

## CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 19 August 2015

### PRESENT

Cllr K C Matthews (Chairman)  
Cllr R D Berry (Vice-Chairman)

Cllrs M C Blair  
A D Brown  
K M Collins  
E Ghent

Cllrs K Janes  
T Nicols  
I Shingler  
J N Young

Apologies for Absence: Cllrs Mrs S Clark  
S Dixon  
R W Johnstone

Substitutes: Cllrs D Bowater (In place of Mrs S Clark)  
B J Spurr (In place of R W Johnstone)

(Note: Cllr Spurr was delayed and unable to attend the meeting in full. Following his arrival he took no part in the Committee's proceedings).

Members in Attendance: Cllrs F Firth  
Mrs S A Goodchild  
R Morris  
T Swain  
B Wells

Officers in Attendance: Miss S Boyd Senior Planning Officer  
Mr A Emerton Managing Solicitor Planning,  
Property, Highways & Transportation  
Mrs C Jagusz Committee Services Administrator  
Mr D Lamb Planning Manager East  
Mr L Manning Committee Services Officer  
Mr A McMurray Team Leader - Development  
Management - Highways, Transport  
Strategy Countryside Services  
Mr D Peachey Principal Minerals and Waste  
Planning Officer  
Mrs A Robinson Senior Planning Officer  
Mr R Romans Minerals and Waste Team Leader  
Mr J Smith Senior Planning Officer  
Miss D Willcox Planning Officer

DM/15/46. **Chairman's Announcements**

The Chairman reminded Councillors and members of the public to silence their mobile phones for the duration of the meeting. He also advised of the procedure to be followed should the fire alarms sound.

The Chairman informed Councillors and members of the public that the meeting was being filmed.

Councillors and members of the public were advised by the Chairman that the order of business would be varied and the agenda items would be considered in the following order:

Items 6, 7, 11, 10, 8, 9, 12 and 13.

It was noted that:

- subject to declarable interests, all members of the Committee had the right to vote on all matters of business considered by the Committee.
- Rule No. 13.5.5. of the Constitution stated that Members could not vote or take part in the meeting's discussions on a proposal unless they had been present to hear the entire debate, including the officer's introduction to the matter.
- the Chairman, under paragraph 9.2 of Part E3 of the Constitution, had a second or casting vote should there be equal numbers of votes for and against an item. This provision made it quite clear that the Chairman was entitled to vote on any item of business. Further, there was no restriction or limitation on how the second or casting vote should be exercised nor was there a requirement that the right be exercised at all.

DM/15/47. **Minutes**

A Member queried the need for the minutes to contain such lengthy appendices given that a full audio-visual record of the Committee's meetings was now made. In response the Chairman indicated that he would raise this issue for consideration at a forthcoming meeting of the General Purposes Committee.

**RESOLVED**

**that the minutes of the meeting of the Development Management Committee held on 22 July 2015 be confirmed and signed by the Chairman as a correct record.**

DM/15/48. **Members' Interests**

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

	<b>Item</b>	<b>Nature of Interest</b>	<b>Present or Absent during discussion</b>
Cllr K M Collins	7	Met Northill Parish Council Members to discuss the area in general.	Present
Cllr K C Matthews	6 & 7	Knows a number of persons related to these applications.	Absent for 6 (see (b) below) Present for 7
Cllr I Shingler	8 & 9	Is neighbour and friend of the officer speaking in support of the applications on behalf of the Council	Present
Cllr J N Young	8, 9 & 11	Through his duties as the Executive Member for Regeneration and discussions with developers.	Present

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

	<b>Item</b>	<b>Nature of Interest</b>	<b>Present or Absent during discussion</b>
Cllr F Firth	7	Resident of Sand Lane, Northill	Absent
Cllr K C Matthews	6	Member of the governing body of the Cranfield Church of England Academy which	Absent

would manage  
the new school.

Cllr J N Young	10	Directly lobbied by the objectors to the application.	Absent
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(c) Member	Item	Parish/Town Council	Vote Cast
None.			

**DM/15/49. Planning Enforcement cases where formal action has been taken**

The meeting noted that a report on Planning Enforcement procedures would be considered at the Sustainable Communities Overview and Scrutiny Committee to be held on 20 August 2015.

**AGREED**

**that the monthly update of planning enforcement cases where action has been taken, as identified in the report of the Director of Regeneration and Business, be received.**

**DM/15/50. 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.

**Prior to consideration of item 6 below Councillor Matthews vacated the Chair and left the Council Chamber. Councillor Berry in the Chair.**

**DM/15/51. Planning Application No. CB/15/02292/FULL**

**RESOLVED**

**that Planning Application No. CB/15/02292/FULL relating to Land at Braeburn Way, Cranfield be approved as set out in the schedule appended to these minutes.**

**Councillor Matthews returned to the Council Chamber prior to consideration of item 7 below. Councillor Matthews in the Chair.**

**DM/15/52. Planning Application No. CB/15/00269/FULL**

Immediately after speaking on this item Councillor Firth left the Council Chamber.

**RESOLVED**

**that Planning Application No. CB/15/00269/FULL relating to Land Adjacent to 29 Sand Lane, Northill, SG18 9AD be granted as set out in the schedule appended to these minutes.**

**In order to allow officers the opportunity to discuss issues relating to consideration of item 7 above with a member of the public the Committee adjourned at 11.15 a.m. and reconvened at 11.25 a.m.**

**DM/15/53. Planning Application No. CB/15/02657/FULL**

**RESOLVED**

**that Planning Application No. CB/15/02657/FULL relating to Bridge Farm, Ivel Road, Shefford, SG17 5LB be approved as set out in the schedule appended to these minutes.**

**DM/15/54. Planning Application No. CB/15/02323/FULL**

Immediately after speaking on this item Councillor Young left the Council Chamber.

**RESOLVED**

**that Planning Application No. CB/15/02323/FULL relating to 18 Seamons Close, Dunstable, LU6 3EQ be approved as set out in the schedule appended to these minutes.**

**Councillor Young returned to the Council Chamber prior to consideration of item 8 below.**

**During consideration of item 8 Councillor Spurr arrived at the meeting but took no part in the discussion or decision thereon nor on the remaining items on the agenda.**

DM/15/55. **Planning Application No. CB/15/01626/REG3**

**RESOLVED**

**that Planning Application No. CB/15/01626/REG3 relating to Land at Thorn Turn, Thorn Road, Houghton Regis, Dunstable LU6 1RT be approved as set out in the schedule appended to these minutes.**

DM/15/56. **Planning Application No. CB/15/01627/REG3**

**RESOLVED**

**that Planning Application No. CB/15/01627/REG3 relating to Land at Thorn Turn, Thorn Road, Houghton Regis, Dunstable LU6 1RT be approved as set out in the schedule appended to these minutes.**

DM/15/57. **Bi-annual update of Development Management Performance**

The Committee considered a report of the Development Infrastructure Group Manager which provided the bi-annual update of Development Control performance.

**NOTED**

**the six monthly update of Development Control performance, as set out at Appendix A to the report of the Development Infrastructure Group Manager.**

DM/15/58. **Site Inspection Appointment(s)**

**RESOLVED**

**that all members of the Committee be invited to conduct site inspections on Monday, 14 September 2015.**

(Note: The meeting commenced at 10.00 a.m. and concluded at 1.05 p.m.)

Chairman .....

Dated .....

## **LATE SHEET**

### **DEVELOPMENT MANAGEMENT COMMITTEE – 19<sup>th</sup> August 2015**

#### ***Item 6 (Pages 15-30) – CB/15/02292/FULL – Land at Braeburn Way, Cranfield***

##### **Additional Consultation/Publicity Responses**

Since the writing of the report for committee, a further letter was received from 41 Lordsmead who had previously objected to the application (included within the main report). The letter provided greater clarification on the objection, however did not raise new concerns or issues.

The main issues contained within the letter relate to the Travel Plan, the inappropriate location for a school on a minor road, the need for onsite visitor parking, and the possibility of a land swap between this site and the existing recreation ground.

##### **Additional Comments**

None

##### **Additional/Amended Conditions/Reasons**

The development and use of the school site shall be carried out in accordance with the measures set out within the submitted Travel Plan (June 2015).

Reason: To ensure sustainable forms of transport to and from the school site.

#### ***Item 7 (Pages 31 - 46) – CB/15/00269/Full – Land adjacent 29 Sand Lane Northill***

##### **Additional Consultation/Publicity Responses**

Three additional letters from neighbours received - Comments summarised below

- Sand Lane cannot support another housing development
- Sand Lane is narrow and cannot support additional traffic without imposing parking restrictions on existing residents. This is unacceptable and unfair to those without garages while parking is available to newcomers at current resident expense.
- There is already an affordable housing scheme next door
- Have suffered environment loss of glow worms due to inappropriate urban lighting at Chantry Piece
- If there is a need for affordable housing, there are other places in the parish or nearby towns which are more accessible with more amenities
- There is a blind spot at the end of the road, the proposed layout would make this worse.

- Children play in the area.
- On road parking towards Ickwell Road end causes a back up along the lane.
- No street lights makes it difficult for the elderly and children in Sand Lane
- Already difficult for emergency vehicles
- Character should be kept agricultural
- Development goes beyond village limits
- There are more sensible places to build in the parish
- Loss of privacy – ground floor window facing the site. Views from existing windows will be compromised as well as peace and quiet.

#### Northill Parish Council comments –

Northill Parish Council confirms its support for Affordable Housing in principle, but continues to question the site location proposed in this application. The amended application including the updated Housing Needs Survey has been re-considered, and all previous objections are still considered valid apart from the previous Housing Needs Survey being out of date. Although the new survey indicates a need for smaller homes(1/2 bed) and bungalows, there is still a need identified for 3 bed homes, and Northill Parish Council continues to consider the mix of housing proposed here to be inappropriate. We are aware of a local family in urgent need of at least a 3 bedroom house to rent, for 2 adults and 3 children

Could I add one personal comment re the Housing Needs Survey, a comment that I have already passed to Jon Boswell at BRCC. The survey continually refers to Northill without making it clear as to whether it is talking about Northill as a parish, or the settlement of Northill. Taken out of context this can cause confusion. For example, the June 2010 HNS recommended 7 units in the settlement of Northill ( with a further 10 – now built- in Upper Caldecote, and 4 units in Ickwell). This is undoubtedly why the present application is for 7 homes, as it was put together before the update. My interpretation of the updated HNS survey is that it recommends 14 units in the parish, not just the settlement of Northill, so not such a big increase as stated in your report under section 5, entitled CBC Housing Needs Strategy.

#### **Additional Comments**

Amendment to Section 4.5 of committee report - second from last line of paragraph should read ...'as set out below in section 4.10 '

For clarity the rear garden serving Plot 7 (a two bedroom bungalow) equates to 58 sq m. The CBC Design Guide recommends a minimum of 50 sq m garden size for a two bedroom property.

#### **Additional/Amended Conditions/Reasons**

None



**Item 8 (Pages 47-146) – CB/15/01626/REG3 – Land Thorn Turn, Houghton Regis (Waste Park)**

**Additional consultee comments on re-consultation:**

**Dunstable Town Council**

Response received on 12 August to re-consultation – No objection.

**CBC Highways Development Management Team**

The Highways Development Control Officer has clarified that a condition relating to detailed highway design should be imposed which is consistent with the condition approved at the previous meeting of this Committee in relation to the outline application for employment development at Thorn Turn (ref. CB/15/01628/REG3).

Officers therefore recommend an additional condition as follows:

*No part of the development shall be brought into use unless and until a scheme of highways improvement works has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall include construction details of approved access arrangements and crossing facilities at Thorn Road and footway / cycleway provision along the site frontage. The scheme as may be approved in writing shall be implemented in full prior to the waste park hereby permitted coming into operation.*

*REASON: To ensure that the proposed highway works are constructed to adequate standard, are appropriate and proportionate to the mitigation required to serve the development and that public rights of way are protected, enhanced and promoted as part of the development in accordance with the saved Policies GE23 and GE21 of the Bedfordshire & Luton Minerals & Waste Local Plan 2005 and the NPPF.*

**Additional Objector comments:**

Some further objections set out in several emails have been received from a Chalk Hill resident. It is noted that the issues have since been encapsulated in a handout, received Tuesday 18 August, covering issues of development in the Green Belt, noise impacts, fire risk and ecology. It is understood that this handout has been circulated to Committee members and therefore the content of the earlier e-mails are not duplicated here. The issues raised in the handout in respect of this application are covered in the report with the exception of two matters.

- Firstly, a comment has been received regarding the amount of vacant industrial units, including a link to available property, and questioning the need to build on Green Belt land. Committee are advised that the application was accompanied by an alternative site search as referred to in the report in order to identify the availability of any preferable site outside the Green Belt.
- Secondly, it has been questioned whether the area has been assessed for fire risk taking into account the close proximity of the residential areas at Chalk Hill and Sewell. It is argued that these areas should be treated as high sensitivity receptors given that they comprise surrounding land where users can

reasonably expect enjoyment of a high level of amenity and people would reasonably be expected to be present here continuously, or at least regularly for extended periods, as part of the normal pattern of use of the land. The application does not address the health and safety concerns of local residents or the risk to the environment. Committee are advised that the issue of fire risk is covered on page 119 – 120 of the report. Officers would further comment that the Chief Fire Officer has twice been consulted on the application. In addition, the objector's comments were forwarded to the Chief Fire Officer on 10 August and attention was drawn to the Fire Strategy accompanying the application, which outlines high specification fire detection and control systems included in the site design. Although a response was invited ahead of today's meeting, no comments have been forthcoming. Officers would wish to emphasise the point that there is no reason in land use planning terms why the development is unacceptable from the point of view of fire risk. Before any waste handling operations can take place on the site, the applicant would need to obtain a Permit from the Environment Agency under the appropriate pollution control regime, this being the Environmental Permit Regulations 2010 (as amended). It is considered that fire risk will be examined in a greater degree of detail as part of this permitting process and any Permit would be expected to contain day-to-day fire prevention and safety measures. Furthermore, a fire certificate would need to be obtained and the Council's insurers would need to be satisfied that adequate precautions are in place.

***Item 9 (Pages 147-240) – CB/15/01627/REG3 – Land at Thorn Turn, Houghton Regis (Highway Depot)***

**Additional consultee comments on re-consultation:**

**Dunstable Town Council:**

A response has been received dated 12/08/2015 raising no objection.

**CBC's Public Protection Officer:**

A further response dated 12/08/2015 has been received but this does not depart from the previous position as set out in the report. The latest response suggests conditions in respect of noise, dust and light, although Committee are advised that these do not materially alter the content of those set out in the recommended conditions.

**CBC Highways Development Management Team:**

The Highways Development Control Officer has clarified in a response dated 05/08/2015 that a condition relating to detailed highway design should be imposed which is consistent with the condition approved at the previous meeting of this Committee in relation to the outline application for employment development at Thorn Turn (ref. CB/15/01628/REG3).

Officers therefore recommend an additional condition as follows:

*No part of the development shall be brought into use unless and until a scheme of highways improvement works has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall include construction details of approved access arrangements and crossing facilities at Thorn Road and footway / cycleway provision along the site frontage. The scheme as may be approved in writing shall be implemented in full prior to the highways and winter maintenance depot hereby permitted coming into operation.*

*REASON: To ensure that the proposed highway works are constructed to adequate standard, are appropriate and proportionate to the mitigation required to serve the development and that public rights of way are protected, enhanced and promoted as part of the development in accordance with the NPPF.*

With reference to Condition 1 on Page 227, the Works Information relating to Landscape and Ecology (6 bullet points from the bottom of the page) should relate to the version dated 5 August 2015.

