

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 2 April 2014

PRESENT

Cllr K C Matthews (Chairman)

Cllrs	P N Aldis	Cllrs	Mrs B Coleman
	A R Bastable		I Dalgarno
	R D Berry		K Janes
	M C Blair		T Nicols
	D Bowater		I Shingler
	A D Brown		B J Spurr
	Mrs C F Chapman MBE		J N Young
	Mrs S Clark		

Apologies for Absence: Cllrs Ms C Maudlin
A Shadbolt

Substitutes: Cllrs K M Collins (In place of A Shadbolt)
Mrs R J Drinkwater (In place of Ms C Maudlin)

Members in Attendance: Cllrs P A Duckett
R W Johnstone
Mrs M Mustoe
B Saunders
R C Stay,

Officers in Attendance:	Miss H Bell	Committee Services Officer
	Miss S Boyd	Senior Planning Officer
	Mr A Bunu	Senior Planning Officer
	Mr J Clements	Planning Officer
	Mr A Davie	Head of Development Management
	Mr J Ellis	Planning Manager West
	Mr A Emerton	Managing Solicitor Planning, Property, Highways & Transportation
	Miss A Gammell	Senior Planning Officer
	Mr D Hale	Planning Manager South
	Mr D Lamb	Planning Manager East
	Mr D Peachey	Principal Minerals and Waste Planning Officer
	Mr R Preston	Team Leader, Highways Development Management
	Mr N Smith	Senior Planning Officer
	Mrs G Toye	Minerals and Waste Planning Officer
	Miss D Wilcox	Planning Officer

DM/13/101 **Chairman's Announcements**

The Chairman asked all persons present to silence their mobile phones for the duration of the meeting.

The Chairman advised that he intended to vary the order of business as follows: Item 6, 9, 8, 10, 13, 14, 11, 12 and 7.

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

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

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

DM/13/102 **Minutes**

RESOLVED

that the Minutes of the Special meeting of the Development Management Committee held on the 28 February 2014 and the meeting of the Development Management Committee held on 5 March 2014 be confirmed and signed by the Chairman as a correct record.

DM/13/103 **Members' Interests**

(a) **Personal Interests:-**

Member	Item	Nature of Interest	Present or Absent during discussion
Cllr Blair	10	Met with residents	Present
Cllr Dalgarno	8	Briefed on item	Present
Cllr Coleman	9	Formally knew registered objector	Present

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

None declared

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

Member	Item	Parish/Town Council	Vote Cast
Cllr A R Bastable	13 & 14	Cranfield Parish Council	No vote
Cllr M Blair	10	Amphill Town Council	No vote
Cllr S Clark	13 & 14	Cranfield Parish Council	No vote
Cllr K Collins	8 & 9	Kensworth Parish Council	No vote
Cllr P N Aldis	6	Sandy Town Council	No vote

DM/13/104 **Planning Enforcement Cases Where Formal Action Has Been Taken**

AGREED

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

DM/13/105 **Late Sheet**

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

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

DM/13/106 **Planning Application No. CB/13/02916/FULL**

RESOLVED

that Planning Application No. CB/13/02916/FULL relating to the RSPB Reserve, Potton Road, Sandy SG19 2DL be approved as set out in the Schedule appended to these Minutes.

DM/13/107 Planning Application No. CB/14/00213/FULL

RESOLVED

that Planning Application No. CB/14/00213/FULL relating to 46 Maple Way, Kensworth, Dunstable LU6 3RT be refused as set out in the Schedule appended to these Minutes.

DM/13/108 Planning Application No. CB/14/00018/REG3

RESOLVED

that Planning Application No. CB/14/00018/REG3 relating to Chiltern Gateway Centre, Dunstable Road, Whipsnade, Dunstable LU6 2GY be approved as set out in the Schedule appended to these Minutes.

DM/13/109 Planning Application No. CB/13/03499/FULL

RESOLVED

That subject to no further objections being received the Head of Development Management Committee be delegated authority to approve Planning Application No. CB/13/03499/FULL relating to Russell House, 14 Dunstable Street, Ampthill, Bedford MK45 2JT as set out in the Schedule appended to these Minutes.

DM/13/110 Planning Application No. CB/14/00038/FULL

RESOLVED

that Planning Application No. CB/14/00038/FULL relating to Land adj. to 2 Windmill way, Cranfield, Bedford MK43 0HL be approved as set out in the Schedule appended to these Minutes.

DM/13/111 Planning Application No. CB/14/00019/FULL

RESOLVED

that Planning Application No. CB/14/00019/FULL relating to 115 Bedford Road, Cranfield be approved as set out in the Schedule appended to these Minutes.

DM/13/112 **Planning Application No. CB/13/04006/MW**

RESOLVED

that Planning Application No. CB/13/04006/MW relating to Stone Lane Quarry, Woburn Road, Heath and Reach be approved as set out in the Schedule appended to these Minutes.

DM/13/113 **Planning Application No. CB/14/00134/MW**

RESOLVED

that Planning Application No. CB/14/00134/MW relating to Sundon Landfill Site, Common Lane, Sundon, Luton LU3 3PF be approved as set out in the Schedule appended to these Minutes.

DM/13/114 **Planning Application No. CB/14/00389/REG3**

RESOLVED

that Planning Application No. CB/14/00389/REG3 relating to Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ be approved as set out in the Schedule appended to these Minutes.

DM/13/115 **HRN1 update**

The Committee noted an oral update on Houghton Regis North 1 Site. It was advised that Luton Borough Council had lodged a Judicial Review of the Secretary of State's decision not to call in the planning application for the Houghton Regis North1 Site. An update report would be an agenda item at future Development Management Committee meetings.

DM/13/116 **Site Inspection Appointment(s)**

RESOLVED

That in accordance with the guidelines contained in the Code of Conduct for Planning Procedures, all Members of the Committee and Substitutes be invited to attend site visits to be convened on Friday 2 May 2014.

(Note: The meeting commenced at 10.00 a.m. and concluded at 1.40 p.m.)

Chairman

Dated

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LATE SHEET

DEVELOPMENT MANAGEMENT COMMITTEE – 2nd APRIL 2014

Item 6 (Page 13-66) – CB/13/02916/FULL – The RSPB Reserve, Potton Road, Sandy.

Additional Consultation/Publicity Responses

6 further letters from the public supporting the proposal

1 letter objecting to the development – ineffective means of power generation.

Rights of Way Officer: I have no material objections to the location or the structure however I am aware of aspirations to create a pedestrian/cycle access route along the northern boundary of the application site that is just within the RSPB hedge line. If this pedestrian access route were able to cross the entrance splay to the turbine site without hindrance both objectives would be easily met as the actual location of the tower is not near the aspirational route.

CPRE (Campaign for Protection of Rural England) received 27/3/14:

CPRE Cambridgeshire and Peterborough wishes to make the following comments: We note that the major impact will be on the landscape of Bedfordshire, and we note the comments of Central Bedfordshire's Landscape Officer which identify the adverse impacts of the proposal. We see that the proposed turbine would be visually close to the existing TV Transmitter, giving rise to concerns about added "clutter" through cumulative impact. Given the importance of the Greensand Ridge in the lowland landscape of this part of eastern England, it is hoped that substantial weight will be given to these points.

We also note the concerns expressed by English Heritage of the adverse impact on heritage assets. We trust that the Committee will take these into account and give appropriate weight to them, especially in the context of a recent Court of Appeal judgement relating to the impact of development on designated heritage assets (the recent decision on a wind farm proposal affecting the setting of Lyveden New Bield.) (Our Cambridgeshire County Council has recently withdrawn consideration of the Ely Bypass, which would affect the setting of the Cathedral because of this).

The E.I.A assesses the impact on Gamlingay in South Cambridgeshire as minimal. We suggest that this might be because it takes a 5 k maximum distance for detailed analysis after which it is considered that the impact will be relatively small. However, our experience of wind turbine proposals leads us to recognise that in the open and low-relief landscapes of this part of the country, such tall structures are more highly visible and intrusive in real life than pre-development studies indicate. For these reasons we are surprised to be advised by South Cambridgeshire District Council that they have not been consulted on this application as we would have expected under the "duty to co-operate". Such an omission could lead to judicial review. I trust you will bring these comments to the attention of the Committee.

Amendments to Committee Report:

English Heritage 2nd comments not included in report.

Further to my letter of the 21st October 2013 we have subsequently received further information in the form of additional photo montages and wirescapes from the applicant and their consultant and have undertaken a further site visit. I would be pleased to offer the following additional comments. I have CC'd this to Jamie Baldwin at Ecotricity as requested.

English Heritage Advice

We now have sufficient images to assess those issues raised in our last letter and note that the quality of those provided is substantially better than those originally obtained. We do not therefore wish to raise any further issues in relation to the application in relation to paragraph 128 of the NPPF. The new images combined with those in the original application have provided evidence that some assets will not be impacted by the development. We do however continue to have concerns in relation to the impact of the development upon the setting of some of the designated heritage assets we noted in our previous letter.

It is clear from the wirescapes (see image Viewpoint 2 - Moggerhanger Park) that the turbine will be visible from the front of Moggerhanger Hall and in our view the turbine is likely to change the setting of the asset. Although the turbine would be distant, its location would be prominent and is situated on the ridge across the valley from the hall and would be visible from the front veranda. Although in our view this is harmful, we feel the impact is however relatively modest given the distance between the turbine and the hall.

In relation to Hazells Hall the applicant has also now provided a number of images from within the house and park. In the images (see Viewpoint – Hazells Hall Driveway Entrance, Grounds - VP1 and VP2), it appears that the turbine would not be visible from much of the park, and the trees which surround the park would provide effective screening. The blades and possibly the hub would however be visible in glimpsed views from parts of the garden, and from the principle rooms at the front of the house (see Viewpoint – Hazells Hall – Communal Garden, Viewpoint – Hazells Hall, The Old Quarters and Garden Court). Again the kinetic nature of the structure means it is likely to be more visible and distracting than a static mast of the same height. It may also be more visible in winter views when there are fewer leaves on the trees. Again however, in our view, the impact would be harmful but the level of harm is relatively modest.

The new images have also confirmed that the turbine would also be visible from both Potton and Everton. The church in Everton is relatively modest and is situated on the far side of the settlement, away from the turbine. Although the landscape between the settlement and the turbine is open and the turbine would be visible from the village, we feel the church may be screened by the village. The turbine if constructed may however be visible in views looking towards the turbine from the north side of the village. In relation to Potton the principle issues are the visibility of the turbine from the designated assets which form a group centred on the Church on the east side of the village, which includes an extension of the Conservation Area. Again the turbine would be visible from this area and is relatively prominent in these views,

mainly because of the open nature of the landscape between the turbine location and the town. The effect here would also be harmful to the setting of the church and Conservation Area, although again we feel the harm would be less than substantial.

Perhaps the greatest concern in our previous letter was in relation to the two scheduled monuments situated within the RSPB holding at the Lodge. We are happy now that there would be no views of the turbine from within the scheduled monument known as the Hill fort west of the Lodge, and the new image confirms that this would be the case. Our concerns about the impact on the other promontory fort is however still valid. The site known as Galley Hill is situated in the most open area of heath and there are a number of views where the turbine would be visible from with the hill fort, including from the main public path to and from the site, and from the ramparts to the rear of the site. The turbine would only be partially screened by the trees and it is likely that the blades and hub would be visible in these views. The kinetic nature of the turbine will also catch the eye. As discussed we consider this to be harmful, however again, given the distance and the tree screening we are of the view that the harm is likely to be less than substantial.

Recommendation

As discussed above we have now had an opportunity to further assess the above application and have concluded that the application will be harmful to the setting of a number of highly designated nationally important heritage assets. In this case however we consider that the harm to the assets is likely to be less than substantial. We therefore feel that in this case, the application should be judged against Paragraph 134 of the NPPF which states that public benefit deriving from a proposed development should be weighed against harm to the significance of designated heritage assets. In line with paragraph 134, we therefore feel the Council should weigh any public benefit deriving from it against the harm to heritage assets, and determine the application in accordance with their policies.

Reference in report to PPS22 Companion Guide: This document has now been cancelled and replaced by Planning Practice Guidance for Renewable and low carbon energy (06/03/14)

Additional Comments

Further comments from Applicant on additional comments made:

Rebuttals to additional comments made since December committee report (see page 5 of RSPB April Committee Report).

1. Aviation safety concerns for low flying – the individual is concerned that “nowhere in the application does it refer to the structure being illuminated for the benefit of aircraft/helicopters”

The usual process is that the MoD would request aviation lighting in their consultation responses to the developer and Local Planning Authority. In this case the MoD has requested that the turbine is fitted with 25 candela omnidirectional red lighting or infrared lighting with an optimised flash pattern of 60 flashes per minute of 200ms to 500ms duration at the highest practicable

point” (Letter to LPA sent on 29th January 2014). It is expected that this will form a condition on any planning permission should it be granted.

2. Concern that the introduction of a single aviation light on the turbine (at a height of 99.5m AGL) was not considered with respect to the bat monitoring studies carried out, and that insects will be attracted to an aviation light and subsequently more bats will also be attracted placing considerable danger to bats.

