

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held at Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 13 May 2009

The Meeting commenced at 12.30p.m. to consider the Mineral report relating to Broom Quarry, Gypsy Lane, Broom (agenda item 20) and the update report relating to Old Bridge Way, Shefford (agenda item 21). Following an adjournment after consideration of agenda items 20 and 21, the meeting resumed at 2.00 p.m. to consider the main planning applications agenda item numbers 7 to 19.

PRESENT

Cllr A Shadbolt (Chairman)
Cllr Mrs C F Chapman MBE (Vice-Chairman)

Cllrs	A R Bastable	Cllrs	A Northwood
	R D Berry		A A J Rogers
	M Freeman		J Street
	Mrs R B Gammons		Mrs C Turner
	B J Golby		B Wells
	R W Johnstone		

Apologies for Absence: Cllrs D J Gale
T Nicols
G Summerfield
J N Young

Substitutes: Cllrs D Bowater (In place of T Nicols)
S A Mitchell (In place of G Summerfield)
P F Vickers (In place of D J Gale)
N Warren (In place of J N Young)

Members in Attendance: Cllrs P N Aldis
Mrs A Barker
L Birt
A D Brown
K C Matthews

Officers in Attendance:

Miss H Bell	– Democratic Services Officer
Mr A Davie	– Head of Development Management (North)
Mr A Emerton	– Managing Solicitor Planning, Property, Highways & Transportation
Mr D Hale	– Head of Development Management (South)
Mr D Lamb	– Development Management Team Leader (North)
Ms M Rincon	– Highways
Mrs A Sammé	– Development Management Team Leader (North)

DM/08/30 **Chairman's Announcements**

The Chairman announced that the running order for items would be varied so that Agenda Item No. 18 would be considered immediately after the adjournement.

DM/08/31 **Minutes**

RESOLVED

that the Minutes of the meeting of the Development Management Committee held on the 29 April 2009 be confirmed and signed by the Chairman as a correct record.

DM/08/32 **Members' Interests**

(a) **Personal Interests:-**

It was noted that all Members of the Committee had received a letter from New Road Developments regarding the site at Ivel Road, Shefford.

Member	Item	Nature of Interest	Present or Absent during discussion
Cllr Mrs C F Chapman	9 & 18	Had been consulted on the applications as Chairman of the Marston Vale Trust	Present
Cllr A D Brown	14	Lives opposite application site	Present
Cllr A A J Rogers	20	Member of Broom Quarry Advisory Committee	Present
Cllr D Bowater	17 of the enforcement report	Wife is clerk to Steppingley Parish Council	Present

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

Member	Item	Nature of Interest	Present or Absent during discussion
Cllr A R Bastable	18	Daughter works with agent	Absent

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

Member	Item	Parish/Town Council	Vote Cast
Cllr Mrs C Turner	12	Stotfold Town Council	Did not Vote
	16	Stotfold Town Council	Not present

DM/08/33 **Petitions**

None received.

DM/08/34 **Disclosure of Exempt Information**

No proposals were received to deal with any item likely to involve the disclosure of exempt information.

DM/08/35 **Planning Enforcement Cases Where Formal Action Has Been Taken**

AGREED

that the monthly update of planning enforcement cases as identified in the report where formal action had been taken were received.

DM/08/36 **Planning Application No. MB/09/00517/FULL**

RESOLVED

that Planning Application No. MB/09/00517/FULL relating to Land at Maulden Wood, Bedford Road, Maulden be deferred for one cycle to allow reconsultation of all 3rd parties previously consulted to be undertaken and that the consultation process conclude on Friday 22 May 2009.

DM/08/37 Planning Application No. MB/09/00195/FULL

RESOLVED

that Planning Application No. MB/09/00195/FULL relating to Land at 16 Oliver Street, Ampthill be delegated to the Director of Sustainable Communities to refuse the application as set out in the Schedule appended to these Minutes.

(Councillors A Shadbolt, Mrs C F Chapman, A R Bastable, R D Berry, M Freeman, B J Golby, A Northwood, A A J Rogers, J Street, Mrs C Turner and B Wells voted in favour of the decision.

Councillors R J Johnstone and N Warran voted against the decision.)

DM/08/38 Planning Application No. MB/08/02093/FULL

RESOLVED

that Planning Application No. MB/08/02093/FULL relating to Shefford Town Football Club, Ivel Road, Shefford be approved as set out in the Schedule appended to these Minutes.

DM/08/39 Planning Application No. MB/09/00524/FULL

RESOLVED

that Planning Application No. MB/09/00524/FULL relating to Land at Brookfields, Potton be approved as set out in the Schedule appended to these Minutes.

DM/08/40 Planning Application No. MB/09/00278/FULL

RESOLVED

that Planning Application No. MB/09/00278/FULL relating to 12 Park Court, Sandy be delegated to the Director of Sustainable Communities to refuse the application as set out in the Schedule appended to these Minutes.

DM/08/41 Planning Application No. MB/09/00448/FULL

RESOLVED

that Planning Application No. MB/09/00448/FULL relating to Astwick Service Station, Great North Road, Stotfold, Hitchin be approved as set out in the Schedule appended to these Minutes.

(Cllrs Mrs C Turner and J Street requested that their names be recorded as having voted against the decision to approve the application.)

DM/08/42 Planning Application No. SB/09/00032/TP

RESOLVED

that Planning Application No. SB/09/00032/TP relating to Land Rear of 62-64 Luton Road, Toddington be approved as set out in the Schedule appended to these Minutes.

DM/08/43 Planning Application No. SB/09/00129/TP

RESOLVED

that Planning Application No. SB/09/00129/TP relating to 1 Ivel Close, Barton-le-Clay be approved as set out in the Schedule appended to these Minutes.

(Cllr B J Golby requested that his name be recorded as having voted against the decision to approve the application.)

DM/08/44 Planning Application No. MB/09/00560/FULL

RESOLVED

that Planning Application No. MB/09/00560/FULL relating to 6 The Old Dairy, Beadlow, Shefford be approved as set out in the Schedule appended to these Minutes.

DM/08/45 Planning Application No. MB/09/00347

RESOLVED

that Planning Application No. MB/09/00347 relating to Fairfield Lower School, Dickens Boulevard, Stotfold be approved as set out in the Schedule appended to these Minutes.

DM/08/46 Planning Application No. MB/09/00288/FULL

RESOLVED

that Planning Application No. MB/09/00288/FULL relating to Potton Lower School, Everton Road, Potton be approved as set out in the Schedule appended to these Minutes.

DM/08/47 Planning Application No. MB/09/00262/FULL

RESOLVED

that Planning Application No. MB/09/00262/FULL relating to Gothic Mede Lower School, High Street, Arlesey be approved as set out in the Schedule appended to these Minutes.

DM/08/48 Planning Application No. BC/CM/2009/5

RESOLVED

that Planning Application No. BC/CM/2009/5 relating to Broom Quarry, Gypsy Lane, Broom be moved as set out in the Schedule appended to these Minutes.

DM/08/49 Update Old Bridge Road Shefford

Pursuant to Minute No. DM/08/11 of the Development Management Meeting held on 8 April 2009, the Committee received and considered an update report of the Director of Sustainable Communities.

RESOLVED

That officers investigate the current ownership of the premises and undertake early discussion with the site owners with a view to achieving the tidying and/or clearance of the site, as appropriate, in advance of the commencement of any building works associated with its subsequent redevelopment.

That the immediately adjacent residents to the site and the Town Council be advised of the intentions of the Local Planning Authority.

That liaison be undertaken with Environmental Health regarding the potential of the site to contain hazardous materials and the need to employ safe practices in any works undertaken.

That if such discussions with site owners are not positive in terms of the tidying of the condition of the site then formal action be pursued under Section 215 of the Town and Country Planning Act 1990.

DM/08/50 **Site Inspection Appointment(s)**

RESOLVED

that the following Members be appointed to conduct any site inspections requested in advance of the next meeting of this Committee to be held on Wednesday 27 May 2009:

Chairman (or his nominee)

Vice-Chairman (or his nominee)

Cllrs A A J Rogers

A Northwood

T Nicols

(Note: The meeting commenced at 12.30 p.m. and concluded at 4.40 p.m.)

