

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 24 September 2014

PRESENT

Cllr K C Matthews (Chairman)
Cllr A Shadbolt (Vice-Chairman)

Cllrs	R D Berry	Cllrs	K M Collins
	M C Blair		Ms C Maudlin
	A D Brown		I Shingler
	Mrs C F Chapman MBE		J N Young
	Mrs S Clark		

Apologies for Absence: Cllr T Nicols

Substitutes: Cllr B J Spurr (In place of T Nicols)

Members in Attendance: Cllrs A R Bastable
R D Wenham,
I Dalgarno

Officers in Attendance:	Miss H Bell	Committee Services Officer
	Mr J Clements	Planning Officer
	Mr A Davie	Head of Development Management
	Mr A Emerton	Managing Solicitor Planning, Property, Highways & Transportation
	Miss A Gammell	Senior Planning Officer
	Mr D Lamb	Planning Manager East
	Mrs A Myers	Landscape Officer
	Mr R Preston	Team Leader, Highways Development Management
	Miss L Westley	Senior Planning Officer

DM/14/69. **Chairman's Announcements**

The Chairman reminded Councillors and members of the public to silence their mobile phones for the duration of the meeting.

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 discussions 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 or casting vote should be exercised nor is there a requirement that the right be exercised at all.

DM/14/70. **Minutes**

RESOLVED

that the Minutes of the meeting of the Development Management Committee held on 27 August 2014 be confirmed and signed by the Chairman as a correct record subject to an amendment to Minute No DM/14/60 to read as follows:

DM/14/60 Planning Application No. CB/14.01818/FULL

That a motion to approve the application, subject to the movement of the give way line on the Blunham Road and the realignment of the picket fence outside the Guinea Public House, was moved and seconded when put to the vote it was defeated. Subsequently a motion to defer the application was moved and seconded.

RESOLVED

That Planning Application No. CB/14/1818/FULL relating to Land adjacent to The Guinea, Bedford Road, Moggerhanger be deferred for two cycles to allow discussions between the officers and the applicant regarding affordable housing options.

DM/14/71. **Members' Interests**

(a) **Personal Interests:-
Member**

	Item	Nature of Interest	Present or Absent during discussion
Cllr Blair	6	Met with a registered public speaker and attended presentation on scheme.	Present

Cllr Blair	8	Know architect	Present
Cllr Mrs C F Chapman MBE	5, 7 & 8 10	Member of Marston Vale Forum	Present
Cllr Clark	6	Attended meetings and met with applicant in respect of the application	Present
Cllr Matthews	6	Attended meetings and met with applicant in respect of the application	Present
Cllr Young	6	Met with planning agent in capacity as Executive Member for Planning	Present
Cllr Young	7	Son lives in close vicinity to application site	Present
Cllr Brown	6	Met with planning agent	Present
Cllr Maudlin	6	Know public speaker	Present

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

Member	Item	Nature of Interest	Present or Absent during discussion
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(c) **Prior Local Council Consideration of Applications**

Member	Item	Parish/Town Council	Vote Cast
Cllr Blair	11	Ampthill Council	Town Did not vote
Cllr Clark	6	Millbrook Meeting	Parish Did not vote

DM/14/72. **Planning Enforcement Cases Where Formal Action Has Been Taken**

AGREED

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

DM/14/73. 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 some of the Applications the Committee received representations from members of the public in accordance with the Public Participation Procedure as set out in Annex 3 of Part A4 of the Constitution.

DM/14/74. Planning Application No. CB/14/02490/OUT

RESOLVED

that Planning Application no CB/14/02490 relating to Millbrook Proving Ground, Station Lane, Millbrook be approved as set out in the Schedule appended to these Minutes.

DM/14/75. Planning Application No. CB/14/02084/OUT

RESOLVED

that Planning Application no CB/14/02084 relating to Marston Park North, Marston Moretaine be approved as set out in the Schedule appended to these Minutes.

DM/14/76. Planning Application No. CB/14/02713/FULL

RESOLVED

that Planning Application no CB/14/02713/FULL relating to Home Farm, 1 High Street, Wrestlingworth be delegated to the Development Infrastructure Group Manager to approve as set out in the Schedule appended to these Minutes.

DM/14/77. Planning Application No. CB/14/02714/LB

RESOLVED

that Planning Application no CB/14/02714/LB relating to Home Farm, 1 High Street, Wrestlingworth be delegated to the Development Infrastructure Group Manager to approve as set out in the Schedule appended to these Minutes.

DM/14/78. **Planning Application No. CB/14/02134/FULL**

RESOLVED

that Planning Application no CB/14/02134 relating to Land at Chapel Close, Clifton be delegated to the Development Infrastructure Group Manager to refuse as set out in the Schedule appended to these Minutes.

DM/14/79. **Planning Application No. CB/14/03214/FULL**

RESOLVED

that Planning Application no CB/14/03214/FULL relating to 62 Nottingham Close, Amptill be approved as set out in the Schedule appended to these Minutes.

DM/14/80. **Site Inspection Appointment(s)**

RESOLVED

that under the provisions of the Members Planning Code of Good Practice all members and substitutes of the Committee be invited to attend site inspections to be held on Monday 20 October 2014.

(Note: The meeting commenced at 10.00 a.m. and concluded at 2.00 p.m.)

Chairman

Dated

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LATE SHEET**DEVELOPMENT MANAGEMENT COMMITTEE – 24 SEPTEMBER 2014*****Item 6 (Pages 13-50) – CB/14/02490/OUT – Millbrook Proving Ground, Station Lane, Millbrook, Bedford.*****Reason for committee to determine**

The Planning Committee Report included an incomplete 'reason for committee to determine'. The correct version should state:

Called-in by Councillor Bastable & Major Development with objection from the Parish Councils.

Loss of amenity - excessive light; overdevelopment - scale of development exceeds original concept; overbearing - site 2, 3 & 4 large obtrusive buildings close to road; highway safety grounds – continuous traffic through Millbrook Village; Design – Modern industrial buildings with flat roofs out of keeping with area; impact on landscape - protected views from Millbrook and ridge.

Additional Consultation/Publicity Responses**Strategic Landscape Officer – final comments:**

Following the submission of revised indicative plans for sites 1 & 2 and details regarding the design coding condition, the Strategic Landscape Officer has stated:

'In my view of the changes made, i.e. the redesign to conserve more of the established trees at Site 1 and the Design Code which aims to develop recessive detailing, I am able to withdraw my objections to the development of Sites 1 and 4'.

The Landscape Officer has also stated that as part of Reserved Matters the following details should be agreed:

- 1 A detailed landscape impact study to be undertaken, to determine important tree groups to be protected from a landscape viewpoint, which can extend from the information provided in the Arboricultural reports.*
- 2. An assessment of the need for earth movement (in view of the undulating ground) and the impact this may have on tree stock and whether soils generated could be used to enhance screening.*
- 3. That the detailed design of Site 2 seeks to maximise roadside screening, in order to maintain the wooded edge which currently contributes to landscape character. This screen planting could also provide a greenway for the cycle path.*
- 4. Sites 2 and 3 and 4 - the design code for the buildings to secure details which are appropriate to the Forest of Marston Vale- so that the glimpsed views of the buildings will not urbanise the rural location.*

5. *That a site management plan will be prepared, which will cover the enhancement of all habitats on the site; a tree and woodland management plan will be an important aspect of this.*

These points will be discussed in detail during the submission of the Design Code and each phase of the development.

