

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 22 July 2015

PRESENT

Cllr K C Matthews (Chairman)
Cllr R D Berry (Vice-Chairman)

Cllrs M C Blair
Mrs S Clark
K M Collins
S Dixon
E Ghent

Cllrs K Janes
R W Johnstone
T Nicols
I Shingler
J N Young

Apologies for Absence: Cllr A D Brown

Substitutes: Cllr D Bowater (In place of A D Brown)

Members in Attendance: Cllrs I Dalgarno
Mrs S A Goodchild
C Hegley
J Kane
A Ryan
B Saunders
T Swain,

Officers in Attendance: Miss H Bell Committee Services Officer
Miss N Chillcott Minerals and Waste Planning Officer
Mrs M Clampitt Committee Services Officer
Mr A Davie Development Infrastructure Group
Manager
Mr A Davies Acting Planning Manager, Majors
Mr J Ellis Planning Manager West
Mr A Emerton Managing Solicitor Planning, Property,
Highways & Transportation
Mr D Hale Planning Manager South
Mr D Lamb Planning Manager East
Mr R Romans Minerals and Waste Team Leader
Miss D Willcox Planning Officer

DM/15/32. **Chairman's Announcements**

The Chairman read out a statement which informed the meeting that, following the Inspector's letter indicating that Central Bedfordshire Council had failed the Duty to Co-operate in relation to the Development Strategy, full Council had approved a judicial challenge to the Secretary of State for Communities and Local Government. The first phase of the judicial challenge had taken place at a hearing on 16 June but the Judge had not supported the Council's case to grant the Council leave to appeal. As a result the Council lodged an appeal against the judgement and the weight accorded to the Development Strategy in decision making should be viewed in that context.

Councillors and members of the public were advised by the Chairman that the order of business would be varied and considered as follows:

After 10:00am: items 6, 7, 9 and 8

After 1.00pm: items 13, 11, 10 and 12

The Chairman reminded Councillors and members of the public to silence their mobile phones for the duration of the meeting.

The Chairman advised that a site inspection had been undertaken by most members of the Committee in respect of most of the applications on the agenda.

Subject to declarable interests all Members of the Committee have the right to vote on all matters of business considered by the Committee.

Rule No. 13.5.5. of the Constitution states that Members do not vote or take part in the meeting's discussions on a proposal unless they have been present to hear the entire debate, including the officer's introduction to the matter.

The Chairman, under Part E3 paragraph 9.2 has a second or casting vote should there be equal numbers of votes for and against an item. This provision makes it quite clear that the Chairman is entitled to vote on any item of business. There is no restriction or limitation on how the second or casting vote should be exercised nor is there a requirement that the right be exercised at all.

DM/15/33. **Minutes**

RESOLVED

that the Minutes of the meeting of the Development Management Committee held on the 24 June 2015 be confirmed and signed by the Chairman as a correct record.

DM/15/34. **Members' Interests**

(a) **Personal Interests:-**

Member	Item	Nature of Interest	Present or Absent during discussion
Cllr N Young	6	Had met speakers at various times	Present
Cllr Mrs S Clark	8	Had met speakers at various times	Present
Cllr K Matthews	8, 9, 10	Had met speakers at various times	Present
Cllr K Collins	10	Knows the speaker	Present

(b) **Personal and Prejudicial Interests:-**

Member	Item	Nature of Interest	Present or Absent during discussion
Cllr N Young	8 & 9	Involved in substantial discussions	Absent
Cllr S Dixon	7, 8 & 9	Deputy Executive Member for Assets	Absent

(c) **Prior Local Council Consideration of Applications**

There were none.

DM/15/35. **Planning Enforcement cases where formal action has been taken**

AGREED

that the monthly update of planning enforcement cases where action has been taken, as identified in the report of the Director of Regeneration and Business, be received.

DM/15/36. **Late Sheet**

In advance of consideration of the following planning applications the Committee received a Late Sheet advising it of additional consultation/publicity responses, comments and proposed additional/amended conditions. A copy of the Late Sheet is attached as an appendix to these Minutes.

During consideration of some of the applications the Committee received representations from members of the public in accordance with the Public Participation Procedure as set out in Annex 3 of Part A4 of the Constitution.

DM/15/37. **Planning Application No. CB/15/00297/OUT**

RESOLVED

That, subject to the prior consultation of the Secretary of State, in accordance with the Town and Country Planning (Consultation) (England) Direction 2009, the completion of a Section 106 Agreement the Development Infrastructure Group Manager be authorised to grant Planning application No. CB/15/00297/OUT relating to Land West of Bidwell (Houghton Regis North Site 2), Houghton Regis subject to no call in being made by the Secretary of State and Conditions as set out in the Schedule appended to these minutes.

Prior to consideration of item 7 Cllr Dixon left the Council Chamber

DM/15/38. **Planning Application No. CB/15/01928/REG3**

RESOLVED

That, subject to the prior consultation of the Secretary of State, in accordance with the Town and Country Planning (Consultation) (England) Direction 2009, the completion of a Section 106 Agreement the Development Infrastructure Group Manager be authorised to grant Planning application No. CB/15/01928/REG3 relating to Land at Thorn Turn, Thorn Road, Houghton Regis subject to no call in being made by the Secretary of State and Conditions as set out in the Schedule appended to these minutes.

Prior to consideration of item 9 Cllr Young and Cllr Johnstone left the Council Chamber

DM/15/39. **Planning Application No. CB/15/01355/OUT**

RESOLVED

that Planning Application No. CB/15/01355/OUT relating to Land East of Hitchin Road South of 159 Hitchin road, Stotfold, Hitchin SG5 4JH be granted, subject to the completion of a S106 Planning Obligation and as set out in the Schedule appended to these minutes.

DURING CONSIDERATION OF ITEM 9 CLLR JOHNSTONE RETURNED TO THE COUNCIL CHAMBER BUT DID NOT VOTE ON THE ITEM.

DM/15/40. **Planning Application No. CB/14/04048/FULL**

RESOLVED

that Planning Application No. CB/14/04048/FULL relating to the Former Pig Unit, Hitchin Road, Stotfold, Hitchin SG5 4JG be granted as set out in the Schedule appended to these minutes.

The Committee adjourned at 12.30pm and reconvened at 1.00pm

DM/15/41. **Planning Application No. CB/15/01762/FULL**

RESOLVED

that Planning Application No. CB/15/01762/FULL relating to Leighton United Football Club, Stanbridge Road, Tilsworth LU7 9PL be approved as set out in the Schedule appended to these minutes.

DM/15/42. **Planning Application No. CB/15/01454/MW**

RESOLVED

that Planning Application No. CB/15/01454/MW relating to Mount Pleasant Golf Course, Station Road, Lower Stondon, Henlow SG16 6JL be approved as set out in the Schedule appended to these minutes.

DM/15/43. **Planning Application No. CB/15/01111/FULL**

RESOLVED

that Planning Application No. CB/15/01111/FULL relating to Larkwood Ltd, Bedford Road, Aspley Guise, Milton Keynes MK17 8DJ be approved as set out in the Schedule appended to these minutes.

DM/15/44. **Planning Application No. CB/15/01095/FULL**

RESOLVED

that Planning Application No. CB/15/01095/FULL relating to Hillside, Chalk Hill, Houghton Regis be approved as set out in the Schedule appended to these minutes.

DM/15/45. **Site Inspection Appointment(s)**

RESOLVED

That all members of the Committee be invited to conduct site inspections on Monday 17 August 2015.

(Note: The meeting commenced at 10.00 a.m. and concluded at 3.05 p.m.)

Chairman

Dated

LATE SHEET**DEVELOPMENT MANAGEMENT COMMITTEE – 22 JULY 2015*****Item 6 (Page 15-158) – CB/15/00297/OUT – Land West of Bidwell (Houghton Regis North Site 2) Houghton Regis.*****Additional Consultation/Publicity Responses****1. Applicants' additional information 03/07/2015**

Road Safety Audit Stage 1 and designers response.

2. Public Protection 07/07/2015

The opportunity remains for the applicant to resolve technical matters through further detailed design and assessment. Recommends conditions in respect of the following.

- a) Noise mitigation measures for residential properties.
[OFFICER NOTE: Refer to recommended Condition 19]
- b) Hours of operation and lighting schemes in respect of commercial uses.
[OFFICER NOTE: Such matters are to be controlled through subsequent detailed planning proposals when the specific nature of commercial uses is known and under other legislation where appropriate]
- c) No residential development within odour sensitive areas.
[OFFICER NOTE: Built layout is to be controlled by the Development Parameter Plans and Masterplan. Approval of these documents will prevent residential development within odour sensitive areas]
- d) Construction Environmental Management Plan.
[OFFICER NOTE: Refer to recommended Conditions 11 and 20]

3. Historic England 09/07/2015

- The amended application is supported by an addendum to Chapter 8 of the ES, which addresses the concerns raised by Historic England and the Development Management Archaeologists at Central Bedfordshire Council.
- It is noted that additional information has been provided on the impact upon the scheduled monument and the addendum includes a more detailed look at what elements of the monument's setting contributes to its setting.
- It is agreed that the site's location on the valley floor is an important consideration and that the surrounding 'medieval' landscape has been altered and eroded by the modern field pattern and modern development.
- The key issues upon which Historic England disagrees is the relative importance to the monument's significance from the current sense of 'privacy, enclosure and seclusion, the age and extent of the woodland associated with it and, more notably, the relative importance to the monument's significance from its placement within an open, agricultural and relatively undeveloped landscape.
- It is recommended that options are explored to enhance the mitigation proposed in the application. *[OFFICER NOTE: The detailed elements of the proposed mitigation would be a matter for subsequent detailed planning submissions.]*

4. Barton Willmore on behalf of Houghton Regis Development Consortium for HRN1 10/07/2015

Objection. Detailed concerns are raised with regards to highways matters (walking, cycling and public transport strategies, traffic impacts) and the design documents supporting the application including information provided within the Bidwell West Design Code, June 2015.

5. CBC Tree and Landscape Officer 10/07/2015

No further comment on the June 2015 amendments.

6. CBC Highways Development Management 15/07/2015

At the request of this office, the applicant has commissioned a Stage 1 Road Safety Audit. The Stage 1 RSA has identified a number of minor issues. In totality, the issues have been accepted by the applicant's technical team and appropriate measures have been recommended. The appropriate remedial measures and re-designs will be incorporated into any future Section 278 works that may arise from any planning permission granted. This is supported.

7. Applicants' additional information 16/07/2015

It is requested that Condition 7 be amended to require a scheme for surface water disposal in accordance with the submitted drainage strategy. An updated Drainage Strategy Report (Addendum) and executive summary are submitted providing the following.

- a. Calculations for attenuation ponds Nos. 1 and 6
- b. An additional drawing to clarify the exceedance flow routes
- c. An additional table to clarify the discharge flow rates from the ponds and how these related to the development areas

8. Optimis Consulting on behalf of landowners with the Bidwell area, east of the application site 16/07/2015

Holding comments of 02/07/2015 removed.

9. Barker Parry Town Planning on behalf of residents of Bidwell Farm Barns and Bidwell Farmhouse 17/02/2015

Reiterates comments of letter dated 02/07/2015 as summarised within the Committee report.

10. 161 Cemetery Road, Houghton Regis 20/07/2015

Objections to the wildlife wardens building previously proposed appear to have been readily accepted without exploring mitigation or other options, or input from those supportive of the warden building.

11. Buckingham and River Ouzel Internal Drainage Board 20/07/2015

No further comments.

Additional Comments

1. Paragraph 2.4 (page 99) of the Committee report includes a typographical error. The final sentence of this paragraph should read as follows.

In the context of the current scheme, and given the nature of the proposed 'town centre uses', the application of a sequential test would not be appropriate as the

provision of these uses elsewhere would not ensure a sustainable form of development.

2. Paragraph 10.2 (page 141-142) of the Committee report sets out Officers' current expectations in respect of transfer arrangements for various land parcels. For the avoidance of doubt, this is a general expectation and the final transfer arrangements in respect of any land within the site would be established through the formation of a Section 106 Legal Agreement to be agreed with the applicant.

Additional/Amended Conditions

The following recommended conditions are amended to incorporate minor wording changes as summarised/explained as part of the applicants' additional information dated 16/07/2015.

- 7 **Development shall not begin until a scheme for surface water disposal in accordance with the principles of plan No.13893 - SKC101 Revision C has been submitted to and approved in writing by the Local Planning Authority. Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. The development shall be carried out in accordance with the approval details.**

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with the NPPF. Details must be approved prior to the commencement of development to prevent any potential pollution of controlled waters which could occur in connection with development.

- 24 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted documents;
- Parameter Plan 1: Land Use, Open Space & Landscape (1362/PL02 Rev G);
 - Parameter Plan 2(a): Vehicular Movement & Access (1362/PL06);
 - Parameter Plan 2(b): Pedestrian & Cycle Movement & Access (1362/PL07);
 - Parameter Plan 3: Buildings Height (1362/PL04 Rev E);
 - Parameter Plan 4: Residential Density (1362/PL05 Rev E);
 - Site-Wide Masterplan (1362-PL09);
 - Estate Road 1 Sheet 1 BE1362-3T-01 (Second Issue);
 - Estate Road 1 Sheet 2 BE1362-3T-02 (Second Issue);
 - Estate Road 1 & 3 Sheet 3 BE1362-3T-03 (Second Issue);
 - Estate Road 2 Sheet 1 BE1362-3T-04 (Second Issue);
 - Estate Road 2 Sheet 2 BE1362-3T-05 (Second Issue);
 - Thorn Road Narrowing BE1362-3T-06 (Second Issue);
 - Thorn Road Estate Road BE1362-3T-07 (Second Issue);
 - Thorn Road Western Area of Site BE1362-3T-08 (Second Issue);
 - Bedford Road Sheet 1 BE1362-3T-09 (First Issue);
 - Overview Plan BE1362-3T-10 (First Issue);
 - Bedford Road Sheet 2 BE1362-3T-11 (Second Issue);
 - Plan and Profile Estate Road 1 Sheet 1 BE1362-3T-12 (Second

- Issue);
- Plan and Profile Sheet 2 BE1362-3T-13 (Second Issue);
 - Plan and Profile Estate Road 1 Sheet 3 BE1362-3T-14 (Second Issue);
 - Plan and Profile Estate Road 2 Sheet 1 BE1362-3T-15 (Second Issue);
 - Plan and Profile Estate Road 2 Sheet 2 BE1362-3T-16 (Second Issue);
 - Drainage Strategy Report (R/C13893/001.02, July 2015);
 - Adoptability Plan (13893-SKC005 Rev)
 - Drainage Management Plan Sheet 1 (13893-SKC010 Rev C)
 - Drainage Management Plan Sheet 2 (13893-SKC011 Rev C)
 - Drainage Management Plan Sheet 3 (13893-SKC012 Rev B)
 - Drainage Management Plan Sheet 4 (13893-SKC013 Rev B)
 - Drainage Management Plan Sheet 5 (13893-SKC014 Rev B)
 - Drainage Management Plan Sheet 6 (13893-SKC015 Rev A)
 - Flood Exceedance Route (13893-SKC102) Drainage Construction Details (13893-SKC004 Rev A);
 - Pond Detail Sections (13893-SKC100 Rev A);
 - Drainage Strategy Report (Addendum) (R/C13893/002.03, July 2015);
 - Drainage Management Plan (13893-SKC101 C);
 - Revised Landscape Framework Plan (5331/LM/ASP07 REV G);
 - Revised Open Space & Development Parcel Phasing Plan (5331/OSP/ASP09 Rev C)
 - Outline Waste Audit (June 2015);
 - Bidwell West Design Code (June 2015);
 - Outline Public Art Plan (5331.PAP.006, June 2015);
 - Tree Constraints Plan (8788 TCP 01 Sheets 1 to 5); and
 - Tree Protection Plan (8788 TPP 01 Sheets 1 to 5).

Reason: For the avoidance of doubt.

Item 7 (Page 159-240) – CB/15/01928/OUT – Up to 44,700m² of B1, B2 and/or B8 employment development floorspace with associated infrastructure and ancillary works. All matters reserved except means of access.

Additional Consultation/Publicity Responses

1. Bank End Cottage, Chalk Hill, Dunstable 15/07/2015

Object to loss of habitats for industrial development.

2. CBC Highways Development Management 15/07/2015

The applicant has now undertaken a Transport Policy review, to which the proposal accords well and is supported.

At the request of this office, the applicant has undertaken a suite of swept path analysis drawings demonstrating the suitability of the site access proposals with regards to a max legal 16.5m articulated vehicle. This is acceptable.

This office is still awaiting the requested Stage 1 Road Safety Audit.

3. Bank End Cottage, Chalk Hill, Dunstable 18/07/2015

Raises concern and objection regarding noise and light impacts with reference to noise pollution policy and hours of operation.

4. Applicants' additional information 20/07/2015

Road Safety Audit Stage 1 submitted.

5. Houghton Regis Town Council 21/07/2015

OBJECT to the application in principle on the following grounds:

- the site is in the Green Belt;
- the Development Strategy has stalled – CBC's "exceptional circumstances" case for Green Belt change has yet to be tested at Examination and found to be sound and;
- CBC's reliance on a draft Joint Development Strategy withdrawn in 2011 to demonstrate the existence of "exceptional circumstances" is inadequate and flawed;
- the Examination Inspector has concluded that CBC failed to discharge its duty to co-operate;
- as a result of the above the testing of the soundness of the DS is therefore a long way off and it should not be relied upon as the basis for decision making on major development proposals in the Green Belt;
- CBC's resolution to "endorse the DS for the purposes of Development Management is not an adequate basis for decision making on major development proposals in the Green Belt.

Additional Comments

None.

Additional/Amended Conditions

None.

Item 8 (Pages 241-270) – CB/14/04048/FULL – Former Pig Testing Station, Hitchin Road, Stotfold

Additional Comments

Recommended Decision amended to -

To grant planning permission subject to the completion of a S106 Agreement.

Letter from DLP Planning LTD the applicant's agent as an attachment

Letter of support received from Luminus Homes as an attachment.

Additional/Amended Conditions/Reasons

Additional conditions:

Prior to the occupation of any part of the development hereby permitted, and unless otherwise agreed in writing with the local planning authority, the highway works as indicated on plan Nos. 008 and 009 shall be implemented as approved.