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Item No. 18**SCHEDULE C**

APPLICATION NUMBER	MB/09/00517/FULL
LOCATION	LAND AT MAULDEN WOOD BEDFORD ROAD MAULDEN
PROPOSAL	FULL: WOODLANDS VISITORS CENTRE WITH ANCILLARY WORKSHOP UNITS AND ASSOCIATED PARKING.
PARISH	Malden
CASE OFFICER	Sarah Fortune
DATE REGISTERED	18 March 2009
EXPIRY DATE	13 May 2009
APPLICANT	Greensand Trust
REASON FOR COMMITTEE TO DETERMINE	PART OF SITE OWNED BY CENTRAL BEDFORDSHIRE COUNCIL
RECOMMENDED DECISION	Full Conditional Approval

Delegated Application – See Minute No. DM/08/36

That the application be deferred until the meeting of the Development Management Committee to be held on 27 May 2009 at the Dunstable Offices to enable reconsultation to be undertaken to all 3rd parties previously circulated and that consultation to conclude on Friday 22 May 2009.

[Notes:

In advance of the consideration of the application the committee were advised of consultations received as follows:

Clophill Parish Council – welcomes the project enthusiastically, will improve the leisure opportunities in the area and contribute to encouraging fitness and walk in the woods. Important to provide employment opportunities in the area for local residents.

Concerns from Parish Councillors noted.

Plan showing the site on the agenda shows site B incorrectly drawn.

Plans received showing the Highways amendments as required by the Highways Officer.

Consulted Mr Chandler on 28.04.09 asking for comments by 12 May, none received to date.

Change to Condition 11 as set out to replace “RNV” with “Roadside Nature Reserve”

In addition an email had been received from the Greensand Trust stating that their funding source would be put in jeopardy if the application were not to be determined at the meeting, and requesting that any outstanding matters be dealt with by condition.

Item No. 08**SCHEDULE B**

APPLICATION NUMBER	MB/09/00195/FULL
LOCATION PROPOSAL	LAND AT 16, OLIVER STREET, AMPHILL FULL: ERECTION OF 1 NO. TWO BEDROOM DWELLING, PARKING, DRAINAGE AND ANCILLARY WORKS.
PARISH	Amphill
CASE OFFICER	Clare Golden
DATE REGISTERED	04 February 2009
EXPIRY DATE	01 April 2009
APPLICANT	Mr Lester
REASON FOR COMMITTEE TO DETERMINE	COUNCILLOR SUMMERFIELD: TOWN COUNCIL REQUEST. OVERBEARING AND ACCESS/HIGHWAYS.
RECOMMENDED DECISION	Full Conditional Approval

Delegated Application – See Minute No. DM/08/37

That the Director of Sustainable Communities be delegated authority to refuse the application on the grounds of overdevelopment and inadequate amenity space of proposed development, DPS5 and HO6 and detrimental impact on the adjoining amenity.

[Notes:

- (1) In advance of the consideration of this application the Committee were advised of additional consultation as follows:
 - Letter of objection received from the occupier of 157 Oliver Street Amphill whose godmother previously occupied the application property.
 - Concerns raised in respect of the use of the side access by vehicles and the impact on pedestrian safety. The Author recounts her own experience of the access.
 - Concerns had also been raised with respect to the following issues:
 1. Access for emergency vehicles along Oliver Street
 2. Restricted visibility into Oliver Street from the access way due to parked vans and cars.
 3. the width of the access way.
- (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. 09**SCHEDULE B**

APPLICATION NUMBER	MB/08/02093/FULL
LOCATION	SHEFFORD TOWN FOOTBALL CLUB, IVEL ROAD, SHEFFORD
PROPOSAL	FULL: RESIDENTIAL DEVELOPMENT COMPRISING 59 HOUSES AND APARTMENTS, WITH ASSOCIATED ACCESS ROAD, PARKING FACILITIES AND AMENITY SPACE.
PARISH	Shefford
CASE OFFICER	Anne Sanné
DATE REGISTERED	04 November 2008
EXPIRY DATE	03 February 2009
APPLICANT	Lagan Homes and Coleman Properties Ltd
REASON FOR COMMITTEE TO DETERMINE	MAJOR DEVELOPMENT WITH OUTSTANDING OBJECTION FROM SHEFFORD TOWN COUNCIL
RECOMMENDED DECISION	S106 PENDING

Members resolved that the planning obligation should take the form as set out in the report except that the new sport facility should be available before occupation of more than 25% of the dwellings and the new pitch should accommodate senior football games.

APPROVE Planning Permission **Subject to completion of a S106 Legal Agreement** for the application set out above and subject to the following condition(s):

- 1 DG01 The development hereby approved shall be commenced within three years of the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 which is designed to ensure that a planning permission does not continue in existence indefinitely if the development to which it relates is not carried out.

- 2 TL07 Prior to the commencement of development a scheme setting out measures for protecting all trees, shrubs and other natural features, including the conifer hedge to the boundary with plot 38, during construction work shall be submitted to and approved in writing by the Local Planning Authority. No work shall commence on site until all trees, shrubs and features to be protected are fenced with 2.3 high weldmesh fencing securely mounted on standard scaffolding poles driven firmly in the ground in

accordance with
BS 5837:2005;

- for trees and shrubs the fencing shall follow a line 1.0m outside the furthest extent of the crown spread, unless otherwise agreed in writing by the Local Planning Authority;
- for upright growing trees at a radius from the trunk not less than 6.0m, or two thirds of the height of the tree whichever is the greater;
- for other natural features along a line to be approved in writing by the Local Planning Authority.

Such fencing shall be maintained during the course of the works on the site. No unauthorised access or placement of goods, fuels or chemicals, soil or other materials shall take place inside the fenced area.

Reason: To safeguard the existing trees on the site in the interests of visual amenity.

- 3 U Prior to the development hereby approved commencing on site details of the final ground and slab levels of the dwellings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Such detail shall include sections through both the site and 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 a satisfactory relationship results between the new development and adjacent buildings.

- 4 U No development shall commence until a wheel cleaning facility has been provided at all site exits 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.

- 5 U 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.

- 6 U 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.

- 7 U Details of the method of foul and surface water drainage shall be submitted to and agreed in writing by the Local Planning Authority before the development is commenced. The surface water drainage system shall be designed to achieve attenuation of storm water discharge to the Greenfield equivalent rate of 4 litres per second per hectare in order to prevent increased flood risk elsewhere.

Thereafter no part of the development shall be brought into use until the approved drainage scheme has been implemented.

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

- 8 U No work shall commence on the site until a desk study has been undertaken to assess the importance of the site to wildlife, and a full survey has been undertaken of the site to assess its importance for reptiles. Any necessary additional survey work or mitigation of impact of the development shall be undertaken in full accordance with details to be agreed in writing with the Local Planning Authority.

Reason: In order to protect wildlife on the site.

- 9 U Prior to the commencement of any development on the site details shall be submitted to and approved by the Local Planning Authority in writing of automated garage doors to serve plots 54 and 55. The development shall be implemented in accordance with the approved details, and the doors retained in the future unless permission has been given in writing by the Local Planning Authority for their variation.

Reason: In order to ensure that vehicles entering the garages do not need to wait across the footway.

- 10 TL28 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the buildings are occupied. Development shall be carried out in accordance with the approved details.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.

- 11 DG17 The permission shall extend only to the application as amended by the submission of documents and revised plans on 18.12.08, 19.12.08, and 23.02.09.

Reason: For the avoidance of doubt and to ensure that the development is implemented in accordance with the plans formally approved by the Local Planning Authority.

- 12 TL02 Full details of both hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:-

- materials to be used for any hard surfacing;
- minor structures (e.g. furniture, play equipment, signs, etc);
- planting plans, including schedule of size, species, positions, density and times of planting;
- cultivation details including operations required to establish new planting.

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

Reason: In order to ensure that the landscaping is carried out in the interest of the visual amenities of the area.

- 13 EM05 Details of materials to be used for the external finishes of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance therewith.

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match/complement the existing building(s) and the visual amenities of the locality.

- 14 U The development hereby permitted shall be undertaken in accordance with the approved Waste Audit Statement dated 17 October 2008 and submitted in support of the planning application.

Reason: To ensure that the development conforms with the waste audit requirements in accordance with objectives of Policies W5 and W6 of the Bedfordshire and Luton Waste Local Plan 2005.

- 15 U Before the private accesses are first brought into use a triangular vision splay shall be provided on each side of the new accesses 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 and on land under the applicant's control 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 existing highway and the proposed accesses, and to make the accesses safe and convenient for the traffic which is likely to use them.

