

Central
Bedfordshire
Council
Priory House
Monks Walk
Chicksands,
Shefford SG17 5TQ



**TO EACH MEMBER OF THE
DEVELOPMENT MANAGEMENT COMMITTEE**

31 January 2012

Dear Councillor

DEVELOPMENT MANAGEMENT COMMITTEE - Wednesday 1 February 2012

Further to the Agenda and papers for the above meeting, previously circulated, please find attached the Late Sheet.

Late Sheet

3 - 16

Should you have any queries regarding the above please contact Democratic Services on
Tel: 0300 300 4040.

Yours sincerely

Helen Bell,
Committee Services Officer
email: helen.bell@centralbedfordshire.gov.uk

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LATE SHEET

DEVELOPMENT MANAGEMENT COMMITTEE – 01 FEBRUARY 2012

SCHEDULE B

Item 7 (Page 11-46) – CB/11/04077/FULL – The Marston Vale Millennium Country Park, Station Road, Marston Moretaine, Bedford.

Additional Consultation/Publicity Responses

Since finalising the report for committee, a further consultation response has been received from Cranfield Airport. The response objects to the application on the basis that the turbine would appear on the proposed radar system for the airport (a copy of the response has been appended to the late sheet – appendix 1).

In addition to this they state that they did not receive the consultation letter for this application or that of the previous application in 2010.

Additional Comments

The response received from Cranfield Airport was forwarded to the agent for the application along with some questions in relation to points raised in the consultation period. The agent has responded and this has also been appended to the late sheet – Appendix 2. In summary the following issues have been commented on:

Proposed turbine installation date of March 2012

This date was originally chosen by the applicant due to the availability of the Feed in Tariff at set rates up to this point, these rates relate to the operational income as opposed to providing funding for the construction. After this date these rates are expected to drop. Whilst this deadline is unlikely to be met, it is the applicants intention to commence works as soon as they practically can.

The reduced rates will not make the project unfeasible from a financial perspective – different financial considerations will need to be taken into account in determining the turbine model, and size to be installed.

Candidate turbine

The applicant has not yet reached a decision on the candidate turbine to be installed.

Sub-station

At the time of the previous application negotiations with the Distribution Network Operator had only just commenced and the requirement for a sub-station had not been clarified. The applicants would have submitted a separate application for a sub-station if/when it was determined necessary.

The EfW plant will not be able to use this sub-station as it will require a grid connection of a substantially greater scale than that of the turbine.

Cranfield Airport Objection

The objection is based on a radar system that they are intending to install at the airfield at some point in the future. Their proposals are not well advanced. It is considered that development cannot be precluded by potential future proposals where there is little certainty over what type of radar may be developed. Due to the timings involved it is considered by the agent that there objection is unreasonable and it should be the Airfield's responsibility to account for any turbine in their future development of a radar system.

Case Officer comments

Planning permission was granted for the erection of an 120.5m high turbine in November 2010. This permission is extant and can still be implemented should this application be refused. The committee report for the previous application states that Cranfield Airport were consulted and that no response was received. Prior to submitting the application in 2010 pre-application discussion were also undertaken with Cranfield Airport by the agents of the application and this is detailed in the planning statement.

In terms of the consultation issue, a consultation letter was sent in relation to this application on the 16th November 2011. In respect of the previous application, the report referred to Cranfield Airport as a consultee and noted that no response had been received.

A similar objection was raised by Cranfield Airport to the Langford Wind farm and the advice from the applicants for that application was similar to that of the agents for this application, in that the plans were not well advanced and that development cannot be restricted by potential future proposals. In the Langford Wind farm decision the Inspector concluded that given the lack of information on what might be installed, when and what the implications would be, I agree with the Council that this is a matter that cannot carry weight.

Given the Langford Wind farm appeal decision and the extant permission for an 120.5m high turbine it is considered that the proposed application would not be any worse than that previously approved and that the objection from Cranfield Airport should be given little weight.

In terms of the access for the construction of the turbine and the delivery of the component parts. Highways have not objected to the application. They have recommended a condition the same as on the previous application, which requires the applicants to submit to the Local Planning Authority for approval the access route that is chosen.

Additional/Amended Conditions

None.

Item 8 (Page 47-82) – CB/11/04135/OUT – Land off Kiln Way, Dunstable.

