

## CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 11 May 2016

### PRESENT

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

Cllrs	Mrs S Clark	Cllrs	K Janes
	S Dixon		T Nicols
	F Firth		I Shingler
	E Ghent		J N Young
	C C Gomm		

Apologies for Absence: Cllrs M C Blair  
K M Collins

Substitutes: Cllrs D Bowater (In place of M C Blair)  
P Smith (In place of K M Collins)

Members in Attendance: Cllrs Mrs C F Chapman MBE  
P A Duckett  
Mrs S A Goodchild  
Ms A M W Graham  
Mrs C Hegley  
A M Turner,

Officers in Attendance:	Mrs M Clampitt	Committee Services Officer
	Mr J Ellis	Planning Manager West
	Mr A Emerton	Senior Lawyer Planning, LGSS Law Limited
	Miss S Fortune	Planning Officer
	Mr A Harrison	Principal Planning Officer
	Mr A Horner	Principal Planning Officer
	Mrs C Jagusz	Committee Services Administrator
	Mrs L Newlands	Principal Planning Officer
	Mrs J Selley	Major Applications Manager
	Miss D Willcox	Planning Officer

### DM/15/178. **Chairman's Announcements**

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

The Chairman advised the Councillors and members of the public that he would be varying the order of business as follows: item 7, 10, 6, 9 and 8.

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

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

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

DM/15/179. **Minutes**

**RESOLVED**

**that the Minutes of the meeting of the Development Management Committee held on the 30 March 2016 be confirmed and signed by the Chairman as a correct record.**

DM/15/180. **Members' Interests**

(a) **Personal Interests:-**

<b>Member</b>	<b>Item</b>	<b>Nature of Interest</b>	<b>Present or Absent during discussion</b>
Cllr N Young	7	PFH Regeneration and this is a regeneration project.	Present
Cllr N Young	9	PFH has had talks with the developer	Present
Cllr K Matthews	6	Has had dealings with the agent in the past	Present
Cllr C Hegley (not a member of the committee)	9	President of Shooting Club	Present

- (b) **Personal and Prejudicial Interests:-**
- | <b>Member</b> | <b>Item</b> | <b>Nature of Interest</b>             | <b>Present or Absent during discussion</b> |
|---------------|-------------|---------------------------------------|--|
| Cllr S Dixon  | 7           | PFH Assets – Assets are the applicant | Absent                                     |
| Cllr S Dixon  | 9           | PFH Assets – Assets are the applicant | Absent                                     |
- (c) **Prior Local Council Consideration of Applications**  
There were none made.

DM/15/181. **Planning Enforcement Cases Where Formal Action Has Been Taken**

**AGREED**

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

**PRIOR TO CONSIDERATION OF ITEM 7 CLLR DIXON LEFT THE CHAMBER**

DM/15/182. **Planning Application No. CB/16/00739/FULL**

**RESOLVED**

that Planning Application No. CB/16/00739/FULL relating to Land to the rear of Cowlgrove Parade, Steppingley Road, Flitwick MK45 1AJ be delegated to the Development Infrastructure Group Manager to approve as set out in the Schedule appended to these Minutes following the conclusion of the consultation process on 18 May 2016 subject to no new issues being raised.

**PRIOR TO CONSIDERATION OF ITEM 10 CLLR DIXON RETURNED TO THE CHAMBER**

DM/15/183. **Planning Application No. CB/16/00578/FULL**

**RESOLVED**

that Planning Application No. CB/16/00578/FULL relating to Russell Farm, New Road, Maulden MK45 2BG be approved as set out in the Schedule appended to these Minutes.

DM/15/184. **Planning Application No. CB/15/03329/OUT**

**RESOLVED**

**that Planning Application No. CB/15/03329/OUT relating to Land between 30 & 48 Hanscome End Road, Shillington be approved as set out in the Schedule appended to these minutes.**

**PRIOR TO CONSIDERATION OF ITEM 9 CLLR DIXON LEFT THE CHAMBER**

**DM/15/185. Planning Application No. CB/15/04918/REG3**

**RESOLVED**

**that Planning Application No. CB/15/04918/REG3 relating to Land at Thorn Turn Road, Houghton Regis, LU6 1RT be approved as set out in the Schedule appended to these Minutes; with an additional condition to be agreed in consultation with the Chairman to identify a site for the re-provision of the rifle range currently located on the application site.**

**PRIOR TO CONSIDERATION OF ITEM 8 CLLR DIXON RETURNED TO THE CHAMBER**

**DM/15/186. Planning Application No. CB/16/01036/FULL**

**RESOLVED**

**that Planning Application No. CB/16/01036/FULL relating to 80 Church Road, Aspley Heath, MK17 8TA be refused as set out in the Schedule appended to these Minutes.**

**DM/15/187. Site Inspection Appointment(s)**

**RESOLVED**

**that all members of the Committee be invited to conduct site inspections on Monday 23 May 2016.**

**DM/15/188. Late Sheet**

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

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

(Note: The meeting commenced at 10.00 a.m. and concluded at 1.15 p.m.)

Chairman .....

Dated .....

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**Item No. 07**

<b>APPLICATION NUMBER</b>	<b>CB/16/00739/FULL</b>
<b>LOCATION</b>	<b>Land to the rear of Cowlgrove Parade, Steppingley Road, Flitwick, Beds. MK45 1AJ</b>
<b>PROPOSAL</b>	<b>Change of use from B8 storage and distribution (currently vacant) to 'sui generis' car park facility</b>
<b>PARISH</b>	<b>Flitwick</b>
<b>WARD</b>	<b>Flitwick</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Mrs Chapman, Gomm &amp; Turner</b>
<b>CASE OFFICER</b>	<b>Lisa Newlands</b>
<b>DATE REGISTERED</b>	<b>14 March 2016</b>
<b>EXPIRY DATE</b>	<b>09 May 2016</b>
<b>APPLICANT</b>	<b>Central Bedfordshire Council - Assets</b>
<b>AGENT</b>	
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>A Council application with objections</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Approval</b>

**Recommendation:**

That Planning Permission be approved subject to the following:

**RECOMMENDED CONDITIONS / REASONS**

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The car park shall be constructed and surfaced in a stable and durable manner in accordance with the existing surfacing arrangements.

Reason: For the avoidance of doubt and to ensure the acceptable parking of vehicles outside highway limits .  
(Section 4, NPPF)
- 3 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 4008 Rev C.

Reason: To identify the approved plan/s and to avoid doubt.
- 4 The proposed cycle / pedestrian link as indicated on drawing number 4008 Rev C shall be provided up to the boundary with the adjacent land (known as

land to the rear of Hilldene Close) prior to the occupation of any dwelling / building on that adjacent site.

Reason: To ensure a suitable pedestrian / cycle link to the Station and encourage sustainable forms of transport. (Policy DM3, CSDM)

- 5 No development shall commence until a scheme has been submitted for minor access works to the junction of the site from Steppingley Road. The approved scheme shall be completed within 1 month of occupation of the car park and remain in perpetuity.

Reason: To enhance pedestrian and vehicular safety. (Policy DM3, CSDM).

### **INFORMATIVE 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 impeded disabled people.

The 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))



3. **Fail Safe Use of Crane and Plant**

All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.

