

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held at Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 10 November 2010

PRESENT

Cllr A Shadbolt (Chairman)
Cllr P F Vickers (Vice-Chairman)

Cllrs	P N Aldis	Cllrs	D Jones
	A R Bastable		H J Lockey
	R D Berry		K C Matthews
	D Bowater		Ms C Maudlin
	A D Brown		T Nicols
	Mrs R B Gammons		Mrs C Turner
	K Janes		J N Young

Apologies for Absence: Cllrs D J Gale
A Northwood

Substitutes: Cllrs B J Spurr (In place of D J Gale)

Members in Attendance: Cllrs R A Baker
P A Duckett
R W Johnstone
A A J Rogers
J Street
B Wells,

Officers in Attendance:	Mrs M Clampitt	Democratic Services Officer
	Mr A Davie	Head of Development Management (North)
	Mr A Emerton	Managing Solicitor Planning, Property, Highways & Transportation
	Mr A Jones	Tree and Landscape Officer
	Mr D Lamb	Development Management Team Leader (North)
	Mr C Murdoch	Planning Officer (South)
	Mrs A Myers	Landscape Officer
	Mrs A Samm�	Development Management Team Leader (North)
	Mr J Spurgeon	Principal Planning Officer
	Mrs D Walker	Planning Officer

DM/10/120 **Chairman's Announcements**

The Chairman made the following announcements and updates:-

1. that under the provisions of Committee Procedure Rule CM16 the order of business would be varied as follows:-
Item 11 – Units 4,5,6,7,8,9,12,13,14 and 31 Humphreys Road, Dunstable would be considered after item 7. Item 8 – Warren Wood, Fordfield Road, Millbrook would follow.
2. The Committee would adjourn following consideration of agenda item 8 and reconvene at 2.00pm.
3. Officers have requested that agenda item 21 – Agreement of Article 4 Direction for Wrest Park Estate, Silsoe be withdrawn from the agenda because the recommendation in relation to item 21 is based on a decision of the council to issue a lawful development certificate in respect of the site. That decision has now been challenged by way of judicial review. The request was moved and seconded and the whole committee voted in support of the withdrawal.
4. At the close of the meeting the Chairman thanked Anne Samme, Development Management Team Leader (North) for her guidance and work during her time at her legacy Authority and Central Bedfordshire Council. The whole Committee wished her well for the future.

DM/10/121 **Minutes**

RESOLVED

that the Minutes of the meeting of the Development Management Committee held on the 13 October 2010 be confirmed and signed by the Chairman as a correct record.

DM/10/122 **Members' Interests**

(a) **Personal Interests:-**

Member	Item	Nature of Interest	Present or Absent during discussion
Cllr B J Spurr	12	Grandson plays rugby at club	Present
Cllr A D Brown	17	Knows main objector as running mate in 2007 elections	Absent

Cllr A A J Rogers 10 Been present during discussions did not comment Present

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

None

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

Member	Item	Parish/Town Council	Vote Cast
Cllr D Jones	11	Houghton Regis Town Council	Did not vote
Cllr Mrs C Turner	13	Stotfold Town Council	Did not vote
Cllr A R Bastable	15	Cranfield Town Council	Did not vote

DM/10/123 **Petitions**

The Chairman advised that no petitions had been received.

DM/10/124 **Late Sheet**

In advance of consideration of the following Planning Applications, the Committee received a late sheet advising it of additional consultation, publicity, responses, comments and proposed additional / amended conditions. A copy of the late sheet is appended as an Appendix to these Minutes.

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

DM/10/125 **Planning Enforcement Cases Where Formal Action Has Been Taken**

RESOLVED

- 1. that the update on Planning Enforcement cases where formal action has been taken, be noted.**
- 2. The Chairman confirmed the dates and locations of the following appeals:-**

Hearings:-

30 November – Reach Lane Quarry, Heath & Reach

8 December – Plot B, Fryer Herne, Pulloxhill

12 January – Home Farm, Tilsworth

**Inquiries:-
29 January – Conn Farm, Cranfield
6 – 8 April – The Causeway, Clophill**

DM/10/126 Planning Application No. CB/09/06766/RM

RESOLVED

that Planning Application No. CB/09/06766/RM relating to Dukeminster Estate, Church Street, Dunstable be approved as set out in the schedule appended to these Minutes.

DM/10/127 Planning Application No. CB/10/03096/RM

RESOLVED

that Planning Application No. CB/10/02493/OUT relating to Units 4,5,6,7,8,9,12,13,14 and 31 Humphrys Road, Dunstable be approved as set out in the schedule appended to these Minutes.

DM/10/128 Planning Application No. CB/10/02493/OUT

RESOLVED

that Planning Application No. CB/10/03096/RM relating to Warren Wood, Fordfield Road, Millbrook be approved as set out in the schedule appended to these Minutes.

The Committee meeting adjourned at 11.15am.

The Committee meeting reconvened at 2.00pm.

DM/10/129 Planning Application No. CB/10/01359/FULL

RESOLVED

that Planning Application No. CB/10/01359/FULL relating to The Marston Vale Millenium Country Park, Station Road, Marston Mortaine, Bedford be approved as set out in the Schedule appended to these Minutes.

DM/10/130 **Planning Application No. CB/09/06296/OUT**

RESOLVED

that Planning Application No. CB/09/06296/OUT relating to Land Off Clifton Close, Clifton be approved subject to the completion of a legal agreement and as set out in the Schedule appended to these Minutes.

DM/10/131 **Planning Application No. CB/10/06722/FULL**

RESOLVED

that Planning Application No. CB/09/06722/FULL relating to Land on the South Side of Rugby Club, Woburn Street, Ampthill be approved as set out in the Schedule appended to these Minutes.

DM/10/132 **Planning Application No. CB/10/03477/FULL**

RESOLVED

that Planning Application No. CB/10/03477/FULL relating to 2 High Street, Stoffold, Hitchin be delegated to the Director of Sustainable Communities to refuse the application as set out in the Schedule appended to these Minutes.

This application was decided by a recorded vote which was as follows:

For: Cllrs Aldis, Bastable, Bowater, Gammons, Jones, Maudlin, Spurr, Turner, Vickers and Young.

Against: Cllrs Brown, Berry, Janes, Lockey and Nicols

Abstentions: Cllrs Matthews and Shadbolt

DM/10/133 **Planning Application No. CB/10/02726/FULL**

RESOLVED

that Planning Application No. CB/10/02726/FULL relating to The Village Hall, High Street, Ridgmont, Bedford be approved as set out in the Schedule appended to these Minutes.

DM/10/134 **Planning Application No. CB/10/03413/FULL**

RESOLVED

that Planning Application No. CB/10/03413/FULL relating to Cranfield University, University Way, Cranfield, Bedford be approved as set out in the Schedule appended to these Minutes.

DM/10/135 **Planning Application No. CB/10/03471/FULL**

RESOLVED

that Planning Application No. CB/10/03471/FULL relating to 10 Browns Way, Aspley Guise, Milton Keynes be approved as set out in the Schedule appended to these Minutes.

DM/10/136 **Planning Application No. CB/10/03547/FULL**

RESOLVED

that Planning Application No. CB/10/03547/FULL relating to 15 Walton Close, Shefford be approved as set out in the Schedule appended to these Minutes.

DM/10/137 **Planning Application No. CB/10/03622/FULL**

that Planning Application No. CB/10/03622/FULL relating to 34 Chase Hill Road, Arlesey be approved as set out in the Schedule appended to these Minutes.

DM/10/138 **Planning Application No. CB/10/02921/FULL**

RESOLVED

that Planning Application No. CB/10/02921/FULL relating to John Donne Lower School, High Street, Blunham, Bedford be approved as set out in the Schedule appended to these Minutes.

DM/10/139 **Site Inspection Appointment(s)**

RESOLVED

That the following Members be appointed to conduct any site inspections to be undertaken in advance of the next meeting of this Committee to be held on Wednesday 8 December 2010.

**Chairman (or his nominee)
Vice-Chairman (or his nominee)
Cllrs P N Aldis
A R Bastable
D Bowater
H J Lockey**

DM/10/140 **Agreement of Article 4 Direction for Wrest Park Estate, Silsoe**

RESOLVED

that Agreement of Article 4 Direction for Wrest Park Estate, Silsoe be withdrawn from the agenda because the recommendation in relation to item 21 is based on a decision of the council to issue a lawful development certificate in respect of the site. That decision has now been challenged by way of judicial review. The request was moved and seconded and the whole committee voted in support of the withdrawal.

(Note: The meeting commenced at 10.00 a.m. and concluded at 6.15 p.m.)

Chairman

Dated

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LATE SHEET**DEVELOPMENT MANAGEMENT COMMITTEE – 10 NOVEMBER 2010****SCHEDULE B*****Item 7 (Page 15-38) – CB/09/06766/RM – Dukeminster Estate, Church Street, Dunstable.*****Additional Consultation/Publicity Responses**

None.

Additional Comments

None.

Additional/Amended Conditions

Amended drawing number – In respect of Conditions 5, 11 and 12, substitute “Drawing Nos. 100A and 101A” for “Drawing No. 2429/101A”.

Condition 10 shall read:

“Save for the parking spaces to be provided in association with the proposed Class A1 and Class D1 units hereby permitted, any garage, drive through garage, car port and parking space and any access thereto shall only be used for purposes incidental to the use of the dwelling units for residential purposes and no trade or business shall be carried out therefrom.

REASON: To prevent the introduction of any commercial use within the residential areas of the site.

(Policy BE8, S.B.L.P.R.)”

Item 8 (Page 39-58) – CB/10/03096/RM – Warren Wood, Fordfield Road, Millbrook.**Additional Consultation/Publicity Responses**

None.

Additional Comments

1. May it be noted that the cross section of the proposed screen bunding was submitted as part of condition 5 attached to MB/08/00614/FULL and was subsequently approved on 7 September 2010. The report makes reference to the omission of these details and the requirement for a suitable condition under section 2 (Landscape & Visual Implications). As these details have been considered, condition 4 in the recommendation can be removed.

2. Amended plans have been received for the Tree Protection Plan and Landscape masterplan to correct some minor errors. Plan Numbers need to be amended in condition 1.

Additional/Amended Conditions

1. Remove condition 4.
2. Amend condition 1 to reflect new drawing numbers for amended plans.

Item 9 (Page 59-98) – CB/10/01359/FULL – The Marston Vale Millennium Country Park, Station Road, Marston Mortaine, Bedford.

Additional Consultation/Publicity Responses

Entec have received a letter from English Heritage dated 20th October stating that the '*information provided in the appraisal is now sufficient for English Heritage to assess the impact of the scheme on the historic environment at the application stage and we will be advising the LPA in due course*'. No response has been received by the Council.

The comments of the Landscape Planner of Central Bedfordshire Council have not been reported. The comments are as follows:

Marston Vale MCP Wind Turbine

"Apologies for the delay in completing my comments, following my earlier e-mail.

I have read the reports provided by Entec and have undertaken a site visit with regard for this Application as well as other visits to the locality to consider the visual implications of the Covanta application which would be on the adjoining land.

The landscape impacts arising from installation of a wind turbine involve primarily visual disruption, changes to landscape character and loss of tranquillity (which includes visual disturbance as well as noise).

There is very little guidance available to help assess the appropriateness of a wind turbine or wind farm in it's landscape setting. I am preparing some guidance for the Authority, which stems from interpretation of the Landscape Character Assessment and have also referred to the Policy Statement prepared by Natural England. This policy was prepared to guide NE staff rather than a wider use and as such places a greater emphasis on protected landscapes than the general landscape.

It is generally accepted that individuals have a personal response to wind turbines but their general acceptability is greatly determined by the scale of the setting.

My advice to the Authority is that turbines are

- Most appropriate in large scale arable farmland.
- Can create a positive landmark
- Are best suited to land which already has a degree of urban influence or noise disturbance eg set beside a major transport corridor or to the edge of an industrial complex.

Turbines are least appropriate where their physical structures and movement will disrupt important landscape panoramas or distinctive countryside. Small scale, historic landscapes are the most vulnerable to the urban influence of turbines. A further key factor is whether the structures would disrupt a distinctive landform. The perception of the landscape is also an important factor - so that the degree of visibility from valued cultural or recreational areas is an important consideration, especially relevant for landscapes valued for their rural qualities.

The change in view experienced from residential areas is also of the utmost importance. The impact of the loss of an open view will vary with the Receptor and with their own relationship with the landscape – but for many people the introduction of movement, rather than just the height of the turbine is the key intrusive factor. My personal view is that wind turbines are best sited where the whole structure can be seen from the majority of viewpoints. I find it visually unsatisfactory to see only part of the blade structure – the sculptural form is lost.

In my opinion, the Entec report has adequately assessed the visual impacts from viewpoints in the wider countryside (although our conclusions may differ) but has not assessed the view from residential areas within Marston Moretaine sufficiently. Throughout the report there is little mention of the visual impact of the moving blades.

Visual Impact Comments from key viewpoints:

i) The Greensand Ridge, Amphill Park, Amphill Park House

The general view from the Greensand Ridge would be of an extremely intrusive element within a currently open landscape. It is accepted that the southern Marston Vale is subject to major change if the Nirah leisure complex is built and particularly if the Covanta EfW plant is granted permission; both sites utilizing clay pits to reduce the impact of development. The Nirah roofline would itself be incongruous in the semi-rural setting, but it has a distinctive sculptural form. The Covanta building is also designed to be a bold structure with a strong industrial character, the largescale boxed frame has three chimneys extending 110 m above the surface of Rookery Pit, the adjacent site to the Millennium Country Park.

I disagree with the statement that the turbine would not appear out of place within the *modern* English landscape (my italics) The Marston Vale is undergoing environmental regeneration, as exemplified by the Country Park. Also – this is not a landscape containing many “vertical features” so the turbine would not associate with other structures. Although the turbine would have some positive attributes in terms of environmental education and carbon reduction, these factors that needs to be weighed against visual intrusion. In my view, the energy gain from one turbine is not sufficient to outweigh the visual intrusion caused by the turbine. The dominance of the turbine is shown in the photomontage.

Amphill Park – there would be clear views from the escarpment of this Capability Brown landscape. There are existing views of the Petsoe End turbines (and potentially the Covanta RRF) so a degree of intervisibility between the windfarm and the turbine. The view of the turbine would bring industrial development significantly closer to the Ridge.

Amphill Park House: views as above – except that residents would experience the intrusion on a daily basis rather than just on recreational visits.

ii) Views from Marston Moretaine

Existing and proposed residential areas will have clear views of the turbine, some views will be filtered by buildings and property, but the turbine will introduce an industrial element into land which was secured for recreational purposes.

iii) Views from Stewartby

Views will be filtered, but the turbine will interrupt views through to the Greensand Ridge.

iv) Views from Millbrook

The photomontage again demonstrates the intrusive nature of the turbine in it's setting.

v) Views from Houghton House

The structure would be highly prominent from this SAM and the western ridge.

Conclusion

A single turbine punctuates the skyline causing a strong visual change. Although the Vale has a history of chimneys, great care has to be given before introducing large structures with moving elements into this open landscape. In landscape terms, it is important to value the contrast between the Vale and the Ridge – a turbine would disrupt the “horizontal” features within the Vale – lakes, hedges, even the horizontal lines associated with most development. Visually, the moving blades will bring disturbance to an area becoming associated with recreation rather than industry.

I question the validity and effectiveness of one turbine : current thinking is that a grouping of 3-6 turbines form an efficient small unit – there is an economy of scale in terms of costs to output and this number of turbines can form a visually acceptable group in the lowland landscape. In my view there are better methods of generating energy in this area, which would not have a serious consequence visually. Biomass is an obvious choice within the Community Forest. The Centre could also explore the opportunities of Ground Source Heat Pumps or Solar Panels.

I strongly oppose the Application as I consider it will detract from the landscape character of the Vale and the Greensand Ridge, and be intrusive in views from residential areas and viewpoints of the highest value in terms of recreation.”

An objector is unable to attend the Development Management meeting but would like the following to be brought to the attention of the Members.