Network Rail – email received 23.09.2014

'Network Rail have reviewed the data sent through and although the full assessment has yet to be concluded. It is clear there will be an increase in traffic using the crossing as set out by the developer and therefore there will be an increase in the risk of the crossing.

We therefore think it is right that the developer makes a contribution to the improvement of safety at the crossing. Which we can agree the details of this with the council and developer.

We would also request that the developer assists network rail with educating the users of the site by providing level crossing safety leaflets to their visitors, Network Rail will provide this information to the developer.

Finally we would request that the council includes a monitoring condition to monitor the impacts upon the two level crossings'

Forest of Marston Vale consultation response:

'The Forest of Marston Vale Trust (FoMVT) are agreeable to a 'mixed solution' to their Forest contribution in order for this application to meet its planning obligations and propose the following:

- *Woodland management*

By entering the areas of woodland within the Proving Ground into a Forestry Commission Management Plan and delivering on the aims and objectives contained within would improve the ecological and habitat value of the woods as well as identifying areas of woodland that could be suitable for thinning for wood fuel. I have attached a recently approved Forestry Commission Management Plan that was drafted for one of the FoMVT sites in Willington for your and Andrew's information. The FoMVT can provide assistance with this process, but would charge £250 a day plus VAT plus any costs to cover searches etc. I am unfamiliar with the woodlands at Millbrook and unsure how much data the applicant has on its woodland asset, so unable to provide full costings should the Trust be asked to assist in this matter. It does not need to be the Trust, a 3rd party specialist could be independently appointed by MPG.

- *Managing existing woodland assets for generating onsite biofuel*

If successful this method of generating fuel / renewable energy would be of great value for promoting the planting and management of woodland within the area for both commercial and domestic development schemes, so the Trust is very supportive

of this type of collaborative contribution to the Forest Plan. James Russell has been leading on the discussions with Cranfield University, but is on leave until the 24 September. I am reluctant to explore this item further in James absence but confirm that the Trust would be very supportive to investigate bio fuel options.

- *Financial contribution for woodland delivery*

As previously mentioned this type of contribution is our least preferred option as the Trust then has to locate and purchase the land to plant. Trying to put a figure to the above indirect contributions is difficult as the Trust does not employ an economist who specialises in valuing biofuel technology and ecological improvements. However the Trust recognise that if these two options are taken up and delivered then they would be making a substantial contribution towards the Forest. Having a high profile landholder like MPG providing or using bio fuel sourced locally could influence neighbouring landholders to plant short rotation coppice to fuel a MPG biofuel system.

- *New Access Link – Greensand Car Park to Millbrook Station and the Millennium Country Park*

The upgrading of highway verge to a public accessible and maintained surfaced route linking the Greensand Ridge car park to the Millennium Country Park is of great value to local residents and communities as well as visitors to the area. Even though this access route was originally linked to a previous planning permission the inclusion of this new access does meet the aims and objectives of the Forest Plan in terms of increasing public access to the Countryside so can also be considered a contribution if delivered.

- *Proposal*

Providing MPG replace all trees felled for the development on site, deliver the new public access route and commit to implement a FC backed woodland management scheme for its remaining Woodland and seriously consider biofuel options, the FoMVT would consider reducing the planting that MPG would need to satisfy the 39% Forest contribution from 2.49ha to 1ha of new woodland. Based on the Forest Model this equates to a monetary contribution of £56,086.46.

Implementing bio fuel technologies and managing existing woodland sends a very positive message for local landholders and future commercial developments that planting/managing woodland for biofuel is cost effective, whilst also helping Central Beds Council to deliver their Forest Plan. Implementing bio fuel technology into the proposed MPG development could be very beneficial to the development, plus it would likely to attract funding and would benefit the site with Renewable Heat Incentive payments.

The Trust hopes that the planning authority and applicant acknowledge this is an unusual scheme and that the Trust is demonstrating a reasonable and pragmatic approach for an unusual case and that the flexibility being taken does not go against the FoMVT on future commercial developments within the Forest area.

If the above contributions are taken forward into a s106 agreement then the trigger mechanism for MPG to deliver them should be on occupation of any part of the whole development and not on a single part of the development that MPG decide not to construct. It was the latter approach that resulted in the access link promoted on a

previous MPG application not being delivered but is now being promoted on this scheme'.

Additional Comments

Millbrook Proving Ground has confirmed that this approach is acceptable. See revised s106 heads of terms below.

Letter received from the Environment Agency 23.09.2014

The letter advised that they have a technical holding objection until further information is submitted as part of the Flood Risk Assessment. The Environment Agency have confirmed that once satisfactory information has been submitted that their holding objection will be removed and that they recommend four conditions, which are outlined below. The reasons for recommending approval have been amended (below) to take account of the Environment Agency's position.

6 Riglen Close, Lidlington consultation response:

'Objection to this application because: environmental impact to flora and fauna by cutting out a large amount of trees. Increase in traffic will increase air and noise pollution. In addition Lidlington and Millbrook can not cope with the current traffic as it is already. Lidlington main roads are dangerous this will only increase the chance for a fatal accident to occur. The proposed entrance to site 4 is in a very small road to accommodate the increased traffic demands requirements, in addition a footpath runs in this road on the side of the proposed entry this will disrupt many people who use that path on a daily basis (sports, dog walk, work commute etc). A new, uninterrupted safe path would be necessary. Increased in noise pollution is a very big concern not only from traffic but during the day and especially at night, this is not respected already as there are noise producing activities (arising from the proving ground) at night/early morning that disrupt the neighbours when sleeping contributing to increasing levels of anxiety and desperation due to lack of rest and peace'.

Email sent 21.09.2014 to Committee Members - Lyshott House, Millbrook

Please excuse the direct approach in advance of Wednesday's Planning Committee Meeting, but, following discussions with other residents in Millbrook Village, we consider that the following should be brought to your attention:

The planning officer's Summary of Recommendations for approving this application suggests that

harm to open countryside would be offset by the economic and employment benefits of development and that there will be no undue harm to residential amenity. He also says that the application is acceptable in regards to sustainable transport and highway safety.

I attach an image to show where Site 1 (of 4) from Millbrook Proving Ground's (MPG's) Planning Application is proposed to be situated. This image shows how this is likely affect the view across the paddocks as your drive through the Village Conservation Area. It also shows the inaccuracy of the Masterplan (copy attached, as submitted by MPG), which suggests that the Greensand Ridge Walk (an important protected tourist/hiking/cycling/bridal way) is some distance away from the boundary of Site 1.

The Council's Conservation Area Appraisal regards this landscape as an outstanding feature of Millbrook. It states that "The one lasting image of Millbrook Conservation Area is Laurence Meynell in his book entitled 'Bedfordshire' and published in 1950 states that: ...there is not a more beautifully placed village in the whole of Bedfordshire than Millbrook, which stands on the edge of the Greensand Belt, sufficiently high to overlook all the vale of Bedford and yet with all the benefits of the typical Greensand woodlands..."

The Greensand Ridge Walk (according to the Management and Development Plan, published by Central Bedfordshire Council) "aims to provide a high quality, nationally promoted regional trail ...which will enable everyone to appreciate and enjoy these valuable and unique habitats and landscapes. ...It promotes the uniqueness of the Central Bedfordshire landscape, protecting the ecological, cultural and landscape features of the areas through which each stage of the walk passes through."

The need to protect these rare areas within our County is enshrined within Policies DM 11 & 14 of the Central Bedfordshire Core Planning Strategy, which supports the need to "conserve or enhance the landscape" and "ensure that the scale, layout and design" of applications should not adversely affect the countryside. To grant permission then would ignore those elements of the Council's own planning policy. Damaging these views will clearly affect residential amenity, as will the increased traffic flow.