#### **Late Representations:**

Some further objections set out in several emails have been received from a Chalk Hill resident. It is noted that the issues have since been largely encapsulated in a handout received on 18 August 2015, covering issues of development in the Green Belt, noise impacts and ecology. It is understood that this handout has been circulated to Committee members and the content of the earlier emails are therefore not duplicated here. The issues raised in the handout in respect of this application are covered in the report with the exception of one issue raised in earlier correspondence regarding the amount of vacant industrial units, including a link to available property, and questioning the need to build on Green Belt land. Committee are advised that the application was accompanied by an alternative site search in order to identify the availability of any preferable site outside the Green Belt, as referred to in the report.

#### ***Item 10 (Pages 241-248) – CB/15/02323/FULL – 18 Seamons Close, Dunstable***

##### **Additional Consultation/Publicity Responses**

Another letter has been received from the occupier of No. 28 Seamons Close. The author of the letter cannot attend the committee meeting but hopes that his previous representation has been made available to Members. He also hopes that the matter he raised in regards to the building onto the vacant plot of No. 16 has been properly investigated.

### **Additional Comments**

As noted in the report, plots 16 and 18 have been amalgamated and the proposed extension would not increase the footprint of the dwelling.

### **Additional/Amended Conditions/Reasons**

None

## **Item 11 (Pages 249 -265) – CB/15/02657/Full – Bridge Farm, Ivel Road, Shefford**

### **Additional Consultation/Publicity Responses**

Letter from Savills on behalf of adjacent land owners (Copy attached to Late Sheet)

Summary of comments -

- Adjacent land owners not notified.
- Timing of application. It is not possible for Member to be aware of the all the issues while the consultation period is still open.
- Marketing period of 3 years has not expired. It began in December 2013 according to submitted documents.
- Marketing information is not supported by Economic Growth team.
- MA6 requires route to be safeguarded to land to south and east.
- Development should not impact on the adjacent working farm

Shefford Town Council - Object. Summary of comments

LAPS shown are close to road junctions and have been removed from other plans? Where are they? Are the plans accurate?

*Officer comment: the play areas have been removed from the site at the suggestion of the CBC Play and Open Space Officer given the scale of the site.*

Development will overload the existing sewers. They system is unable to cope with additional demand at present are requires continual remedial pumping out.

There is insufficient lower school places in Shefford.

Further – there is insufficient parking provision provided. The developer should be responsible for yellow lines on main feeder road to the estate.

Full details of the Town Council comments are appended to the Late Sheet.

CBC Archaeology Officer - No objections subject to condition requiring archaeological investigations.

CBC Tree and Landscape Officer - Landscape details provided are acceptable.

CBC Highways Officer –

Further to my initial response dated 4th August I make the following additional comments and recommendation of conditions and advice notes to be included on the late sheet for members consideration at planning committee. For clarification, these are in addition to the Grampian condition requiring the provision of the controlled pedestrian crossing on Shefford Road prior to first occupation of any dwelling.

In terms of on-site detail, the design of the estate roads comply with the CBC design guidance and will be appropriate for adoption as highway maintainable at public expense, subject to detail design and construction requirements to be finalised and agreed as part of any subsequent Highways Act S38 agreement. The provision of car parking, including minimum garage size can be argued is design guide compliant Appendix F compliant (they have provided 7.0 x 3.3m external dimension to comply with the text of the design guide whereas the sketch indicates internal dimension) and appropriate resident cycle parking provision is achievable in either the garages or free standing stores.

In these circumstances I confirm that there is no highway reason why planning approval should not be granted.

CBC Sustainable Growth Officer –

The development should meet 10% energy demand from renewable sources. This can be secured by a condition.

### **Additional Comments**

The press advert expires on 28<sup>th</sup> August

Whilst it has been suggested by the Highways Officer that the provision of a new crossing between Shefford Road/Churchill Way roundabout and the A507 could be dealt by a condition, it is recommended to Members that the provision of the crossing is secured via the S106 Agreement.

Although no comment have yet been received from Anglian Water, based on the previous application for 49 dwellings, their comments stated that there is adequate capacity for the development.

### **Additional/Amended Conditions/Reasons**

#### Highway conditions

1.If the proposed roads are not constructed to the full length and layout illustrated on the approved plan, a temporary turning space for vehicles shall be constructed within the site in a position to be approved in writing by the Local Planning Authority before any building taking access from the road is occupied.

Reason: To avoid the need for vehicles to reverse into or from the highway in the interest of road safety.

2. 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.

3. Development shall not begin until the developer has made provision for;

- A Construction Traffic Management Plan detailing access arrangements for construction vehicles, routing of construction vehicles, on-site parking and loading and unloading areas.
- An on-site materials storage area.
- On-site wheel cleaning arrangements.

Reason: To ensure that the development of the site does not compromise highway safety on the surrounding highway network.

4. No development shall commence at the site before details of how the development will achieve a reduction in carbon emissions of at least 10% more than required by current Building Regulations through the use of on-site or near-site renewable or low carbon technology energy generation have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.

Reason: Required prior to the commencement of the development in order achieve 10% of energy from renewable sources in the interest of sustainability.

5. No dwelling shall be occupied until a controlled pedestrian crossing has been constructed on Shefford Road at an appropriate point between the Churchill Road roundabout and the roundabout junction with the A507, together with a 2.0m wide footway linking the site with the crossing in accordance with details to be submitted to and approved by the Local Planning Authority.

Reason: In the interests of road safety and pedestrian movement.

#### Additional information regarding marketing

The S106 agreement relating to the B1 employment land (CB/12/01123/OUT) required a marketing period of three years from the date of the planning consent. The marketing on site originally commenced in December 2011 and has since been carried out by various agents such as Robinson and Hall, EG Property, Rightmove etc. The marketing strategy has been subject of quarterly updates and Additional marketing was undertaken by Robinson and Hall in December 2013 following discussions with CBC Officers.

The submitted Marketing Report sets out the level of interest in the site over the marketing period. There have been a number of interests, but no further follow up inquiries. In 2011 H-Squared, a Shefford based company expressed an interest for a 1 acre plot on the land. H Squared are a battery and torch distribution company, a use that would fall within B2/B8 use class. In order for H-Squared to operate on the site a new access may have been required onto Ivel Road and would rely on the transfer of a portion of land from CBC Estate. Planning consent would also need to be sought for B2/B8 use which may not have been compatible with the adjacent residential use. H-Squared do not appear to have made any further enquires therefore it is assumed their interest in the land has since declined.

In early 2014 Castleoak, a Registered Care Home provider expressed an interest in a section of the land for the development of a care home which has subsequently been granted Outline planning consent.

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17 August 2015  
CAPL/249054/A3/CC

savills

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Dear Ms Boyd

**PLANNING APPLICATION CB/15/02657: BRIDGE FARM, SHEFFORD**

We write on behalf of Mr and Mrs Foster who own land adjacent and to the east and south of the above application site. My clients (and before them, their family farming company, Polehanger Farms Limited, which formerly owned the land) have promoted their land through the development plan process over a number of years and been involved in many discussions with the Council regarding its development. They also commented on planning applications CB/12/01125/FUL, CB/12/01123/OUTLINE and CB/14/02182 which related to the land in question (of which they were not notified). Despite this, and us pointing this out to the Council on numerous occasions, again they have not been notified by the Council of the receipt a planning application on land which adjoins their land. As you will be aware, Article 15(4)(a)(ii) of the Development Management Procedure Order 2015 requires that for major applications the local planning authority serve notice on the adjoining landowners and occupiers.

**Timing of committee**

My clients are surprised at the speed with which this planning application is being presented to committee. The application was registered on 15<sup>th</sup> July 2015. The consultation period runs until the 28<sup>th</sup> August, yet the application is to be considered by members 10 days before the consultation period has expired. It is simply not possible for members to be aware of all the issues in relation to the application when the consultation period is still open.

**Principle of development**

Policy MA6 of the adopted Site Allocations DPD identifies the application site for a mixed use development of residential development and "a minimum of...2 hectares of employment land".

The S106 agreement executed in relation to planning application CB/12/01123/OUTLINE requires that the owners market the site for a period of three years. That planning permission was granted on the 29<sup>th</sup> November 2012. The S106 requires that the site be marketed from the date of permission, however, as set out in application CB/14/02182 marketing of the site for employment purposes commenced in December 2013.

The committee report states that the land has been marketed over a period of four years, but that is clearly inconsistent with the information submitted in relation CB/14/02182. It is also inconsistent with the letter which accompanies the application from Robinson Hall dated 10<sup>th</sup> February which says marketing commenced in December 2013.

Offices and associates throughout the Americas, Europe, Asia Pacific, Africa and the Middle East.

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As set out in that earlier planning application, marketing actually commenced in December 2013. The site has therefore only been marketed for 19 months, not the 3 years required by the s106. The committee report at para. 1.3 is clearly incorrect and could mislead members where it says the marketing period expires in November. A 3 year marketing is required under the S106 and therefore the period expires in December 2017.

It is also clear that the limited marketing to date is not supported by the Council's Economic Growth team. Matt Pyecroft's email of 8<sup>th</sup> August sets out numerous criticism of the marketing, none of which are set out in the committee report.

The approach to marketing falls considerably short of what is expected.

The land in question was allocated by the development plan to meet the employment needs of Shefford and its surrounding area during the local plan period to 2026. The purpose of the development system is to take a long term view as to what is needed in the area. There remains a considerable period of the plan period left to run and that whilst we consider that Shefford is an appropriate location in principle for further housing growth, we consider that the appropriate vehicle for determining the most suitable sites is the Neighbourhood Plan process which the Council has put in place and which can consider all the options for growth.

#### **Safeguarding delivery of future sustainable development**

A fundamental requirement for the development of land allocated by Policy MA6 is to safeguard a route through site MA6 to allow future access and services to land to the south and east. That requirement is not referred to in the committee report.

The purpose of this requirement of the development plan is to ensure that the potential for future sustainable development at Shefford is not hindered in the interests of the proper planning of sustainable development in the area. We consider that the application as it stands does not comply with the intentions of the development plan nor the NPPF. The NPPF sets out to ensure the delivery of sustainable development and places a positive obligation on local authorities to achieve sustainable development.

The submitted plan *Shef2-03-100 revB plot landscaping* shows trees at the end of the one of the access roads. Neither of the access roads are shown running to the boundary of the site.

Central Bedfordshire is a predominantly rural district, with a number of small market towns and large villages. The supply of previously developed land in sustainable locations is limited. It is inevitable therefore that greenfield land will be required in order to meet future housing needs in a sustainable way. The southern edge of Shefford has previously been considered to be a sustainable location. Owing to the constraints in the District and at Shefford, Policy MA6 requires that the development of the allocation does not prejudice the delivery of further development to the east and south of the allocation. In the interests of good planning and of achieving sustainable development, the Council should require, through a legal agreement, that roads and services to adoptable standards are provided to the boundaries of the application site with land to the east and south. Without such a stipulation the Council can not be certain that a key policy objective, namely the proper planning of sustainable development in its area, will be achieved. This requirement needs to be brought to members attention and its implications fully considered. Should the Council decide to grant planning permission, both routes need to be assured through a legal agreement.

We request to be consulted on the wording of any legal agreement. That wording should require that roads and services are delivered to adoptable standards failing which sustainable development and the good planning of the area will not be achieved.



**Impact on working farm**

The land to the south and east forms part of an active farm holding and business. It is critical that the future of that business is not put at risk by development proposals and does not restrict my clients legitimate business operations. The field in question is used for cropping purposes. In order to operate efficiently and effectively the field is farmed using modern heavy agricultural machinery. My clients are concerned that unless adequate safeguards are put in place occupiers of new homes will exert pressure to curtail their legitimate farming of the land and that their land may become increasingly under pressure from trespass and consequent damage to crops and the field may be liable to damage during construction. There is currently no physical demarcation of the boundary along the eastern side. It is critical therefore that should the Council decide to grant planning permission, the boundaries to our clients' land are appropriately secured from within the development site ahead of commencement. That should be secured through a S106 agreement and require that a 2.4 metre (8 feet) high fence be constructed along the boundary prior to the commencement of development. That legal agreement should also contain a covenant by the owners of the application site from time to time to maintain such fence unless and except for the provision of access to the land to the south and east.

Yours sincerely



**Colin Campbell BSc Dip TP MRTPI  
Director**

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SHEFFORD TOWN COUNCIL

10 AUG 2015

THE PLANNING OFFICER  
Priory House  
Chicksands  
Shefford  
SG17 5TQ

SHEFFORD TOWN COUNCIL  
PO Box 39  
Shefford House  
15 Shefford High Street  
Shefford  
Beds.  
SG17 5DD

Dear Sir

Date 05/08/15

PLANNING CONSULTATIONS

Planning application

Reference CB15/02657/FULL

Proposal

Address BRIDGE FARM, IVEL ROAD, SHEFFORD, SG17 5LB

Applicant x DAVID ALAN, WALTER, BERYL & SUZAN GUNGIN  
JOINTLY WITH BOUIS HOMES

NOTE. These comments relate to three separate submissions with various dates in July for Bridge Farm.  
CB15/02657/FULL – July 22. Revised CB/14/03159/FULL  
CB/15/02657/FULL – July 22. Revised CB/14/03159/FULL. With post it note 'All other plan previously sent.'  
CB/1502657/FULL – July 28. Revised CB/14/03159/FULL

I am directed by Shefford Town Council to refer to the above applications and to advise you that following inspection of the documents submitted, the Council:-

**Objects to the application for the following reasons:-**

The LAPs shown in the 'our proposals' document located dangerously close to road junctions on bends have completely disappeared on other site plans, typically SHEF2.02.103 and 17272/shef/5/602. The LAPS are not mentioned in other documents. Where are they? Are these documents to be considered as accurate?

This development will add greatly to the overloaded sewers that run down Ivel Road to the junction of Clifton Road. The system is unable to cope with the present demand requires continual remedial pumping out operations by the drainage authority.

There is insufficient lower school places in Shefford now. Any additional children from this estate will add to the total that have to be transported to schools in other communities, adding to traffic volumes, pollution from motor vehicles and disturbance to existing community children.

**I am further instructed to make the following comments which it is hoped will be brought to the attention of the Committee:-**

We believe there is insufficient parking provision provided on the development. Should this estate be permitted the developer should be made responsible for obtaining the relevant GTO and to put in place double yellow lines on the main feeder road into the estate, Harvest Rise, and on the adjacent sections of Ivel Road and Shefford Road.

The cover sheet dated 28 July makes no mention of the 33% affordable housing. Why? What is being provided in its place?

Yc



Town Clerk.

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file:///home/chronos/u-fd31c8ddbbe9594a800a094b94ec5b7aa668c6f7/Downloads/SN00934%20(8).pdf

2.1 Green belt in planning practice guidance In March 2014 the Government published new web-based Planning Practice Guidance to accompany and give further detail about the policies in the NPPF. This guidance sets out that unmet housing need in a particular area is unlikely to meet the “very special circumstances” test to justify green belt development: Unmet housing need (including for traveller sites) is unlikely to outweigh the harm to the Green Belt and other harm to constitute the “very special circumstances” justifying inappropriate development on a site within the Green Belt.0

1. Purpose of green belt land According to the Government’s National Planning Policy Framework (NPPF), the green belt serves five purposes: • to check the unrestricted sprawl of large built-up areas; • to prevent neighbouring towns merging into one another; • to assist in safeguarding the countryside from encroachment; • to preserve the setting and special character of historic towns; and • to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.1 The CPRE (Campaign to Protect Rural England), describes green belts as a buffer between towns, and town and countryside whereby within their boundaries, damaged and derelict land can be improved and nature conservation encouraged.