- 16 U 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.

- 17 TL01 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development whichever is the sooner; and any trees or plants which within a period of 5 years of completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority give written consent to any variation.

Reason: In the interests of the visual amenities of the site and the area generally.

- 18 TL08 All works to or affecting trees on or adjoining the site shall be carried out in accordance with the relevant recommendations of BS5837 (2005).

Reason: To safeguard the existing trees on the site in the interests of visual amenity.

- 19 TL09 The burning of materials shall not take place where it could cause

damage to any tree or tree group to be retained, either on site or on land adjoining.

Reason: To safeguard the existing trees on the site in the interests of visual amenity.

- 20 U Prior to the occupation of the any development approved by this planning permission the developer shall submit to the Planning Authority and have approved, in electronic form where possible:
- a) A detailed scheme for remedial works and measures to be taken to mitigate any risks to human health, groundwater and the wider environment posed by any contaminants identified by the Rodgers Leask Site Specific Assessment report previously submitted (Ref No. E07/187 of August 2008).
- b) A written confirmation that any and all remedial works have been completed in accordance with the agreed remediation scheme in the form of a validation report to include photographs, material transport tickets and testing of all imported material intended for gardens . The British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoils that are moved or traded and should be adhered to.
- All variations to any remediation scheme shall be agreed in writing with the Local Planning Authority.
- Any groundwater issues shall be pursued independently through approval via the Environment Agency.
- Reason: To protect human health and the environment.
- 21 TL10 The soil levels within the root spread of the trees/hedgerows to be retained shall not be raised or lowered unless permission has been given in writing by the Local Planning Authority.
- Reason: To safeguard the existing trees on the site in the interests of visual amenity.
- 22 U The minimum finished ground floor level of any buildings shall be 39.5mAOD (to include private garages and storage buildings) unless otherwise agreed in writing with the Local Planning Authority.
- Reason: To ensure a sufficient freeboard against flooding.
- 23 U There shall be no removal of vegetation or clearance of the site within the bird breeding season of March to August inclusive unless agreed in writing by the Local Planning Authority.
- Reason: To safeguard and protect breeding birds.

- 24 TL18 A landscape management scheme, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development. The landscape management scheme shall be carried out as approved.

Reason: To ensure an appropriate standard of visual amenity in the local area.

- 25 RR08 Notwithstanding any provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no further window or other opening shall be formed on the rear first floor elevation of the building at Plot 59 without the specific grant of planning permission.

Reason: To protect the amenities of occupiers of neighbouring properties.

- 26 EM11 Prior to the first occupation of the dwelling at Plot 1, the inner lobby window shall be fitted with obscured glass of a type to substantially restrict vision through it at all times, and restriction on its opening, details of which shall have been previously submitted to and agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of occupiers of adjoining properties.

- 27 RR08 Notwithstanding any provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no further window or other opening shall be formed on the gable walls of plots 1, 11, or 12 of the development without the specific grant of planning permission.

Reason: To protect the amenities of occupiers of neighbouring properties.

- 28 U All garages within the development shall be constructed so as to accommodate cycle storage, and prior to the commencement of any development at the site revised plans shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

Reason: In order to ensure that appropriate cycle storage is

provided in the interests of reducing the need to use the car.

- 29 U All single garages shall be constructed with the roof style as shown on drawing 51603/130.

Reason In the interests of both the visual appearance of the structure and of the residential amenity of neighbouring dwellings.

- 30 TL26 The parking area to serve the flats at plots 1 to 12 shall be constructed using a “no-dig” method of construction as outlined in Arboricultural Practice Note no.1 (Driveways close to trees).

Reason: To ensure the protection of trees and hedgerows to be retained, and in particular to avoid unnecessary damage to their root systems.

- 31 U All communal parking areas shall be lit during the hours of darkness to an average level of 6 lux and a minimum level of 4 lux, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the appearance of the units, the extent of the areas to be illuminated and the intensity of lighting therein, and details of both the method of operation of the lighting and its future management. The scheme shall be available for use prior to first occupation of any dwelling on the site, and shall be operated in accordance with these details at all times unless an alternative arrangement has previously been agreed in writing with the Local Planning Authority.

Reason: To reduce the risk of criminal activity in the area.

- 32 U Prior to first occupation of the site a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include a local business directory, information on public transport, and information on local pedestrian links and cycle routes. A copy of the Travel Plan shall be provided to each household on first occupation of the dwellings.

Reason: To reduce the need to use the private car.

Notes to Applicant

- 1 The applicant/developer is advised that the grant of planning permission does not absolve them from complying with the relevant law, including obtaining and complying with the terms and conditions of any licences in connection with the ecological value of the site.

- 2 The Internal Drainage Board has forwarded the following advice:
Surface water discharge must be restricted to the Greenfield equivalent rate. The ditch on the southern boundary of the site is subject to the Board's Bylaw control. No development, including landscaping, fencing or other structures shall take place within 7m of bank top of this ditch without the formal consent of the Board in order that there is access to the ditch for maintenance purposes. This consent must be obtained prior to the commencement of development. Application is by letter and the fee is presently £50.00 per consent. Further information can be obtained from 01234 354 396.
Attention is also drawn to the content of the letter from the Environment Agency dated 20 March 2009 attached.
- 3 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 Highway Engineer, Central Bedfordshire Council, PO Box 1395, Bedford, MK42 5AN. The applicant is also advised that if any of the works associated with the construction of vehicular access affects or requires the removal and/or 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.
- 4 The applicant is advised that no highway surface water drainage system designed as part of a new development, will be allowed to enter any existing highway surface water drainage system without the applicant providing evidence that the existing system has sufficient capacity to account for any highway run off generated by that development. Existing highway surface water drainage systems may be improved at the developers expense to account for extra surface water generated. Any improvements must be approved by the Highways Development Control Group, Central Bedfordshire Council. Further details can be obtained from the Central Bedfordshire Council, Highways Department, PO Box 1395, Bedford MK42 5AN.
- 5 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, Highways Department, PO Box 1395, Bedford MK42 5AN.
- 6 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.

- 7 The applicant is advised that if it is the intention to request the 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 Control Group, Central Bedfordshire Council, Highways Department, PO 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.
- 8 This permission is subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.

Item No. 10**SCHEDULE B**

APPLICATION NUMBER	MB/09/00524/FULL
LOCATION	LAND AT, BROOKFIELDS, POTTON
PROPOSAL	FULL: ERECTION OF SIX DETACHED DWELLINGS, GARAGES AND COMPLETION OF ACCESS ROAD TOGETHER WITH IMPROVEMENT WORKS TO ADJOINING WORKSHOP
PARISH	Potton
CASE OFFICER	Godwin Eweka
DATE REGISTERED	20 March 2009
EXPIRY DATE	15 May 2009
APPLICANT	Wyboston Lakes Ltd
REASON FOR COMMITTEE TO DETERMINE	REQUEST BY WARD CLLR MRS GURNEY GIVEN THE RELATIONSHIP OF THE PROPOSED HOUSES TO THE ADJOINING COMMERCIAL PREMISES.
RECOMMENDED DECISION	APPROVE SUBJECT TO S106 LEGAL AGREEMENT

APPROVE Planning Permission **Subject to completion of a S106 Legal Agreement** for the application set out above and subject to the following condition(s):

- 1 DG01 The development hereby approved shall be commenced within three years of the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 which is designed to ensure that a planning permission does not continue in existence indefinitely if the development to which it relates is not carried out.

- 2 EM05 **Details of materials to be used for the external finishes of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance therewith.**

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match/complement the existing building(s) and the visual amenities of the locality.

- 3 TL02 **Prior to commencement of development full details of both hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:-**

- materials to be used for any hard surfacing;
- planting plans, including schedule of size, species, positions, density and times of planting;
- cultivation details including operations required to establish new planting;
- details of existing trees and hedgerows on the site, indicating those to be retained and the method of their protection during development works.

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

Reason: In order to ensure that the landscaping is carried out within a reasonable period in the interest of the visual amenities of the area.

- 4 EM16 **Prior to the development hereby approved commencing on site details of the final ground and slab levels of the dwellings hereby approved shall be 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 a satisfactory relationship results between the new development and adjacent buildings and public areas.