Millbrook Proving Ground's website explains that it has "full planning consent for the development of three new buildings totalling 6,000m² and has submitted outline plans for the development of a further 24,900m² across the site, all of which are flexible developments and can be designed and built to suit tenants' requirements". This will more than double both the existing facilities and numbers of employees on site (per their planning application data), buildings not for their own use but for letting to third parties. <http://www.millbrook.co.uk/Facilities-and-Services/Technology-park> On this basis the scale of the development appears excessive, particularly Site 1, which is in a rural setting adjacent to a Conservation Area.

We don't see how doubling the available commercial floorspace can be deemed unlikely to affect traffic flow and highway safety, without significant infrastructure improvement.

Millbrook Proving Ground is a credit to our County and it would be unreasonable to object to development to maintain its own commercial viability. However, it is the size of this application which appears excessive, beyond the requirements of MPG themselves, as this floorspace will be let to tenants. The location of Sites 2 and 3 may be less inappropriate than Site 1. As you may know, MPG has a new Hedge

Fund Owner <http://www.rutlandpartners.com/> and is diversifying its activities as a result.

Additional Comments

The comments raised in this above consultation responses have been covered in the Committee Report. It is considered that the impact upon the landscape and views from the Conservation Area can be mitigated by the siting of the units, retention of the existing tree belt, a scheme of new planting and a design code to ensure a high quality design. The Highway Officer considers that the applicant's Transport Assessment is robust and that there would be no adverse harm to highway safety.

Letter from O&H Properties received 14.08.2014 (local landowners)

'Having reviewed the outline planning application submitted by Millbrook Proving Ground Ltd. for the development of up to 24,900 square metres of B1 floor space on four sites at the Millbrook Proving Ground (CBC Ref – CB/14/02490/OUT), I write to outline a number of observations on behalf of our client O&H Properties Ltd ('O&H'). The Millbrook Proving Ground occupies a significant part of the Marston Vale which is an area that has long been recognised as an excellent location for strategic growth including as an established Growth Area within the Milton Keynes and South Midlands Sub-Regional Strategy (MKSM). The MKSM identified the Bedford / Kempston and Northern Marston Vale as an area to accommodate significant growth. This was further enshrined in the East of England Plan and as such the area has seen significant investment in infrastructure. Additionally, Bedford Borough Council continue to realise the significant potential of the area and have identified the Northern Marston Vale in their preferred options for growth in their emerging Local Plan.

The proposed development of the Millbrook Proving Ground is a clear demonstration of the continued demand for economic growth within the Marston Vale. Millbrook, together with Cranfield University represent two key employment hubs within Central Bedfordshire and their district wide significance is reflected in the emerging Development Strategy. This further highlights the strategic importance of the Marston Vale which is demonstrated by the level of existing and planned significant investment to the highway and rail infrastructure within the Vale, including the dualling of the A421, M1 Junction 13 improvements, the future delivery of East-West rail and the Bedford to Milton Keynes Waterway.

In this context, O&H considers that it is vital to plan for strategic growth within the Marston Vale. There is a major opportunity to harness the growth potential of this strategic corridor in a well planned manner. O&H consider that planning comprehensively for the Marston Vale, including bringing forward strategic development, is crucial to consolidating growth and investments in the area thus ensuring that the appropriate additional infrastructure is delivered to support this growth. This is considered essential in maximising the potential of the Vale as a strategic location.

O&H and other local landowners are key to this vision. With a controlling interest in large tracts of land within the Marston Vale, O&H have promoted a mixed use development of up to around 5,000 dwellings, community/leisure facilities, retail, employment (circa 70 hectares) and woodland planting – referred to by Central Bedfordshire Council as the ‘Marston Vale Comprehensive Mixed Use Area’ – as part of the Central Bedfordshire Development Strategy. The development of the Marston Valley site provides the opportunity respond to market demand for investment in local knowledge based growth industries and job creation through the provision of new homes, leisure and community facilities, local services, shops and schools which will support this growth in a sustainable way.

Planning strategically for the Marston Vale can ensure that developments including that which is the subject of this planning application for Millbrook Proving Ground can be integrated into a holistic vision for the area. Importantly, O&H’s development ambitions for the area could help facilitate improved strategic highway connections between Millbrook and the A421 and across to Cranfield, providing improved physical linkages between these key employment areas.

Therefore, whilst we support the economic development of Millbrook as a key employment destination, we consider that it is vital to plan comprehensively for this area to ensure that the growth opportunities are properly realised and can deliver appropriate infrastructure to support the wider growth of this strategic corridor. We do not object to this proposal but consider that it underlines the need to properly plan for large scale employment opportunities through the Development Strategy so that the benefits of development within the Marston Vale can be realised’.

Revised Heads of Terms

The proposed obligations, set out below, have been revised following discussions on behalf of our client, MPG Ltd, with Central Bedfordshire Council and other relevant statutory bodies.

- a) Provision of an enhanced multi user Bridleway/Cycleway linking Millbrook Station with proposed sites 2, 3, MPG main entrance and Millbrook village;
- b) Improvement or enhancement, as necessary, of the existing footway on Marston Road, linking Site 4 access with Lidlington Village.
- c) Delivery of a range of sustainable transport measures in accordance with the approved Travel Plan, submitted as part of the application.
- d) Preparation and delivery of a Landscape Management & Maintenance Plan to ensure the provision and ongoing maintenance of onsite landscaping.
- e) Preparation and delivery of a Woodland Management Plan setting out an appropriate strategy for the management of existing woodlands within the wider proving ground site, including:
 - Measures to ensure the sustainable management of an area(s) of woodland plantation within the wider proving ground site (location and scale to be

confirmed) for the purposes of producing timber for the supply of biofuel, in accordance with Marston Vale Forest Plan express objective “to establish a supply of timber and other woodland products”

- Measures to secure the ongoing management and protection of the woodlands forming the Heydon Hill County Wildlife Site (CWS).

In addition, financial contributions are proposed as follows:

- f) A contribution (quantum to be confirmed) toward appropriate directional signage improvements in accordance with the agreed Freight Route Strategy.
- g) A contribution (quantum to be confirmed) towards minor safety improvements on Marston Road/Station Road.
- h) A contribution (quantum to be confirmed) towards the provision of traffic calming and safety measures on Sandhill Close, Millbrook.
- i) A contribution (quantum to be confirmed) towards offsite tree planting within the Marston Vale.

For the avoidance of doubt

The first paragraph of section 3 should read:

The application is for outline approval with only access to be determined and all other matters i.e. appearance, landscaping, layout and scale to be determined at the **Reserved Matters Stage** (rather than outline stage).

The level crossing closest to site 4 is called ‘Marston Crossing’. The level crossing on Station Lane is Millbrook Station. The Highway Officer’s comments refer to a ‘Marston Station’. This should state Millbrook Station. There are also references to Station Road, which should read Station Lane

For the avoidance of doubt, Millbrook village is approximately 1.65km from site 4, 1.25 km from site 3, 600m from site 2 and 400m from site 1. Lidlington village is approximately 500m from site 4.

The Conservation comments refer to the, ‘former Marston Moretaine’. This should state ‘former Marston Pillinge’ which is an historic settlement adjacent to Millbrook Station.

Lidlington Parish Council, rather than a resident, raised concern regarding the ‘quiet area’ close to site 4.

Additional/Amended Conditions**Amended condition 15 to read:****Additional conditions**

18. No phase shall take place until a full Tree Survey indicating those trees to be retained and those to be removed has been submitted to and confirmed in writing by Local Planning Authority. The agreed details shall thereafter be carried out in full.

