10th July 2025
- 2.7 Minutes of Development Management Committee
- 2.8 CBC's Ecologist statutory consultation response dated 15.04.25
- 2.9 CBC's Landscape consultation response dated 22.04.25
- 2.10 CBC Landscape consultation response dated 14.05.25

CD3 The Development Plan/Policy/Guidance/Studies Documents

- 3.1 Central Bedfordshire Local Plan 2015 to 2035 (Print Version)
- 3.2 Central Bedfordshire Local Plan Policy Map Insert – Flitwick
- 3.3 CBC Housing Land Supply Statement (dated 1st April 2025 V4)
- 3.4 Housing Trajectory Schedule for Central Bedfordshire - Detailed Site Schedule

- 3.5 Luton and Central Bedfordshire SHMA (2017)
- 3.6 Central Bedfordshire Local Plan Examiners Report (15 July 2021)
- 3.7 CBC Self-Build and Custom-Build Monitoring Report (July 2025)
- 3.8 CBC Design Guide
- 3.9 Local Development Scheme (January 2025)
- 3.10 CBC 'Our Strategic Plan 2024-27'
- 3.11 CBC 'Homelessness and Rough Sleeping Strategy 2020 to 2025'
- 3.12 Housing Allocations Policy (December 2023)
- 3.13 Housing Allocations Policy Summary Leaflet
- 3.14 Central Bedfordshire Mineral and Waste Local Plan 2014
- 3.15 Central Bedfordshire Council Local Plan - Windfall Topic Paper (January

CD4 Appeal Documents

- 4.1 Appeal Pre-notification Letter (30/07/25)
- 4.2 Draft S106 Agreement
- 4.3 Email 3 November 2025 from Council to PINS and Appellant
- 4.4 Inspectors Post CMC Note (13 November 2025)
- 4.5 Planning Statement of Common Ground
- 4.6 Officer e-mail to PINS re: 5YHLS Position (12/11/2025)

CD5 Relevant Appeal Decisions

- 5.1 Pins Ref: 2197532 and 2197529 – Audlem Road, Nantwich – 15th July 2020
- 5.2 Pins Ref: 3227970 – Cox Green Road, Surrey – 16th September 2019
- 5.3 Pins Ref: 3284485 – Station Road, Stallbridge, North Dorset – 20th June 2022
- 5.4 Pins Ref: 3270721 – Westhampnett / North East Strategic Development
- 5.5 Pins Ref: 3194926 – Woolpit - 28th September 2018
- 5.6 Pins Ref: 3169314 - Woburn Sands, Milton Keynes – 25th June 2020
- 5.7 Pins Ref: 2212671 – Darnhall School Lane – 4th November 2019
- 5.8 Pins Ref: 3180729 – Gleneagles Way, Hatfield Peveril – 8th July 2019
- 5.9 Pins Ref: 3216104 – Popes Lane, Sturry – 3rd September 2019
- 5.10 Pins Ref: 3265861 – Sonning Common – 25th June 2021
- 5.11 Pins Ref: 3292721 – Spruce close
- 5.12 Pins Ref: 3330615 – Weddington – 26th July 2024
- 5.13 Pins Ref: 3301202 – Freeland – 18th January 2023
- 5.14 Pins Ref: 3341832 – Biggleswade – 11th November 2024
- 5.15 Pins Ref: 3329928 – Four Marks – 10th April 2024
- 5.16 Pins Ref: 3289401 – Arlesley Road, Stotfold
- 5.17 Pins Ref: 3363912 - Sandy Road, Potton
- 5.18 Pins Ref: 3136237 - Langton Road, Norton
- 5.19 Pins Ref: 3332590 - Coombebury Cottage, Dunsfold
- 5.20 Pins Ref: 3343707 - Braeburn Way, Cranfield
- 5.21 Pins Ref: 3303489 - Dene Road, Cotford St Luke
- 5.22 Pins Ref: 3347530 - Grove End, Bagshot
- 5.23 Pins Ref: 3191477 - Land east of Park Lane, Coalpit Heath, South
- 5.24 Land off Hepworth Road, Woodville (25 June 2019);
- 5.25 Corner Mead, Newland Lane, Droitwich Spa (13 July 2020);
- 5.26 Land at Church Lane, Whittington (20 November 2020);
- 5.27 Land behind 31-33 The Causeway, Steventon (28 May 2021);
- 5.28 Land off Bullens Green Lane, Colney Heath (14 June 2021);
- 5.29 Land to the rear of Brock Cottage, Burford Road, Brize Norton (11 July 2022);