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

(Policy 43, DSCB)

No development shall take place until details of the existing and final ground 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 sections through both the site and the adjoining properties, the location of which shall first be agreed in writing with the Local Planning Authority. Thereafter the site shall be developed in full accordance with the approved details.

Reason: To ensure that an acceptable relationship results between the new development and adjacent buildings and public areas.

(Policy 43, DSCB)

Item 9 (Pages 271-284) – CB/15/01355/OUT – Land East of Hitchin Road South of 159 Hitchin Road, Stotfold, Hitchin, SG5 4JH**Additional Consultation/Publicity Responses**

Late comments from Archaeology on submitted Heritage Assessment - No objections subject to condition.

Landscape Planner - Since my comments on .26.05.15 I have received copy of the Landscape and Visual Statement produced by TLP which is of great assistance; from the assessment findings and recommendations for landscape mitigation, including the potential to include a green / brown roof within the school building to further assist in integrating development, I have no further queries regarding this outline application.

Additional Comments

The applicant's agent has confirmed the intention to provide a signalised crossing on Hitchin Road to provide safe access to Fairfield Park. An appropriate condition is outlined below.

Additional/Amended Conditions/Reasons

Archaeology condition as follows -

No development shall take place until a written scheme of archaeological investigation; that adopts a staged approach and includes post excavation analysis and publication, has been submitted to and approved in writing by the Local Planning Authority. The said development shall only be implemented in full accordance with the approved archaeological scheme.”

Reason: (1) To record and advance understanding of the archaeological resource which will be unavoidably destroyed as a consequence of the development in accordance with Chapter 12 of the National Planning Policy Framework and Policy 45 of the Development Strategy for Central Bedfordshire (Pre-submission version June 2014).

(2) This condition is pre-commencement as a failure to secure appropriate archaeological investigation in advance of development would be contrary to paragraph 141 of the National Planning Policy Framework (NPPF) that requires the recording and advancement of understanding of the significance of any heritage assets to be lost (wholly or in part).

No part of the development shall be occupied until details of a new signalised crossing on Hitchin Road has been submitted to and approved by the local planning authority. The crossing shall be provided as approved prior to the building being first brought into use.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises.
(Policy 43, DSCB)

Item 10 (Pages 285-304) – CB/15/01111/FULL – Larkwood Ltd, Bedford Road, Aspley Guise, Milton Keynes, MK17 8DJ

Additional Consultation/Publicity Responses

Aspley Guise Parish Council – further representation in terms of the Heritage Statement. They now agree that the office building at the front is part of the listing and therefore should not be demolished. They have concerns that the Heritage Statement is incomplete and does not include the following information:

- Details of use and development of the site in the 20th Century; use of front building as a garage and use of the site by military during WWII
- Details of any changes to the listed building and the other buildings on the site since the first listing
- Any planned changes to the listed building to allow it to be brought back into use.

There are some trees at the entrance that will need to be cut back or reduced in size to allow access to the office building if it is to be retained.

We are of the opinion that an application for Listed Building Consent should also be required for the proposed development.

Principal concern remains the impact that this development would have on the already severe traffic problems on Bedford Road.

5 Spinney Lane

Concerns regarding privacy although understand that the distance is over 21 metres and therefore unlikely to be a significant issue for the Council. A further concern is the boundary treatment along the pedestrian access to Spinney Lane and whether this would be sufficient to preserve our privacy.

Lark Rise – Gypsy Lane

The existing access is inadequate to serve the scale of the development proposed. Consideration does not appear to have been given to agreeing an alternative means of access to overcome this problem. As a consequence the proposal does not accord with policies within the draft development plan (for example policies 37 and 43). Alternative means of access should be investigated to see what improvements can be made.

Additional Comments

Officer comments

The Parish Council have made representations in relation to the Heritage Statement – both the Council's Archaeological Officer and the Conservation Officer are content with the information submitted in the statement.

The Council are content that the proposal does not require Listed Building Consent at present. Certain works to the building at the front of the site, to bring it back into use, may require a Listed Building Consent application prior to the works being undertaken. The agent has been advised of this and will work with the Council to ensure the appropriate applications are submitted when required.

In terms of the representation from 5 Spinney Lane, a boundary treatment condition will be added to the grant of any planning permission to ensure an appropriate level of privacy is maintained at this point. The agent has confirmed that any boundary treatment would be added on their land and at the height of the current walkway – this would provide an effect form of boundary treatment.

A revised site layout plan has been submitted due to a small discrepancy on the eastern side boundary. There was a small difference between the previous site layout and the title plans. The plan has therefore been amended to reflect the title plan, this has involved no change to the overall layout of the development and resolves any future ownership issues.

Council's Ecologist

The Council's Ecologist is content that the buildings show no apparent bat interest and no further surveys are required.

Additional/Amended Conditions/ReasonsAmended conditions:

Condition 4 should read as follows:

The entire on site vehicular areas shall be constructed and surfaced in a stable and durable manner, and arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site so as to safeguard the interest of highway safety and reduce the risk of flooding and to minimise inconvenience to users of the premises and ensure satisfactory parking of vehicles outside highway limits.

Condition 10 should read as follows:

Notwithstanding the approved plans, all new rainwater goods shall be of black painted [cast iron/aluminium] and shall be retained thereafter.

Reason: To safeguard the special architectural and historic interest of the setting of the listed building.
(Policy 45, DSCB)

Condition 14 should read as follows:

The link through to Spinney Lane shown on the site plan shall be retained for pedestrian access only. Details of a scheme to restrict vehicular access shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the development and retained in perpetuity thereafter.

Reason: To ensure that this is available for pedestrian use only. (Policy 43, DSCB)

Condition 15 should read as follows:

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers PL01 A; PL02 E; PL04 A; PL05 A; PL06 A; PL07 A; PL08 A; PL09 A; PL10 A; PL11 A; PL12 A; PL13 A; PL14 A; PL15 A; PL16 A; PL17 A; PL18 A; PL19 A; PL22

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

Additional condition – Condition 16:

A scheme shall be submitted for approval in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved scheme prior to the first occupation of the development and be thereafter retained.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.
(Policy 43, DSCB)

Item 11 (Pages 305-326) – CB/15/01454/MW – Mount Pleasant Golf Course, Station Road, Lower Stondon, Henlow, SG16 6JL

Amended Condition 17

HGV* movements into/out of the site shall be limited to a maximum in any one day of 182 (pro rata for part days), with no more than a maximum of 14 movements per hour during the peaks of 08:15am to 09:15 and 15:15 to 16:15pm Monday - Friday.
REASON: In the interest of highway safety. MWLP(2005) GE23.

*All vehicles over 7.5 tonnes gross vehicle weight.

Item 12 (Pages 327-336) – CB/15/01095/FULL – Hillside, Chalk Hill, Houghton Regis

Additional Consultation/Publicity Responses

The Highways Officer provided the following additional consultation response:

“I understand that the Housing Department will have nomination rights in respect to the proposed HMO.

There are no current parking standards for this specific use, therefore in situations like this; we need to consider the needs of the end user.

I understand that the accommodation will be offered to vulnerable members of the public, who may not necessarily have the benefit of their own vehicle.

It is therefore reasonable to accept that the parking demand generated by the proposal will not be excessive.

The applicant states that there are currently eight parking spaces available and no additional spaces are proposed. Unfortunately, there is no parking layout submitted, therefore I cannot comment on the suitability of the layout.

I consider eight parking spaces is reasonable for the proposal, but I would insist on a parking layout to be submitted and approved in support of this. This may be submitted prior to determination or conditioned.

The access to the site is via the A5 trunk road, currently managed by Highways England, I also understand they have raised no objection and therefore are content that the proposal will not affect their junction. The access then leads in to a single lane ‘shared use’ private drive, which increases in width as you approach the car park. This private access provides both vehicular and pedestrian access to the

existing development and is intended to provide a similar use for the proposed development. I would advise that due to the gradient of the access you consider suitable provisions are made for pedestrian safety, guard rail, anti slip surfacing etc.

The overgrown verge to the right hand side on exit of the site is public highway and requires some reduction in height, in order to provide driver/driver visibility along Chalk Hill. Chalk Hill is effectively a cul-de-sac and is subject to a 40mph speed limit. However, the geometry of the carriageway, which is also shared by pedestrians, is such that speeds will be far lower than this. I suggest a visibility splay of 2m x 43m is considered appropriate.

The trip generation database TRICS, indicates that the trip generation for the existing twelve bedroom unit could generate approximately 1.7 trips per bedroom totalling just over 20 trips per day. Unfortunately the House of Multiple Occupancy category is not covered in the TRICS data base. The nearest equivalent is Local Authority Flats, even then this option is based on self contained units and is considered to be slightly higher than that for HMO. The trip generation for the LAF is approximately 2 trips per bedroom totalling 28 trips per day. I suggest that taking a figure between the two trip rates would seem reasonable for HMO. Therefore I suggest a figure of 1.85 trips per bedroom could be regarded as appropriate for HMO. This equates to a daily trip generation of 26 trips. I would also add that as we now know the end user for the current proposal, which may have the potential for a reduced car ownership, it is reasonable to suggest that that the proposed traffic generation would be less than 26 trips per day.

Therefore even considering the worst case scenario the proposal could generate an extra 6 trips per day, the equivalent of 3 vehicles entering and leaving the site.

On this basis I would not be in a position to recommend refusal of the application on highway grounds, but I would recommend conditions are imposed if permission is to be granted.”

Following receipt of these comments, a parking plan was submitted and the Highways Officer made the following comments:

“It is clear that eight parking spaces can be accommodated within the site, although I would recommend that bays 3 and 4 are rotated at 90 degrees as their current configuration will be impossible to use. There is normally a 6m aisle width in front of a parking space to allow for manoeuvring.

The remainder of the forecourt area has sufficient space to allow a light goods vehicle to enter, turn around and leave the site with care, in forward gear.

I also have spotted an error in my earlier comments, Chalk Hill is subject to the national speed limit and not 40mph as stated in my comments, (the A5 is subject to the 40mph limit bizarrely) this has no affect on my recommendation as speeds along the cul-de-sac will be low due to it’s geometry and use.”

Following receipt of these comments, the parking plan has been revised to show bays 3 and 4 rotated at 90 degrees.

Additional Comments

Additional information has been provided by the Private Sector Housing Team as follows:

Should planning permission be granted, the Council would have nomination rights to the property for a period of 10 years. The Council would seek to use these nomination rights for those who are currently homeless.

The property would be managed by Omega. There would be no warden living on site, however, it is likely that there would be a small office on site which would be visited regularly by one of the Omega team and residents would be provided with a telephone number, available 24/7 in case of emergency.

The garage is not available for parking as it has the oil fired boiler in it. The Landlord will retain access to the garage.

Additional/Amended Conditions/Reasons

The schedules of suggested conditions and informatives have been revised as follows:

Conditions

- 1 The development hereby permitted shall begin not later than three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 Visibility splays shall be provided at the junction of the access with the public highway before the development is brought into use. The minimum dimensions to provide the required splay lines shall be 2m measured along the centre line of the proposed access from its junction with the channel of the public highway and 43m to the north west, measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall, on land in the applicant's control, be kept free of any obstruction.

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

(Policy BE8, SBLPR and Policy 43, DSCB)

- 3 The development shall not be occupied or brought into use until the parking scheme shown on Drawing No. CBC/001 has been completed. The scheme shall thereafter be retained for this purpose.

Reason: To ensure provision for car parking clear of the highway.

(Policy T10, SBLPR and Policy 27, DSCB)

- 4 The change of use hereby permitted shall not take place until a scheme for the parking of cycles on the site has been submitted to and approved in

writing by the Local Planning Authority and the approved scheme has been fully implemented.

Reason: To ensure the provision of cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport.
(Policy BE8, SBLPR and Policy 43, DSCB)

- 5 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 15-403-01, 15-403-02, 15-403-03, 15-403-04, 15-403-05, CBC/001.

Reason: To identify the approved plans and to avoid doubt.

INFORMATIVES

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
2. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from The Street Works Co-ordinator, Bedfordshire Highways, by contacting the Highways Helpdesk 0300 300 8049.
3. The applicant is advised that in order to achieve the vision splays in condition 2 of the permission it may be necessary for vegetation overhanging the public highway to be removed. Prior to the commencement of work the applicant is advised to contact Central Bedfordshire Council's Customer Contact Centre on 0300 300 8049 to request the removal of the overhanging vegetation on the public highway.
4. Please note that the unnumbered drawings submitted in connection with this application have been given unique numbers by the Local Planning Authority. The numbers can be sourced by examining the plans on the View a Planning Application pages of the Council's website www.centralbedfordshire.gov.uk.

Item 13 (Pages 337-350) – CB/15/01762/FULL – Leighton United Football Club, Stanbridge Road, Tilsworth, LU7 9PL

Additional Consultation/Publicity Responses

Two additional emails have been received from the owner of Tilsworth Stud Farm. The first provided an article from the journal Biochemical and Biophysical Research Communications entitled *Tumour promotion by exposure to radiofrequency electromagnetic fields below exposure limits for humans*. This article is attached as an appendix.

The second email states the following:

- I gathered the original mobile mast at Tilsworth will be relocated because the mast is not high enough. The proposed site for the mobile mast at Leighton United Football Club is the lowest level round the area and its about 15 feet below the Stanbridge Road level.
- The proposed site is situated near the pylons and power lines. I gathered from the supporting documents for the application, some of the sites (e.g. Bury Farm) were rejected due to the close proximity to overhead power lines. In fact, the proposed site is nearer to the power lines than those sites rejected.
- Furthermore, they have not explored all the available sites for the siting of the mast as I own Tilsworth Stud, approximately 50 acres, situated round Tilsworth, and I was never approached by the phone company or any related personnel.
- The surveyor from the mobile mast company has indicated to the owner of Granary Farm that the site was by far the most suitable with access and electricity available. As to why this site is not chosen, is open to speculation, perhaps cost is an issue.

A further email has been received from Andrew Selous MP, which also included an email from the owner of Tilsworth Stud Farm. The email from the owner of Tilsworth Stud Farm states the following:

- The dangers that these mobile masts pose to humans and animals are only recently beginning to be recognised. The recommended safety guidelines are based on studies done sometime ago and hence not accurate, especially in line with recent research work (see article 'Tumour promotion by exposure to radiofrequency electromagnetic fields below exposure limits for humans').
- Furthermore, humans and animals near mobile masts are exposed to the harmful radiation 24 hours daily all year round. Animals are more exposed as they are out in the fields and not protected by any buildings. Constant radiation exposure from the mobile masts does not allow the cells affected to recover before further exposure and hence, more dangerous than radiation from mobile phones.
- There is evidence in Europe that mobile phone companies are having to remove and resite mobile phone masts due to the high incidence of cancer related deaths. The residents of Benajanafe in Spain after a two year battle forced the operator, Vodafone, to remove a controversial transmitter which stood just meters away from the houses which was thought to be the main cause of the high incidents of deaths from cancer.
- Studies by Alfonso Balmori show that white stork population nesting on mobile masts showed marked infertility and embryonic death compared to white storks nesting elsewhere. This study clearly demonstrates that mobile masts emitting so called safe level of radiation within European government guidelines caused infertility in the white storks.

- Two separate experiments done on mice, the latest one by Professor Dr Alexandra Lerchl and his team, which was released this year. The team shows that the long term radiation exposure to radiofrequency electromagnetic fields acts as a co-carcinogen and increases cancer growth. The level of exposure is 50 folds below current permitted levels (see enclosed article). This study is concrete proof that radiation from mobile masts causes growth in animals but as usual these experiments are generally not exactly transferable to the situation in humans. However, these findings show that - in principal - tumour promoting effects of life long radiation exposure may occur at levels supposedly too low to cause thermal effect.
- Orange wanted to erect a mast in Harrow, West London but was rejected by the council and the company appealed to the Department of Environment and Transport. This was rejected again by the government planning inspectors. Although applications for mobile phone masts have previously been rejected on health grounds by councils, including Barnet, Kent and Worcester, this is the first time the matter has gone as far as the Planning Inspectorate and been rejected. Inspectors are preparing to issue local authorities with guidelines advising them that all telecommunications companies should provide concise details about the risks of potential radiation emissions when applying to put up masts. In view of this, Central Bedfordshire must not have received these guidelines and perhaps you could look into the matter as it may be grounds for refusal.
- An alternate site is located by the surveyor from the mobile phone company at Granary Farm. According to the surveyor, this site is the most suitable as it is away from any inhabitants, easily accessible and electricity is available and yet it is not chosen. One can only speculate the reason why, costs.
- I am writing to you as my MP to see if you could intervene in any way considering all the facts available to stop the mast from being erected in this site. Furthermore, hundreds of children playing in the football fields directly under the mast will be expose to the danger of the mobile mast radiation. It would be sensible to adopt a prudent policy to site this mast away from children's playgrounds as adopted by the Cornwall Borough Council.

Mr Selous requested that the Development Management Committee take into account this information prior to determining the application. He refers to previous correspondence that valuable horses will be grazing 24/7 in the field next to the mast and that footballers will be using the football pitches next to the mast.

Mr Selous also requested information in regards to the guidelines referred to by the owner of Tilsworth Stud Farm.

One additional letter for support has been received from a resident of Leighton Buzzard. The letter states that the proposal would improve mobile reception in the area and would provide the local community children's football club with much needed funding.

Additional Comments

Officers have contacted both the Planning Inspectorate and the Department for Communities and Local Government to discover if new guidelines in regards to the siting of telecommunications masts are due to be released. Representatives of both organisations have informed officers that they are unaware of any new or upcoming guidelines in relation to telecommunications masts.

As part of the Government's Productivity Plan, a Call for Evidence has been issued, entitled "*Review of How the Planning system in England can support the Delivery of Mobile Connectivity*". This document strongly supports the deployment of mobile infrastructure in all areas as quickly as possible. It seeks evidence as to whether increases in the scope of permitted development rights to include taller mobile masts could help support the Government's ambitions for improved mobile coverage.

The comments from the owner of Tilsworth Stud Farm raises questions about the site selection exercise carried out by the applicant. However, it is not considered that this outweighs the benefits of the scheme, both in terms of increased mobile phone signal and the benefits that the scheme would bring to Leighton United Football Club.

In regards to the health implications of the proposal on humans and animals, this is addressed within the main report and there are no further comments to make on this issue.

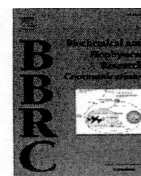
Additional/Amended Conditions/Reasons

None.