This was not considered because insects are not attracted to red light (620nm-740nm). Ecologists use bright white metal halide or UV lights to attract and sample insects at night. Whilst insects are sensitive to a broad spectrum of lighting the majority are most sensitive to short wave, particularly UV light (340-360nm) (Menzel and Backhaus 1991, Pichaud et al 1999). At night UV, blue and white light attract significantly more insects than other colours (Ashfaq et al 2005, Jerssia and Curtis 2001, Holyoak et al 1997). Based on experimental and physiological studies light at the higher end of the visible spectrum (>550nm) is outside the range of vision for most insects (Cruz & Linder 2011).

3. Concern was raised over effective bat mitigation and that this mitigation may not be conditioned on any planning permission.

Ecotricity put forward suitable bat mitigation in the Environmental Report, which Natural England has stated is acceptable and have proven to be effective in other parts of Europe. It is expected that the bat mitigation will form a condition on any planning permission should it be granted.

4. Concern has been raised over potential TV reception problems due to the proximity of the Sandy Heath Transmitter.

Ecotricity has commissioned an independent company specialising in the impact of wind turbines on TV reception to provide a study and report on the RSPB site. The results of the study demonstrate that the proposed wind turbine will not impact the reception of any television broadcast platform, no interference will occur and no mitigation measures are required. Due to the proximity of the transmitter to the turbine, the strength of the Sandy Heath signal and the height of the transmitter in relation to the proposed turbine, only a small area expanding to approximately 415 metres to the south west from the base of the turbine would have the potential to be affected. There are no homes or buildings within the potentially affected area.

5. 2 Clock Tower Cottage comments:

a. Pg 2 – Individual states that: “I flag the statement in the application ‘no protection exists for the benefit of a private view. Consequently, I do not regard as unacceptable the situation in which a turbine is prominent in the view from a domestic window’ (Source: Ecotricity/RSPB Planning Statement, page 16)”

The individual has incorrectly attributed a statement made by The Planning Inspectorate in an Appeal Decision made in July 2010 (Ref: APP/C3105/A/09/2116152) to the RSPB The Lodge Planning Statement. The Planning Statement references the Inspector’s remarks on page 18, however it

is wholly inaccurate and misleading to attribute this statement to Ecotricity or the RSPB.

b. Pg 3 – No discussion on ravens or ospreys in the Environmental Report.

Firstly it needs to be made clear that the review of the existing data and appraisal of habitat and species likely to be present during the initial reconnaissance survey concluded that this is a relatively low risk site. There are no records of priority species breeding or wintering within 500m of the proposed turbine, and there is limited suitable habitat in the immediate vicinity of the proposed turbine.

Based on the estimated level of risk and appropriate statutory guidance no further ornithological surveys were technically required. However as RSPB and Ecotricity both have a desire to ensure that renewable energy does not impact on wildlife, alongside a commitment to undertake research into the impact of wind turbines on wildlife. Therefore, further baseline studies were conducted at the proposed turbine site and a control area which included:

- Breeding bird surveys extending to 500m from the proposed turbine location and 500m from the centre of the control area
- Surveys to investigate the use of the area during the non-breeding period
- Vantage point (VP) surveys to assess bird flight lines and use of the area by foraging birds.

These surveys were conducted between November 2009 and November 2010 with the aim of establishing a baseline against which post-construction studies can be compared as well as increasing confidence in the prediction that there would not be any detrimental impacts on existing or future bird populations on the reserve.

In addition, locally important numbers of woodcock are known to winter within the woodland on The Lodge nature reserve. Little was known about the wintering foraging behaviour of woodcock in the turbine area, and therefore nocturnal surveys were conducted to assess whether birds were flying through the turbine area or feeding close to the turbine during the winter months. Woodcock were recorded on 5 out of 10 surveys, with a maximum count of two birds on any one night. All flights were estimated to be below ca 20m and only one was within 200m of the proposed turbine location (see ES paragraphs 6.29-6.30). Therefore, it was concluded that the risk to this population from the erection of the turbine is negligible.

Also habitat is being created on The Lodge reserve to attract breeding nightjars, and although they have yet to be recorded breeding on the site, baseline nightjar surveys were also conducted. No nightjars were seen or heard during the surveys (see ES paragraphs 6.26-6.28). The habitat in the vicinity of the proposed turbine is managed in such a way that it is expected that nightjar would not be attracted to the area.

Ravens

Ravens were seen by the ornithological surveyor and known to be present in the area and were therefore included on all recording sheets. However, ravens were not recorded breeding or foraging within 500m of the turbine location during the breeding season. They were recorded once during the monthly wintering birds surveys within 500m of the turbine and within 500m of the control area. They were not recorded during the Vantage Point flight activity surveys within 200m of the turbine location or during Vantage Point flight activity surveys over the control area. However, subsequent to the surveys work raven have breed on the reserve. However, the nest site is over 500m from the proposed turbine location and therefore it is considered that there is no risk of disturbance.

There is no published evidence of either collision mortality or disturbance of raven at wind farms in the UK, although they are often mentioned in relation to wind farms as being one of the scavengers that may remove other casualties.

In an extensive study of 13 wind farms (741 turbines, 227 surveyed) in Northern Spain where relatively high mortality of raptor was recorded and where raven were recorded as being present no raven casualties were found (Lekuona & Ursa 2007).

In the most recent summary of Wind Turbine Interaction with Birds, Bats and their Habitats 2014 from the USA (www.nationalwind.org) it states:

“There are two significant factors important in assessing fatality risk to birds. Studies have indicated that the level of bird use at the site and the behaviour of the birds at the site are important factors to consider when assessing potential risk. For example, raptor fatalities appear to increase as raptor abundance

increases. Certain species (e.g. Red-tailed Hawks and Golden Eagles) that

forage for prey in close proximity to turbines appear to have increased fatalities, while others like common ravens appear to avoid collisions with turbines (Erickson et al. 2002; Anderson et al. 2004, 2005; Kingsley and Whittam 2007; Kuvlesky et al. 2007; NAS 2007).”

Therefore due to very low level of activity and in the absence of published evidence of collision risk or disturbance by wind turbines there was no reason for them to be considered further in the assessment set out in the Environmental Report.

Osprey

There are no records of osprey breeding within 500m of the proposed turbine and no osprey were recorded during vantage point activity surveys. Whilst occasional ospreys have been sighted in the past on passage in the wider area, they do not remain for any significant periods. The habitat in vicinity of the

turbine is not suitable for osprey therefore any passage birds will not be attracted to the turbine location.

c. Pg 5 – No data on wind reports from the meteorological mast

The wind data is commercially sensitive, however the wind speeds recorded from the met mast show that over the last 18 months since the mast was erected the average wind speed at 70m above ground level has been 6.35m/s. The NOABL figure stated in the Environmental Report gave a generic average wind speed of 6.2m/s at 45m.

d. Pg 5 – Not looked at other sites.

Ecotricity and the RSPB have looked at a range of other RSPB reserves, but this isn't documented within the Environmental Report. The majority of the RSPB's reserves are not suitable for a turbine, usually due to their ornithological interest.

Additional/Amended Conditions

Condition 17 (noise mitigation)

Amend wording from:

- a. 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 (10 minute) at any dwelling for any relevant 10m height 10 minute mean above ground level measured integer wind speed of between 1-12m/s as identified in this condition

To:

- b. 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 (10 minute) at any existing dwelling at the date of permission for any relevant 10m height 10 minute mean above ground level measured integer wind speed up to 10 metres per second as identified in this condition.

The changes are to reflect that under ETSU R-97 it is considered best practice to apply the 35dB up to 10m/s for single wind turbines, and only up to 12m/s for multiple turbine developments.

Additional Condition to be included if permission granted: Bat Protection/Mitigation measures.

Prior to the erection of the wind turbine hereby approved, a bat mitigation scheme shall be submitted and approved in writing by the Local Planning Authority. The scheme shall include details of a turbine shutdown programme and further post-construction monitoring. The scheme shall be implemented as approved.

Reason: In the interests of biodiversity.

Item 7 (Page 67-80) – CB/14/00389/REG3 – Priory House, Monks Walk, Chicksands, Shefford.

Additional Consultation/Publicity Responses

None.

Additional Comments

The applicant has met with the Council's Ecologist, Landscape Officer and GI Officer. The meeting was constructive and all are agreed on the details that will need to be submitted pursuant to conditions 3 and 4.

Additional/Amended Conditions

None.

Item 8 (Page 81-90) – CB/14/00018/REG3 – Chiltern Gateway Centre, Dunstable Road, Whipsnade, Dunstable.

Amendment to the description of the proposed development

Description of the proposal amended following the reduction in the height of the canopies from 4.85 to 4.5 metres. This is recorded in the Officer's report under the section, 'Other Matters'.

Additional Consultation/Publicity Responses

None.

Additional Comments

None.

Amended Conditions

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers CBC/01, 02, 03 Rev. A & 04 Rev.A and 005879-1.00[C].

Reason: For the avoidance of doubt.

Item 9 (Page 91-102) – CB/14/00213/FULL – 46 Maple Way, Kensworth, Dunstable.

Additional Consultation/Publicity Responses

Kensworth Parish Council have provided the following comments

“Plans for the above were made available. The Parish Council objects to this application on the grounds:-

1. The premises appear to be used for commercial purposes within a residential area.
2. The hours of operation on this site and noise created causes grave concern to neighbours.
3. This development would further exacerbate the problems with parking in this quiet cul-de-sac.
4. This is an overdevelopment of an existing site and not in keeping with surrounding properties.”

A petition has been received against the construction of the garage with 12 signatures of occupiers of eight neighbouring dwellings.

An additional letter of objection has been received from the occupier of No. 44 Maple Way with the following points of objection:

- The height, depth, width and proximity of the garage to the boundary would result in a prominent, overbearing and visually obtrusive form of development and would be detrimental to the character and appearance of the cul-de-sac.
- Because the plot is too small, the garage would have to be built at an angle and the doors would face No. 44.
- There would be a loss of light and overshadowing to No. 44 because of the height and proximity of the garage.
- The activities carried out at the property causes parking problems.
- If permission is granted to the garage, the activities that take place at the property will increase, exacerbating noise and smell nuisances.
- The majority of the occupiers of the neighbouring properties have objected to the proposal.

The occupier of No. 40 Maple Way has submitted a letter of objection. The points of objection are as follows:

- The garage would exacerbate existing parking problems.
- The height, depth, width and proximity of the garage to the boundary would be visually obtrusive.
- The garage would function as a workshop which would change the character of the area and make it an unpleasant environment.

Additional Comments

Revised plans have been submitted showing the garage as a rectangle instead of a parallelogram.

Additional/Amended Conditions

None.

Item 10 (Page 103-122) – CB/13/03499/FULL – Russell House, 14 Dunstable Street, Ampthill, Bedford.

Additional information

The adjoining neighbours and Town Council were reconsulted on 11th March 2014 due to a number of revised plans being received. Letter from Mr & Mrs Dickinson received 31st March 2014:

My wife and I are the owners of Alameda House, Alameda Walk, Ampthill which is a private residence sharing a circa 70 metre boundary with Russell House, 14 Dunstable Street, Ampthill.

General Comment

Following the first and second consultation periods relating to the Russell House Development planning application, our objections to the proposed Care Home were submitted on 7th November 2013 and 16 February 2014 and remain active and on the record.

1. Loss of sunlight from November – April
2. Loss of privacy
3. The Physical size of the North Elevation
4. North and South elevation - not in keeping with a building to be erected in a Conservation Area.

Amended Drawings recently submitted

We are writing in response to amended drawings recently submitted which include Changes to Landscaping, Parking, Siting of dwellings and visualisation from neighbouring properties.

We have set out below our further comments to the revised documents recently submitted.

1. Changes to Landscaping

Reference Russell House Ampthill Boundary Landscape Management Plan dated 5 March 2014

Appendix 1 email from Andy Girvan from Campbell Buchanan to Roger Dickinson (owner of Alameda House)

Following a meeting in January to discuss the planning application Campbell Buchanan offered to help mitigate the overbearing nature of the proposed Care Home by providing a brick wall along the northern boundary. "Although not shown we are committed to providing a wall that will be built on special foundations along the boundary" (to protect the existing trees). "Should the wall require the loss of trees we will plant replacement trees of no less than 4m high to provide immediate screening and these can be planted on either side of the wall as you wish. We confirm that we are happy to offer the services of our landscape architect, Alistair Huck, of the Huck Partnership, to advise you on the tree species and planting establishment. His time with you will be at our cost"

Agreement had been reached on the shared boundary treatment and this is not reflected in the revised document and therefore we do not accept the proposed treatment of the shared boundary as described in the Boundary Management Landscape Plan dated 5 March 2014. In addition the graphic below with a 1.8m high barrier illustrates that a brick wall 2.2m high is needed to provide privacy and offer some noise protection from the communal gardens sited directly behind the shared boundary.

2. Loss of privacy

Reference: Drawing of the West and North Elevation (drawing number 1206-40A 1 scale 1/100).

Given the nature of the proposed Care Home we anticipate that corridor lights will be on all night long and therefore the window on the North face of the "West wing" should be removed, the ground floor glass door replaced with a solid door.

Following a meeting on the 31 March 2014 with James Clements, I refer to a letter dated 31st March from Hugo Haig, with confirmation of acceptance of planning conditions for the following amendments;

- i) Removal of the window at the end of the corridor on the Western end of the Care Home wing to be replaced with a roof light.
- ii) Building of a brick wall along the mutual boundary with Alameda House.