- 5 U **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: In the interests of highway safety.

- 6 U **No development shall commence until a wheel cleaning facility has been provided at all site exits 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 amenity and to prevent the deposit of mud or other extraneous material on the highway during the construction period.

- 7 U **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.

- 8 U **No development shall take place until a scheme for protecting the proposed residential development from noise from fixed plant within the neighbouring engineering works has been submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of plots 14, 15 and 16 such scheme shall be implemented in accordance with the approved details, and shown to be effective and shall be retained in accordance with those details thereafter.**

Reason: To protect the amenities of the proposed dwellings.

- 9 CD01 **Prior to the commencement of any phase of development approved by this planning permission the developer shall submit to the Planning Authority, in both paper and electronic form where possible :**

a) A Phase 1 Desk Study incorporating a site walkover, site history, maps and all further features of industry best practice relating to potential contamination.

b) Where shown to be necessary by the Phase 1 Desk Study, a Phase 2 Site Investigation report further documenting the ground conditions of the site with regard to potential contamination, incorporating appropriate soils and gas sampling.

c) Where shown necessary by the Phase 2 investigation, a Phase 3 detailed scheme for remedial works and measures to be taken to mitigate any risks to human health, groundwater and the wider environment.

d) On completion of the development, the developer shall provide written confirmation that any and all works have been completed in accordance with the agreed remediation scheme in the form of a Phase 4 validation report to incorporate

photographs, material transport tickets and sampling.

Any remediation scheme shall be agreed in writing by the local planning authority prior to the commencement of works.

Any remediation scheme and any variations shall be agreed in writing by the local planning authority prior to the commencement of works. This should include responses to any unexpected contamination discovered during works.

The British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoils that are moved or traded and should be adhered to.

Applicants are reminded that, should groundwater or surface water courses be at risk of contamination during or after development, the Environment Agency at Brampton should be approached for approval of measures to protect water resources separately, unless an Agency condition already forms part of this permission.

Reason: To protect human health and the environment.

- 10 TL28 A scheme shall be submitted for written approval 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 before the dwellings are occupied, in accordance with a timescale agreed in writing with the Local Planning Authority.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.

- 11 TL01 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development whichever is the sooner; and any trees or plants which within a period of 5 years of completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority give written consent to any variation.

Reason: In the interests of the visual amenities of the site and the area generally.

- 12 U 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.

- 13 U 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.

- 14 U The turning space for vehicles illustrated on the approved Plan No P-027/F/3/D shall be constructed before the development is first occupied.

Reason: In the interests of highway safety.

- 15 U Details of bin collection point shall be submitted to and approved by the Local Planning Authority prior to the occupation of any dwelling.

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

- 16 U Notwithstanding any provision of the Town and Country Planning (General Permitted Development Order) 1995 (or any Order revoking or re-enacting that Order with or without modification) no works shall be commenced for development falling into Classes A,B and C without planning permission.

Reason: To protect the amenities of occupiers of neighbouring properties and in view of the context of the site.

- 17 RR08 Notwithstanding any provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no further window or other opening shall be formed in the first floor elevations of any dwellings.

Reason: To protect the amenities of occupiers of neighbouring properties.

- 18 U The east facing first floor windows to plots 14 and 16, the west facing first floor window of plot 17 and the north facing first floor flank window of plot 15 and north east facing first floor windows serving bedroom 1 of plot 12 shall be of a fixed type and fitted with

obscured glass of a type to substantially restrict vision through it at all times

Reason: To safeguard the amenities of occupiers of adjoining properties.

- 19 U Noise resulting from the use of the plant, machinery or equipment shall not exceed a level of 5dBA below the existing background level (or 10dBA below if there is a tonal quality and distinctiveness) when measured according to BS4142:1997, at a point one metre external to the nearest noise sensitive building.

Reason: To protect the amenities of the proposed dwellings.

Notes to Applicant

- 1 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 Central Bedfordshire Customer Contact Centre on 0300 300 8049.
- 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 The applicant is advised that if it is the intention to request the 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 Highways Development Control, Central Bedfordshire Council, 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.
- 4 Any soakaways serving the development should be designed to BRE Digest 365 in order to ensure a satisfactory means of surface water disposal.

Item No. 11**SCHEDULE B**

APPLICATION NUMBER	MB/09/00278/FULL
LOCATION	12 PARK COURT, SANDY, SG19 1NP
PROPOSAL	FULL: FIRST FLOOR REAR EXTENSION WITH EXTERNAL TERRACE OVER EXISTING GROUND FLOOR EXTENSION.
PARISH	Sandy
CASE OFFICER	Judy Self
DATE REGISTERED	23 February 2009
EXPIRY DATE	20 April 2009
APPLICANT	Mr J Carroll
REASON FOR COMMITTEE TO DETERMINE	CLLR ALDIS - LOSS OF AMENITY AND OVERBEARING IMPACT ON NEIGHBOURING PROPERTY.
RECOMMENDED DECISION	FULL CONDITIONAL APPROVAL

Delegated Application – See Minute No. DM/08/40

That the Director of Sustainable Communities be delegated to refuse the application on the grounds of overdevelopment, overbearing impact and loss of amenity to neighbour at No. 13 Park Court.

[Notes:

- (1) In advance of the consideration of the application the Committee were advised of consultation received as follows:
 - An additional letter has been received from the occupier of 13 Park Court.
 - The proposal is considered to be of an overbearing, overpowering and oppressive nature to the detriment to residential amenity of the neighbouring property No. 13. Noise disturbance is considered to arise from the first floor terrace.
 - Reference is made to the following;
 - The back of No 1 and the application site face due South;
 - The application site is staggered a whole house depth behind no 13 which lies to the East;
 - The depth/length of the proposal will increase the overall depth/length of the original dwelling by approximately 50%;
 - It would result in an addition 5.2m of two storey level building mass that would result in significant over shadowing and the loss of the benefit of currently unobstructed light throughout the morning to around midday to the rear windows and conservatory of No.13. This would be worse during winter months;
 - The ground level of the application site is higher and the overbearing nature of the proposal would be more pronounced;
 - The height of the extension roof is similar to that of that original dwelling;

- A loss of view and outlook would result, especially from the master bedroom, ground floor study and conservatory;
- Loss of property value is a concern
- The proposed first floor terrace measures approximately 7 square metres and there is concern regarding loss of privacy and noise disturbance;
- Sandy Town Council have objected to the application.

(2) In advance of the consideration of the application the committee received representations made under the public participation scheme.]

Item No. 12**SCHEDULE B**

APPLICATION NUMBER MB/09/00448/FULL
LOCATION ASTWICK SERVICE STATION, GREAT NORTH ROAD, STOTFOLD, HITCHIN, SG5 4BL
PROPOSAL FULL: REDEVELOPMENT OF PETROL FILLING STATION (PFS) INCLUDING THE ERECTION OF A NEW CANOPY, UNDERGROUND STEEL STORAGE TANKS, SALES BUILDING AND FORECOURT LAYOUT FOLLOWING DEMOLITION OF EXISTING PFS AND RESTAURANT FACILITY (FORMERLY LITTLE CHEF)
PARISH Stotfold
CASE OFFICER Godwin Eweka
DATE REGISTERED 13 March 2009
EXPIRY DATE 08 May 2009
APPLICANT BP Oil (UK) Ltd
REASON FOR COMMITTEE TO DETERMINE WARD CLLR CHRISTINA TURNER REQUESTED ON GROUNDS OF HIGHWAY AND TRAFFIC SAFETY
RECOMMENDED DECISION FULL CONDITIONAL APPROVAL

APPROVE Planning Permission for the application set out above subject to the following condition(s):

- 1 DG01 The development hereby approved shall be commenced within three years of the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 which is designed to ensure that a planning permission does not continue in existence indefinitely if the development to which it relates is not carried out.

- 2 TL02 **No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include:-**

- proposed finished levels or contours;
- materials to be used for any hard surfacing;
- minor structures (e.g. furniture, signs, etc);
- proposed and existing functional services above and

- below ground level;
- planting plans, including schedule of size, species, positions, density and times of planting;
- cultivation details including operations required to establish new planting;
- details of existing trees and hedgerows on the site, indicating those to be retained and the method of their protection during development works.

Reason: In order to ensure that the landscaping is carried out within a reasonable period in the interest of the visual amenities of the area.