2.3 Waste facilities on green belt land On 16 October 2014 the then Secretary of State for Communities and Local Government announced that he had “strengthened the policy on planning for waste facilities such as recycling plants making clear that companies and councils looking to build these should first look for suitable sites and areas on brownfield land.” The new wording changes the previous policy, to mean that councils can now no longer give special consideration to locational needs, or wider economic benefits the site could bring, over other considerations, as justification for building waste facilities on green belt land. The Government’s National Planning Policy for Waste was published on 16 October 2014.

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Following the information regarding the opening hours for the Waste Park, Highways Depot and Industrial units, I believe the same consideration should be given to local residents, as they would for construction pollution,

As a general rule where a neighbour, whether residential or commercial, can hear noise in their **house or garden**, or at their business premises it is expected that works shall not take place outside the following hours

- 08.00 to 18.00hrs Monday to Friday
- 08.00 to 13.00hrs Saturdays
- no working on Sundays or Public Holidays

There is scope for negotiation on these hours where there are particularly noise sensitive properties involved, emergency or specialist work has be undertaken. In areas which are predominantly commercial or industrial there may be advantages in working outside normal hours, whilst in mixed urban areas there will be a need to compromise. Such works shall require prior approval from the Council and will only be granted under exceptional circumstances.

All vehicles and plant arriving at and leaving the site shall comply with the same restrictions on hours. The main contractor shall be held responsible for informing all sub-contractors working on the site of the permitted hours of work.

The buildings would be prominent not only to residents, but from the A505 and Thorn Turn. Landscape value should be given some significance when assessing site location.



Area proposed for Waste Park and Highways depot



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3. Recommended Further Surveys Badger • Access to the sett in the firing range is required, in order to assess current use; • If this and the sett identified to the south are considered to be in current use, and are to be directly impacted by the development, a licence from Natural England will be required in order to destroy them; • For the licence, we would need to be able to demonstrate that our classification of the sett (main, annex, subsidiary, etc.) is correct and prove how important these setts are for badgers in the local area. This would require two visits, spaced a month apart to determine –access to the wider area may be required. Reptiles • Seven visits are required to be spaced within now and the end of September. artificial refuges (roofing felt) would be deployed within areas identified previously. Bats • Further survey is required on all 10 trees identified within the walkover survey; • Tree climbing surveys would be undertaken (where trees are deemed safe) in order to inform the need for dusk/ dawn surveys – can be done any time of year; • Any trees with low potential to support bat roosts will need a single dusk or dawn survey; • Any trees with moderate potential to support bat roosts will need one dusk and one dawn survey; • Dusk and dawn surveys would be done between now and the end of September.

### Response from CBC

The ecological survey work has used, as its starting point, an earlier Extended Phase 1 survey. This has been reviewed and the applicant has been in discussion with the County Ecologist regarding the programming of additional targeted surveys. The Wildlife Trust has been invited to comment at both consultation stages associated with these applications.

### Fire Risk

Waste management and recycling companies can no longer ignore the situation: the issue of major blazes will refuse to die down until they or the authorities take action

Insurance premiums are going up or are much harder to attain, local communities and fire services are getting increasingly impatient and commercial, environmental and health damage is continuing unabated. The issue of major fires at waste management and recycling sites only gets more severe. Simon Jenkins, product manager at FireVu, a fire detection solution supplier, tells us why the incidence and scale of major fires at waste and recycling plants cannot continue and what can be done.

The UK averages a touch under one fire at a waste management or recycling facility every day of the year.

More precisely the number of blazes between 2001 and 2012 stood at 355 yearly, with a “low” of 246 in 2001 and a high of 425 in 2011 according to Environmental Agency figures.

1.1 Risks of fires 1.1.1 Fires involving wastes can cause **significant harm to people and the environment**: ☐ There is the risk of death and/or serious injury and health damage from high thermal energy and smoke inhalation ☐ Combustion products, even those from non-toxic materials, release airborne pollutants which can cause short and long term effects on human health and the environment ☐ **Firewater run-off can transport pollutants into drainage systems, rivers and lakes, groundwater and soil, threatening water supplies, public health, wildlife** and recreational use ☐ Explosions, sparks and

projectiles can harm people and spread any fire ☐ Substantial property damage and subsequent financial losses

## Kingfishers at Dunstable Sewer Works

Posted by [Sean DArcy](#)

When Rob was clearing and doing general maintenance around the scrape he noticed huge quants of Sticklebacks in the shallow water near the hide so I thought it a good idea and suggested we put a perch above the area to see if it would bring the Kingfishers nearer the hide.

That was last week and since then we have had nothing but regular visits to the perch by the local Kingfishers with 2 seen hunting/feeding from the same perch at the same time so a success all around on that front. At this rate of predation I am not sure how long the stock of Sticklebacks will last, as I sat in the hide for 2 and a 1/2 hours today and the Kingfisher was feeding in full view for pretty much the duration of my visit.

**Also on view today on the scrape where, 2 no Green Sandpipers, 1 no Little Ringed Plover, Grey & Pied Wagtail, Coot, Moorehen, Mallard + 5 surviving chicks, Reed & Sedge Warblers, Reed Bunting, Bullfinch, Goldfinch & Blackcap**



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Through development wildlife is being pushed to its limits, often development has an unrecorded effect on wildlife, it is only years later people realise what they have lost.

We are at risk of not only losing important wildlife, but also local history and knowledge within our towns and villages.

At what point do we say enough. When will we realise our economy should not be built on development, as a way of providing short term jobs and economic growth.

### **Wild Orchids**

Orchids have been in magnificent shape this year all over the country, and putting on an especially good show in the chalky grasslands of Bedfordshire.

One of the UK's most intriguing and beautiful groups of flowering plants, orchids are enjoying particularly good displays this year.

One of the best displays of these exotic-looking flowers this year has been at Houghton Regis Chalk Pit, Bedfordshire, where reserve officers counted over 700 common-spotted, around 140 pyramidal and three bee orchids – an enigmatic species that attracts bees looking to mate due to the bee-like appearance of their flowers

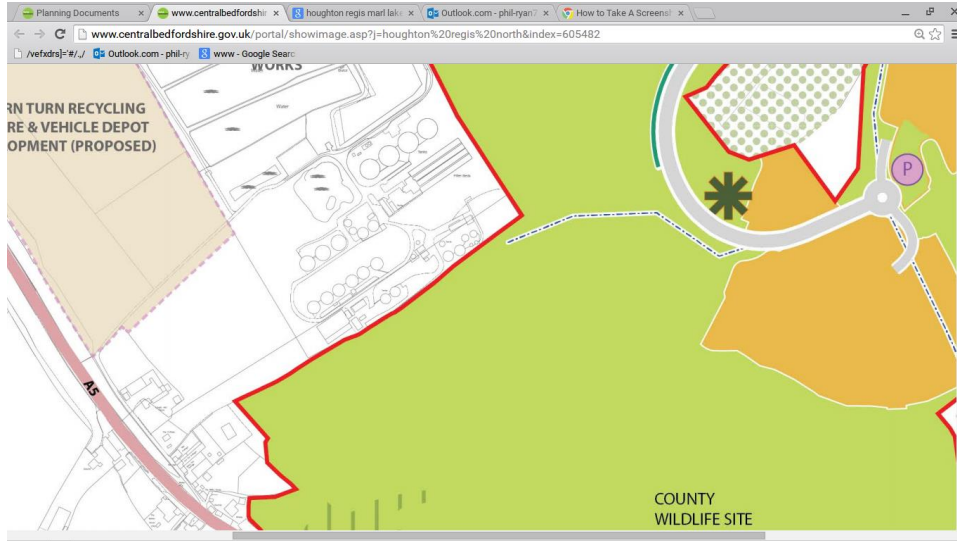
***“Orchids are only found in relatively few wild places so it’s great to hear that they are thriving not only on protected nature reserves but also in the wider countryside and even gardens.”***

– PAUL WILKINSON, THE WILDLIFE TRUSTS’ HEAD OF LIVING LANDSCAPE

<http://www.itv.com/news/anglia/2013-08-07/orchids-bloom-in-regions-beauty-spots/>

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### Proximity of the planned development to Chalk Hill Hamlet



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**Item No. 6**

<b>APPLICATION NUMBER</b>	<b>CB/15/02292/FULL</b>
<b>LOCATION</b>	<b>Land at Braeburn Way, Cranfield</b>
<b>PROPOSAL</b>	<b>The provision of a new single storey 1 Form Entry Lower School with Nursery. The school will accommodate 150 pupils together with 45 Nursery places.</b>
<b>PARISH</b>	<b>Cranfield</b>
<b>WARD</b>	<b>Cranfield &amp; Marston Moretaine</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Morris, Matthews &amp; Mrs Clark</b>
<b>CASE OFFICER</b>	<b>Annabel Robinson</b>
<b>DATE REGISTERED</b>	<b>22 June 2015</b>
<b>EXPIRY DATE</b>	<b>21 September 2015</b>
<b>APPLICANT</b>	<b>Ms G Bown</b>
<b>AGENT</b>	<b>Hunters South Architects</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Major planning application in which Central Bedfordshire Council has a freehold interest and objections have been received.</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Approval</b>

**Summary of Recommendation:**

The planning application is recommended for approval, the design of the Lower School would be in accordance with Central Bedfordshire Core Strategy and Development Management Policies DM3, CS1, CS2, CS5, DM4, DM13, CS15. It would not have a significant impact upon the public highway, the residential amenity of any adjacent properties, and would result in a new development suitable for the location. It is considered that the design is in accordance with the Central Bedfordshire Design Guide and the submitted Development Strategy and National Planning Policy Framework.

**Recommendation**

That Planning Permission is 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 as shown on plan number X0111 PL09 11 unless otherwise approved in writing by the Local Planning Authority.

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 building shall not be occupied until a detailed design scheme and noise management plan for protecting neighbouring residential occupiers from noise arising from the use of the external MUGA and sports pitches and associated car park has been submitted and approved by the local planning authority. The scheme shall include details of the design and construction of the MUGA, proposed hours of use for the external sports facilities, the provision of acoustic barriers where appropriate and other suitable measures as necessary to mitigate and control the impact of noise from these sources. The MUGA and sports pitches shall not be brought into use until the scheme and noise management plan has been implemented in accordance with the approved details, and shall be operated in accordance with those details thereafter.

Reason: To protect the residential amenity of neighbouring residential occupiers from noise associated with the use of the external sports facilities.

- 4 The building shall not be occupied until a scheme setting out the type, design, lux levels and measures to control glare and overspill light from external lighting on the site (including the car park and external sports facilities), and measures to ensure lights to the external sports facilities are switched off when not in use, has been submitted to and approved in writing by the Local Planning Authority. After commencement of use of the external sports facilities the lighting to these areas and external car park shall be operated in accordance with the approved scheme.

Reason: To balance illuminating the external areas and sports facilities of the site for optimum use with the interest of protecting neighbouring residential amenity and sustainability

- 5 Prior to the occupation of the site a plan identifying the mandatory road markings associated with the construction of the school access shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before first occupation of the premises.

Reason: In the interests of highway safety.

- 6 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.

- 7 **No development shall take place until the following details have been submitted to and approved in writing by the Local Planning Authority.**

**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.**

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

**Justification: The condition is require pre-commencement as it relates to ensuring that all the construction work is undertaken in a suitable manner, to ensure minimal disturbance to residents and the public highway.**

- 8 All planting, seeding or turfing comprised in the approved details of landscaping as shown on plan numbers LLD864/01 04, LLD864/02 01 and LLD864/03 00 shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development whichever is the sooner; and any trees or plants which within a period of 5 years of completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority give written consent to any variation.

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

- 9 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 11527-CIV-200A, Z0111 PL02 11, Z0111 PL03 11, Z0111 PL04 10, Z0111 PL05 10, Z0111 PL06 10, Z0111 PL08 11, Z0111 PL07 10, Z0111 PL09 11, LLD864/01 04, LLD864/02 01, LLD864/03 00.

Reason: For the avoidance of doubt.

- 10 The development and use of the school site shall be carried out in accordance with the measures set out within the submitted Travel Plan (June 2015).

Reason: To ensure sustainable forms of transport to and from the school site.

### 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](http://www.cae.org.uk))  
Central Bedfordshire Access Group ([www.centralbedsaccessgroup.co.uk](http://www.centralbedsaccessgroup.co.uk))



**Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, Article 35**

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) Order 2015.

[Notes:

1. In advance of consideration of the application the Committee was advised of an additional consultation/publicity response from 41 Lordsmead and an additional condition as detailed in the Late Sheet.
2. In advance of consideration of the application the Committee received representations made in accordance with the Public Participation Scheme.]

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**Item No. 7**

<b>APPLICATION NUMBER</b>	<b>CB/15/00269/FULL</b>
<b>LOCATION</b>	<b>Land adjacent to 29 Sand Lane, Northill, Biggleswade, SG18 9AD</b>
<b>PROPOSAL</b>	<b>Construction of 7 affordable homes</b>
<b>PARISH</b>	<b>Northill</b>
<b>WARD</b>	<b>Northill</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Mr Firth</b>
<b>CASE OFFICER</b>	<b>Samantha Boyd</b>
<b>DATE REGISTERED</b>	<b>04 February 2015</b>
<b>EXPIRY DATE</b>	<b>01 April 2015</b>
<b>APPLICANT</b>	<b>Mr &amp; Mrs Emmerson-Dilleigh</b>
<b>AGENT</b>	<b>Aragon Land and Planning UK LLP</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Cllr Call In - Tricia Turner. Reason: Public interest and Parish Council objection.</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - to approve subject to the completion of a S106 Agreement restricting occupancy of the properties and subject to the following conditions.</b>

**Reason for Recommendation:**

The proposed Exception Scheme for 7 Affordable Housing units is considered to be acceptable in accordance with Policy CS8 of the Core Strategy and Development Management Policies Document (2009). The submitted Housing Needs Survey identifies a demonstrable need for the housing in the Parish of Northill and the proposal is considered to be acceptable in terms of the impact on the character of the area, neighbouring amenity, highway safety and all other planning considerations. The proposal is therefore considered to be acceptable and compliant with the National Planning Policy Framework, Policy CS8 and DM3 of the Core Strategy and Development Management Policies Document (2009).

**Recommendation:**

That Planning Permission be granted subject to the completion of a S106 Agreement and 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 **No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**

**Reason: Required prior to the commencement of the development to control the appearance of the building in the interests of the visual amenities of the locality.**

- 3 **No development shall take place until details of the existing and final ground and slab levels of the buildings hereby approved have been submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties, the location of which shall first be agreed in writing with the Local Planning Authority. Thereafter the site shall be developed in full accordance with the approved details.**

**Reason: Required prior to the commencement of the development to ensure that an acceptable relationship results between the new development and adjacent buildings and public areas.**

- 4 **No work on the construction of the buildings shall take place until a landscaping scheme to include all hard and soft landscaping, boundary treatments, details of any external lighting and a scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme have been 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 in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.**

**Reason: To ensure an acceptable standard of landscaping.**

- 5 **The premises shall not be occupied until details of the construction and surfacing of the on site vehicular access at the junction with the public highway have been submitted to and approved in writing by the Local Planning Authority. These details shall include arrangements 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. The access shall be constructed and surfaced in a stable and durable manner in accordance with the approved details before the premises are first occupied.**

**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 acceptable parking of vehicles outside highway limits .**

- 6 The dwellings hereby approved shall not be occupied until details of the bin collection point areas have been submitted to and approved in writing by the Local Planning Authority and the bin storage/collection areas have been implemented in accordance with the approved details. The bin collection area shall be retained thereafter.

Reason: In the interest of amenity.