“I would like to express my objection to this planning application on the grounds of compromised safety when riding a horse around the circular horse trail provided by the country park.

The Country Park has actively encouraged horse users to the site as it is a 'safe environment' to ride in, not on the public highway with all the conflict of horses and cars. There are few bridleways/horse trails in the Marston Vale. This is a circular route and has proved very popular, especially with children. Many travel there by horse box, park safely and then ride accompanied by an adult.

The British Horse Society have carried out extensive research on the issue of horse safety with wind turbines and recommends that a horse trail should be no closer to the turbine than a distance of three times the height of that turbine. The turbine proposed is 120m and at present the horse trail is approximately only 90m from the

proposed site, a huge shortfall of 270m. Research has shown that even the quietest of horses can be frightened by the potential moving shadow, moving light, hissing and whooshing noises and the occasional clang, all associated with turbine movement.

This could culminate in a potentially dangerous situation for the rider, the horse and the general public.”

The Marston Moretaine Action Group has submitted the following objection to the planning application:

The Marston Moretaine Action Group (MMAG) wish to make representations with regard to this proposal for the erection of a wind turbine within the Marston Vale Millennium Country Park. MMAG is a group of volunteers committed to ensuring sustainable development and campaigns against proposals which threaten our rural landscape and our distinct village community.

Their comments are as follows:

- (1) On the driveway into the Country Park there is a billboard which declares, “Its about using trees and woodland to repair a damaged landscape....and you can help”. How does the erection of a wind turbine – an industrial structure contribute to the reforestation of either the Country Park or the Marston Vale ?
- (2) Page 11 of the Design and Access Statement describes the area surrounding the site of the proposed turbine as existing/redundant industrial landscape with several large chimneys located on the opposite of Stewartby Lake which are 70-80m high. Reference is also made to the Energy from Waste plant proposed for Rookery Pit with a flue height of 115m and the number of electricity pylons running across the area. Is this a description of a country park or an industrial estate – if so what has been the point of the country park? Has it failed in its core objective to restore the previous clay workings landscape? Is this a true depiction of what visitors see when they walk around the Park? The dimensions of the turbine has certainly come as a shock to residents who have no recollection of being consulted on the scale of what is proposed.
- (3) The proposed turbine will be up to 120.5m to blade tip anticipating a hub height of 85m and a rotor diameter of 71m and the turbine will be situated on a slightly raised area of land at 41m AOD. It will be completely out of scale in relation to its surroundings and dominate the landscape for miles around contrasting with the nearby conservation areas and countryside.
- (4) The planning statement (Page 4) makes commendable reference to the need for renewable energy and the challenge of climate change and the contribution of the turbine generating enough electricity for the Forest Centre and approximately 907 homes. How will these 907 homes benefit from this green electricity and how will they be selected? If wind turbine technology is to play a part in the generating of green electricity in the Marston Vale will this be the first of other wind turbines either in the Park or elsewhere? If so how many? Should Central Bedfordshire Council be concerned that following this precedent there will be multiplicity of applications?

- (5) The Planning Statement (Page 14) refers to the Renewable Obligations Order which places an obligation on electricity suppliers to provide an increasing proportion of electricity from renewable sources. In effect this leads to a cross subsidy to render wind technology affordable. To what extent is any financial analysis in the application dependent on continuation of this subsidy ? The wind turbine is also expected to provide a guaranteed income for the Marston Vale Trust through the supply of electricity to the National Grid at a commercial scale – is the primary motivation here commercial or environmental?
- (6) The planning application makes reference to the Draft Over arching National Policy Statement for Energy (EN-1) and the Draft National Policy Statement for Renewable Energy Infrastructure (EN-3) which have yet to be placed before Parliament. There has been a change of Government which may issue alternative statements – should this application not be deferred until the new planning rules are clarified?
- (7) The application attempts to reassure but not entirely discount the potential impacts from noise and shadow flicker all based on modelling. However residents have all commented on how surprisingly noisy these machines can be continuously especially during the night when there is no background masking noise and distressing for those with tinnitus.

So we will certainly see and hear it – whether we will benefit from any green electricity is less clear and of course that does depend on the wind blowing !

Further objection received regarding the impact the turbine will have on horse riders and the bridle ways and on people with tinnitus who may be detrimentally affected. They believe that this needs exploring as if it is true then the Community Park would be in breach of the Disability Discrimination Act by in effect blocking a group of visitors from the community facility.

Additional Comments

A response from Entec energy team has been received in relation into the concerns of the sailing club. They have done some previous research on air disturbance caused by turbines, and provide the following information.

The wake of a wind turbine increases the air turbulence downwind of the turbine rotor. As the proposed turbine dimensions include a hub height of up to 85m and turbine blade up to 71m, the distance between the turbine base and the bottom of the blade arc is 49.5m. The height difference between the turbine base and the lake surface is approximately 5m, in which case the volume of air affected by the turbine is 54.5m above the surface of the lake at the turbine location. The volume of air affected by the turbine increases in size as one travels in the downwind direction, similar in shape to funnel with the narrow end at the turbine and the turbulence intensity. With a sailing boat mast that was 10m higher than the lake surface, the 'funnel cross-section' would need to expand from a height of 54.5m above the lake surface to 10m above the lake surface - an expansion of 44.5m. After approximately 7 rotor diameters distance from the turbine, or about 500m, the additional turbulence generated by the turbine is minimal. Studies of turbulence generated by wind turbines suggest that it would be highly unlikely for the volume of turbulent air to expand more than 44.5m in the downward direction over a horizontal distance of 500m.

It is also worth adding that the prevailing winds are from the south west and the vast majority of the lake is on the northwestern side of the turbine and therefore will not be downwind of the turbine. Furthermore, the letter from Stewartby Water Sports Club states that the prevailing winds are usually from the west, in which case, the part of the lake which is down wind of the turbine is the most southeasterly section of the lake which the Trust has confirmed is not used for sailing.

Additional/Amended Conditions

None.

Item 10 (Page 99-116) – CB/09/06296/OUT – Land off Chapel Close, Clifton.

Additional Consultation/Publicity Responses

Clifton Parish Council has noted the amendments to the above application. It is pleased to note that the environment is being taken into consideration. However much of the site has already been cleared and these recommendations now made are an attempt to make the best of the present situation. It hopes that they can be approved in order that this concern for the environment can be passed on to future generations.

Additional Comments

A local resident has sent in an email stating “he notes that he would like to attend the meeting to speak against this application but due to severe ill-health, he is unable to do so and would like this noted”.

“It is of course inevitable that human greed will continue to take precedence over natural habitats, ecology and biodiversity on both a local and global scale and we will not accept the damage we are doing until it is way too late. How many more species must suffer the catastrophic decline as once common species such as house sparrows, starlings, song thrush etc?”

THINK GLOBALLY ACT LOCALLY.

Additional/Amended Conditions

None.

Item 11 (Page 117-138) – CB/10/02493/OUT – Units 4, 5, 6, 7, 8, 9, 12, 13, 14 and 31 Humphreys Road, Dunstable.

Additional Consultation/Publicity Responses

None.

Additional Comments

Amendments to conditions to update noise-related conditions.
Letters relating to 2 objectors represented by the public speaker are attached to this Late Sheet for convenience of Members.

Additional/Amended Conditions

Condition 12 –

Begin “All plant, machinery and equipment, fixed or otherwise, installed or operated...”

New condition (‘31’) –

“Before the first building on the site is first occupied details of the acoustic fence and its provision with regard to timing shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To safeguard the amenities of local residential properties.

Policy BE8 SBLPR.”

Condition 29 in the agenda to be moved to the foot of the conditions and others re-numbered accordingly.

Item 12 (Page 139-156) – CB/09/06722/FULL – Land on the South Side of Rugby Club, Woburn Street, Ampthill.

Additional Consultation/Publicity Responses

Natural England – see below.

The Wildlife Trust for Bedfordshire, Cambridgeshire, Northamptonshire & Peterborough – see below.

Additional Comments

A further plan was received on 15 October 2010 805/002 Revision T4 which showed a raised bund.

Response was received from the Wildlife Trust.

“These latest plans have taken up the suggestions that we proposed in our last letter dated 4th October 2010. This was to construct a bund which it is hoped will channel water away from the SSSI instead of a swale that could have encouraged water to collect and soak into the freely draining ground, which was more likely to have an impact on Cooper’s Hill Site of Special Scientific Interest (SSSI). As little is understood about the water movements within the ground on and around the application site, there is still a chance that nutrient rich waters from the proposed new rugby pitches will filter into the SSSI and degrade the acid mire community which is currently found there. The construction of the bund, however, should decrease this

possibility and therefore, it is important that its construction is included as a *condition* should the council be minded to grant planning permission.

We have noticed that the northern proposed pitch comes very close to the boundary of the SSSI and so we feel that it is important to stress that no development, access for machinery or storage of materials can occur on the SSSI at any time. Many of the habitats which can be found at Cooper's Hill are fragile and damage caused by construction may take many years to recover if they do at all.

We understand that, should the Council be minded to grant planning permission, a *condition* will be included to ensure that a management plan is produced and implemented to cover the establishment of habitats which complement Cooper's Hill SSSI on the surroundings of the rugby pitches. The importance of this part of the application should not be overlooked. Should the suggested measures to minimise damage to Cooper's Hill SSSI be unsuccessful the expansion of suitable habitats onto the land surrounding the rugby pitches will become even more vital. The timescale for the production and implementation of the management plan should reflect this. We would advise that the plan should cover the management of the area surrounding the rugby pitches for at least ten years and must be appropriately funded by the developer over that period. The establishment of heathland and acid grassland is slow and therefore, this timescale is necessary to ensure the success of the habitat creation."

Natural England have no objections to the revised plan showing the bund.

Natural England and the Wildlife Trust are able to remove their objection to this planning application.

Additional/Amended Conditions

The bund shown on drawing 805/002 Revision T4 shall be constructed before the rugby pitches are first laid. The bund shall be kept in a good state of repair and retained at all times in perpetuity.

Reason: To mitigate against water run off and fertilisers washing off into the lower and adjoining SSSI.

Additional Note to Applicant

No development, access for machinery or storage of materials can occur on the SSSI at any time. Many of the habitats which can be found at Cooper's Hill are fragile and damage caused by construction may take many years to recover if they do at all.

Other

An e-mail was received from an objector who has received an invitation to speak at the Development Management Committee meeting. He is unable to attend the meeting. Would like to go on record that he continues to be opposed to the application and that his objections have not been diminished by the review of the planning application and its backing details such as the ecology report or the archaeological study. Continue to be of the opinion that Ampthill has sufficient sports pitches and that the rugby club should seek to make use of under-used pitches such as those behind the Alameda school.

A further objector also unable to attend has commented that human greed is taking precedence over natural habitats, ecology and biodiversity on both a local and global scale. The proposal will cause damage and species will suffer.

Item 13 (Page 157-170) – CB/10/03477/FULL – 2 High Street, Stotfold, Hitchin.

Additional Consultation/Publicity Responses

None.

Additional Comments

None.

Additional/Amended Conditions

None.

Item 14 (Page 171-180) – CB/10/02726/FULL – The Village Hall, High Street, Ridgmont, Bedford.

Additional Consultation/Publicity Responses

None

Additional Comments

None

Additional/Amended Conditions

None

Item 15 (Page 181-190) – CB/10/03413/FULL – Cranfield University, University Way, Cranfield, Bedford.

Additional Consultation/Publicity Responses

None.

Additional Comments

The applicant's have submitted details of the specification for the floodlighting. The lighting is designed to be used in dense urban areas and to reduce the potential impact on neighbouring properties. The Public Protection Officer is satisfied with the

additional information and recommends that condition 2 should be replaced with a revised condition 9 which reads:

Revised Condition 9:

The external lighting installed on the site shall be implemented and maintained as approved. Should any unacceptable glare be caused to occupiers of the surrounding dwellings in the first 12 months following installation of the floodlights, the lighting shall be revised or adjusted to rectify this.

Reason: To preserve the residential amenities of occupiers of nearby residential dwellings.

Additional/Amended Conditions

Cycle Parking:

Before development begins, a scheme for the short stay parking of cycles on the site (including the dimensions of the cycle parking area, stands/brackets to be used and access thereto), calculated at 5 cycle parking spaces per pitch, 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 in accordance with Policy CS4 of the Adopted Core Strategy and PPG13: Transport.

Item 16 (Page 191-198) – CB/10/03471/FULL – 10 Browns Way, Aspley Guise, Milton Keynes.

Additional Consultation/Publicity Responses

A response from Anglian Water has not been received. A plan showing the approximate position of the public sewer has been received from the neighbouring occupiers.

An objection letter was received from the occupier of 12 Browns Way, Aspley Guise.

- New extension would sit directly over the main public sewerage and local drains
- The size of the extension is over 50% of the existing property. The extension will result in overdevelopment on what is a very small site and will have an overbearing impact on the plot and surrounding properties.
- Note the inclusion of a window on the side of the property, which currently is a solid brick wall with no windows, this window may look aesthetically unpleasing and will look straight onto the property as an amenity consideration, wish to see window obscurely glazed.

A response has been received from the Council's Highways Section who have no objection to the proposal as the existing is a four bedroom dwelling with three parking

spaces, one in the garage and two in front. The proposal extends the property but the number of bedrooms and on site parking provision remains unchanged.

Further response has been received from the occupier at 8 Browns Way, Aspley Guise who state that they do not understand how planning permission can be recommended for a 2-Storey extension that has a brick wall and roof line of 10 metres high, 4 metres wide, and located only one yard away from the boundary, which will without doubt be detrimental to loss of light and be overbearing.

They point out that in the report to committee, the Officer states that "The two storey rear extension is **"approximately" 3 metres deep** but this measurement is **actually incorrect as the extension will be over 4 metres deep**, resulting in a build increase of over 30%!

It is brought to the attention of the Members that the committee report states that the two storey rear extension will be four metres deep but refers to the extension projecting beyond the rear wall of 8 Browns Way by three metres.

Additional Comments

The report refers to a bathroom window in the side of 12 Browns Way that faces the site. This is incorrect, the window is fitted with obscure glass but is a secondary window serving a bedroom.

Additional/Amended Conditions

None.

Item 17 (Page 199-204) – CB/10/03547/FULL – 15 Walton Close, Shefford.

Additional Consultation/Publicity Responses

None.

Additional Comments

None.

Additional/Amended Conditions

None.

SCHEDULE C

Item 18 (Page 205-210) – CB/10/03622/FULL – 34 Chase Hill Road, Arlesey.

Additional Consultation/Publicity Responses

Arlesey Town Council –

Recommended: to approve this proposal, subject to neighbours' comments being taken into consideration, otherwise no objections from the Town Council.

Additional Comments

N/A

Additional/Amended Conditions

N/A

Item 19 (Page 211-218) – CB/10/02921/FULL – John Donne Lower School, High Street, Blunham, Bedford.

Additional Consultation/Publicity Responses

Highways Development Control:

No objections – this is based on the nursery being an existing facility and the hall being an improvement to the existing facility and therefore the development should not facilitate a significant increase in traffic.

The Environment Agency:

No objection - Subject to conditions relating to finished floor levels, the provision of flood resilient construction to be submitted, and suitable provision for surface water drainage.

Additional Comments

None.

Additional/Amended Conditions

Environment Agency conditions:

4. Finished floor levels of the new nursery shall be set no lower than 20.40maOD and of the new extension no lower than existing as shown on drawing number 4313/03 rev D.

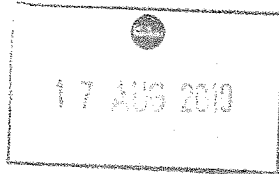
Reason: To reduce the impact of flooding on the proposed development and future occupants.

5. **Prior to the commencement of any development, a scheme for the provision and implementation of Flood Resilient Construction shall be submitted and agreed in writing with the Local Authority. Flood Resilient Construction should be provided up to a level of at least 20.70maOD. The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such time as may be specified in the approved scheme.**

Reason: To reduce the risk of flooding to the proposed development and future occupants.