- 3 U **Prior to the commencement of any development, a scheme for the provision and implementation of pollution control of the water environment, which shall include foul and surface water drainage, shall be submitted and agreed in writing with the Local Planning Authority. The works/scheme shall be constructed and implemented in accordance with the approved plans.**

Reason: To ensure a satisfactory method of foul and surface water drainage and to prevent the increased risk of pollution to the water environment.

- 4 TL01 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development whichever is the sooner; and any trees or plants which within a period of 5 years of completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority give written consent to any variation.

Reason: In the interests of the visual amenities of the site and the area generally.

- 5 U If during any site investigation, excavation, engineering or construction works evidence of land contamination is identified, the applicant shall notify the Local Planning Authority without delay. Any land contamination identified shall be remediated to the satisfaction of the Local Planning Authority to ensure that the site is made suitable for its end use.

Reason: In order to protect the health of occupants of the proposed development.

- 6 U The finished ground floor levels of the buildings shall be 600mm above the 1 in 100 year flood level of 43.96m AOD; that is at or above 44.53m AOD.
- Reason: To provide protection against flood.
- 7 U Given an impermeable site area of 0.83ha, provision shall be made for 491 cubic metre of surface water to be attenuated on site prior to discharging at a rate not exceeding 2.5 l/s to the existing drainage.
- Reason: To ensure that there is no increase in surface water runoff from the development which may affect other properties.
- 8 U No part of the development shall be brought into its intended use unless and until the highway works as shown on the drawings listed in the Stage 1 Road Safety Audit drawing no. 206489 07 Rev E have been implemented to the satisfaction of the Local Planning Authority in consultation with the Highways Agency on behalf of the Secretary of State for Transport.
- Reason: In the interest of highway safety and for the avoidance of doubt.

Notes to Applicant

- 1 The new service station will require a Permit under the Environmental Permitting (England and Wales) Regulations 2007. Further information may be obtained from Claire Bell, Technical Officer, Public Protection North (0300 300 4496). Please see www.defra.gov.uk/environment/ppc/localauth/pubs/guidance/notes/pgnotes/pdf/pg1-14.pdf.
- 2 All works within the highway boundary are to be carried out under a Section 278 Agreement with the Secretary of State. The applicant is to contact Mr John Hornsby (01234 796130) at the Highways Agency regarding the Section 278 Agreement. Please be aware the process takes time and I would urge the applicant to get started on the process as soon as practicable. The applicant is to contact the Route Performance Manager, Keith Hutchinson (01234 796510) prior to commence on site to agree traffic management during the works.

[Note: 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**SCHEDULE B**

APPLICATION NUMBER	SB/09/00032/TP
LOCATION	Land Rear Of, 62-64 Luton Road, Toddington
PROPOSAL	Erection of one detached one-bedroom bungalow.
PARISH	Toddington
WARD	Toddington inc Chalton
WARD COUNCILLORS	Cllr J Machin & Cllr T Nicols
CASE OFFICER	Nicola McPhee
DATE REGISTERED	20 January 2009
EXPIRY DATE	17 March 2009
APPLICANT	Mr D Thierens
AGENT	Triad Planning & Design Limited
REASON FOR COMMITTEE TO DETERMINE	Parish Council Objections
RECOMMENDED DECISION	Grant Planning Permission

Grant planning permission subject to the following conditions:

- 1 The development 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 Development shall not begin until details of the junction of the proposed vehicular access with the highway have been approved by the Local Planning Authority and no building shall be occupied until the 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 the premises.

- 3 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.

- 4 Before development begins and notwithstanding the details submitted with the application, details of the materials to be used for the external walls and roofs of the proposed building/s shall be 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: To control the appearance of the building/s.
(Policies BE8 & H8, S.B.L.P.R).

- 5 Before development begins, a landscaping scheme to include any hard surfaces and earth mounding 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 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 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 and maintained until satisfactorily established.

REASON: To ensure a satisfactory standard of landscaping.
(Policy BE8, S.B.L.P.R).

- 6 Before the access is brought into use, an area of land across the whole of the site frontage measuring at least 2m from and parallel to the nearside edge of the adjacent road carriageway shall be provided and thereafter be kept free of all obstruction to visibility.

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.

- 7 The proposed vehicular access shall be surfaced in accordance with details to be approved in writing by the Local Planning Authority for a distance of 5m into the site, measured from the highway boundary, before the premises are occupied. 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 into the highway so as to safeguard the interest of highway safety.

- 8 Before the access is first brought into use a triangular vision splay shall be provided on each side of the new access 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 and on land under the applicant's control 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 existing highway and the proposed access(es), and to make the access(es) safe and convenient for the traffic which is likely to use it (them).

- 9 Details of bin storage/collection point shall be submitted to and approved by

the Local Planning Authority prior to the occupation of the dwelling.

REASON: To avoid the storage of refuse containers on the highway so as to safeguard the interest of highway safety.

- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions to the building/s hereby permitted shall be carried out without the grant of further specific permission from the Local Planning Authority.

REASON: To control the external appearance of the building/s in the interests of the amenities of the area.
(Policy BE8, S.B.L.P.R).

- 11 Notwithstanding the provisions of Part 1 Class E of Schedule 2 to the Town and Country (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no buildings or other structures shall be erected or constructed within the curtilage of the property without the grant of further specific permission from the Local Planning Authority.

REASON: To control the development in the interests of the amenities of the area.
(Policy BE8, S.B.L.P.R).

- 12 Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions (a) to (d) below have been complied with. 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 (d) has been complied within relation to that contamination.

(a) Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- i. A survey of the extent, scale and nature of the contamination;
- ii. An assessment of the potential risks to:
 - Human health
 - Property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes
 - Adjoining land
 - Ground waters and surface waters
 - Ecological systems
 - Archaeological sites and ancient monuments
- iii. An appraisal of remedial options, and proposal of the preferred option(s)

This must be conducted in accordance with DEFRA and the Environment Agency's *'Model Procedures for the management of Land Contamination, CLR 11'*.

(b) Submission of 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 historical 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.

(c) 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 (referred to in PPS23 as a validation 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.

(d) 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 the requirements of condition (a), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition (b), which is subject to the approval in writing of the Local Planning Authority.

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 (c).

REASON: 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.

- 13 This permission relates only to the details shown on Drawing No. 08/636/01 Rev.B received 15/04/09 or to any subsequent appropriately endorsed revised plan.

REASON: To identify the approved drawing and to avoid doubt.

Notes to Applicant

1. In accordance with Article 22 of the Town & Country Planning (General Development Procedure) Order 1995 (as Amended), the Council hereby certify that the proposal as hereby approved conforms with the relevant policies of the Development Plan comprising of the Regional Spatial Strategy for the East of England (the East of England Plan and the Milton Keynes and South Midlands Sub-Regional Strategy), Bedfordshire Structure Plan 2011 and the South Bedfordshire Local Plan Review and material considerations do not indicate otherwise. The policies which refer are as follows:

Regional Spatial Strategy

East of England Plan (May 2008)

ENV7 - Quality in the Built Environment

South Bedfordshire Local Plan Review

BE8 - Design Considerations

H2 - Making Provision for Housing via "Fall-in" Sites

H8 - Control of Extensions to Dwellings

T10 - Controlling Parking in New Developments

2. In accordance with Article 22 of the Town and Country Planning (General Development Procedure) Order 1995 (as Amended), the reason for any condition above relates to the Policies as referred to in the Regional Spatial Strategy (RSS), Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).
3. 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. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Central Bedfordshire Council's Customer Contact Centre, 6th Floor, Borough Hall, Bedford, MK42 9AP quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. 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.
4. The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with Central Bedfordshire Council's "Cycle Parking Guidance - August 2006".
5. ● Where remedial measures are necessary, they should be managed with

Part IIA of the Environmental Protection Act 1990 in mind. Encapsulation of any contaminants should be made on the risk-based assessment so that they are unlikely to be subject to future release to the environment.