- 7 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 288/SK/05 rev C, 288/P/03 rev A, 288/P/01 rev A, 288/P/02 rev A, 288/P/04 rev A, 14-062-104 A, Location Plan, Housing Needs Survey Report July 2015, Community Statement and Appendices, Preliminary Ecological Appraisal November 2014.

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. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies within the Core Strategy and Development Management Policies Document (2009).
3. The applicant and the developer are advised that this permission is subject to a legal obligation under Section 106 of the Town and Country Planning Act 1990.

### **Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, Article 35**

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) Order 2015.

[Notes:

1. In advance of consideration of the application the Committee was advised of additional consultation/publicity responses from neighbours and Northill Parish Council and additional comments from officers as detailed in the Late Sheet.
2. In advance of consideration of the application the Committee received representations made in accordance with the Public Participation Scheme.]

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**Item No. 11**

<b>APPLICATION NUMBER</b>	<b>CB/15/02657/FULL</b>
<b>LOCATION</b>	<b>Bridge Farm, Ivel Road, Shefford, SG17 5LB</b>
<b>PROPOSAL</b>	<b>Development to construct 49 no. dwellings, together with ancillary car parking, landscaping, and associated highway, access and infrastructure works. (Revised application to CB/14/03159/FULL)</b>
<b>PARISH</b>	<b>Shefford</b>
<b>WARD</b>	<b>Shefford</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Birt &amp; Brown</b>
<b>CASE OFFICER</b>	<b>Samantha Boyd</b>
<b>DATE REGISTERED</b>	<b>15 July 2015</b>
<b>EXPIRY DATE</b>	<b>14 October 2015</b>
<b>APPLICANT</b>	<b>Bovis Homes</b>
<b>AGENT</b>	<b>Optimis Consulting</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Major Development - Contrary to Policy</b>
<b>RECOMMENDED DECISION</b>	<b>To grant Full planning permission subject to the completion of a S106 Agreement securing Affordable Housing provision and other relevant contributions, and upon the expiry of the advertisement in the local press.</b>

**Reason for recommendation:**

The proposed 49 dwellings is contrary to Policy MA6 of the Core Strategy and Development Management Policies Document, as the proposal would not provide employment uses on an allocated employment site. However the applicant has demonstrated that there is no reasonable prospect of the employment site being used for such purposes therefore an alternative use needs to be considered. The proposal would provide additional houses which would benefit the Councils 5 year housing supply and these benefits are considered to add significant weight in favour of the development and therefore the proposal is considered to be acceptable.

The proposal is considered to be acceptable in terms of highway safety and neighbouring amenity and therefore accords with Policy DM3 of the Core Strategy and Development Management Policies Document (2009).

**Recommendation:**

That Planning Permission be granted subject to the completion of a S106 Agreement and the following conditions:

**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 **No development shall take place, notwithstanding the details submitted with the application, until details of the materials to be used for the external walls and roofs of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**

**Reason: Required prior to the commencement of the development to control the appearance of the building in the interests of the visual amenities of the locality. (Policy DM3, CSDMP)**

- 3 **No development shall take place until details of the existing and final ground and slab levels of the buildings hereby approved have been submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties, the location of which shall first be agreed in writing with the Local Planning Authority. Thereafter the site shall be developed in full accordance with the approved details.**

**Reason: Required prior to the commencement of the development to ensure that an acceptable relationship results between the new development and adjacent buildings and public areas. (Policy DM3 CSDMP)**

- 4 Prior to the commencement of construction works a landscaping scheme to include all hard and soft landscaping and boundary treatments 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 completion and/or first use of any building (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 with others of a similar size and species.

Reason: To ensure an acceptable standard of landscaping in the interests of visual amenity and biodiversity in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 5 **No development shall take place until a written scheme of archaeological investigation for an open area excavation followed by 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 archaeological scheme.**



**Reason: Required prior to the commencement of the development to record and advance understanding of the heritage assets with archaeological interest which will be unavoidably affected as a consequence of the development. (Policy DM13 CSDMP)**

- 6 No construction works shall begin until the applicant has submitted in writing for the approval of the local planning authority a scheme of noise attenuation measures which will ensure that internal noise levels from external road traffic noise sources shall not exceed 35dBLAeq, 0700-2300 in any habitable room or 30dBLAeq 2300-0700 inside any bedroom, and that external noise levels from external road traffic noise sources shall not exceed 55dBLAeq 1hr in any outdoor amenity areas. Any works which form part of the scheme approved by the local authority shall be completed and the effectiveness of the scheme shall be demonstrated through validation noise monitoring, with the results reported to the local planning authority in writing, before any permitted dwelling is occupied, unless an alternative period is approved in writing by the authority

Reason: To protect the amenity of future occupants of the buildings. (Policy DM3 CSDMP)

- 7 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbered SHEF2-02-210 rev B, SHEF2-02-215/1 A, SHEF2-02-215/2 A, SHEF2-02-220 (SHEET 1), SHEF2-02-220 (SHEET 2), SHEF2-02-220 (SHEET 3), SHEF2-02-230 B, SHEF2-02-270 A, SHEF2\_02\_101 B, SHEF2\_02\_103 A, SHEF2\_02\_105 A, SHEF2\_02\_280 A, SHEF2-02-300 E, SHEF2-02-850 A, JKK7191\_FIGURE 4, SHEF2-03-100 B, SHEF2-03-081 B, SHEF2-03-101 B, 17272/SHEF/5/302, 17272/SHEF/5/501 D, HTPD\_SA1000 HT S1, HTPD\_S241 HT S2, HTPD\_S351 HT S3 rev A, HTPD\_P303 HT A, HTPD\_P303 HT B, HTPD\_P401 HT C (Brick) - Rev A, HTPD\_P401 HT C (Render), HTPD\_P402 HT D, HTPD\_P403 HT E 1/2 Rev A, HTPD\_P403 HT E 2/2 Rev A, HTPD\_P404 01 HT F, HTPD\_P404 02 HT F, HTPD\_P404 03 HT F, HTPD\_P502 01 HT H Rev A, HTPD\_C525\_HT G, SHEF2\_02\_AGT-1 VT Rev A (TANDEM STORE GARAGE), SHEF2\_02\_AGD-1 VT (DOUBLE GARAGE), SHEF2-02-260, SHEF2-02-900, SHEF2\_02\_BSCS Rev A (BIN STORE/CYCLE STORE), SHEF2\_02\_AGS2-1 VT Rev B (SINGLE GARAGE), LE1812/1300/01, Environmental Noise Assessment 15130-1 July 14, FRA Compliance Note v 1.0 Sept 14, Flood Risk and Run-off Assessment J-B0348-R03, Archaeological Evaluation Report 12/82 April 12, Archaeological Impact Assessment May 2012, `Archaeological Investigation Recording and Analysis January 2013, Geo-Environmental Investigation Report March 2012, Ecological Appraisal 2012, Bat Surveys J005527 July 2014, Construction Waste and Materials Recycling Statement, Transport Assessment J-D1719.00-R001, Statement of Community Involvement, Pre-Development Tree Survey & Arboricultural Implications Assessment, Marketing Report P364 v 3. 27 July 2015, Planning Statement, Design and Access Statement.

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

- 8 If the proposed roads are not constructed to the full length and layout illustrated on the approved plan, a temporary turning space for vehicles shall be constructed within the site in a position to be approved in writing by the Local Planning Authority before any building taking access from the road is occupied.

Reason: To avoid the need for vehicles to reverse into or from the highway in the interest of road safety.

9. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015, 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.

10. Development shall not begin until the developer has made provision for;
- A Construction Traffic Management Plan detailing access arrangements for construction vehicles, routing of construction vehicles, on-site parking and loading and unloading areas.
  - An on-site materials storage area.
  - On-site wheel cleaning arrangements.

Reason: To ensure that the development of the site does not compromise highway safety on the surrounding highway network.

11. No development shall commence at the site before details of how the development will achieve a reduction in carbon emissions of at least 10% more than required by current Building Regulations through the use of on-site or near-site renewable or low carbon technology energy generation have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.

Reason: Required prior to the commencement of the development in order to achieve 10% of energy from renewable sources in the interest of sustainability.

### **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. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies within the Core Strategy and Development Management Policies Document (2009).

3. The applicant and the developer are advised that this permission is subject to a legal obligation under Section 106 of the Town and Country Planning Act 1990.

**Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, Article 35**

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) Order 2015.

[Notes:

1. In advance of consideration of the application the Committee was advised of additional consultation/publicity responses from Savills on behalf of adjacent landowners, Shefford Town Council, the Archaeology Officer, the Tree and Landscape Officer, the Highways Officer and the Sustainable Growth Officer together with additional comments and additional conditions and reasons as detailed in the Late Sheet.
2. In advance of consideration of the application the Committee received representations made in accordance with the Public Participation Scheme.]

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**Item No. 10**

<b>APPLICATION NUMBER</b>	<b>CB/15/02323/FULL</b>
<b>LOCATION</b>	<b>18 Seamons Close, Dunstable, LU6 3EQ</b>
<b>PROPOSAL</b>	<b>Two Storey Side Extension</b>
<b>PARISH</b>	Dunstable
<b>WARD</b>	<b>Dunstable Watling</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Hollick &amp; Young</b>
<b>CASE OFFICER</b>	<b>Debbie Willcox</b>
<b>DATE REGISTERED</b>	<b>26 June 2015</b>
<b>EXPIRY DATE</b>	<b>21 August 2015</b>
<b>APPLICANT</b>	<b>Miss Kary</b>
<b>AGENT</b>	<b>Kingswood Design Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Called in by Councillor Hollick for the following reason: Having had privacy for 14 years, the proposed 1st floor window will look straight into the lounge and front bedroom at 30, Seamons Close. It also affects no. 28 in a similar way.</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Recommended for Approval</b>

**Summary of Recommendation**

The proposed extension would relate acceptably to the character and appearance of the area and would not have an unacceptable detrimental impact on the amenity of the occupiers of neighbouring dwellings. The parking provision is considered to be acceptable and it is not considered that the proposal would have a detrimental impact on highway safety. The proposal is therefore considered to be in accordance with the National Planning Policy Framework, policies BE8 and H8 of the South Bedfordshire Local Plan Review, policy 43 of the emerging Development Strategy for Central Bedfordshire and the Central Bedfordshire Design Guide.

**Recommendation:**

That Planning Permission be APPROVED subject to the following:

**RECOMMENDED CONDITIONS**

- 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.

(Policies BE8 & H8, SBLPR and 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 1913-PL-100, 1913-SU-001, CBC/001, CBC/002.

Reason: To identify the approved plans and to avoid doubt.

### Notes to Applicant

1. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, 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. **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](http://www.centralbedfordshire.gov.uk/council-and-democracy/spending/council-tax/council-tax-charges-bands.aspx)
4. 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](http://www.centralbedfordshire.gov.uk).

**Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, Article 35**

It is recommended that planning permission be 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) Order 2015.

[Notes:

1. In advance of consideration of the application the Committee was advised of an additional consultation/publicity response from 28 Seamons Close and comments relating to the amalgamation of plots 16 and 18 as detailed in the Late Sheet.
2. In advance of consideration of the application the Committee received representations made in accordance with the Public Participation Scheme.
3. In advance of consideration of the application, and following the delivery of his own representations, Councillor Young gave those of Councillor Hollick who was unable to attend the meeting.]

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## Item No. 8

<b>APPLICATION NUMBER</b>	<b>CB/15/01626/REG3</b>
<b>LOCATION</b>	<b>Land at Thorn Turn, Thorn road, Houghton Regis, Dunstable LU6 1RT</b>
<b>PROPOSAL</b>	<b>Development of a Waste Park comprising waste transfer station, split level household waste recycling centre and resale building, together with new access road from Thorn Road.</b>
<b>PARISH</b>	<b>Houghton Regis</b>
<b>WARD</b>	<b>Houghton Hall</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs: S Goodchild &amp; J Kane</b>
<b>CASE OFFICER</b>	<b>David Peachey</b>
<b>DATE REGISTERED</b>	<b>21.05.2015</b>
<b>EXPIRY DATE</b>	<b>10.09.2015</b>
<b>APPLICANT</b>	<b>Central Bedfordshire Council</b>
<b>AGENT</b>	<b>Atkins Global</b>
<b>REASON FOR Call in to Committee</b>	<b>Council application</b>
<b>COMMITTEE TO DETERMINE</b>	
<b>RECOMMENDED DECISION</b>	<b>Approval</b>

### Summary of Recommendation

The proposals involve the provision of new municipal waste management facilities for the collection, bulking up and transfer of household wastes to assist the Council in its role as Waste Disposal Authority in meeting nationally-set targets for the diversion of waste from landfill and implementing the requirements of the European Waste Framework Directive (2008/98/EC) and Waste (England and Wales) Regulations 2011.

The application land falls within the Green Belt and would be harmful to the Green Belt due to its inappropriateness and its impact on openness. There would be a degree of related harm due to the loss of agricultural land and less than substantial to heritage assets. The harm caused by these impacts is considered to be outweighed by the following very special circumstances in the wider public interest:

- the designation of the application land as a preferred strategic waste management site in the recently adopted Minerals & Waste Local Plan: Strategic Sites & Policies;
- the pressing need to provide fit for purpose waste facilities to deliver key statutory functions of the Waste Disposal Authority;
- the lack of alternative suitable sites outside the Green Belt within the parameters of project delivery;
- the strong likelihood of a strategic allocation north of Houghton Regis being formalised as part of the Development Plan in the future and the recent

planning decisions and other committed development within the allocation area, including the July 2015 resolution of this Committee to grant outline permission for employment uses on land adjoining the proposed waste park

The site is located within the western segment of the Houghton Regis North Strategic Urban Extension, as allocated in the emerging Development Strategy identified to accommodate the needs of a growing population in the area.

The proposals are in accord with national and local waste specific policies and general environmental policies and no technical objections have been raised by consultees. Subject to suitable mitigation, no significant or unacceptable environmental impacts would result from the proposed development, including with respect to access and transport, flood risk, water resources, landscape and visual impacts, noise, air quality, odour, dust, ecology and biodiversity and archaeology.

It is recommended that planning permission is granted subject to conditions. In formulating this recommendation all of the evidence and potential impacts of the development that are considered to be material to determining this application have been examined. This has included assessing the application and Environmental Statement including the further information provided, representations received and consultation responses. All material issues have been adequately addressed in the application and the Environmental Statement. As the site is allocated for strategic waste management uses in the 'Bedford Borough, Central Bedfordshire and Luton Borough Councils Minerals and Waste Local Plan: Strategic Sites & Policies (adopted January 2014)', this application can be determined by the Council without referral to the Secretary of State.

## **Recommendation**

That Planning Permission be granted subject to the following conditions:

### General:

1. Planning permission shall extend to the area delineated by a solid red line on the attached plan no. CB/15/01626/REG3 (dated August 2015). Development shall be carried out strictly in accordance with the particulars of the development, plans and specifications contained within the planning application. The approved plans and particulars comprise (except where modified by other conditions of this permission):

### Documents:

- Application form dated 07/05/2015;
- Planning Supporting Statement (dated May 2015);
- Addendum to Planning Statement Summary of Proposed Mitigation Measures (dated July 2015);
- Design & Access Statement (dated 7 May 2015);
- Flood Risk Assessment (dated 12 May 2015);
- Ian Farmer Associates Ground Investigation Report (dated December

- 2012);
- Litter Birds and Vermin Statement (dated 19 May 2015);
  - Economic Statement (dated 7 May 2015);
  - Sustainability Statement (dated 7 May 2015);
  - Utilities Statement (dated 19 May 2015);
  - Arboricultural Impact Assessment (dated 31 July 2015);
  - Tree Protection Plan no. 5134801-WP-ZZ-DR-Z-0001 Rev P2;
  - Tree Protection Plan no. 5134801-WP-ZZ-DR-Z-0002 Rev P2;
  - Thorn Turn Ecological Surveys Update (dated 3 July 2015);
  - Drainage Strategy (dated 24 July 2015);
  - Outdoor Access Statement (dated 19 May 2015);
  - Green Travel Plan (dated 7 May 2015);
  - Statement on Conformity with Equality Act (received 20 July 2015);
  - Anticipated Vehicle Movements Plus Assumptions (received 19 July 2015);
  - Works Information – Specification Appendices Series 3000: Landscape and Ecology (Amendment 2 dated 3 August 2015);
  - Odour Management Plan (dated 20 July 2015);
  - Lighting Strategy (received 29 July 2015);
  - Fire Strategy (received 17 July 2015);
  - Great Crested Newt Survey Report (dated 4 August 2015); and
- Thorn Turn Schedule of e-mails submitted during the determination period, as attached to Atkins' e-mail of 4 August 2015.