The brick wall should be 2.2 metres high with the exception of the last 7.5 metres of wall at the western end which should be 1.3 metres high.

The offer of a Landscape architect and additional tree planting in the gardens of Alameda House is also noted as being part of the Agreement

We understand that planning permission will be conditional on the changes confirmed in the letter from Campbell Buchanan dated 31st March 2014'.

Letter from Campbell Buchanan (31st March 2014) See Appendix.

Comments

A letter from Campbell Buchanan dated 31st March confirms that they will accept planning conditions to build a brick wall on (or close to) the shared boundary with Alameda House and to remove the first floor window on the western wing of the Carehome. The proposed conditions are outlined below.

For clarification the application has been brought to Planning Committee by the Head of Development Management due to the public interest generated by the application.

The committee report states that there would be 65 members of staff. This is incorrect. There would be approximately 75 members of staff with approximately 20 members of staff on site at any one time.

While the main frontage building does have 3 full storeys it should also be noted that this part of the Carehome includes the use of the roof space which would house plant & machinery and a staff room.

It has come to light that no.41 Alameda Road has a 2-storey (MB/05/00185) rear extension which is not reflected on the Ordnance Survey map base. The rear of no.41 is therefore closer to the proposal site than previously considered. However, given the existing and proposed landscaping and boundary screening, combined with the drop in levels and separation distance, the relationship of no.41 and the proposed dwellings is considered to be acceptable.

Highway comments

The highway Officer has no objections subject to conditions and has stated:

The existing is two dwellings with associated access and parking provision. The proposal is to demolish the building at the frontage and rebuild to create a care home with associated parking provision, the rear building is to be demolished and the site used for sixteen residential dwellings and associated parking. The access/junctions remain unaltered.

The proposal provides sufficient parking provision for the care home and the residential units have sufficient parking provision in accordance with the current parking guidance (parking strategy: appendix F). The proposed development is not going through the Section 38 process and will be maintained by a management company, although the Central Bedfordshire refuse vehicle will frequent the residential part of the site and the applicant has provided a suitable turning area for this and tracking diagrams to indicate there is no over run.

Tree & Landscape Officer

No objection subject to conditions for new landscaping and to protect existing trees / tree roots.

Viability Assessment

A viability assessment (Three Dragons) has been submitted and assessed by the Council's Housing section. The Housing Development Officer has confirmed that the site is unviable. The applicant proposes to pay the £270k contribution outlined in the committee report but would not provide affordable housing or a contribution to AH. The principal reasons for the site being unviable are the increased costs related to the high quality design and the cost paid for the land. In this instance the proposed contributions are therefore considered to be acceptable.

Additional Conditions

13) Before the development is brought into use details of the signage including location, at the means of ingress and egress at the access/junction and directional signage for heavy goods vehicles within the site shall be submitted to and approved in writing by the Local Planning Authority and the signage shall be constructed in accordance with the approved details

Reason: To avoid vehicle waiting in the highway whilst another leaves the site and for the avoidance of doubt.

14) Before development commences details of how the turning area and passing bays will be kept free of parked vehicles shall be submitted to and approved by the Local Planning Authority and the development shall not be brought into use until the 'keep clear' measures have been implemented in accordance with the approved details.

Reason: To allow vehicles to turn and leave the site in forward gear and allow the two way flow of vehicle within the site.

15) Any structure or planting at the frontage of the properties no. 1 to no. 5 shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining carriageway level. Any structure or planting on the south side of the access from the eastern bay of plot no.1 to the southern site junction, at the frontage of the carriageway between plot no. 15 and 16, plot no. 13 and 14 and plot no. 11 and 12 and east of the access of plot no. 16 for 6.0m in an easterly direction; measuring at least 2.0m from the nearside edge of the adjacent road carriageway, shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining carriageway level

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

16) The north and south existing vehicular access/junctions shall be surfaced in bituminous or other similar durable material as may be approved in writing by the Local Planning Authority for a distance of 6.0m into the site, measured from the highway boundary, before the premises are occupied. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site into the highway so as to safeguard the interest of highway safety.

17) 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.

18) 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

19) The proposed development shall be carried out and completed in all respects in accordance with the access siting and layout, turning area, parking provision illustrated on the approved drawing No. -25I and defined by this permission and, notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995, (or any Order revoking or re-enacting that Order) there shall be no variation without the prior approval in writing of the Local Planning Authority.

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

20) No development shall commence until a details of the method statement of preventing site debris from being deposited on the public highway have been submitted to and approved in writing by the Local Planning Authority. The approved method statement shall be implemented throughout the construction period and until the completion of the development.

Reason: In the interests of highway safety and to prevent the deposit of mud or other extraneous material on the highway during the construction period.

21) Before development begins, a scheme for the 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 for the residential units and 2 short stay spaces per residential unit, and secure and covered cycle parking provision for the care home 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.

(See Notes to the Applicant)

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

22) Development shall not commence until a scheme detailing provision for on site parking for construction workers and deliveries 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.

23) The development shall not be commenced until a site wide travel plan has been submitted to and approved in writing by the Council, such a travel plan to include details of:

- Baseline survey of site occupants in relation to these current/proposed travel patterns;
- 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;
- Detailed 'Action Plan' to include specific timetabled measures designed to promote travel choice and who will be responsible;
- Plans for monitoring and review, annually for a period of 5 years at which time the resulting revised action plan shall be submitted to and approved in writing by the planning authority;
- Details of provision of cycle parking in accordance with Central Bedfordshire Council Guidelines.

Details of marketing and publicity for sustainable modes of transport to include site specific welcome packs. Welcome pack to include:

- Site specific travel and transport information;
- Details of sustainable incentives (e.g. travel vouchers);
- Maps showing the location of shops, recreational facilities, employment and educational facilities;
- Details of relevant pedestrian, cycle and public transport routes to/ from and within the site;
- Copies of relevant bus and rail timetables together with discount vouchers for public transport and cycle purchase;
- Details of the appointment of a travel plan co-ordinator.

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

Reason: To promote sustainable modes of travel and to reduce the potential traffic impact of the development on the local highway network

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

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

26) The first floor window on the northern elevation of the Carehome's western projecting wing shall not form part of this permission. No development shall commence until a scheme for the removal of this window has been submitted to and confirmed in writing by the Local Planning Authority. The agreed details shall thereafter be carried out in full.

Reason: To protect the amenity of the adjoining neighbours

27) All areas on the submitted plan no. 2012/29 Revision -251 indicated as "existing hard surfacing to be replaced" shall not be carried out in any manner or form that involves the removal of the existing hard surface. All new surfacing is to be constructed on top of existing surface. The boundary walls on the site that front with Dunstable Street are to be retained throughout with no removal to facilitate any resurfacing.

Reason: to avoid damage to tree roots that will have encroached beneath the existing surface and ensure the health and longevity of trees on site into the future.

28) No development shall commence until the existing site levels, including site levels on adjoining land, and proposed slab/finished floor levels have been submitted to and agreed in writing with the Local Plan Authority.

Reasons: In the interests of residential amenity and to ensure a satisfactory appearance to the development.

29) Notwithstanding the details submitted with the application, no development shall commence until full architectural detailing at a suitable scale has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out only in accordance with the approved details.

Reason: To ensure that the development is in keeping with the existing building.
(Policy DM3 & 13)

Amended Condition 13 to report – Now Condition 30

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers Photo Montage – "as is", Photo Montage – "proposed", 2012/29 - 25 L, 2012/29 - 26b, 2012/29 - 27b, 2012/29 - 28b, 2012/29 - 29a, 2012/29 - 30b, 2012/29 -31a, 2012/29 - 32b , 2012/29 - 33a, 2012/29 - 34b, 2012/29 - 40a Craft Building, HC1206 – 010A (existing elevations), A01-005 sheet 1of3 (existing floor plans), A01-005 sheet 1of3 (existing floor plans), A01-005 sheet 1of3 (existing floor plans), 1206-400A, 1206-401A, 1206-402A, 1206-403, 1206-404, 5683 Sketch (A), 5683 Sketch (B), HC1206-35 D, HC1206-101 Revision E, HC1206-220 Revision 3, HC1206-221 Revision 3, HC1206-

222 Revision 3, HC1206-223 Revision 4, HC1206-224 Revision 4, HC1206-302 Revision K, HC1206-305 Revision C, HC1206-307 Revision C, 3375-D Revision B, 321-01G, Visual impact assessment 22 Dunstable Street & Visual impact assessment Alameda House.

Reason: For the avoidance of doubt.

Informative

The applicant is advised that no highway surface water drainage system designed as part of a new development, will be allowed to enter any existing highway surface water drainage system without the applicant providing evidence that the existing system has sufficient capacity to account for any highway run off generated by that development. Existing highway surface water drainage systems may be improved at the developers expense to account for extra surface water generated. Any improvements must be approved by the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.

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, Priory House, Monks Walk, Chicksands, Shefford, SG17 5TQ

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.

The applicant is advised that Central Bedfordshire Council as highway authority will not consider the proposed on-site vehicular areas for adoption as highway maintainable at public expense.

The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council's "Cycle Parking Annexes – July 2010".

Recommendation

The owner of the site to the rear of The Limes (Storey Homes) has been reconsulted on the latest amendments with a deadline for comments of 9th April. The recommendation is therefore:

To authorise the Head Director Development Management to issue the grant of PERMISSION subject to no further planning objections being received that have not already been covered in the committee report/late sheet, planning conditions outlined in this report and the completion of an Agreement under Section 106 of the Town and

Country Planning Act 1990 to secure contributions towards infrastructure and a landscaping scheme and management plan.

Item 11 (Page 123-136) – CB/13/04006/MW – Stone Lane Quarry, Woburn Road, Heath and Reach.

Additional Consultation/Publicity Responses

None.

Additional Comments

None.

Additional/Amended Conditions

None.

Item 12 (Page 137-150) – CB/14/00134/MW – Sundon Landfill Site, Common Lane, Sundon, Luton.

Additional Consultation/Publicity Responses

Parish Council comments

Sundon Parish Council would like to make the following response to Application No. CB/14/00134/MW Variation of condition 17 of Planning Permission CB/12/03266/M to permit an increase in HGVs using the site to 175 per day. Sundon PC has no objection to the above application subject to the strict enforcement of points 2.3, 3.7 and 4.3 as set out in the Planning Supporting Statement number 14/0013/MW.

Additional Comments

The particular sections of the Planning Statement referred to by the Parish Council concern:

- the continued use of the existing access off the A5120 via the specifically constructed roundabout;
- ensuring that the majority of soils would be delivered via the M1 and not use local routes through management of the soil importation contract; and
- vehicles continuing to enter and exit the site to and from the west via the existing site access so as to avoid an increase in vehicle noise impacting on the more populated areas of Harlington, Sundon and Toddington.

Officers consider that the first and third points would be adequately addressed by existing conditions which prescribe the means of access to the landfill from the public highway. With regards to the second point, whilst the Council as Waste Disposal Authority is able through its contractual arrangements to exert a level of control over the direction of HGV travel to and from the site so that the majority of traffic utilises junction 12 of the M1, it is not possible to guarantee that all site traffic would avoid use of local routes.

Additional/Amended Conditions

None.

Item 13 (Page 151-158) – CB/14/00038/FULL – Land adj to 2 Windmill Way, Cranfield, Bedford.

Additional Consultation/Publicity Responses

Comments were received from number 25 Millards Close, this was in response to the letter from Committee Services regarding speaking at Development Management Committee.

No new issues were raised, however the comments did reiterate the neighbours dissatisfaction with the possibility of this becoming private garden land, and stressed the existing parking pressures in Millards Close and Windmill Way.

Although not a planning consideration the response did raise the issue of the Council benefiting financially from this development, and that the planning system is not working properly.

Additional Comments

None.

Additional/Amended Conditions

None.

Item 14 (Page 159-166) – CB/14/00019/FULL – 115 Bedford Road, Cranfield.

Additional Consultation/Publicity Responses

None.

Additional Comments

It should be noted, that it is evident that works have commenced, and although not finished, the shed has been partly constructed.

Additional/Amended Conditions

None.

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James Clements
Planning Services
Priory House,
Monks Walk,
Chicksands,
Shefford,
Bedfordshire,
SG17 5TQ

31st March 2014

Dear James

Re: Russell House, Dunstable Road, Ampthill. Ref: CB/13/03499

Thank you for sending us a copy of your Planning Committee Report for the Planning Meeting on the 2nd of April. We have reviewed this document and there are a couple of matters that we would be grateful if you would bring to the attention of the Committee, by way of an update.

Before we review the report I would like to take this opportunity of stating that we are most grateful for the time and effort that you and your colleagues have put into this project to make it special, and one for which we will all be proud. The site has been derelict for a least 7 years and its redevelopment will enhance the Conservation Area and will bring wider benefits to the whole community. There is an identified need for Care Homes in this area, and this scheme will go some way to help alleviate this need, as well as providing some high quality housing in the Town centre.