- All ground investigations shall be risk based and have regard to BS10175:2001 *Investigation of Potentially Contaminated Sites - Code of Practice* and *Environment Agency/NHBC R&D Publication 66 - Guidance for the Safe Development of Housing on Land Affected by Contamination*.
 - Where analyses are undertaken analytical laboratories should be accredited to MCERTS and where appropriate laboratory methods should also be accredited to MCERTS.
 - The applicants/agent's consulting engineers shall certify that decontamination and remediation of the site has been undertaken in accordance with any measures approved by the Local Planning Authority.
 - The applicant shall advise the Local Planning Authority of commencement of the works.
 - The applicant should also be made aware that the ownership of land shown to be contaminated may accrue legal and financial liabilities under Part IIA of the Environmental Protection Act 1990. Such liabilities are maximised when "pollutant linkages" engender "pathways" for the contaminants to reach "receptors".
 - Central Bedfordshire Council has published its Contaminated Land Inspection Strategy in line with the Environmental Protection Act 1990: Part IIA and its definition thereof. No land has yet been formally designated as being 'contaminated'. However, it should not be taken to imply that the property or adjoining land is free from contamination.
6. 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.

[Note: In advance of the consideration of the application the committee received representations made under the public participation scheme.]

Item No. 14

SCHEDULE B

APPLICATION NUMBER	SB/09/00129/TP
LOCATION	1 Ivel Close, Barton-le-Clay, Bedford, MK45 4NT
PROPOSAL	Erection of wooden fence and enclosure of amenity land. (Revised application SB/TP/07/1196)
PARISH	Barton-Le-Clay
WARD	Barton-le-Clay
WARD COUNCILLORS	Cllr A Northwood & Cllr I Shingler
CASE OFFICER	Nicola McPhee
DATE REGISTERED	25 February 2009
EXPIRY DATE	22 April 2009
APPLICANT	Mr Gallagher
AGENT	Michael Hardiman & Associates Limited
REASON FOR COMMITTEE TO DETERMINE	Parish Council Objections
RECOMMENDED DECISION	Grant Planning Permission

Grant planning permission subject to the following conditions:

- 1 The existing fence shall be relocated to comply with the approved details within 60 days of the date of this permission.
REASON: To maintain the visual amenities of the street scene and safeguard the Area of Special Character.
(Policies BE8 & BE6, S.B.L.P.R).
- 2 **Within 30 days of this permission, a landscaping scheme shall be submitted to the council. The scheme as approved in writing shall be implemented within 30 days from the date of approval. 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 and maintained until satisfactorily established.**
REASON: To ensure a satisfactory standard of landscaping.
(Policy BE8, S.B.L.P.R).
- 3 This permission relates only to the details shown on Drawing No's. 2007/409/14C and 2007/409/01F received 11/03/09 or to any subsequent appropriately endorsed revised plan.
REASON: To identify the approved drawings and to avoid doubt.

Notes to Applicant

1. In accordance with Article 22 of the Town & Country Planning (General Development Procedure) Order 1995 (as Amended), the Council hereby certify that the proposal as hereby approved conforms with the relevant policies of the Development Plan comprising of the Regional Spatial Strategy for the East of England (the East of England Plan and the Milton

Keynes and South Midlands Sub-Regional Strategy), Bedfordshire Structure Plan 2011 and the South Bedfordshire Local Plan Review and material considerations do not indicate otherwise. The policies which refer are as follows:

Regional Spatial Strategy

East of England Plan (May 2008)

ENV7 - Quality in the Built Environment

South Bedfordshire Local Plan Review Policies

BE8 - Design Considerations

BE6 - Areas of Special Character

2. In accordance with Article 22 of the Town and Country Planning (General Development Procedure) Order 1995 (as Amended), the reason for any condition above relates to the Policies as referred to in the Regional Spatial Strategy (RSS), Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).
3. 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.

Item No. 15**SCHEDULE C**

APPLICATION NUMBER MB/09/00560/FULL
LOCATION 6 THE OLD DAIRY, BEADLOW, SHEFFORD, SG17 5PL
PROPOSAL FULL: AMENDMENT TO PLANNING PERMISSION 08/00455/FULL DATED 09/05/08 FOR THE ERECTION OF STABLE WITH ANCILLARY WORKS - TO INCREASE ROOF PITCH FROM 40 TO 45 DEGREES.
PARISH Campton/Chicksands
CASE OFFICER Mary Collins
DATE REGISTERED 30 March 2009
EXPIRY DATE 25 May 2009
APPLICANT Miss F Webb
REASON FOR COMMITTEE TO DETERMINE APPLICANT CENTRAL BEDFORDSHIRE COUNCIL EMPLOYEE

RECOMMENDED DECISION Full Conditional Approval

APPROVE Planning Permission for the application set out above subject to the following condition(s):

- 1 DG01 The development hereby approved shall be commenced within three years of the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 which is designed to ensure that a planning permission does not continue in existence indefinitely if the development to which it relates is not carried out.

- 2 U Notwithstanding the approved plans, all rainwater goods shall be of cast iron or aluminium and painted black unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the setting of the statutorily listed building in accordance with the provisions of PPG 15 Planning and the Historic Environment 1994.

- 3 U The weatherboarding to the side of the stable building hereby approved shall be black stained with Dulux Weathershield, colour black satin 200 - 225mm wide unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the setting of the statutorily listed building in accordance with the provisions of PPG 15 Planning and the Historic Environment 1994.

- 4 U The materials to be used for the roof of the stable building hereby approved shall be Tudor handmade Clay plain tile for the one and a half storey section in three colours, Red, Medium Antique and Sussex Brown with a Tudor Handmade Mono Ridge 12" clay roof tile - colour Medium and Sandtoft clay pantile to the single storey section unless otherwise agreed in writing by the Local Planning Authority.
- Reason: To safeguard the setting of the statutorily listed building in accordance with the provisions of PPG 15 Planning and the Historic Environment 1994.
- 5 U The brick plinth of the stable building hereby approved shall be HG Matthews, handmade bricks in light/medium red with a Flemish bond with gritty part coarse sharp sand/ aggregate to lime mortar and neat flush joint unless otherwise agreed in writing by the Local Planning Authority.
- Reason: To safeguard the setting of the statutorily listed building in accordance with the provisions of PPG 15 Planning and the Historic Environment 1994.
- 6 U The conservation rooflight to be fitted shall be The Cast Rooflight unless otherwise agreed in writing by the Local Planning Authority.
- Reason: To safeguard the setting of the statutorily listed building in accordance with the provisions of PPG 15 Planning and the Historic Environment 1994.
- 7 U No external alterations shall be made to the development hereby authorised without the prior approval in writing of the Local Planning Authority.
- Reason: To safeguard the setting of the statutorily listed building in accordance with the provisions of PPG 15 Planning and the Historic Environment 1994.
- 8 RR05 The building hereby approved shall be used only for the purposes specified on drawing BEA-R-00 4A and the stable shall only be used as private, non-commercial stabling in relation to the occupation of the residential property at 6 The Old Dairy and for no other purpose.
- Reason: To prevent the building from being used for commercial purposes to the detriment of the locality and in accordance with Policy CS23.
- 9 RR06 Details of the storage and disposal of manure shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Dung shall be stored and disposed of strictly in accordance with the approved details.

Reason: In the interests of neighbouring amenity and to prevent pollution of the environment.

- 10 HS20 Before the stable building is first brought into use details of the hard surfacing shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To safeguard the setting of the statutorily listed building in accordance with the provisions of PPG 15 Planning and the Historic Environment 1994.

- 11 TL01 Any trees or plants which within a period of 5 years of completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority give written consent to any variation.

Reason: In the interests of the visual amenities of the site and the area generally.

Notes to Applicant

- 1 Surface water run off from the proposals should not generate additional surface runoff which could increase the risk of flooding to property downstream where property is vulnerable. The design of the surface water drainage should therefore be such that greenfield runoff from all impermeable areas does not exceed 1 litre per second per hectare. The applicant has indicated that surface water from the stable will be discharged into a soakaway. This should be designed to Building Research establishment Digest 365 in order to ensure that the soakaway is adequate.

[Note:

- (1) In advance of the consideration of the application the Committee were advised that a response had been received from the Internal Drainage Board, no response had been received from neighbours or from publicity.
- (2) In addition the Committee were advised that plans received had been sent via the planning portal and the floor and elevation plans did not match. Original hard copies of the plans were received from the agent.]