Drawings:

- Site Location Plan (Drawing no. WP\_PLA\_001 Rev P01);
- Planning Application Boundary (Drawing no. WP\_PLA\_002 Rev P02);
- Finished Levels (Drawing no. WP\_PLA\_004 Rev P01);
- Indicative General Arrangement (Drawing no. WP\_PLA\_005 Rev P04);
- Indicative Drainage Layout (Drawing no. WP\_PLA\_006 Rev P03);
- Landscape Plan Sheet 2 of 2 (Drawing no. WP\_PLA\_007 Rev P03);
- Landscape Planting Details & Schedule (Drawing no. WP\_PLA\_008 Rev P03);
- Access Road Details (Drawing no. WP\_PLA\_009 Rev P01);
- SUD Lagoon (Drawing no. WP\_PLA\_010 Rev P03);
- Pavement, Kerbing & Fencing Layout (Drawing no. WP\_PLA\_011 Rev P02);
- Earthwork Sections – Sheet 1 of 3 (Drawing no. WP\_PLA\_012 Rev P02);
- Earthwork Sections – Sheet 2 of 3 (Drawing no. WP\_PLA\_013 Rev P02);
- Earthwork Sections – Sheet 3 of 3 (Drawing no. WP\_PLA\_014 Rev P02);
- Road Lighting ISO-LUX South Contours (Drawing no. WP\_PLA\_015 Rev

- P03);
- Weighbridge Complex Plan & Details (Drawing no. WP\_PLA\_016 Rev P01);
- Weighbridge Complex Elevations (Drawing no. WP\_PLA\_017 Rev P01);
- Waste Transfer Station Welfare Plan and Details (Drawing no. WP\_PLA\_018 Rev P01);
- Waste Transfer Station Welfare Elevations (Drawing no. WP\_PLA\_019 Rev P01);
- Waste Transfer Station (WTS) GA Plan (Drawing no. WP\_PLA\_020 Rev P02);
- Waste Transfer Centre (WTS) Roof Plan (Drawing no. WP\_PLA\_021 Rev P02);
- Waste Transfer Station (WTS) Elevations (Drawing no. WP\_PLA\_022 Rev P04);
- Waste Transfer Station (WTS) General Sections (Drawing no. WP\_PLA\_023 Rev P01);
- Household Waste Recycling Centre Welfare Plan and Details (Drawing no. WP\_PLA\_024 Rev P01);
- Household Waste Recycling Centre Welfare Elevations (Drawing no. WP\_PLA\_025 Rev P01);
- Resale Store GA Plan and Elevations (Drawing no. WP\_PLA\_026 Rev P01);
- Resale Store Elevations (Drawing no. WP\_PLA\_027 Rev P03);
- Footpath Plan (Drawing no. WP\_PLA\_028 Rev P01);
- Substation Plan and Elevations (Drawing no. WP\_PLA\_029 Rev P01);
- Household Waste Recycling Centre Office Plan and Details (Drawing no. WP\_PLA\_030 Rev P01);
- Household Waste Recycling Centre Office Elevations (Drawing no. WP\_PLA\_031 Rev P01);
- Swept Path Analysis (Drawing no. WP\_PLA\_032 Rev P01);
- Swept Path Analysis (Drawing no. 800516-2022-0000-03 Rev P02.2);
- SUDs Attenuation Lagoon – Sections Sheet 1 of 2 (Drawing no. WP\_PLA\_033 Rev P01);
- SUDs Attenuation Lagoon – Sections Sheet 2 of 2 (Drawing no. WP\_PLA\_034 Rev P02);
- Western Bridleway Section Layout (Drawing no. WP\_PLA\_035 Rev P01);
- Western Bridleway Sections – Sheet 1 of 3 (Drawing no. WP\_PLA\_036 Rev P01);
- Western Bridleway Sections – Sheet 2 of 3 (Drawing no. WP\_PLA\_037 Rev P01);
- Western Bridleway Sections – Sheet 3 of 3 (Drawing no. WP\_PLA\_038 Rev P01);
- Operational Area Boundaries (Drawing no. WP\_PLA\_039 Rev P01);
- Indicative Combined General Arrangement (Drawing no. WP\_PLA\_040)

- Rev P01); and
- Surface Water Drainage Exceedance Management (Drawing no. WP\_PLA\_042 Rev P01).

REASON: To ensure the development is carried out in an acceptable manner and for the avoidance of doubt as to the development that is permitted.

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 91 of the Town and Country Planning Act 1990 as amended by the section 51 of the Planning and Compulsory Purchase Act 2004 and to enable the Local Planning Authority to monitor compliance with the conditions of the planning permission.

Archaeology:

3. **No development shall take place unless and until a written scheme of archaeological investigation that includes post-excavation analysis and publication has been submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in full accordance with the approved scheme.**

**REASON: Details are required to be submitted prior to commencement of the development in order to record and advance the understanding of the heritage assets with archaeological interest which will be unavoidably affected as a consequence of the development and to make the record of this work publicly available in accordance with paragraph 141 of the NPPF and saved Policy GE14 of the Bedfordshire & Luton Minerals & Waste Local Plan 2005.**

Tree Protection:

4. **Notwithstanding the details contained within the submitted Arboricultural Impact Assessment and accompanying Tree Protection Plan nos. 5134801-WP-ZZ-DR-Z-0001 Rev P2 and 5134801-WP-ZZ-DR-Z-0002 Rev P2, no development hereby permitted shall take place unless and until a site specific Arboricultural Method Statement (AMS) has been submitted to and approved in writing by the Local Planning Authority. Such method statement shall include details of and**

provision for:

- Measures for the root protection of trees, shrubs and hedgerows;
- removal of any existing structures and hard surfacing;
- Installation of any temporary ground protection;
- excavations;
- ground works, foundations, drainage and services;
- installation of new hard surfacing (materials, design constraints and implications for levels);
- a schedule of works to trees, shrubs and hedgerows; and
- a schedule of specific events requiring input or arboricultural supervision and monitoring and compliance.

Thereafter, development shall only be carried out in accordance with the approved AMS and the approved protection measures shall be retained for the duration of the construction period.

**REASON:** Details are required to be submitted prior to commencement of the development in order to safeguard the health of existing trees, shrubs and hedgerows on or adjacent to the site for the duration of preparatory and construction works in the interests of visual amenity and nature conservation in accordance with Policies GE9, GE10, GE12 and GE13 of the Bedfordshire & Luton Minerals & Waste Local Plan 2005.

Construction Environmental Management Plan:

5. **No development shall take place unless and until a method of working in the form of a Construction Environmental Management Plan (CEMP) to include the following elements has been submitted to and approved in writing by the Local Planning Authority:**
  - the size and location(s) of any contractors' compounds;
  - arrangements for routing of construction traffic and parking of contractors' vehicles;
  - measures to be adopted and equipment to be used to prevent the trafficking of mud and debris onto the public highway;
  - a Dust Management Plan;
  - measures for the control of noise and vibration;
  - procedures to control lighting impact;
  - procedures to safeguard utilities and services;
  - management and re-use of indigenous soils, control of weeds and disposal of surplus soils and other wastes arising from construction activities;
  - measures to manage and protect surface water run off and mitigate any risk from blockage or severance of drainage pathways throughout the construction period;

- measures for the protection of groundwater;
- stand-off margin(s) to the bank top of the Ouzel Brook watercourse;
- construction site management practice to safeguard against risk to mammals (protected species) throughout the period of construction;
- measures to safeguard and warn users of nearby public rights of way and minimise any disruption to the network; and
- procedures to be adopted in the event of any complaint;

The CEMP as may be approved shall be implemented in full and complied with throughout the construction period.

**REASON:** Details are required to be submitted prior to commencement of the development in the interests of highway safety, the ecology of the site and to protect the amenities at present enjoyed by occupiers of nearby properties and users of the surrounding public right of way network in accordance with saved Policies GE6, GE13, GE17, GE18, GE19, GE20, GE21 and GE23 of the Bedfordshire & Luton Minerals & Waste Local Plan 2005.

Drainage:

6. No development shall take place unless and until construction design details of the bridge structure over the Ouzel Brook including culvert, together with a scaled cross sections through the culvert extending at least 80 metres towards Thorn Road to include:
- the Flood Zone 3 area, incorporating the existing bridleway track to the east and proposed access road; and
  - the intersection of the access road with the bridleway

have been submitted to and approved in writing by the Local Planning Authority. Thereafter, no development shall take place except in accordance with the approved details.

**REASON:** Details are required to be submitted prior to commencement of the development in order to ensure flood risk is not increased by ground-raising above existing levels along the nearby bridleway track and to ensure that the bridge and culvert are of satisfactory design in accordance with the requirements of the Internal Drainage Board and saved Policy GE19 of the Bedfordshire & Luton Minerals & Waste Local Plan 2005.

7. Prior to its construction, and notwithstanding the details in the submitted Drainage Strategy (dated 24 July 2015), final details of the sizing, layout, design and operation of the surface water drainage system for the combined application site and the adjoining site subject to application ref

CB/15/01627/REG3 shall have been submitted to and approved in writing by the Local Planning Authority. Such details shall include demonstration that infiltration will not occur and that parking / storage areas will be of impermeable construction. Thereafter, no construction works shall take place except in accordance with the approved surface water drainage system details.

REASON: To prevent flooding by ensuring the satisfactory disposal of surface water from the site and to ensure that people and property on site are protected from flooding in accordance with paragraph 103 of the NPPF, saved Policy GE19 of the Bedfordshire & Luton Minerals & Waste Local Plan and Policy 49 of the emerging Development Strategy for Central Bedfordshire.

8. Prior to the waste park hereby approved coming into operation, details of a management and maintenance plan for the surface water drainage system over the life of the development shall be submitted for the written approval of the Local Planning Authority. Thereafter, the management and maintenance plan as may be approved shall be complied with at all times.

REASON: To prevent flooding by ensuring the satisfactory disposal of surface water from the site and to ensure that people and property on site are protected from flooding in accordance with paragraph 103 of the NPPF and Policy 49 of the emerging Development Strategy for Central Bedfordshire.

Ecology:

9. **No development shall take place unless and until updated surveys of the site have been undertaken by a suitably qualified ecologist to ascertain the presence of the following protected / BAP species and, if evidence of any of these species is found, no development shall take place except in accordance with an appropriate compensation / mitigation strategy, accompanied by a programme for its implementation, that has first been submitted to and approved in writing by the Local Planning Authority.**
  - a) Reptiles;
  - b) Water Voles;
  - c) Dormice; and
  - d) Otters.

**REASON: Details are required to be submitted prior to commencement of the development in order to protect any protected or rare species and to provide appropriate mitigation / compensation in compliance with Natural England Standing Advice for Protected Species and saved Policy GE13 of the Bedfordshire & Luton Minerals & Waste Local Plan**



**2005.**

10. No felling or removal of limbs from mature trees shall take place unless and until a survey for roosting bats has first been undertaken by a licenced bat ecologist. Should these species be found to be present an appropriate compensation / mitigation strategy accompanied by a programme for its implementation shall have been submitted to and approved in writing by the Local Planning Authority before any such tree works commence. No development shall be carried out except in accordance with the approved strategy.

REASON: To protect any protected or rare species and to provide appropriate mitigation / compensation in compliance with Natural England Standing Advice for Protected Species and saved Policy GE13 of the Bedfordshire & Luton Minerals & Waste Local Plan 2005.

11. No tree, shrub, scrub or other vegetation clearance works shall be carried out during the bird nesting season (March to August inclusive) unless the vegetation identified for removal has been immediately prior checked by an appropriately qualified ecologist and appropriate advance measures put in place to afford necessary protection to the written satisfaction of the Local Planning Authority.

REASON: To safeguard nesting birds in the interests of nature conservation in accordance with saved Policy GE13 of the Bedfordshire & Luton Minerals & Waste Local Plan 2005.

Pollution:

12. If, during construction of the development, contamination not previously identified is found to be present at the site, then no further works shall be carried out until the developer has submitted a method statement detailing how the unsuspected contamination shall be dealt with and obtained the written approval from the Local Planning Authority. This method statement shall detail how the unsuspected contamination is to be dealt with and work shall thereafter be carried out in accordance with the approved details.

REASON: To protect and prevent pollution of controlled waters in accordance with saved Policies GE17 and GE20 of the Bedfordshire & Luton Minerals & Waste Local Plan 2005.

13. No materials shall be imported to the site for purposes of construction of the development platform except the following classifications of engineering fill as defined in the '*Manual of Contract Documents for Highway Works – Volume 1 Specification for Highway Works Series 600 Earthworks*':

- Class 1A / 1B – general granular fill;
- Class 2A / 2B / 2C – general cohesive fill;
- Class 3 – general chalk fill.

and all such materials shall be placed and compacted in accordance with this manual.

REASON: To ensure that the site is suitable for its intended use and to protect the quality of the water environment in accordance with saved Policy GE17 of the Bedfordshire & Luton Minerals & Waste Local Plan 2005 and Policy 44 of the emerging Development Strategy for Central Bedfordshire.

Noise:

14. In accordance with the results of the BS4142 daytime and night time assessments in the Noise and Vibration chapter of the revised Environmental Statement (dated August 2015), as set out in Table nos. 8-19 and 8-20 of that document, the rating level from the noise sources on the operational site shall not exceed the recorded background level at the noise-sensitive properties identified.

REASON: To minimise nuisance to nearby residents by reason of noise in accordance with saved Policy GE18 of the Bedfordshire & Luton Minerals & Waste Local Plan 2005 and saved Policy BE8 of the South Bedfordshire Local Plan First Review 2004.

15. Prior to the waste park hereby permitted coming into operation, a scheme for the monitoring and control of noise from the operational site shall have been submitted to and approved in writing by the Local Planning Authority and thereafter no activities or operations shall take place except in accordance with the approved scheme. The scheme shall include and provide for:
- noise monitoring and recording procedures;
  - presentation of monitoring results to the Local Planning Authority; and
  - measures for the suppression and mitigation of noise, including but not limited to the use of broadband reversing alarms; and
  - procedures to be adopted in the event of complaints or the maximum permitted noise levels referred to in condition 14 of this permission being exceeded.

Thereafter, the scheme as may be approved shall be implemented in full and complied with at all times.

REASON: To enable the impact of operational noise to be monitored and controlled and mitigation steps to be devised where necessary so as to minimise nuisance to nearby properties by reason of noise in accordance with saved Policy G18 of the Bedfordshire & Luton Minerals & Waste Local

Plan 2005.

Construction and Operational hours:

16. No construction works associated with the development hereby permitted shall take place except between the following:  
0800 to 1800 hours Mondays to Fridays  
0800 to 1300 hours Saturdays

and no such works shall take place on Sundays or Public / Bank Holidays.