From the outset of our purchase of the site from Central Bedfordshire Council we have engaged with the Town Council and various neighbours around the site. As a result of these meetings various amendments have been made to the scheme and the Care Home has been reduced in size, windows removed, provided additional on site parking and enhanced landscaping introduced. We have also been made aware of some of the traffic issues in Ampthill, and as a result we have offered, via the S106 Agreement, to either fund up to the value of £40,000 or carry out the works to provide an additional car parking in Bedford Street.

A Viability Appraisal, for this mixed use brownfield site, has been reviewed and accepted by the Council's Valuer. Although the scheme will contribute £270,098 in offsite S106 costs, it has been agreed that as a result of the need for an exceptionally high quality replacement building (designed by Robert Adam of Adam Architecture) and the associated increase in build costs, the site would be unviable if it were to accommodate Affordable Housing. The site was bought directly from the Council about two years ago, and given the time taken, the price paid, the demolition of the existing buildings, the quality of the design, the wider community benefits, together with the direct social benefits of the Care Home it was agreed that no onsite affordable was appropriate in this case. It is a special site with a special design and we are hopeful that it will win awards for its quality of design.

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James Hall, Parsons Green, St. Ives, Cambridgeshire PE27 4AA

We have made various amendments to the plans as a result of our consultations and given that our neighbours will be the ones most affected by any redevelopment, we have concentrated on endeavoring to address their concerns so we have recently agreed to build a brick wall, subject to the details of construction being agreed with the Tree Officer, along our mutual boundary with Alameda House and we are happy to accept a condition to that effect.

Secondly we have also been requested to remove a window at the end of the corridor on the Western end of the Care Home wing. This could be replaced with a roof light and we are also happy to accept a condition on this matter.

Furthermore there has been some additional consultation undertaken about the levels, as the site is considerably lower than the land to the North. The relationship is satisfactory and will make for an attractive scheme, but in the interest of the adjacent landowners, we are happy to accept a levels condition in order to alleviate any further concerns on this point.

Finally, there is a point in the report where English Heritage commented, at the beginning of the planning process. It needs to be clear that they made their initial comments without the benefit of seeing our Heritage Assessment, when, thereafter they changed their view to a neutral stance and returned the case to Central Beds to determine taking into consideration all matters including the wider Community benefits.

Therefore, in summary, we believe that the proposal in front of you has been carefully designed using a well known and Nationally recognized Architect, who has produced a building that is in scale and in keeping with the surrounding buildings, it has been articulated to a high standard, with bespoke detailing and quality materials to a degree that it will compliment and enhance the Conservation Area and bring this important site back into beneficial use. We would therefore urge the Committee to support the Officer's recommendation to approve this application.

Yours sincerely


Hugo Haig
On Behalf Campbell Buchanan

Item No. 6

APPLICATION NUMBER	CB/13/02916/FULL
LOCATION	The RSPB Reserve, Potton Road, Sandy, SG19 2DL
PROPOSAL	Erection of one wind turbine, with a maximum overall height of up to 100m together with access tracks, crane pad area, electricity sub-station, temporary construction compound and amended vehicular access on land at the RSPB Reserve, near Sandy.
PARISH	Sandy
WARD	Sandy
WARD COUNCILLORS	Cllrs Aldis, Maudlin & Sheppard
CASE OFFICER	Samantha Boyd
DATE REGISTERED	28 August 2013
EXPIRY DATE	23 October 2013
APPLICANT	The Royal Society for the Protection of Birds and Sandy Wind Turbine Ltd
AGENT	Ecotricity (Next Generation) Ltd
REASON FOR COMMITTEE TO DETERMINE	Cllr Call In - Cllr Aldis
	Planning Reason: In view of the large public interest in the application. The wind turbine would have a positive impact on the applicant's desire to become a sustainable community for energy consumption
RECOMMENDED DECISION	Full Application - Approval Recommended

Reason for Recommendation

National and Adopted Local Planning Policies support the installation of renewable energy projects provided there is no unacceptable adverse impact. The proposed 100m wind turbine is considered to have an impact on the landscape and the nearby heritage assets. However in accordance with Policy CS13, DM1 and the National Planning Policy Framework, the impact is not considered to be unacceptable that it would outweigh the benefits of harnessing wind power.

The proposal would not have an adverse negative impact on biodiversity or ecology or an adverse impact on the residential amenity of neighbouring properties and is acceptable in terms of highway safety.

Therefore by reason of its size, design and location, the proposal is in conformity with Policies CS13, DM1, CS15, DM13, DM3, DM14 and DM15 of the Core Strategy and Management Policies, November 2009; and The National Planning Policy Framework

Recommendation

That Planning Permission be granted subject to the following:

RECOMMENDED CONDITIONS / REASONS

- 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 The permission is for a period not exceeding 25 years from the date on which electricity is first exported to the electricity grid (the operational date). Written notification of the operational date shall be given to the Local Planning Authority within one month of that date. No later than 12 months after the expiry of the permission all elements of the development at and above ground level shall be removed and the site restored in accordance with a decommissioning scheme previously submitted to and approved in writing by the Local Planning Authority.

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

- 3 If any turbine fails to produce electricity for a continuous period of 6 months the operator of the development shall notify the Local Planning authority in writing no later than one month after the end of that period. the turbine and its associated equipment shall be removed from the site no later than 9 months from the end of that period and the relevant part of the site restored, all in accordance with a decommissioning scheme previously submitted to and approved in writing by the Local Planning Authority.

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

- 4 No later than 3 months from the date of this permission the developer shall inform the Ministry of Defence (MoD) and the Civil Aviation Authority (CAA) of the proposed date of commencement of development and the maximum extended height of any construction equipment to be used on the site.

Reason: In the interests of safety

- 5 No later than 14 days after the operation date the developer shall inform the MoD and CAA in writing of:

- (i) the date of completion of construction
- (ii) the height above ground level of the highest potential obstacle
- (iii) the position of the structures in latitude and longitude; and
- (iv) the lighting details of the site.

Reason: In the interests of safety.

- 6 **No development shall take place until details of all access tracks, including details of their location, construction and surface materials, have been submitted to and approved in writing by the Local Planning Authority. The tracks shall be laid out in accordance with the approved details and so retained thereafter.**

Reason: In the interests of visual amenity and highway safety in accordance with Policy DM1 and DM3 of the Core Strategy and Development Management Policies (2009)

- 7 **No development shall take place until details of the proposed road access to the site, including associated visibility splays have been submitted to and approved in writing by the Local Planning Authority. The access shall be provided in accordance with the approved details, brought into use prior to the operational date and so retained thereafter and the visibility splays shall at all times be kept free of obstructions to visibility of drivers.**

Reason: In the interests of visual amenity and highway safety in accordance with Policy DM1 and DM3 of the Core Strategy and Development Management Policies (2009)

- 8 **No development shall take place until details of the turbine, including their foundation construction, make, model, design, external appearance, finish, colour and technical specification have been submitted to and approved in writing by the Local Planning Authority. The turbine shall be erected in accordance with the approved details and so retained thereafter.**

Reason: In the interests of visual and neighbouring amenity in accordance with Policy DM1 and DM3 of the Core Strategy and Development Management Policies (2009)

- 9 **No development shall take place until details of any permanent buildings on the site, including details of materials to be used on external surfaces, have been submitted to and approved in writing by the Local Planning Authority. The buildings shall be erected in accordance with the approved details and so retained thereafter.**

Reason: In the interests of visual and neighbouring amenity in accordance with Policy DM1 and DM3 of the Core Strategy and Development Management Policies (2009)

- 10 **Prior to the operational date a scheme for assessing shadow flicker in the event of any complaint from the owner or occupier of a dwelling and for remedial measures shall be submitted to and approved in writing by the Local Planning Authority. For the purposes of this condition, a dwelling is defined as a building falling within classes C3 and C4 of the Town and Country Planning (Use Classes) Order 1987 as amended, which lawfully exists, or had planning permission, at the time of this planning permission and which is situated within a distance equivalent to 10 rotor diameters from one of the turbines. The development shall be carried out in accordance with the approved scheme.**

Reason: In the interests of neighbouring amenity in accordance with Policy DM3 of the Core Strategy and Development Management Policies DPD (2009).

- 11 **No development shall take place until a scheme of archaeological investigation, together with a programme for its implementation, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for access to the site by a nominated archaeologist during construction to examine excavations and record or remove finds. The scheme shall be implemented in accordance with the approved details.**

Reason: To protect heritage assets in accordance with the NPPF.

- 12 **No development shall commence until details of the junction of the proposed vehicular (west) access, including kerb radii and tracking diagrams of the largest vehicle entering/leaving the site in both directions has been submitted to and approved in writing by the Local Planning Authority and the junction shall be constructed in accordance with the approved details prior to the development commencing.**

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

- 13 **No development shall take place until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The CTMP shall include proposals for construction traffic routes, the scheduling and timing of movements, any traffic control, signage within the highway inclusive of temporary warning signs, the management of junctions to, and crossing of, the public highway and other public rights of way, details of escorts for abnormal loads, temporary removal and replacement of highway infrastructure and street furniture, the reinstatement of any signs, verges or other items displaced by construction traffic, banksman and escort details, tracking diagrams at junctions and bends along the route, details of the construction workers and deliveries parking and access within and to the site, details of how the use of the existing (east) access will be stopped to transporters and vehicles relating to the construction of the wind turbine. The CTMP shall be implemented in accordance with the approved details for the duration of the construction period.**

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

- 14 **Construction work and deliveries to the site shall only take place between the hours of 08.00 and 18.00 on Monday to Friday inclusive and 08.00 and 13.00 on Saturdays, with no work or deliveries on a Sunday or public holiday unless otherwise agreed in writing with the Local Planning Authority. Outside these hours work shall be limited to dust suppression and emergency works, details of the latter to be notified in writing to the Local Planning Authority within 3 days of the occurrence of the emergency.**

Reason: In the interests of residential amenity and Highway safety.

- 15 **No development shall commence until details of a scheme of environmental mitigation has been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved scheme.**

Reason: To enable proper consideration of the impact of the development on the contribution of nature conservation interests to the amenity of the area.

- 16 **No development shall take place until a monitoring scheme for surveillance of bird and bat activity and mortality and monitoring of activity of Biodiversity Action Plan species has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.**

Reason: In the interests of biodiversity and wildlife protection.

- 17 A. 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 a 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).
- B. 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 locations identified in accordance with the Guidance Notes where measurements of noise and wind shall be obtained for compliance checking purposes. Measurements to assess compliance with the noise limit of this condition shall be undertaken at the measurement locations approved in writing by the Local Planning Authority.
- C. Prior to the submission of the independent consultant's 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:

- A. 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
- B. 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.

- D. The wind farm operator shall provide to the Local Planning Authority the independent consultant's written 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 consultant's assessment of the rating level of noise emissions.
- E. 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 consultant's assessment pursuant to paragraph (E) above unless the time limit has been extended in writing by the Local Planning Authority.
- F. The wind farm operator shall continuously log power production, rotational speed, nacelle wind speed, nacelle wind direction and nacelle orientation and where available as part of the SCADA system (Supervisory Control and Data Acquisition) the blade pitch and revolutions per minute of the turbine (the latter as a 10 minute average) at the wind turbine all in accordance with Guidance Note 1(d). 10 metre height wind speeds averaged over 10 minute periods shall be measured at a location approved by the local planning authority for comparison with the measured noise levels, for the duration of the noise level compliance check survey

required by the local planning authority or if separately required by the local planning authority (in writing) where the authority choose to assess compliance themselves. Rainfall shall also be measured during any measurement regime at a location approved by the local planning 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.

- G. 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 or through their separate measurements are satisfied of a 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 in accordance with the approved details unless otherwise agreed in writing 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.

- 18 **No development shall commence until details of the reduction of the width and re-instatement of the reduced width of the junction of the (west) access to serve the wind turbine has been submitted to and approved in writing by the Local Planning Authority. Within one month of the turbine being erected the junction shall be reduced in width and reinstated in accordance with the approved plans.**

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

- 19 Visibility splays shall be provided at the junction of the access with the public highway before the development commences. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 215.0m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall for the perpetuity of the development remain free of any obstruction to visibility.

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

- 20 **No development shall commence until the on site vehicular areas have been constructed and surfaced in a stable and durable material in accordance with details to be approved in writing by the Local Planning Authority for a distance of 20.0m into the site, measured from the highway boundary. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.**

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

- 21 Within two months prior to the decommissioning date details of the traffic management plan and widening of the junction for removal of the turbine from the site, and the reduction of the width of the junction and reinstatement of the reduced width within one month after the removal of the turbine, shall be submitted to and approved in writing by the Local Planning Authority. The traffic management plan, construction of the widened junction, construction and reinstatement of the reduced width of the junction shall be completed in accordance with the approved details.

Reason: For the avoidance of doubt and in order to minimise danger, obstruction and inconvenience to users of the highway and the site.

- 22 Any gates provided shall open away from the highway and be set back a distance of at least 20.0 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

- 23 Within one month of the turbine being erected the existing (east) access shall be closed in a manner to the Local Planning Authority's written approval.
(See Notes to the Applicant)

Reason: In the interest of road safety and to reduce the number of points at which traffic will enter and leave the public highway

- 24 **No development shall commence on site until the details of a turning space within the curtilage of the site for the largest transporter vehicle has been submitted to the Local Planning Authority and approved in writing. The turning space shall be implemented upon the commencement of the development and shall be constructed in accordance with the approved details.**

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

- 25 Best practical means shall be taken at all times to ensure that all vehicles leaving the development site during construction of the development are in a condition such as not emit dust or deposit mud, slurry or other debris on the highway, in particular efficient means shall be installed prior to commencement of the development and thereafter maintained and employed at all times during construction of the development of cleaning the wheels of all lorries leaving the site

Reason: To minimise the impact of construction vehicles and to improve the amenity of the local area.