6. Surface water shall be disposed of via a suitably designed infiltration system (designed and constructed in accordance with BRE Digest 365 as shown on drawing number 4313/03 rev D and the information submitted from RSK STATS Geoconsult Ltd. The soakaways shall be maintained and managed in perpetuity of the development.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of these.



153 Ridgeway Avenue
Dunstable
Beds.
LU5 4QN

Mr.J.Spurgeon
Planning Department
Priory House
Chicksands
Shefford
Bedfordshire
SG17 5QT

16/08/2010
Ref.CB/10/02493

Sir,

I refer to your letter dated 27 JULY 2010 regarding the proposed development of part of the Woodside Estate and wish to make a few comments. I have discussed the proposal with several neighbours and all have expressed concerns about the height of the buildings and the expected noise levels. I see that noise barriers are proposed and so it must be assumed that noise may be a problem.


However, the concern most frequently raised, is the parking along the rear of Ridgeway Avenue and Wilbury Drive in Humphrys Road of HGV vehicles using refrigerating units, and heating units in winter. Sometimes these units are left running for long periods and even for whole weekends. Foreign vehicles have been parked and the drivers have cooked meals and played music and had sing-songs.

I have on occasions approached the security officers and they have always been polite and helpful, but they say that as Humphrys Road is a public road, they have no authority to make the drivers move to a different area. They have sometimes asked the drivers to move and they have done so.

As I understand it, the proposers of the development are also the owners of the site. There is sure to be an increase of refrigerated lorry movements and the obvious solution would be to make Humphrys Road at the rear of the properties a no parking area for HGV vehicles.

If that was not possible, a decision that all vehicles visiting the proposed development in future, would be parked within the development area, and the proposed sound barrier would be a help.

Yours faithfully


Ref. No.569571 839757 042

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12 August 2010

62 Wilbury Drive
Dunstable
LU5 4TAApplication Reference 10/02493

Dear Mr Saunders

Application Number: C3/10/02493/OUT
Units 4,5,6,7, 8, 9,12,13,14 and 31 Humphrys Road, Dunstable, LU5 4TP

With reference to your letter of 27 July 2010, I wish to comment as follows:

I note that this is an application for outline planning permission and no doubt, if approved I will have the opportunity to comment on more specific and detailed applications at future stages of the development. However, I do have concerns about the proposal for redevelopment based on the detrimental effects, which I fear it will have on myself and other residents of Wilbury Drive and Ridgeway Avenue, these are:

1. The proposed erection of up to 45,057 square metres of employment floor space is almost double the previous floor space of 25,091 square metres of the current site, which constitutes a major redevelopment that will result in excessive noise during the demolition and rebuilding phase. It would be essential therefore; that the acoustic fence referred to is constructed at this stage and provisions put in place to reduce demolition dust.
2. Once the units are built, there will be a significant increase in noise and pollution from the heavy goods vehicles, which will be entering and leaving the site.

Paragraph 4.4 of the Noise Summary states

"In order to mitigate noise emission levels to nearby housing only the component of H.G.V's entering the proposed development would use the Humphrys Road link closest to Wilbury Drive and Ridgeway Avenue (with vehicles exiting the site by an alternative route)"

I remain extremely concerned that such a high volume of heavy goods vehicles will be using the section of Humphrys Road, which backs onto my property and despite the proposed facilities; I will not be protected from both noise and pollution with possible adverse affects on the property itself. I therefore strongly suggest, that if the Planning Committee is mindful to approve this application that it does so with the condition that the site is redeveloped in such a way (at the expense of the applicants) that H.G.V's enter and exit by this alternative route which is away from residential properties (see map). I realise that this may necessitate alteration to the existing road but feel it is nevertheless a realistic demand in view of the likely detrimental effects that such a flow of H.G.V traffic would have on the residents and properties, which back onto Humphrys Road.

If such a condition is not imposed then I wish to register an Objection to the application at its outline stage.

3. I already suffer a degree of disturbance sometimes at night from the refrigerated transportation Lorries parking on Humphrys Road at the back of my house while taking their rest periods.

I have no objection to this in principle; however the noise of the Lorries running their engines throughout the night disturbs my sleep quite severely. If we assume the redevelopment goes ahead, subject to the condition specified above, I am concerned that the redevelopment will lead to an increase in such occurrences. I would therefore suggest that double yellow lines are placed on the section of the road that backs onto residential properties and that the developer is made responsible for the adequate enforcement (i.e. wheel clamping) of the parking prohibition.

4. I note that there are a number of options for the site layout submitted with the application. Having studied these, I feel that option 3 would be the one that would have the least detrimental effect on the residents of Wilbury Drive and Ridgeway Avenue, as the car park and offices would back onto the residential properties and the impact of the heavy goods vehicles decreased somewhat by the fact that they would be further away. I am assuming that the height restrictions on the office buildings have taken into account that the residential properties should not be overlooked.
5. The conclusions of the various reports that the impact on residents of Wilbury Drive will be mitigated by the acoustic fence stands or falls by the effectiveness of such a fence. I have not been able to access details of the proposed fence. I would hope that if the Planning Committee is mindful to approve this project its members will conduct their own independent research to ensure that a high quality effective barrier is put in place rather than any less effective cheaper option that the developers may be tempted to suggest.
6. None of the material I have read seems to take into account the fact that the land on which the houses on Wilbury Drive are built is considerably lower than Humphrys Road. This fact should be taken into account in determining the height restrictions of the units to avoid any loss of privacy and detrimental visual impact on residents.
7. I am concerned about the impact of the resultant increase in traffic (to and from the site) on Poynters Road, Luton Road and Boscombe Road. Rush hour driving on these roads can be stressful and dangerous because of the volume of traffic already using these roads. The site on Boscombe Road currently being developed will add to these problems and the proposed project will result in additional traffic to these already overburdened roads.

8. While I understand the Council's wish to encourage employment opportunities in the area and would agree in principle with such a philosophy, I would ask that members of the Planning Committee do not allow this principle to detract from its duty to protect the interests of its residents who may be adversely affected. I would ask you therefore to take careful account of the possible adverse affects on the residents of Wilbury Drive and Ridgeway Avenue, in coming to a decision about this application.

Yours sincerely

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Item No. 07

SCHEDULE B

APPLICATION NUMBER	CB/09/06766/RM
LOCATION	Dukeminster Estate, Church Street, Dunstable, LU5 4HU
PROPOSAL	Erection of 172 dwellings, 300sqm of Class A1 retail and 513sqm of Class D1 accommodation (Reserved matters- outline permission SB/OUT/06/00884).
PARISH	Dunstable
WARD	Dunstable Downs
WARD COUNCILLORS	Cllrs Paul Freeman & Tony Green
CASE OFFICER	Mr C Murdoch
DATE REGISTERED	23 December 2009
EXPIRY DATE	24 March 2010
APPLICANT	Lionsgate Properties Ltd
AGENT	Levitt Partnership
REASON FOR COMMITTEE TO DETERMINE	Members request (Development Management Committee 24/03/10)
RECOMMENDED DECISION	Reserved Matters - Granted

Reasons for Granting

The application seeks approval of the reserved matters, the proposed use of employment land for residential purposes having been established by the grant of the existing outline permission. In terms of the layout of the new development and its design, scale, density and overall appearance, the proposal conforms to the relevant Development Plan policies.

Recommendation

That APPROVAL be granted pursuant to Outline Planning Permission SB/OUT/06/0884 in respect of the Reserved Matters referred to subject to the following:

- 1 **The plans and particulars to be submitted in accordance with Condition 5 of Outline Planning Permission SB/OUT/06/0884 shall be submitted before development commences and shall include:**
 - (a) **a plan, to a scale and level of accuracy appropriate to the proposal, showing the position of every tree on the site and on land adjacent to the site (including street trees) that could influence or be affected by the development, indicating which trees are to be removed;**
 - (b) **and in relation to every tree identified a schedule listing:**
 - **information as specified in Paragraph 4.2.6 of British Standard BS 5837 : 2005 (*Trees in Relation to Construction - Recommendations*);**

- any proposed pruning, felling or other work;

(c) and in relation to every existing tree identified to be retained on the plan referred to in (a) above, details of:

- any proposed alterations to existing ground levels, and of the position of any proposed excavation, that might affect the root protection area (see Paragraph 5.2.2 of BS 5837 : 2005);
- all appropriate tree protection measures required before and during the course of development (see Condition 2 below);

(d) areas of existing landscaping to be protected from construction operations and the method of protection (see Condition 2 below).

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

(Policy BE8, S.B.L.P.R.).

- 2 Development shall not commence until a tree protection plan, which clearly shows the position and build specification of tree protection, with the purpose of enclosing an area around the canopy spread of all retained trees, has been submitted to and approved in writing by the Local Planning Authority. The fencing shall form a construction exclusion zone (as specified in Section 9 of BS 5837 : 2005) which shall be demarcated by protective barriers (as specified by Figure 2 of BS 5837 : 2005). These measures shall be for the purpose of avoiding localised compaction of the rooting medium and preventing damage to the natural canopy spread by avoiding branch encroachment by plant and machinery.

REASON: To safeguard the rooting medium, natural canopy spread and health of trees marked for retention on the site layout plan and which are considered to be strategically important.

(Policy BE8, S.B.L.P.R.).

- 3 No works or development shall take place until a scheme of supervision for the tree protection measures required by Conditions 1 and 2 above has been submitted to and approved in writing by the Local Planning Authority. This scheme of supervision shall be appropriate to the scale and duration of the works, shall be administered by a qualified arboricultural consultant instructed by the applicant/developer and approved by the Local Planning Authority and shall include details of:

- the arrangements for holding a pre-commencement site meeting to be attended by the site manager, the arboricultural consultant instructed by the applicant/developer and the Council's arboricultural officer to agree all aspects of the tree protection measures and aspects of their implementation and sequencing;
- the identification of individual responsibilities and key personnel;
- the timing and methods of site visiting and record keeping, including updates; and,

- **procedures for dealing with variations and incidents.**

The scheme of supervision shall be carried out as agreed.

REASON: To establish a system that will ensure that acceptable tree protection measures are implemented and maintained thereafter.

(Policy BE8, S.B.L.P.R.).

- 4 If any underground services are required to be routed through the root protection areas of retained trees, such works shall be carried out in strict accordance with the guidance set out in the National Joint Utilities Group's publication "*Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees*".
REASON: To safeguard the integrity of the rooting medium within the root protection areas of retained trees.
(Policy BE8, S.B.L.P.R.).
- 5 Before the development is first occupied or brought into use, the parking spaces, servicing and unloading areas shown on Drawing No. 2429/100A shall be completed and thereafter retained for this purpose.
REASON: To ensure provision for car parking and servicing clear of the highway.
(Policy T10, S.B.L.P.R.).
- 6 **Development shall not commence until a scheme for screen fencing and/or screen walling has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained.**
REASON: To safeguard the amenity of the area.
(Policy BE8, S.B.L.P.R.).
- 7 **Development shall not commence until samples/details of the materials to be used in the construction of the following elements of the proposed development have been submitted to and approved in writing by the Local Planning Authority.**
 - **Samples of materials to be used for the external walls and roofs of all new buildings.**
 - **Scaled drawings indicating details of all windows and doors and their surrounds, to include details of their materials and methods of opening.**
 - **Details of canopies, balconies and roof terraces including their railings.**
 - **Details of the size and location of and materials to be used for the rainwater goods.**
 - **Details of the boundary treatments for all house plots and for the Class A1 and Class D1 units.**
 - **Materials palette for the public realm, to include both adopted and unadopted areas, all street furniture and the parking courts.**
 - **Details of all external lighting.**
 - **In respect of the proposed play spaces, details of the play equipment and boundary fences; with regards to the play space that would incorporate a LEAP, such fencing shall enclose the entire**

play space.

- Scaled drawings indicating details of the shop front(s) of the proposed Class A1 unit, details of the refuse bin and cycle storage areas serving the proposed building comprising Plots 149-172 and the Class A1 and Class D1 units.

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

REASON: To control the appearance of the development and to avoid doubt.

(Policy BE8, S.B.L.P.R.).

- 8 Development shall not commence until details of the existing ground levels within and adjoining the site and details of the finished floor levels of each building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details of levels.

REASON: To produce a satisfactory relationship between the various elements of the scheme and adjacent properties.

(Policy BE8, S.B.L.P.R.).

- 9 Construction works in respect of each phase of the development hereby permitted shall not commence until the positions of the buildings, roads, footpaths and parking spaces that are proposed adjacent the site boundaries are pegged out on site and their positions approved in writing by the Local Planning Authority.

REASON: To enable consideration to be given to the precise layout of the development.

(Policy BE8, S.B.L.P.R.).

- 10 Save for the parking spaces to be provided in association with the proposed Class A1 and Class D1 units hereby permitted, any garage, drive through garage, car port and parking space and any access thereto shall only be used for purposes incidental to the use of the dwelling units for residential purposes and no trade or business shall be carried out therefrom.

REASON: To prevent the introduction of any commercial use within the residential areas of the site. (Policy BE8, S.B.L.P.R.).

- 11 No goods, waste, materials or equipment shall be deposited or stored on the site in the open where it would obstruct use of the parking, servicing and unloading areas associated with the proposed Class A1 retail shop and Class D1 children's nursery uses hereby permitted and indicated on the 'Site Plan', Drawing No. 2429/100A (or on any appropriately endorsed revised site plan).

REASON: To protect the amenities of the area and to ensure that vehicle parking, servicing and unloading areas are available for those purposes at all times.

(Policy BE8 S.B.L.P.R.).

- 12 The ground floor of the part four/part five storey building comprising Plots 149 to 172 shall only be used for Class A1 retail and Class D1 children's nursery purposes and for no other purpose in Part A and Part D of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or

any order revoking and re-enacting that Order with or without modification). The configuration and extent of the Class A1 and Class D1 uses shall be as indicated on Drawing No. 2429/100A (or on any appropriately endorsed revised plan).

REASON: To define the extent of the non-residential elements of the proposed development and to avoid doubt.

(Policy BE8, S.B.L.P.R.).

- 13 **Notwithstanding the provisions of Sections 94, 98 and 106 of the Water Industry Act 1991, no development shall commence until details of a scheme, including phasing, for the satisfactory provision of sufficient capacity within the public sewerage system to meet the needs of the approved development have been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the scheme so approved unless otherwise approved in writing by the Local Planning Authority.**

REASON: To prevent environmental and amenity problems arising from flooding.

- 14 **Prior to the commencement of any phase of development approved by this planning permission, the developer shall submit to the Local 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 to be necessary by the Phase 2 site investigation, a Phase 3 detailed scheme for the 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 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 shall be adhered to.

REASON: To protect human health and the environment.

(Policy BE8, S.B.L.P.R.).

- 15 **To protect against intrusive externally generated noise, sound insulation and absorbent materials shall be applied to the building envelope of the houses and flats hereby permitted as is necessary to achieve as a minimum standard an internal noise level of 30dB LAeq (23.00 to 07.00) and 45dB LAmax (23.00 to 07.00) for bedrooms and 35dB LAeq (07.00 to 23.00) for habitable rooms. External noise levels from road traffic noise sources shall**

not exceed 55dB LAeq, 1hr in outdoor amenity areas. Unless otherwise agreed in writing, the effectiveness of the noise attenuation measures shall be demonstrated through validation noise monitoring with the results submitted to and approved in writing by the Local Planning Authority before any dwelling is occupied. Furthermore, the applicant/developer shall identify any windows that need to remain closed in order for the internal noise environment to meet the required standards. Such windows shall be fixed closed and be non-openable with alternative means of ventilation provided for those rooms affected.

REASON: To protect occupants from externally generated noise.
(Policy BE8, S.B.L.P.R.).

- 16 **Development shall not commence until detailed plans and sections of roads proposed within the site, including the emergency access and including information on gradients, have been submitted to and approved in writing by the Local Planning Authority and no building shall be first occupied until the roads providing access to it from the public highway have been constructed and completed in accordance with the details approved, apart from final surfacing.**

REASON: To ensure that the proposed roadworks are constructed to an adequate standard.