Reason: To minimise the impact upon the landscape and visual amenity in accordance with Policy CS16 & DM14.

19. The maximum floorspace of each site shall be in accordance with that shown on drawing no's 1459/PL03 Issue J, 1459/PL04 Issue F, 1459/PL05 Issue F & 1459/PL06 Issue E.

Reason: For the avoidance of doubt.

20. No phase shall take place until details of the existing and proposed ground and finished floor levels have been submitted to and confirmed in writing by the Local Planning Authority. The agreed details shall thereafter be carried out in full.

Reason: To minimise the impact upon the landscape and visual amenity in accordance with Policy CS16 & DM14.

21. 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).

22. 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).

23. 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. Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality.

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).

24. 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).

Amended Recommendation

To authorise the Group Manager of Development Infrastructure to issue the grant of Outline planning PERMISSION subject to a satisfactory FRA being submitted to the Local Planning Authority (in consultation with the Environment Agency), planning conditions outlined in the committee report and the completion of an Agreement under Section 106 of the Town and Country Planning Act 1990 to secure

highway/sustainable works to be undertaken by the applicant through a s38 or s278, a travel plan, new signage, a landscape management and maintenance plan, contributions towards traffic calming/management on Sandhills Close, contribution towards safety improvements/education to Millbrook Station crossing and Marston Crossing, contribution to off-site tree planting and all other matters outlined in the revised Heads of Terms.

Item 7 (Pages 51-72) – CB/14/02084/OUT – Marston Park North, Marston Moretaine, Bedford.

Additional Consultation/Publicity Responses

None.

Neighbour response:

Additional comments from 24 Watson Way:

The application does not give sufficient information on Flood Management, or the implications that will have on Watson Way.

Both the IDB and EA were consulted as part of this application process, and no objections were received, or conditions suggested. Works have been undertaken on the wider site to accommodate the development of this area. It is considered that this development would be likely to generate less surface water run off than the previously consented B1 development. This is because part of the site would be residential, with the soft landscaping associated with housing, to create pockets of drainable surfaces. In addition part of the site would be used as playing field land, which would remain a porous surface. Calculations were undertaken on the likely hard surfaced area of the whole site as B1, and the proposed development and the findings were that a greater area would be porous under this proposal, and therefore less likely to cause flooding.

Footbridge Plan, will the bridge next to 24 Watson Way be removed and rebuilt?

The red line of the application site, does not include the area of land directly to the rear of Watson Way, and therefore no changes are proposed to this area, as part of this application. The land is not in the ownership of the applicant.

The use of the area of land to the rear of Watson Way being used as an informal footpath.

As stated previously, this area is not within the application site, however this proposed development does offer opportunity to have a route through from Gold Furlong through the proposed housing site, and link to the Country Park to the rear. A link arrow is shown on the indicative layout plan, it would be expected that a

pedestrian link would be created, which would allow free access onto the site to the rear.

Additional Comments

None.

Amended Condition:

Condition 1 -

No development shall take place within each area approved as identified on plan OHB030-009 until approval of the details of the access, appearance, landscaping, layout and scale of the development within the area (herein called “the reserved matters”) has been obtained in writing from the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To comply with Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 (as amended).

Condition 2 -

Application for the approval of the reserved matters within areas A (residential); C (local centre) and D (school playing field) shall be made to the Local Planning Authority within three years from the date of this permission. Reserved matters applications for the remainder of the site (Area B – employment generating uses) shall be made within four years from the date of this permission. The development shall begin not later than two years from the final approval of the reserved matters or, if approved on different dates, the final approval of the last such matter to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Condition 3 -

No development shall commence within an Area as shown on plan OHB030-009 before details of existing and proposed site and slab levels of the proposed buildings have been submitted to and approved in writing by the local planning authority. Such details shall include sections through the relevant area and any adjoining properties or land. The development shall be carried out as approved.

Reason: To protect living conditions of neighbouring and proposed properties.

Condition 4 -

In conjunction with any reserved matters application incorporating public open space, strategic landscaping and amenity open space, details of the arrangements to be made for the future maintenance of such areas shall be submitted to and approved in writing by the local planning authority. The details thereby approved shall be implemented.

Reason: To secure the ongoing provision of appropriate community facilities and open space.

Condition 6 -

No works shall begin in any Area (as shown on plan OHB030-009) until details in relation to that area, have been submitted to and approved in writing by the Local Planning Authority, details to include.

- i. A detailed scheme for remedial works and measures to be taken to mitigate any risks to human health and the wider environment posed by any contaminants and/or gases identified by the phase 2 report previously undertaken on the wider site.
- ii. A remediation scheme shall be agreed in writing by the Local Planning Authority prior to the commencement of works.
- iii. Any remediation scheme, as agreed in writing shall be fully implemented before the development hereby permitted is first occupied.
- iv. All variations to any remediation scheme shall be agreed in writing with the Local Planning Authority.
- v. On completion of the development, the developer shall provide written confirmation that any and all works have been completed in accordance with the agreed remediation scheme in the form of a validation report.

Reason: To protect human health and the environment.

Condition 12 -

No works shall start in any Area, as defined on Plan ref OHB030-009, until, an updated bird, badger, otter, and reptile survey(s) is carried out for that Area. A report confirming the results and implications of the assessment, including any revised mitigation measures for that Area, shall be submitted to and approved in writing by the Local Planning Authority before construction works commence on site. The mitigation measures shall be implemented in full within that Area in accordance with the agreed time scales.

Reason: To ensure the status of [protected species] on site has not changed since the last survey. (Policy 57, DSCB)

Condition 13 -

This permission relates only to the principles established as shown on the submitted plan, number OHB030-002H, OHB030-009.

Reason: To identify the approved plan/s and to avoid doubt.

Additional Informative:

The wider site known as “Marston Park” is accompanied by an adopted Design Code, the design principles contained within this document should inform the detailed Reserved Matters applications.

Revised Section of Report:

Section 7 – S106 and Affordable Housing

7. S106 and affordable housing

30% (15 units) of the dwellings on site would be affordable and they would be a mix of one, two and three bedroom units. Whilst lower than the Council’s policy suggests (17 units would be provided if 35% was proposed) than the provision should be, it is considered that 30% is in accordance with Policy 34 of the emerging Development Strategy, it is considered that 30% on site provision for Affordable Housing, in accordance with the emerging Development Strategy is a reasonable level of provision in this location. The tenure mix as proposed is:

37% Shared Ownership
63% Affordable Rent

Contributions would be made to mitigate the impact of the development on existing local infrastructure in line with the Council’s Supplementary Planning Guidance. The financial contributions towards the following are currently proposed:

Education
Rights of Way
Waste
Leisure, Recreational Open Space
Cemeteries
Community Facilities and Services

Discussions regarding Upper School Provision and Health Facilities remain on going.

0.3 Hectares of land, for the provision of a Lower School playing field, in a useable condition.

There is not currently a signed Section 106, and the final figures have not been

agreed, however all contributions have been tested against CIL regulations. It is requested that should Members be minded to approve this application, that they delegate the final Section 106 negotiation to officers.

Item 8 (Pages 73-80) – CB/14/02713/FULL – Home Farm, 1 High Street, Wrestlingworth, Sandy.

Additional Consultation/Publicity Responses

One addition letter received making the following points:

- The farm address is incorrect in that it is not number 1 High Street
- Confirms support for the proposal, developer has made every effort to address points raised in the last application
- The site has been unused for some time and is falling into disrepair
- The development will enhance the village landscape and reflect working history of the site.