- 26 The turbine shall be fitted with 25 candela omni-directional red lighting or infrared lighting with an optimised flash pattern of 60 flashes per minute of 200ms to 500ms duration at the highest practicable points. The lighting shall remain in place for the duration of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of air safety.

- 27 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 4035_T0376_01, 4035_T0378_01, 4035_T0396_01, Environmental Report and Appendices dated August 2013.

Reason: For the avoidance of doubt.

28. Prior to the erection of the wind turbine hereby approved, a bat mitigation scheme shall be submitted and approved in writing by the Local Planning Authority. The Scheme shall include details of a turbine shutdown programme and further post-construction monitoring. The scheme shall be implemented as approved.

Reason: In the interests of biodiversity.

Notes to Applicant**1. Guidance Notes for Noise Conditions**

These notes are to be read with and form part of the noise conditions. They further explain the condition 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. 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

- (a) Values of the LA90,10-minute noise statistic required for condition 1 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.

- (b) The microphone should be mounted at 1.2 - 1.5 metres above ground level, fitted with a large diameter (150mm or larger) 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.

- (c) The LA90, 10-minute measurements must be synchronised with measurements of the 10-minute arithmetic average wind speed obtained at the approved location and with turbine operational data logged in accordance with Guidance Note 1(d), including the power generation data from the turbine control systems of the wind farm.

- (d) To enable compliance with the conditions to be evaluated, the wind farm operator shall continuously log actual arithmetic mean wind speed in metres per second (m/s) at 10 metres height, 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. The correlation of wind speeds with the measured noise levels should comply with Guidance Note 1(c) and 1(d) and should be determined as valid in accordance with Note 2(b). 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, the revolutions per minute of the blades and arithmetic mean power generated during each successive 10-minute period for the wind turbine on the wind farm. All 10-minute measurement periods for all data including noise shall commence on the hour and in 10-minute increments thereafter synchronised with Greenwich Mean Time.

- (e) Data provided to the Local Planning Authority in accordance with paragraphs (E) (F) and (G) of this noise condition shall be provided in comma separated values in electronic format with each data set adequately described for identification of the data.

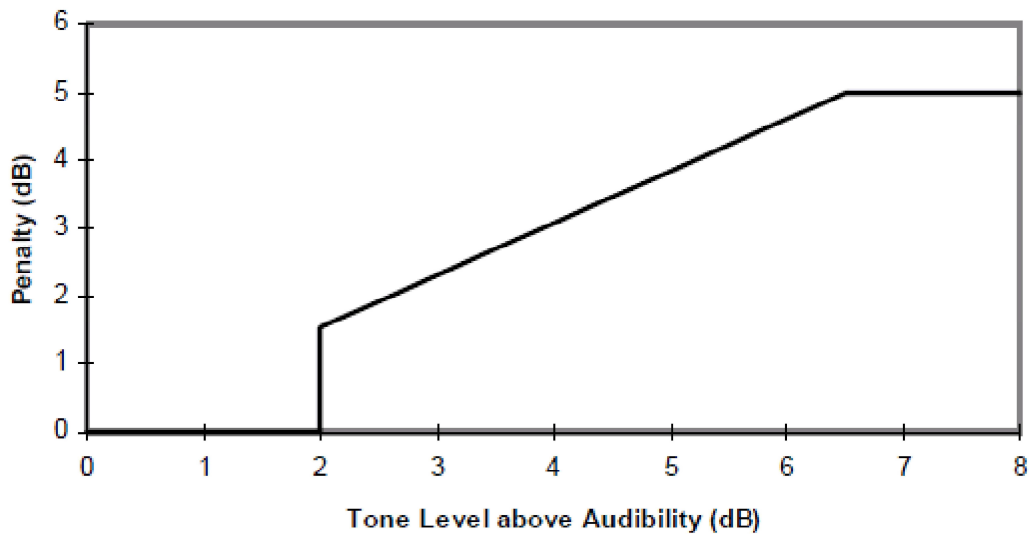
Note 2

- (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). Where more than 80 valid data points are obtained, data shall be separated into contiguous sets of not more than 40 data points and not less than 20 data points based on the nearness of their occurrence to the meteorological conditions reflected during complaints of noise. The data points should be chronologically ordered according to the meteorological conditions.
- (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 separately for each data set with noise level on the Y-axis and wind speed on the X-axis. A least squares, "best fit" curve of the lowest practicable order as deemed appropriate by the independent consultant (but which may not be higher than a fourth order) and in cases of measurements by the planning authority, as deemed appropriate by the planning authority, should be fitted to the data points and define the wind farm noise level at each integer speed for each data set.

Note 3

- (a) Where in accordance with the approved assessment protocol under paragraph (D) of the noise condition, 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 or for any independent assessment by the planning authority. 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 and wind farm noise 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 at this speed shall then be calculated where the measured level with turbines running but without the addition of any tonal penalty:
- 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 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 35dB LA90 (10 minute) then no further action is necessary. If the rating level at any integer wind speed exceeds the value in the condition for any data set then the development fails to comply with the condition.

Highway Notes

- The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council Highways Department. Upon receipt of this Notice of Planning Approval, the applicant is advised to seek approval from the Local Planning Authority for details of the proposed vehicular access junction in accordance with condition 18. Upon formal approval of details, the applicant is advised to write to Central Bedfordshire Council's Highway Help Desk, Technology House, 239 Ampthill Road, Bedford MK42 9BD quoting the Planning Application number and supplying a copy of the Decision Notice (with list of conditions) and a copy of the approved plan for the access. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration. To fully discharge condition 1 the applicant should provide evidence to the Local Planning Authority that Bedfordshire Highways have undertaken the construction in accordance with the approved plan, before the development is brought into use.

- 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
- 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.
- The applicant is advised that the storage of materials associated with this development should take place within the site and not extend into within the public highway without authorisation from the highway authority. If necessary further details can be obtained from Bedfordshire Highways (Amey), District Manager (for the relevant area) via the Central Bedfordshire Council's Customer Contact Centre on 0300 300 8308.
- The applicant is advised that in order to achieve the vision splays in condition 19 of the permission it may be necessary for vegetation overhanging the public highway to be removed. Prior to the commencement of work the applicant is advised to contact Central Bedfordshire Council's Customer Contact Centre on 0300 300 8308 to request the removal of the overhanging vegetation on the public highway.
- The applicant is advised that the closure of existing (east) access and the reduction of the width of the (west) access shall include the reinstatement of the highway to include any footway, verge and kerbing and no works associated with the closure of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council Highways Department. Upon receipt of this Notice of Planning Approval, the applicant is advised to seek approval from the Local Planning Authority for details of the proposed vehicular access junction in accordance with the relevant conditions. Upon formal approval of details, the applicant is advised to write to Central Bedfordshire Council's Highway Help Desk, Technology House, 239 Ampthill Road, Bedford MK42 9BD quoting the Planning Application number and supplying a copy of the Decision Notice (with list of conditions) and a copy of the approved plan for the access. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. To fully discharge condition 4 the applicant should provide evidence to the Local Planning Authority that Bedfordshire Highways have undertaken the construction works in accordance with the approved plan, before the development is brought into use. The applicant will also be expected to bear all costs involved in closing the accesses.

- The applicant is advised that no works associated with the construction traffic management plan (CTMP) should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council Highways Department. Upon receipt of this Notice of Planning Approval, the applicant is advised to seek approval from the Local Planning Authority for details of the CTMP in accordance with condition 10. Upon formal approval of details, the applicant is advised to write to Central Bedfordshire Council's Highway Help Desk, Technology House, 239 Ampthill Road, Bedford MK42 9BD quoting the Planning Application number and supplying a copy of the Decision Notice (with list of conditions) and the approved CTMP. This will enable the necessary consent and procedures of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the proposal 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.) and re-instatement of the highway then the applicant will be required to bear the cost of such removal or alteration and re-instatement. To fully discharge condition 13 the applicant should provide evidence to the Local Planning Authority that Bedfordshire Highways are proactive with the CTMP.

Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

The Council acted pro-actively through early engagement with the applicant at the pre-application stage which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

NOTES

- (1) In advance of the consideration of the application the Committee were advised of consultation and publicity responses including 6 further letters from the public supporting the proposal, 1 letter of objection to the development. Comments from Campaign for Protection of Rural England, advice from English Heritage, further comments from the Applicant on additional comments made.

An amendment to Condition 17 and an additional condition was set out in the Late Sheet.

- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation scheme.

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Item No. 9

APPLICATION NUMBER	CB/14/00213/FULL
LOCATION	46 Maple Way, Kensworth, Dunstable, LU6 3RT
PROPOSAL	Construction of a garage on land in front of property.
PARISH	Kensworth
WARD	Caddington
WARD COUNCILLORS	Cllrs Collins & Stay
CASE OFFICER	Debbie Willcox
DATE REGISTERED	19 February 2014
EXPIRY DATE	16 April 2014
APPLICANT	Mr R Hoffman
AGENT	
REASON FOR COMMITTEE TO DETERMINE	Called in by Ward Councillor Richard Stay for the following reason: The application amounts to overdevelopment and is in a location which would have a wholly negative impact upon neighbouring properties.
RECOMMENDED DECISION	Full Application - Recommended for Approval

That the Head of Development Management be delegated authority to refuse the Planning Permission for the following reason:

The proposed garage would, because of its bulk, scale and prominent siting at the head of the cul-de-sac, be dominant and obtrusive within the streetscene and thus would be harmful to the visual amenities of the locality and of nearby residents. The proposal is therefore contrary to the principles of good design as set out in the National Planning Policy Framework, Policy BE8 of the South Bedfordshire Local Plan Review, Policy 43 of the emerging Development Strategy for Central Bedfordshire and the Central Bedfordshire Design Guide.

NOTES

- (1) In advance of the consideration of the application the Committee were advised of consultation received from Kensworth Parish Council, a petition containing 12 signatures against the construction and an additional letter of objection.
- (2) In advance of the consideration of the application the Committee received representations made under the public participation scheme.

Notes to Applicant

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

Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

The Council's Development Management Committee decided to refuse Planning permission for this proposal for the clear reasons set out in this decision notice. The Council did however act pro-actively through early engagement with the applicant during the application process which led to improvements to the scheme and an Officer recommendation to approve the application. The requirements of the Framework (paragraphs 186 and 187) have therefore been met in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

Item No. 8

APPLICATION NUMBER	CB/14/00018/REG3
LOCATION	Chiltern Gateway Centre, Dunstable Road, Whipsnade, Dunstable, LU6 2GY
PROPOSAL	The erection of two 'Sun Sail' canopies - single column kite style tensile structures. These are to be located in the outdoor seating area to the South East of the Visitor Centre.
PARISH	Whipsnade
WARD	Caddington
WARD COUNCILLORS	Cllrs Collins & Stay
CASE OFFICER	Abel Bunu
DATE REGISTERED	07 January 2014
EXPIRY DATE	04 March 2014
APPLICANT	Central Bedfordshire Council
AGENT	
REASON FOR COMMITTEE TO DETERMINE	Member Call In by Ward Councillor Stay due to the following objections :
	<ul style="list-style-type: none"> • Substantial harm to the AONB. • Visually intrusive and would be seen from a distance of some miles. • Adds to the creeping urbanisation of the Downs. • Was opposed to the original visitor centre and this application adds to the physical bulk of the facility which increases visual intrusion. • In aggregate, the visitor centre, the physical changes to car parking, the actual car park charge and other structures on the Downs have an overall detrimental impact on one of the last areas of open space in South Beds where 'officialdom' in its broader form did not interfere.
RECOMMENDED DECISION	Full Application - Recommended for Approval

Summary of Recommendation

The proposed development would satisfy the requirement of national advice within Paragraph 89 of the National Planning Policy Framework which states that the provision of appropriate facilities for outdoor sport and outdoor recreation should not be regarded as inappropriate as long as they preserve the openness of the Green Belt and would not conflict with the purposes of including land within it. Furthermore, because of its overall design and location adjoining the visitors centre, the development would not materially affect the openness of the Green Belt and would not be visually harmful to the character and appearance of the Chilterns Area of Outstanding Natural Beauty, the Area of Great Landscape Value and the open countryside thereby conforming with the development plan comprising Policies BE8, SD1, NE3 , R14 and R16 of the South Bedfordshire Local Plan Review, Policies 1, 36, 43, 50 and 58 of the emerging Development Strategy for Central Bedfordshire and national advice contained in the National Planning Policy Framework and the Chiltern Design Guide.

Recommendation

That Planning Permission be **GRANTED** subject to the following:

RECOMMENDED CONDITIONS

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

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

- 2 The canopies shall be finished in a cream RAL colour and any variations shall be agreed with the Local Planning Authority before the development is implemented.

Reason: To ensure that the development is in keeping with the existing building in the interest of preserving visual amenity in this Green Belt location which also lies in the Chilterns Area of Outstanding Natural Beauty. (Policies BE8 & NE3 SBLPR and 36, 43 & 58 DSCB).