- 17 **Development shall not begin until details of the improvements to the junction between the proposed estate road and the highway have been submitted to and approved in writing by the Local Planning Authority and no building shall be occupied until the subject junction has been constructed in accordance with the approved details.**

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

- 18 No dwelling shall be occupied until triangular vision splays have been provided on each side of all accesses on to the new roads. Such vision splays 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 / developer'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.

- 19 The development shall not be occupied until a residential travel plan has been submitted to and approved in writing by the Local Planning Authority. Such travel plan shall include:

- Details of predicted travel to and from the site and targets to reduce car use;
- Details of existing and proposed transport links, to include links to both pedestrian, cycle and public transport networks;
- Proposals and measures to minimise private car use and facilitate walking, cycling and use of public transport;

- A timetable for implementation of measures designed to promote travel choice;
- Plans for monitoring and review, annually for a period of 5 years at which time the obligation will be reviewed by the planning authority;
- Details of provision of cycle parking in accordance with Council guidelines;
- Details of marketing and publicity for sustainable modes of transport to include site specific welcome packs. Such welcome packs shall include walking, cycling, public transport and rights of way information;
- Details of the appointment of a travel plan co-ordinator.

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

REASON: To promote the use of sustainable modes of transport.

- 20 The maximum gradient of the vehicular access shall be 10% (1 in 10).
REASON: In the interests of the safety of persons using the access and users of the highway.
- 21 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any amendments thereto, the garage accommodation on the site shall not be used for any purpose other than as garage accommodation, unless permission has been granted by the Local Planning Authority on an application made for that purpose.
REASON: To retain off-street parking provision and thereby minimise the potential for on-street parking which could adversely affect the convenience of road users.
- 22 The driveway length in front of the garages shall be at least 6.0m as measured from the garage doors to the highway boundary.
REASON: To ensure that parked vehicles do not adversely affect the safety and convenience of road users by overhanging the adjoining public highway.
- 23 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.
- 24 **Development shall not commence until details of a scheme for the parking of cycles on the site have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully**

implemented before each phase of the development hereby permitted 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.

- 25 Details of bin storage/collection points shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any dwelling.

REASON: In the interest of the amenity of the area.

- 26 **Development shall not commence until details of a scheme for the provision of highway lighting within the site, to incorporate the use of light emitting diodes (LED lighting), has been submitted to and approved in writing by the Local Planning Authority. No building within any phase of the development hereby permitted shall be occupied until the highway lighting serving that phase has been installed in accordance with the approved details.**

REASON: To ensure that the proposed highways are adequately lit.

- 27 **Development shall not commence until details of a scheme to restrict the speed of traffic on the estate roads have been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until the scheme has been fully implemented in accordance with the approved details.**

REASON: In the interest of road safety.

- 28 Fixed plant associated with the proposed development must be designed to a level which is at least 5dB(A) below the existing LA90 background noise level as measured during the relevant time period. Any tonal, impulsive and/or irregular noise shall be addressed by imposing a further 5dB penalty as per the methodology set out in BS 4142:1997. Noise limits for new plant are to apply at a position 1m from the closest affected window of the relevant noise sensitive property.

REASON: To prevent nuisance from noise and to safeguard the amenities of the area.

(Policy BE8, S.B.L.P.R.).

- 29 **Development shall not commence until details of the treatments proposed for the boundaries of the site with adjoining residential and commercial land uses have been submitted to and approved in writing by the Local Planning Authority.**

REASON: To control the appearance of the proposed development in the interests of safeguarding the amenities of the surrounding area.

(Policy BE8, S.B.L.P.R.).

- 30 The low brick wall on the north-eastern side of the tree belt adjacent the western boundary of the site shall be retained in its existing position and at its existing height and length. There shall be no reduction in its height or length and no sections of the wall shall be removed without the prior written approval of the Local Planning Authority.

REASON: To safeguard existing trees on the site.

(Policy BE8, S.B.L.P.R.).

- 31 In respect of the building comprising Plots 149 to 172 and the Class A1 and Class D1 units, no tanks, structures, extractor flues and vents, air conditioning units, telecommunications masts and aerials and satellite dishes shall be installed on the roofs or walls of the building without the prior written approval of the Local Planning Authority.
REASON: To control the appearance of the building in the interests of the amenity of the area and to avoid doubt.
(Policy BE8, S.B.L.P.R.).
- 32 Notwithstanding the details submitted with the application, further particulars of the hours of opening of the proposed Class A1 and Class D1 units and the arrangements for servicing the units shall be submitted to and approved in writing by the Local Planning Authority.
REASON: To control the development in the interests of the amenity of the area.
(Policy BE8, S.B.L.P.R.).
- 33 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans numbered 100A, 101A, 102, 103, 104, 105, 106, 107, 108, 109A, 110A, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129 and 130.
REASON: To identify the approved plans and to avoid doubt.

Notes to Applicant

1. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the Council hereby certify that the proposal as hereby approved conforms with the relevant policies of the Development Plan comprising of the 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:

Bedfordshire Structure Plan 2011

Policy 25 - Infrastructure.

South Bedfordshire Local Plan Review Policies

BE8 - Design and environmental considerations.

T4 Public transport services along former Luton/Dunstable rail line.

T10 Controlling parking in new development.

H2 - Making provision for housing via "fall-in" sites.

H3 - Meeting local housing needs.

H4 - Providing affordable housing.

E1 - Providing for B1-B8 development within Main Employment Areas (Category 1).

R10 - Children's play area standard.

R11 - Provision of new urban open space in new residential developments.

2. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the reason for any condition above relates to the Policies as referred to in the 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.
4. Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. The site layout should therefore take this into account and accommodate those assets within prospectively adoptable highways or public open space. If this is not practicable, then the applicant/developer will need to ask for assets to be diverted under Section 185 of the Water Industry Act 1991 or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.
5. The applicant/developer is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Central Bedfordshire Council's Highway Help Desk, P.O. Box 1395, Bedford, MK42 5AN.
6. The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run-off calculations shall be submitted to the Development Planning and Control Group, Central Bedfordshire Council's Highway Help Desk, P.O.Box 1395, Bedford MK42 5AN. No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.
7. All roads to be constructed within the site shall be designed in accordance with Central Bedfordshire Council's publication "*Design in Central Bedfordshire: A Guide to Development - Design Supplement 7: Movement, Streets and Places*" and the Department for Transport's "*Manual for Streets*", or any amendment thereto.

[Notes:-

1. In advance of consideration of the application the Committee were advised of consultation received as set out in the Late Sheet attached to these Minutes.
2. In advance of consideration of the application the Committee received representations made in accordance with the Public Participation Scheme.

3. Condition 10 has been amended to read as above and conditions 5, 11 and 12 had their drawing no altered from 101A to 100A.]

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Item No. 08

APPLICATION NUMBER CB/10/03096/RM
LOCATION Warren Wood, Fordfield Road, Millbrook
PROPOSAL Reserved Matters: Development of the land as a forest holiday village including 700 villas, 75 bedroom hotel, 12 bedroom spa accommodation, central buildings and facilities, staff accommodation, 1400 space car park, main access onto Fordfield Road, engineering operations and lakes, hard and soft landscaping and forest management works together with associated works and activities (pursuant to outline planning approval MB/08/00614/FULL dated 30 June 2008). Matters to be considered are appearance, landscaping, layout and scale.

PARISH Millbrook
WARD Ampthill
WARD COUNCILLORS
CASE OFFICER Dee Walker
DATE REGISTERED 26 August 2010
EXPIRY DATE 25 November 2010
APPLICANT Center Parcs (Operating Company Ltd)
AGENT NTR Planning
REASON FOR COMMITTEE TO DETERMINE

RECOMMENDED DECISION Reserved Matters - Granted

Reasons for Granting

In conclusion, the details of the scheme for landscaping, layout, scale and appearance are in conformity with Policies CS14, CS16, CS17, DM3 and DM14 of the Central Bedfordshire Adopted Core Strategy and Development Management Policies 2009; Planning Policy Statement 1 (2005), Planning Policy Statement 5 (2010), Planning Policy Statement 7 (2004), Planning Policy Statement 9 (2005) and Planning Policy Statement 25 (2006). It is therefore considered **acceptable** and that approval should be granted for the reserved matter details subject to conditions.

RECOMMENDATION

APPROVE the reserved matter details for the application set out above subject to the following condition(s):

- 1 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following submitted plans, numbers:
 WSW-L-L-91-200, WSW-L-L-91-201.1, WSW-L-L-91-201.2, WSW-L-L-91-201.3, WSW-L-L-91-201.4, WSW-L-L-91-201.5, WCP-L-L-95-204, WCP-L-L-95-205, WSW-L-L-94-211, WSW-L-L-91-211, WSW-L-L-91-213, WSW-L-L-90-301, WSW-L-L-90-

302, WSW-L-L-90-303, WSW-L-L-90-304, WSW-L-L-90-327, WSW-L-L-328, WSW-L-L-90-329, WC1-L-L-90-401, WC2-L-L-90-402, WPH-L-L-90-403, WSW-L-L-90-409, WC1-AL-00-00, WC1-AL-00-1, WC1-AL-00-002, WC1-AL-00-003, WC1-AE-00-1, WC1-AE-00-02, WC1-AE-00-4, WC1-AX-00-4, WC2-AL-00-01, WC2-AL-00-02, WC2-AL-00-03, WC2-AL-00-04, WC2-AE-00-01, WC2-AE-00-02, WC2-AE-00-04, WC2-AX-00-01, WC2-AX-00-02, WC2-AX-00-03, WC2-AX-00-04, WC2-AX-00-05, WC2-AX-00-08, WC2-AX-00-09, WC2-AX-00-10, WC2-AX-00-11, WP-AL-00-01, WP-AE-00-01, WP-AX-00-01, 08/141/SP-001 revO, 08/141/SP-002 revN, 08/141/SP-003 revN, 08/141/SP-004 revN, 08/141/SP-005 revN, 08/141/SP-006 revN, 08/141/SP-011 revF, 08/141/SP-012 revG, 08/141/SP-013 revG, 08/141/SP-014 revG, 08/141/SP-021 revH, 08/141/SP-022 revC, 08/141/SP-023, 08/1414/CE-007a, 08/1414/CE-007b, 08/141/CE-008 revA, 08/1414/CE-009, 08/1414/CE-010 rev A, 08/1414/CE-011 rev A, 08/1414/CE-018 rev A, 08/1414/CE-019 rev A, 08/1414/CE-022 rev A, 08/1414/CE-025 rev A, 08/1414/CE-028 rev A, 08/1414/CE-033, 08/1414/CE-036 rev B, 08/141/CE-037, 08/141/CE-39, 08/1414/CE-040, 08/1414/CE-079, 08/1414/CE-082A, 08/1414/CE-084, 08/1414/CE-087, 08/141/CE088A, 08/141/AP-001 revF, 08/141/AP-021 revD, 08/141/AP-041 revG, 08/141/AP-061 revH, 08/141/AP-071 revA, 08/141/AP-081 revE, 08/141/AP-091a revA, 08/141/AP-101 revF, 08/141/AP-102 revB, 08/141/AP-103, 08/141/AP-110 revA, 08/141/AE-001 revC, 08/141/AE-041 revC, 08/1414/LP-001 revC, 08/1414/LP-003 rev D, 08/1414/LP-005 revD, 08/1414/LP-006 revD, 08/1414/LP-007c, 08/1414/LP-008 revD, 08/1414/LP-011 revB, 08/1414/LP-013 revC, 08/1414/LP-015 revC, 08/1414/LP-018 revA, 08/1414/LE-001 revA, 08/1414/LE-002 revA, 08/1414/LE-003 revA, 08/1414/LE-004 revA, 08/1414/LE-005 revA, 08/1414/LE-006 revA, 08/171/LE-007c, 08/1414/LE-008 revB, 08/1414/LE-011, 08/1414/LE-012, 08/1414/LE-013, 08/1414/LE-015, 08/1414/LE-015 revA, 08/1414/LE-018 revA, W-V-S-16-28 Rev.P8, W-V-S-16-29 Rev.P6, W-V-S-16-30 Rev.P7, W-V-S-16-31 Rev.P5, W-V-S-16-32 Rev.P5, W-V-S-16-33 Rev.P5, W-V-S-16-34 Rev. P2, W-V-S-16-35 Rev.P2, W-V-S-16-36 Rev.P1, W-AB-S-16-01 Rev.P4, W-AB-S-16-02 Rev.P3, W-CB-S-16-20 Rev.P2, W-SW-C95-106, W-SW-C-95-107

- 2 The materials to be used for the external walls and roof shall accord with the details set out on the following approved plans unless otherwise agreed in writing by the Local Planning Authority:

Centre 1 Building

WC1-AE-00-1, WC1-AE-00-02, WC1-AE-00-4

Centre 2 Building

WC2-AE-00-01, WC2-AE-00-02

Ancillary Buildings

08/1414/AE-001C, 08/1414/AP-021D, 08/1414/AE-041C, 08/1414/AP-061H, 08/1414/AP-071A, 08/1414/AP-081E, 08/1414/AP-091aA, 08/1414/AP-101F, 08/1414/AP-102B, 08/1414/AP-103, 08/1414/AP-110A

Lodges

08/1414/LE-001A, 08/1414/LE-002A, 08/1414/LE-003A, 08/1414/LE-004A, 08/1414/LE005A, 08/1414/LE-006A, 08/1414/LE008-B, 08/1414/LE-011, 08/1414/LE-007c, 08/1414/LE-012, 08/1414/LE-013, 08/1414/LE-014, 08/1414/LE-015A, 08/1414/LE-018A

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to complement the visual amenities of the locality.

- 3 **Prior to the commencement of development, details shall be submitted for written approval by the Local Planning Authority setting out the materials to be used for the external walls and roof for the Pancake House/Beach Kiosk. The development shall be carried out in accordance with the approved scheme.**

Reason: To protect the visual amenities of the building and of the area generally.

- 4 Approval of the details of street furniture, traffic barriers, signage and non-perimeter fencing within the application site shall be obtained in writing from the Local Planning Authority before such ancillary features are erected or installed.

Reason: To ensure a satisfactory development in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies 2009.

- 5 The Development shall be carried out in accordance with the following, unless otherwise agreed in writing with the Local Planning Authority:

- (a) no construction work is to take place within 30 metres of any badger set unless an appropriate licence has been obtained;
- (b) no clearance of vegetation shall take place during the bird nesting period of March to July inclusive, unless a survey of the clearance area has been submitted to, and approved in writing by, the Local Planning Authority, demonstrating that there are no birds nesting within that clearance area;
- (c) there shall be no work to the watercourse on the southern boundary except for the purpose of enhancing its habitat structure.

Reason: To protect and safeguard the protected species found on the site; and ensure all impacts from the development are taken into account and mitigated. In accordance with Policy DM15 of the Central Bedfordshire Core Strategy and Development Management Policies 2009.

- 6 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.

[Notes:- In advance of consideration of the application the Committee were advised of consultation received as set out in the Late Sheet attached to these Minutes.]

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Item No. 11

APPLICATION NUMBER	CB/10/02493/OUT
LOCATION	Unit 4, 5, 6, 7, 8, 9, 12, 13, 14, and 31 Humphrys Road, Dunstable, LU5 4TP
PROPOSAL	Development of industrial and warehouse unit(s) (within B1c, B2, B8 use classes) up to a maximum floor area of 45,057 sqm together with ancillary offices, service areas car parking and landscaping.
PARISH	Houghton Regis
WARD	Houghton Regis
WARD COUNCILLORS	Cllrs Egan, Goodchild, Jones & Williams
CASE OFFICER	Mr J Spurgeon
DATE REGISTERED	05 July 2010
EXPIRY DATE	04 October 2010
APPLICANT	Woodside Unit Trust & Canmoor Developments Ltd
AGENT	Michael Sparks Associates
REASON FOR COMMITTEE TO DETERMINE	Major application with unresolved objections from Houghton Regis and Dunstable Town Councils

RECOMMENDED DECISION **Outline Application - Granted**

Reasons for Granting The proposal would provide an opportunity to encourage economic regeneration while reducing the physical impacts of this scale of building to acceptable levels.