Additional Consultation/Publicity Responses

Highway Officer (17/1/12) – Recommends conditions and informatives. To fund/contribute to the improvements to public transport (Real Time Information and the Luton/Dunstable Busway) a contribution should be sought totalling £5,200.

Environment Agency (24/1/12) – Review of Geotechnical and Geoenvironmental Report complete. No objections to soakaways and recommends condition to ensure they are designed, installed and maintained so that they pose a low risk of pollution to the groundwater.

Additional Comments

This is the final request for infrastructure contributions. To assist Members as they decide whether to take the recommended option of an affordable housing contribution plus WT contribution or the ‘calculator’ contributions we have set out the figures:

| Recommended option ‘A’ | £ | Alternative option (Calculator) ‘B’ | £ |
|-------------------------------|------------------|--|------------------|
| Wildlife Trust | 8,000.00 | Wildlife Trust | 8,000 |
| Affordable housing | 22,747.69 | | |
| | | Public transport | 5,200 |
| | | Health | 10,700 |
| | | Social and Community | 4,235 |
| | | Waste | 768 |
| | | Emergency | 1,844 |
| TOTAL | 30,747.79 | TOTAL | 30,747.69 |

The amended conditions below take into account the amendments from the Environment Agency which delete conditions 7 to 10 as no longer being necessary.

Amended / Additional Conditions

Conditions 7 to 10 deleted.

Condition 11 to be renumbered 7, and to have the following changed “REASON: (Environment Agency condition) To protect the quality of the groundwater in the Principal Chalk Aquifer directly beneath the site. Any drainage design must be protective of the groundwater and in line with the Environment Agency ‘Groundwater Protection: policy and practice (GP3)’ for the use of infiltration techniques to be approved.”

Conditions 12 to 16 renumbered 8 to 12.

The following are new conditions with the new numbering.

- 13 **Development shall not begin until details of the junction between the proposed estate road and the existing highway have been approved by the Local Planning Authority and no building shall be occupied until that junction has been constructed in accordance with the approved details.**

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

- 14 Visibility splays shall be provided at all road junctions within the site. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the side road from its junction with the channel to the through road and 25m measured from the centre line of the side road along the channel of the through road. The vision splays required shall be provided and defined on the site by or on behalf of the developers and be entirely free of any obstruction.

Reason: To provide adequate visibility at road junction in the interest of road safety.

- 15 **Development shall not begin until the detailed plans and sections of the proposed road(s), including gradients and method of surface water disposal have been approved by the Local Planning Authority and no building shall be occupied until the section of road which provides access has been constructed (apart from final surfacing) in accordance with the approved details.**

Reason: To ensure that the proposed road works are constructed to an adequate standard.

- 16 No dwelling shall be occupied until all triangular vision splays are provided on each side of all accesses on to the new road and shall measure 1.8m along the fence, wall, hedge or other means of definition of the front boundary of the site, and 1.8m measured into the site at right angles to the same line along the side of the new access drive. The vision splays so described shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

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

- 17 The maximum gradient of the vehicular access shall be 10% (1 in 10).
- Reason: In the interests of the safety of persons using the access and users of the highway.
- 18 Before the premises are occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.
- Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises.
- 19 If the proposed road is not constructed to the full length and layout illustrated on the approved plan, a temporary turning space for vehicles shall be constructed within the site in a position to be approved in writing by the Local Planning Authority before any building taking access from the road is occupied.
- Reason: To avoid the need for vehicles to reverse into or from the highway in the interest of road safety.
- 20 No development shall commence until a wheel cleaning facility has been provided at the site exit in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The wheel cleaner(s) shall be removed from the site once the roadworks necessary to provide adequate access from the public highway have been completed (apart from final surfacing) to the satisfaction of the Local Planning Authority.
- Reason: In the interests of the amenity and to prevent the deposit of mud or other extraneous material on the highway during the construction period.
- 21 **Before development begins, a scheme for the parking of cycles on the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.**
- Reason: To ensure the provision of adequate cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport.
- 22 **Development shall not begin until the detailed plans of the proposed highway lighting, using light emitting diodes (LED) within the development has been approved by the Local Planning Authority and no building shall be occupied until that lighting has been installed in accordance with the approved details.**
- Reason: To ensure that the proposed highways are adequately lit.