- 5.30 Land adjacent to Walton Hall, Chapel Lane, Walton (8 September 2022);
- 5.31 Land South of (East of Griffin Place) Radwinter Road, Swards End, Saffron
- 5.32 Land adjoining Pondview, Sturt Green, Holyport, Berkshire (17 April 2023);
- 5.33 Land between Lodge Lane and Burtons Lane, Little Chalfont, Amersham (8
- 5.34 Land west of Suffolk House, Ixworth Road, Norton (27 June 2023);
- 5.35 Land at St. Peters Street, Caxton (1 August 2023);
- 5.36 Land adjacent to 110 Ribchester Road, Clayton Le Dale, Blackburn (1 May
- 5.37 Land adjacent to Langton Hall, West Langton (28 August 2024);
- 5.38 Land at Barnet Lane and Furzehill Road, Borehamwood, Hertfordshire (27
- 5.39 65a Renhold Road, Wilden, Bedford (23 June 2025);
- 5.40 Appeal Decision 2025 Flitton Road Greenfield
- 5.41 Appeal Decision 2020 Langford Road Henlow
- 5.42 Appeal Decision 2023 Caldecote Road Ickwell
- 5.43 Appeal Decision 2023 High Street Meppershall
- 5.44 Appeal Decision 2024 Stockbridge Road Clifton

CD7 Other Supporting Information

- 7.1 Landscape Institute TGN 02-21 Assessing Landscape Value Outside National
- 7.2 Extracts from the Central Bedfordshire Landscape Character Assessment
- 7.3 Flitwick Wood Visitor Survey Final Report (September 2025)
- 7.4 PPG The Design: Process and Tools
- 7.5 National Design Guide, October 2021
- 7.6 National Model Design Codes
- 7.7 Marston Vale Design Guide
- 7.8 Written Ministerial Statement "Further support for social and affordable
- 7.9 "Denied the Right to a Safe Home – Exposing the Housing Emergency",
- 7.10 "Bleak Houses: Tackling the Crisis of Family Homelessness in England",
- 7.11 Self-build and Custom Housebuilding Act (as amended)
- 7.12 Custom and Self-Build Study Part 1: Demand Assessment (2018)
- 7.13 Self-Build Evidence Note (31 January 2020)

CD8 Additional Documents

- 8.1 Latest Version of S106 agreement
- 8.2 Draft Planning Condition
- 8.3 CIL Compliance Statement and Appendices
- 8.4 Site Visit Itinerary
- 8.5 Examination Timetable
- 8.6 Round Table Agenda - 5 Year Housing Land Supply
- 8.7 Round Table Agenda - Ecology
- 8.8 Round Table Agenda - Transport
- 8.9 Round Table Agenda – Character and Appearance

Annex C: Inquiry documents

- ID 01 Appellant's list of appearances
- ID 02 Appellant's opening statement
- ID 03 Council's opening statement
- ID 04 Current list of plans and documents
- ID 05 Council Green Belt Study stage 1 and 2, July 2017
- ID 06 Council Green Belt Study stage 3
- ID 07 Archaeological Evaluation, Cotswold Archaeology, November 2025
- ID 08 WW2 Mosquito remembrance links and poster
- ID 09 Memo from Council's highways development management team leader,
17 June 2024
- ID 010 Council's list of appearances
- ID 011 Planning conditions working copy, 22 January 2026
- ID 012 Council's closing submissions
- ID 013 Appellant's closing submissions

Annex D: Appearances at the Inquiry

FOR THE APPELLANT

Paul Tucker, King's Counsel
Millie Critchlow, Counsel

He called

Paul Hill BA(Hons) MA MRTPI	Senior Director, Tetrattech RPS
Michael Carr BA(Hons) LA Dip UD RUDP	National Head of Design and Chief Commercial Officer, Pegasus Group
David Cummins BEng (Hons) MSc CEng MCIHT MCILT	Director, ADC Infrastructure
Gary Holliday BA (Hons) MPhil FLI	Senior Director, FPCR Environment & Design
Dr Suzanne Mansfield BSc (Hons) PhD	Senior Director, FPCR Environment & Design
Ben Pycroft BA(Hons) Dip TP MRTPI	Director, Emery Planning Partnership
Jamie Roberts MPlan MRTPI	Associate Director, Tetlow King Planning
Andy Moger BA (Hons) MA MRTPI	Director, Tetlow King Planning
Steven Drury BA (Hons) MA MRTPI	Associate Director, Tetra Tech RPS
Emma Cartledge-Taylor	Principal Associate, Gowling WLG (UK) LLP

FOR THE LOCAL PLANNING AUTHORITY

Alexander Booth, King's Counsel

He called

Phillip Hughes MRTPI FRGS FRSA Dip Man MCIM	Director, PHD Chartered Town Planners
Benjamin Tracy BSc(Hons) MA	Principal Planning Officer (East West Rail Lead), Central Bedfordshire Council
Rob Page ONC CEng	Principal Highways Officer, Central Bedfordshire Council

INTERESTED PERSONS

Cllr Ian Adams

Flitwick Ward Councillor, Central Bedfordshire Council

Local residents

K Tilley, M Hathway, M Lumm, J Lee, C Rukin, M Woods, R Woods, Dr L Hart,
Dr J Spivack, L Wright, A Quelch

Richborough