Recommendation

That Planning Permission be GRANTED subject to the completion of a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) to ensure the provision of a Travel Plan and developer contribution towards Public Art and subject to the following:

- 1 **Before development begins, the approval of the Local Planning Authority shall be obtained in respect of all the reserved matters, namely the**
 - access
 - appearance
 - landscaping
 - layout; and
 - scale, within the upper and lower limit for the height, width and length of each building stated in the application for planning permission in accordance with Article 4.
- REASON:** To comply with Article 4 of the Town and Country Planning (Development Management Procedure) (England) Order 2010.

- 2 Application for the approval of the reserved matters shall be made to the Local Planning Authority within three years from the date of this permission. The development shall begin not later than two years from the final approval of the reserved matters or, if approved on different dates, the final approval of the last such matter to be approved.
REASON: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 3 All reserved matters details for the development of new buildings hereby approved shall conform to the layout principles illustrated on drawing 30147/PL/103C and shall not exceed the maximum widths, lengths or heights above ground level specified thereon.
REASON: To define this permission and to ensure that the development relates appropriately to the character of the area and is capable of providing an appropriate parking and landscaped area.
Policies: BE8, T10 SBLPR.
- 4 This permission extends to a maximum 45,057m² floorspace (external measurement).
REASON: This would be the reasonable capacity of the site having regard to the character of the area.
Policies BE8, T10 SBLPR.
- 5 **Prior to the commencement of any phase of the development hereby approved the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority:**
- 1) **A Phase I Desk Study incorporating a site walkover, site history, maps and all further features of industry best practice relating to potential contamination,**
 - 2) **Where shown to be necessary by 1) a Phase II Site Investigation report further documenting the ground conditions of the site with regard to potential contamination, incorporating appropriate soils and gas sampling,**
 - 3) **Where shown to be necessary by the Phase II investigation, a Phase III detailed scheme for remedial works and measures to be taken to mitigate any risks to human health, groundwater and the wider environment,**
 - 4) **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 IV validation report to incorporate photographs, material transport tickets and sampling.**

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.

REASON: To protect human health and the environment.

- 6 **No development shall commence until details of the proposed method of surface water drainage for the site based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. The drainage works as approved shall be constructed in accordance with the approved details before the development is completed.**

REASON: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system. (Environment Agency condition)

- 7 **Prior to the commencement of development hereby approved (or such other date or stage in development as may be approved in writing by the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by that Authority:**

- 1) **A preliminary risk assessment which has identified:**
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
- 2) **A site investigation scheme, based on 1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.**
- 3) **the site investigation results and the detailed risk assessment 2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.**
- 4) **A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.**

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

REASON: To ensure protection of controlled waters. (Environment Agency Condition)

- 8 **Prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.**

REASON: To confirm that any remediation (if required) is completed to an acceptable standard. This is to ensure that the groundwater below the site (which is used to supply drinking water to the public) remains free from pollution. (Environment Agency condition)

- 9 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from that Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

REASON: To ensure that any contamination that is not identified during site investigation is dealt with appropriately. (Environment Agency condition)

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

REASON: To ensure that any piling that is undertaken does not pollute the groundwater below the site (which is used to supply drinking water to the public). (Environment Agency condition)

- 11 The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul and surface water, install of oil and petrol interceptors and roof drainage (sealed at ground level) has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved.

REASON: To ensure that suitable provision is made for both surface and foul drainage. It is important if mains drainage is being used, to make correct connections and obtain permission from the water company. It is advisable that systems are in place to prevent pollutants arising from the industrial site escaping into the wider surface water system, including groundwater below the site (which is used to supply drinking water to the public). (Environment Agency condition)

- 12 All plant, machinery and equipment, fixed or otherwise, installed or operated in connection with his permission shall be so enclosed, operated and/or attenuated that noise arising from such plant shall not exceed a level of 5dBA below the existing background level (or 10dBA below if there is a tonal quality) when measured or calculated according to BS 4142:1997. Noise limits for new plant are to apply at a position 1m from the closest affected window of the relevant noise sensitive property. The applicant shall clearly demonstrate that noise from the installed plant achieves the required noise standard, prior to the use hereby permitted commencing.

REASON: To protect neighbouring residents from any adverse impact from noise arising from internal or external plant on the premises.

- 13 The application of external materials to be used in any building hereby permitted shall conform to the design principles illustrated on drawing 30147-PL-111A and precise details of materials to be used shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the buildings, in view of their scale and potential dominance in the landscape, are sensitive to distant views from surrounding countryside.

- 14 **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).

- 15 **Before development commences, a Waste Audit shall be submitted to and approved in writing by the District Planning Authority. Such Audit shall cover all wastes generated until completion of building and site works and shall include anticipated nature and volumes of waste that the development will generate, steps to incorporate the maximum amount of waste arising from the previous use of the land, steps to ensure effective segregation of wastes at source including, as appropriate, the provision of waste sorting, storage and recovery and recycling facilities, and steps to manage waste that cannot be incorporated within the development or that arises once development is completed.**

REASON: To provide suitable management of waste from the development.

- 16 A Sustainability Appraisal shall be submitted to the Local Planning Authority with the submission of reserved matters.

REASON: To demonstrate to the Local Planning Authority that sustainability issues have been fully taken into account and to inform the Authority of any matters which may need to be tied to any approval of reserved matters.

- 17 Development shall not begin until details of the junction of any proposed vehicular access with the highway have been approved by the Local Planning Authority and the building to which it relates shall not 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.

- 18 Before any 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. 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).
- 19 Visibility splays shall be provided at the junction of any access with the public highway, in accordance with the Design Manual for Roads and Bridges, before the building to which it relates is brought into use.

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.
- 20 Any gates provided shall open away from the highway and be set back a distance of at least 5m (for cars), 17m (for HGVs) from the nearside edge of the carriageway of the adjoining highway.

REASON: To enable vehicles to draw off the highway before the gates are opened.
- 21 Before any new access is first brought into use, any existing access within the proposed frontage of the building to which it relates, not incorporated in the access hereby approved, shall be closed in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of road safety and to reduce the number of points at which traffic will enter and leave the public highway.
- 22 Before any building is occupied all on site vehicular areas to which it relates 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.
- 23 The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall illustrate a vehicular turning area within the curtilage of all premises taking access directly from the public highway.

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

- 24 No development shall commence until a wheel-cleaning facility has been provided at all site exits in accordance with a scheme 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.

- 25 The detailed layout plans to be submitted for approval as reserved matters in connection with this development shall illustrate a scheme for the parking of vehicles on the site. The scheme shall comply with the standards of the Local Planning Authority and shall be fully implemented before the building to which the scheme relates is first occupied or brought into use and such spaces and land shall thereafter be retained for this purpose.

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

- 26 Development shall not commence until a scheme detailing access provision to and from the site for construction traffic, 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 safe operation of the surrounding road network in the interests of road safety.

- 27 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.

- 28 Any access in the position shown on the parameter plan..30147/PL/103C with the text "Car entrance only" or "Emergency entrance only" shall only be used for those purposes and shall not be otherwise used by commercial vehicles.

REASON: To minimise noise and disturbance to nearby residential properties.

- 29 **No development shall take place, including ground clearance, until a scheme for tree protection of all retained trees in accordance with BS5837:2005 "*Trees in relation to construction*" and including provision for supervision by a suitably qualified arborist has been submitted to and approved in writing by the Local Planning Authority. No development shall proceed except in accordance with such scheme and fences shall be kept in place until the completion of the development. Within the fenced area, nothing shall be stored or placed,**

no fires shall be started, and no tipping, refuelling, disposal of solvents or cement mixing shall be carried out Any tarmac hardstanding which encroaches within the fenced area shall be broken out by hand, removed and fencing reinstated.

REASON: To protect those trees which it is intended to retain.

- 30 **No development shall commence until details of the acoustic fence have been submitted to and approved in writing by the Local Planning Authority and the fence erected as there in approved.**

Reason: To safeguard the amenities of local residential properties. Policy: BE8 SBLPR

- 31 **No development shall commence, including demolition and site clearance, unless and until a scheme of site management in respect of demolition and site clearance of the whole site has been submitted to and approved in writing by the Local Planning Authority and the development shall precede only in full conformity of the approved scheme.**

Reason: To safeguard the amenities of local sensitive receptors.

- 32 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted drawings numbers 30147/PL/101, 13652_OGL rev.0, 30147/PL/102 received 5/7/10; 30147/PL/103C, 30147/PL/111A received 26/10/10.

REASON: For the avoidance of doubt.

Notes to Applicant

1. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the Council hereby certify that the proposal as hereby approved conforms with the relevant policies of the Development Plan comprising of the 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:

Bedfordshire Structure Plan 2011

Policy 25 - Infrastructure

South Bedfordshire Local Plan Review

BE8 Design and environmental considerations

E1 Main Employment Areas

T10 Parking - New developments

T11 Contributions - alternatives to parking.

2. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the reason for any condition above relates to the Policies as referred to in the 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

4. Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the applicant will need to ask for the assets to be diverted under S185 of the Water Industry Act 1991, or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

It is recommended that petrol/oil interceptors be fitted to all car wash/parking/repair areas.

5. Further to condition 31, during the construction phase the developer is recommended to refer to the Mayor of London's Best Practice Guidance (BPG) *The Control of dust and emissions from construction and demolition*. The impacts upon air quality are likely to be in the 'High Risk' category and mitigation measures will need to be applied. It is recommended that normal working hours be 0800 - 1800 Monday to Friday, 0800 - 1300 Saturday and no working on Sunday, Bank Holidays and Public Holidays. Contractors should employ 'best practical means' as defined in the Control of Pollution Act 1974 to minimise noise and vibration resulting from their operations and shall have regard to BS 5228:2009 Code of Practice for Noise Control on Construction and Open Sites. For other information, including noisy activities, vehicles and equipment, contact: John Eden, Environmental Health Officer CBC.
6. It is recommended that regard be had to the Institution of Lighting Engineers Guidance Notes for the reduction of Obtrusive Light.
7. The applicant is advised that no works associated with the construction of a 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 Highway Help Desk, Technology House, 239 Amphill Road, Bedford MK42 9BA 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 a 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.
8. 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 Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, Technology House, 239 Amphill Road, Bedford MK42 9BD.

9. 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.
10. The applicant is advised that the closure of existing access(es) shall include the reinstatement of the highway to include any footway, verge and kerbing in a manner to be agreed in writing with Central Bedfordshire Council's Customer Contact Centre on 0300 300 8049. No work shall be carried out within the confines of the public highway without prior consent. The applicant will also be expected to bear all costs involved in closing the access(es).

[Notes:-

1. In advance of consideration of the application the Committee were advised of consultation received as set out in the Late Sheet attached to these Minutes.
2. In advance of consideration of the application the Committee received representations made in accordance with the Public Participation Scheme.
3. Condition 29, on the main agenda, was renumbered as condition 32. Conditions 30 and 31 were new conditions.
4. Following the meeting condition 31 as written in the Late Sheet was reworded to condition 30 above.]

Item No. 09

APPLICATION NUMBER	CB/10/01359/FULL
LOCATION	The Marston Vale Millennium Country Park, Station Road, Marston Moretaine, Bedford, MK43 0PR
PROPOSAL	Full: Erection of a 120.5 metre high wind turbine and ancillary infrastructure.
PARISH	Marston Moretaine
WARD	Marston
WARD COUNCILLORS	Cllr Roger Baker, Cllr Mike Gibson
CASE OFFICER	Mary Collins
DATE REGISTERED	27 April 2010
EXPIRY DATE	27 July 2010
APPLICANT	Marston Vale Trust
AGENT	
REASON FOR COMMITTEE TO DETERMINE	Councillor Baker request as concerns expressed by Marston Parish Council regarding the height of the turbine.
RECOMMENDED DECISION	Full Application - Granted

Reasons for Granting

The proposal for the installation of a turbine would not impact detrimentally upon the surrounding landscape character, or upon cultural heritage or archaeology, or local ecology, hydrology or geology, or upon the residential amenity of nearby residential properties. The proposal is also considered to be acceptable in terms of telecommunication and aviation considerations and traffic generation and access. The scheme therefore, by reason of its site, design and location, is in conformity with Planning Policy Statement 1 (2005), Supplement to Planning Policy Statement 1: Planning and Climate Change (2007), Planning Policy Statement 22 (2004), Planning Policy Statement: Consultation – Consultation on a Planning Policy Statement: Planning for a Low Carbon Future in a Changing Climate (2010), The UK Low Carbon Transition Plan (2009), The UK Renewable Energy Strategy (2009), Draft Overarching National Policy Statement for Energy (EN-1) (2009), Draft National Policy Statement for Renewable Energy Infrastructure (EN-3) (2009), Planning Policy Statement 5: Planning for the Historic Environment (2010), Planning Policy Statement 7: Sustainable Development in Rural Areas (2004), Planning Policy Statement 9: Biodiversity and Geological Conservation (2005), Planning Policy Guidance 24: Noise (1994). It is also in conformity with Policies CS13, CS16, DM1, DM14, DM15 and DM17 of the Central Bedfordshire Council’s Core Strategy and Development Management Policies Development Plan Document 2009.

- 1 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 **No construction activity shall take place until a detailed Ecology Monitoring Programme has been submitted to and approved in writing by the Local Planning Authority, in consultation with Natural England. This will include details of automated data gathering for bats, and use of suitably experienced ecologists to carry out collision searches and monitor the activity of bats and birds in the vicinity of the turbine over the period beginning April to the end of October. Following two years of monitoring, the results shall be formally submitted to the Local Planning Authority, and used to modify turbine operating protocol if necessary.**

Reason: To ensure that biodiversity interests are protected.

- 3 **No construction activity shall take place until the mitigation measures outlined in the Ecological Assessment to minimise ecological impacts during the construction process have been gathered together into a single 'Construction Environment Management Plan' and have been submitted to and agreed in writing by the Local Planning Authority. This shall include a protocol for avoiding impacts to protected and notable species, such as timing constraints and procedure for undertaking construction activities in an ecologically sensitive manner, and a clear point of contact for ecological advice during the works. All contractors must be formally briefed on this document prior to their commencing work on site.**

Reason: To ensure that biodiversity interests are protected.

- 4 **No development shall take place until a scheme setting out measures for protecting all trees, shrubs and other natural features during construction work has been 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.

- 5 **No development shall take place until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The CTMP shall include proposals for construction vehicle routes, site accesses, the management of junctions with, and crossings of, the public highway and other public rights of way, the scheduling and timing of movements, details of escorts for abnormal loads, temporary warning signs, temporary removal or replacement of highway infrastructure/street furniture, reinstatement of any signs, verges or other items displaced by construction traffic, and banksman/escort details. Development shall be carried out in accordance with the approved CTMP including any agreed mitigation measures and reinstatement/improvements of the highway works along the route.**

Reason: To ensure the development is undertaken safely and without undue disturbance to the local community.

- 6 **Prior to the commencement of development, a baseline television reception study in the Marston Moretaine area shall be undertaken by a qualified television engineer and submitted to the Local Planning Authority. Details of works necessary to mitigate any adverse effects to domestic television signals in the Marston Moretaine Area caused by the development shall also be submitted to and approved in writing by the Local Planning Authority. Any claim by any person for domestic television picture loss or interference at their household within 12 months of the final commissioning of the wind turbine, shall be investigated by a qualified television engineer and the results submitted to the Local Planning Authority. Should any impairment to the television reception be determined by the qualified engineer as attributable to the wind turbine on the basis of the baseline reception study, such impairment shall be mitigated within 3 months of this decision according to the mitigation scheme outlined.**

Reason: To ensure that the impact of the turbine on broadcast systems are adequately mitigated.

- 7 **No development shall commence until a scheme detailing the investigation and alleviation of any potential interference to telecommunication links, caused by the turbine hereby permitted, has been submitted to and approved in writing by the local planning authority through consultation to the appropriate telecommunication providers. The approved mitigation measures shall be carried out prior to the erection of the turbine.**

Reason: To ensure that the impact of the turbine on telecommunications links is adequately mitigated.