Additional Comments

None.

Additional/Amended Reasons

None.

Item 9 (Pages 81-92) – CB/14/02714/LB – Home Farm, 1 High Street, Wrestlingworth, Sandy.

Additional Consultation/Publicity Responses

One addition letter received making the following points:

- The farm address is incorrect in that it is not number 1 High Street
- Confirms support for the proposal, developer has made every effort to address points raised in the last application
- The site has been unused for some time and is falling into disrepair
- The development will enhance the village landscape and reflect working history of the site.

Additional Comments

None.

Additional/Amended Reasons

None.

Item 10 (Pages 93-104) – CB/14/02134/FULL – Land at Chapel Close, Clifton, Shefford.

Additional Consultation/Publicity Responses

A further objection has been received following the re-consultation period from a neighbour who lives adjacent to the site (No 5 Chapel Close). The principle concerns are the same as previously set out and relate to design, location and the need for the pumping station to have permanent features. Concern is also raised in relation to the requirement for further equipment and maintenance of the site.

A further response has also been received from a neighbour who is intending to address the Committee. The response has been attached to this late sheet as Appendix 1, so that Members can refer to the photographs.

Additional Comments

None.

Additional/Amended Conditions

It is proposed to amend Condition 1 so as to include the possibility of providing an inward opening gate. The condition would therefore read –

Within three months of the date of this planning permission being issued the widened junction of the vehicular access with the highway shall be constructed in accordance with the approved details and any surplus lengths of the existing access within the frontage of the enclosure shall be closed and reinstated and the existing gate shall be removed and replaced with a sliding gate, or inward opening gate as shown on approved plan 14-02.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the enclosure, in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009).

Item 11 (Pages 105-112) – CB/14/3214/FULL – 62 Nottingham Close, Ampthill, Bedford.

Additional Consultation/Publicity Responses

None.

Additional Comments

None.

Additional/Amended Conditions

None.

APPENDIX 1

(Relating to CB/14/02134/FULL – Land at Chapel Close, Clifton)

ITEM NO. 10 – DMC Meeting 24/9/14 - Application number: CB/14/02134/FULL
Illustrative Material for use by Emma Sewell (Objector – 3 Chapel Close)

1 Original street scene showing a high quality living environment with a block paved parking space and large open grassed area maintained for many years by residents. There was ample parking space to accommodate maintenance vehicles at all times so no fenced off area with a padlocked gate is needed. Anglian Water could instead bring temporary safety barriers with them to protect staff, equipment and the public as this is common practice for major utility companies when they have to carry out maintenance work. In addition, when the Chapel Lea development was in the planning stages, more could have been done to find a less prominent site for the pumping station e.g. behind the existing close boarded fence on land also owned by the developer.



2 Street scene as it is now - damaged and changed in character from residential to light industrial, causing a significant loss of amenity space to Chapel Close residents (the majority of whom do not even need the pumping station to remove sewage from their properties) and thereby substantially reducing the quality of the living environment. Part of the original block paved parking space has been dug up and enclosed by an overbearing wooden structure which is not in keeping with the other fences in the Close, which does nothing to mask the unsightly concrete interior and which reduces available parking spaces. This is not an efficient use of land and the enclosure is not appropriate in scale and design to its setting.



3 This 12m length of the enclosure is not going to be hedged. The unsightly interior will still therefore be visible from the road. A close boarded fence - placed around the entire perimeter of the enclosure (including the gate) - would be in keeping with the rest of the Close (if stained to the same colour) and would also serve to mask the concrete eyesore. Furthermore, it would provide extra safety to the public without large gaps between rails. The highway officer has confirmed that the fencing does **not** need to be post and rail given the width of the footpath. Stained close boarded fencing **and** hedges/vegetation are required to soften the visual impact of the enclosure.



4 The large aerial and floodlights are visible even in summer and the floodlights especially will be more visible when the leaves fall off the tree. The post could have been in black to be in keeping with the other lamp posts in the Close. Emergency lighting will only be required on very rare occasions and so Anglian Water staff should bring suitable lighting equipment with them in the event that it is required, as they must frequently have to do at many other locations where there is no permanent installation. The proposed hedge will not mask this equipment in any way. We have never seen an unsightly aerial like this placed in such a prominent position in a residential area.

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Item No. 6

APPLICATION NUMBER	CB/14/02490/OUT
LOCATION	Millbrook Proving Ground, Station Lane, Millbrook, Bedford, MK45 2JQ
PROPOSAL	Outline application with details of main access routes only for the development of four separate sites within the existing Millbrook Proving Ground site boundary for a total of up to 24,900 m² (gross) commercial floorspace (Use Class B1 a, b and c); creation of new vehicular access points at sites 2, 3 and 4 and improvements to existing main site access point to provide new access at site 1
PARISH	Millbrook
WARD	Cranfield & Marston Moretaine
WARD COUNCILLORS	Cllrs Bastable, Matthews & Mrs Clark
CASE OFFICER	James Clements
DATE REGISTERED	30 June 2014
EXPIRY DATE	29 September 2014
APPLICANT	Millbrook Proving Ground Ltd
AGENT	DLP Planning Consultants
REASON FOR COMMITTEE TO DETERMINE	Called-in by Councillor Bastable & Major Development with objection from the Parish Councils.

Loss of amenity - excessive light; overdevelopment - scale of development exceeds original concept; overbearing - site 2, 3 & 4 large obtrusive buildings close to road; highway safety grounds – continuous traffic through Millbrook Village; Design – Modern industrial buildings with flat roofs out of keeping with area; impact on landscape - protected views from Millbrook and ridge.

RECOMMENDED DECISION	Outline Application - Approve
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Summary of Recommendation

The proposal is in accordance with chapters 1, 4, 7, 10, 11 & 12 of the NPPF and Core Strategy and Development Management Policies CS2, CS9, CS10, CS16, DM3, DM11, DM13 & DM16. While there would be some harm to the open countryside this would be outweighed by the economic and employment benefits of the B1 units. A robust Transport Assessment and Travel Plan have been submitted with the application and the proposal is acceptable with regard to sustainable transport and highway safety. There would be no undue harm to residential amenity or heritage assets.

Recommendation

To authorise the Group Manager of Development Infrastructure to issue the grant of Outline planning PERMISSION subject to a satisfactory FRA being submitted to the

Local Planning Authority (in consultation with the Environment Agency), planning conditions outlined in the committee report and the completion of an Agreement under Section 106 of the Town and Country Planning Act 1990 to secure highway/sustainable works to be undertaken by the applicant through a s38 or s278, a travel plan, new signage, a landscape management and maintenance plan, contributions towards traffic calming/management on Sandhills Close, contribution towards safety improvements/education to Millbrook Station crossing and Marston Crossing, contribution to off-site tree planting and all other matters outlined in the revised Heads of Terms.

RECOMMENDED CONDITIONS / REASONS

- 1 Application for the approval of the reserved matters shall be made to the Local Planning Authority within three years from the date of this permission. The development shall begin not later than two years from the final approval of the reserved matters or, if approved on different dates, the final approval of the last such matter to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 **No development shall take place within each area approved as identified on drawing no. 1459/PL02 issue E until approval of the details of the appearance, landscaping, layout and scale of the development [and any other details required i.e. the landscaping adjoining it] within that area (herein called “the reserved matters”) has been obtained in writing from the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

Reason: To comply with Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 (as amended).