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Tumor promotion by exposure to radiofrequency electromagnetic fields below exposure limits for humans

CrossMark

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ABSTRACT

The vast majority of *in vitro* and *in vivo* studies did not find cancerogenic effects of exposure to electromagnetic fields (RF-EMF), i.e. emitted by mobile phones and base stations. Previously published results from a pilot study with carcinogen-treated mice, however, suggested tumor-promoting effects of RF-EMF (Tillmann et al. 2010). We have performed a replication study using higher numbers of animals per group and including two additional exposure levels (0 (sham), 0.04, 0.4 and 2 W/kg SAR). We could confirm and extend the originally reported findings. Numbers of tumors of the lungs and livers in exposed animals were significantly higher than in sham-exposed controls. In addition, lymphomas were also found to be significantly elevated by exposure. A clear dose—response effect is absent. We hypothesize that these tumor-promoting effects may be caused by metabolic changes due to exposure. Since many of the tumor-promoting effects in our study were seen at low to moderate exposure levels (0.04 and 0.4 W/kg SAR), thus well below exposure limits for the users of mobile phones, further studies are warranted to investigate the underlying mechanisms. Our findings may help to understand the repeatedly reported increased incidences of brain tumors in heavy users of mobile phones.

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1. Introduction

The increased use of mobile phones during the last two decades was accompanied with fears that their emission of radiofrequency electromagnetic fields (RF-EMF), sometimes also called "radiation", may have adverse health effects. So far, no biophysical mechanism has been identified which would speak in favor of such effects since the quantum energy in the frequency range used for mobile communication is far too low to break chemical bonds. The only accepted mechanism by which RF-EMF could be harmful is heating

which is prevented at the current exposure limits for the general population (specific absorption rate (SAR) 0.08 W/kg whole body; 2 W/kg local exposure) (1). Some epidemiological studies, however, have found increased incidences of brain tumors in heavy users of mobile phones (2,3).

In 2010, a study was published (4) showing tumor-promoting effects of life-long exposure to RF-EMF (Universal Mobile Telecommunication System, UMTS) at moderate exposure levels in mice treated with a carcinogen (ethylnitrosourea, ENU) *in utero*. Those results were potentially influenced by an unexpected infection with *Helicobacter hepaticus* (which may have had an influence on the pathological findings in the liver, as suggested by the authors). Nevertheless the data showed clear effects of RF-EMF exposure on the incidences of lung and liver tumors. We have replicated this study with higher numbers of animals per group, but otherwise under similar conditions, in order to clarify whether the previously reported results could be confirmed. In addition, two additional SAR levels of exposure (low and high) were included in order to investigate possible dose—response relationships.

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Furthermore, we ensured that we did not have any infection with *Helicobacter* species in our animals.

2. Materials and methods

2.1. Experimental design

The experiment was performed according to the German Animal Welfare Act and approved by the local authorities (city state of Bremen). Special care was taken to repeat the study by Tillmann et al. [41] as accurately as possible. Male C3H/HeNCR1 (n = 43) and female C57Bl6N (n = 290) mice were purchased in a staggered design from Charles River Germany, Sulzfeld, Germany, at an age of 8-9 weeks. After acclimatization, at the age of 12 weeks (females), the males and 128 females were mated for one week (ratio 3 females: 1 male) in two rounds, thus a total of 256 potentially pregnant females were obtained. They were distributed to the 128 cages of the exposure devices, two animals per cage. Exposure or sham-exposure of the pregnant females thus started at day 6 p.c. (post conception). All females were weighted at day 13 p.c., and the ones with the highest weight gains remained in the exposure devices while the others were sacrificed (CO2 overdose). The remaining 34 females, age 12 weeks, were mated with the males, and the female offspring served as the untreated, unexposed cage control (n = 96, three animals per cage). At day 14 p.c., the females in the exposure devices were injected (i.p.) with ethylnitrosourea

(ENU; Sigma—Aldrich, Taufkirchen, Germany) at a dose of 40 mg/kg in saline. Six days after birth, after sexing three female F1 animals were left with their mothers, while the surplus females and the males were removed and sacrificed. Litters with too few female pups were filled up with surplus females from other litters of the same exposure group. In total, four groups of female F1 mice were obtained, 96 animals per group. At day 21, pups were weaned, and the dams were sacrificed.

2.2. Exposure to electromagnetic fields

The exposure devices consisted of eight radial waveguides with 16 cages each, arranged in stacks of two and connected to power amplifiers and RF-generators. Details have been published earlier [5]. Extensive numerical calculations of the field distributions and the corresponding SAR values revealed unavoidable substantial variations for animals in different positions and within animals (local maximum SAR values) which could be as much as 3-5 times higher than the whole-body SAR. Two waveguides per exposure group with 16 cages each (32 cages in total, 96 animals) were one out of four groups with the following nominal whole-body SAR levels: sham-exposed (0 W/kg), 0.04 W/kg (low), 0.4 W/kg (moderate) and 2 W/kg (high) for a reference configuration of three mice (body weight 20 g each) per cage, with a standard deviation for this configuration of around 36%. The exposure was comparably homogeneous with standard deviations of the whole body SAR within

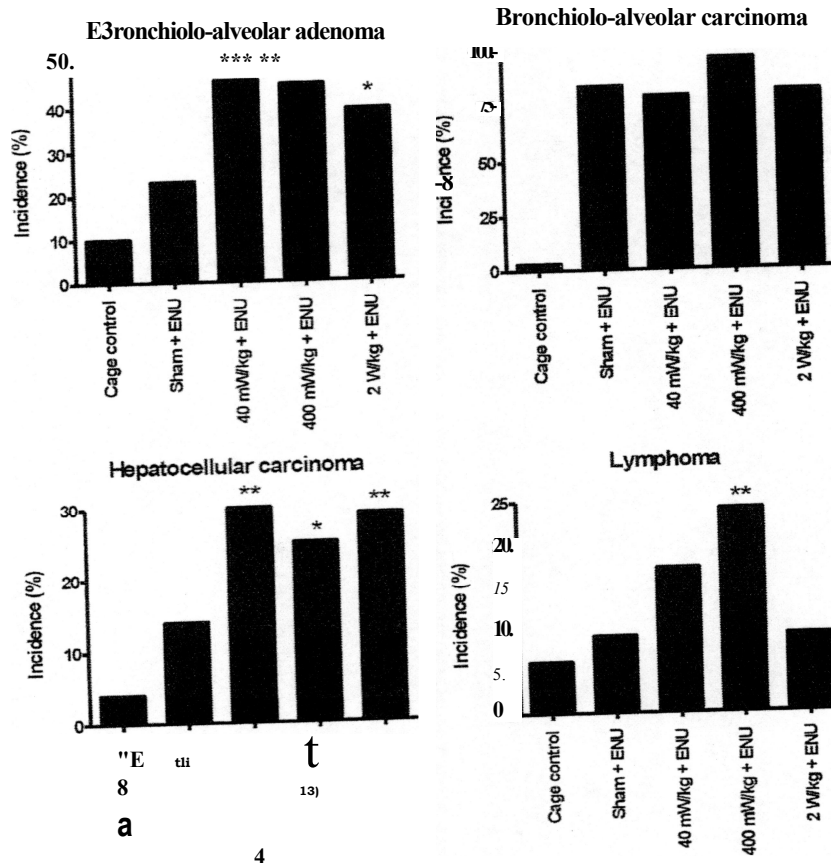


Fig.1. The effects of life-long exposure to RF-EMF in mice treated with ENU in utero. Shown are the tumor incidences as percentages of animals, based on histopathological analyses of 93-96 animals per group. Significant differences are indicated by asterisks (Fisher's one-tailed exact test): *, p < 0.05; **, p < 0.01; ***, p < 0.001.

the cages between 30% (adult animals) and 91% (pups) due to spatial electric field variations and movement of the groups of animals. In order to equalize the exposure between the 16 cages of each waveguide (max. 12% variation of the cages mean electric field strengths), the cages were permuted every second day by one exposure section. Exposure was 24/7 for the entire period (72 weeks) with the exception of half an hour each night at 3 a.m. in order to shut down the generators and to reboot the system. It should be noted that exposure was interrupted for 4 h daily in the previous study [41 for animal caretaking. Another difference was due to different geometries of the radial waveguides used in the previous study and in the present one (diameter of the three waveguides with 20 cages each were 1.9 m in Ref. [4], and 2.2 m in the present study). Thus, the ratios of whole body SAR values to the respective incident field strengths were different. This difference, however, is not biologically important but only relevant for the SAR calculations.

Electrical fields inside the waveguides as well as temperatures were measured automatically. One power amplifier in the highest exposure group malfunctioned for 20 days (weeks 33-35), producing only one fourth of the SAR during this period, affecting half of this exposure group. All other generators and amplifiers worked without failure so that the total time without exposure was minimal (0.5%). Exposure conditions were not known to the persons handling the animals or otherwise being involved in the experiment. Only after all data have been analyzed, they were sent to the cooperating partners (University of Wuppertal) in exchange with the exposure codes.

2.3. Procedures during and at the end of the experiment

The mice were routinely inspected visually, and their body weights were recorded weekly during the first 14 weeks, and thereafter every two weeks. After one year (week 52), pooled feces

samples alai' cages were collected and checked for the presence of *Helicobacter ssp.* (PCR analysis, Charles River). None of the samples was positive. When signs of disease were noted, or when the body weight of an animal showed a sudden drop, these animals were removed from their cages, sacrificed by CO2, and immediately dissected. All surviving animals, including the cage controls, were sacrificed when survival rates of the ENU-treated animals dropped below 25% (OECD guideline No. 451 'Carcinogenicity Studies'). Due to a technical mishap, sham-exposed and exposed (2 W/kg) animals were sacrificed 1-2 weeks too early or too late, respectively. Gross morphological abnormalities were noted, and the following organs were immersion-fixed: brain, kidneys, spleen, liver, and lymph nodes. Lungs were immersion-fixed after intratracheal instillation of formalin (37%). Tissues (except lymph nodes) were embedded in paraffin, and sections of 4 um were stained with hematoxylin/eosin. Histopathological examination was done according to international standards [61. To ensure that our diagnoses were correct, a set of 107 sections with different tumors were cross-checked by a professional pathologist No deviations from our diagnoses were found.

2.4. Statistical analysis

Comparisons of body weights was done by parametric analysis of variance, followed by repeated measures post-hoc test. Survival times were compared by log-rank test (SPSS v. 22, IBM). Incidences of tumors were compared by Fisher's exact test (one-tailed) using the program GraphPad Prism (GraphPad Software, San Diego, CA, U.S.A.). For the Bayesian analysis, a script was programmed in R [71.

3. Results

Our study confirms and extends the previously published observations of tumor-promoting effects of life-long RF-EMF

Table 1 Incidences of neoplastic and pre-neoplastic tumors.

Lesions	Cage control	0 W /kg	0.04 W /kg	0.4 W /kg	2 W /kg
Cerebrum	[96]	196]	[92]	[96]	0 (0 %)
Mixed Glioma [TA]	0(0%)	0(0%)	0(0%)	1(1%)	1 9 6 1
Oligodendroglioma [M]	0(0%)	1(1%)	0(0%)	1(1%)	[96]
Oligodendroglioma [B]	0(0%)	1(1%)	0(0%)	0(0%)	0(0%)
Astrocytoma [M]	0(0%)	1(1%)	0(0%)	22%	1(1%)
Meningioma [B]	0(0%)	1(1%)	0(0%)	194]	0(-)
Lungs	[96]	[96]	74(79%)	43	0
Bronchio-Alveolar Carcinoma [M]	3(3%)	81(84%)	7(7%)	9(9%)	77,11,11,11;
Bronchio-Alveolar Adenoma [B]	10(10%)	22(23%)	[93]	2425 T	31.,3V
Bronchio-Alveolar hyperplasia	3(3%)	7(7%)	28(30%)	37(40%)	211.
Liver	[96]	(96)	3(3%)	1(1%)	33 43W
Hepatocellular Carcinoma [M]	4(4%)	13(14%)	3(3%)	3(3%)	1(11)
Hepatocellular Adenoma [M]	37(39%)	33(34%)	3(3%)	3(3%)	3 3 ;
Hepatoblastoma [M]	0(0%)	3(3%)	3(3%)	2(2%)	2
Hemangiosarcoma [M]	3(3%)	4(4%)	1(1%)	1(1%)	
Hemangioma [B]	9(9%)	14(15%)	15(16%)	18(19%)	
Focus/Foci of hepatocellular alteration	0(0%)	2(2%)	0(0%)	1(1%)	
Bile duct hyperplasia	[96]	[96]	[91]	[96]	1961
Kidneys	0(0%)	2(2%)	3(3%)	7(7%)	5t5%
Renal Tubule Carcinoma [M]	2(2%)	3(3%)	2(2%)	5(5%)	2f2%
Renal Tubule Adenoma [B]	0(0%)	5(5%)	3(3%)	5(5%)	0(0%)
Renal Tubular hyperplasia	[96]	[96]	(93)	1961	1961
Spleen	2(2%)	3(3%)	1(1%)	0(0%)	0(0%)
Hemangiosarcoma [M]	0(0%)	1(1%)	1(1%)	2(2%)	
Hemangioma [B]	1(1%)	7(7%)	8(8%)	8(8%)	5(5%)
Stromal hyperplasia	[96]	(96)	[93]	[96]	1961
Hematopoietic Tissue	6(6%)	9(9%)	16(17%)	23(24%)	9(9%)
Lymphoma [M]	0(0%)	4(4%)	2(2%)	1(1%)	2(2%)
Histiocytic Sarcoma [M]					

Numbers in squared brackets represent the numbers of animals from which the respective organs were examined.

(M) Benign neoplasia/(M) Malign neoplasia.

1" ,v < 0,05; ""sp < 0,01; ""p < 0.001 vs. sham (Fisher's exact test, one-tailed).

exposure. The numbers of both adenomas and carcinomas were significantly increased in the lungs, and carcinomas were significantly elevated in the livers of RF-EMF exposed animals (Fig. 1, Table 1). As compared to the sham-exposed control mice, numbers of animals with bronchiolo-alveolar adenomas (lungs) were doubled at low and moderate SAR levels, and hepatocellular carcinomas were nearly or more than doubled at low, moderate, and high SAR levels, respectively. The numbers of multiple tumors were found to be significantly elevated at 0.04 W/kg (bronchiolo-alveolar adenomas, Table S1). The numbers of animals with lymphomas were increased 2.5 fold at moderate SAR levels (Fig. 1, Table 1). No increased tumor numbers were found in the brains, kidneys, and spleens of the exposed animals. Here the tumor rates were well below 10%. As expected, survival times in all ENU-treated animals were much lower than in cage controls, but not affected by exposure (Fig. S1). Body weights of (sham-) exposed animals were only slightly different from untreated, unexposed cage-control mice (Fig. S2).

Fig. 2 shows a comparison of the findings of the previous and the present study for the lung tumors due to exposure for a nominal SAR level of 0.4 W/kg (moderate) since this one was used in both studies. It is obvious that both studies are in good agreement.

To address the debates about both the usefulness of null hypothesis significance testing (NHST) in general 18-101, and the proper statistical analysis of replication studies 01-131, we additionally performed a Bayesian analysis. Exemplary analysis results for the lung tumors due to exposure at moderate levels as compared to sham-exposure are presented in Fig. 3. The hypothesis of no difference between the exposed and the sham-exposed animals is outside the 99% prediction interval for all analyses no matter whether an uninformative prior is used or an informative one based on the results from the previous study. As can be

expected from the significance of the results in Ref. 141, the posterior distribution derived from the informative prior is shifted towards the right and the prediction intervals are further away from the hypothesis of no difference.

4. Discussion

The fact that both studies found basically the same tumor-promoting effects at levels below the accepted (and in most countries legally defined) exposure limits for humans is worrying. Although animal experiments are generally not easily transferable to the situation in humans, the findings are a very clear indication that — in principal — tumor-promoting effects of life-long RF-EMF exposure may OCCUT at levels supposedly too low to cause thermal effects. The basis for defining safety guidelines regarding RF-EMF exposure by mobile phones and other RF-EMF emitting devices relies on the assumption that increases in temperature above a certain threshold are the only way how exposure can cause damage (thermal effects). These are clearly prevented by the exposure limits. However, the RF-EMF energy absorbed by the tissues or organisms, respectively, is converted to thermal energy regardless the exposure dose. As a consequence, this thermal energy influences to some extent the energy balance of tissue and the entire organism. It was shown that RF-EMF exposure at low levels (0.08 W/kg) causes increased body weights in hamsters which indicates a shift in metabolism of food 1141. Other experiments in hamsters have shown that the consumption of food and the production of CO₂ is decreased by RF-EMF exposure, albeit only at relatively high SAR-levels [15]. It is therefore plausible to assume that RF-EMF energy, when absorbed and converted into thermal energy, influences metabolism and energy balance to some extent which may play a role for the observed tumor-promoting effects.

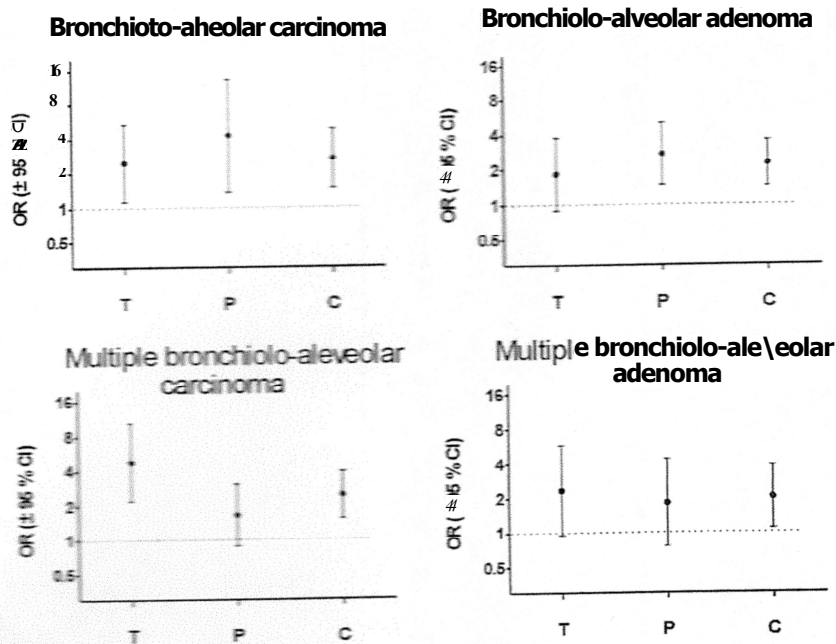


Fig. 2.