- 23 **Development shall not commence until a scheme detailing provision for on site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.**

Reason: To ensure adequate off street parking during construction in the interests of road safety.

- 24 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, Drawing No's S1/09105; B11612/100C, 101, 102, 103A, 104A, 105A; M4382 P 018 plus the Design and Access Statement or to any subsequent appropriately endorsed revised plan.

Reason: To identify the approved drawings and Design and Access Statement and to avoid doubt.

Amended / Additional Informatives

4. Amend as follows: "...(ref: AC/2012/116096/01-L01, in its letters dated 11/1/12 and 24/1/12, sent from the Huntingdon office)..."

New informatives

- 9 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 Central Bedfordshire Council's Highway Help Desk, P.O.Box 1395, Bedford, MK42 5AN.
- 10 The applicant is advised that if it is the intention to request the Central Bedfordshire County 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 Planning and Control Group, Central Bedfordshire Council's Highway Help Desk, P.O.Box 1395, Bedford, MK42 5AN. 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.
- 11 The applicant is advised that in order to comply with Condition 17 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 Planning and Control Group, P.O.Box 1395, Bedford, MK42 5AN,

- 12 All roads to be constructed within the site shall be designed in accordance with Central Bedfordshire Council's publication "Design in central Bedfordshire (Design Supplement 7 – Movement, Street and Places" and the Department of the Environment/Department of Transport's "Manual for Street", or any amendment thereto

Item 9 (Page 83-90) – CB/11/04338/FULL – Rubython house, 7 St Johns Road, Moggerhanger, Bedford.

Additional Consultation/Publicity Responses

Moggerhanger Parish Council - no objections but have the following concerns:

- 1) waste material from horses;
- 2) seepage of horse waste into pond where it maybe habitat of Great Crested Newts.

Additional Comments

For clarity the application was called to Committee by Cllr Turner the reason being public concern.

Additional/Amended Conditions

None.

Item 10 (Page 91-110) – CB/11/03036/FULL – Scyttels Court, Vicarage Close, Shillington.

Additional Consultation/Publicity Responses

Since finalising the report for committee, the following further consultation responses have been received from Shillington Men's Club, Shillington Women's Institute, and Shillington Wives Group.

Objections have been raised on the following grounds:

- The loss of the present informal parking arrangement at Scyttels Court for visitors to the Church;
- If the pathway to the side of the Church is blocked, this would mean that people who could normally walk to the Church will have to drive.

A letter has been received from Shillington Parish Council expressing concern and objecting to the proposal for nil contributions in the Section 106 agreement. This letter has also been circulated to all Members of the Development Management Committee.

Amendment to the Officer's report

Page 94, paragraph 2, reads 'This would be a 100% affordable housing scheme with 6 being for rent and 6 shared ownership'. The applicant has confirmed that there would be 9 dwellings for housing associated social rent, and 4 shared ownership.

Additional/Amended Conditions

None.

Item 11 (Page 111-116) – CB/11/03037/CA – Scyttels Court, Vicarage Close, Shillington.

Additional Consultation/Publicity Responses

None.

Additional Comments

None.

Additional/Amended Conditions

None.

Lisa Newlands

From: Culman, Peter [p.culman@cranfield.ac.uk]
Sent: 17 January 2012 15:16
To: Lisa Newlands
Cc: Ivey, Jason; Hughes, Mandy
Subject: Marston Vale Millenium Country Park Wind Turbine

Hi Lisa,

Further to our earlier telephone conversation:

This planning application has two numbers. CB/10/01359 which was granted in 2010 as no objections were received. CB/11/04077 which is currently being assessed. The latest application is for a range of turbine heights up to the height of the original application.

I have to report that neither of these applications appears to have reached Cranfield Airport. As a result, no responses were made to the original application. Please take this E-Mail as the response to the current application.

The maximum turbine height AGL is given as 120.5m. The ground height at the turbine location is approx 40m, giving an overall tip height (AOD) of 160.5m.

The electrical centre of the antenna of the proposed radar at Cranfield has an approx AOD height of 125m. As the location of this turbine is only 6.05km from the site of the radar and there is no terrain or man-made obstructions between these sites, the turbine will be in direct Line Of Sight (LOS) to the radar. As a result, the reflections from this turbine will be visible on the radar.

On this basis, Cranfield Airport would like to raise an objection to this planning application.