REASON: To minimise noise impacts arising from construction activities in the interests of protecting the amenity of nearby residential properties and users of the public rights of way network in accordance with saved Policy GE18 of the Bedfordshire & Luton Minerals & Waste Local Plan and saved Policy BE8 of the South Bedfordshire Local Plan Review.

17. No operations or activities authorised by this permission shall take place within the area shaded red on drawing no. WP\_PLA\_039 Rev P01 (Operational Area Boundaries) except between the following hours:

**Waste Transfer Station:**

0600 to 1730 hours Mondays to Fridays  
0600 to 1300 hours Saturdays  
0630 to 1600 hours Sundays  
0630 to 1700 hours Public / Bank Holidays.

with the exception that no operations shall take place on Christmas Day or New Year's Day.

**Household Waste Recycling Centre and Re-sale Shop:**

0700 to 1800 hours Mondays to Sundays, including Public / Bank Holidays.

with the exception that no operations shall take place on Christmas Day or New Year's Day.

REASON: To minimise noise impacts arising from operational activities in the interests of protecting the amenity of nearby residential properties and users of the public rights of way network in accordance with saved Policy GE18 of the Bedfordshire & Luton Minerals & Waste Local Plan and saved Policy BE8 of the South Bedfordshire Local Plan Review.

18. Prior to 0700 hours, no waste operations or activities shall take place outside the Waste Transfer Station building except for purposes of vehicle access / egress to that building.

REASON: To minimise noise impacts from operational activities in the

interests of protecting the amenity of nearby residential properties and users of the public rights of way network in accordance with saved Policy GE18 of the Bedfordshire & Luton Minerals & Waste Local Plan.

19. Prior to 0700 hours, no loading, unloading or other waste handling operations shall take place inside the Waste Transfer Station building unless all of the fast-acting doors are fully closed. .

REASON: To minimise noise impacts from operational activities in the interests of protecting the amenity of nearby residential properties and users of the public rights of way network in accordance with saved Policy GE18 of the Bedfordshire & Luton Minerals & Waste Local Plan.

HGV traffic:

20. There shall not be more than 120 Heavy Goods Vehicle<sup>1</sup> movements<sup>2</sup> entering and exiting the operational area of the site (as shown shaded red on drawing no. WP\_PLA\_039 Rev P01) on any working day (pro-rata for part working days).

REASON: In the interests of highway safety and in accordance with saved Policy GE23 of the Bedfordshire & Luton Minerals & Waste Local Plan 2005 and Policy 25 of the emerging Development Strategy for Central Bedfordshire.

Travel Plan:

21. In accordance with the Green Travel Plan Framework submitted in support of the application, within 6 months of the occupation of the development first being brought into use, a Travel Plan shall be submitted for the written approval of the Local Planning Authority. Such Travel Plan shall include details of and provision for:
- predicted travel to and from the site;
  - a HGV freight management plan, incorporating measures to co-ordinate deliveries and collections of waste, route optimisation, minimising travel through Dunstable town centre and maximising use of the strategic road network;
  - details of existing and proposed transport links, to include links to pedestrian, cycles and public transport networks;
  - measures and targets to minimise private car use and facilitate walking, cycling and use of public transport;
  - timetable for implementation of measures designed to promote travel choice;
  - details of cycle parking facilities;
  - details of marketing and publicity for sustainable modes of transport to include site specific travel information packs, to include:

- travel and transport information,
- travel vouchers,
- details of relevant pedestrian, cycle and public transport routes to / from within the site,
- copies of relevant bus and rail timetables;
- details of the appointment of a travel plan co-ordinator;
- an action plan listing the measures to be implemented and relevant timescales; and
- annual monitoring and review of the Travel Plan for a period of 5 years.

The Travel Plan as may be approved shall be implemented in full and complied with at all times.

REASON: In the interests of sustainability and to minimise traffic impacts from the operational development in accordance with Policy 26 of the emerging Development Strategy for Central Bedfordshire.

Public Rights of Way:

22. The access road hereby approved shall include, as part of its construction, ducting for electrical connection to facilitate future upgrades through the provision of Pegasus crossings at the points where Bridleway 49 intersects with the access road and across Thorn Road to the east of its junction with the access road.

REASON: To allow for the timely delivery of suitable upgrades to the public rights of way network at an appropriate time in accordance with saved Policy GE21 of the Bedfordshire & Luton Minerals & Waste Local Plan 2005.

Highway Safety:

23. Prior to the waste park hereby permitted coming into operation, a highway safety scheme shall have been implemented in accordance with details previously submitted to and approved in writing by the Local Planning Authority. Such scheme shall include details of and provision for:
- a) construction of a timber fenced holding area for horses on both sides of the access road at the point where it is intersected by Bridleway no. 49;
  - b) construction of speed retarders or sleeping policeman on the site access road either side of its intersection with Bridleway no. 49; and
  - c) the specification and positioning of suitable signage warning bridleway users of site traffic and vice versa, including potential for sudden noise impacts.

Such measures shall be retained for the life of the development.

REASON: In the interests of safety for users of the highway and public rights

of way network in accordance with saved Policies GE21 and GE23 of the Bedfordshire & Luton Minerals & Waste Local Plan 2005 and Policy 25 of the emerging Development Strategy for Central Bedfordshire.

Environmental Protection and monitoring of impacts:

24. No activities or operations hereby permitted shall take place except in accordance with the operational dust control measures set out in the 'Addendum to Planning Statement – Summary of Proposed Mitigation Measures' (dated July 2015).

REASON: To minimise nuisance to nearby receptors by reason of dust and to protect the amenities of surrounding land users in accordance with saved Policy GE18 of the Bedfordshire & Luton Minerals & Waste Local Plan 2005.

25. Prior to the use of the external lighting hereby permitted, a scheme for the monitoring of lighting impact from the site for a period of 1 year from the date of commencement of waste management uses hereby permitted shall be submitted for the written approval of the Local Planning Authority. Such scheme shall include details of and make provision for:
- a) a methodology for assessing light spill and glare;
  - b) presentation of assessment results to the Local Planning Authority;
  - c) a review of the effectiveness of procedures for the control of lighting use outside permitted operational hours and any additional control measures to be introduced during those times;
  - d) appropriate mitigation measures to be introduced taking account of the assessment results provided under part b) to further reduce the impact on sensitive receptors, including wildlife corridors on and surrounding the site; and
  - e) a programme for implementation of the above.

The scheme as may be approved shall be complied with at all times.

REASON: To allow lighting impacts to be assessed against predicted effects and further mitigation measures or controls to be introduced and to minimise disturbance by reason of light spill and glare in accordance with saved Policies GE13 and GE18 of the Bedfordshire & Luton Minerals & Waste Local Plan 2005 and Policy BE8 of the South Bedfordshire Local Plan Review.

26. Prior to the waste park hereby permitted coming into operation, a scheme for the monitoring of water quality for a period of 1 year shall be submitted for the written approval of the Local Planning Authority. Such scheme shall include details of and make provision for:

- a) a technical assessment to establish whether any contaminants are present in surface water run off and in the discharge from the SUDs pond;
- b) presentation of assessment results to the Local Planning Authority;
- c) identification of any remedial measures to be introduced in the light of assessment results provided under part a); and
- d) a programme for implementation of the above.

Such scheme as may be approved shall be implemented in full.

REASON: To allow water quality impacts to be assessed in accordance with saved Policies GE17 and GE20 of the MWLP and Policy 44 of the emerging Development Strategy for Central Bedfordshire.

27. Notwithstanding the details contained within the submitted Odour Management Plan (dated 20 July 2015), prior to the waste park hereby permitted coming into operation, a scheme for the monitoring of odour impacts from the site for a period of 1 year shall be submitted for the written approval of the Local Planning Authority. Such scheme shall include details of and make provision for:
- a) a methodology for assessing odour impacts;
  - b) presentation of assessment results to the Local Planning Authority;
  - c) identification of additional mitigation measures to be adopted in the light of the assessment results provided under part a); and
  - d) a programme for implementation of the above.

Such scheme as may be approved shall be implemented in full.

REASON: To assess the impacts of the development against predicted effects and further mitigation measures or controls to be introduced and to minimise nuisance to nearby receptors by reason of odour and in accordance with saved Policy GE18 of the Bedfordshire & Luton Minerals & Waste Local Plan 2005.

#### Facing Materials:

28. Prior to their use on site, and notwithstanding the details submitted with the application, samples of proposed facing materials and external finishes of the waste transfer station building, resale shop and ancillary buildings, structures and enclosures approved by this permission, and a schedule of the colour of the external finishes of the windows, doors, roofs, soffits and fascias, and gutters and rainwater goods of the buildings, shall be submitted to the Local

Planning Authority for its approval in writing. Development shall only be carried out in accordance with the approved details.

REASON: In the interests of visual amenity and to control the appearance of the buildings in accordance with Policy WSP3 of the Minerals & Waste Local Plan: Strategic Sites & Policies (2014) and Policy BE8 of the South Bedfordshire Local Plan Review.

Landscaping:

29. Planting and landscaping of the site shall be undertaken in accordance with the details and specifications shown on drawing nos. WP\_PLA\_007 Rev P03 and WP\_PLA\_008 Rev P03) and contained within the document entitled 'Works Information – Specification Appendices Series 3000: Landscape and Ecology (Amendment 2 dated 3 August 2015) All works shall be completed no later than the end of the first full planting and seeding seasons immediately following the completion of construction activities hereby approved. The trees, shrubs, hedgerow plants and grassland areas shall be maintained for a period of 5 years from the date of planting in accordance with the 'Works Information – Specification Appendices Series 3000: Landscape and Ecology' (Amendment 2 dated 3 August 2015). Any failed, damaged or missing plants during this period shall be replaced with others of a similar size and species and maintained until satisfactorily established.

REASON: In the interests of visual amenity and to provide suitable compensatory planting for that impacted by the development in accordance with saved Policies GE9 and GE10 of the Bedfordshire & Luton Minerals & Waste Local Plan 2005.

30. Prior to the waste park hereby permitted coming into operation, a scheme for the phased establishment of supplementary hedge, tree and shrub planting to the east of the access road between the Ouzel Brook and Thorn Road shall be submitted for the written approval of the Local Planning Authority. Such a scheme shall include a programme for its implementation, having regard to development that may come forward for employment uses on surrounding land in the event of any forthcoming reserved matter approvals pursuant to outline planning permission (ref CB/15/01928/REG3), and its maintenance for a period of 5 years from the date of planting. Any failed, damaged or missing plants during this period shall be replaced with others of a similar size and species and maintained until satisfactorily established. The planting shall be carried out in accordance with the approved scheme and phasing programme

REASON: In the interests of visual amenity and to provide suitable compensatory planting for that impacted by the development in accordance



with saved Policies GE9 and GE10 of the Bedfordshire & Luton Minerals & Waste Local Plan 2005.

Habitat Management:

31. Prior to the waste park hereby permitted coming into operation, a habitat and biodiversity enhancement and management plan for the site shall have been submitted to and approved in writing by the Local Planning Authority. Such plan shall be fully informed by the findings of the species surveys and complement the species mitigation / compensation strategies approved pursuant to conditions 9 and 10 respectively of this permission and also include provision of bird boxes. The plan as may be approved shall be implemented in full and complied with at all times.

REASON: To secure ecological improvements in accordance with saved Policy GE13 of the Bedfordshire & Luton Minerals & Waste Local Plan 2005.

Highway Design

32. No part of the development shall be brought into use unless and until a scheme of highways improvement works has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall include construction details of approved access arrangements and crossing facilities at Thorn Road and footway / cycleway provision along the site frontage. The scheme as may be approved in writing shall be implemented in full prior to the waste park hereby permitted coming into operation.

REASON: To ensure that the proposed highway works are constructed to adequate standard, are appropriate and proportionate to the mitigation required to serve the development and that public rights of way are protected, enhanced and promoted as part of the development in accordance with the saved Policies GE23 and GE21 of the Bedfordshire & Luton Minerals & Waste Local Plan 2005 and the NPPF.

**Notes to Applicant**

Informatives:

1. <sup>1</sup> With reference to condition 20, Heavy Goods Vehicle (HGV) means a vehicle above a gross weight of 7.5 tonnes.
2. <sup>2</sup> For the purposes of condition 20, a single Heavy Goods Vehicle entering and leaving the site, whether loaded or empty, shall count as 2 movements).

3. With reference to Condition 25, the lighting scheme shall be designed to comply with the Institute of Lighting Engineers Guidance Notes for the reduction of Obtrusive Light.
4. The applicant is advised to ensure that the public bridleway remains available at all times during construction and safe for the public to continue to use with appropriate signage. Should it become apparent that the public bridleway needs to be temporarily closed or diverted on public safety grounds, the Rights of Way Team will need to be contacted so that a temporary closure order can be processed. The lead in time for a temporary closure is a minimum of 6 weeks – i.e. 6 weeks notice before the proposed closure date is required for the team to process and advertise the closure.
5. The applicant's attention is drawn to the content of the letters from the Environment Agency dated 14 July 2015 and Anglian Water dated 9 June 2015.
6. Pre-commencement conditions are shown in bold text.

[Notes:

1. In advance of consideration of the application the Committee was advised of an additional re-consultation response from Dunstable Town Council, a request by the Highways Development Control Officer for a condition relating to detailed highway design plus wording for the proposed condition and objections from a Chalk Hill resident as detailed in the Late Sheet.
2. In advance of consideration of the application the Committee received representations made in accordance with the Public Participation Scheme.]

## Item No. 9

<b>APPLICATION NUMBER</b>	<b>CB/15/01627/REG3</b>
<b>LOCATION</b>	<b>Land at Thorn Turn, Thorn road, Houghton Regis, Dunstable LU6 1RT</b>
<b>PROPOSAL</b>	<b>Development of a winter maintenance depot (including salt storage bar, outdoor salt mixing area &amp; stabling for gritting vehicles), highways depot (including stores area and vehicle maintenance shed, together with storage for vehicles and spares and vehicles associated with the Council's landscaping function), office block, overnight parking for highways maintenance and transport passenger fleet vehicles, staff car/cycle parking, operational yards, lighting, fencing, drainage, landscaping and new access road from Thorn Road.</b>
<b>PARISH</b>	<b>Houghton Regis</b>
<b>WARD</b>	<b>Houghton Hall</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs: S Goodchild &amp; J Kane</b>
<b>CASE OFFICER</b>	<b>Jerry Smith</b>
<b>DATE REGISTERED</b>	<b>21.05.2015</b>
<b>EXPIRY DATE</b>	<b>10.09.2015</b>
<b>APPLICANT</b>	<b>Central Bedfordshire Council</b>
<b>AGENT</b>	<b>Atkins Global</b>
<b>REASON FOR Call in to Committee</b>	<b>Council application</b>
<b>COMMITTEE TO DETERMINE</b>	
<b>RECOMMENDED DECISION</b>	<b>Approval</b>

### Summary of Recommendation:

This application relates to the proposed development of a winter maintenance and highways depot on land at Thorn Turn. The site lies within the Green Belt and would be harmful to the Green Belt due to its inappropriateness and its impact on openness. In line with national planning policy, substantial weight is to be attached to Green Belt harm and any other harm identified. The application has been treated as a departure.

The site is located within an area identified for growth in successive emerging development plans and forms part of the proposed North Houghton Regis Strategic Allocation in the emerging Development Strategy for Central Bedfordshire (DSCB). It also forms part of a parcel of land allocated for development as a strategic waste management site within the adopted Minerals and Waste Local Plan. Whilst the proposal is not for such a land use, it is noted that an application reported elsewhere on this agenda has come forward for such a facility thereby giving some certainty over the remaining areas of the allocation being surplus to requirements for the delivery of that use. The allocated site can provide for waste management development in addition to the proposed winter maintenance and highways depot.