Sam
95% com
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by atimar... (2010) [4] and the present data for lung tumors at moderate exposure levels. Since both studies followed the
777 !be Welch overlapping SAR ranges, the results were combined. Data are expressed as odds ratios (OR) with
1.7- with OR = 1 (dashed line) indicates significantly elevated ORs. T. iillmann et al (2010); P. present study; G

Posterior distributions
Bronchiolo-alveolar

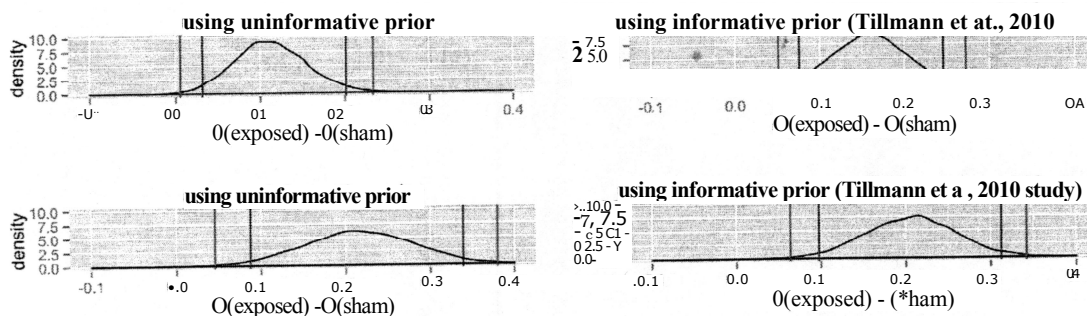


Fig. 3. Results from a Bayesian analysis showing the posterior probability distributions for the parameter differences between moderate exposure levels and sham exposure for lung tumors. The upper panels show the results for the bronchiolo-alveolar carcinoma, the lower panels show the results for the bronchiolo-alveolar adenoma. The plots on the left show the posterior distributions derived from an uninformative prior (a uniform distribution over the parameter space), while the distributions on the right are derived using the results from the study by Tillmann et al. (2010) to define the prior distribution. The vertical lines indicate the boundaries of the 95% (blue) and 99% (red) prediction intervals. The peaks of the distributions indicate that there is an expected increase in lung cancer of more than 10 percentage points for the moderate exposure level in contrast to sham exposure, and an increase of about 20 percentage points for the adenoma. (For interpretation of the references to colour in this figure legend, the reader is referred to the web version of this article.)

In this context it is important that the carcinogen ENU was administered to the pregnant mice at day 14 of pregnancy. We do not know at which time periods after the treatment with the carcinogen the tumor-promoting effects occurred. Early studies clearly demonstrated that the prenatal time point of ENU-administration is crucial for the development of tumors in the adult. Since the carcinogen was administered to the pregnant females while being already exposed to RF-EMF it is possible that immediately after ENU-treatment the promoting effects happened. Alternatively, they occurred during the later stages of development. Another possibility why tumor-promoting effects were seen in both studies is that the uptake of the carcinogen by the fetuses was higher in the exposed animals due to elevated metabolism. Studies addressing this are currently underway.

Another point of interest is the absorption of RF-EMF by tissue in relation to blood flow. Calculations are based on the electric properties of the tissue (permittivity, conductivity, and dielectric loss factor). The local heating due to the absorption of RF-EMF is not considered for our SAR calculations. The local heating due to the absorption of RF-EMF is not considered for our SAR calculations. It is known, however, that the thermal effects of RF-EMF are as important as in tumors is considerably lower, in comparison to other tissues. RF-EMF energy may lead to differences in tissue properties which, in turn, may help in explaining the observed effects as seen here. The importance of exposure variations are unfortunately often overlooked in different studies. For promoting effects in transgenic mice prone for developing lymphomas [18]. Two replication studies did not confirm these effects [19]. Both replication studies, however, deviated from the original study in several ways. Not only were the exposure conditions different, but also were the mice in the replication studies restrained (in cages), whereas in the original study the mice were non-restrained. While restrained animals avoid exposure at comparably low SAR variations, the physiological and metabolic situations are fundamentally different in comparison to freely moving animals [21]. In fact, the large variations in non-restrained, freely moving animals may turn out to be of key importance for the understanding of tumor-promoting effects.

Acknowledgments

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Transparency document

Transparency document related to this article can be found online at <http://dx.doi.org/10.1016/j.bbrc.2015.02.151>.

Appendix A. Supplementary data

Supplementary data related to this article can be found at <http://dx.doi.org/10.1016/j.bbrc.2015.02.151>.

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Sam Boyd
Central Bedfordshire Council
Priory House
Monks Walk
Chicksands
Shefford
Bedfordshire **SG17 5TQ**

Dear Sam

**Former Pig Testing Unit, Hitchin Road, Fairfield Park, Stotfold:
Submission of full planning application for a 70-bedroom care home with
parking; 116 dwellings; access, open space and ancillary works**

Thank you for your assistance to date in this matter, and for the Officers' report to the 22nd July *Development Management Committee* with its recommendation for approval.

We have carefully read through the report and, whilst being grateful for its balanced assessment of the main issues and its positive recommendation, nonetheless would wish to correct a limited number of factually-inaccurate observations reported from your consultees.

CBC Housing Needs Officer

In respect of affordable housing, for the avoidance of doubt, we have never been requested to complete or submit a *Viability Appraisal*. The Council's emerging and adopted affordable housing policies are inherently flexible, which is particularly relevant to this contaminated site and in the context of the very low locally-arising quantum of housing need. Officers from across the Council have worked closely with the applicant in agreeing a balanced Section 106 package reflective of site-specific and unique local needs, and we refute any suggestion that this would somehow set a precedent for schemes elsewhere.

The Officer's suggestion that an equivalent of 4.3% affordable housing is being provided is misleading and factually incorrect. There is already planning permission for 5no. homes on the site and therefore the net number of additional dwellings is 111. Attributing a commonplace value of £30,000 per affordable unit means that the negotiated £600,000 commuted sum could provide for 20 affordable homes, which in addition to the 5 being provided, equates to **23% affordable housing**.

CBC Economic Development

The site has been vacant for several years, and despite extensive marketing has attracted no commercial interest in its employment redevelopment. Even when fully operational the site employed no more than a dozen people, and for an extended period of time (over 8 years) has employed nobody at all.

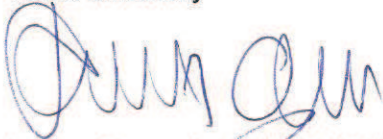
As the submitted *Employment Land Case* report clearly demonstrates (paragraph 5.47), the previous outline planning permission (which included Use Class B8 within its approved uses) might hope to generate circa 100 full-time employees in a general B8 warehouse, or 110 employees in the open storage and sales/hire of construction plant. By comparison, the submitted *Standard Economic Appraisal Model* predicts 189 jobs during the construction phase of our proposed development, followed by **222 direct, indirect and induced jobs** throughout its occupation.

Even on a simplistic assessment, 70 new jobs will be provided as a result of the proposed 70-bed care home; 150 jobs can be expected to be created per 1,000 head of population, equating to 42 new jobs¹; homeworkers at Fairfield already account for higher than the national average, which can be proportionally expected to increase through the proposed development; and additional jobs will be created by the new Lower School, wholly facilitated by this application. We cannot accept, therefore, that the scheme fails to provide an equivalence of job creation compared to the previous outline planning permission, when the submitted job creation forecasts demonstrate that a substantially greater quantum of employment opportunities would in fact be created.

We would be grateful if these clarifications and corrections are reported to members on the Update Sheet prior to their consideration of the application. If members have any questions or queries following Monday's site visit, we would be happy to assist in clarifying these ahead of the committee itself on Wednesday.

Kind regards

Yours sincerely

A handwritten signature in blue ink, appearing to read 'James Croucher', written over a faint blue line.

James Croucher MTP MRTPI
Senior Director

Copied to: Lochailort Stofold Ltd

¹ Having applied the 2.4 person average household size to the 116 proposed dwellings, thereby yielding 279 forecast additional residents at a ratio of 0.15 jobs created per person



Samantha Boyd
 Senior Planning Officer
 Central Bedfordshire Council
 Monks Walk
 Chicksands
 Shefford
 Bedfordshire, SG17 5TQ

20 July 2015

Dear Ms Boyd

**PLANNING APPLICATION CB/14/04048/FULL:
 FORMER PIG UNIT, HITCHIN ROAD, FAIRFIELD PARK**

We have read with interest the Committee Report on the above planning application, which we understand is due to be considered by the Development Management Committee on Wednesday 22nd July. Having been in dialogue with the applicant previously in respect of the delivery of affordable housing on this site, we would wish to underline the following:

- (i) We are aware of the comparatively low level of affordable housing need in Fairfield, and that only 5 households are currently on the Council's waiting list;
- (ii) Having had regard to local housing need data, we support the proposed small family houses (2 and 3 bedrooms) proposed by the developer;
- (iii) We are pleased to note the high quality of architecture that the scheme proposes, and that this design quality extends to the proposed affordable units which our view would be indistinguishable from market sale properties.

For the reasons set out above, we support this application and its proposed provision of 5 shared-ownership affordable homes.

Yours sincerely

**ANDY CHAPMAN
 DIRECTOR OF FINANCE**

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 Email: andy.chapman@luminus.org.uk

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Item No. 6

APPLICATION NUMBER	CB/15/00297/OUT
LOCATION	Land West of Bidwell (Houghton Regis North Site 2) Houghton Regis
PROPOSAL	Outline 'hybrid' planning application with details of main access routes, primary road network and associated drainage in detail only and layout in outline with details of landscaping, appearance and scale reserved for later determination. Development to comprise: Up to 1,850 residential (C3) dwellings (including affordable housing), 2FE Primary School (D1), employment land (Use Classes B1 [a-c], B2 & B8), local centre comprising retail (A1, A2, A3, A4 & A5) and community/leisure uses (D1 & D2), layout of public open spaces including sports pitches and changing rooms, natural wildlife area and all associated works and operations including engineering operations and earthworks
PARISH	Houghton Regis
WARD	Houghton Hall
WARD COUNCILLORS	Cllrs Mrs Goodchild & Kane
CASE OFFICER	Adam Davies
DATE REGISTERED	26 January 2015
EXPIRY DATE	18 May 2015
APPLICANT	Bidwell West Consortium
AGENT	DLP
REASON FOR COMMITTEE TO DETERMINE	Departure from Development Plan and Town Council objection to a major application
RECOMMENDED DECISION	That, the Development Infrastructure Group Manager be authorised to GRANT Planning Permission subject to the prior consultation of the Secretary of State, in accordance with The Town and Country Planning (Consultation) (England) Direction 2009, the completion of a prior Section 106 Agreement and subject to conditions.

Summary of Recommendation

The application site is located within the Green Belt and would be harmful to the Green Belt due to its inappropriateness and its impact on openness. There would be a degree of related harm due to the loss of agricultural land within the historic landscape setting of the Thorn Spring Scheduled Monument. In line with national planning policy, substantial weight is to be attached to any Green Belt harm and the other harm identified.

Having regard to the urgent housing and economic need for growth within the area; the significant contribution which the development would make towards the urgent housing and employment need in the area; the significant contribution which the development would make in supporting the delivery of a sustainable urban extension including the provision 30% affordable housing and support for essential infrastructure and services within the wider growth area; the wider benefits for the local economy; the substantial body of evidence from work on planning policy documents to date which support the identification of the site as suitable for sustainable mixed use development and the lengthy history of policy support for the proposed HRN allocation; the strong likelihood of a strategic allocation north of Houghton Regis being formalised in the future; and the recent planning decisions and other committed development within the allocation area a multitude of factors weigh substantially in favour of the proposal. Taken together, these represent very special circumstances sufficient to clearly outweigh the Green Belt harm and other harm identified.

Subject to suitable mitigation, no significant adverse environmental impacts would result from the proposed development or due to the impact on local services and facilities. In all other respects the proposal is considered to be in conformity with the adopted Development Plan policies, the emerging Development Strategy for Central Bedfordshire, and national policy contained in the National Planning Policy Framework.

Recommendation

That, the Development Infrastructure Group Manager be authorised to GRANT Planning Permission subject to the prior consultation of the Secretary of State, in accordance with The Town and Country Planning (Consultation) (England) Direction 2009, the completion of a prior Section 106 Agreement to secure planning obligations as summarised in this report and subject to conditions:

RECOMMENDED CONDITIONS

- 1 With the exception of the approved Advanced Infrastructure Works, approval of the details of the appearance, landscaping and scale (herein called 'the reserved matters') of the development in each Development Parcel as defined by the approved parameter plans shall be obtained in writing from the local planning authority prior to development is commenced in that Development Parcel. The development shall be carried out in accordance with the approved details.

Reason: To comply with Article 5 (1) of the Town and Country Planning (Development Management Procedure) Order 2015.

- 2 Application for approval of the reserved matters for each Development Parcel as defined by the approved parameter plans, shall be made to the Local Planning Authority before the expiration of 10 years from the date of this permission. The development shall begin no later than 5 years from the approval of the final reserved matters.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 No more than 1,850 dwellings and no more than 8,000 sqm of gross non-residential floor space (to include mezzanines) within Classes B1, B2 and B8 (Employment); 1,000sqm of gross non-residential floor space within Classes A1, A2, A3, A4, A5 (Retail); together with additional Class D1 and D2 development comprising education, community and leisure uses (of the Town and Country (Use Classes) Order 1987, as amended) shall be constructed on the site pursuant to this planning permission in accordance with sections 17 and 18 of the application validated on 26 January 2015 and the approved parameter plans.

Reason: For the avoidance of doubt and to define the planning permission.

- 4 The "Advance Infrastructure Works" are defined as follows:
- Geotechnical assessment;
 - Earthworks;
 - Formation of development platforms;
 - Advance structural landscaping and provision of public open space areas;
 - Provision of new and (amendment to) existing strategic highway infrastructure including footways and cycle paths, and
 - Strategic utilities provision;
 - Foul & Storm water drainage connections; and
 - Attenuation Ponds and swales.

"Development Parcel" is defined as a phase or part of the development other than Advanced Infrastructure Works; and includes residential parcels, the employment, local centre and primary school parcels and any land drainage or informal open space, play spaces and allotments contained specifically within or associated with these individual parcels as defined by the approved parameter plans

Reason: For the avoidance of doubt and to define the planning permission.

- 5 **No development shall commence in relation to the Advance Infrastructure Works or the Development Parcels as defined by the approved parameter plans until a remediation strategy, in respect of that area of Advance Infrastructure Works or that developable area, has been submitted to and approved, in writing, by the Local Planning Authority. The remediation strategy shall include the following components to deal with the risks associated with contamination of the site:**
- **A Preliminary Risk Assessment (PRA) including a Conceptual Site Model (CSM) of the site indicating potential sources, pathways and receptors, including those off site.**
 - **The results of a site investigation based on (1) and a detailed risk assessment, including a revised CSM.**
 - **Based on the risk assessment in (2) an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions. The plan shall also detail a long term monitoring and maintenance plan as**

necessary.

- **No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the remediation strategy in (3). The long term monitoring and maintenance plan in (3) shall be updated and be implemented as approved.**

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with the NPPF. Details must be approved prior to the commencement of development to prevent any potential pollution of controlled waters which could occur in connection with development.

- 6 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy 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.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with the NPPF.

- 7 **Development shall not begin until a scheme for surface water disposal in accordance with the principles of plan No.13893 – SKC101 Revision C has been submitted to and approved in writing by the Local Planning Authority. Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. The development shall be carried out in accordance with the approval details.**

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with the NPPF. Details must be approved prior to the commencement of development to prevent any potential pollution of controlled waters which could occur in connection with development.

- 8 Piling or any other foundation designs and investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with the NPPF.

- 9 Prior to construction, the recommendations of the additional ground gas monitoring proposed in Section 7.5.2 of the Environmental Survey (and Section 7.3/Table I-5 of the referenced Ground Investigation Report) shall be

implemented to their fullest extent, including any remediation or protective measures which shall in turn be validated and approved in writing by the Planning Authority prior to occupation of any structure hereby permitted.

Reason: To protect human health in line with the NPPF.

- 10 **No development shall commence in relation to the Advance Infrastructure Works or any Development Parcel until a Landscape & Biodiversity Mitigation Strategy & Management Plan, in respect of that area of Advance Infrastructure Works or that Development Parcel has been submitted to and approved in writing by the Local Planning Authority. Any development hereby permitted shall be carried out only in accordance with the approved Mitigation Strategy & Management Plan.**

The scheme shall include details of ecological surveys and suitable habitat mitigation and monitoring including details extent and type of new planting and new habitat created on site in accordance with the Environmental Statement (January 2015) and its Ecology Addendum (June 2015).

Reason: To protect wildlife and supporting habitat and in accordance with the NPPF. Details must be approved prior to the commencement of development to protect wildlife and supporting habitat from potential impacts which could occur in connection with development.

- 11 **No Advance Infrastructure Works shall commence until an Advanced Infrastructure Schedule detailing the works in respect of that particular stage has been submitted to and approved in writing by the Local Planning Authority.**

All Advanced Infrastructure Schedule shall be supported by detailed scaled drawings which show the proposed works in context, both existing and proposed; any temporary treatment including hard and soft landscaping, boundary treatment works associated with the development; and a Construction Environmental Management Plan (CEMP) comprising;

- a) **Environment Management Responsibilities;**
- b) **Construction Activities and Timing;**
- c) **Plant and Equipment, including loading and unloading;**
- d) **Construction traffic routes and points of access/egress to be used by construction vehicles;**
- e) **Works affecting rights of way including route diversions, extinguishments or temporary closures**
- f) **Details of site compounds, offices and areas to be used for the storage of materials;**
- g) **Utilities and Services;**
- h) **Emergency planning & Incidents;**
- i) **Contact details for site managers and details of management lines of reporting to be updated as different phases come forward;**
- j) **On site control procedures in respect of:**
 - i. **Traffic management measures**

- ii. **Air and Dust quality**
 - iii. **Noise and vibration**
 - iv. **Water quality**
 - v. **Ecology**
 - vi. **Trees, Hedgerows and Scrub**
 - vii. **Waste and Resource Management**
 - viii. **Archaeological and Cultural Heritage**
 - ix. **Visual and Lighting**
 - x. **Utilities and Services**
 - xi. **Protection of water resources**
 - xii. **Protection of species and habitats**
- k) **Detailed phasing plan to show any different phasing, different developers and/or constructors to be updated on an annual basis;**
- l) **Details for the monitoring and review of the construction process including traffic management (to include a review process of the Construction Environmental Management Plan during development).**

The works shall be implemented only in accordance with the details approved.