**Excavations/Earthworks**

All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Project Manager should be undertaken. Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the railway infrastructure nor for any noise or vibration arising from the normal use and/or maintenance of the operational railway. No right of support is given or can be claimed from Network Rail's infrastructure or railway land.

**Security of Mutual Boundary**

Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Asset Protection Project Manager.

**Armco Safety Barriers**

An Armco or similar barrier should be located in positions where vehicles may be in a position to drive into or roll onto the railway or damage the lineside fencing. Network Rail's existing fencing / wall must not be removed or damaged. Given the considerable number of vehicle movements likely provision should be made at each turning area/roadway/car parking area adjacent to the railway.

**Method Statements/Fail Safe/Possessions**

Method statements may require to be submitted to Network Rail's Asset Protection Project Manager at the below address for approval prior to works commencing on site. This should include an outline of the proposed method of construction, risk assessment in relation to the railway and construction traffic management plan. Where appropriate an asset protection agreement will have to be entered into. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. "possession" which must be booked via Network Rail's Asset Protection Project Manager and are subject to a minimum prior notice period for booking of 20 weeks. **Generally if excavations/piling/buildings are to be located within 10m of the railway**

**boundary a method statement should be submitted for NR approval.**

### **OPE**

Once planning permission has been granted and at least six weeks prior to works commencing on site the Asset Protection Project Manager (OPE) MUST be contacted, contact details as below. The OPE will require to see any method statements/drawings relating to any excavation, drainage, demolition, lighting and building work or any works to be carried out on site that may affect the safety, operation, integrity and access to the railway.

### **Vibro-impact Machinery**

Where vibro-compaction machinery is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement

### **ENCROACHMENT**

The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land and structures. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air-space and no encroachment of foundations onto Network Rail land and soil. There must be no physical encroachment of any foundations onto Network Rail land. Any future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land then must seek approval from the Network Rail Asset Protection Team. Any unauthorised access to Network Rail land or air-space is an act of trespass and we would remind the council that this is a criminal offence (**s55 British Transport Commission Act 1949**). Should the applicant be granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal.

### **Lighting**

Where new lighting is to be erected adjacent to the operational railway the potential for train drivers to be dazzled must be eliminated. In addition the location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. Detail of any external lighting should be provided as a condition if not already indicated on the application. We note from the plans provided that no additional lighting is proposed in connection with this application, however, should these plans change we require that the above is taken into account.

### **Access to Railway**

All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development. In particular, access to the adjacent railway station and car park should remain clear and unobstructed at all times both during and after construction work at the site.

Network Rail is required to recover all reasonable costs associated with facilitating these works.

The method statement will need to be agreed with:

**Asset Protection Project Manager  
Network Rail (London North Eastern)  
Floor 2A  
George Stephenson House  
Toft Green  
York  
Y01 6JT**

**Email: [assetprotectionlneem@networkrail.co.uk](mailto:assetprotectionlneem@networkrail.co.uk)**

**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 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 received representations made under the Public Participation Scheme.
2. In advance of consideration of the application the Committee were advised of the additional consultation / publicity responses as detailed in the Late Sheet from the following:
  - a. Additional representations from 32 Badgers Close, 5 Hawes Close, 12 Ennerdale Path and 1 The Willows.
  - b. 1 petition containing 194 signatures was received
  - c. Comments from Network Rail
  - d. The consultation on the amended plan does not end until 18<sup>th</sup> May 2016 so it is requested that the recommendation be delegated as detailed.
  - e. Additional / Amended conditions / reasons
    - i. Condition 3 is amended as above
    - ii. Conditions 4 and 5 are added.
    - iii. The three informatives above are added.]

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**Item No. 10**

<b>APPLICATION NUMBER</b>	<b>CB/16/00578/FULL</b>
<b>LOCATION</b>	<b>Russell Farm, New Road, Maulden, Bedford, MK45 2BG</b>
<b>PROPOSAL</b>	<b>Erection of two, 2 storey office buildings. (Re-build of existing units A &amp; B)</b>
<b>PARISH</b>	<b>Maulden</b>
<b>WARD</b>	<b>Amphill</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Duckett, Blair &amp; Downing</b>
<b>CASE OFFICER</b>	<b>Sarah Fortune</b>
<b>DATE REGISTERED</b>	<b>15 February 2016</b>
<b>EXPIRY DATE</b>	<b>16 May 2016</b>
<b>APPLICANT</b>	<b>Mr Yahiya</b>
<b>AGENT</b>	<b>Improve It Design Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Called in by Councillor Paul Duckett on grounds of loss of amenity to neighbours, too many large buildings in rural area, small lane, inappropriate development and potential water issues.</b>
<b>RECOMMENDED DECISION</b>	<b>Recommended for Approval</b>

**Recommendation:**

That Planning Permission be granted 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 **No development shall take place until details of the method of disposal of foul and surface water drainage have been submitted to and agreed in writing by the Local Planning Authority, including any land drainage system. Thereafter no part of the development shall be occupied or brought into use until the approved drainage scheme has been implemented.**

**Reason: To ensure that adequate foul and surface water drainage is provided and that existing and future land drainage needs are protected.  
(Section 10, NPPF)**

- 3 **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: To control the appearance of the building in the interests of the visual amenities of the locality.  
(Section 7, NPPF)**

- 4 **No development shall take place until a landscaping scheme to include all hard and soft landscaping 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.  
(Sections 7 & 11, NPPF)**

- 5 Before the development is first brought into use the existing vehicular driveway shall be reconstructed and surfaced in a durable material bound - to be first approved in writing by the Local Planning Authority for a distance of 10m into the site, measured from the highway boundary. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

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

- 6 Prior to occupation of the development details of a scheme for the secure and covered parking of cycles on the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.

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

- 7 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers Location Plan CBC01, landscaping plan (21534/C), material sample (20612/14), 22116/01, 22116/04, 22116/08, 22116/12, 21116/01, 21116/02, 21116/03, 21116/04, 21116/05, 21116/06, 21116/07, 21116/08, 21116/09, 21116/10, 21116/11, 21116/12, 21116/13 and 21116/14

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

- 8 The buildings shall be used for B1a (offices) and no other purpose (including other purpose falling within Class B of the Schedule to the Town and Country Planning (Use Class) Order 1987 (as amended) or any provision equivalent to that Class in any statutory instrument and re-enacting that Order with or without modification.

Reason: To exclude the provisions of the said use Classes Order and thereby ensure that the Local Planning Authority retains full control of the future use of the buildings.

### **INFORMATIVE 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.

#### **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 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 received representations made under the Public Participation Scheme.
2. In advance of consideration of the application the Committee were advised of additional comments as detailed in the Late Sheet as follows:
  - a. regarding section 2 of the report
  - b. additional condition 8 has been added
  - c. informative 1 has been added.]