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Item No. 16**SCHEDULE C**

APPLICATION NUMBER	MB/09/00347/FULL
LOCATION	FAIRFIELD LOWER SCHOOL, DICKENS BOULEVARD, STOTFOLD, HITCHIN, SG5 4FD
PROPOSAL	FULL: INSTALLATION OF PLAY EQUIPMENT.
PARISH	Stotfold
CASE OFFICER	Judy Self
DATE REGISTERED	27 February 2009
EXPIRY DATE	24 April 2009
APPLICANT	Fairfield Park Lower School
REASON FOR COMMITTEE TO DETERMINE	THE LAND IS OWNED BY CENTRAL BEDFORDSHIRE COUNCIL
RECOMMENDED DECISION	FULL UNCONDITIONAL APPROVAL

APPROVE Planning Permission for the application set out above unconditionally.

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Item No. 17**SCHEDULE C**

APPLICATION NUMBER	MB/09/00288/FULL
LOCATION	POTTON LOWER SCHOOL, EVERTON ROAD, POTTON, SANDY, SG19 2PB
PROPOSAL	FULL: CONSTRUCTION OF SINGLE STOREY BUILDING FOR USE AS PRE-SCHOOL AND AFTERSCHOOL CLUB; AND THE PROVISION OF 14 ADDITIONAL CAR PARKING SPACES
PARISH	Potton
CASE OFFICER	Kate Phillips
DATE REGISTERED	18 February 2009
EXPIRY DATE	15 April 2009
APPLICANT	The Board of Governors Potton Lower School
REASON FOR COMMITTEE TO DETERMINE	The land is owned by Central Bedfordshire Council
RECOMMENDED DECISION	FULL CONDITIONAL APPROVAL

APPROVE Planning Permission for the application set out above subject to the following condition(s):

- 1 DG01 The development hereby approved shall be commenced within three years of the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 which is designed to ensure that a planning permission does not continue in existence indefinitely if the development to which it relates is not carried out.

- 2 U **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.

- 3 U **Development shall not commence until a scheme detailing access provision to and from the site for construction traffic, including a turning area, which details shall show what arrangements will be made for restricting such vehicles to approved points of access and egress has been submitted to**

and approved in writing by the Local Planning Authority. The scheme shall be operated throughout the period of construction work.

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

- 4 U Parking bays 20, 21 and 22 as indicated on the submitted plan A207 Revision A shall measure a minimum of 2.4m wide by 6.0m long each.

Reason: To provide adequate sized parking bays.

- 5 U Before the premises are occupied parking bays 8 to 22 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.

- 6 U The development shall not be brought into use until a turning space suitable for a coach or fire appliance has been constructed within the curtilage of the site in a manner to be approved in writing by the Local Planning Authority.

Reason: To enable vehicles to draw off, park and turn outside of the highway limits thereby avoiding the reversing of vehicles on to the highway.

- 7 DG17 The permission shall extend only to the application as amended by plans A200 Revision - A; A202 Revision - A; A207 Revision - A; A208 Revision - A received 19.3.09.

Reason: For the avoidance of doubt and to ensure that the development is implemented in accordance with the plans formally approved by the Local Planning Authority.

Notes to Applicant

- 1 The applicant is advised that all cycle and scooter parking, existing and proposed, should be covered and secure.

- 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 Bedfordshire Highways, PO Box 1395, Bedford MK42 5AN

- 3 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.

[Note: In advance of the consideration of the application the committee received representations made under the public participation scheme.]

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Item No. 19**SCHEDULE C**

APPLICATION NUMBER	MB/09/00262/FULL
LOCATION	GOTHIC MEDE LOWER SCHOOL, HIGH STREET, ARLESEY, SG15 6SL
PROPOSAL	FULL: RETRACTABLE POOL ENCLOSURE FOR EXISTING OUTDOOR SWIMMING POOL.
PARISH	Arlesey
CASE OFFICER	Kate Phillips
DATE REGISTERED	24 February 2009
EXPIRY DATE	21 April 2009
APPLICANT	Dunstable Pools
REASON FOR COMMITTEE TO DETERMINE	THE LAND IS OWNED BY CENTRAL BEDFORDSHIRE COUNCIL.
RECOMMENDED DECISION	FULL CONDITIONAL APPROVAL

APPROVE Planning Permission for the application set out above subject to the following condition(s):

- 1 DG01 The development hereby approved shall be commenced within three years of the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 which is designed to ensure that a planning permission does not continue in existence indefinitely if the development to which it relates is not carried out.

- 2 U The materials to be used for the development hereby approved shall be as detailed in the application, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect the visual amenities of the general area.

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Item No. 20**SCHEDULE D**

APPLICATION NUMBER	BC/CM/2009/5
LOCATION PROPOSAL	BROOM QUARRY, GYPSY LANE, BROOM VARIATION OF CONDITION 12 OF PLANNING PERMISSION 21/2006 TO ALLOW THE IMPORTATION OF CEMENT
PARISH	Old Warden and Southill
WARD & COUNCILLORS	Houghton Conquest, Haynes, Southill & Old Warden – Cllr Baines / Cllr Barker
CASE OFFICER	Anita Taylor
DATE REGISTERED	29 th January 2009
EXPIRY DATE	30 th April 2009
APPLICANT	Tarmac Ltd
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	SIGNIFICANT OBJECTION RECEIVED FROM LOCAL RESIDENT APPROVE SUBJECT TO CONDITIONS

That planning permission be granted subject to the following conditions:

1. Planning permission shall extend to the areas edged with a thick black line on the attached plan no. BC/CM/2005/6-1 and development shall be carried out in accordance with the planning application dated 18 February 2005, and accompanying supporting information, as amended by letter dated 21 June 2005 and revised drawing number B92/148a, and clarified by letter dated 14 September 2005, e-mail dated 18 October 2005 and letters dated 19 October 2005 and 8 November 2005, and subsequent application dated 23 January 2009, except for minor amendments which may be approved in writing by the Minerals Planning Authority.

Reason: To define the permission.

Time Limits

2. Upon the use of the access for the delivery of cement and / or admixtures to the quarry for use in the concrete batching plant, written notification shall be sent to the Mineral Planning Authority within 7 days of commencement. Thereafter this permission shall be deemed to be implemented.

Reason: To comply with section 51 of the Planning and Compulsory Purchase Act 2004.

3. The development hereby permitted shall cease and the restoration of the site including the closure of the Gypsy Lane underpass, but excluding the aftercare requirements, shall be completed within five

years from the commencement of mineral extraction, which date shall be notified to the Council within one week of commencement.

Reason: To ensure that the development is completed within an acceptable timescale. (Policy GE 24 of the Bedfordshire and Luton Minerals and Waste Local Plan 2005 (MWLP)).

Phasing

4. Except for such modifications as may be approved in writing by the Minerals Planning Authority, the site shall be worked in three phases as shown on drawing no. B92/144, and extraction in phases 12 and 13 shall not proceed without the written consent of the Minerals Planning Authority, which shall be dependent on satisfactory progress in the restoration of the previous phases, in accordance with the approved scheme.

Reason: To ensure a satisfactory restoration of the site and to provide for the eventual restoration of the site. (Policy GE 26 of the MWLP)

Access

5. Unless otherwise agreed in writing by the Minerals Planning Authority, the conveyor tunnel under Gypsy Lane shall be maintained and restored in accordance with details approved under scheme reference BC/CS/2007/8 approved on the 14th March 2007.

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

6. Unless otherwise approved in writing by the Minerals Planning Authority, no mineral shall be exported from the site to the east of Gypsy Lane except via the conveyor.

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

7. The temporary access shall be closed and with the conveyor tunnel under Gypsy Lane shall be restored in accordance with the approved restoration scheme and the details approved under condition 5.

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

Soils, Overburden and Materials

8. Unless otherwise approved in writing by the Minerals Planning Authority, no stripping of topsoil, subsoil or overburden shall take place except in accordance with the MAFF (2000) 'Good Practice Guide for Handling Soils' and practices set out in scheme reference BC/CS/2006/68 approved on 19th March 2009.

Reason: To provide for the satisfactory restoration of the site. (Policy GE 6 of the MWLP)

9. Soils and overburden shall only be removed when the materials can be handled without damage to their structure.

Reason: To safeguard the soil resource and provide for the satisfactory restoration of the site. (Policy GE 6 of the MWLP)

10. Except as may otherwise be agreed in writing by the Minerals Planning Authority, the storage of minerals shall be confined to the plant site area and the height of the stock piles shall not exceed the height of the surrounding screen bunds.