- 8 **The wind turbine hereby approved shall operate in accordance with a shadow flicker mitigation scheme which shall be submitted to and approved by the Local Planning Authority prior to the operation of any wind turbine unless a survey carried out on behalf of the developer in accordance with a methodology approved in advance by the local planning authority confirms that shadow flicker effects would not be experienced within habitable rooms within any dwelling.**

Reason: To ensure shadow flicker is adequately mitigated.

- 9 The rating level of noise emissions from the wind turbine, (including the application of any tonal penalty) when determined in accordance with the attached Guidance Notes, shall not exceed 35dB LA90 at any dwelling for any relevant 10m height 10 minute mean above ground level measured integer wind speed between 1-12m/s and:
- A. Prior to the First Export Date the wind farm operator shall submit to the Local Planning Authority for written approval a list of proposed independent consultants who may undertake compliance measurements in accordance with this condition. Amendments to the list of approved consultants shall be made only with the prior written approval of the Local Planning Authority.
 - B. Within 21 days from receipt of a written request of the Local Planning Authority, following a complaint to it alleging noise disturbance at a dwelling, the wind farm operator shall, at its expense, employ a consultant approved by the Local Planning Authority, to assess the level of noise emissions from the wind farm at the complainant's property in accordance with the procedures described in the attached Guidance Notes. The written request from the Local Planning Authority shall set out at least the date, time and location that the complaint relates to. Within 14 days of receipt of the written request of the Local Planning Authority made under this paragraph (B), the wind farm operator shall provide the information logged in accordance with paragraph (G) to the Local Planning Authority in the format set out in Guidance Note 1(e).
 - C. Prior to the commencement of any measurements by the independent consultant to be undertaken in accordance with these conditions, the wind farm operator shall submit to the Local Planning Authority for written approval the proposed measurement location identified in accordance with the Guidance Notes where measurements for compliance checking purposes shall be undertaken. Measurements to assess compliance with the noise limit of this condition shall be undertaken at the measurement location approved in writing by the Local Planning Authority.

- D. Prior to the submission of the independent consultants assessment of the rating level of noise emissions in accordance with paragraph (E), the wind farm operator shall submit to the Local Planning Authority for written approval a proposed assessment protocol setting out the following:
- (i) the range of meteorological and operational conditions (which shall include the range of wind speeds, wind directions, power generation and times of day) to determine the assessment of rating level of noise emissions; and
 - (ii) a reasoned assessment as to whether the noise giving rise to the complaint contains or is likely to contain a tonal component
- The proposed range of conditions shall be those which prevailed during times when the complainant alleges there was disturbance due to noise, having regard to the written request of the Local Planning Authority under paragraph (B), and such others as the independent consultant considers likely to result in a breach of the noise limits. The assessment of the rating level of noise emissions shall be undertaken in accordance with the assessment protocol approved in writing by the Local Planning Authority.
- E. The wind farm operator shall provide to the Local Planning Authority the independent consultants assessment of the rating level of noise emissions undertaken in accordance with the Guidance Notes within 2 months of the date of the written request of the Local Planning Authority made under paragraph (B) unless the time limit is extended in writing by the Local Planning Authority. The assessment shall include all data collected for the purposes of undertaking the compliance measurements, such data to be provided in the format set out in Guidance Note 1(e) of the Guidance Notes. The instrumentation used to undertake the measurements shall be calibrated in accordance with Guidance Note 1(a) and certificates of calibration shall be submitted to the Local Planning Authority with the independent consultants assessment of the rating level of noise emissions.
- F. Where a further assessment of the rating level of noise emissions from the wind farm is required pursuant to paragraph 4(c) of the attached Guidance Notes, the wind farm operator shall submit a copy of the further assessment within 21 days of submission of the independent consultants assessment pursuant to paragraph (E) above unless the time limit has been extended in writing by the Local Planning Authority.
- G. The wind farm operator shall continuously log power production, nacelle wind speed, nacelle wind direction and nacelle orientation at the wind turbine all in accordance with Guidance Note 1(d). 10m height wind speeds averaged over 10 minute periods shall be measured at a location approved by the local planning authority for comparison with noise levels, for the duration of the noise level compliance check survey. Rainfall shall also be measured during any measurement regime at a location approved by the local authority in writing. These data obtained shall be retained for the life of the planning permission. The wind farm operator shall provide this information in the format set out in Guidance Note 1(e) to the Local Planning Authority on its request, within 14 days of receipt in writing of such a request.
- H. Once the Local Planning Authority has received the independent consultants noise assessment required by this condition, including all

noise measurements and audio recordings, where the Local Planning Authority is satisfied of an established breach of the noise limit, upon notification by the Local Planning Authority in writing to the wind farm operator of the said breach, the wind farm operator shall within 14 days propose a scheme for the approval of the Local Planning Authority. The scheme shall be designed to mitigate the breach and to prevent its future recurrence. This scheme shall specify the timescales for implementation. The scheme shall be implemented as reasonably approved by the Local Planning Authority and according to the timescales within it. The scheme as implemented shall be retained thereafter unless otherwise agreed with the Local Planning Authority.

For the purposes of this condition, a “dwelling” is a building which is lawfully used as a dwelling house and which exists or had planning permission at the date of this consent.

Reason: To ensure that the amenities of occupiers are not prejudiced by excessive noise.

10 The wind turbine shall not emit greater than expected amplitude modulation. Amplitude modulation is the modulation of the level of broadband noise emitted by a turbine at blade passing frequency. These will be deemed greater than expected if the following characteristics apply:

- a) A change in the measured L_{Aeq} 125 milliseconds turbine noise level of more than 3dB (represented as a rise and fall in sound energy levels each of more than 3dB) occurring within a 2 second period.
- b) The change identified in (a) above shall not occur less than 5 times in any one minute period provided that the L_{Aeq} , 1 minute turbine sound energy level for that minute is not below 28dB.
- c) The changes identified in (a) and (b) above shall not occur for fewer than 6 minutes in any hour.

Noise emissions at the complainant’s dwellings shall be measured not further than 35m from the relevant dwelling building, and not closer than 10m of any reflective building or surface other than the ground, or within 1.2m of the ground.

- i) Within 21 days from receipt of a written request of the Local Planning Authority, following a complaint to it alleging noise disturbance at a dwelling which relates to amplitude modulation, the wind farm operator shall, at its expense, employ a consultant approved by the Local Planning Authority, to assess whether there is greater than expected amplitude modulation from the wind farm at the complainant’s property. The written request from the Local Planning Authority shall set out at least the date, time and location that the complaint relates to. Within 14 days of receipt of the written request of the Local Planning Authority made under this condition, the wind farm operator shall provide the information logged in accordance with this condition to the Local Planning Authority in the format set out in Guidance Note 1(e).

- ii) Prior to the commencement of any measurements by the independent consultant to be undertaken in accordance with this condition, the wind farm operator shall submit to the Local Planning Authority for written approval the proposed measurement location identified. Measurements to assess compliance with the noise limit of this condition shall be undertaken at the measurement location or locations approved in writing by the Local Planning Authority.
- iii) Prior to the submission of the independent consultant's assessment of the rating level of noise emissions in accordance with the requirements of this condition, the wind farm operator shall submit to the Local Planning Authority for written approval a proposed assessment protocol setting out the range of meteorological and operational conditions (which shall include the range of wind speeds, wind directions, power generation and times of day) to determine the assessment of rating level of noise emissions.
- iv) The proposed range of conditions shall be those which prevailed during times when the complainant alleges there was disturbance due to noise, or are identified as causing greater than expected amplitude modulation, having regard to the written request of the Local Planning Authority, and such other conditions as the independent consultant considers likely to result in a breach of the noise limits. The assessment of the noise emissions shall be undertaken in accordance with the assessment protocol approved in writing by the Local Planning Authority.
- v) The wind farm operator shall provide to the Local Planning Authority the independent consultant's assessment of greater than expected amplitude modulation within 2 months of the date of the written request of the Local Planning Authority unless the time limit is extended in writing by the Local Planning Authority. The assessment shall include all data collected for the purposes of undertaking the compliance measurements, such data to be provided in the format set out in Guidance Note 1(e) of the Guidance Notes. The instrumentation used to undertake the measurements shall be calibrated in accordance with Guidance Note 1(a) and certificates of calibration shall be submitted to the Local Planning Authority with the independent consultant's assessment of the rating level of noise emissions.
- vi) The wind farm operator shall continuously log power production, nacelle wind speed, nacelle wind direction and nacelle orientation at the wind turbine all in accordance with Guidance Note 1(d). 10m height wind speeds averaged over 10 minute periods shall be measured at a location approved by the local planning authority for comparison with noise levels, for the duration of the noise level compliance check survey. Rainfall shall also be measured during any measurement regime at a location approved by the local authority in writing. These data obtained shall be retained for the life of the planning permission. The wind farm operator shall provide this information in the format set out in Guidance Note 1(e) to the Local Planning Authority on its request, within 14 days of receipt in writing of such a request.

vii) Once the Local Planning Authority has received the independent consultant's noise assessment required by this condition, including all noise measurements and audio recordings, where the Local Planning Authority is satisfied of an established breach of the noise limit, upon notification by the Local Planning Authority in writing to the wind farm operator of the said breach, the wind farm operator shall within 14 days propose a scheme for the approval of the Local Planning Authority. The scheme shall be designed to mitigate the breach and to prevent its future recurrence. This scheme shall specify the timescales for implementation. The scheme shall be implemented as reasonably approved by the Local Planning Authority and according to the timescales within it. The scheme as implemented shall be retained thereafter unless otherwise agreed with the Local Planning Authority.

Reason: To ensure that the amenities of neighbouring occupiers are not prejudiced by excessive noise.

- 11 The turbine shall be fitted with 25 candela omni-directional red lighting at the highest practicable point and this shall be retained for the lifetime of the turbine.

Reason: In the interests of air safety.

- 12 The planning permission is for a period from the date of the installation until the date occurring 25 years after the date of Commissioning of the Development. Written confirmation of the date of commissioning of the development shall be provided to the Local Planning Authority no later than 1 calendar month after that event.

Reason: In the interests of visual amenity and landscape protection.

- 13 Not later than 3 months from the date that the planning permission hereby granted expires, or if the turbine ceases to operate for a continuous period of 6 months then, unless otherwise agreed in writing with the Local Planning Authority, it shall be dismantled and removed from the site and the land reinstated to its former condition.

Reason: To ensure that the turbine is removed at the end of its operational life and to safeguard the character of the locality.

Notes to Applicant

1. The granting of this planning permission does not absolve the applicants from complying with the relevant law protecting species, including obtaining and complying with the terms of conditions of any licences required, as described in Part IV B of *Circular 06/2005*.
2. Marston Moretaine Public Footpath No. 72 lies adjacent to the proposed development. The footpath does not appear to be affected by the proposal, however the surface of the footpath must not be disturbed and no materials can be stored on the path at any time.

The Applicant is advised that if the Public Footpath is to be temporarily closed a period of six weeks notice will be required to arrange the temporary closure.

3. The applicant is advised that in order to comply with Condition 5 of this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.

4. **Guidance Notes for Noise Conditions**

These notes are to be read with and form part of the noise conditions 9 and 10. They further explain the conditions and specify the methods to be deployed in the assessment of complaints about noise emissions from the wind farm. The rating level at each integer wind speed is the arithmetic sum of the wind farm noise level as determined from the best-fit curve described in Note 2 of these Guidance Notes and any tonal penalty applied in accordance with Note 3. References to assessment of rating levels does not apply to the assessment of greater than expected amplitude modulation. Reference to ETSU-R-97 refers to the publication entitled "The Assessment and Rating of Noise from Wind Farms" (1997) published by the Energy Technology Support unit (ETSU) for the Department of Trade and Industry (DTI).

Note 1 applies to noise condition 9 on planning permission and Note 1(e) & 1(d) also applies to noise condition 10 on planning permission

- (d) Values of the LA90,10-minute noise statistic required for condition 9 should be measured at the complainant's property, using a sound level meter of EN 60651/BS EN 60804 Type 1, or BS EN 61672 Class 1 quality (or the equivalent UK adopted standard in force at the time of the measurements) set to measure using the fast time weighted response as specified in BS EN 60651/BS EN 60804 or BS EN 61672-1 (or the equivalent UK adopted standard in force at the time of the measurements). This should be calibrated in accordance with the procedure specified in BS 4142: 1997 (or the equivalent UK adopted standard in force at the time of the measurements). Measurements shall be undertaken in such a manner to enable a tonal penalty to be applied in accordance with Guidance Note 3.
- (e) The microphone should be mounted at 1.2 - 1.5 metres above ground level, fitted with a two-layer windshield or suitable equivalent approved by the Local Planning Authority, and placed outside the complainant's dwelling. Measurements should be made in "free field" conditions. To achieve this, the microphone should be placed at least 3.5 metres away from the building facade or any reflecting surface except the ground at the

approved measurement location. In the event that the consent of the complainant for access to his or her property to undertake compliance measurements is withheld, the wind farm operator shall submit for the written approval of the Local Planning Authority details of the proposed alternative representative measurement location prior to the commencement of measurements and the measurements shall be undertaken at the approved alternative representative measurement location.

- (f) The LA90, 10-minute measurements should be synchronised with measurements of the 10-minute arithmetic average wind speed and with operational data logged in accordance with Guidance Note 1(d), including the power generation data from the turbine control systems of the wind farm.
- (g) To enable compliance with the conditions to be evaluated, the wind farm operator shall continuously log arithmetic mean wind speed in metres per second (m/s), arithmetic mean wind direction in degrees from north and rainfall data in each successive 10-minute periods by direct measurement at the meteorological monitoring location approved by the Local Planning Authority. In relation to noise condition 9 it is this procedure, which is determined as valid in accordance with Note 2(b), such correlation to be undertaken in the manner described in Note 2(c). The wind farm operator shall continuously log arithmetic mean nacelle anemometer wind speed, arithmetic mean nacelle orientation, arithmetic mean wind direction as measured at the nacelle and arithmetic mean power generated during each successive 10-minute period for each wind turbine on the wind farm. All 10-minute periods shall commence on the hour and in 10-minute increments thereafter synchronised with Greenwich Mean Time.
- (h) Data provided to the Local Planning Authority in accordance with paragraphs (E) (F) and (G) of noise condition 9 and as required under noise condition 10 shall be provided in comma separated values in electronic format.

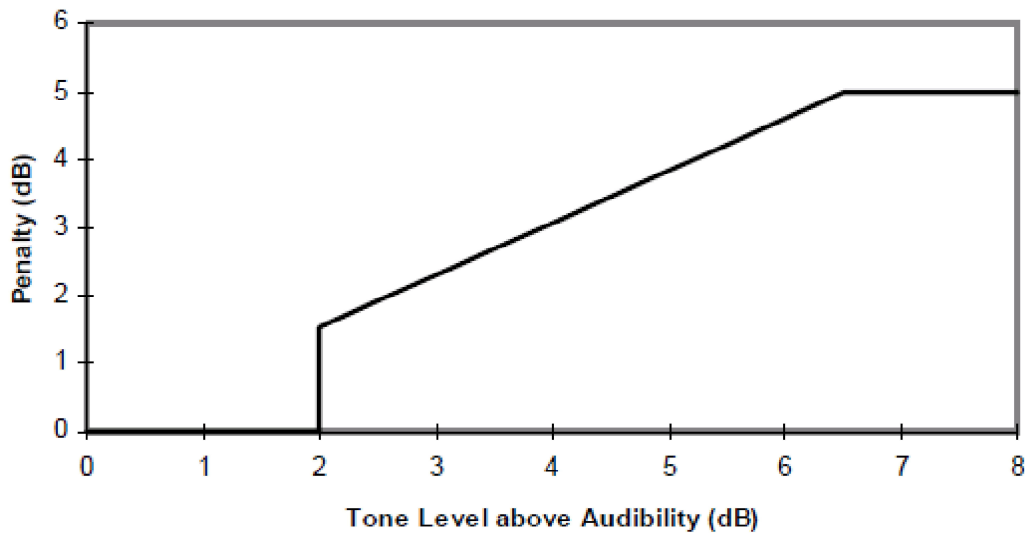
Note 2 applies to noise condition 9 on planning permission

- (a) The noise measurements should be made so as to provide not less than 20 valid data points as defined in Note 2 paragraph (b).
- (b) Valid data points are those measured in the conditions set out in the assessment protocol approved by the Local Planning Authority under paragraph (E) of the noise condition but excluding any periods of rainfall measured at the approved meteorological measurement location provided in accordance with the planning permission on the wind farm site.