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**Item No. 06**

<b>APPLICATION NUMBER</b>	<b>CB/15/03329/OUT</b>
<b>LOCATION</b>	<b>Land Between 30 &amp; 48 Hanscombe End Road, Shillington</b>
<b>PROPOSAL</b>	<b>Outline Application: Residential development for 15 dwellings access roads and sewers</b>
<b>PARISH</b>	<b>Shillington</b>
<b>WARD</b>	<b>Silsoe &amp; Shillington</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Ms Graham</b>
<b>CASE OFFICER</b>	<b>Alex Harrison</b>
<b>DATE REGISTERED</b>	<b>09 September 2015</b>
<b>EXPIRY DATE</b>	<b>09 December 2015</b>
<b>APPLICANT</b>	<b>Status Homes Ltd</b>
<b>AGENT</b>	<b>J &amp; J Design</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Parish Council objection to a major application. Approval recommended for a proposal which is a departure from the development plan</b>

**RECOMMENDED  
DECISION** **Outline Application - Approval recommended**

**Recommendation:**

That the application be approved subject to the completion of a S106 agreement to include a clause requiring compliance with an agreed timetable for the delivery of housing which positively contributes towards the 5 year housing supply. The timetable is to be agreed upfront and if an acceptable timetable cannot be agreed, then planning permission should be refused and the decision delegated to the Development Infrastructure Group Manager. S106 Heads of Terms to include traffic calming through the provision of raised tables at the access points.

**RECOMMENDED CONDITIONS / REASONS**

- 1 Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

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

- 2 Details of the layout, scale, appearance and landscaping, including boundary treatments (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: To comply with the Town and Country Planning (Development Management Procedure) Order 2015 (as amended).

- 3 The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.

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

- 4 **No development shall take place until details of the existing and final ground, ridge 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. Thereafter the site shall be developed in accordance with the approved details.**

**Reason: To ensure that an acceptable relationship results between the new development and adjacent buildings and public areas in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009).**

- 5 **No development shall take place shall take place until a Landscape Maintenance and Management Plan for a period of ten years from the date of its delivery in accordance with Condition 7 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the management body, who will be responsible for delivering the approved landscape maintenance and management plan. The landscaping shall be maintained and managed in accordance with the approved plan following its delivery in accordance with Condition 7.**

**Reason: To ensure that the appearance of the site would be acceptable in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009**

- 6 **No development shall take place until details of hard and soft landscaping (including details of boundary treatments and public amenity open space, Local Equipped Areas of Play and Local Areas of Play) together with a timetable for its implementation have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved and in accordance with the approved timetable.**

**Reason: To ensure that the appearance of the development would be acceptable in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009**

- 7 **No development shall commence until a detailed surface water drainage scheme and associated construction and management/maintenance plans for the site, based on the agreed 'Sustainable Drainage Strategy (1599, Aug 2015)', has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority, the scheme shall include a restriction in run-off and surface water storage on site as outlined in the application for CB/15/03329/OUT. The scheme**

shall subsequently be implemented prior to any occupation of the development in accordance with the approved details before the development is completed and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

**Reason:** To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009.

- 8 **No development shall take place until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing the works shall be carried out in accordance with the approved details prior to the occupation of any dwelling subsequently approved.**

**Reason:** To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity in accordance with policy DM2 of the Core Strategy and Development Management Policies 2009.

- 9 **No development shall take place until details have been submitted to and approved in writing by the Local Planning Authority showing how renewable and low energy sources would generate 10% of the energy needs of the development and also showing water efficiency measures achieving 110 litres per person per day. The works shall then be carried out in accordance with the approved details.**

**Reason:** In the interests of sustainability.

- 10 The reserved matters proposals shall not include any dwellings at the northern extent of the site that are more than two storeys in height.

**Reason —** In order to provide an appropriate form of development in the interests of visual and residential amenity in accordance with policies CS17 and DM16 of Central Bedfordshire Core Strategy and Development Management Policies.

- 11 **No development shall take place until details of the junctions between the proposed access roads and the highway have been approved by the Local Planning Authority and no building shall be occupied until the junctions have been constructed in accordance with the approved details.**

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

- 12 No dwelling shall be occupied until visibility splays have been provided on each side of the junctions of the access roads with the public highway. The minimum dimensions to provide the required splay lines shall be 2.4m

measured along the centre line of the proposed access road from its junction with the channel of the public highway and 43m measured from the centre line of the proposed access road along the line of the channel of the public highway. The vision splays required shall be provided and defined on the site by or on behalf of the developers and be kept free of any obstruction on land within the control of the applicant.

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

- 13 **No development shall take place until the detailed plans and sections of the proposed internal access roads, including gradients and method of surface water disposal have been approved by the Local Planning Authority and no building shall be occupied until the section of road which provides access has been constructed (apart from final surfacing) in accordance with the approved details.**

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

- 14 No dwelling shall be occupied until a 2m wide footway has been constructed on the north-eastern side of Hanscombe End Road across the whole of the site frontage in accordance with details of a scheme to be submitted to and approved by the Local Planning Authority. Any Statutory Undertakers equipment or street furniture shall be re-sited to provide an unobstructed footway.

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

- 15 The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall illustrate a vehicular turning area at the end of the cul-de-sac served by the second site access suitable for use by an ambulance and/or a small delivery vehicle.

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

- 16 The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall illustrate a scheme for the secure and covered parking of cycles on the site (including the internal dimensions of the cycle parking area, stands/brackets to be used and access thereto), calculated at one cycle parking space per bedroom and 2 short stay spaces per unit. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.

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

- 17 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, number 1424/1.

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

### **INFORMATIVE 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. Applicant is advised to note that, with regards to drainage, details provided at the detailed design stage must demonstrate compliance against the Non-statutory technical standards for sustainable drainage systems (Ref: PB14308), which should be used in conjunction with the National Planning Policy Framework, Planning Practice Guidance, CBCs Sustainable Drainage Supplementary Planning Guidance, and industry best practise.

In addition to the above, with regards to the use of permeable paving, the following should be demonstrated:

- a. Confirmation of adequate rate of infiltration of rainwater through the pavement surface in order to avoid pooling, calculation of the inflow rate should include all anticipated runoff from adjacent areas. Where ponding will occur this must be demonstrated to be acceptable with details of the maximum water depth on the surface and the time for which it remains.
  - b. Storage volume required for design storm rainfall event management and details of the thickness of the sub-base required to provide sufficient water storage capacity.
  - c. Adequacy of outfall capacity to convey water from the pavement structure.
  - d. That permeable paving will be of sufficient structural strength to withstand the loads to which the structure will be subjected, including abnormally heavy wheel loads, and be compliant to BS EN 1338: 2003.
  - e. That soil and other material will be prevented from contaminating or blocking the pavement surface and sub-structure.
  - f. Key maintenance requirements and delivery of this for the lifetime of the development proposed.
  - g. That sufficient access for maintenance will be provided to all elements of the drainage system.
  - h. That landscaping adjacent to the drainage system will facilitate the function and operation of the system and that planting will not pose a risk of damage from roots or surface clogging from leaf fall.
- 
3. The applicant is advised that no works associated with the construction of

the vehicular accesses should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk, Tel: 0300 300 8049 quoting the Planning Application number. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.

4. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, SG17 5TQ
5. The applicant is advised that as a result of the development, new highway street lighting will be required and the applicant must contact the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ for details of the works involved, the cost of which shall be borne by the developer. No development shall commence until the works have been approved in writing and the applicant has entered into a separate legal agreement covering this point with the Highway Authority.
6. The applicant is advised that no highway surface water drainage system designed as part of a new development, will be allowed to enter any existing highway surface water drainage system without the applicant providing evidence that the existing system has sufficient capacity to account for any highway run off generated by that development. Existing highway surface water drainage systems may be improved at the developer's expense to account for extra surface water generated. Any improvements must be approved by the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
7. The applicant is advised that Central Bedfordshire Council as highway authority will not consider the proposed on-site vehicular areas for adoption as highway maintainable at public expense.
8. The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council's "Cycle Parking Annexes – July 2010".

**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

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 received representations made under the Public Participation Scheme.
2. In advance of consideration of the application the Committee were advised of additional consultation / publicity responses:
  - a. Anglian Water – no comment
  - b. Internal Drainage Board – no objection subject to condition 7
  - c. A further letter of objection received
  - d. Additional comments regarding overdevelopment concerns
  - e. Additional / amended conditions / reasons regarding the S106 agreement to include an agreed delivery timetable as detailed.]

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**Item No. 09**

<b>APPLICATION NUMBER</b>	<b>CB/15/04918/REG3</b>
<b>LOCATION</b>	<b>Land at Thorn Turn, Thorn Road, Houghton Regis, Dunstable, LU6 1RT</b>
<b>PROPOSAL</b>	<b>Regulation 3 - OUTLINE APPLICATION: Erection of up to 61,336m of B1, B2 and/or B8 employment development floorspace with associated infrastructure and ancillary works. All matters reserved except means of access from Thorn Road.</b>
<b>PARISH</b>	<b>Houghton Regis</b>
<b>WARD</b>	<b>Houghton Hall</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Mrs Goodchild &amp; Kane</b>
<b>CASE OFFICER</b>	<b>Andrew Horner</b>
<b>DATE REGISTERED</b>	<b>22 December 2015</b>
<b>EXPIRY DATE</b>	<b>22 March 2016</b>
<b>APPLICANT</b>	<b>CBC Assets</b>
<b>AGENT</b>	<b>Woods Hardwick Planning Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Departure from Development Plan Council Application that has attracted objections</b>
<b>RECOMMENDED DECISION</b>	<b>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 conditions.</b>

**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 conditions:

**RECOMMENDED CONDITIONS**

- 1 Approval of the details of the appearance, landscaping, layout and scale (herein called 'the reserved matters') of the development shall be obtained in writing from the local planning authority prior to development is commenced in that Development Parcel. The development shall be carried out in accordance with the approved details.

Reason: To comply with Article 5 (1) of the Town and Country Planning (Development Management Procedure) Order 2015.

- 2 Application for approval of the reserved matters, shall be made to the Local Planning Authority before the expiration of 10 years from the date of this permission. The development shall begin no later than 5 years from the

approval of the final reserved matters.

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

- 3 No more than 61,336 sqm of gross non-residential floor space (to include mezzanines) within Classes B1, B2 and B8 (Employment) (of the Town and Country (Use Classes) Order 1987, as amended) shall be constructed on the site pursuant to this planning permission.

Reason: For the avoidance of doubt and to define the planning permission.

- 4 **No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority.**

**The CEMP shall comprise;**

- a) **Environment Management Responsibilities;**
- b) **Construction Activities and Timing;**
- c) **Plant and Equipment, including loading and unloading;**
- d) **Construction traffic routes and points of access/egress to be used by construction vehicles;**
- e) **Works affecting rights of way including route diversions, extinguishments or temporary closures**
- f) **Details of site compounds, offices and areas to be used for the storage of materials;**
- g) **Utilities and Services;**
- h) **Emergency planning & Incidents;**
- i) **Contact details for site managers and details of management lines of reporting to be updated as different phases come forward;**
- j) **On site control procedures in respect of:**
  - i. **Traffic management measures**
  - ii. **Air and Dust quality**
  - iii. **Noise and vibration**
  - iv. **Water quality**
  - v. **Ecology**
  - vi. **Trees, Hedgerows and Scrub**
  - vii. **Waste and Resource Management**
  - viii. **Archaeological and Cultural Heritage**
  - ix. **Visual and Lighting**
  - x. **Utilities and Services**
  - xi. **Protection of water resources**
  - xii. **Protection of species and habitats**
- k) **Detailed phasing plan to show any different phasing, different developers and/or constructors;**
- l) **Details for the monitoring and review of the construction process including traffic management (to include a review process of the Construction Environmental Management Plan during development).**

**The works shall be implemented only in accordance with the details**

approved.

**Reason:** To ensure that the development is constructed using methods to mitigate nuisance or potential damage associated with the construction period and in accordance with the NPPF. Details must be approved prior to the commencement of development to mitigate nuisance and potential damage which could occur in connection with development.

- 5 **Part A:** No development shall take place within any phase of the development until a written scheme of archaeological investigation for that phase has been submitted to and approved in writing by the Local Planning Authority.

The written scheme of investigation shall include the following components:

- A method statement for the investigation of any archaeological remains present at the site;
- A outline strategy for post-excavation assessment, analysis and publication

**Part B:** The said development shall only be implemented in full accordance with the approved archaeological scheme and this condition shall only be fully discharged when the following components have been completed to the satisfaction of the Local Planning Authority:

- The completion of all elements of the archaeological fieldwork, which shall be monitored by the Archaeological Advisors to the Local Planning Authority;
- The submission within nine months of the completion of the archaeological fieldwork (unless otherwise agreed in advance in writing by the Local Planning Authority) of a Post Excavation Assessment and an Updated Project Design, which shall be approved in writing by the Local Planning Authority;
- The completion within two years of the conclusion of the archaeological fieldwork (unless otherwise agreed in advance in writing by the Local Planning Authority) of the post-excavation analysis as specified in the approved Updated Project Design; preparation of site archive ready for deposition at a store approved by the Local Planning Authority, completion of an archive report, and submission of a publication report

**Reason:** In accordance with paragraph 141 of the NPPF; to record and advance the understanding of the significance 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.

- 6 **Development shall not begin until a scheme for surface water disposal has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on sustainable principles and a**

**detailed site specific assessment of the hydrological and hydrogeological context of the development. Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. The approved scheme shall be implemented in accordance with the approved timetable and detailed design and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.**

**Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF). Details must be approved prior to the commencement of development to prevent any potential pollution of controlled waters which could occur in connection with development.**

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

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with the NPPF.

- 8 The final design shall be undertaken in adherence to the identified tree constraints, as shown in the "Arboricultural Impact Assessment", dated December 2015, and the preliminary "Tree Protection Plans" (Dwgs No's 5134801-ATK-CD-ZZ-DR-2-001 and 5134801-ATK-CD-ZZ-DR-2-002 - Rev. P2), as prepared by Atkins, supplied in the Outline Application. The final design shall then be supported by an "Arboricultural Method Statement", and detailed, "Tree Protection Plans" to demonstrate that both maximised tree and hedgerow retention, and tree and hedgerow protection measures, have been appropriately considered in the design process. The approved "Arboricultural Method Statement" and "Tree Protection Plans" shall be implemented both prior to and during development, in strict accordance with the stipulated tree protection requirements and recommendations, as shown on the approved documents and plans.

