

## 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 44,700m<sup>2</sup> 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 – Larkswood 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 20<sup>th</sup> 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/Reasons**

### Amended 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](http://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 exposed 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.