- (c) Values of the LA90,10-minute noise measurements and corresponding values of the 10-minute ten metre height wind speed for those data points considered valid in accordance with Note 2 paragraph (b) shall be plotted on an XY chart with noise level on the Y-axis and wind speed on the X-axis. A least squares, "best fit" curve of an order deemed appropriate by the independent consultant (but which may not be higher than a fourth order) should be fitted to the data points and define the wind farm noise level at each integer speed.

Note 3

- (a) Where in accordance with the approved assessment protocol under paragraph (D) of noise condition 9, noise emissions at the location or locations where compliance measurements are being undertaken contain or are likely to contain a tonal component, a tonal penalty is to be calculated and applied using the following rating procedure.
- (b) For each 10-minute interval for which LA90,10-minute data have been determined as valid in accordance with Note 2 a tonal assessment shall be performed on noise emissions during 2 minutes of each 10-minute period. The 2-minute periods should be spaced at 10-minute intervals provided that uninterrupted uncorrupted data are available ("the standard procedure"). Where uncorrupted data are not available, the first available uninterrupted clean 2-minute period out of the affected overall 10-minute period shall be selected. Any such deviations from standard procedure shall be reported.
- (c) For each of the 2-minute samples the tone level above audibility (Lta), shall be calculated by comparison with the audibility criterion given in Section 2.1 on pages 104 -109 of ETSU-R-97.
- (d) The tone level above audibility (Lta) shall be plotted against wind speed for each of the 2-minute samples. Samples for which the tones were below the audibility criterion or no tone was identified, a value of zero audibility shall be substituted.
- (e) A least squares "best fit" linear regression shall then be performed to establish the average tone level above audibility for each integer wind speed derived from the value of the "best fit" line fitted to values within $\pm 0.5\text{m/s}$ of each integer wind speed. If there is no apparent trend with wind speed then a simple arithmetic mean shall be used. This process shall be repeated for each integer wind speed for which there is an assessment of overall levels in Note 2.
- (f) The tonal penalty is derived from the margin above audibility of the tone according to the figure below.

**Note 4**

- (a) If a tonal penalty is to be applied in accordance with Note 3 the rating level of the turbine noise at each wind speed is the arithmetic sum of the measured noise level as determined from the best fit curve described in Note 2 and the penalty for tonal noise as derived in accordance with Note 3 above at each integer wind speed within the range set out in the approved assessment protocol under paragraph (E) of the noise condition.
- (b) If no tonal penalty is to be applied then the rating level of the turbine noise at each wind speed is equal to the measured noise level as determined from the best fit curve described in Note 2.
- (c) In the event that the rating level is above the limit in the noise condition the independent consultant shall undertake a further assessment of the rating level to correct for background noise so that the rated level relates to wind turbine noise emission only.
- (d) The wind farm operator shall ensure that all the wind turbines in the development are turned off for such period as the independent consultant or the Local Planning Authority requires to undertake the further assessment. The further assessment shall be undertaken in accordance with the following steps:
- i. Repeating the steps in Note 2, with the wind farm switched off, and determining the background noise (L_3) at each integer wind speed within the range set out in the approved assessment protocol under paragraph (E) of the noise condition.
 - ii. The wind farm noise (L_1) at this speed shall then be calculated as follows where L_2 is the measured level with turbines running but without the addition of any tonal penalty:

$$L_1 = 10 \log \left[10^{L_2/10} - 10^{L_3/10} \right]$$

- iii. The rating level shall be re-calculated by adding the tonal penalty (if any is applied in accordance with Note 3) to the derived wind farm noise L_1 at that integer wind speed.
- iv. If the rating level after adjustment for background noise contribution and adjustment for tonal penalty (if required in accordance with note (iii) above) at any integer wind speed lies at or below the values set out in the Tables attached to the conditions or at or below the noise limits approved by the Local Planning Authority for a complainant's dwelling in accordance with paragraph (C) of the noise condition then no further action is necessary. If the rating level at any integer wind speed exceeds the values set out in the Tables attached to the conditions or the noise limits approved by the Local Planning Authority for a complainant's dwelling in accordance with paragraph (C) of the noise condition then the development fails to comply with the conditions.

[Notes:-

1. In advance of consideration of the application the Committee were advised of consultation received as set out in the Schedule attached to these Minutes.
2. In advance of consideration of the application the Committee received representations made in accordance with the Public Participation Scheme.]

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Item No. 10

APPLICATION NUMBER CB/09/06296/OUT
LOCATION Land Off, Chapel Close, Clifton
PROPOSAL Outline: Residential development of up to 12 no. dwellings with all matters reserved except access.
PARISH Clifton
WARD Langford and Henlow
WARD COUNCILLORS Cllr Jon Clarke & Cllr Tony Rogers
CASE OFFICER Godwin Eweka
DATE REGISTERED 15 October 2009
EXPIRY DATE 14 January 2010
APPLICANT Alderwine Limited
AGENT Phillips Planning Services Ltd
REASON FOR COMMITTEE TO DETERMINE Cllr Rogers on grounds of overdevelopment

RECOMMENDED DECISION Outline Application - Granted

Reasons for Granting

The proposed site lies within the 'Settlement Envelope' of Clifton and whilst this is an outline application for residential development, it is considered that the principle of a residential development is acceptable and in accordance with Policies CS1; CS2; CS7; CS16; DM2; DM3; DM4; DM10 and DM15 of the Central Bedfordshire Core Strategy and Development Management Policies (November 2009).

Recommendation

That Outline Permission be granted subject to the following:

- 1 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 92 (2) (a) and (4) of the Town and Country Planning Act 1990.

- 2 Approval of the details of:-
 - (a) the layout of the building(s);
 - (b) the scale of the building(s);
 - (c) the appearance of the building(s);
 - (d) the landscaping of the site;

(hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced. Plans and particulars of all of the reserved matters referred to above shall be submitted in writing to the Local Planning Authority and the development shall be implemented as approved.

Reason: To enable the Local Planning Authority to exercise control over the said matters which are not particularised in the application for planning permission in accordance with Section 92 of the Town and Country Planning Act 1990 and Town and Country Planning (General Development Procedure) Order 1995.

- 3 The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To comply with the provisions of Sections 92 (2) (b) and (4) of the Town and Country Planning Act 1990.

- 4 The scheme approved in condition 1 shall be carried out by a date which shall be not later than the end of the full planting season immediately following the first occupation of the development hereby approved.

Thereafter the planting shall be adequately maintained for a period of five years from the date of planting. Any of the trees or shrubs or both which die or are removed, or which become severely damaged or seriously diseased (during the said period of five years) shall be replaced with trees or shrubs or both, as the case may be, of similar size and species to those originally required to be planted and the same shall be maintained until properly established.

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

- 5 **Details of the method of disposal of foul and surface water drainage shall be submitted to and agreed in writing by the Local Planning Authority including any land drainage system, before the development is commenced. 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.

- 6 **Development shall not begin until the detailed plans and sections of the proposed road, 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 thereto has been constructed (apart from final surfacing) in accordance with the approved details.**

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

- 7 The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall illustrate a 2.0m service strip at the back of the turning head

Reason: For the avoidance of doubt.

- 8 **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.

- 9 **Details of precautionary measures to be implemented during construction works to avoid impacts on protected species, shall be submitted to and approved by the Local Planning Authority prior to development commencing. The development shall be implemented in accordance with the details approved.**

Reason: In the interests of the environment and protected species and in accordance with Policy DM15 of the Central Bedfordshire Core Strategy and Development Management Policies (2009) and PPS9 (Biodiversity and Geological Conservation).

- 10 The development shall be implemented in accordance with the actions set out on Page 2 of the Phase 1 Habitat Survey dated November 2009, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the environment and protected species and in accordance with Policy DM15 of the Central Bedfordshire Core Strategy and Development Management Policies (2009) and PPS9 (Biodiversity and Geological Conservation).

- 11 **No development shall commence until details of habitat creation and long-term management have been submitted to and approved by the Local Planning Authority. The development shall accord with the details approved.**

Reason: In the interests of the environment and protected species and in accordance with Policy DM15 of the Central Bedfordshire Core Strategy and Development Management Policies (2009) and PPS9 (Biodiversity and Geological Conservation).

- 12 No more than 12 dwellings shall be erected on the site pursuant to this planning approval.

Reason: In order to safeguard the neighbouring residential properties and their amenities.

[Notes:-

1. In advance of consideration of the application the Committee were advised of consultation received as set out in the Late Sheet attached to these Minutes.

2. In advance of consideration of the application the Committee received representations made in accordance with the Public Participation Scheme.]

Item No. 12

APPLICATION NUMBER CB/09/06722/FULL
LOCATION Land On The South Side Of Rugby Club, Woburn Street, Ampthill
PROPOSAL Full: Change of use from Agricultural Land to D2 Sports Pitches, Training Land with associated Groundworks.
PARISH Ampthill
WARD Ampthill
WARD COUNCILLORS Cllr Paul Duckett, Cllr Gary Summerfield
CASE OFFICER Mary Collins
DATE REGISTERED 07 December 2009
EXPIRY DATE 08 March 2010
APPLICANT Ampthill & District RUFC
AGENT Aragon Land and Planning UK LLP
REASON FOR COMMITTEE TO DETERMINE Councillor call in Cllr Summerfield: Effects on SSSI at Coopers Hill

RECOMMENDED DECISION Full Application - Granted

Reasons for Granting

The proposal is in conformity with Policy DM3 of the Core Strategy and Development Management Policies, Central Bedfordshire (North), November 2009, as it is appropriate in scale and design to its setting and respects the amenity of surrounding properties; DM14 as the proposal will not have an unacceptable impact on the landscape character of the area and DM15 as biodiversity is protected, appropriate mitigation measures will be carried out and the scheme will provide long term benefits for wildlife; Policy CS11 as the proposal supports the leisure developments in the countryside and which provides opportunities for rural diversification and is well located to support local services, businesses and other tourist attractions.

The proposal is in conformity with PPS5: Planning for the Historic Environment as the proposal reduces risks to a heritage asset.

It is also in accordance with Planning Policy Guidance: PPS1: Delivering Sustainable Development, PPG 2: Green Belt as the proposal does not affect the openness of the Green Belt and PPS 9: Biodiversity and Geological Conservation as biodiversity is safeguarded.

Recommendation

That Planning Permission be Granted subject to the following:

- 1 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 **No works shall commence on site until a scheme for the provision, implementation, ownership and maintenance of the surface water drainage system for the rugby pitches has been submitted to and agreed in writing with the Local Planning Authority . The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme and shall demonstrate that there will be no additional run-off from the site.**

Reason: To prevent flooding by ensuring that satisfactory storage/disposal of surface water on the site up to the critical 1:100 year critical storm with climate change allowance and in doing so ensure that there is no increased flood risk elsewhere.

- 3 **Prior to the commencement of development a scheme setting out measures for protecting all trees, shrubs and other natural features 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.

- 4 **The development permitted by this planning permission shall only be carried out in accordance with the approved biodiversity mitigation measures outlined in Section 5.1 of the Further Reptile and Nesting Bird Surveys dated 27 July 2010, compiled by Adonis Ecology Ltd unless otherwise agreed in writing by the Local Planning Authority.**

Reason: To ensure biodiversity interests are safeguarded in line with PPS9.

- 5 **If, during development contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority, for a Method Statement detailing how this unsuspected contamination shall be dealt with.**

Reason: To ensure that any potential land contamination is identified and appropriate remedial measures taken to produce a site that is free from harm to humans and ground water and is suitable for its proposed end use.

- 6 **Before development takes place details of how direct access between the A507 and the site for vehicles other than ground maintenance and emergency vehicles is to be prevented should be submitted to and approved in writing by the local planning authority. The approved details shall be implemented before the new facilities are first brought into use and thereafter retained for such purpose.**

Reason: In the interest of highway safety and for the avoidance of doubt.

- 7 Notwithstanding the approved plans, a 1.8 metre high chain link fence shall be erected in the positions shown on drawing 1370/10/1 prior to first use of the pitches. The fencing shall be kept in a good state of repair and retained at all times in perpetuity.

Reason: To ensure that the SSSI is protected against incursions by pedestrians.

- 8 The development permitted by this planning permission shall only be carried out in accordance with the habitat creation works outlined in Section 5.2 of the Further Reptile and Nesting Bird Surveys dated 27 July 2010, compiled by Adonis Ecology Ltd and shall relate to the areas shown on the plan at Appendix 1, Figure 3 attached to the report unless otherwise agreed in writing by the Local Planning Authority.

All habitat creation works shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. The works shall be undertaken not later than the end of the full planting season immediately following the completion of the development.

The sward development shall be monitored over the initial five years and the results reported annually to Natural England through the Local Planning Authority.

Reason: To create potential biodiversity gain through the appropriate design and management of wildlife enhancements within the development in line with PPS9.

- 9 The development permitted by this planning permission shall only be carried out in accordance with the principles for habitat enhancement management outlined in Section 5.2 of the Further Reptile and Nesting Bird Surveys dated 27 July 2010, compiled by Adonis Ecology Ltd and shown on the areas on the plan at Figure 3 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure existing or new habitats affected by development are managed effectively over an established period.

- 10 No works shall be commenced for the erection of any building or structure (including the erection of any lighting columns) within the area defined by the red line on site location plan Figure 3 without the specific grant of planning permission by the Local Planning Authority.

Reason: To protect the amenities of nearby occupiers and to protect the character and appearance of the surrounding countryside.

- 11 This permission does not authorise the use of the access from the A507 by vehicular traffic other than by vehicles used for ground maintenance or emergency vehicles.

Reason: To ensure safety of road users of A507.

- 12 The bund shown on drawing 805/002 Revision T4 shall be constructed before the rugby pitches are first laid. The bund shall be kept in a good state of repair and retained at all times in perpetuity.

Reason: To mitigate against water run off and fertilisers washing off into the lower and adjoining SSSI.

Notes to Applicant

1. On uncontaminated land soakaways would be permissible for the disposal of clean surface water. Percolation tests should be undertaken, and soakaways designed and constructed in accordance with BRE Digest 365 (or CIRIA Report 156), and to the satisfaction of the Local Authority. The maximum acceptable depth for soakaways is 2 metres below existing ground level. If, after tests, it is found that soakaways do not work satisfactorily, alternative proposals must be submitted.
2. The granting of this planning permission does not absolve the applicants from complying with the relevant law protecting species, including obtaining and complying with the terms of conditions of any licences required, as described in Part IV B of *Circular 06/2005*.
3. The surface of the public footpath must not be disturbed and no materials can be stored on the path at any time.
The Applicant is advised that if the Public Footpath is to be temporarily closed a period of six weeks notice will be required to arrange the temporary closure. Please contact Gemma Game, Rights of Way Officer, Central Bedfordshire Council on 0300 300 6574.
4. A surface water drainage scheme is required to effectively manage water run-off from the site so not to increase flooding on site or off site. The applicant will need to obtain water run-off calculations to provide information on the necessary storage/disposal (eg soakaways) of the surface water to the 1:100 year critical storm with climate change allowance that are necessary for this site.
5. The existing track between the clubhouse and the new pitches is on the line of Footpath 15 and is a right of way. Vehicles are unable to use this route.

6. No development, access for machinery or storage of materials can occur on the SSSI at any time. Many of the habitats which can be found at Cooper's Hill are fragile and damage caused by construction may take many years to recover if they do at all.

[Notes:-

1. In advance of consideration of the application the Committee were advised of consultation received as set out in the Late Sheet attached to these Minutes.
2. In advance of consideration of the application the Committee received representations made in accordance with the Public Participation Scheme.
3. Condition 12 was added and Note to Applicant No. 6 was added.