Reason: To ensure that trees have been duly considered in the design process, in order to retain as many tree and hedgerow specimens as possible within the design scheme, and to successfully accommodate and protect both the existing landscaping, and areas designated for new planting, in the interests of providing visual amenity, protection of landscape habitat and biodiversity.

- 9 **No development shall commence until a Biodiversity Mitigation Strategy & Management Plan has been submitted to and approved in writing by the Local Planning Authority. Any development hereby permitted shall be carried out only in accordance with the approved**

**Mitigation Strategy & Management Plan.**

**The scheme shall include details of ecological surveys and suitable habitat mitigation, including lighting strategies and monitoring including details extent and type of new planting and new habitat created on site.**

**Reason: To protect wildlife and supporting habitat and in accordance with the NPPF. Details must be approved prior to the commencement of development to protect wildlife and supporting habitat from potential impacts which could occur in connection with development.**

- 10 The details required by Condition 1 of this permission shall include a scheme of detailed landscaping proposals. The scheme shall detail structural landscaping proposals reflecting the character of existing landscape structures around the application site to enhance the landscape setting and visual amenity of the Ouzel Brook corridor, including the route of Public Bridleway No. 49 and maximise the planting of new native hedgerow and trees in order to offer landscape and environmental mitigation. The scheme shall then be carried out in full in accordance with the approved scheme.

Reason: To protect the landscape character and visual amenity of the locality in accordance with the NPPF.

- 11 No part of the development shall be brought into use until a detailed Rights of Way enhancement scheme for Public Bridleway No.49 within the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail the width, specification, surfacing and treatment of the bridleway including any crossings required where the bridleway would intersect with any access road within the site. The Rights of Way scheme shall then be implemented in full as approved unless otherwise amended in accordance with a review to be agreed in writing by the Local Planning Authority.

Reason: To ensure that the public bridleway route within the site is protected, enhanced and promoted as part of the development in accordance with the NPPF.

- 12 **No development shall take place until an appropriate noise assessment has been undertaken and any relevant scheme for mitigation and/or management of noise has been submitted to and approved by the Local Planning Authority. Any scheme or management plan hereby approved shall be implemented prior to any uses becoming operational and operated in accordance with the approved details unless alternative arrangements are agreed in writing by the Local Planning Authority.**

**Reason: In the interests of local amenity in accordance with the NPPF. Details must be approved prior to the commencement of development to ensure the development is constructed in a way which ensures a satisfactory standard of local amenity.**

- 13 The rating level of sound emitted from any fixed plant and/or machinery associated with the development or educational activities at the use hereby approved shall not exceed a level of 5dB(A) below the existing background level at the boundary of the nearest noise sensitive premises. All measurements and calculations shall be made in accordance with the methodology of BS4142:2014 (Methods for rating and assessing industrial and commercial sound.)

Reason: In the interests of local amenity in accordance with the NPPF.

- 14 No fixed lighting shall be erected or installed until details of the location, height, design, sensors, and luminance have been submitted to and approved in writing by the Local Planning Authority. The details shall ensure the lighting is designed to minimise the potential nuisance of light spillage on adjoining properties and highways etc. The lighting shall thereafter be erected, installed and operated in accordance with the approved details.

Reason: To minimise the nuisance and disturbances to neighbours (and the surrounding area and in the interests of highway safety) in accordance with the NPPF.

- 15 The details required by Condition 1 of this permission shall include a scheme of measures to mitigate the impacts of climate change and deliver sustainable and resource efficient development including opportunities to meet higher water efficiency standards and building design, layout and orientation, natural features and landscaping to maximise natural ventilation, cooling and solar gain. The scheme shall then be carried out in full in accordance with the approved scheme.

Reason: To ensure the development is resilient and adaptable to the impacts arising from climate change in accordance with the NPPF.

- 16 No part of the development shall be brought into use until a detailed waste audit scheme has been submitted to and approved in writing by the Local Planning Authority. The waste audit scheme shall include details of refuse storage and recycling facilities. The scheme shall be carried out in accordance with the approved details.

Reason: To ensure that development is adequately provided with waste and recycling facilities in accordance with the NPPF.

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

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the proposed estate road, in accordance with the NPPF.

- 18 Before the new access is first brought into use, any existing access within the frontage of the land to be developed, not incorporated in the access hereby approved shall be closed in a manner to the Local Planning Authority's written approval.

Reason: In the interest of road safety and to reduce the number of points at which traffic will enter and leave the public highway, in accordance with the NPPF.

- 19 **No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.**

**Reason: To prevent environmental and amenity problems arising from flooding.**

- 20 No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

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

- 21 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted documents;
- Existing site location plan 17384\_SK01B
  - Existing site location plan 17384\_SK10
  - Existing site plan 17384SK02A
  - Site constraints plan 17384SK03A
  - Site parameters plan 17384SK07A
  - Topographical survey 20985/1
  - Topographical survey 20985/2
  - Arboricultural Impact Assessment dated December 2015, and the Tree Protection Plans 5134801-ATK-CD-ZZ-DR-Z-0001P2 and 0002 P2.

Reason: For the avoidance of doubt.

- 22 Before any building is occupied a 3.0m wide footway/cycleway shall be constructed on the south side of Thorn Road for the entire length of the site frontage in accordance with details of the approved drawing/or scheme to be submitted to and approved by the Local Planning Authority. Any Statutory Undertakers equipment or street furniture shall be resited to provide an unobstructed footway.

Reason: In the interests of road safety and pedestrian movement, in accordance with the NPPF.

- 23 Before any property is occupied bus stop provision shall be delivered on each side of Thorn Road in the location of the application site in accordance with details of the approved drawing/or scheme to be submitted to and approved by the Local Planning Authority. Any Statutory Undertakers equipment or street furniture shall be resited to provide an unobstructed footway.

Reason: In the interests of road safety and improvements to sustainable modes of transport, in accordance with the NPPF.

- 24 No development shall commence until a wheel cleaning facility has been provided at all site exits in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The wheel cleaner(s) shall be removed from the site once the roadworks necessary to provide adequate access from the public highway have been completed (apart from final surfacing) to the satisfaction of the Local Planning Authority.

Reason: In the interests of the amenity and to prevent the deposit of mud or other extraneous material on the highway during the construction period, in accordance with the NPPF.

- 25 Development shall not begin until the detailed plans of the proposed highway lighting, using light emitting diodes (LED) within the development has been approved by the Local Planning Authority and no building shall be occupied until that lighting has been installed in accordance with the approved details.

Reason: To ensure that the proposed highways are adequately lit, in accordance with the NPPF.

26. No development shall take place until a scheme for the programme of works and actions to provide a replacement rifle range shall have been submitted and approved in writing by the local planning authority. The replacement rifle range shall be of similar size and specification to the existing facility (including access parking and other facilities) and shall be located within Central Bedfordshire within a reasonable travel distance of the existing rifle range. The programme to be submitted for approval shall include details of the proposed location, specification (including number and length shooting lanes; calibre, size and ammunition type of rifles and other firearms to be supported), all safety bunding, access and parking facilities, any buildings and anticipated delivery programme.