As regards the grant of planning permission for application CB/10/01359, Cranfield Airport are taking advice as to how we proceed. We will be in touch with you again in due course regarding this matter.

If you require further assistance, please feel free to contact me.

Thanks

Pete Culman BSc (Hons), C.Eng MiET
SERCO DSN - Senior Air Traffic Engineer
Cranfield Aerodrome

01234 754676 or 01234 758282

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30/01/2012

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25 January 2012

Our Reference – 28245 GR004L
Your Reference – CB/11/04077

Lisa Newlands
Principal Planning Officer
Central Bedfordshire Council
Priory House
Monks Walk
Chicksands
Stefford
Bedfordshire
SG17 5TQ

Dear Lisa Newlands

CORRESPONDENCE ON APPLICATION CB/11/04077

With regard to your recent correspondence with my colleague Emma Marsden on the above planning application, please find below AMEC's responses to the issues raised.

1. Proposed turbine installation date of March 2012

The proposed date for turbine installation was March 2012 and, whilst this deadline may no longer be met, it is still the applicant's intention to commence works as soon as they practically can. This date was chosen by the applicant due to the availability of the Feed in Tariff at set rates up to this point, these rates relate to operational income as opposed to providing funding for construction. After this date the rates involved are expected to drop.

Whilst reduced rates will not make the project unfeasible from a financial perspective it will mean that different financial considerations need to be taken into account in determining the turbine model and size to be installed, hence the importance of having a flexible permission granting a turbine 'up to' 120.5m in height.

The applicant is aware that there are likely to be conditions to discharge on any planning permission granted, including the need to agree the access route with Bedfordshire Highways through the preparation of a Construction Traffic Management Plan, and that construction cannot start until all the relevant conditions have been satisfied. It should also be noted that in respect of discharging conditions for the existing planning permission (CB/10/01359) the applicant is currently preparing a Construction Traffic Management Plan.

2. Candidate Turbine

The applicant has not yet reached a final decision on the candidate turbine to be installed. Procurement of a turbine is not likely to start in earnest until planning permission is granted. AMEC and the applicant are aware that larger turbines do have long procurement timescales, but this is not the case for all turbine models, and this will be a factor in

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Our Reference – 28245 GR004L

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Lisa Newlands, Central Bedfordshire Council

determining the turbine model and size to be installed.

3. Sub-station

At the time of the original application negotiations with the Distribution Network Operator had only just commenced and the requirement for a sub-station had not been clarified. Our approach would have been to submit a separate application for any sub-station building if and when this was found to be required. Due to the timing of the revised application we now know a sub-station will be required by the Distribution Network Operator and have therefore included it with the application.

The EfW plant will not be able to use this sub-station as it will require a grid connection of a substantially greater scale than that of the turbine.

4. Cranfield Airfield

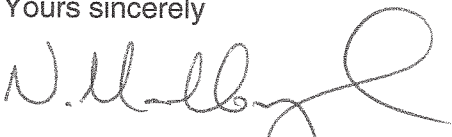
We understand that Cranfield Airfield's objections to a turbine 'up to' 120.5m in height are based on a radar system that they are intending to install at the airfield at some point in the future. However, it is our understanding that their proposals are not well advanced. It is considered that development cannot be precluded by potential future proposals where there is little certainty over what type of radar may be developed, if this will actually happen and, if it does, when and where this might occur. We believe that due to the timings involved there objection is unreasonable and it should be the Airfield's responsibility to account for any turbine in their future development of a radar system.

Furthermore since the existing permission will still allow for the 120.5m turbine to be constructed, allowing a turbine 'up to' 120.5m in height to be installed will not have any greater impact on their proposed radar system.

With regard to their comments on the existing planning permission (CB/10/01359) we understand from the Committee Report on your website that they were consulted but had not responded at the time of the recommendation. It therefore appears that they were notified of the original application and it is their responsibility to respond within the appropriate timescale. In addition, the Airfield were certainly aware of the proposals as AMEC (then Entec) undertook pre-application consultations with them and this is detailed in our Planning Statement.

I trust this letter contains sufficient information for your requirements, but if you do need anything further please get in touch with either myself or Emma Marsden.

Yours sincerely



NEIL MARLBOROUGH

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Our Reference – 28245 GR004L 3

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