- 3 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers CBC/01, 02,03 Rev. A &04 Rev A and 005879-1.00[B].

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 reason for any condition above relates to the Policies as referred to in the South Bedfordshire Local Plan Review (SBLPR) and the emerging Development Strategy for Central Bedfordshire (DSCB).
2. 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.
3. Please note that the unnumbered drawings submitted in connection with this application have been given unique numbers by the Local Planning Authority. The numbers can be sourced by examining the plans on the View a Planning Application pages of the Council's website www.centralbedfordshire.gov.uk.

Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

Planning permission has been recommended for approval for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

NOTES

The Committee noted that there was an amendment to Condition 3 as set out in the Late Sheet.

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Item No. 10

APPLICATION NUMBER	CB/13/03499/FULL
LOCATION	Russell House, 14 Dunstable Street, Ampthill, Bedford, MK45 2JT
PROPOSAL	Erection of 16 no. residential dwellings, a 63 bedroom Care Home with ancillary buildings, associated landscaping and car parking to include demolition of existing buildings and removal of trees.
PARISH	Ampthill
WARD	Ampthill
WARD COUNCILLORS	Cllrs Duckett, Blair & Smith
CASE OFFICER	James Clements
DATE REGISTERED	15 October 2013
EXPIRY DATE	14 January 2014
APPLICANT	Lochailort Ampthill Ltd & Lochailort Ampthill Retirement Living
AGENT	
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	Officer call-in due to public interest
	Full Application - recommended for approval

Summary of Recommendation

The proposal is in accordance with chapters 4, 6, 7 & 8 of the NPPF and Core Strategy and Development Management Policies CS1, CS2, CS3, CS5, CS9, DM3, DM4 and DM13. The proposed care home would provide 63 bedroom spaces and would help achieve the Council's 'Central Bedfordshire Together - Sustainable Community Strategy 2010-2031'. The proposed care home and 16 dwellings would provide a high quality development and there would be no undue harm to residential amenity. The high quality design and public benefits of the care home would outweigh the loss of the existing building which is identified as an important building within the Ampthill Conservation Area.

Recommendation

To authorise the Head Director Development Management to issue the grant of PERMISSION subject to no further planning objections being received agreement of planning conditions outlined in this report and the completion of an Agreement under Section 106 of the Town and Country Planning Act 1990 to secure contributions towards infrastructure, affordable housing (subject to viability) and a landscaping scheme and management plan.

RECOMMENDED CONDITIONS

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

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

- 2 Equipment shall be installed to effectively suppress and disperse fumes and/or odours produced by cooking and food preparation, and the equipment shall be effectively operated for so long as the commercial food use continues. Full details of the method of odour abatement and all odour abatement equipment to be used, including predicted noise levels of the equipment in operation, shall be submitted to and approved by the Local Planning Authority prior to the installation of the equipment. The approved equipment shall be installed and in full working order to the satisfaction of the Local Planning Authority prior to the use hereby permitted commencing.

Reason: To protect the amenity of adjoining neighbours

- 3 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 would 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 1 metre from the closest affected window of the relevant noise sensitive property.

Reason: To protect the amenity of adjoining neighbours

- 4 **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 DM3).**

- 5 **Before development begins, a tree protection plan shall be submitted to an agreed in writing by the Local Planning authority. The agreed plan shall thereafter be implemented in full and the tree protection shall remain in place until the development has been completed.**

**Reason: To protect the trees so enclosed in accordance with Section 8 of BS 5837 of 2005 or as may be subsequently amended.
(Policy DM3)**

- 6 **Before development/work begins and notwithstanding the details submitted with the application, details of the materials to be used for the external windows, doors, walls, roofs, rainwater goods, railings and hard surfacing shall be submitted to and approved in writing by the Local Planning Authority. The development/work shall be carried out only in accordance with the approved details.**

Reason: To ensure that the development/work is in keeping with the existing building.

(Policy DM3 & 13)

- 7 **Before development/work begins and notwithstanding the details submitted with the application, detailed drawings of the proposed new external windows and doors showing fenestration, sections, mouldings, the relationship with the external envelope of the building, and cill / head details shall be submitted to and approved in writing by the Local Planning Authority. The development/work shall be carried out only in accordance with the approved details.**

Reason: To ensure that the development/work is in keeping with the existing building

(Policy DM3 & 13)

- 8 **Before development begins, a scheme for screen walling and/or screen fencing shall be 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 and to preserve and enhance the character and appearance of the Conservation Area.

(Policy DM3 & DM13)

- 9 **No development approved by this planning permission shall take place until a remediation strategy that includes the following components 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 Preliminary Risk Assessment (PRA) including a Conceptual Site Model (CSM) of the site indicating potential sources, pathways and receptors, including those off site.

2. The results of a site investigation based on (1) and a detailed risk assessment, including a revised CSM.

3. Based on the risk assessment in (2) an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions. The plan shall also detail a long term monitoring and maintenance plan as necessary.

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

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3).

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

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3).

- 11 Development shall not begin until a scheme for surface water disposal has been submitted to and approved in writing by the Local Planning Authority. Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. The development shall be carried out in accordance with the approval details.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3).

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

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3).

- 13 Before the development is brought into use details of the signage including location, at the means of ingress and egress at the access/junction and directional signage for heavy goods vehicles within the site shall be submitted to and approved in writing by the Local Planning Authority and the signage shall be constructed in accordance with the approved details

Reason: To avoid vehicle waiting in the highway whilst another leaves the site and for the avoidance of doubt.

- 14 Before development commences details of how the turning area and passing bays will be kept free of parked vehicles shall be submitted to and approved by the Local Planning Authority and the development shall not be brought into use until the 'keep clear' measures have been implemented in accordance with the approved details.

Reason: To allow vehicles to turn and leave the site in forward gear and allow the two way flow of vehicle within the site.

- 15 Any structure or planting at the frontage of the properties no. 1 to no. 5 shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining carriageway level. Any structure or planting on the south side of the access from the eastern bay of plot no.1 to the southern site junction, at the frontage of the carriageway between plot no. 15 and 16, plot no. 13 and 14 and plot no. 11 and 12 and east of the access of plot no. 16 for 6.0m in an easterly direction; measuring at least 2.0m from the nearside edge of the adjacent road carriageway, shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining carriageway level

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

- 16 The north and south existing vehicular access/junctions shall be surfaced in bituminous or other similar durable material as may be approved in writing by the Local Planning Authority for a distance of 6.0m into the site, measured from the highway boundary, before the premises are occupied. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site into the highway so as to safeguard the interest of highway safety.

- 17 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.

- 18 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

- 19 The proposed development shall be carried out and completed in all respects in accordance with the access siting and layout, turning area, parking provision illustrated on the approved drawing No. -25I and defined by this permission and, notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995, (or any Order revoking or re-enacting that Order) there shall be no variation without the prior approval in writing of the Local Planning Authority.

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

- 20 No development shall commence until a details of the method statement of preventing site debris from being deposited on the public highway have been submitted to and approved in writing by the Local Planning Authority. The approved method statement shall be implemented throughout the construction period and until the completion of the development.

Reason: In the interests of highway safety and to prevent the deposit of mud or other extraneous material on the highway during the construction period.

- 21 Before development begins, a scheme for the 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 for the residential units and 2 short stay spaces per residential unit, and secure and covered cycle parking provision for the care home 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.

(See Notes to the Applicant)

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

- 22 Development shall not commence until a scheme detailing provision for on site parking for construction workers and deliveries 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.

- 23 The development shall not be commenced until a site wide travel plan has been submitted to and approved in writing by the Council, such a travel plan to include details of:

- Baseline survey of site occupants in relation to these current/proposed travel patterns;
- 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;
- Detailed 'Action Plan' to include specific timetabled measures designed to promote travel choice and who will be responsible;
- Plans for monitoring and review, annually for a period of 5 years at which time the resulting revised action plan shall be submitted to and approved in writing by the planning authority;
- Details of provision of cycle parking in accordance with Central Bedfordshire Council Guidelines.

Details of marketing and publicity for sustainable modes of transport to include site

specific welcome packs. Welcome pack to include:

- Site specific travel and transport information;
- Details of sustainable incentives (e.g. travel vouchers);
- Maps showing the location of shops, recreational facilities, employment and educational facilities;
- Details of relevant pedestrian, cycle and public transport routes to/ from and within the site;
- Copies of relevant bus and rail timetables together with discount vouchers for public transport and cycle purchase;
- Details of the appointment of a travel plan co-ordinator.

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

Reason: To promote sustainable modes of travel and to reduce the potential traffic impact of the development on the local highway network

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

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

- 26 The first floor window on the northern elevation of the Carehome's western projecting wing shall not form part of this permission. No development shall commence until a scheme for the removal of this window has been submitted to and confirmed in writing by the Local Planning Authority. The agreed details shall thereafter be carried out in full.

Reason: To protect the amenity of the adjoining neighbours

- 27 All areas on the submitted plan no. 2012/29 Revision -251 indicated as "existing hard surfacing to be replaced" shall not be carried out in any manner or form that involves the removal of the existing hard surface. All new surfacing is to be constructed on top of existing surface. The boundary walls on the site that front with Dunstable Street are to be retained throughout with no removal to facilitate any resurfacing.

Reason: to avoid damage to tree roots that will have encroached beneath the existing surface and ensure the health and longevity of trees on site into the future.

- 28 No development shall commence until the existing site levels, including site levels on adjoining land, and proposed slab/finished floor levels have been submitted to and agreed in writing with the Local Plan Authority.

Reasons: In the interests of residential amenity and to ensure a satisfactory appearance to the development.

- 29 Notwithstanding the details submitted with the application, no development shall commence until full architectural detailing at a suitable scale has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out only in accordance with the approved details.

Reason: To ensure that the development is in keeping with the existing building.

(Policy DM3 & 13)

- 30 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers Photo Montage – “as is”, Photo Montage – “proposed”, 2012/29 - 25 L, 2012/29 - 26b, 2012/29 - 27b, 2012/29 - 28b, 2012/29 - 29a, 2012/29 - 30b, 2012/29 - 31a, 2012/29 - 32b, 2012/29 - 33a, 2012/29 - 34b, 2012/29 - 40a Craft Building, HC1206 – 010A (existing elevations), A01-005 sheet 1of3 (existing floor plans), A01-005 sheet 1of3 (existing floor plans), A01-005 sheet 1of3 (existing floor plans), 1206-400A, 1206-401A, 1206-402A, 1206-403, 1206-404, 5683 Sketch (A), 5683 Sketch (B), HC1206-35 D, HC1206-101 Revision E, HC1206-220 Revision 3, HC1206-221 Revision 3, HC1206-222 Revision 3, HC1206-223 Revision 4, HC1206-224 Revision 4, HC1206-302 Revision K, HC1206-305 Revision C, HC1206-307 Revision C, 3375-D Revision B, 321-01G, Visual impact assessment 22 Dunstable Street & Visual impact assessment Alameda House.

Reason: For the avoidance of doubt.

Informative

The applicant is advised that no highway surface water drainage system designed as part of a new development, will be allowed to enter any existing highway surface water drainage system without the applicant providing evidence that the existing system has sufficient capacity to account for any highway run off generated by that development. Existing highway surface water drainage systems may be improved at the developers expense to account for extra surface water generated. Any improvements must be approved by the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.

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, Priory House, Monks Walk, Chicksands, Shefford, SG17 5TQ

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.

The applicant is advised that Central Bedfordshire Council as highway authority will not consider the proposed on-site vehicular areas for adoption as highway maintainable at public expense.

The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council's "Cycle Parking Annexes – July 2010".

Note to Applicant

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

Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

NOTES

- (1) In advance of the consideration of the application the Committee were advised of additional information advising that adjoining neighbours and the Town Council were re consulted on 11 March 2014 due to a number of revised plans being received. Subsequent comments were set out in the Late Sheet. Additional comments from the Highways Officer, Tree and Landscape Officer and a viability assessment. The Committee were also advised of additional conditions.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.

Item No. 13

APPLICATION NUMBER	CB/14/00038/FULL
LOCATION	Land adj. to 2 Windmill Way, Cranfield, Bedford, MK43 0HL
PROPOSAL	Change of use of land from council owned amenity grassland to residential garden.
PARISH	Cranfield
WARD	Cranfield & Marston Moretaine
WARD COUNCILLORS	Cllrs Bastable, Matthews & Mrs Clark
CASE OFFICER	Annabel Gammell
DATE REGISTERED	03 January 2014
EXPIRY DATE	28 February 2014
APPLICANT	Mr Nigel Perrin
AGENT	Mr Jess Perrin
REASON FOR COMMITTEE TO DETERMINE	Central Bedfordshire Council own the land and an objection has been received
RECOMMENDED DECISION	Full Application - Granted

Summary of Recommendation:

The development is considered acceptable as it accords with national and local planning policy documents. The development is suitably in accordance with policies DM3, DM4 of Central Bedfordshire Core Strategy and Development Management Policy Document, in addition to this it is considered this would result in a sustainable form of development in accordance with the National Planning Policy Framework.