Reason: To ensure that the existing rifle range facility is replaced by a similar facility in accordance with paragraph 74 of the NPPF.

## **INFORMATIVE 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 as referred to in the South Bedfordshire Local Plan Review (SBLPR), and the NPPF.
3. Any conditions in bold must be discharged before the development commences. Failure to comply with this requirement could invalidate this



permission and/or result in enforcement action.

4. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Central Bedfordshire Council's Highway Help Desk, P.O.Box 1395, Bedford, MK42 5AN.
5. The applicant is advised that if it is the intention to request the Central Bedfordshire County Council as Local Highway Authority, to adopt the proposed highways as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Development Planning and Control Group, Central Bedfordshire Council's Highway Help Desk, P.O.Box 1395, Bedford, MK42 5AN. No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.
6. The applicant is advised that in order to comply with the Conditions of this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Development Planning and Control Group, P.O.Box 1395, Bedford, MK42 5AN.
7. Anglian Water has assets close to or crossing this site or there are assets subject to and adoption agreement. Therefore the development should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991 or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.
8. All roads to be constructed within the site shall be designed in accordance with Central Bedfordshire Council's publication "Design in central Bedfordshire (Design Supplement 7 – Movement, Street and Places" and the Department of the Environment/Department of Transport's "Manual for Street", or any a amendment thereto.

**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 received representations made under the Public Participation Scheme.
2. In advance of consideration of the application the Committee were advised of additional consultation / publicity responses as detailed in the Late Sheet from the following:
  - a. 451 Bideford Green Linslade 03/05/2016
  - b. CBC Highways Development Management 05/05/2015
  - c. Bank End Cottage, Chalk Hill, Dunstable 09/05/2016
  - d. Bedford Small-bore Shooting Association 09/05/2016
  - e. Additional / amended conditions 17, 18, 22, 23, 24, 25 as above.
  - f. Additional / amended informatives 4, 5, 6 and 8 as above.]

**Item No. 08**

<b>APPLICATION NUMBER</b>	<b>CB/16/01036/FULL</b>
<b>LOCATION</b>	<b>80 Church Road, Aspley Heath, Milton Keynes, MK17 8TA</b>
<b>PROPOSAL</b>	<b>Demolition and replacement of existing log cabin with a proposed single residential dwelling, with associated driveway alterations and all ancillary works</b>
<b>PARISH</b>	<b>Aspley Heath</b>
<b>WARD</b>	<b>Aspley &amp; Woburn</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Wells</b>
<b>CASE OFFICER</b>	<b>Debbie Willcox</b>
<b>DATE REGISTERED</b>	<b>09 March 2016</b>
<b>EXPIRY DATE</b>	<b>04 May 2016</b>
<b>APPLICANT</b>	<b>Mr Peter Ballard</b>
<b>AGENT</b>	<b>Nett Assets Limited</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Called in by Councillor Wells because the proposal is within the Green Belt infill boundary where infill development is acceptable in principle. The character is defined by individual houses set back from the road and the proposal would be in character with the area. Precedents have been established in the area, including 67A, 69A and 80A Church Road. The dwelling would replace an existing building of similar size bulk and visual impact and will have no adverse impact on the setting of the site, the character of the area or the surrounding properties and uses.</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Recommended for Refusal</b>

**Recommendation:**

That Planning Permission be REFUSED for the following:

**RECOMMENDED REASONS**

- 1 The site is located in the South Bedfordshire Green Belt, within the infill boundary for Aspley Heath. However, the proposal does not constitute infill development as it would comprise backland development on an existing residential garden that would be contrary to the prevailing pattern of development in the area. As such the proposal is considered to represent inappropriate development and would therefore be harmful to the Green Belt by definition. The proposed development would also have a detrimental impact on the openness of the Green Belt. No very special circumstances case has been submitted which would outweigh the identified harm to the Green Belt. The proposal is thus contrary to Section 9 of the National Planning Policy Framework and policy DM6 of the Central Bedfordshire Core Strategy and Development Management Policies (North).

- 2 The proposal, by reason of its excessive scale and siting, constitutes an undesirable, backland form of development that would push residential development closer to the boundary of the settlement with the open countryside and would be inappropriate to and at variance with the prevailing form of development in the vicinity; as such the proposal is contrary to the principles of good design as set out in Section 7 of the National Planning Policy Framework and Policies CS14 and DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (North).
- 3 The proposed development would result in the unacceptable loss of trees within a Conservation Area to the detriment of the character and appearance of the area, especially views from the public footpath at the rear of the site. The proposed access track would also pose a high risk of future harm to trees within the Conservation Area that are shown to be retained, which would result in further harm to the character and appearance of the area. As such the proposal is contrary to Sections 7 and 11 of the National Planning Policy Framework and Policies CS13, CS16, DM3 and DM14 of the Central Bedfordshire Core Strategy and Development Management Policies (North).
- 4 To permit the proposed backland development on land within the Green Belt infill boundary against the background of existing planning policies would establish a precedent whereby it would be difficult for the Local Planning Authority to resist other similar proposals elsewhere within the Aspley Heath Conservation Area and Green Belt infill boundary.

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

In the Council's view the proposal is unacceptable in principle and the fundamental objections cannot be overcome through dialogue. The applicant was invited to withdraw the application to seek pre-application advice prior to any re-submission but did not agree to this. The Council has therefore complied 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 received representations made under the Public Participation Scheme.
2. In advance of consideration of the application the Committee were advised of additional comments as detailed in the Late Sheet from the following:
  - a. A revised plan, drawing no. 3PL 01 Rev A had been received.
  - b. A letter from the applicant had been circulated to members.
  - c. Green Belt consideration
  - d. Access to the site
  - e. Neighbour intrusion
  - f. Visual Impact
  - g. Tree Preservation

- h. Refusal Reason 4 be omitted and Refusal Reason 5 be renumbered]

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## **LATE SHEET**

### **DEVELOPMENT MANAGEMENT COMMITTEE – 11<sup>th</sup> May 2016**

#### ***Item 6 (Pages 17-40) – CB/15/03329/OUT – Land between 30 and 48 Hanscombe End Road, Shillington***

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

Anglian Water – No comments received.

Internal Drainage Board – No objections subject to conditions. (This is covered by condition 7 of the recommendation)

One further letter of objection received raising the following grounds:

- Object to the policy of allowing owners to cram lots of houses on to green field sites.
- 15 houses are too many for the site and would necessarily appear cramped and not fit in with the character of the area.
- The green space on Hanscombe End Road is a positive open space which is a reminder of what the countryside should be. Villages being destroyed for a series of small towns with all the attendant social problems which towns bring.
- There is already enough land with planning permission to build 650,000 new homes, so there is no need to sacrifice more greenfield land.

#### **Additional Comments**

##### Regarding overdevelopment concerns

The application is for outline permission with all matters reserved aside form access. Therefore detailed design would be reserved for a later application and overdevelopment considerations would be looked at then. It is expected that detailed design would be developed in accordance with the adopted design guide which sets out minimum sizes and depths for gardens and minimum parking space standards. Assuming these are complied with then in principle development would not appear cramped. The application as submitted it for 15 dwellings and should be considered in light of this quantum and it is considered that a proposal for 15 units could be accommodated on the site without it appearing overdeveloped or cramped.