Very special circumstances as detailed in the report have been identified and are collectively considered to outweigh the harm to the Green Belt. The proposals would be of a character and scale broadly similar to the proposed waste development and benefits of co-locating these functions is acknowledged. The need for the development is accepted in order to provide a fit for purpose facility from which key statutory functions can be sustainably delivered overcoming environmental drawbacks associated with existing provision. An alternative site search has not identified a preferable location being available outside the Green Belt within the parameters of project delivery.

The scheme would give rise to the loss of 1.54 ha of best and most versatile agricultural land in conflict with Saved Policy NE10 of the South Bedfordshire Local Plan. Substantial woodland would also be lost although a broader mix of large-scale compensatory planting is proposed. Less than substantial harm has been identified to heritage assets. The harm caused by these impacts is considered to be outweighed by the identified very special circumstances in the wider public interest. Subject to suitable mitigation, no other significant environmental impacts would arise as a result of the development and, in all other respects, the proposals are considered to be in conformity with the adopted Development Plan policies, the emerging DSCB and national policy contained in the National Planning Policy Framework. Committee's resolution at its July meeting to grant planning permission, subject to Secretary of State referral, for commercial development on the northern part of the allocated site is considered to further strengthen the case for supporting the proposals.

It is recommended that, subject to referral to the Secretary of State, planning permission is granted subject to conditions. In formulating this recommendation all of the evidence and potential impacts of the development that are considered to be material to determining this application have been examined. This has included assessing the application and Environmental Statement including the further information provided, representations received and consultation responses. All material issues have been adequately addressed in the application and the Environmental Statement.

### **Recommendation**

That the Development Infrastructure Group Manager be authorised to GRANT Planning Permission subject to the prior consultation of the Secretary of State, in accordance with the Town and Country Planning (Consultation) (England) Direction 2009 and subject to the following conditions:

### **RECOMMENDED CONDITIONS**

#### General:

1. Planning permission shall extend to the area delineated by a solid red line on the attached plan no. CB/15/01627/REG3 (dated August 2015). Development shall be carried out strictly in accordance with the particulars of the development, plans and specifications contained within the planning application. The approved plans and particulars comprise (except where modified by other conditions of this permission):

Documents:

- Application form dated 18/05/2015;
- Planning Supporting Statement (dated May 2015);
- Addendum to Planning Statement Summary of Proposed Mitigation Measures (dated July 2015);
- Design and Access Statement (dated 8 May 2015);
- Flood Risk Assessment (dated 13 May 2015);
- Ian Farmer Associates Ground Investigation Report (dated December 2012);
- Economic Statement (dated 12 May 2015);
- Sustainability Statement (dated 7 May 2015);
- Utilities Statement (dated 19 May 2015);
- Arboricultural Impact Assessment (dated 31 July 2015);
- Tree Protection Plan No. 5134801-ATK-HD-ZZ-DR-Z-0001 Rev P2;
- Tree Protection Plan No. 5134801-ATK-HD-ZZ-DR-Z-0002 Rev P2;
- Thorn Turn Ecological Surveys Update (dated 3 July 2015);
- Outdoor Access Statement (dated 19 May 2015);
- Green Travel Plan (dated 1 May 2015);
- Statement of Conformity with the Equality Act (received 20 July 2015)
- Anticipated Vehicle Movements Plus Assumptions (received 19 July 2015);
- Thorn Turn Ecological Surveys Update (dated 3 July 2015);
- Works Information - Specification Appendices; Landscape and Ecology (dated 5 August 2015);
- Drainage Strategy (dated 24 July 2015);
- Lighting Strategy (received 29 July 2015);
- Great Crested Newt Report (dated 4 August 2015);
- Amended Noise and Vibration ES Chapter (revised August 2015).
- Thorn Turn Schedule of emails submitted during the determination period.

Drawings:

- Site Location Plan (Drawing No.HD\_PLA\_001 Rev P01);
- Planning Application Boundary (Drawing No.HD\_PLA\_002 Rev P01);
- Finished Levels (Drawing No.HD\_PLA\_004 Rev P01);
- Indicative General Arrangement (Drawing No.HD\_PLA\_005 Rev P04);
- Indicative Drainage Layout (Drawing No.HD\_PLA\_006 Rev P03);
- Landscape Plan Sheet 1 of 2 (Drawing No.HD\_PLA\_007 Rev P2);
- Landscape Plan Sheet 2 of 2 (Drawing No.HD\_PLA\_008 Rev P2);
- Landscape Planting Details and Schedule (Drawing No.HD\_PLA\_009 Rev P2);
- Access Road Details (Drawing No.HD\_PLA\_010 Rev P01);
- SuDS Attenuation Lagoon (Drawing No.HD\_PLA\_011 Rev P03);
- Pavement, Kerbing and Fencing Layout (Drawing No.HD\_PLA\_012 Rev P02);

- Earthwork Sections (Sheet 1 of 3) (Drawing No.HD\_PLA\_013 Rev P02);
- Earthwork Sections (Sheet 2 of 3) (Drawing No.HD\_PLA\_014 Rev P02);
- Earthwork Sections (Sheet 3 of 3) (Drawing No.HD\_PLA\_015 Rev P03);
- Road Lighting ISO-LUX South Contours (Drawing No.HD\_PLA\_016 Rev P03);
- Salt Barn Roof Plan (Drawing No.HD\_PLA\_017 Rev P01);
- Salt Barn Elevations (Drawing No.HD\_PLA\_018 Rev P01);
- Highways Welfare Office Plan and Elevation (Drawing No.HD\_PLA\_019 Rev P01);
- Highways Maintenance Depot GA Plan (Drawing No.HD\_PLA\_020 Rev P02);
- Highways Maintenance Roof Plan (Drawing No.HD\_PLA\_021 Rev P02);
- Highways Maintenance Depot Elevations (Drawing No.HD\_PLA\_022 Rev P03);
- Highways Maintenance Depot Internal Section Elevations (Drawing No.HD\_PLA\_023 Rev P03);
- Highways Maintenance Depot General Section (Drawing No.HD\_PLA\_024 Rev P03);
- Footpath Plan (Drawing No.HD\_PLA\_025 Rev P01);
- Covered Stores for Road Safety Cars & Cycle Store GA Plan & Elevations (Drawing No. HD\_PLA\_026 Rev P02);
- Swept Path Analysis (Drawing No. HD\_PLA\_027 Rev P01);
- Swept Path Analysis (Drawing No. 800516-2022-0000-03 Rev P02.2);
- SuDS Attenuation Lagoon Sections Sheet 1 of 2 (Drawing No. HD\_PLA\_028 Rev P01);
- SuDS Lagoon Sections Sheet 2 of 2 (Drawing No. HD\_PLA\_029 Rev P02);
- Highways Welfare Office Elevations (Drawing No.HD\_PLA\_030 Rev P01);
- Western Bridleway Section Layout (Drawing No. HD\_PLA\_031 Rev P01);
- Western Bridleway Sections Sheet 1 of 3 (Drawing No. HD\_PLA\_032 Rev P01);
- Western Bridleway Sections Sheet 2 of 3 (Drawing No. HD\_PLA\_033 Rev P01);
- Western Bridleway Sections Sheet 3 of 3 (Drawing No.HD\_PLA\_034 Rev P01);
- Highways Depot General Arrangement (Drawing No.HD\_PLA\_035 Rev P02);
- Highways Depot Car Park Dewatering Bay & Hot Box Plinth (Drawing No.HD\_PLA\_036 Rev P01);
- Highways Depot Car Park Salt Mixing Bay & Vehicle Hot Wash (Drawing No.HD\_PLA\_037 Rev P01);
- Highways Depot Car Park Vehicle Fuelling Area (Drawing No.HD\_PLA\_038 Rev P01);

- Operational Area Boundaries (Drawing No. HD\_PLA\_039 Rev P01);
- Indicative Combined General Arrangement (Drawing No. HD\_PLA\_040 Rev P01);
- Highways Depot Yard Cold Wash Elevations (Drawing No. HD\_PLA\_041 Rev P01);
- Highways Depot Yard Glycol Storage and Vehicle Spares Store Elevations (Drawing No. HD\_PLA\_042 Rev P01);
- Surface Water Drainage Exceedance Management (Drawing No. WP\_PLA\_042 Rev P01);

REASON: To ensure that the development is carried out in an acceptable manner and for the avoidance of doubt as to the development that is permitted.

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 the requirements of section 91 of the Town and Country Planning Act 1990 (as amended) by section 51 of the Planning and Compulsory Purchase Act 20014 and to enable the Local Planning Authority to monitor compliance with the conditions of the planning permission.

Archaeology:

3. **No development shall take place unless and until a written scheme of archaeological investigation that includes post-excavation analysis and publication has been submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in full accordance with the approved scheme.**

**REASON: Details are required to be submitted prior to the commencement of the development in order to record and advance the understanding of the heritage assets with archaeological interest which will be unavoidably affected as a consequence of the development and to make the record of this work publicly available in accordance with paragraph 141 of the NPPF and Policy 45 of the emerging Development Strategy for Central Bedfordshire.**

Tree Protection:

4. **Notwithstanding the details contained within the submitted Arboricultural Impact Assessment and accompanying Tree Protection Plan Nos. 5134801-ATK-HD-ZZ-DR-Z-0001 Rev P2 and 5134801-ATK-HD-ZZ-DR-Z-0002 Rev P2, no development hereby permitted shall take place unless and until a site specific Arboricultural Method Statement (AMS) has been submitted to and approved in writing by the Local Planning Authority. Such method statement shall include details of and provision for:**

- **Measures for the root protection of trees, shrubs and hedgerows;**
- **removal of any existing structures and hard surfacing;**
- **Installation of any temporary ground protection;**
- **excavations;**
- **ground works, foundations, drainage and services;**
- **installation of new hard surfacing (materials, design constraints and implications for levels);**
- **a schedule of works to trees, shrubs and hedgerows; and**
- **a schedule of specific events requiring input or arboricultural supervision and monitoring and compliance.**

**Thereafter, development shall only be carried out in accordance with the approved AMS and the approved protection measures shall be retained for the duration of the construction period.**

**REASON: Details are required to be submitted prior to the commencement of the development in order to safeguard the health of existing trees, shrubs and hedgerows on or adjacent to the site for the duration of preparatory and construction works in the interests of visual amenity and nature conservation in accordance with saved Policy BE8 of the South Bedfordshire Local Plan Review.**

Construction Environmental Management Plan:

5. **No development shall take place unless and until a method of working in the form of a Construction Environmental Management Plan (CEMP) to include the following elements has been submitted to and approved in writing by the Local Planning Authority:**
- **the size and location(s) of any contractors' compounds;**
  - **arrangements for routing of construction traffic and parking of contractors' vehicles;**
  - **measures to be adopted and equipment to be used to prevent the trafficking of mud and debris onto the public highway;**
  - **a Dust Management Plan;**
  - **measures for the control of noise and vibration;**
  - **procedures for the control of lighting impact;**
  - **procedures to safeguard utilities and services;**
  - **management and re-use of indigenous soils, control of weeds and disposal of surplus soils and other wastes arising from construction;**
  - **measures to manage and contain surface water run-off and mitigate any risk from blockage or severance of drainage pathways throughout the construction period;**
  - **measures for the protection of groundwater;**
  - **stand-off margin(s) to the top bank of the Ouzel Brook watercourse;**
  - **construction site management practice to safeguard against risk to mammals (protected species) throughout the period of construction;**



- measures to safeguard and warn users of nearby public rights of way and minimise any disruption to the network; and
- procedures to be adopted in the event of any complaint.

The CEMP as may be approved shall be implemented in full and complied with throughout the construction period.

**REASON:** Details are required to be submitted prior to the commencement of the development in the interests of highway safety, the ecology of the site and to protect the amenities at present enjoyed by occupiers of nearby properties and users of the surrounding public right of way network in accordance with saved Policy BE8 of the South Bedfordshire Local Plan Review.

Drainage:

6. **No development shall take place unless and until construction design details of the bridge structure over the Ouzel Brook including culvert, together with scaled cross sections through the culvert extending at least 80 metres towards Thorn Road to include:**

- the Flood Zone 3 area, incorporating the existing bridleway track to the east and proposed access road; and
- the intersection of the access road with the bridleway

have been submitted to and approved in writing by the Local Planning Authority. Thereafter, no development shall take place except in accordance with the approved details.

**REASON:** Details are required to be submitted prior to the commencement of the development in order to ensure flood risk is not increased by ground-raising above existing levels along the nearby bridleway track and to ensure that the bridge and culvert are of satisfactory design in accordance with the requirements of the Internal Drainage Board and Policy 49 of the emerging Development Strategy for Central Bedfordshire.

7. Prior to its construction, and notwithstanding the details in the submitted Drainage Strategy (dated 24 July 2015), final details of the design of the sizing, layout, design and operation of the surface water drainage system for the combined application site and the adjoining site subject to application ref CB/15/01626/REG3 shall have been submitted to and approved in writing by the Local Planning Authority. Such details shall include demonstration that infiltration will not occur and that parking/storage areas will be of impermeable construction. Thereafter, no construction works shall take place except in accordance with the approved surface water drainage system details.

**REASON:** To prevent flooding by ensuring the satisfactory disposal of surface water from the site and to ensure that people and property on site are protected from flooding in accordance with paragraph 103 of the NPPF

and Policy 49 of the emerging Development Strategy for Central Bedfordshire.

8. Prior to the highways and winter maintenance depot hereby approved coming into operation, details of a management and maintenance plan for the surface water drainage system over the life of the development shall be submitted for the written approval of the Local Planning Authority. Thereafter, the management and maintenance plan as may be approved shall be complied with at all times.

REASON: To prevent flooding by ensuring the satisfactory disposal of surface water from the site and to ensure that people and property on site are protected from flooding in accordance with paragraph 103 of the NPPF and Policy 49 of the emerging Development Strategy for Central Bedfordshire.

Ecology:

9. **No development shall take place unless and until updated surveys of the site have been undertaken by a suitably qualified ecologist to ascertain the presence of the following protected / BAP species and, if evidence of any of these species is found, no development shall take place except in accordance with an appropriate compensation / mitigation strategy, accompanied by a programme for its implementation, that has first been submitted to and approved in writing by the Local Planning Authority.**
  - a) **Reptiles;**
  - b) **Water Voles;**
  - c) **Dormice; and**
  - d) **Otters.**

**REASON: Details are required to be submitted prior to the commencement of the development in order to safeguard any protected or rare species and to provide appropriate mitigation / compensation in compliance with Natural England Standing Advice for Protected Species and the NPPF.**

10. **No development shall take place unless and until the outlier sett, and any other additional sett(s) which may be identified on the site following a further walkover survey immediately prior to the commencement of the development, are closed and removed in accordance with a licence granted by Natural England.**

**REASON: A walkover is required prior to the commencement of the development in order to safeguard species protected by law.**

11. No felling or removal of limbs from mature trees shall take place unless and until a survey for roosting bats has first been undertaken by a licensed bat ecologist. Should these species be found to be present an appropriate compensation / mitigation strategy accompanied by a programme for its implementation shall have been submitted to and approved in writing by

the Local Planning Authority before any such tree works commence. No development shall be carried out except in accordance with the approved strategy.

REASON: To safeguard any protected or rare species and to provide appropriate mitigation / compensation in compliance with Natural England Standing Advice for Protected Species.

12. No tree, shrub, scrub or other vegetation clearance works shall be carried out during the bird nesting season (March to August inclusive) unless the vegetation identified for removal has been immediately prior checked by an appropriately qualified ecologist and appropriate advance measures put in place to afford necessary protection to the written satisfaction of the Local Planning Authority.