Recommendation:

That the approval of this planning permission is delegated to the Head of Development Management to be approved subject to no new issues being raised and the consultation process finishing. Subject to the following conditions:

RECOMMENDED CONDITIONS / REASONS

- 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 The parking area shall not be brought into use until such time that the vehicle access and crossover as shown on plan number 2 has been constructed to the approved details, unless otherwise agreed in writing by the Local Planning Authority.

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

- 3 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1, 2, 3.

Reason: For the avoidance of doubt.

Notes to Applicant

1. The applicant is advised that no works associated with the construction of the vehicular access and pavement provision 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, quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.
2. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

Planning permission has been granted for this proposal. The Council acted proactively through early engagement with the applicant at the pre-application stage which led to improvements to the scheme. The Council has therefore acted proactively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

NOTES

- (1) The Committee were advised of additional consultation received from No 25 Millards Close, Cranfield.
- (2) In advance of the consideration the Committee received representations made under the public participation scheme.

Item No. 14

APPLICATION NUMBER	CB/14/00019/FULL
LOCATION	115 Bedford Road, Cranfield, Bedford, MK43 0HD
PROPOSAL	Erection of Log Cabin in Rear Garden
PARISH	Cranfield
WARD	Cranfield & Marston Moretaine
WARD COUNCILLORS	Cllrs Bastable, Matthews & Mrs Clark
CASE OFFICER	Annabel Gammell
DATE REGISTERED	24 January 2014
EXPIRY DATE	21 March 2014
APPLICANT	Mr Brightman
AGENT	
REASON FOR COMMITTEE TO DETERMINE	Applicants wife works for CBC

RECOMMENDED DECISION	Full Application - Granted
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Summary of Recommendation:

The development is considered acceptable as it accords with national and local planning policy documents. The development is suitably in accordance with policies DM3, DM4 of Central Bedfordshire Core Strategy and Development Management Policy Document, in addition to this it is considered this would result in a sustainable form of development in accordance with the National Planning Policy Framework.

Recommendation

That Planning Permission be Approved subject to the following:

RECOMMENDED CONDITIONS / REASONS

- 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 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1, 2, 3, 4.

Reason: For the avoidance of doubt.

Notes to Applicant

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

Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

Notes:

The Committee noted that it is evident that works have commenced and although not finished, the shed has been partly constructed.

Item No. 11

APPLICATION NUMBER	CB/13/04006/MW
LOCATION	Stone Lane Quarry, Woburn Road, Heath And Reach
PROPOSAL	Variation of condition 9 of planning permission BC/CM/2008/27 to increase HGV movements from 110 to 150 per day.
PARISH	Heath & Reach
WARD	Heath & Reach
WARD COUNCILLORS	Cllr Versallion
CASE OFFICER	Georgina Toye
DATE REGISTERED	06 December 2013
EXPIRY DATE	07 March 2014
APPLICANT	Arnold White Estates Ltd
AGENT	Hives Planning Limited
REASON FOR COMMITTEE TO DETERMINE	Parish Council objection
RECOMMENDED DECISION	That Planning Permission be granted subject to conditions laid out below

Recommendation

That Planning Permission be granted subject to the following conditions:

RECOMMENDED CONDITIONS / REASONS

- 1 Planning permission shall extend to the area edged with a thick black line on the attached plan reference BC/CM/2008/27-1. The development shall be carried out in accordance with the planning application dated 29th August 2008 and the accompanying supporting information contained within the Hives Planning Document entitled 'Planning Application submission and Environmental Statement in Support of the Proposal To Restore Stone Lane Quarry to Pre-Extraction Ground Levels Through the Importation of Inert Waste Material' as supported and amended by further information dated 31st October 2008, 4th December 2008, 9th April 2009, and 11th August 2009, the Non material Amendment reference CB/13/02353/MWNM dated 1st July 2013 as amended on the 11th July 2013, and the subsequent Planning application for the variation of condition 9 dated 12th November 2013 amended on the 5th December 2013.

Reason: To define the permission and allow for minor amendments.

- 2 The development hereby permitted shall be begun not later than the expiration of 3 years from the date of this permission. Written notification of the date of commencement shall be sent to the Local Planning Authority within 7 days of such commencement.

Reason: To comply with section 51 of the Town and Country Planning Act.

- 3 The waste operations hereby permitted shall cease on, or before the 21st January 2023 this date being ten years from the date of commencement of waste development. The restoration of the site, excluding the aftercare requirements, shall be completed within a further year and in accordance with the detailed approved scheme for restoration.

Reason: To ensure the development is completed within an acceptable timescale (Policy GE26 of the MWLP)

- 4 Except for such modification as may be approved in writing by the Local Planning Authority, the site shall be worked in seven phases as show on Plan no. 02250/001 to 02250/007 and subsequent phases shall not proceed without the written consent of the Local Planning Authority, which shall be dependant on the progress in the restoration of the previous phases, in accordance with the approved scheme.

Reason: To ensure a high standard of development and restoration of the site (MWLP Policy GE26)

- 5 The visibility splay as constructed shall be maintained at all times in accordance with the scheme approved by letter on 19th December 2012 under reference CB/12/03127/MWS at all times.

Reason: In the interest of highway safety (MWLP Policy GE23)

- 6 No HGVs exiting the site access onto the public highway shall turn left out of the site.

Reason: To ensure that HGV's do not travel through the village of Heath and Reach and in the interest of highway safety (MWLP Policy GE23)

- 7 No waste shall be delivered to the site unless the wheel wash and the wheel shaker shown on drawing no. 2007.2576.001 Rev B have been installed and operational. The tyre squeezer shall be installed and operational at all times in accordance with Sketch number BC/CM/2008/27/1 and Drawing number 01892/0031 approved by letter under reference CB/13/02353/MWNM. No HGV exiting the site shall do so without first passing over the wheel cleaning facilities. All practicable measure to keep Woburn Road clear of mud and debris shall be taken at all times.

Reason: To maintain safe highway conditions in the interest of highway safety (MWLP Policy GE23).

- 8 The existing sign located at the entrance of the site directing HGVs to turn right out of the site must be kept in accordance with the scheme approved by letter on the 26th October 2012 under reference CB/12/03130/MWS. The sign shall be maintained for the duration of the use of access for the purpose hereby permitted and removed thereafter.

Reason: To ensure that HGVs do not travel through the village of Heath and Reach in the interests of highway Safety (MWLP Policy GE23)

- 9 Unless otherwise approved in writing by the Local Planning Authority, there shall not be more than 150 HGV Movements entering and exiting the site in any one working day (pro rata for part days)

Reason: To restrict throughput capacity at the site and in the interests of highway safety MWLP Policy GE23.

- 10 A record of daily HGV movements shall be maintained on site at all times and submitted to the Planning Authority at the end of every six month period from the beginning to the conclusion of operations. The record of daily HGV movements shall also be made available for inspection by the local Planning Authority within 7 working days of any written request.

Reason: To enable monitoring of other planning conditions

- 11 The access gates to the site shall not be closed during operational hours.

Reason: In the interests of highway safety MWLP Policy GE23.

- 12 The monitoring of the site entrance by CCTV camera shall be carried out in accordance with the scheme dated 6th November 2012 as approved under reference CB/12/03131/MWS.

Reason: To allow the monitoring of traffic movements and the condition of the site entrance and public highway.

- 13 Hours of operations

Unless otherwise approved in writing by the Local planning Authority, No operations authorised or required under this permission shall take place on site except between the hours of 07:00 and 18:00 Monday to Fridays. There shall be no operations on site on Saturdays, Sundays and Bank Holidays.

Reason: to minimise disturbances to nearby residential properties and to protect the amenities of the surrounding environment MWLP Policy GE18

- 14 No deposit of waste shall take place except in accordance with the scheme for marking the limits of waste disposal as approved by letter on the 21st November 2012 under reference CB/12/03132/MWS. The markers shall remain in place for the life time of operations.

(Reason: To define the limits of the permission and allow for monitoring of other planning conditions)

- 15 The provision of protective fencing for the sensitive historic ridge and furrow areas during the landfilling process shall be carried out in accordance with the scheme approved by letter on the 29th October 2012 under reference CB/12/03133/MWS. The fencing shall be erected before landfilling takes place in Phase 6 of operations.

Reason: To protect archaeological features MWLP Policy GE14

- 16 Environmental Protection

No waste other than solid inert waste material shall be deposited on the site.

Reason: to prevent the possible contamination of the groundwater and protect the amenities of neighbouring properties MWLP Policy GE 17

- 17 No subsoils or topsoils shall be spread, unless and until a topographical survey of the site has been submitted to and approved in writing by the Local Planning Authority.
- Reason: to provide for a satisfactory and orderly method of working and eventual restoration of the site MWLP Policy GE 26*
- 18 The control and monitoring of dust shall be carried out in accordance with the scheme approved by letter on the 26th October 2012 under reference CB/12/03134/MWS. The results of the dust monitoring shall be submitted to the Local Planning Authority in accordance with this scheme.
- Reason: to protect local amenity MWLP Policy GE 18*
- 19 Surface water drainage shall be carried out in full accordance with the scheme approved by letter on the 6th November 2012 under reference CB/12/1315/MWS.
- Reason: To prevent the possible contamination of groundwater and of flooding MWLP Policy GE17 and GE19.
- 20 The monitoring and control of noise shall be carried out in full accordance with the scheme approved by letter on the 6th November 2012 under reference CB/12/03368/MWS.
- Reason: To minimise disturbance to nearby sensitive receptors by reason of noise MWLP Policy GE 18
- 21 Erection of buildings, plant, machinery
- Notwithstanding the provisions of the Town and Country Planning General Permitted Development Orders, detailed proposals of any new or replacement buildings, fixed plant and machinery to be erected shall be submitted to the Local Planning Authority for approval in writing and the details shall be implemented as approved.
- Reason: To enable the Planning Authority to exercise control over any development within the site which could be detrimental to the amenities of the area MWLP Policy GE 9 and GE18.
- 22 All external lighting shall be installed in accordance with the scheme approved by letter on the 6th November 2012 under reference CB/12/3137/MWS.
- Reason: To protect the amenities of the area)MWLP Policy GE 18
- 23 Restoration and aftercare
- Restoration of this site shall be carried out in strict accordance with the scheme approved by letter on the 23rd November 2012 under reference CB/12/03138/MWS.
- Reason: To ensure a satisfactory restoration of the site MWLP Policy GE26
- 24 The five year aftercare and management of the restored land shall be carried

out in strict accordance with the scheme approved by letter on the 23rd November 2012 under reference CB/12/03139/MWS

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

25

An Annual Environmental Monitoring Report for operations hereby permitted shall be submitted to the Local Planning Authority by 30 June each year covering preceding financial year (1 April to 31 March). The report shall contain the following;

- a. A statement of operations over the past year, to include noise, traffic, rates of processing, progress on restoration;
- b. Identification of any problems caused by these operations and action taken to address these;
- c. A statement of future planned operations over the next year;
- d. Identification of any potential problems which could be caused by future operations and the action to be taken to address these;
- e. quantities of waste imports, and amount of void space remaining;

Reason: The safeguard the amenities of the surrounding area and to assist the Local Planning Authority in the forward planning process

Notes to Applicant

Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

Planning Permission has been granted for this proposal. The Council acted pro-actively through the positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (development Management procedure) (England) (amendments No.2) order 2012.

Reasons for Granting

It is considered that the impact on the Green Belt has already been substantively assessed under planning permission BC/CM/2008/17 and that the proposal of an increase of 20 HGV movements per day is unlikely to have any impact on the openness of the Green Belt.

The applicant currently has 1 wheel washes on site, a tyre squeezer at the lower part of the site and a wheel wash at the access of the site. However in response to the parish councillors comments during a meeting the site is now operating a dwell time of 1 minute to avoid any mud film on Woburn Road. It is considered that the increase of HGV movements will not cause any further disturbances and the proposal accords with MWLP Policy GE18.

The Highways Authority do not object to the planning application and do not request that Woburn Road has additional signage or that the speed limit lowered from the A5 to the village. It is not considered necessary to evaluate all vehicles from all the quarries under this proposal as HGVs from Stone Lane do not enter the Village of Heath and Reach. Other concerns included the access to Stone Lane quarry and possible stacking of HGVs on Woburn Road. The access is of a sufficient width that incoming and out going HGV's can pass one another without prioritising incoming HGVs. The access is also long enough to accommodate some stacking of HGVs within the site and no HGVs have currently had cause to stack outside the site. The site also has a CCTV camera with live feed that the Local Planning Authority can look at to monitor the entrance of the site on a regular basis. Therefore it is considered that the proposal accords with MWLP Policy GE23.

NOTE

In advance of the consideration of the application the Committee received representations made under the public participation scheme.

Item No. 12

APPLICATION NUMBER	CB/14/00134/MW
LOCATION	Sundon Landfill Site, Common Lane, Sundon, Luton, LU3 3PF
PROPOSAL	Variation of condition 17 of planning permission CB/12/03266/MW to permit an increase in the number of HGVs entering the site from 111 to 175 per day.
PARISH	Toddington
WARD	Toddington
WARD COUNCILLORS	Cllrs Costin & Nicols
CASE OFFICER	Georgina Toye
DATE REGISTERED	24 January 2014
EXPIRY DATE	25 April 2014
APPLICANT	Central Bedfordshire Council
AGENT	
REASON FOR COMMITTEE TO DETERMINE	Parish Council Objection
RECOMMENDED DECISION	That Planning Permission be granted subject to the following:

Recommendation

That Planning Permission be granted subject to the following:

RECOMMENDED CONDITIONS / REASONS

- 1 The permission hereby granted shall extend to the area edges with a thick black line on the attached plan no. BC/CM/2001/7/X.