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

##### S106 agreement to include an agreed delivery timetable as follows:

The application be approved subject to the completion of a S106 agreement to include a clause requiring compliance with an agreed timetable for the delivery of housing which positively contributes towards the 5 year housing supply. The timetable is to be agreed upfront and if an acceptable timetable cannot be agreed,

then planning permission should be refused and the decision delegated to the Development Infrastructure Group Manager.

***Item 7 (Pages 43 - 53 ) – CB/16/00739/Full – Land to the Rear of Cowlgrove Parade, Steppingley Road, Flitwick***

**Additional Consultation/Publicity Responses**

Additional representations received from the following addresses: 32 Badgers Close, 5 Hawes Close, 12 Ennerdale Path, 1 The Willows. These representations have raised the following issues:

- The application contradicts the Governments National Noise Policy and Planning Policy Framework
- No EIA has been conducted
- Car park likely to be a source of artificial lighting, noise and fumes pollution causing a nuisance to nearby residents in Badgers Close and The Willows, no mention of what measures will be taken to prevent these;
- Current warehouse acts as both a thermal barrier and acoustic barrier – reducing noise sources produced by the railway to nearby residents removal of the warehouse will increase the noise levels in receptors premises and potentially lead to higher fuel bills;
- No traffic management plan has been produced and there are concerns regarding traffic generation and congestion along Steppingley Road;
- No landscaping to be provided as part of the development
- Lack of demand for such facility;
- The development does not fit with the government strategy to encourage people to walk and cycle;
- Concern regarding piling, demolition and construction work causing subsidence/ problems for residents in Badgers Close as they already suffer from unlevel land;
- Concerns regarding the additional access onto Steppingley Road – **Please note this application does not provide an additional access on to Steppingley Road.**
- Congestion on Steppingley Road;
- No consideration to the safety of the entrance junction which is already a mess of vehicles heading in different directions and pedestrians risking their lives to cross several lanes of traffic;
- Additional parking would worsen the existing situation and add congestion to an already horrendously busy junction;
- Request a plan for safe management of the junction prior to any permission being granted – this is important as this many children walk to school along these routes and those walking to the Station.

1 Petition signed by 194 residents received requesting that the Council:

- Reject the proposed plan;
- Provide adequate details of an upgraded station entrance on to Steppingley Road that meets Highway Standards due to traffic management and safety issues for the proposed volume of traffic congestion and pedestrian safety;



- Fully consult with local residents and Flitwick Town Council at a public meeting on a complete plan for the development of Flitwick Town Centre before submission to Planning.

#### Comments from Network Rail

No objection in principle to the development. Concern was raised regarding Armco barriers, method statements and lighting. Given that the site is already being used for parking and the new parking requirements are adjacent to the existing railway car park it is considered that it would be reasonable for these to be an informative rather than a condition.

#### **Additional Comments**

The consultation on the amended plan does not end until 18<sup>th</sup> May 2016 so it is requested that the recommendation be changed to the following:

**The application is recommended for approval with the decision to be delegated to the Development Infrastructure Group Manager subject to no new issues being raised.**

This application is being made by the Council and is on Council owned land, the application is brought before committee because there have been a number of objections raised which cannot be overcome by condition. As stated in the report a number of the objections raise concerns regarding 'a second access' on to Steppingley Road – there is no new access on to Steppingley Road proposed as part of this application. There has already been a previous planning application which granted planning permission for parking on this site in 2015. This application seeks to increase that parking provision by 68 spaces and introduce a cycle/ pedestrian link through the site to the Station.

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

##### Condition 3

3. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan, number **4008 Rev C**.

##### Informatives

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 applicant's 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))

3. **Fail Safe Use of Crane and Plant**

All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.

**Excavations/Earthworks**

All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Project Manager should be undertaken. Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the railway infrastructure nor for any noise or vibration arising from the normal use and/or maintenance of the operational railway. No right of support is given or can be claimed from Network Rails infrastructure or railway land.

### **Security of Mutual Boundary**

Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Asset Protection Project Manager.

### **Armco Safety Barriers**

An Armco or similar barrier should be located in positions where vehicles may be in a position to drive into or roll onto the railway or damage the lineside fencing. Network Rail's existing fencing / wall must not be removed or damaged. Given the considerable number of vehicle movements likely provision should be made at each turning area/roadway/car parking area adjacent to the railway.

### **Method Statements/Fail Safe/Possessions**

Method statements may require to be submitted to Network Rail's Asset Protection Project Manager at the below address for approval prior to works commencing on site. This should include an outline of the proposed method of construction, risk assessment in relation to the railway and construction traffic management plan. Where appropriate an asset protection agreement will have to be entered into. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. "possession" which must be booked via Network Rail's Asset Protection Project Manager and are subject to a minimum prior notice period for booking of 20 weeks. **Generally if excavations/piling/buildings are to be located within 10m of the railway boundary a method statement should be submitted for NR approval.**

### **OPE**

Once planning permission has been granted and at least six weeks prior to works commencing on site the Asset Protection Project Manager (OPE) MUST be contacted, contact details as below. The OPE will require to see any method statements/drawings relating to any excavation, drainage, demolition, lighting and building work or any works to be carried out on site that may affect the safety, operation, integrity and access to the railway.

### **Vibro-impact Machinery**

Where vibro-compaction machinery is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement

### **ENCROACHMENT**

The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land and structures. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air-space and no encroachment of foundations onto Network Rail land and soil. There must be no physical encroachment of any foundations onto Network Rail land.

Any future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land then must seek approval from the Network Rail Asset Protection Team. Any unauthorised access to Network Rail land or air-space is an act of trespass and we would remind the council that this is a criminal offence (**s55 British Transport Commission Act 1949**). Should the applicant be granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal.

### **Lighting**

Where new lighting is to be erected adjacent to the operational railway the potential for train drivers to be dazzled must be eliminated. In addition the location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. Detail of any external lighting should be provided as a condition if not already indicated on the application. We note from the plans provided that no additional lighting is proposed in connection with this application, however, should these plans change we require that the above is taken into account.

### **Access to Railway**

All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development. In particular, access to the adjacent railway station and car park should remain clear and unobstructed at all times both during and after construction work at the site.

Network Rail is required to recover all reasonable costs associated with facilitating these works.

The method statement will need to be agreed with:

**Asset Protection Project Manager  
Network Rail (London North Eastern)  
Floor 2A  
George Stephenson House  
Toft Green  
York  
Y01 6JT**

**Email: [assetprotectionlneem@networkrail.co.uk](mailto:assetprotectionlneem@networkrail.co.uk)**

## ***Item 8 (Pages 55 - 69 ) – CB/16/01036/Full – 80 Church Road, Aspley Heath***

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

None

### **Additional Comments**

A revised plan, drawing no. 3PL 01 Rev A, has been received, which shows a slight modification to the proposed turning area and a tracking diagram showing that a service vehicle can turn within the site. This has been checked and confirmed as being acceptable by the Highways Officer. As such, it is recommended that the suggested Refusal Reason 4 be omitted.