- 3 No occupation of any permitted building shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:
 - As shown to be necessary by the Phase 2 Environ Report of September 2013, a further redevelopment strategy incorporating a remedial plan for asbestos and any other protection measures shown to be necessary. Any works which form part of the strategy approved by the local authority shall be completed in full before any permitted building is occupied.
 - The effectiveness of any remedial plan shall be demonstrated to the Local Planning Authority by means of a validation report (to incorporate photographs, material transport tickets and validation sampling), unless an alternative period is approved in writing by the Authority. Any such validation should include responses to any unexpected contamination discovered during works and shall be completed in full before any permitted building is occupied.

Reason: To protect human health and the environment

- 4 No development shall take place on each phase until a written scheme of archaeological resource management; that includes post excavation analysis and publication has been submitted to and approved in writing by the Local Planning Authority. The said development shall only be implemented in full accordance with the approved scheme.

Reason: To record and advance understanding of the heritage assets with archaeological interest which will be unavoidably affected as a consequence of the development and to secure the protection and management of archaeological remains which may be preserved in situ within the development site.

- 5 No development shall commence on each phase until a waste audit has been submitted to and confirmed in writing by the Local Planning Authority. The agreed details shall thereafter be carried out in full. The details to be submitted shall include:

- information on the anticipated nature and volumes of waste that the development will generate;
- where appropriate, the steps to be taken to ensure the maximum amount of waste arising from development on previously developed land is incorporated within the new development;
- the steps to be taken to ensure effective segregation of wastes at source including, as appropriate, the provision of waste sorting, storage, recovery and recycling facilities;
- any other steps to be taken to manage the waste that cannot be incorporated within the new development or that arises once development is complete.

Reason: To ensure the development is in accordance with policy W5 (MWLP 2005)

- 6 **Prior to any reserved matters being submitted to the Local Planning Authority, a design code shall be submitted to and agreed in writing by the Local Planning Authority. The design code shall include:**

- **External materials and facing finishes for roofing and walls including opportunities for using locally sourced, recycled construction materials and green roofs;**
- **Sustainable design and construction, in order to achieve a minimum 'Excellent' BREEAM rating maximizing where appropriate passive solar gains, natural ventilation, water efficiency measures.**

Landscaping and Ecology:

- **Hard and soft landscaping strategy to include the protection where possible of the existing tree belts/screen;**
- **Landscape Character and Visual Impact Assessment;**
- **Minor artefacts and structures including floodlighting and boundary treatments;**
- **Design of the public realm;**

- Conservation of flora and fauna interests;
- SUDS design.

Highways and Transport:

- **Alignment, width, gradient and type of construction and materials proposed for all footways, cycleways, bridleways, roads and vehicular accesses to and within the site (where relevant) and individual properties;**
- **Cycle parking and storage;**
- **Landscaping and highway design to ensure the footway/cycle/bridleway mitigates an urbanising effect.**

Reason: To ensure satisfactory comprehensive development and proper planning of the area.

- 7 **Notwithstanding the details submitted on plan 1459/PL03 Issue H, development shall not commence until a detailed design and alignment of the roundabout at the main access has been submitted to and agreed in writing by the Local Planning Authority.**

Reason: In the interests of highway safety.

- 8 The development hereby approved shall only be used for a use within Use Class B1 a,b or c and for no other purpose.

Reason: In the interests of residential amenity and to ensure the development is in accordance with policy DM11 and DM3 of the Core Strategy.

- 9 The buildings shall not exceed a maximum height of 12m.

Reason: For the avoidance of doubt and to ensure the development does not harm the open countryside.

- 10 **Notwithstanding the details shown on the submitted plans, development shall not begin on any phase until full engineering details of the vehicle access arrangements onto the public highway have been submitted to and approved by the Local Planning Authority and no development shall commence until the appropriate Highways Act agreement has been entered into.**

Reason: To ensure the provision of an appropriate highway arrangement in the interests of highway safety.

- 11 **No development shall begin on any phase 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. 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.

- 12 No reserved matters development shall begin until details of pedestrian and cycle linkages between the sites and Millbrook village, Millbrook Station and Lidlington village have been submitted to and approved by the Local Planning Authority and no occupation shall take place until the approved works have been implemented in accordance with a timescale to be agreed.

Reason: To ensure the provision of appropriate facilities for sustainable modes of transport.

- 13 Any subsequent reserved matters application shall include the following;

- Vehicle and Cycle parking and storage in accordance with the council's standards applicable at the time of submission.
- Provision for service vehicles to park and turn within the land parcels.
- A Construction Traffic Management Plan detailing access arrangements for construction vehicles, routing of construction vehicles, on-site parking and loading and unloading areas.
- Materials Storage Areas.
- Wheel cleaning arrangements.
- HGV routing agreement.
- Travel Plan.

Reason: To ensure that the development of the site is completed to provide adequate and appropriate highway arrangements at all times.

- 14 Reptile, dormice, bat and badger surveys shall be undertaken and submitted with each reserved matters application to inform the site layout and landscaping.

Reason: In the interests of protected species.

- 15 No development shall commence until a woodland management plan for the Millbrook Proving Ground Site has been submitted to and confirmed in writing by the Local Planning Authority. The woodland management plan should identify those areas which are suitable for biomass/biofuel use and those in need of preservation for ecological purposes. The agreed details shall thereafter be carried out in full.

Reason: To ensure the existing and proposed woodland is appropriately managed in accordance with Policy CS16 and DM14 of the core strategy and the Forest of Marston Vale Plan.

- 16 **No development shall begin on any phase until a scheme for external**

Reason: To restrict light spill and protect the amenity of local residents and the character of the countryside

- 17 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1459/PL01 Issue D, 1459/PL02 issue D, 1459/PL01.01, 1459/PL01.02, 1459/PL01.03, 1459/PL01.04, 1459/PL03 Issue J, 1459/PL04 issue F, 1459/PL05 issue F & 1459/PL06 issue E.

Reason: To identify the approved plan/s and to avoid doubt.

- 18 Development shall not begin until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment (FRA) Addendum 23 September 2014 by EAS 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 scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include a restriction in run-off and surface water storage on site as outlined in the FRA.

Reason: (a) To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity.

(b) 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).

- 19 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: (a) To prevent the increased risk of flooding, to improve and protect

water quality, and improve habitat and amenity.

(b) 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).

- 20 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: (a) To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity.

(b) 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).

- 21 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: (a) To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity.

(b) 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).

Notes 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.
2. The British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoils that are moved or traded and should be adhered to. There is a duty to assess for Asbestos Containing Materials (ACM) during development and measures undertaken during removal and disposal should protect site workers and future users, while meeting the requirements of the HSE.

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

forms part of this permission.

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

The applicant is advised that parking for contractor's vehicles and 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 the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk on 03003008049. Under the provisions of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of construction of the development hereby approved.

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 comments from the Strategic Landscape Officer, Network Rail, Forest of Marston Vale, Letter from the Environment Agency, neighbours and a letter from O & H Properties, revised Head of Term and amendments to the report as set out in the Late Sheet appended to these minutes.

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

(3) During the debate concerns were raised by members about the impact on the road infrastructure, in particular the impact of HGV's on the surrounding villages. The Executive Member for Community Services gave assurance that these matters would be considered and dealt with appropriately at the relevant stages of the development process.