Reason: To allow early work to be undertaken to set out the infrastructure necessary to begin the development and to ensure that the development is constructed using methods to mitigate nuisance or potential damage associated with the construction period and in accordance with the NPPF. Details must be approved prior to the commencement of development to mitigate nuisance and potential damage which could occur in connection with development.

- 12 **No development shall commence in relation to the Advance Infrastructure Works or a Development Parcel as defined by the approved parameter plans until a written scheme of archaeological investigation for in respect of that area of Advance Infrastructure Works or that Development Parcel has been submitted to and approved in writing by the Local Planning Authority.**

The development shall only be implemented in full accordance with the approved scheme of archaeological resource management.

This written scheme will include the following components, completion of each of which will trigger the phased discharging of the condition:

- (i) Field investigation in accordance with the agreed written scheme of archaeological investigation;**
- (ii) Post-excavation Assessment and Updated Project Design (to be submitted within nine months of the completion of fieldwork at (i)), unless otherwise agreed in advance in writing by the Local Planning Authority);**
- (iii) Completion of post-excavation analysis, preparation of site archive ready for deposition at a store approved by the Local Planning Authority, completion of an archive report, and submission of a publication report**

(to be completed within two years of the approval of the Updated Project Design at (ii)), unless otherwise agreed in advance in writing by the Planning Authority);

(iv) A programme of interpretation, public outreach and community engagement.

Reason: To record and advance understanding of the archaeological resource which will be unavoidably destroyed as a consequence of the development and to secure the protection and management of archaeological remains preserved within the development in accordance with the NPPF. This condition is a pre-commencement requirement as a failure to secure appropriate archaeological investigation in advance of development would be contrary to paragraph 141 of the National Planning Policy Framework (NPPF) that requires the recording and advancement of understanding of the significance of any heritage assets to be lost (wholly or in part).

- 13 With the exception of the approved Advanced Infrastructure Works, no development shall take place within a Development Parcel until a site-wide lighting and signage strategy for that Development Parcel, including cycle and footpaths, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To define the character of the development and to guide detailed submissions and to ensure that the details and appearance of the development are acceptable to the Local Planning Authority and in accordance with the NPPF.

- 14 The details required in accordance with Condition 1 of the permission shall be in accordance with the Bidwell West Design Code (June 2015) hereby approved and the details approved pursuant to Condition 13 of this permission.

Reason: To ensure that the details and appearance of the development are acceptable to the Local Planning Authority and in accordance with the NPPF.

- 15 No part of a Development Parcel shall be brought into use until a detailed Rights of Way scheme for that Development Parcel and its associated public open space area as detailed on the Revised Open Space & Development Parcel Phasing Plan (5331/OSP/ASP09 Rev C) has been submitted to and approved in writing by the Local Planning Authority.

No development shall commence in relation to the Advance Infrastructure Works comprising the provision of the public open space areas defined as formal parks & gardens, formal recreation and countryside recreation as detailed on the Revised Open Space & Development Parcel Phasing Plan (5331/OSP/ASP09 Rev C) until a detailed Rights of Way scheme for that area of public open space has been submitted to and approved in writing by the Local Planning Authority.

All such submissions shall detailing the width, specification, surfacing and treatment of Rights of Way within that Development Parcel or public open

space area.

The Rights of Way scheme, or schemes shall then be implemented in full as approved unless otherwise amended in accordance with a review to be agreed in writing by the Local Planning Authority.

Reason: To ensure that the public rights of way network within the site are protected, enhanced and promoted as part of the development in accordance with the NPPF.

- 16 No part of a Development Parcel shall be brought into use until a Public Art Strategy for the public open space area associated with that Development Parcel as detailed on the Revised Open Space & Development Parcel Phasing Plan (5331/OSP/ASP09 Rev C) has been submitted to and approved in writing by the Local Planning Authority.

No development shall commence in relation to the Advance Infrastructure Works comprising the provision of the public open space areas defined as formal parks & gardens, formal recreation and countryside recreation as detailed on the Revised Open Space & Development Parcel Phasing Plan (5331/OSP/ASP09 Rev C) until a Public Art Strategy for that area of public open space has been submitted to and approved in writing by the Local Planning Authority.

All such submissions shall be in accordance with the principles Outline Public Art Plan (5331.PAP.006, June 2015) and shall detail proposals in respect of;

- Presentation and council liaison
- Artist recruitment and briefing
- Coordinating community engagement
- Project monitoring, reporting, implementation and timescales and
- Management, maintenance and associated resourcing arrangements

The Public Art Strategy or Strategies shall then be implemented in full as approved unless otherwise amended in accordance with a review to be agreed in writing by the Local Planning Authority.

Reason: In the interests of promoting local distinctiveness and creating a sense of place, in accordance with the NPPF.

- 17 **No development shall commence in relation to the Advance Infrastructure Works or a Development Parcel as defined by the approved parameter plans until an Arboricultural Method Statement, in respect of that area of Advance Infrastructure Works or that Development Parcel, has been submitted to and approved, in writing, by the Local Planning Authority. The Method Statements shall specify procedures required to undertake tree protection measures including specifications for tree protection barriers (including any revisions to barrier locations); a schedule of tree works; a procedure for above soil installations; hard surface removal and excavations within root protection areas; phasing of work; arboricultural supervision including auditing tree protection and subsequent reporting to the Local Planning Authority. The development shall be carried out in accordance with the approved Method Statements.**

Reason: To ensure a satisfactory standard of tree care and protection is planned, supervised, executed, recorded and reported at all times in the interests of maintaining tree health in accordance with good arboricultural practice and methodology. Details must be approved prior to the commencement of development to ensure the development is undertaken in a way which ensures a satisfactory standard of tree care and protection.

- 18 The development shall be carried out in accordance with the Tree Constraints Plan (Dwg. No. 8788 TCP 01 Sheets 1 to 5) and the Tree Protection Plan (Dwg. No. 8788 TPP 01 Sheets 1 to 5) as prepared by Aspect Arboriculture, dated January 2015.

Reason: To ensure that the design is not in conflict with identified tree constraints, nor tree protection requirements, so as to ensure the successful protection of existing trees, as indicated for retention on the these plans.

- 19 With the exception of the approved Advanced Infrastructure Works, no development shall be commenced within a Development Parcel until a scheme of noise mitigation measures for the residential units and amenity areas within that Development Parcel has been submitted to and approved in writing by the Local Planning Authority. The indoor noise levels shall for both bedrooms and other habitable rooms accord with the guidance contained within the relevant British Standard for acceptable residential noise levels when the details are submitted.

Internal noise levels are to be achieved, where possible with the window open; however where this is not possible, details of other means of window glazing, background ventilation and temperature control design shall be submitted to, and approved by the Local Planning Authority prior to installation.

Reason: In order to safeguard the amenity and interests of the community and in accordance with the NPPF.

- 20 With the exception of the approved Advanced Infrastructure Works, no development shall take place within a Development Parcel until a Construction Environmental Management Plan (CEMP) for that Development Parcel has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of:
- a) Environment Management Responsibilities;
 - b) Construction Activities and Timing;
 - c) Plant and Equipment, including loading and unloading;
 - d) Construction traffic routes and points of access/egress to be used by construction vehicles;
 - e) Works affecting rights of way including route diversions, extinguishments or temporary closures
 - f) Details of site compounds, offices and areas to be used for the storage of materials;
 - g) Utilities and Services;
 - h) Emergency planning & Incidents;
 - i) Contact details for site managers and details of management lines of reporting to be updated as different phases come forward;

- j) On site control procedures in respect of:
 - i. Traffic management measures
 - ii. Air and Dust quality
 - iii. Noise and vibration
 - iv. Water quality
 - v. Ecology
 - vi. Trees, Hedgerows and Scrub
 - vii. Waste and Resource Management
 - viii. Archaeological and Cultural Heritage
 - ix. Visual and Lighting
 - x. Utilities and Services
 - xi. Protection of water resources
 - xii. Protection of species and habitats
- k) Detailed phasing plan to show any different phasing, different developers and/or constructors to be updated on an annual basis;
- l) Details for the monitoring and review of the construction process including traffic management (to include a review process of the Construction Environmental Management Plan during development).

The works shall be implemented only in accordance with the details approved.

Reason: To allow early work to be undertaken to set out the infrastructure necessary to begin the development and to ensure that the development is constructed using methods to mitigate nuisance or potential damage associated with the construction period and in accordance with the NPPF.

- 21 The details required by Condition 1 of this permission shall include a scheme of measures to mitigate the impacts of climate change and deliver 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 then be carried out in full in accordance with the approved scheme.

Reason: To ensure the development is resilient and adaptable to the impacts arising from climate change in accordance with the NPPF.

- 22 With the exception of the approved Advanced Infrastructure Works, no development shall take place within a Development Parcel until a detailed waste audit scheme for that Development Parcel has been submitted to and approved in writing by the Local Planning Authority. The waste audit schemes shall be in accordance with the Outline Waste Audit (June 2015) forming part of the planning application and shall include details of refuse storage and recycling facilities. The scheme shall be carried out in accordance with the approved details.

Reason: To ensure that development is adequately provided with waste and recycling facilities in accordance with the NPPF.

- 23 With the exception of the approved Advanced Infrastructure Works, no development shall take place within a development Parcel until detailed Tree Protection Plans and a detailed Arboricultural Impact Assessment for that Development Parcel has been submitted to and approved in writing by the

Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: To provide detailed site specific assessments at a level of detail appropriate to the scale of the site, in order to ensure assessment accuracy.

- 24 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted documents;
- Parameter Plan 1: Land Use, Open Space & Landscape (1362/PL02 Rev G);
 - Parameter Plan 2(a): Vehicular Movement & Access (1362/PL06);
 - Parameter Plan 2(b): Pedestrian & Cycle Movement & Access (1362/PL07);
 - Parameter Plan 3: Buildings Height (1362/PL04 Rev E);
 - Parameter Plan 4: Residential Density (1362/PL05 Rev E);
 - Site-Wide Masterplan (1362-PL09);
 - Estate Road 1 Sheet 1 BE1362-3T-01 (Second Issue);
 - Estate Road 1 Sheet 2 BE1362-3T-02 (Second Issue);
 - Estate Road 1 & 3 Sheet 3 BE1362-3T-03 (Second Issue);
 - Estate Road 2 Sheet 1 BE1362-3T-04 (Second Issue);
 - Estate Road 2 Sheet 2 BE1362-3T-05 (Second Issue);
 - Thorn Road Narrowing BE1362-3T-06 (Second Issue);
 - Thorn Road Estate Road BE1362-3T-07 (Second Issue);
 - Thorn Road Western Area of Site BE1362-3T-08 (Second Issue);
 - Bedford Road Sheet 1 BE1362-3T-09 (First Issue);
 - Overview Plan BE1362-3T-10 (First Issue);
 - Bedford Road Sheet 2 BE1362-3T-11 (Second Issue);
 - Plan and Profile Estate Road 1 Sheet 1 BE1362-3T-12 (Second Issue);
 - Plan and Profile Sheet 2 BE1362-3T-13 (Second Issue);
 - Plan and Profile Estate Road 1 Sheet 3 BE1362-3T-14 (Second Issue);
 - Plan and Profile Estate Road 2 Sheet 1 BE1362-3T-15 (Second Issue);
 - Plan and Profile Estate Road 2 Sheet 2 BE1362-3T-16 (Second Issue);
 - Drainage Strategy Report (R/C13893/001.02, July 2015);
 - Adoptability Plan (13893-SKC005 Rev)
 - Drainage Management Plan Sheet 1 (13893-SKC010 Rev C)
 - Drainage Management Plan Sheet 2 (13893-SKC011 Rev C)
 - Drainage Management Plan Sheet 3 (13893-SKC012 Rev B)
 - Drainage Management Plan Sheet 4 (13893-SKC013 Rev B)
 - Drainage Management Plan Sheet 5 (13893-SKC014 Rev B)
 - Drainage Management Plan Sheet 6 (13893-SKC015 Rev A)
 - Flood Exceedance Route (13893-SKC102) Drainage Construction Details (13893-SKC004 Rev A);
 - Pond Detail Sections (13893-SKC100 Rev A);
 - Drainage Strategy Report (Addendum) (R/C13893/002.03, July 2015);
 - Drainage Management Plan (13893-SKC101 C);
 - Revised Landscape Framework Plan (5331/LM/ASP07 REV G);
 - Revised Open Space & Development Parcel Phasing Plan (5331/OSP/ASP09 Rev C)
 - Outline Waste Audit (June 2015);
 - Bidwell West Design Code (June 2015);

- Outline Public Art Plan (5331.PAP.006, June 2015);
- Tree Constraints Plan (8788 TCP 01 Sheets 1 to 5); and
- Tree Protection Plan (8788 TPP 01 Sheets 1 to 5).

Reason: For the avoidance of doubt.

Notes to Applicant

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
2. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the South Bedfordshire Local Plan Review (SBLPR), the emerging Development Strategy for Central Bedfordshire (DSCB) and the NPPF.
3. Any conditions in bold must be discharged before the development commences. Failure to comply with this requirement could invalidate this permission and/or result in enforcement action.
4. The applicant is advised that as a result of the development, new highway street lighting will be required and the applicant must contact the Development Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ for details of the works involved, the cost of which shall be borne by the developer. No development shall commence until the works have been approved in writing and the applicant has entered into a separate legal agreement covering this point with the Highway Authority.
5. The applicant is advised that in order to comply with the conditions of this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Development Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
6. The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Development Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ . No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.

7. Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the development should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991 or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.
8. The development of the site is subject to a Planning Obligation under Section 106 of the Town and Country Planning Act 1990 (as amended).

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, Article 35

The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

[Notes:

1. In advance of consideration of the application the Committee received representations made in accordance with the Public Participation Scheme.
2. Two additional comments – matters of clarification.
3. In advance of consideration of the application the Committee was advised of additional information and amendments to the report from the following sources in the Late Sheet:
 - a. Applicant – road safety audit stage 1 and designers response
 - b. Public Protection team
 - c. Historic England
 - d. Barton Willmore on behalf of Houghton Regis Development Consortium for HRN1
 - e. CBC Tree and Landscape Officer
 - f. CBC Highways Development Management
 - g. Applicant's additional information
 - h. Optimis Consulting on behalf of landowners with the Bidwell area, east of the application site
 - i. Barker Parry Town Planning on behalf of residents of Bidwell Farm Barns and Bidwell Farmhouse
 - j. 161 Cemetery Road, Houghton Regis
 - k. Buckingham and River Ouzel Internal Drainage Board
4. Conditions 7 and 24 have been amended as indicated.]

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Item No. 7

APPLICATION NUMBER	CB/15/01928/REG3
LOCATION	Land at Thorn Turn Thorn Road, Houghton Regis
PROPOSAL	Up to 44,700m² of B1, B2 and/or B8 employment development floorspace with associated infrastructure and ancillary works. All matters reserved except means of access.
PARISH	Houghton Regis
WARD	Houghton Hall
WARD COUNCILLORS	Cllrs Mrs Goodchild & Kane
CASE OFFICER	Adam Davies
DATE REGISTERED	19 May 2015
EXPIRY DATE	08 August 2015
APPLICANT	CBC Assets
AGENT	Woods Hardwick Ltd
REASON FOR COMMITTEE TO DETERMINE	Departure from Development Plan
RECOMMENDED DECISION	That, the Development Infrastructure Group Manager be authorised to GRANT Planning Permission subject to the prior consultation of the Secretary of State, in accordance with The Town and Country Planning (Consultation) (England) Direction 2009 and subject to conditions.

Summary of Recommendation

The application site is located within the Green Belt and would be harmful to the Green Belt due to its inappropriateness and its impact on openness. There would be a degree of related harm due to the loss of agricultural land. In line with national planning policy, substantial weight is to be attached to any Green Belt harm and the other harm identified.

The site is located in an area identified for growth in successive emerging development plans since 2001 and forms part of the proposed North Houghton Regis Strategic Allocation in the emerging Development Strategy identified to accommodate the needs of a growing population in the area. The site also forms part of a larger parcel of land at Thorn Turn which is allocated for development as a strategic waste management site under the Bedford Borough, Central Bedfordshire and Luton Borough Council Minerals and Waste Local Plan. Now that a full application for strategic-scale waste development has come forward to cater for the needs of the administrative area to efficiently manage its municipal waste over the Plan Period, there is certainty regarding those parts of the allocation land that are not required for waste management purposes. The allocated site at the Thorn Turn site can provide for waste management development in addition to the proposed employment development.

Market indicators demonstrate a need for identified specific commercial development within the area. Having regard to the scale and location of the application site and its relationship to the existing conurbation, strategic road network and the planned growth area, the site is well suited to provide employment of which there is current shortage of quality supply in the area. In recognition of the economic need for growth; the contribution which the development would make towards this, in support of the delivery of a sustainable urban extension; the wider benefits for the local economy; the substantial body of evidence from work on planning policy documents to date which support the identification of the site as suitable for sustainable mixed use development and the lengthy history of policy support for the proposed HRN allocation; the strong likelihood of a strategic allocation north of Houghton Regis being formalised in the future; and the recent planning decisions and other committed development within the allocation area, a multitude of factors weigh substantially in favour of the proposal. Taken together, these represent very special circumstances sufficient to clearly outweigh the Green Belt harm and other harm identified.

Subject to suitable mitigation, no significant environmental impacts would result from the proposed development or due to the impact on local services and facilities. In all other respects the proposal is considered to be in conformity with the adopted Development Plan policies, the emerging Development Strategy for Central Bedfordshire, and national policy contained in the National Planning Policy Framework.

Recommendation

That, the Development Infrastructure Group Manager be authorised to GRANT Planning Permission subject to the prior consultation of the Secretary of State, in accordance with The Town and Country Planning (Consultation) (England) Direction 2009 and subject to conditions:

RECOMMENDED CONDITIONS

- 1 Approval of the details of the appearance, landscaping, layout and scale (herein called 'the reserved matters') of the development shall be obtained in writing from the local planning authority prior to development is commenced in that Development Parcel. The development shall be carried out in accordance with the approved details.