Reason: To protect the amenities of the area. (Policy GE 9 of the MWLP)

11. Except as may otherwise be agreed in writing by the Minerals Planning Authority, no materials shall be brought onto the site for processing or storage other than;
 - a. Type 1 and single sized aggregates for storage and sale in accordance with the details set out in the application dated 24 October 2000.
 - b. Cement and admixtures for processing and sale in accordance with the details set out in the application dated 23 January 2009.

Reason: To protect the amenities of the area.

Erection of Buildings, Plant and Machinery

12. Notwithstanding the provisions of the Town and Country Planning General Development Orders, detailed proposals of any new or replacement buildings, fixed plant and machinery to be erected shall be submitted to the Minerals Planning Authority for approval in writing and the and the details shall be implemented as approved.

Reason: To enable the Minerals Planning Authority to exercise control over any development within the site which could be detrimental to the amenities of the area. (Policy GE 9 of the MWLP)

13. All building, plant, machinery and foundations shall be removed from the site when they are no longer required for the purposes for which they were installed or erected or within six months from the date of cessation of mineral extraction, whichever is the sooner, and all land covered by such buildings, plant, machinery and foundations shall be restored in accordance with the scheme required under condition 26 of this permission and the scheme approved under planning permission 7/1995 for the land to the west of Gypsy Lane.

Reason: To provide for the satisfactory restoration of the site. (Policy GE 26 of the MWLP)

14. No external lighting shall be installed except in accordance with the lighting scheme approved on 7th April 2008 and the lighting attached to the concrete batching plant as set out within the planning application dated 23rd January 2009.

Reason: To protect the amenities of the area. (Policy GE 18 of the MWLP)

Protection of Water Resources

15. Except as may otherwise be agreed in writing by the Minerals Planning Authority the monitoring, control and maintenance of groundwater levels shall be carried out in accordance with the scheme referenced BC/CS/2006/72 approved on 20th February 2007. Monitoring results shall be reported monthly to the Minerals Planning Authority.

Reason: To safeguard groundwater levels. (Policy GE 20 of the MWLP)

16. Discharge from the dewatering shall only take place at points downstream of the extraction areas.

Reason: To ensure satisfactory drainage of the site. (Policy GE 20 of the MWLP)

17. Sand washing effluent shall not be discharged to a watercourse but retained on site and all reasonable precautions shall be taken to ensure that water courses are not polluted.

Reason: To prevent water pollution. (Policy GE 17 of the MWLP)

18. All oil, fuel and or chemical storage tanks, buildings and ancillary handling facilities such as pumps and valves shall be contained within an impervious bunded area of at least 110% of the tank capacity.

Reason: to prevent contamination of the groundwater. (Policy GE 17 of the MWLP)

Dust

19. Except as may be otherwise agreed in writing by the Minerals Planning Authority the monitoring and control of dust shall be carried out in accordance with scheme reference BC/CS/2007/11 approved on 14th March 2007. Monitoring results shall be reported to the Authority in accordance with the scheme.

Reason: to minimise any nuisance to nearby residents by reason of dust. (Policy GE 18 of the MWLP)

20. The wheel cleaning facility shall be maintained at all times in accordance with the approved scheme, referenced BC/CS/2006/73.

Reason: In the interests of amenity and to prevent the deposit of mud or other extraneous material on the highway. (Policy GE 18 of the MWLP)

Noise

21. Except as may be otherwise agreed in writing by the Minerals Planning Authority noise monitoring shall be undertaken in accordance with the details set out in scheme reference BC/CS/2006/71 approved on 20th February 2007. The scheme includes:

- (a) Except for temporary operations, the free-field equivalent continuous noise level LAeq (1 hour), attributable to the operations subject to this permission, shall not exceed the limit specified as follows:

Brookland Farm

55 dB LAeq, 1 hour free field

High Road, Broom	50 dB L _{Aeq} , 1 hour free field
Black Horse Cottage	55 dB L _{Aeq} , 1 hour free field
Hill Lane Cottage	55 dB L _{Aeq} , 1 hour free field
Moat Cottage	50 dB L _{Aeq} , 1 hour free field
Hill Barn	50 dB L _{Aeq} , 1 hour free field

- (b) For temporary operations, including site preparation, soil and overburden stripping, bund formation and removal and final restoration, the free field noise level at the points in (a) shall not exceed 70 dB L_{Aeq}, 1 hour free field for a total of eight weeks in any calendar year, except as may be agreed in writing by the Minerals Planning Authority.
- (c) Noise monitoring and recording procedures.
- (d) Presentation of results.
- (e) Noise suppression measures.
- (f) Procedures to be adopted in the event of the maximum permitted noise levels being exceeded.

Reason: To minimise disturbance to nearby residents by reason of noise. (Policy GE 18 of the MWLP)

Hours of Operation

22. Except as may otherwise be approved in writing by the Minerals Planning Authority, and except as set out in (a) below no operations authorised or required under this permission shall be carried out except between the following times:

0700 to 1800 hours Mondays to Fridays
0700 to 1300 hours Saturdays

No operations shall be carried out on Public or Bank Holidays or Sundays unless otherwise agreed in writing by the Minerals Planning Authority.

- (a) Up to two employees may be permitted to enter the site between 0630 and 0700 hours Monday to Saturday to remove security measures at the site.

Reason: To safeguard the amenities of the area. (Policy GE 18 of the MWLP)

Archaeology

23. Archaeological investigations and management shall take place in accordance with the Archaeological Resource Management scheme, referenced BC/CS/2006/74, approved on 19th February 2007.

Reason: To enable the preservation, protection, management and recording of hitherto hidden archaeological features. (Policy GE 14 of the MWLP)

Landscaping, Restoration and Aftercare

24. Unless a survey by a competent ornithologist, which shall be submitted to the Minerals Planning Authority, prove that no breeding birds are present, no ground clearance works or removal of trees shall take place in the bird breeding season from March to August.

Reason: To avoid disturbance to nesting birds on site. (Policy GE 13 of the MWLP)

25. Advanced tree and hedgerow planting undertaken during the 2006-07 planting season, in accordance with scheme reference BC/CS/2006/70, shall be maintained throughout the duration of the mineral working and any trees or shrubs which die or are damaged during this period shall be replaced with others of a similar size and species and maintained until satisfactorily established.

Reason: To enhance the appearance of the area and provide for the satisfactory restoration of the site. (Policies GE 9 and 10 of the MWLP)

26. The site shall be restored in accordance with the concept shown on submitted drawing no. B92/148a, dated June 2005. Development shall take place in accordance with the detailed restoration scheme approved on 20th March 2007 under scheme reference number BC/CS/2006/67. Except as may be agreed in writing by the Minerals Planning Authority, the approved scheme shall be implemented in accordance with the timetable and completed within one year of the cessation of mineral extraction at the site or of the working being otherwise discontinued.

Reason: To enhance the appearance of the area and provide for the satisfactory restoration of the site. (Policies GE 21 and 26 of the MWLP)

27. Aftercare and management of the restored land shall be undertaken in accordance with details approved under scheme reference BC/CS/2006/69 approved on 19th March 2007.

Reason: To provide for the satisfactory restoration of the site. (Policy GE 27 of the MWLP).

28. Details of annual sales and remaining reserves of minerals from the site shall be submitted to the Minerals Planning Authority. These details shall include the following

- a) Category of mineral (building sand/concreting sand/gravel)
- b) Quantity of each category in tonnes.

The period provided for shall be from 1 January to 31 December each year and the information shall be provided by 31 March for the preceding period.

Reason: To enable monitoring and assist the Minerals Planning Authority in the forward planning of mineral resources. (Policy M2 of the MWLP)

29. An Annual Environmental Report shall be submitted to the Minerals Planning Authority by 31 March each year for the previous period from 1 January to 31 December. The report shall contain the following:
- i) A statement of operations over the past year, to include progress on mineral extraction and restoration, and a summary of monitoring of noise, dust and groundwater.
 - iii) Identification of any problems caused by the operations and action taken to address these.
 - iv) A statement of future planned operations over the next year,
 - v) Identification of any potential problems which could be caused by future operations and the action to be taken to address these.

Reason: To enable monitoring and assist the Minerals Planning Authority in the forward planning of mineral resources. (Policy M2 of the MWLP)

N.B. Where conditions include the phrase "Except as may be / unless otherwise agreed in writing by the Minerals Planning Authority...", this is to allow for exemptions to be approved for temporary periods for special circumstances or minor amendments to be made.

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