Item No. 7

APPLICATION NUMBER	CB/14/02084/OUT
LOCATION	Marston Park North, Marston Moretaine, Bedford, MK43 0LE
PROPOSAL	Outline Planning Permission with all matters reserved : Development of up to 50 dwellings (falling within use class C3) circa 1.23 hectares of employment related development for uses falling in use classes B1, D1 and D2; a local centre of circa 0.13 hectares to include a range of retail and commercial uses falling within use classes A1/A2/A3/A4/A5, 0.3 hectares of school playing field land; associated infrastructure including the principle of access from gold furlong (the primary street serving the existing Marston Park development), and its approved access road spur; internal access roads, pedestrian footpaths and cycle routes including improvements to the pedestrian connection linking through to Stewartby Lake, car and cycle parking, utilities and drainage, landscape works and ground remodelling.
PARISH	Marston Moretaine
WARD	Cranfield & Marston Moretaine
WARD COUNCILLORS	Cllrs Bastable, Matthews & Mrs Clark
CASE OFFICER	Annabel Robinson
DATE REGISTERED	30 May 2014
EXPIRY DATE	29 August 2014
APPLICANT	O&H Q7 Limited
AGENT	David Lock Associates
REASON FOR COMMITTEE TO DETERMINE	The application is a major and there is an objection from the parish council
RECOMMENDED DECISION	Outline Application - Approve

Summary of Recommendation:

The site is considered acceptable as it accords with national and local planning policy documents. Although the site was allocated for commercial development, it is considered that a range of uses on this site would be considered a sustainable form of development. No significant harm would be caused to living conditions of future or adjacent neighbouring properties. It is considered that this scheme would form an associated development to the existing housing estate known as "Marston Park". The development is in accordance with policies CS2, CS7, 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 Outline Planning Permission is granted subject to, the satisfactory completion of a suitable Section 106 agreement reflecting the terms set out in this report and the following conditions:

RECOMMENDED CONDITIONS / REASONS

- 1 No development shall take place within each area approved as identified on plan OHB030-009 until approval of the details of the access, appearance, landscaping, layout and scale of the development within the area (herein called “the reserved matters”) has been obtained in writing from the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

Reason: To comply with Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 (as amended).

- 2 Application for the approval of the reserved matters within areas A (residential); C (local centre) and D (school playing field) shall be made to the Local Planning Authority within three years from the date of this permission. Reserved matters applications for the remainder of the site (Area B – employment generating uses) shall be made within four years from the date of this permission. The development shall begin not later than two years from the final approval of the reserved matters or, if approved on different dates, the final approval of the last such matter to be approved.**

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 No development shall commence within an Area as shown on plan OHB030-009 before details of existing and proposed site and slab levels of the proposed buildings have been submitted to and approved in writing by the local planning authority. Such details shall include sections through the relevant area and any adjoining properties or land. The development shall be carried out as approved.**

Reason: To protect living conditions of neighbouring and proposed

properties.

4

In conjunction with any reserved matters application incorporating public open space, strategic landscaping and amenity open space, details of the arrangements to be made for the future maintenance of such areas shall be submitted to and approved in writing by the local planning authority. The details thereby approved shall be implemented.

Reason: To secure the ongoing provision of appropriate community facilities and open space.

5 There shall be no destruction or removal of vegetation during the months of March to August inclusive, except as otherwise approved in writing by the Local Planning Authority.

Reason: To protect breeding birds.

6 No works shall begin on each phase of the site pursuant to this permission until details have been submitted to and approved in writing by the Local Planning Authority, details to include:

- i. A detailed scheme for remedial works and measures to be taken to mitigate any risks to human health and the wider environment posed by any contaminants and/or gases identified by the phase 2 report previously undertaken on the wider site.
- ii. A remediation scheme shall be agreed in writing by the Local Planning Authority prior to the commencement of works.
- iii. Any remediation scheme, as agreed in writing shall be fully implemented before the development hereby permitted is first occupied.
- iv. All variations to any remediation scheme shall be agreed in writing with the Local Planning Authority.
- v. On completion of the development, the developer shall provide written confirmation that any and all works have been completed in accordance with the agreed remediation scheme in the form of a validation report.

Reason: To protect human health and the environment.

7 Noise resulting from the use of the plant, machinery or equipment at each commercial unit shall not exceed a level of 5dBA below the existing

background level (or 10dBA below if there is a tonal quality) when measured according to BS4142:1997, at a point one metre external to the nearest noise sensitive building.

Reason: To minimise the potential for noise nuisance to local residents.

- 8 No retail or commercial premises shall cook or prepare food without having details of the equipment to be installed to disperse odours agreed in writing by the Local Planning Authority. The details approved shall be implemented in full prior to operation and maintained in perpetuity.

Reason: To safeguard the amenities which the occupiers of neighbouring properties might reasonably expect to enjoy.

- 9 All commercial including retail premises shall not be open for business between the hours of 23.00 and 07.00 daily, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities which the occupiers of neighbouring properties might reasonably expect to enjoy.

- 10 Deliveries by commercial vehicles to the commercial units including retail premises shall be restricted to between the hours of 06.00 and 21.00hrs Monday to Friday, 06.00 and 20.00hrs on Saturdays, and 09.00 and 17.00hrs on Sundays and Bank Holidays. No deliveries by Heavy Goods Vehicles (i.e. those exceeding 3.5t) shall be undertaken before 07.30hrs on any day.

Reason: To safeguard the amenities which the occupiers of neighbouring properties might reasonably expect to enjoy.

- 11 No works shall commence on any building within the employment area as defined on plan OHB030-002H until details of the fitting on air filtration systems has been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in strict accordance with the approved details.

Reason: To safeguard the amenities which the occupiers of neighbouring properties might reasonably expect to enjoy.

- 12 **No works shall start in any Area, as defined on Plan ref OHB030-009, until, an updated bird, badger, otter, and reptile survey(s) is carried out for that Area. A report confirming the results and implications of the assessment, including any revised mitigation measures for that Area, shall be submitted to and approved in writing by the Local Planning Authority before construction works commence on site. The**

mitigation measures shall be implemented in full within that Area in accordance with the agreed time scales.

Reason: To ensure the status of [protected species] on site has not changed since the last survey. (Policy 57, DSCB)

- 13 This permission relates only to the principles established as shown on the submitted plan, number OHB030-002H, OHB030-009.

Reason: To identify the approved plan/s and to avoid doubt.

Additional Informative:

The wider site known as “Marston Park” is accompanied by an adopted Design Code, the design principles contained within this document should inform the detailed Reserved Matters applications.

Notes 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.
2. The applicants attention is drawn to their responsibility under The Equality Act 2010 and with particular regard to access arrangements for the disabled.

The Equality Act 2010 requires that service providers must think ahead and make reasonable adjustments to address barriers that impede disabled people.

These requirements are as follows:

- Where a provision, criterion or practice puts disabled people at a substantial disadvantage to take reasonable steps to avoid that disadvantage;
- Where a physical feature puts disabled people at a substantial disadvantage to avoid that disadvantage or adopt a reasonable alternative method of providing the service or exercising the function;
- Where not providing an auxiliary aid puts disabled people at a substantial disadvantage to provide that auxiliary aid.

In doing this, it is a good idea to consider the range of disabilities that your actual or potential service users might have. You should not wait until a disabled person experiences difficulties using a service, as this may make it too late to make the necessary adjustment.

For further information on disability access contact:

The Centre for Accessible Environments (www.cae.org.uk)
Central Bedfordshire Access Group (www.centralbedsaccessgroup.co.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. 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 neighbour response, amended conditions and revisions to the report. All of which were set out in the Late Sheet appended to these minutes.
- (2) In advance of the consideration of the application the Committee received representations made under the public participation scheme.