Reason: To comply with Article 5 (1) of the Town and Country Planning (Development Management Procedure) Order 2015.

- 2 Application for approval of the reserved matters, shall be made to the Local Planning Authority before the expiration of 10 years from the date of this permission. The development shall begin no later than 5 years from the approval of the final reserved matters.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 No more than 44,700 sqm of gross non-residential floor space (to include mezzanines) within Classes B1, B2 and B8 (Employment) (of the Town and Country (Use Classes) Order 1987, as amended) shall be constructed on the site pursuant to this planning permission.

Reason: For the avoidance of doubt and to define the planning permission.

- 4 **No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority.**

The CEMP shall comprise;

- a) **Environment Management Responsibilities;**
- b) **Construction Activities and Timing;**
- c) **Plant and Equipment, including loading and unloading;**
- d) **Construction traffic routes and points of access/egress to be used by construction vehicles;**
- e) **Works affecting rights of way including route diversions, extinguishments or temporary closures;**
- f) **Details of site compounds, offices and areas to be used for the storage of materials;**
- g) **Utilities and Services;**
- h) **Emergency planning & Incidents;**
- i) **Contact details for site managers and details of management lines of reporting to be updated as different phases come forward;**
- j) **On site control procedures in respect of:**
 - i. **Traffic management measures**
 - ii. **Air and Dust quality**
 - iii. **Noise and vibration**
 - iv. **Water quality**
 - v. **Ecology**
 - vi. **Trees, Hedgerows and Scrub**
 - vii. **Waste and Resource Management**
 - viii. **Archaeological and Cultural Heritage**
 - ix. **Visual and Lighting**
 - x. **Utilities and Services**
 - xi. **Protection of water resources**
 - xii. **Protection of species and habitats**
- k) **Detailed phasing plan to show any different phasing, different developers and/or constructors;**
- l) **Details for the monitoring and review of the construction process including traffic management (to include a review process of the Construction Environmental Management Plan during development).**

The works shall be implemented only in accordance with the details approved.

Reason: To ensure that the development is constructed using methods to mitigate nuisance or potential damage associated with the construction period and in accordance with the NPPF. Details must be approved prior to the commencement of development to mitigate nuisance and potential damage which could occur in connection with development.

- 5 **Part A:** No development shall take place within any phase of the development until a written scheme of archaeological investigation for that phase has been submitted to and approved in writing by the Local Planning Authority.

The written scheme of investigation shall include the following components:

- A method statement for the investigation of any archaeological remains present at the site;
- A outline strategy for post-excavation assessment, analysis and publication

Part B: The said development shall only be implemented in full accordance with the approved archaeological scheme and this condition shall only be fully discharged when the following components have been completed to the satisfaction of the Local Planning Authority:

- The completion of all elements of the archaeological fieldwork, which shall be monitored by the Archaeological Advisors to the Local Planning Authority;
- The submission within nine months of the completion of the archaeological fieldwork (unless otherwise agreed in advance in writing by the Local Planning Authority) of a Post Excavation Assessment and an Updated Project Design, which shall be approved in writing by the Local Planning Authority;
- The completion within two years of the conclusion of the archaeological fieldwork (unless otherwise agreed in advance in writing by the Local Planning Authority) of the post-excavation analysis as specified in the approved Updated Project Design; preparation of site archive ready for deposition at a store approved by the Local Planning Authority, completion of an archive report, and submission of a publication report

Reason: To record and advance understanding of the archaeological resource and to secure the protection and management of archaeological remains preserved within the development in accordance with the NPPF. This condition is a pre-commencement requirement as a failure to secure appropriate archaeological investigation in advance of development would be contrary to paragraph 141 of the National Planning Policy Framework (NPPF) that requires the recording and advancement of understanding of the significance of any heritage assets to be lost (wholly or in part).

- 6 **Development shall not begin until a scheme for surface water disposal has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on sustainable principles and a detailed site specific assessment of the hydrological and hydrogeological context of the development. Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. The approved scheme shall be implemented in accordance with the approved timetable and detailed design and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.**

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF). Details must be approved prior to the commencement of development to prevent any potential pollution of controlled waters which could occur in connection with development.

- 7 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy 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.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with the NPPF.

- 8 **No development shall commence until an Arboricultural Method Statement, has been submitted to and approved, in writing, by the Local Planning Authority. The Method Statement shall specify procedures required to undertake tree protection measures including specifications for tree protection barriers (including any revisions to barrier locations); a schedule of tree works; a procedure for above soil installations; hard surface removal and excavations within root protection areas; phasing of work; arboricultural supervision including auditing tree protection and subsequent reporting to the Local Planning Authority. The development shall be carried out in accordance with the approved Method Statement.**

Reason: To ensure a satisfactory standard of tree care and protection is planned, supervised, executed, recorded and reported at all times in the interests of maintaining tree health in accordance with good arboricultural practice and methodology. Details must be approved prior to the commencement of development to ensure the development is undertaken in a way which ensures a satisfactory standard of tree care and protection.

- 9 The development shall be carried out in accordance with the Arboricultural Impact Assessment dated May 2015, and the Tree Protection Plans 5134801-ATK-CD-ZZ-DR-Z-0001 and 0002.

Reason: To ensure the successful protection of existing trees, as indicated for retention on these plans.

- 10 **No development shall commence until a Biodiversity Mitigation Strategy & Management Plan has been submitted to and approved in writing by the Local Planning Authority. Any development hereby permitted shall be carried out only in accordance with the approved Mitigation Strategy & Management Plan.**

The scheme shall include details of ecological surveys and suitable habitat mitigation, including lighting strategies and monitoring including details extent and type of new planting and new habitat created on site.

Reason: To protect wildlife and supporting habitat and in accordance with the NPPF. Details must be approved prior to the commencement of development to protect wildlife and supporting habitat from potential impacts which could occur in connection with development.

- 11 The details required by Condition 1 of this permission shall include a scheme of detailed landscaping proposals. The scheme shall detail structural landscaping proposals reflecting the character of existing landscape structures around the application site to enhance the landscape setting and visual amenity of the Ouzel Brook corridor, including the route of Public Bridleway No. 49 and maximise the planting of new native hedgerow and trees in order to offer landscape and environmental mitigation. The scheme shall then be carried out in full in accordance with the approved scheme.

Reason: To protect the landscape character and visual amenity of the locality in accordance with the NPPF.

- 12 No part of the development shall be brought into use until a detailed Rights of Way enhancement scheme for Public Bridleway No.49 within the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail the width, specification, surfacing and treatment of the bridleway including any crossings required where the bridleway would intersect with any access road within the site. The Rights of Way scheme shall then be implemented in full as approved unless otherwise amended in accordance with a review to be agreed in writing by the Local Planning Authority.

Reason: To ensure that the public bridleway route within the site is protected, enhanced and promoted as part of the development in accordance with the NPPF.

- 13 **No development shall take place until an appropriate noise assessment has been undertaken and any relevant scheme for mitigation and/or management of noise has been submitted to and approved by the Local Planning Authority. Any scheme or management plan hereby approved shall be implemented prior to any uses becoming operational and operated in accordance with the approved details unless alternative arrangements are agreed in writing by the Local Planning Authority.**

Reason: In the interests of local amenity in accordance with the NPPF. Details must be approved prior to the commencement of development to ensure the development is constructed in a way which ensures a satisfactory standard of local amenity.

- 14 The rating level of sound emitted from any fixed plant and/or machinery associated with the development or educational activities at the use hereby approved shall not exceed a level of 5dB(A) below the existing background level at the boundary of the nearest noise sensitive premises. All measurements and calculations shall be made in accordance with the methodology of BS4142:2014 (Methods for rating and assessing industrial and commercial sound.)

Reason: In the interests of local amenity in accordance with the NPPF.

- 15 No fixed lighting shall be erected or installed until details of the location, height, design, sensors, and luminance have been submitted to and approved in writing by the Local Planning Authority. The details shall ensure the lighting is designed to minimise the potential nuisance of light spillage on adjoining properties and highways etc. The lighting shall thereafter be erected, installed and operated in accordance with the approved details.

Reason: To minimise the nuisance and disturbances to neighbours (and the surrounding area and in the interests of highway safety) in accordance with the NPPF.

- 16 The details required by Condition 1 of this permission shall include a scheme of measures to mitigate the impacts of climate change and deliver 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 then be carried out in full in accordance with the approved scheme.

Reason: To ensure the development is resilient and adaptable to the impacts arising from climate change in accordance with the NPPF.

- 17 No part of the development shall be brought into use until a detailed waste audit scheme has been submitted to and approved in writing by the Local Planning Authority. The waste audit scheme shall include details of refuse storage and recycling facilities. The scheme shall be carried out in accordance with the approved details.

Reason: To ensure that development is adequately provided with waste and recycling facilities in accordance with the NPPF.

- 18 No part of the development shall be brought into use until a until a scheme of highways improvement works has been submitted to and approved in writing by the Local Planning Authority which includes construction details of approved access arrangements at Thorn Road, appropriate crossing facilities of Thorn Road including footway/cycleway along the site frontage. The approved scheme shall then be implemented in full prior to the first occupation of the development.

Reason: To ensure that the proposed highway works are constructed to adequate standard, are appropriate and proportional to the mitigation required to serve the development and that public rights of way are protected, enhanced and promoted as part of the development in accordance with the NPPF.

19 No part of the development shall be brought into use until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The 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 pedestrian, cycle and public transport networks.
- 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 Council.
- 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 travel information packs, to include site specific travel and transport information; travel vouchers; details of relevant pedestrian, cycle and public transport routes to/ from and within the site; and copies of relevant bus and rail timetables
- Details of the appointment of a travel plan co-ordinator.
- An Action Plan listing the measures to be implemented and timescales for this.

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

Reason: In the interests of promoting sustainable transport and reducing the number of trips by private car, in accordance with the NPPF.

20 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted documents;

- Existing site location plan 17384SK10
- Existing site plan 17384SK02A
- Site constraints plan 17384SK03A
- Site parameters plan 17384SK07A
- Topographical survey 20985/1
- Topographical survey 20985/2
- Topographical survey 20985/3
- Arboricultural Impact Assessment dated May 2015, and the Tree Protection Plans 5134801-ATK-CD-ZZ-DR-Z-0001 and 0002.

Reason: For the avoidance of doubt.

Notes to Applicant

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
2. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the South Bedfordshire Local Plan Review (SBLPR), the emerging Development Strategy for Central Bedfordshire (DSCB) and the NPPF.
3. Any conditions in bold must be discharged before the development commences. Failure to comply with this requirement could invalidate this permission and/or result in enforcement action.
4. The applicant is advised that as a result of the development, new highway street lighting will be required and the applicant must contact the Development Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ for details of the works involved, the cost of which shall be borne by the developer. No development shall commence until the works have been approved in writing and the applicant has entered into a separate legal agreement covering this point with the Highway Authority.
5. The applicant is advised that in order to comply with the conditions of this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Development Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
6. The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Development Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ . No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.

7. Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the development should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developer's cost under Section 185 of the Water Industry Act 1991 or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, Article 35

The Council acted pro-actively through positive engagement with the applicant at the pre application stage and during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

[Note:

In advance of consideration of the application the Committee was advised of additional information from the following sources in the Late Sheet:

- a. Bank End Cottages, Chalk Hill, Dunstable twice
- b. CBC Highways Development Management
- c. Applicant's additional information
- d. Houghton Regis Town Council]

Item No. 9

APPLICATION NUMBER	CB/15/01355/OUT
LOCATION	Land East of Hitchin Road South of 159 Hitchin Road, Stotfold, Hitchin, SG5 4JH
PROPOSAL	Outline Application: new lower school (All matters reserved).
PARISH	Fairfield
WARD	Stotfold & Langford
WARD COUNCILLORS	Cllrs Dixon, Saunders & Saunders
CASE OFFICER	Samantha Boyd
DATE REGISTERED	17 April 2015
EXPIRY DATE	17 July 2015
APPLICANT	Lochailort Stotfold Ltd
AGENT	DLP Planning Ltd
REASON FOR COMMITTEE TO DETERMINE	Major development contrary to Policy

RECOMMENDED DECISION	To grant outline consent
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Reason for recommendation

The application site is located outside of any defined settlement envelope, in the open countryside where there is a presumption against new development as set out by Policy DM4 of the Core Strategy and Development Management Policies Document (2009). The proposed new Lower school would provide additional school places in an area where the existing schools are at capacity and where there is a demonstrable need for additional places. Therefore while the proposal is contrary to policy, the public benefits of the proposal are considered to outweigh the conflict with Policy DM4. The proposal is considered to be sustainable development in accordance with the NPPF and would comply with Policy 38 of the Emerging Development Strategy. The proposal is also considered to be acceptable in terms of all other planning considerations and therefore compliant with Policy DM3 of the Core Strategy and Development Management Policies Document (2009).

Recommendation

That Outline Planning Permission be granted subject to the following:

RECOMMENDED CONDITIONS / REASONS

- 1 Application for the approval of the reserved matters shall be made to the Local Planning Authority within 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.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 **No development shall take place until approval of the details of the appearance, landscaping, layout, scale and access of the development (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.**

Reason: To comply with Part 3 Article 6 of the Town and Country Planning (General Development Procedure) Order 2015.

- 3 **No development shall take place until details of the existing and final ground 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 sections through both the site and the adjoining properties, the location of which shall first be agreed in writing with the Local Planning Authority. Thereafter the site shall be developed in full accordance with the approved details.**

Reason: Details are required prior to commencement of works to ensure that an acceptable relationship results between the new development and adjacent buildings and public areas.

- 4 **No development shall take place until details of the materials to be used for the external walls and roofs of 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.**

Reason: Required prior to commencement of the development to control the appearance of the building in the interests of the visual amenities of the locality.

- 5 **No work on the construction of the building hereby approved shall commence until details of how the development will achieve 10% or more of its own energy requirements through on-site or near-site renewable or low carbon technology energy generation have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

Reason: In the interest of sustainability.

- 6 **The landscaping scheme approved under the Reserved Matters application shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.**

Reason: To ensure an acceptable standard of landscaping.

- 7 The building shall not be occupied until a scheme setting out the type, design, lux levels and measures to control glare and overspill light from sports and general lighting and measures to ensure sports lights are switched off when not in use has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in advance and in writing by the Local Planning Authority the sports pitches and any associated sports lighting shall not be used outside the hours of 8 a.m. and 10 p.m. on any day.

After commencement of the use the lighting shall be operated in accordance with the approved scheme.

Reason: To balance illuminating the sports pitches and school for maximum use and security with the interest of amenity and sustainability.

- 8 Noise resulting from the use of the plant, machinery or equipment shall not exceed a noise rating level of -5dBA, Leq when measured and calculated according to BS4142: 2014 at the boundary of the nearest noise sensitive property.

Reason: To protect the amenity of neighbouring properties.

- 9 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, number D01, D02, PJ0074-SK-001, ASC.15.254, Ecological Appraisal June 2015, Heritage Statement 2015/73 V 1.0, Framework School Travel Plan ref: 406.01862.00010, Transport Assessment including Technical Note, Haydens Tree Survey AIA dated 24/04/15, Flood Risk Assessment ref: 1368 FRA, Phase 1 Geoenvironmental Desk Study No. 15.05.009 May 2015, Landscape and Visual Statement dated June 2015, Design and Access Statement April 2015.

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

- 10 No development shall take place until a written scheme of archaeological investigation; that adopts a staged approach and includes post excavation analysis and publication, has been submitted to and approved in writing by the Local Planning Authority. The said development shall only be implemented in full accordance with the approved archaeological scheme.”

Reason:

- (1) To record and advance understanding of the archaeological resource which will be unavoidably destroyed as a consequence of the development in accordance with Chapter 12 of the National Planning Policy Framework and Policy 45 of the Development Strategy for Central Bedfordshire (Pre-submission version June 2014).
- (2) This condition is pre-commencement as a failure to secure appropriate archaeological investigation in advance of development would be contrary to paragraph 141 of the National Planning Policy Framework (NPPF) that requires the recording and advancement of understanding

of the significance of any heritage assets to be lost (wholly or in part).

- 11 No part of the development shall be occupied until details of a new signalised crossing on Hitchin Road has been submitted to and approved by the local planning authority. The crossing shall be provided as approved prior to the building being first brought into use.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises.
(Policy 43, DSCB)

Notes to Applicant

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
2. In accordance with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the adopted Core Strategy and Development Management Policies Document (North).

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, Article 35

The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

NOTES

- (1) In advance of the consideration of the application the Committee were advised of additional consultation received from Archaeology and the Landscape Planner and Agent. Additional conditions.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.

Item No. 8

APPLICATION NUMBER	CB/14/04048/FULL
LOCATION	Former Pig Unit, Hitchin Road, Stotfold, Hitchin, SG5 4JG
PROPOSAL	Demolition of all existing buildings and dwellings. Erection of 116 dwellings and a 70 bedroom care home with access, parking, open space and ancillary works.
PARISH	Fairfield
WARD	Stotfold & Langford
WARD COUNCILLORS	Cllrs Dixon, Saunders & Saunders
CASE OFFICER	Samantha Boyd
DATE REGISTERED	07 November 2014
EXPIRY DATE	06 February 2015
APPLICANT	Lochailort Stotfold Ltd
AGENT	DLP Planning Ltd
REASON FOR COMMITTEE TO DETERMINE	Major Development contrary to Policy
RECOMMENDED DECISION	To grant planning permission

Reason for Recommendation

The proposed 70 bed care home and 116 dwellings is contrary to Policy MA7, DM4 and CS7 of the Core Strategy and Development Management Policies Document, however the proposal would provide significant benefits to the local community and the wider area given the need for the care home accommodation and the job creation it would provide, the additional houses which would benefit the Councils 5 year housing supply and most significantly, the development would facilitate the provision of a much needed lower school which would provide additional school places for the residents of Fairfield Parish and the surrounding area. The proposal would also result in a visual improvement to the landscape by regenerating an unuses designated employment site. These benefits are considered to add significant weight in favour of the development and therefore the proposal is considered to be acceptable.

The proposal is considered to be acceptable in terms of highway safety and neighbouring amenity and therefore accords with Policy DM3 of the Core Strategy and Development Management Policies Document(2009)

Recommendation

That Planning Permission be granted subject to the following:

RECOMMENDED CONDITIONS / REASONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 **No development shall commence on site until a Phasing Plan has been submitted to the Local Planning Authority and approved in writing. Development shall be carried out in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.**

Reason: In order to allow Phased Development in accordance with the Community Infrastructure Regulations.