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Item No. 13

APPLICATION NUMBER	CB/10/03477/FULL
LOCATION	2 High Street, Stotfold, Hitchin, SG5 4LL
PROPOSAL	Full: Proposed detached dwelling to the rear garden of existing house
PARISH	Stotfold
WARD	Stotfold & Arleseay
WARD COUNCILLORS	Cllr Dalgarno, Cllr Saunders, Cllr Street & Cllr Turner
CASE OFFICER	Godwin Eweka
DATE REGISTERED	21 September 2010
EXPIRY DATE	16 November 2010
APPLICANT	Mr McNeill
AGENT	Aria Design
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	Cllr Turner – Backland development and design, not in keeping with other residential properties
	Full Application - Granted

Delegated Application – See Minute No. DM/10/132

That planning permission be delegated to the Director of Sustainable Communities to refuse the application for the following reasons:-

1. The proposal by reason of its size, siting and design, would result in cramped form of inappropriate backland development harmful to the character and appearance of the surrounding area. As such, the proposal is contrary to Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009) and Planning Policy Statement (PPS3-Housing).
2. The proposed development by reason of its size, siting and design, would result in an unacceptable loss of amenity by way of loss of light, loss of privacy and overshadowing to adjacent dwellings. As such, the proposal would be contrary to Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

[Notes:- In advance of consideration of the application the Committee received representations made in accordance with the Public Participation Scheme.]

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Item No. 14

APPLICATION NUMBER CB/10/02726/FULL
LOCATION The Village Hall, High Street, Ridgmont, Bedford, MK43 0TS
PROPOSAL The Village Hall, High Street, Ridgmont, Bedford, MK43 0TS
PARISH Ridgmont
WARD Woburn & Harlington
WARD COUNCILLORS Cllr B Wells, Cllr F Chapman
CASE OFFICER Mary Collins
DATE REGISTERED 16 July 2010
EXPIRY DATE 10 September 2010
APPLICANT Trustees of the Ridgmont Charity
AGENT Kirkby & Diamond
REASON FOR COMMITTEE TO DETERMINE Contrary to Policy CS3

RECOMMENDED DECISION Full Application – Granted subject to the completion of a legal agreement.

Reasons for Granting

The proposal is in conformity with Policies CS15 and DM13 of the Core Strategy and Development Management Policies, Central Bedfordshire (North), November 2009 as it is not considered inappropriate development within a Conservation Area and Policy DM3 as the proposal respects the amenity of surrounding properties and respects and complements the context and setting of the designated Ridgmont Conservation Area. It is also in accordance with Planning Policy Guidance: PPS1: Delivering Sustainable Development, PPS3: Housing and PPS5: Planning for Historic Environment as the development does not unacceptably adversely impact upon the character or appearance of the Conservation Area.

Recommendation

That Planning Permission be Granted subject to the following:

- 1 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 **No development shall take place until internal floor plans to a scale of 1:50 or 1:100 have been submitted to and approved in writing by the Local Planning Authority showing the final first and ground floor layout of the dwelling.**

Reason: To protect the visual amenities of conservation area and to protect the amenities of adjoining properties.

- 3 **No development shall take place until details of a privacy screen to be installed to the parapet walls on each side of the flat roofed single storey extension to the northern end of the existing building and to achieve an overall height of 2m have been submitted to and agreed in writing by the Local Planning Authority.**

The screens shall be constructed in accordance with the approved details and shall be retained in perpetuity.

Reason: To ensure that the privacy of adjoining residential properties is not detrimentally affected.

- 4 **No development shall commence until a scheme for the secure and covered parking of cycles on the site (including the internal dimensions of the cycle parking area, stands/brackets to be used and access thereto), calculated at one cycle parking space per bedroom and 2 short stay spaces, has been 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.

- 5 Notwithstanding Schedule 2, Part 1, Class A, B, C, D, E, F, G and H 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 the external alteration or extension of the dwelling hereby permitted or for the erection of any building/ structure within its curtilage without the specific grant of planning permission.

Reason: To protect the visual amenities of conservation area and to protect the amenities of adjoining properties.

- 6 The internal ground and first floor levels of the building shall not be raised or lowered unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the visual amenities of conservation area and to protect the amenities of adjoining properties.

- 7 Before the premises are occupied all on site vehicular areas shall be surfaced in a stable and durable manner in accordance with details to be approved in writing by the Local Planning Authority. Arrangements shall be made for surface water drainage from the site to soak away within the site so that it does not discharge into the highway or into the main drainage system.

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

- 8 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 the interest of amenity and in order to minimise danger, obstruction and inconvenience to users of the highway and the premises.

- 9 This permission relates to the change of use of the building to a single dwelling only.

Reason: For the avoidance of doubt.

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 the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, Technology House, 239 Ampthill Road, Bedford MK42 9BD.
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 all cycle parking to be provided within the site shall be designed in accordance with the Bedfordshire County Council's "Cycle Parking Guidance - August 2006".
4. The privacy screen to be installed to the parapet walls on each side of the flat roofed single storey extension to the northern end of the existing building shall be to an overall height of two metres measured from flat roof level. An obscurely glazed screen is considered to be a contemporary material which would be appropriate on this building and would prevent loss of privacy through overlooking.

[Note:

1. In advance of consideration of the application the Committee received representations made in accordance with the Public Participation Scheme.
2. It was agreed that approval was conditional upon satisfactory receipt of a S106 agreement.]

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Item No. 15

APPLICATION NUMBER	CB/10/03413/FULL
LOCATION	Cranfield University playing field, land adjacent to Prince Philip Avenue, Cranfield
PROPOSAL	Full: Erection of a multi use games area, consisting of two five-a-side football pitches, floodlighting and associated landscaping.
PARISH	Cranfield
WARD	Cranfield
WARD COUNCILLORS	Cllr K Matthews, Cllr A Bastable
CASE OFFICER	Clare Golden
DATE REGISTERED	13 September 2010
EXPIRY DATE	08 November 2010
APPLICANT	Cranfield University
AGENT	Turnberry Consulting
REASON FOR COMMITTEE TO DETERMINE	Councillor Bastable requested that this application be brought to the Development Management Committee following concerns from Cranfield Parish Council about the impact of the proposed floodlighting on surrounding residential amenity.
RECOMMENDED DECISION	Full Application - Granted

Reasons for Granting

The scheme, by reason of its site, design and location is in conformity with Planning Policy Guidance: PPS1: Delivering Sustainable Development, PPS7: Rural Areas, PPG13: Transport, PPG17: Sport and Recreation, and Planning Policies CS3, CS4, DM3, DM4, DM11 and DM17 of the Core Strategy Development Management Policies, Adopted November 2009, and 'Design in Central Bedfordshire', Adopted Supplementary Planning Document, 2010.

Recommendation

That Planning Permission be Granted subject to the following:

- 1 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 **Development shall not commence until a scheme detailing temporary access provision to and from the site for construction traffic, 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 and thereafter the temporary access shall be closed and re-instated.**

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

- 3 **Development shall not commence until a scheme detailing provision for temporary 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 and thereafter the temporary parking area shall be closed and re-instated to its former condition.**

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

- 4 **Prior to the commencement of development a scheme setting out measures for protecting all trees, shrubs and other natural features 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;**

- 1. 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;**
- 2. 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;**
- 3. 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.

- 5 The proposed means of illumination shall be shielded so that no glare or dazzle occurs to drivers of vehicles using the public highway. (HC 34)

Reason: In the interest of road safety.

- 6 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 groundworks have been completed.

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.

- 7 External lighting on the development site shall not be used except between the hours of 8am and 10pm without the prior agreement in writing of the Local Planning Authority.

Reason: To preserve the residential amenities of occupiers of nearby residential dwellings.

- 8 The external lighting installed on the site shall be implemented and maintained as approved. Should any unacceptable glare be caused to occupiers of the surrounding dwellings in the first 12 months following installation of the floodlights, the lighting shall be revised or adjusted to rectify this.

Reason: To preserve the residential amenities of occupiers of nearby residential dwellings.

- 9 Before development begins, a scheme for the short stay parking of cycles on the site (including the dimensions of the cycle parking area, stands/brackets to be used and access thereto), calculated at 5 cycle parking spaces per pitch, 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 in accordance with Policy CS4 of the Adopted Core Strategy and PPG13: Transport.

Notes to Applicant

1. The applicant is advised that no works associated with the construction of the temporary 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 Highway Help Desk, Technology House, 239 Ampthill Road, Bedford MK42 9BA 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 temporary 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.
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 Traffic Management Group Highways and Transport Division, Central Bedfordshire

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.
4. The applicant is advised that the closure and re-instatement of the temporary access at the end of the construction period shall include the reinstatement of the highway to include any footway, verge and kerbing in a manner to be agreed in writing with Central Bedfordshire Council's Customer Contact Centre on 0300 300 8049. No work shall be carried out within the confines of the public highway without prior consent. The applicant will also be expected to bear all costs involved in closing and re-instatement of the temporary access.

[Notes:-

1. In advance of consideration of the application the Committee were advised of consultation received as set out in the Late Sheet attached to these Minutes.
2. In advance of consideration of the application the Committee received representations made in accordance with the Public Participation Scheme.
3. In addition, it was noted that condition 9 was revised as above and a new condition 10 has been added.]

Item No. 16

APPLICATION NUMBER	CB/10/03471/FULL
LOCATION	10 Browns Way, Aspley Guise, Milton Keynes, MK17 8JA
PROPOSAL	Full: 2 storey rear extension. Enclosed front entrance porch. Minor internal alterations.
PARISH	Aspley Guise
WARD	Woburn & Harlington
WARD COUNCILLORS	Cllr Chapman & Cllr Wells
CASE OFFICER	Mary Collins
DATE REGISTERED	21 September 2010
EXPIRY DATE	16 November 2010
APPLICANT	Mr & Mrs Brayson
AGENT	
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	Called in by Councillor Chapman for overdevelopment
	Full Application - Granted

Reasons for Granting

The proposal is in conformity with Policy DM3 of the Core Strategy and Development Management Policies, Central Bedfordshire (North), November 2009 as the proposal is appropriate in scale and design to its setting and respects the amenity of surrounding properties. It is also in accordance with Planning Policy Guidance: PPS1: Delivering Sustainable Development and PPS3: Housing.

- 1 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 All external works hereby permitted shall be carried out in materials to match as closely as possible in colour, type and texture, those of the existing building.

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 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 either side elevation of the extension hereby approved.

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

[Notes:-

1. In advance of consideration of the application the Committee were advised of consultation received as set out in the Late Sheet attached to these Minutes.
2. In advance of consideration of the application the Committee received representations made in accordance with the Public Participation Scheme.]

Item No. 17

APPLICATION NUMBER CB/10/03547/FULL
LOCATION 15 Walton Close, Shefford, SG17 5RX
PROPOSAL Full: Single storey rear extension.
PARISH Shefford
WARD Shefford
WARD COUNCILLORS Cllr L Birt, Cllr A Brown
CASE OFFICER Sarah Fortune
DATE REGISTERED 24 September 2010
EXPIRY DATE 19 November 2010
APPLICANT Mr M Liddiard
AGENT
REASON FOR COMMITTEE TO DETERMINE Called in by Cllr L Birt on grounds of over bearing impact on adjacent property.

RECOMMENDED DECISION Full Application - Granted

Reasons for Granting

In view of the fact that there are no policy objections to the extension and its size, siting and design are in keeping with house and the area generally and there is not an unduly adverse impact on the amenities of any neighbours the application is recommended for approval as being in compliance with policies in the Core Strategy and Development Management Policy Document dated November 2009 and PPS3

Recommendation

It is recommended that planning permission be granted

- 1 All external works hereby permitted shall be carried out in materials to match as closely as possible in colour, type and texture, those of the existing building.

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.

Notes to Applicant

[Notes:- In advance of consideration of the application the Committee received representations made in accordance with the Public Participation Scheme.]

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Item No. 18

APPLICATION NUMBER	CB/10/03622/FULL
LOCATION	34 Chase Hill Road, Arlesey, SG15 6UE
PROPOSAL	Full: Single storey rear extension
PARISH	Arlesey
WARD	Stotfold & Arlesey
WARD COUNCILLORS	Cllr I Dalgarno, Cllr J Saunders, Cllr J Street & Cllr C Turner
CASE OFFICER	Kate Phillips
DATE REGISTERED	30 September 2010
EXPIRY DATE	25 November 2010
APPLICANT	Mr & Mrs Newlands
AGENT	ArchiTech Ltd
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	The applicant is a member of staff at the Council
	Full Application - Granted

Reasons for Granting

The proposal to erect a single storey rear extension would not impact detrimentally upon either the character and appearance of the surrounding area or upon the residential amenity of any nearby residential properties. The scheme therefore, by reason of its site, design and location, is in conformity with Planning Policy Statement 1 (2005), Planning Policy Statement 3 (2010) and Policy DM3 of the Central Bedfordshire Council's Core Strategy and Development Management Policies Development Plan Document (2009). It is further in conformity with the Central Bedfordshire Council's Technical Guidance - Design Supplement 4: Residential Alterations and Extensions (2010).

Recommendation

That planning permission be granted subject to the following:

- 1 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 All external works hereby permitted shall be carried out in materials to match as closely as possible in colour, type and texture, those of the existing building.

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 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 side elevations of the building.

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

[Notes:- In advance of the consideration of the application the Committee were advised of consultation received as set out in the Late Sheet attached to these Minutes.]

Item No. 19

APPLICATION NUMBER	CB/10/02921/FULL
LOCATION	John Donne Lower School, High Street, Blunham, Bedford, MK44 3NL
PROPOSAL	Erection of new nursery building and extensions to existing school building including replacement windows
PARISH	Blunham
WARD	Northill and Blunham
WARD COUNCILLORS	Cllrs Caroline Maudlin & Tricia Turner
CASE OFFICER	Annabel Gammell
DATE REGISTERED	12 August 2010
EXPIRY DATE	07 October 2010
APPLICANT	John Donne VA Lower School
AGENT	Mr D Beynon
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	An objection to an application on land the council owns
	Full Application - Granted

Reasons for Granting

The proposed new building and two extensions to the main school building would not have a negative impact upon the general character of the area or an adverse impact on the residential amenity of neighbouring properties and is acceptable in terms of highway safety therefore by reason of its site, design and location, is in conformity with Policies, DM13, CS15 and DM3 of the Core Strategy and Management Policies, November 2009; Planning Policy Statement 1 (2005), Planning Policy Statement 5 (2010), Regional policies in the East of England Plan (May 2008) and the Milton Keynes and South Midlands Sub-Regional Strategy (March 2005). It is in further conformity with technical guidance, Design in Central Bedfordshire, a Guide for Development.

Recommendation

That Planning Permission be granted subject to the following:

- 1 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 All external works hereby permitted shall be carried out in materials to match as closely as possible in colour, type and texture, those of the existing building.

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 **No development shall take place until the applicant or developer has secured the implementation of a Written Scheme of Archaeological Investigation which has been submitted to and approved by the Local Planning Authority. The said development shall only be implemented in accordance with the scheme thereby approved.**

Reason: To safeguard any material of archaeological interest which exists on the site.

- 4 Finished floor levels of the new nursery shall be set no lower than 20.40maOD and of the new extension no lower than existing as shown on drawing number 4313/03 rev D.

Reason: To reduce the impact of flooding on the proposed development and future occupants.

- 5 Prior to the commencement of any development, a scheme for the provision and implementation of Flood Resilient Construction shall be submitted and agreed in writing with the Local Authority. Flood Resilient Construction should be provided up to a level of at least 20.70maOD. The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such time as may be specified in the approved scheme.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

- 6 Surface water shall be disposed of via a suitably designed infiltration system (designed and constructed in accordance with BRE Digest 365 as shown on drawing number 4313/03 rev D and the information submitted from RSK STATS Geoconsult Ltd. The soakaways shall be maintained and managed in perpetuity of the development.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of these.

[Notes:-

1. In advance of consideration of the application the Committee were advised of consultation received as set out in the Late Sheet attached to these Minutes.
2. Conditions 4 – 6 have been added.]