Item No. 8

APPLICATION NUMBER	CB/14/02713/FULL
LOCATION	Home Farm, 1 High Street, Wrestlingworth, Sandy, SG19 2EW
PROPOSAL	Conversion of existing barns (with partial demolition) and construction of new dwellings to form 7 new dwellings.
PARISH	Wrestlingworth/Cockayne Hatley
WARD	Potton
WARD COUNCILLORS	Cllrs Mrs Gurney & Zerny
CASE OFFICER	Samantha Boyd
DATE REGISTERED	11 July 2014
EXPIRY DATE	05 September 2014
APPLICANT	County Land & Development Ltd.
AGENT	Sherwood Architects Ltd
REASON FOR COMMITTEE TO DETERMINE	Cllr Call in. Cllr Gurney - Reason. The village is concerned over the development.

RECOMMENDED DECISION

Full Application - Refusal Recommended

Reason for Recommendation

The proposal would not constitute infill development and would, by virtue of the scale, design and siting of Plots 6 and 7, would cause significant and unacceptable harm to the appearance of the site, the setting of the listed buildings, and the character and appearance of the open countryside. The development would be unacceptable in principle and would be contrary to the objectives of the National Planning Policy Framework (2012) and Policies DM3 (High Quality Development), DM4 (Development Within and Outside of Settlement Envelopes), DM13 (Heritage in Development) of the Central Bedfordshire Core Strategy and Development Management Policies (2009), Design in Central Bedfordshire (2014).

In the absence of a complete agreement securing the provision of affordable housing and financial contributions, the development would fail to mitigate its impact on existing local infrastructure and would be contrary to the objectives of the National Planning Policy Framework (2012) and Policies CS2 (Developer Contributions) and CS7 (Affordable Housing) of the Central Bedfordshire Core Strategy and Development Management Policies.

Recommendation

That the Head of Development Infrastructure Group Manager be delegated to approve the application subject to the signing of a legal agreement and appropriate conditions.

NOTES

- (1) In advance of the consideration of the application the Committee were advised of a letter in support of the application.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participations Scheme.

Item No. 9

APPLICATION NUMBER	CB/14/02714/LB
LOCATION	Home Farm, 1 High Street, Wrestlingworth, Sandy, SG19 2EW
PROPOSAL	Listed Building: Conversion of existing barns (with partial demolition) and construction of new dwellings to form 7 new dwellings.
PARISH	Wrestlingworth/Cockayne Hatley
WARD	Potton
WARD COUNCILLORS	Cllrs Mrs Gurney & Zerny
CASE OFFICER	Samantha Boyd
DATE REGISTERED	11 July 2014
EXPIRY DATE	05 September 2014
APPLICANT	County Land & Development Ltd.
AGENT	Sherwood Architects Ltd
REASON FOR COMMITTEE TO DETERMINE	Cllr Call in. Cllr Gurney. This application accompanies application CB/14/02713/Full

RECOMMENDED DECISION

Listed Building - Refusal Recommended

Reason for Recommendation

The proposal, by virtue of the scale, design and siting of Plots 6 and 7, would cause significant and unacceptable harm to the appearance of the historic setting of the listed buildings. The development is therefore considered to be unacceptable and not in compliance with the National Planning Policy Framework (2012) and Policies DM3 (High Quality Development) and DM13 (Heritage in Development) of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

Recommendation

That the application be delegated to the Development Infrastructure Group Manager to approve the application subject to the completion of appropriate conditions and legal agreement.

NOTES:

- (1) In advance of the consideration of the application the Committee were advised of an additional letter in support of the application.
- (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. 10

APPLICATION NUMBER	CB/14/02134/FULL
LOCATION	Land at Chapel Close, Clifton, Shefford, SG17 5YG
PROPOSAL	Retrospective: Retention of post and rail fence and gate, hardstanding and low level emergency lighting column associated with existing pumping station.
PARISH	Clifton
WARD	Arlesey
WARD COUNCILLORS	Cllrs Dalgarno, Drinkwater & Wenham
CASE OFFICER	Lauren Westley
DATE REGISTERED	03 June 2014
EXPIRY DATE	29 July 2014
APPLICANT	JVD Developments Ltd
AGENT	Phillips Planning Services Ltd
REASON FOR COMMITTEE TO DETERMINE	Called in to Committee by Ward Member Cllr Wenham due to the impact on residents, overbearing, gate opens across public highway, impact on streetscene and lack of design.
RECOMMENDED DECISION	

Summary of Recommendation

The application for retrospective planning permission for the retention of a post and rail fence, hardstanding and lighting column has been recommended for approval. Whilst the development does have an impact in the streetscene, it is considered that with additional landscaping and highway conditions the proposal will have an acceptable impact on the street scene, neighbouring amenities and highway safety, in accordance with the requirements of policies CS14 and DM3 of the Core Strategy and Development Management Policies (2009).

Recommendation

That Planning Permission be REFUSED for the following reason:

The fencing, hard surfacing and lighting pole with aerial, by reason of their size, design, layout, appearance and materials, are considered to have a harmful impact on the character of the street scene. The development is therefore contrary to policies CS14 and DM3 of the Core Strategy and Development Management Policies (2009).

NOTES

- (1) In advance of the consideration of the application the Committee noted that there had been further objections and responses to the application following a re consultation process.

In addition the Committee noted an amendment to Condition 1.

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

Item No. 11

APPLICATION NUMBER	CB/14/03214/FULL
LOCATION	62 Nottingham Close, Ampthill, Bedford, MK45 2FZ
PROPOSAL	Two storey side extension including change of use of amenity land.
PARISH	Ampthill
WARD	Ampthill
WARD COUNCILLORS	Cllrs Duckett, Blair & Smith
CASE OFFICER	Annabel Robinson
DATE REGISTERED	12 August 2014
EXPIRY DATE	07 October 2014
APPLICANT	Ms H Winter & Mr E Bartlett
AGENT	S R Everitt
REASON FOR COMMITTEE TO DETERMINE	The Owner of this property is an employee of Central Bedfordshire Council, within the Development Management Department
RECOMMENDED DECISION	Full Application - Approve

Summary of Recommendation:

The planning application is recommended for approval, the design of the extension would be in accordance with Central Bedfordshire Core Strategy and Development Management Policy DM3. It would not have a significant impact upon the residential amenity of any adjacent properties and would result in an extension suitable for the location. It is considered that the design is in accordance with the Central Bedfordshire Design Guide.

Recommendation

That Planning Permission be approved subject to the following:

RECOMMENDED CONDITIONS / REASONS

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

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

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

Reason: To safeguard the appearance of the completed development by

ensuring that the development hereby permitted is finished externally with materials to match the existing building in the interests of the visual amenities of the locality.
(Policy 43, DSCB)

- 3 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers SE2904/1AB, SE2904A.

Reason: To identify the approved plan/s and to avoid doubt.

Notes 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.

2. **Will a new extension affect your Council Tax Charge?**

The rate of Council Tax you pay depends on which valuation band your home is placed in. This is determined by the market value of your home as at 1 April 1991.

Your property's Council Tax band may change if the property is extended. The Council Tax band will only change when a relevant transaction takes place. For example, if you sell your property after extending it, the new owner may have to pay a higher band of Council Tax.

If however you add an annexe to your property, the Valuation Office Agency may decide that the annexe should be banded separately for Council Tax. If this happens, you will have to start paying Council Tax for the annexe as soon as it is completed. If the annexe is occupied by a relative of the residents of the main dwelling, it may qualify for a Council Tax discount or exemption. Contact the Council for advice on **0300 300 8306**.

The website link is:

www.centralbedfordshire.gov.uk/council-and-democracy/spending/council-tax/council-tax-charges-bands.aspx