- 3 **No construction in any Phase of the development shall commence, notwithstanding the details submitted with the application, until details of all external materials to be used for that Phase have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

Reason: To control the appearance of the buildings in the interests of the visual amenities of the locality in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 4 **No development in any Phase (other than that required to be carried out as part of an approved scheme of remediation) shall take place until conditions (a) to (c) below have been complied with, unless otherwise agreed in writing by the Local Planning Authority. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition (c) has been complied with in relation to that contamination.**

(a) Submission of a Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historic environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works, and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

(b) Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of

development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

(c) **Reporting of Unexpected Contamination**

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the management of Land Contamination, CLR 11'.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition (b).

Reason: Required prior to the commencement of development to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the Core Strategy and Development Management Policies Document (2009).

- 5 **No construction in any Phase shall commence until a detailed surface water drainage scheme for that Phase based on the agreed Flood Risk Assessment (FRA) October 2014 (ref. 1318 FRA Option 2) has been submitted to and approved in writing by the Local Planning Authority. Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. The scheme shall include a restriction in run-off rates as outlined in the FRA. The scheme shall be implemented in accordance with the approved details before the development is completed. The development shall be carried out in accordance with the approved details.**

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with the current and previous land uses in line with the National Planning Policy Framework and Environment Agency Groundwater Protection: Principles and Practice (GP3) and in accordance with Policy DM3 of the Core Strategy and

Development Management Policies Document (2009)

- 6 Prior to and during demolition and construction works in any Phase all tree protection measures, and working method procedures, shall be carried out in strict accordance with the "Tree Survey and Constraints Plan", as prepared by Hayden's Arboricultural Consultants (Document Ref.3874) and dated 10th January 2014.

Reason: To ensure that a satisfactory standard of working practice is implemented that safeguards the trees from damage incurred during development works, so as to ensure the health, safety, amenity and screening value of the retained trees in accordance with policies contained within the Core Strategy and Development Management Policies Document (2009)

- 7 Prior to the commencement of construction works in any Phase of the development hereby approved (which for the avoidance of doubt excludes any demolition works), a landscaping scheme for that Phase to include all hard and soft landscaping and boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following completion and/or first use of any building within that Phase (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season with others of a similar size and species.

Reason: To ensure an acceptable standard of landscaping in the interests of visual amenity and biodiversity in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 8 Prior to the commencement of construction works in any Phase of the development hereby approved (which for the avoidance of doubt excludes any demolition works), a detailed refuse collection strategy for that Phase in accordance with the details within the Design and Access Statement (October 2014) for the development shall be submitted to and approved in writing by the Local Planning Authority. The strategy for that Phase shall be implemented in accordance with the approved details.

Reason: To ensure that development is adequately provided with waste and recycling facilities in accordance with Policy WSP5 of the Bedford Borough, Central Bedfordshire and Luton Borough Council's Minerals and Waste Local Plan: Strategic Sites and Policies (2014) and Policy DM3 of the Core Strategy and Development Management Policies Document (2009).

- 9 Prior to the commencement of any Phase incorporating Use Class C3 dwellings (and for the avoidance of doubt, not extending to any Phase solely comprising the approved Care Home), a scheme detailing on-site equipped play provision within that Phase shall be submitted to and approved in

writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of any dwelling within that Phase.

Reason: To ensure satisfactory provision for play facilities to serve the development in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009).

- 10 Prior to the commencement of construction works in any Phase of the development hereby approved (which for the avoidance of doubt excludes any demolition works) details of any external lighting to be installed within that Phase, including the design of the lighting unit, any supporting structure and the extent of the area to be illuminated, shall have been submitted to approved in writing by the Local Planning Authority. The external lighting shall be installed in accordance with the approved details.

Reason: To protect the visual amenity of the site and in the interests of biodiversity in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009).

- 11 Noise resulting from the post-construction use of plant and equipment at the residential care home hereby approved shall not exceed a noise rating level of -5dBA, Leq when measured in accordance with BS4142:1997, at the boundary of any dwelling.

Reason: To safeguard the living conditions of adjacent residential occupiers in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009).

- 12 **No development shall commence on any Phase of the development hereby approved until an Energy Statement shall have been submitted to and approved in writing by the Local Planning Authority relating to that Phase. The Energy Statement for each Phase shall include:**

- a) **For dwellings falling within Use Class C3, an assessment of the actual effect on carbon dioxide emissions demonstrating that the measures previously agreed as part of the energy audit for that Phase have achieved a reduction of carbon dioxide emissions by an aggregate of 6% over 2010 Building Regulations Part 1LA and an aggregate of 9% under Part 2LA as applicable.**
- b) **For the approved care home, either an assessment of the actual effect on carbon dioxide emissions (demonstrating that the measures previously agreed as part of the energy audit for that Phase have achieved a reduction of carbon dioxide emissions by an aggregate of 6% over 2010 Building Regulations Part 1LA and an aggregate of 9% under Part 2LA as applicable) or that the care home meets the BREEAM Excellent rating.**

Reason: Required prior to commencement to ensure the development is energy sufficient and sustainable in accordance with Policy DM1 and DM2 of the Core Strategy and Development Management Policies Document (2009).

- 13 Notwithstanding the details submitted with the application, no development on the residential phase shall begin until a revised site layout plan and elevations illustrating the garage dimensions as 3.3m x 7m where they are to be counted as a parking space, has been submitted to the Local Planning Authority and approved in writing. The development shall accord with the approved details.

Reason: Details are required prior to the commencement of the residential phase to ensure a satisfactory level of parking in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009).

- 14 The Carehome hereby granted permission shall only be used for a use within Class C2 of the Town and Country Planning (Use Classes) Order 1987 (Amended) or as subsequently amended.

Reason: To ensure that the building is used for an appropriate use in the interests of residential amenity and highway safety.

15. Prior to the occupation of any part of the development hereby permitted, and unless otherwise agreed in writing with the local planning authority, the highway works as indicated on plan Nos. 008 and 009 shall be implemented as approved.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises.
(Policy 43, DSCB)

16. **No development shall take place until details of the existing and final ground 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 sections through both the site and the adjoining properties, the location of which shall first be agreed in writing with the Local Planning Authority. Thereafter the site shall be developed in full accordance with the approved details.**

**Reason: To ensure that an acceptable relationship results between the new development and adjacent buildings and public areas.
(Policy 43, DSCB)**

- 17 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbered DWG No. 1, 5793/001, 5793/002 rev A, Site access 008, P440/002, 5793/003B, 5793/004, 5793/006, 5793/071A, 5793/070A, 5793/072A, 5793/040, 5793/041, 5793/042, 5793/010/1, 5793/010/A, 5793/011/1, 5793/011/A, 5793/012/1, 5793/012/A, 2793/013/1, 5793/013/A, 5793/014/1, 5793/014/A, 5793/015/1, 5793/015/A, 5793/016/1, 5793/016/A, 5793/017/1, 5793/017/A, 5793/018/1, 5793/018/A, 5793/019/1, 5793/019/A, 5793/020/1, 5793/020/A, 5793/021/1, 5793/021/A, 5793/022/1, 5793/022/A,

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

Notes to Applicant

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, Article 35

The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

NOTES

- (1) In advance of the consideration of the application the Committee were advised of additional letters received from DLP Planning and Luminus Homes and an additional condition.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.

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Item No. 13

APPLICATION NUMBER	CB/15/01762/FULL
LOCATION	Leighton United Football Club, Stanbridge Road, Tilsworth, LU7 9PL
PROPOSAL	Installation comprising 1no. 17.5m Column A Mast, 3no. antennas, 2no. 0.6m dia dishes, 6no. cabinets and ancillary equipment thereto, enclosed within 2.2m high chainlink fence around 5x7m compound, with 1no. meter cabinet within fenceline.
PARISH	Tilsworth
WARD	Heath & Reach
WARD COUNCILLORS	Cllr Versallion
CASE OFFICER	Debbie Willcox
DATE REGISTERED	18 May 2015
EXPIRY DATE	13 July 2015
APPLICANT	EE Ltd
AGENT	Harlequin Group
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	Called in by Councillor Versallion on the grounds of concerns about health effects of mast on people and animals.
	Full Application - Recommended for Approval

Summary of Recommendation

The principle of the erection of the telecommunications mast and associated equipment is considered to be acceptable. The proposal would comply with the International Commission guidelines for public exposure and thus paragraph 46 of the NPPF instructs local planning authorities not to consider health safeguards. The proposal would have an acceptable impact on the Green Belt and the character and appearance of the area. The proposal is therefore considered to be in accordance with the National Planning Policy Framework, policy BE8 of the South Bedfordshire Local Plan Review, policies 21, 22, 36 and 43 of the emerging Development Strategy for Central Bedfordshire and the Central Bedfordshire Design Guide.

Recommendation

That Planning Permission be GRANTED subject to the following:

RECOMMENDED CONDITIONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers GA 01 Rev A, GA 02 Rev B, GA 03 Rev A, GA 04 Rev A, .

Reason: To identify the approved plans and to avoid doubt.

Notes to Applicant

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, Article 35

It is recommended that planning permission be granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

NOTES

- (1) In advance of the consideration of the application the Committee were advised of additional consultation received as set out in the Late Sheet attached to the Minutes.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.

Item No. 11

APPLICATION NUMBER	CB/15/01454/MW
LOCATION	Mount Pleasant Golf Course, Station Road, Lower Stondon, Henlow, SG16 6JL
PROPOSAL	9 hole extension to existing golf course through the importation of inert waste, incorporating landscaping works and water harvesting system.
PARISH	Stondon
WARD	Arlesey
WARD COUNCILLORS	Cllrs Dalgarno, Shelvey & Wenham
CASE OFFICER	Natalie Chillcott
DATE REGISTERED	23 April 2015
EXPIRY DATE	23 July 2015
APPLICANT	Oakland Golf and Leisure Ltd
AGENT	Edward Landor Associates
REASON FOR COMMITTEE TO DETERMINE	Call in from Ward Member: Cllr Wenham on grounds of: impact on residents, highway network, road safety, noise and dust pollution.
RECOMMENDED DECISION	Waste Application - Recommended for Approval

Summary of Recommendation

The proposed development offers long term environmental, social and economic improvements to the area and a range of habits including wild flower grassland, woodland, hedgerows and wetlands. This is supported by MWLP(2005) policies GE13 and GE10 and MWLP:SSP policy MWSP1. It will not pose a risk of flooding elsewhere (MWLP policy GE19) and provided measures are taken to record heritage assets found on site, the development is acceptable on grounds of archaeology (MWLP policy GE14).

Whilst the HGVs which will bring approximately 300,000 cubic metres of inert soils to the site over a 2 year period will cause some disruption to local residents and the development will lead to a loss of agricultural land, the anticipated disturbance will be reduced to an acceptable level. In light of the comments received by the Highways officer, and the Public Protection officer, the development is considered acceptable on grounds of highway safety and public amenity (MWLP policies GE23 and GE18).

Recommendation

That Planning Permission be approved subject to the following:

RECOMMENDED CONDITIONS / REASONS

- 1 Planning permission shall extend to the area edged with a thick black line on the attached plan no CB/15/0145/MW-1. The development shall be carried out in accordance with planning application validated on 23rd April 2015, Transport Statement received on 15th May 2015, Phasing Plan no. 1136.08, Water Harvesting Plan no. 1136.07, email dated 10th June 2015 and Landscape Plan no. 1136.03 Rev A dated 26th June 2015.

REASON: To define the permission.

- 2 The development hereby permitted shall be begun no later than 3 years from the date of this permission. Written notification of the date of commencement shall be sent to the Local Planning Authority within 7 days of such commencement.

REASON: To comply with section 91 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act.

- 3 The importation of waste shall cease within 2 years from the date of implementation.

REASON: To define the permission, to minimise disturbance for local residents and to ensure the timely restoration of the site. MWLP(2005) policies GE18 Disturbance and GE26 Restoration.

- 4 All contouring and landscaping works shall be completed within 3 years of commencement of the development.

REASON: To ensure the timely restoration of the site. MWLP(2005) policy GE27 Aftercare.

- 5 Vehicle access to the site shall only be by way of the new, temporary access onto Station Road as shown on plans titled "Temporary Construction Access" and "Contractors Works Plan"

REASON: in the interest of highway safety. MWLP(2005) Policy GE23.

- 6 No operations shall take place except in accordance with the phasing shown on Phasing Plan no. 1136.08 which accompanies the planning application. Entry into phase 3 shall be subject to written agreement from the Local Planning Authority which shall be dependent on a topographical survey being carried out and submitted to the Local Planning Authority. The surveys should demonstrate that each phase has been shaped in accordance with the contours shown on Grading Plan no. 1136.02.

REASON: To provide for a satisfactory restoration of the site. MWLP(2005) Policy GE26.

- 7 No Heavy Goods Vehicles* shall deliver waste material to the site unless and until a scheme that addresses the potential conflict of movements of HGVs and golfers using the existing golf course during operations has been submitted and approved in writing by the Local Planning Authority. Thereafter, the approved scheme shall be carried out in full.

REASON: In the interest of health and safety (MWLP Policy GE 23).

*All vehicles over 7.5 tonnes gross vehicle weight.

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

REASON: In accordance with paragraph 141 of the NPPF, to ensure that the importance of the heritage assets with archaeological interest is fully understood and to allow for an appropriate scheme of archaeological mitigation to be devised.

REASON FOR PRECOMMENCEMENT CONDITION: To ensure heritage assets are not inadvertently destroyed when the development commences.

- 9 No development shall take place until a written scheme of heritage asset resource management which uses the results of the trial trench evaluation referred to in condition 8 as its basis; has been submitted to and approved in writing by the Local Planning Authority. The scheme of heritage asset resource management must contain the following information:
- A method statement for the investigation of any archaeological remains present at the site that cannot be preserved *in situ*; - A method statement for the preservation *in situ* of any archaeological and historical remains present that can be protected within the development;
 - An outline strategy for post-excavation assessment, analysis and publication;
 - A timetable for each stage of the archaeological works
- The approved scheme shall be implemented in full.

REASON:

a.) In accordance with paragraph 141 of the NPPF; to record and advance the understanding of the significance of the heritage assets with archaeological interest which will be unavoidably affected as a consequence of the development and to make the record of this work publicly available.

b.) In accordance with Policy GE 14 of the Bedfordshire Minerals and Waste Local Plan; to ensure that provision is made for an appropriate level of investigation and recording in advance of the destruction of those archaeological sites which do not merit permanent preservation and to secure the long term management of archaeological remains which can be preserved *in situ* within the development site.

REASON FOR PRECOMMENCEMENT CONDITION: To ensure heritage assets are not inadvertently destroyed when the development commences.

- 10 Written notification of the date of completion of the archaeological fieldwork shall be sent to the Local Planning Authority within seven days of such completion. The golf course shall not be brought into use until the archaeological Post Excavation Assessment and Updated Project Design has been submitted to and approved in writing by the Local Planning Authority. The archaeological Post Excavation Assessment and Updated Project Design shall follow parameters in the approved outline strategy for post-excavation assessment, analysis and publication.

REASON: In accordance with paragraph 141 of the NPPF; to make the record of archaeological work publicly available.

- 11 The archaeological post excavation analysis (as specified in the approved Updated Project Design); the preparation of the site archive for deposition, with a store approved by the Local Planning Authority; the completion of the archive report and the submission of the publication report will be undertaken within two years of the approval of the Updated Project Design.

REASON: In accordance with paragraph 141 of the NPPF; to make the record of archaeological work publicly available.

- 12 The golf course shall not be brought into use until a long term management plan for the preservation *in situ* of any archaeological and historical remains that can be protected within the development site has been submitted to and approved in writing by the Local Planning Authority.

REASON: In accordance with Policy GE 14 of the Minerals and Waste Local Plan; to secure the long term management of archaeological remains which can be preserved *in situ* within the development site

- 13 All topsoil and subsoils shall be permanently retained within the site and shall not be stripped, stored or replaced except in accordance with the details contained in the "Soil Management Strategy" no. 10328(1) and the Contractors Works Plan drawing no. 1136.05.
Soils will be stripped and stored separately from imported soils to protect their quality.

REASON: To define the permission. To protect the structure of the soils. MWLP(2005) Policy GE6.

- 14 No soils shall be stripped or moved on site unless they are in a reasonably dry and friable condition.

REASON: to protect the structure of the soils. MWLP(2005) Policy GE6.

- 15 Except as set out in (a) and (b) below, no operations authorised or required under this permission shall be carried out except between the following times:

07:00 – 19:00 hours Monday to Fridays

07:00 – 13:00 hours Saturday

And no operations shall be carried out on Sundays, Bank or Public Holidays.

- (a) Site operatives may be permitted to enter the site between 06:30 and 07:00 hours Monday to Saturday to disable security measures at the site.
- (b) For temporary operations involving the stripping of soils, construction and removal of bunds, and final restoration in any areas where noise levels are likely to exceed 55Db(A) 1 hr, free field at sensitive receptors, operations shall not commence before 08:00 hours.

REASON: To protect the amenities of neighbouring properties. MWLP(2005) Policy GE18.

- 16 **No development shall take place until a detailed design of the surface water drainage scheme, which shall include the design proposals contained within the submitted FRA and any effects on the local land drainage system have been submitted to and agreed in writing by the Local Planning Authority. Thereafter no part of the development shall be occupied or brought into use until the approved drainage scheme has**

been implemented.

REASON: To ensure that adequate surface water drainage is provided and that existing and future land drainage needs are protected.

REASON FOR PRECOMMENCEMENT CONDITION: Surface water drainage details must be provided before the development commences to prevent the risk of Flooding (MWLP Policy GE19).

- 17 HGV* movements into/out of the site shall be limited to a maximum in any one day of 182 (pro rata for part days), with no more than a maximum of 14 movements per hour during the peaks of 08:15am to 09:15 and 15:15 to 16:15pm Monday - Friday.

REASON: In the interest of highway safety. MWLP(2005) GE23.

*All vehicles over 7.5 tonnes gross vehicle weight

- 18 A record of daily lorry movements shall be maintained at all times and shall be available for inspection on request by the Local Planning Authority, and a summary shall be forwarded to the Local Planning Authority, every 3 months.