REASON: To safeguard nesting birds in the interests of nature conservation.

Pollution:

13. If, during construction of the development, contamination not previously identified is found to be present at the site, then no further works shall be carried out until the developer has submitted a method statement detailing how the unsuspected contamination shall be dealt with and obtained the written approval from the Local Planning Authority. This method statement shall detail how the unsuspected contamination is to be dealt with and work shall thereafter be carried out in accordance with the approved details.

REASON: To protect and prevent pollution of controlled waters in accordance with Policy 44 of the emerging Development Strategy for Central Bedfordshire.

14. No materials shall be imported to the site for purposes of construction of the development platform except the following classifications of engineering fill as defined in the '*Manual of Contract Documents for Highway Works – Volume 1 Specification for Highway Works Series 600 Earthworks*':

- Class 1A / 1B – general granular fill;
- Class 2A / 2B / 2C – general cohesive fill;
- Class 3 – general chalk fill

and all such materials shall be placed and compacted in accordance with this manual.

REASON: To ensure that the site is suitable for its intended use and to protect the quality of the water environment in accordance with Policy 44 of the emerging Development Strategy for Central Bedfordshire.

Noise (day-time 07:00 -23:00 hrs):

15. In accordance with the results of the BS:4142 day-time in the Noise and Vibration chapter of the revised Environmental Statement (dated August 2015), as set out in Table 8.22 of that document, the rating level from the noise sources on the operational site shall not exceed those specified between 07:00 and 23:00 hrs.

REASON: To minimise nuisance to nearby residents by reason of noise in accordance with saved Policy BE8 of the South Bedfordshire Local Plan Review.

Noise (night-time 23:00 -07:00 hrs):

16. Prior to the use hereby permitted coming into operation, a scheme for the control and monitoring of noise from the operational site between 23:00 and 07:00 hrs shall have been submitted to and approved in writing by the Local Planning Authority and thereafter no activities or operations shall take place except in accordance with the approved scheme. The scheme shall include and provide for:

- a) The operations associated with the use of the highways depot and winter maintenance/gritting lorries;
- b) Noise monitoring and recording procedures;
- c) Presentation of monitoring results to the Local Planning Authority;
- d) Measures for the suppression and mitigation of noise, including but not limited to the use of broadband reversing alarms; and
- e) Procedures to be adopted in the event of complaints.

Thereafter the scheme as may be approved shall be implemented in full and complied with at night-time for the life of the development.

REASON: To minimise nuisance to nearby residents by reason of noise in accordance with saved Policy BE8 of the South Bedfordshire Local Plan Review.

Construction and Operational Hours:

17. No construction works associated with the development hereby permitted shall take place except between the following times:

0800 to 1800 hours Mondays to Fridays

0800 to 1300 hours Saturdays

and no such works shall take place on Sundays or Public / Bank Holidays.

REASON: To minimise noise impacts arising from construction activities in the interests of protecting the amenity of nearby residential properties and

users of the public rights of way network in accordance with saved Policy BE8 of the South Bedfordshire Local Plan Review.

18. No operations or activities authorised by this permission shall take place within the area shaded blue on Drawing No. HD\_PLA\_039 Rev P01 (Operational Area Boundaries) except between 0700 to 1800 hours daily unless in connection with essential winter maintenance and/or emergency highway maintenance operations, including the washing down of returning vehicles, which shall also be permitted to be undertaken between 1800 and 0700 hours daily.

REASON: To minimise noise impacts arising from operational activities in the interests of protecting the amenity of nearby residential properties and users of the public rights of way network in accordance with saved Policy BE8 of the South Bedfordshire Local Plan Review.

HGV Traffic:

19. There shall not be more than 218 Heavy Goods Vehicle<sup>1</sup> movements<sup>2</sup> entering and exiting the operational area of the site (as shown shaded blue on Drawing No. HD\_PLA\_039 Rev P01) on any working day.  
REASON: In the interests of highway safety and in accordance with Policy 25 of the emerging Development Strategy for Central Bedfordshire.

Travel Plan:

20. In accordance with the Green Travel Plan Framework submitted in support of the application, within 6 months of the occupation of the development first being brought into use, a Travel Plan shall be submitted for the written approval of the Local Planning Authority. Such Travel Plan shall include details of and provision for:
- predicted travel to and from the site;
  - a HGV<sup>1</sup> freight management plan, incorporating measures to co-ordinate deliveries and collections of materials/equipment, route optimisation, minimising travel through Dunstable town centre and maximising use of the strategic road network;
  - details of existing and proposed transport links, to include links to pedestrian, cycle and public transport networks;
  - measures and targets to minimise private car use and facilitate walking, cycling and use of public transport;
  - timetable for implementation of measures designed to promote travel choice;
  - details of cycle parking facilities;
  - details of marketing and publicity for sustainable modes of transport to include site specific travel information packs, to include:
    - travel and transport information;
    - travel vouchers;
    - details of relevant pedestrian, cycle and public transport routes to / from within the site;
    - copies of relevant bus and rail timetables
  - details of the appointment of a travel plan co-ordinator;

- an action plan listing the measures to be implemented and relevant timescales; and
- annual monitoring and review of the Travel Plan for a period of 5 years.

The Travel Plan as may be approved shall be implemented in full and complied with at all times.

REASON: In the interests of sustainability and to minimise traffic impacts from the operational development in accordance with Policy 26 of the emerging Development Strategy for Central Bedfordshire.

Public Rights of Way:

21. The access road hereby approved shall include, as part of its construction, ducting for electrical connection to facilitate future upgrades through the provision of Pegasus crossings at the points where Bridleway 49 intersects with the access road and across Thorn Road to the east of its junction with the access road.

REASON: To allow for the timely delivery of suitable upgrades to the public rights of way network at an appropriate time.

Highway Safety Scheme:

22. Prior to the commencement of the highways and winter maintenance depot use hereby permitted, a highway safety scheme shall have been implemented in accordance with details previously submitted to and approved in writing by the Local Planning Authority. Such scheme shall include details of and provision for:
- a) construction of a timber fenced holding area for horses on both sides of the access road at the point where it is intersected by Bridleway No. 49;
  - b) construction of speed retarders or sleeping policeman on the site access road either side of its intersection with Bridleway No. 49; and
  - c) the specification and positioning of suitable signage warning bridleway users of site traffic and vice versa, including potential for sudden noise impacts.

Such measures shall be retained for the life of the development.

REASON: In the interests of safety for users of the highway and public rights of way network in accordance with Policy 25 of the emerging Development Strategy for Central Bedfordshire.

Environmental Protection and monitoring of impacts

23. Prior to the commencement of the highways and winter maintenance depot use hereby permitted, a scheme for the suppression and control of airborne dust and the monitoring of operational airborne dust impacts for a

period of 1 year shall have been submitted to and approved in writing by the Local Planning Authority. Such scheme shall include details of and provision for:

- a) suppression of dust generated by handling and storage of materials and the movement of plant and vehicles on external site areas;
- b) a protocol for the recording and management of any dust-related complaints;
- c) a methodology for assessing dust impacts, including reference to monitoring points around the site, arrangements for measurement of wind speed and identification of maximum / target dust levels;
- d) presentation of assessment results to the Local Planning Authority;
- e) a programme for implementation of the above elements.

Thereafter, the scheme as may be approved shall be implemented in full and complied with at all times.

REASON: To minimise nuisance to nearby receptors by reason of dust and to protect the amenities of surrounding land users in accordance with saved Policy BE8 of the South Bedfordshire Local Plan Review.

24. Prior to the use of the external lighting hereby permitted, a scheme for the monitoring of lighting impact from the site for a period of 1 year from the date of commencement of the highway and winter maintenance use hereby permitted shall be submitted for the written approval of the Local Planning Authority. Such scheme shall include details of and make provision for:

- a) a methodology for assessing light spill and glare;
- b) presentation of assessment results to the Local Planning Authority;
- c) a review of the effectiveness of procedures for the control of lighting use outside permitted operational hours and any additional control measures to be introduced during those times;
- d) appropriate mitigation measures to be introduced taking account of the assessment results provided under part b) to further reduce the impact on sensitive receptors, including wildlife corridors on and surrounding the site; and
- e) a programme for implementation of the above.

The scheme as may be approved shall be complied with at all times.

REASON: To allow lighting impacts to be assessed against predicted impacts and further mitigation measures or controls to be introduced and to minimise disturbance by reason of light spill and glare in accordance with saved Policy BE8 of the South Bedfordshire Local Plan Review.

25. Prior to the commencement of the highway and winter maintenance use hereby permitted, a scheme for the monitoring of water quality for a period of 1 year shall be submitted for the written approval of the Local Planning Authority. Such scheme shall include details of and make provision for:

- a) a technical assessment to establish whether any contaminants are present in surface water run-off and in the discharge from the SUDs pond;
- b) presentation of assessment results to the Local Planning Authority;
- c) identification of any remedial measures to be introduced in the light of assessment results provided under part a);
- d) a programme for implementation of the above.

Such scheme as may be approved shall be implemented in full.

REASON: To allow water quality impacts to be assessed in accordance with Policy 44 the emerging Development Strategy for Central Bedfordshire.

Facing Materials:

26. Prior to their use on site, and notwithstanding the details submitted with the application, samples of proposed facing materials and external finishes of the highways office, salt barn, highways depot/vehicle maintenance workshop, gritter store, landscape tool shed/lawnmower store and ancillary buildings, structures and enclosures approved by this permission, and a schedule of the colour of the external finishes of the windows, doors, roofs, soffits and fascias, and gutters and rainwater goods of the buildings, shall be submitted to the Local Planning Authority for its approval in writing. Development shall only be carried out in accordance with the approved details.

REASON: In the interests of visual amenity and to control the appearance of the buildings in accordance with saved Policy BE8 of the South Bedfordshire Local Plan Review.

Landscaping:

27. Planting and landscaping of the site shall be undertaken in accordance with the details and specifications shown on Drawing Nos. HD\_PLA\_007 Rev P2 and HD\_PLA\_008 Rev P2) and contained within the document entitled 'Works Information – Specification Appendices Series 3000: Landscape and Ecology'. All works shall be completed no later than the end of the first full planting and seeding seasons immediately following the completion of construction activities hereby approved. The trees, shrubs, hedgerow plants and grassland areas shall be maintained for a period of 5 years from the date of planting in accordance with the 'Works Information – Specification Appendices Series 3000: Landscape and Ecology'. Any failed, damaged or missing plants during this period shall be replaced with others of a similar size and species and maintained until satisfactorily established.

REASON: In the interests of visual amenity and to provide suitable compensatory planting for that impacted by the development.



28. Prior to the commencement of the highways and winter maintenance depot use hereby permitted, a scheme for the phased establishment of supplementary hedge, tree and shrub planting to the east of the access road between the Ouzel Brook and Thorn Road shall be submitted for the written approval of the Local Planning Authority. Such a scheme shall include a programme for its implementation, having regard to development that may come forward for employment uses on surrounding land in the event of any forthcoming reserved matter approvals pursuant to outline planning permission (ref CB/15/01928/REG3), and its maintenance for a period of 5 years from the date of planting. Any failed, damaged or missing plants during this period shall be replaced with others of a similar size and species and maintained until satisfactorily established. The planting shall be carried out in accordance with the approved scheme and phasing programme.

REASON: In the interests of visual amenity and to provide suitable compensatory planting for that impacted by the development.

29. Notwithstanding the details shown on Landscape Plan Sheet 2 of 2 (Drawing No.HD\_PLA\_008 Rev P2), prior to the commencement of the highways and winter maintenance depot use hereby permitted, a detailed scheme for the provision of landscaping and habitat creation on pockets of land to the south of the application site shall be submitted for the written approval of the Local Planning Authority. The scheme, together with a programme for its implementation and maintenance for a period of 5 years from the date of planting/sowing, shall provide a mix of habitats including the following elements:
- a) Pockets of woodland planting to assist the integration of the development and its screening from nearby residential properties;
  - b) Areas of hedgerow comprising native fruiting shrubs; and
  - c) Areas of chalk grassland and bare ground.

Any failed, damaged or missing plants during the 5 year period referred to above shall be replaced with others of a similar size and species and maintained until satisfactorily established. The development shall be carried out in accordance with the approved scheme.

REASON: In the interests of visual amenity and to provide suitable compensatory planting for that impacted by the development.

Habitat Management:

30. Prior to the commencement of the highways and winter maintenance depot use hereby permitted, a habitat and biodiversity enhancement and management plan for the site shall have been submitted to and approved in writing by the Local Planning Authority. Such plan shall be fully informed by the findings of the species surveys and complement the species mitigation / compensation strategies approved pursuant to conditions 9, 10 and 11 respectively of this permission and also include

provision of bird boxes. The plan as may be approved shall be implemented in full and complied with at all times.

REASON: To secure ecological improvements in the interests of nature conservation.

### Highway Design

31. No part of the development shall be brought into use unless and until a scheme of highways improvement works has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall include construction details of approved access arrangements and crossing facilities at Thorn Road and footway / cycleway provision along the site frontage. The scheme as may be approved in writing shall be implemented in full prior to the waste park hereby permitted coming into operation.

REASON: To ensure that the proposed highway works are constructed to adequate standard, are appropriate and proportionate to the mitigation required to serve the development and that public rights of way are protected, enhanced and promoted as part of the development in accordance with the saved Policies GE23 and GE21 of the Bedfordshire & Luton Minerals & Waste Local Plan 2005 and the NPPF.

### **Notes to applicant**

1. The applicant's attention is drawn to the content of the letters from the Environment Agency dated 14/07/2015 and Anglian Water dated 09/06/2015.
2. With reference to condition 10 the applicant is advised that closure of the badger sett will require an application for a licence to be granted by Natural England. Closure of the sett will need to be undertaken in full accordance with the terms and conditions of any such licence which may be issued.
3. <sup>1</sup> With reference to conditions 19 and 20, Heavy Goods Vehicle (HGV) means a vehicle above a gross weight of 7.5 tonnes.
4. <sup>2</sup> With reference to condition 19, for the purposes of this condition, a single Heavy Goods Vehicle entering and leaving the site, whether loaded or empty, shall count as 2 movements).
5. With reference to Condition 24, the lighting scheme shall be designed to comply with the Institute of Lighting Engineers Guidance Notes for the reduction of Obtrusive Light.
6. With reference to condition 29, the applicant's attention is drawn to the archaeological resource of this land and the presence of overhead cables which should inform the scheme design.

7. The applicant is advised to ensure that the Bridleway No 49 remains available at all times during construction and safe for the public to continue to use with appropriate signage. Should it become apparent that the public bridleway needs to be temporarily closed or diverted on public safety grounds, the Rights of Way Team will need to be contacted so that a temporary closure order can be processed. The lead in time for a temporary closure is a minimum of 6 weeks – i.e 6 weeks notice before the proposed closure date is required for the team to process and advertise the order.

**Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 Part 5, Article 35**

The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process, forwarding consultation responses in a timely manner and providing opportunities for the applicant to resolve issues, which led to improvements to the scheme, and giving the applicant advance sight of the draft planning conditions. 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) Order 2015.

[Notes:

1. In advance of consideration of the application the Committee was advised of an additional re-consultation response from Dunstable Town Council and the Public Protection Officer, a request by the Highways Development Control Officer for a condition relating to detailed highway design plus wording for the proposed condition, amendments to proposed Condition 1 and objections from a Chalk Hill resident as detailed in the Late Sheet.
2. In advance of consideration of the application the Committee was advised that alterations would be necessary to some of the Drawing Nos. listed under Condition 1 for consistency purposes but this would not alter the content of the application before Committee.
3. In advance of consideration of the application the Committee received representations made in accordance with the Public Participation Scheme.]

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