Reason: To define the permission.

- 2 Except as may be approved in advance and in writing by the Local Planning Authority or as required in terms of the conditions of this permission, the development hereby authorised shall not take place otherwise than in complete accordance with the application numbered BC/CM/2001/7 as amended by the agent's letter of modification dated 9 June 2001 (with accompanying revised method statement for surface water management) and agent's letters of modification dated 20 June 2001 and 3 July 2001, the further modifications presented in the agent's report dated October 2002 and as further amended by the planning application dated 17 October 2012 and application number CB/14/00134/MW dated 17th January 2014.

REASON: To define the permission, whilst allowing for a degree of flexibility in exceptional circumstances.

- 3 The development hereby permitted shall be begun within one year of the date of this permission. Written notification of the date of commencement shall be given to the Local Planning Authority within five working days of the event.

REASON: To require commencement of operations within a reasonable timescale, to define the date of commencement, and to prevent the accumulation of unimplemented permissions.

- 4 No waste materials other than uncontaminated inert waste shall be brought into the site.

REASON: To maintain proper regulation of the operation - MWLP Policy GE17

- 5 Except as may be approved in advance and in writing by the Local Planning Authority, no wastes or processed inert materials shall be taken off the site other than for disposal at an appropriate licensed facility.

REASON: To maintain proper regulation of the operation, whilst allowing a degree of flexibility in exceptional circumstances - MWLP Policy GE17

- 6 Capping materials and restoration soils shall not be placed otherwise than in such a manner as to prevent slippage or erosion. Any slippage or erosion that does occur shall be rectified by immediate and appropriate remedial action.

REASON: To ensure stability of containment -- MWLP Policy GE26

- 7 Notwithstanding the provisions of the General Permitted Development Order, details of all buildings, fencing, fixed plant and fixed equipment shall be submitted to and approved by the Local Planning Authority prior to installation.

REASON: To enable the Local Planning Authority to retain appropriate regulatory control of the development and prevent the installation of buildings, fencing, plant or equipment that may be insensitive to the surrounding environment.

- 8 Except as may be approved in advance and in writing by the Local Planning Authority, no operations authorised or required by this permission shall take place other than within the following times:

Monday to Friday (inclusive): 07:00 hrs to 19:30 hrs
Saturday: 07:30 hrs to 12:00 hrs

Except as may be approved in advance and in writing by the Local Planning Authority, no operations shall take place on Sundays or Public Holidays.

REASON: To minimise disturbance to local residents, whilst allowing for a degree of flexibility in exceptional circumstances - MWLP Policy GE18

- 9 The phasing of the development in terms of importation and placement of restoration soils and subsequent landscaping shall take place in accordance with:

- drawing no. A0716021_PHA_01 (dated July 2011) and the 'Phasing Schedule of Works' contained within the application dated 17 October 2012; and
- the scheme reference BC/CS/2006/1, as approved by formal letter on 3 May 2006, with the exception that implementation of the approved landscaping works shall proceed on the basis of the 6 phases shown on drawing number no. A0716021_PHA_01 (dated July 2011) rather than in the phasing manner shown in that scheme.

All restoration works, including landscaping, shall be completed by 30 September 2017.

REASON: To control the duration and phasing of the operations hereby permitted - MWLP Policy GE26.

- 10 No vehicles used for transport of clay, aggregate, minerals or inert waste materials for the capping and restoration works shall enter or leave the site other than by means of the new haul road constructed from the junction of the A5120 and Harlington Road as OSGR 502426 230504 to the rail underpass located at OSGR 503472 228882, as identified on attached drawing number BC/CM/2001/7/X.

REASON: To control access to the site in the interests of highway safety and public amenity - MWLP GE23.

- 11 The haul road referred to in condition 10 shall not be constructed otherwise than in accordance with scheme reference BC/CS/2003/13 approved by formal letter dated 29 January 2004. The scheme shall be carried out in full.

REASON: To ensure appropriate access arrangements in the interests of highway safety and local amenity - MWLP Policy GE23.

- 12 Construction of the haul road referred to in condition 10 shall not be undertaken other than in accordance with the scheme reference BC/CS/2003/19 as approved by formal letter dated 8 July 2003. Any necessary mitigation measures shall be implemented in full before construction of the haul road commences.

REASON: To ensure appropriate protection of a protected species - MWLP Policy GE13.

- 13 Construction of the haul road referred to in condition 10 shall not be undertaken other than in accordance with the scheme reference BC/CS/2003/19 as approved by formal letter dated 8 July 2003. Any necessary mitigation measures will be agreed in writing by the Local Planning Authority and implemented in full before construction commences within 500 metres of the pond.

REASON: To ensure appropriate protection to a protected species - MWLP

Policy GE13.

- 14 Construction of the haul road referred to in condition 10 shall not be undertaken other than in accordance with the scheme reference number BC/CS/2003/9 as approved by formal letter dated 21 July 2003 so as to ensure the appropriate preservation of any archaeological finds encountered during construction.

REASON: To ensure appropriate archaeological preservation - MWLP Policy GE14.

- 15 No waste or other capping or restoration materials shall be brought onto the site unless the appropriate signage and other appropriate safety measures have been installed to protect users of Public Rights of Way in accordance with the scheme reference BC/CS2003/13 as approved by formal letter dated 21 July 2003. The signage and any measures so installed shall be maintained for the duration of the operations hereby permitted.

REASON: In the interests of public safety.

- 16 No waste materials or other capping materials shall be brought onto the site unless the wheel cleaning facilities detailed in the scheme reference BC/CS/2003/13 as approved by formal letter dated 23 June 2003 have been installed. Thereafter, no heavy goods vehicles shall leave the site in such condition as to deposit mud or debris on the highway.

REASON: To prevent transmission of mud and debris onto the highway in the interests of highway safety and local amenity - MWLP Policies GE18 and GE23.

- 17 The number of heavy goods vehicle (above 7.5 tonnes) movements to and from the site in any one day shall not be more than as follows:

- Monday to Friday (inclusive): 175 movements each way (350 total movements);
- Saturday: 50 movements each way (100 total movements)

A log of daily heavy goods vehicle movements shall be maintained and made available to the Local Planning Authority for inspection within seven days of a written request.

REASON: In the interests of highway safety and local amenity - MWLP Policy GE23.

- 18 The Local Planning Authority shall be notified in writing of the date of completion of the capping and restoration works within 7 days of the event. Within 12 months of the date of completion of the capping and restoration works, and in any event no later than 30 September 2017, the haul road referred to in condition 10 shall be removed and the ground restored in accordance with a detailed scheme which has first been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure the satisfactory restoration of the site - MWLP Policy

GE26.

- 19 Except as may be approved in advance and in writing by the Local Planning Authority, no vehicles shall use the haul road referred to in Condition 10 other than such vehicles as may be directly engaged in landfill site capping/restoration operations or the normal agricultural business of the New Manor Farm landholding.

REASON: In the interests of highway safety, to prevent intensification of haul road use beyond that identified in the application.

- 20 All site accesses shall be secured at their junctions with the public highway against unauthorised entry by means of appropriate gating and physical barriers in accordance with the scheme reference BC/CS/2003/32 as approved by formal letter dated 12 August 2003.

REASON: To safeguard against potential fly-tipping or nuisance - MWLP Policy GE18.

- 21 No works relating to the control and management of surface water at the site shall take place other than in accordance with the scheme reference BC/CS/2003/6 as approved by formal letter dated 1 July 2003.

REASON: To ensure satisfactory pollution control - MWLP Policy GE17.

- 22 No works for the management of leachate shall be undertaken other than in accordance with the scheme reference BC/CS/2003/6 as approved by formal letter dated 1 July 2003.

REASON: To ensure satisfactory pollution control - MWLP Policy GE17.

- 23 No works for the control and management of landfill gas shall be undertaken other than in accordance with the scheme reference BC/CS/2003/6 as approved by formal letter dated 1 July 2003.

REASON: To ensure satisfactory pollution control - MWLP Policy GE17.

- 24 There shall be no leachate re-circulation.

REASON: To prevent the risk of pollution

- 25 No operations authorised or required by this permission shall take place within 10 metres of the railway property boundary other than in accordance with the details approved by letter on 23 June 2003.

REASON: To ensure the railway is not adversely affected during or after execution of the development.

- 26 No crushing or screening plant or other equipment for processing of inert materials shall be used on the site otherwise than in such a manner as to prevent the transmission of odour, dust, vibration or noise to neighbouring properties.

REASON: In the interests of public health and local amenity - MWLP Policy GE18.

- 27 No crushing or screening plant or other equipment for processing of inert materials shall be used on the site otherwise than for purposes that are directly related to the development hereby authorised.

REASON: To prevent inappropriate use of the site for processing of materials for use elsewhere.

Notes to Applicant

Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

Planning Permission has been granted for this proposal. The Council acted pro-actively through the positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (development Management procedure) (England) (amendments No.2) order 2012.

Reasons for Granting

It is considered that the principle use of the site as a landfill which is now undergoing capping and restoration has been previously assessed under the permitted landfill application.

The site currently carries out dust mitigation measures by having HGVs sheeted unless tipping and the dampening down of areas that can produce dust. Further to this mechanical sweeping takes place of the A5120 when any material is seen on the road. It is therefore considered that the site has sufficient mitigation measures to minimise dust disturbance and material being deposited on the road and accords with MWLP Policy GE18.

It is likely that the majority of Vehicles will be leaving the M1 Junction 12 and going straight to Sundon Landfill. There is no reason for these HGVs to enter the village of Toddington. It is also considered that the A5120 is a main highway from the M1 and that the road does not have vehicle restrictions. It is unlikely that HGV's connected with the operations at the Sundon Landfill will go through the village of Toddington and the proposal accords with MWLP Policy GE23.

NOTE

The Committee were advised of comments received from Sundon Parish Council.

Item No. 7

APPLICATION NUMBER	CB/14/00389/REG3
LOCATION	Priory House, Monks Walk, Chicksands, Shefford, SG17 5TQ
PROPOSAL	Extension to office car park for 146 car parking spaces.
PARISH	Campton/Chicksands
WARD	Shefford
WARD COUNCILLORS	Cllrs Birt & Brown
CASE OFFICER	Nikolas Smith
DATE REGISTERED	31 January 2014
EXPIRY DATE	28 March 2014
APPLICANT	Central Bedfordshire Council
AGENT	EC Harris LLP
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	This application is before the Committee because the Council is the applicant and objections to the development have been received.
	Full Application - Granted

Summary of recommendation:

The principle of the development would be acceptable and no harm would be caused to the appearance of the site or to living conditions at neighbouring properties. Subject to compliance with planning conditions, drainage at the site would be properly handled and the Council's sustainability objectives would not be undermined. The development would be in accordance with the objectives of the National Planning Policy Framework (2012) and the Central Bedfordshire Core Strategy and Development Management Policies (2009).

Recommendation:

That Planning Permission is granted subject to the following planning conditions:

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

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

- 2 The development shall be carried out strictly in accordance with the terms of the submitted and approved Travel Plan (prepared by WYG and dated December 2013), unless otherwise agreed beforehand in writing by the Local Planning Authority.

Reason: To ensure that the site continues to respond to the Council's sustainable travel objectives.

- 3 Within one month of commencement of the development, a scheme for landscaping, a timetable for its implementation and a programme for its maintenance shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried in accordance with the approved timetable and maintained in accordance with the approved programme.

Reason: To ensure that the appearance of the development is acceptable.

- 4 Within one month of the commencement of the development a scheme for provision of biodiversity improvements for the site and a timetable for its implementation shall have been submitted to and approved in writing by the Local Planning Authority. The details shall be carried out as approved.

Reason: To ensure that the site makes suitable provision for biodiversity.

- 5 The existing covered cycle/motorcycle shelter at the site shall be retained. The five cycle hoops shown on drawing 3110 rev A shall be provided within two months of the commencement of development and shall be permanently retained thereafter.

Reason: To ensure that sufficient cycle parking is provided at the site.

- 6 The storm water design shall be constructed in accordance with the details shown on drawings 9157-02 T4, 9157-06 T6, 9157-07 T4 and 9157-08 T4.

Reason: To ensure that storm water provision at the site is acceptable.

- 7 The proposed development shall be carried out and completed in all respects in accordance with the access siting and layout illustrated on the approved plan and defined by this permission and, notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995, (or any Order revoking or re-enacting that Order) there shall be no variation without the prior approval in writing of the Local Planning Authority.

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

- 8 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers [001C, 003A, 3110 rev A Design and Access Statement (January 2014), Priory House Travel Plan (December 2013), 9157-02 T4, 9157-06 T6, 9157-07 T4 and 9157-08 T4].

Reason: For the avoidance of doubt.

Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

The Council acted pro-actively through early engagement with the applicant at the pre-application stage which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

NOTE

In advance of the consideration of the application the Committee were advised that the applicant had met with the Council's Ecologist, Landscape Officer and GI Officer. Details that would need to be submitted pursuant to Conditions 3 and 4 were agreed.

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