REASON: To allow the monitoring of condition 11. MWLP(2005) GE23.

- 19 **No development authorised by this permission shall take place unless and until CCTV has been installed which monitors the entrance to the site in accordance with a scheme to be submitted to an approved in writing by the Local Planning Authority. The scheme shall include details of:**

- The columns and cameras used,
- The area covered,
- The capability for remote access viewing.

The CCTV shall thereafter be implemented in accordance with the agreed scheme.

REASON: To allow the monitoring of condition 15. MWLP(2005) GE23 and GE18.

REASON FOR PRECOMMENCEMENT CONDITION: To enable the effective monitoring of conditions 15 and GE18.

- 20 **No development shall take place until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The CTMP shall include proposals for construction traffic routes, the scheduling and timing of movements to avoid stacking or waiting on the public highway, any traffic control, signage within the highway inclusive of temporary warning signs, the management of the junction with Station Road. The CTMP shall be implemented in accordance with the approved details for the duration of the construction period.**

REASON: In order to minimise danger, obstruction and inconvenience to users of the highway and the site. MWLP(2005) Policy GE23

REASON FOR PRECOMMENCEMENT CONDITION: In the interest of highway safety. MWLP(2005) Policy GE23.

- 21 **No development shall take place until full engineering details of the temporary access for construction vehicles shown indicatively on Plan 1136.05 have been submitted to and approved by the Local Planning Authority and the access constructed in accordance with the approved detail.**

REASON: In order to ensure the provision of an access of suitable layout and construction in the interests of highway safety. MWLP(2005) Policy GE23

REASON FOR PRECOMMENCEMENT CONDITION: In the interest of highway safety. MWLP(2005) Policy GE23.

- 22 **No development shall take place unless and until a sign, the design and content of which has been approved by the Local Planning Authority, has been erected at the entrance instructing all drivers of heavy goods vehicles to turn right out of the site. The sign shall be maintained for the duration of the use of access for the purposes hereby permitted and removed thereafter.**

REASON: To ensure that HGVs do not travel through the village of Lower Stondon in the interest of highway safety. MWLP(2005) Policy GE23.

REASON FOR PRECOMMENCEMENT CONDITION: In the interest of highway safety. MWLP(2005) policy GE23.

- 23 **Within two months of the completion of the development hereby approved the construction access onto Station Road shall be removed and the highway reinstated to include raised kerbs, footway and verge.**

REASON: For the avoidance of doubt and in order to minimise danger, obstruction and inconvenience to users of the highway and the site. MWLP(2005) Policy GE23

- 24 **No materials other than inert waste shall be imported and deposited on the site.**

REASON: For the avoidance of doubt and to prevent pollution MWLP Policy GE17.

- 25 **No vehicles shall move around the site at a speed in excess of 15mph.**

REASON: To minimise any nuisance to nearby residents by reason of dust. MWLP(2005) Policy GE18.

- 26 **No floodlighting shall be erected on site unless and until a scheme for floodlighting has been submitted to and approved in writing by the Local Planning Authority, and thereafter shall be implemented in full accordance with the approved scheme.**

REASON: To minimise disturbance to residential properties. Policy GE18 of MWLP 2005.

- 27 No tonal reversing alarms shall be used on the site.

REASON: To protect the amenities of the surrounding area. MWLP 2005 Policy GE18.

- 28 Except for temporary operations, the free field Equivalent Continuous Noise Level LAeq, 1hr, due to operations in the site, shall not exceed 55dB LAeq 1hr, when measured at the boundary of any residential dwelling. For temporary operations such as site preparation, soil and overburden stripping, screening, bund formation and removal and final restoration the free field noise level due to work at the nearest point to each dwelling shall not exceed 70dB LAeq 1hr, when measured at the boundary of any residential dwelling. Temporary operations shall not exceed a total of eight weeks in a calendar year.

REASON: to minimise any nuisance to nearby residents by reason of noise. MWLP(2005) Policy GE18.

- 29 **Prior to the commencement of the permission a scheme of noise monitoring and mitigation shall be submitted and approved by the local planning authority. All operations shall take place on site in accordance with the details that have been approved.**

REASON: to enable compliance with prescribed noise levels for on-site operations to adequately monitored and assessed in the event of complaints about noise being received. MWLP(2005) Policy GE18.

REASON FOR PRECOMMENCEMENT CONDITION: To ensure works (which could generate noise) do not commence until a noise and mitigation scheme is submitted and approved.

- 30 No landscaping, planting or fencing shall be undertaken within 7m of any Internal Drainage Board's watercourses without prior consent.

REASON: To protect water resources. MWLP(2005) Policy GE20

- 31 Landscaping shall be carried out in accordance with Landscape Plan no. 1136.03 Rev A dated 26th June 2015.

REASON: To ensure a satisfactory restoration of the site (MWLP policies GE9 and GE26).

- 32 No landscaping works shall commence until a bird management scheme has been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interest of public safety and to reduce the risk of bird strike.

- 33 No felling or removal of limbs from mature trees shall take place unless a survey for roosting bats has first been undertaken by a licensed bat ecologist, and should these species be found to be present an appropriate compensation/mitigation strategy shall be submitted to and approved by the Local Planning Authority before any such works commence.

REASON: To protect the legally protected species. MWLP(2005) Policy GE13.

- 34 Throughout the period of landfilling and restoration operations, a copy of this planning permission including all documents, plans and details of pre-development schemes shall be displayed on the site during working hours in a location which is readily accessible to any person undertaking the development.

REASON: In the interest of public amenity. MWLP(2005) Policy GE18.

Notes to Applicant

1. The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council and that in order to comply with Conditions of this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
2. The applicant is advised that photographs of the existing highway that is to be used for access and delivery of materials will be required by the Local Highway Authority. Any subsequent damage to the public highway resulting from the works as shown by the photographs, including damage caused by delivery vehicles to the works, will be made good to the satisfaction of the Local Highway Authority and at the expense of the applicant. Attention is drawn to Section 59 of the Highways Act 1980 in this respect.
3. Any removal of trees, scrub or hedgerow should take place outside the bird breeding season of March to August inclusive. Should any such vegetation have to be removed during, or close to this period it should first be thoroughly assessed by a suitably experienced ecologist as to whether it is in use by nesting birds. Should nests be found, a suitable area of vegetation (no less than a 5m zone around the nest) should be left intact and undisturbed until it is confirmed that any young have fledged before works in that area proceed. This process should be agreed in writing with the Local Planning Authority.
REASON: In order not to cause destruction of, or damage to, the nests of wild birds, their eggs and young. This corresponds to the protection afforded to them under the Wildlife and Countryside Act 1981 (as amended).

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, Article 35

The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

NOTES

- (1) In advance of the consideration of the application the Committee were advised on an amended Condition 17.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.

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Item No. 10

APPLICATION NUMBER	CB/15/01111/FULL
LOCATION	Larkwood Ltd, Bedford Road, Aspley Guise, Milton Keynes, MK17 8DJ
PROPOSAL	Part demolition of existing buildings, erection of 10 dwellings and retention of existing office building on site frontage.
PARISH	Aspley Guise
WARD	Aspley & Woburn
WARD COUNCILLORS	Cllr Wells
CASE OFFICER	Lisa Newlands
DATE REGISTERED	13 April 2015
EXPIRY DATE	13 July 2015
APPLICANT	RBC Property Developments Ltd
AGENT	DLA Town Planning Ltd
REASON FOR COMMITTEE TO DETERMINE	Major application with an objection from the Parish Council
RECOMMENDED DECISION	Full Application - Approve

Summary of Recommendation:

The planning application is recommended for approval, the design of the dwellings would be in accordance with Central Bedfordshire Core Strategy and Development Management Policies DM3, CS1, CS2, CS5, DM4, DM13, CS15. It would not have a significant impact upon the residential amenity of any adjacent properties, the significance or the setting of the adjacent Listed Buildings, or the Aspley Guise Conservation Area and would result in a new development suitable for the location. It is considered that the design is in accordance with the Central Bedfordshire Design Guide and the submitted Development Strategy and National Planning Policy Framework.

Recommendation

That Planning Permission be approved subject to the following;

RECOMMENDED CONDITIONS / REASONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 All existing onsite buildings and other structures shown to be demolished, shall be demolished and all resultant detritus completely removed from the site prior to the commencement of building works except the timber clad frontage building which is shown as retained on the approved plans.

Reason: In the interests of the visual amenities of the area.
(Policy 43, DSCB)

- 3 Prior to occupation of the approved development, all access and junction arrangements serving the development shall be completed in accordance with the approved in principle plans and constructed to the specification of the Highway Authority and Local Planning Authority's satisfaction.

Reason: To secure a satisfactory access appropriate to the development, in the interest of public safety and convenience.

- 4 The entire on site vehicular areas shall be constructed and surfaced in a stable and durable manner, and arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site so as to safeguard the interest of highway safety and reduce the risk of flooding and to minimise inconvenience to users of the premises and ensure satisfactory parking of vehicles outside highway limits.

- 5 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015, or any amendments thereto, the garage accommodation on the site shall not be used for any purpose, other than as garage accommodation, unless permission has been granted by the Local Planning Authority on an application made for that purpose.

Reason: To retain off-street parking provision and thereby minimise the potential for on-street parking which could adversely affect the convenience of road users.

- 6 **No development shall commence until such time as a Construction Management Plan has been submitted detailing access for construction vehicles, loading and unloading areas, wheel wash facilities, on-site parking of contractor's vehicles, and material storage areas.**

Reason: To ensure the safe operation of the surrounding road network in the interests of road safety.

Justification: Given the constrained nature of the site, it is considered that such a plan would be necessary prior to commencement of development to ensure minimal impact on the surrounding highway network.

- 7 The proposed development shall be carried out and completed in all respects in accordance with the access, parking and vehicle turning area layout illustrated on the approved plan and defined by this permission and, notwithstanding the provision of the Town and Country Planning General Permitted Development Order 2015 (or any Order revoking or re-enacting that Order) there shall be no variation without the prior approval in writing of the Local Planning Authority.

Reason: To ensure that the development of the site is completed insofar as its various parts are interrelated and dependent one upon another and to provide adequate and appropriate access arrangements at all times.

- 8 Prior to work commencing on the construction of the dwellings hereby approved a landscaping scheme to include all hard and soft landscaping and a scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.

Reason: To ensure an acceptable standard of landscaping.
(Policies 43 and 58, DSCB)

- 9 The development shall be carried out in accordance with the materials detailed on the approved plans, unless otherwise agreed in writing.

Bricks: Marsworth Mix; Aldwick Blend; Culford Mixture
Roof tiles: Spanish Sarria Slate tiles; Aylesham Mix (Marley Ashdowne Clay Tiles); Ashurst (Marley Ashdowne Clay Tiles)
Brick work detail: Westley or Witham Red (orange/ red brick)
Bond detail: Flemish bond

Reason: To control the appearance of the building in the interests of the visual amenities of the locality.
(Policy 43, DSCB)

- 10 Notwithstanding the approved plans, all new rainwater goods shall be of black painted [cast iron/aluminium] and shall be retained thereafter.

Reason: To safeguard the special architectural and historic interest of the setting of the listed building.
(Policy 45, DSCB)

- 11 **No development, including demolition of existing structures, shall take place until a written scheme of archaeological investigation; that adopts a staged approach and includes post excavation analysis and publication, has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall only be implemented in full accordance with the approved scheme.**

Reason: To record and advance understanding of the heritage assets with archaeological interest which will be unavoidably affected as a consequence of the development (and to secure that protection and management of archaeological remains preserved in situ within the development).

(Policy 45, DCSB)

- 12 The windows within the dwelling known as Plot 2 (cottage 2) shown on plan number PI02 Rev C shall be triple glazed and remain as such in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of the future occupiers in terms of potential noise from the adjacent restaurant.

(Policy DM3 of the Core Strategy and Development Management Policies for Central Bedfordshire (North) and Policy 43 of the Submitted Development Strategy)

- 13 The tree shown on the frontage adjacent to the retained office building, shall be removed prior to work commencing on the construction of the hereby approved buildings.

Reason: For the avoidance of doubt and to ensure that suitable improvements to the frontage of the site are made. (Policy 43, DSCB)

- 14 The link through to Spinney Lane shown on the site plan shall be retained for pedestrian access only. Details of a scheme to restrict vehicular access shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the development and retained in perpetuity thereafter.

Reason: To ensure that this is available for pedestrian use only. (Policy 43, DSCB)

- 15 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers PL01 A; PL02 E; PL04 A; PL05 A; PL06 A; PL07 A; PL08 A; PL09 A; PL10 A; PL11 A; PL12 A; PL13 A; PL14 A; PL15 A; PL16 A; PL17 A; PL18 A; PL19 A; PL22

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

- 16 A scheme shall be submitted for approval in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved scheme prior to the first occupation of the development and be thereafter retained.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.
(Policy 43, DSCB)

Notes to Applicant

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
2. The applicant is advised that no works associated with the modification of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk on 03003008049. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.
3. The applicant is advised that parking for contractor's vehicles and the storage of materials associated with this development should take place within the site and not extend into within the public highway without authorisation from the highway authority. If necessary the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk on 03003008049. Under the provisions of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of construction of the development hereby approved.
4. The applicant is advised that Central Bedfordshire Council as highway authority will not consider the proposed on-site vehicular areas for adoption as highway maintainable at public expense. Prior to first occupation of any development the applicant will be required to erect signage at the entrances to the development, to accord with Section 31 of the Highways Act 1980 confirming the fact that the area is private.

5. The applicants attention is drawn to their responsibility under The Equality Act 2010 and with particular regard to access arrangements for the disabled.

The Equality Act 2010 requires that service providers must think ahead and make reasonable adjustments to address barriers that impede disabled people.

These requirements are as follows:

- Where a provision, criterion or practice puts disabled people at a substantial disadvantage to take reasonable steps to avoid that disadvantage;
- Where a physical feature puts disabled people at a substantial disadvantage to avoid that disadvantage or adopt a reasonable alternative method of providing the service or exercising the function;
- Where not providing an auxiliary aid puts disabled people at a substantial disadvantage to provide that auxiliary aid.

In doing this, it is a good idea to consider the range of disabilities that your actual or potential service users might have. You should not wait until a disabled person experiences difficulties using a service, as this may make it too late to make the necessary adjustment.

For further information on disability access contact:

The Centre for Accessible Environments (www.cae.org.uk)
Central Bedfordshire Access Group (www.centralbedsaccessgroup.co.uk)

6. As the site is of long historic use there may be unexpected materials or structures in the ground. It is the responsibility of the Applicant to ensure safe and secure conditions, so a watching brief for signs of contamination should be considered and any indications of potential contamination problems should be forwarded to the Contaminated Land Officer, Andre Douglas, for advice, on 0300 300 4004 or via andre.douglas@centralbedfordshire.gov.uk.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, Article 35

Planning permission has been granted for this proposal. The Council acted proactively through early engagement with the applicant at the pre-application stage which led to improvements to the scheme. The Council has therefore acted proactively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

NOTES

- (1) In advance of the consideration of the application the Committee were advised of additional consultation and publicity responses received from Aspley Guise Parish Council, neighbouring properties, Council's Ecologist and amended conditions, 4, 10, 14, 15 and 16.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.

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Item No. 12

APPLICATION NUMBER	CB/15/01095/FULL
LOCATION	Hillside, Chalk Hill, Houghton Regis
PROPOSAL	Change of use from private dwelling to HMO
PARISH	Houghton Regis
WARD	Houghton Hall
WARD COUNCILLORS	Cllrs Mrs Goodchild & Kane
CASE OFFICER	Debbie Willcox
DATE REGISTERED	21 April 2015
EXPIRY DATE	16 June 2015
APPLICANT	Mr Peter Wright
AGENT	CBC
REASON FOR COMMITTEE TO DETERMINE	The application has been submitted by the Council and has received objections which cannot be overcome by conditions.

RECOMMENDED DECISION **Full Application - Recommended for Approval**

Summary of Recommendation

The principle of the change of use is considered to be acceptable. It is not anticipated that the proposal would result in a material increase in noise and disturbance over and above a twelve bedroom single family dwelling. Levels of parking provision are considered to be acceptable and it is not considered that the proposal would have a detrimental impact on highway safety. The proposal is therefore considered to be in accordance with the National Planning Policy Framework, policies BE8 and H9 of the South Bedfordshire Local Plan Review and policy 43 of the emerging Development Strategy for Central Bedfordshire.

Recommendation

That Planning Permission be GRANTED subject to the following:

RECOMMENDED CONDITIONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 Visibility splays shall be provided at the junction of the access with the public highway before the development is brought into use. The minimum dimensions to provide the required splay lines shall be 2m measured along the centre line of the proposed access from its junction with the channel of the public highway and 43m to the north west, measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall, on land in the applicant's control, be kept free of any obstruction.

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

(Policy BE8, SBLPR and Policy 43, DSCB)

- 3 The development shall not be occupied or brought into use until the parking scheme shown on Drawing No. CBC/001 has been completed. The scheme shall thereafter be retained for this purpose.

Reason: To ensure provision for car parking clear of the highway.

(Policy T10, SBLPR and Policy 27, DSCB)

- 4 The change of use hereby permitted shall not take place until a scheme for the parking of cycles on the site has been submitted to and approved in writing by the Local Planning Authority and the approved scheme has been fully implemented.

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

(Policy BE8, SBLPR and Policy 43, DSCB)

- 5 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 15-403-01, 15-403-02, 15-403-03, 15-403-04, 15-403-05, CBC/001.

Reason: To identify the approved plans and to avoid doubt.

Notes to Applicant

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
2. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from The Street Works Co-ordinator, Bedfordshire Highways, by contacting the Highways Helpdesk 0300 300 8049.
3. The applicant is advised that in order to achieve the vision splays in condition 2 of the permission it may be necessary for vegetation overhanging the public highway to be removed. Prior to the commencement of work the applicant is advised to contact Central Bedfordshire Council's Customer Contact Centre on 0300 300 8049 to request the removal of the overhanging vegetation on the public highway.

4. Please note that the unnumbered drawings submitted in connection with this application have been given unique numbers by the Local Planning Authority. The numbers can be sourced by examining the plans on the View a Planning Application pages of the Council's website www.centralbedfordshire.gov.uk.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, Article 35

Planning permission is recommended for approval for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

NOTES

- (1) In advance of the consideration of the application the Committee were advised of additional consultation received from The Highways Officer and additional Conditions.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.

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