A letter from the applicant has been circulated to some members. A copy is attached. The majority of the points are addressed within the Officer's report, however, for clarification, a brief response is made below:

#### Green Belt

Officers consider that the proposal does not meet the definition of infill development and would represent a harmful form of backland development. 67a, 69a and 80A were all granted planning permission prior to the introduction of current Green Belt policies. None of the examples resulted in the creation of the triple layer of development that would result from this proposal. No weight is therefore given to the examples cited within the letter.

#### Access to the site

The submission has failed to demonstrate that the proposed access to the new dwelling would not harm protected trees on the site which are to be retained. The proposed access does require the removal of protected trees within the Conservation Area.

#### Neighbour intrusion

Agreed

#### Visual Impact

The proposal will not be constructed on the same footprint as the existing outbuilding, it would be wider and would have a bulkier roof form. The Conservation Officer has objected on the grounds of the width, bulk and mass of the proposal and considers that it would be harmful to the Conservation Area.

The proposed rear visual is considered to be misleading as it still shows the trees which are to be removed in situ.

#### Tree Preservation

The proposal necessitates the removal of protected trees with insufficient justification. Concerns remain about the practicality of the access, it is considered that the establishment of a vehicular access will be harmful to the trees that are to be removed.

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

None recommended. Recommended that Refusal Reason 4 be omitted for the reasons set out above.

***Item 9 (Page 71-144) – CB/16/04918/OUT – Erection of up to 61,336m of B1, B2 and/or B8 employment development floorspace with associated infrastructure and ancillary works. All matters reserved except means of access from Thorn Road.***

## **Additional Consultation/Publicity Responses**

### 1. 451 Bideford Green Linslade 03/05/2016

Provided detailed comments on the agent's comments on retention of the rifle range. The key points are:

*The Houghton Regis North Framework Plan* makes no mention of the rifle range, no firm statement can be made either way; no justification for the opinion that the plan precluded retention of the rifle range.

The agent does not define what they consider to be 'inappropriate' about the rifle range, statement concerning the health and safety of the range was provided for both the Bidwell West planning application and the earlier Thorn Turn submission it would appear that at this time the Council envisaged the continued operation of the range, otherwise no safety consideration would have been needed.

The Agent does not refute the argument that the Central Bedfordshire Leisure Strategy *PPS 1. Protection of Existing Facilities* and paragraph NPPF paragraph 74 apply to the rifle range: the Council have an obligation to provide an alternative facility of equal or better standard. A condition should be added to any planning consent to this effect.

### 2. CBC Highways Development Management 05/05/2015

The proposal does not allow for any improvement to the stretch of Thorn Road fronting the site. The access road serving the site and the new Waste and Highway Depot is relatively straight and measures 7.3m with planting and a footway/cycleway following the line of the existing bridleway. The priority junction is designed with a considerable length of 2 lane approach with 16m and 20m radius. While this appears to be acceptable the nature of Thorn Road has not yet been defined in relation to the new A5-M1 link. I would not be opposed to these dimensions being revisited. Consideration should be given to increasing the width of Thorn Road to a standard 7.3m carriageway and a footway/ cycleway on one or both sides. An existing bridleway crosses Thorn Road at the tangent point of the junction and has to cross 10m of carriageway; the maximum provision for an equestrian crossing. There is no a Road Safety Audit, however so long as there are no deviations from the standards in the Design Manual for Roads and Bridges there will not be a fundamental problem and this can addressed in the design process. Consideration should be given to moving the crossing some 60m north/east.

The transport assessment which demonstrates that the proposed junction will operate satisfactorily within capacity; the wider implications are acceptable, bus stops or lay-bys are not proposed in the corridor.

The imposition of conditions and informatives (detailed below) is recommended to address the points raised.

### 3. Bank End Cottage, Chalk Hill, Dunstable 09/05/2016

The proposal is significantly bigger than that originally considered

No justification for increase in size

The benefits must clearly outweigh the damaging affects to create very special circumstances within the NPPF

The site is green field land within the green belt adjacent to Chalk Hill Hamlet: infill only development allowed.

Infilling should not compromise the openness of the Green Belt.

The policy is to look for suitable brownfield sites. Brewers Hill Rd has vacant employment land.

No very exceptional circumstances outlined

Regeneration of Brewers Hill Rd is an unacceptable justification.

Current highways site in Brewers Hill Rd will be available for this use.

Glut of industrial units, offices and development land (brownfield) available

Proposed buildings are completely out of scale and character.

Not assessed as a high sensitivity area due to Atkins misinterpretation of the site.

Health and safety issues for pedestrians.

Unacceptable visual loss on the approach to Dunstable

No risk assessment regarding road safety.

Road infrastructure not fit for purpose.

No risk assessment carried out regarding health and safety

High sensitivity receptor area, concern over the noise levels and type of business proposed.

Loss of enjoyment and quality of life of home and surrounding area.

Concern over working hours.

Residential development was allowed to go ahead on the industrial area at French's Avenue,

Bird strike area. Directly on the path to the wetland lagoons.

Protected species require the same level of protection whether on a designated wetland or not.

Public amenity from the Chiltern Way footpath completely ruined.

CBC have not considered the residents of Chalk Hill Hamlet regarding noise pollution

Neighbourhood noise includes industrial and commercial, recreation, entertainment and noise from domestic settings.

Fundamental aim of green belt is to prevent urban sprawl - This has been totally ignored.

Residents of Chalk Hill Hamlet not consulted on removal of their homes from the green belt

The submission is supported by a number of documents and web links to support the points made.

#### 4. Bedford Small-bore Shooting Association 09/05/2016

This address is made to the Committee, on behalf of Bedfordshire Small-bore Shooting Association, who are affiliated to the National Small-bore Rifle Association, the governing body for the sport in the United Kingdom and who have for 49 years been loyal tenants of the Council, on land at Thorn Turn.

This Rifle Range is operated for the whole of the County of Bedfordshire and has been developed over the years, through the hard work of members, providing a first class facility for rifle shooting up to international level.

It is used by members of the England and GB teams as a training venue, which has helped to promote shooting to Olympic Standards. It also offers shooting on a weekly basis to a number of Disabled participants and is also home to a number of local clubs and as such, it is in constant use during weekdays and at weekends.

The membership of local Clubs which use the range is open to all sectors of the community, young and old alike, without discrimination.

Sport England has identified the Range as being of strategic importance to the sport and as such its loss would have a major effect on the participants of the sport both locally and internationally.

It is of course recognised by the Association that the Council In these time of austerity have a need to develop the land for employment purposes at Thorn Turn, in order to maximise the value of the assets they own, however, in doing so in isolation and without a balanced consideration to the importance of the Range, it is both our view and that of Sport England, that as this application decision has the potential for the range to be closed down, the council should, prior to proceeding with the application be fully complying with provisions of Paragraph 74 of the National Planning Frame work and their own Recreation and Open Space Strategy, Chapter two, paragraph 5.13 which is currently not the case.

In this respect whilst the Association recognise the work being carried out by the Councils assets team, in trying to find other Council owned land where the range could be relocated to, this exercise has only just started, therefore, this current application is somewhat premature and should not proceed until an area of land has been found for the re-location of the range and Full planning permission for a new range has been granted. The Association are actively engaging in the search for an alternative location for the range, but as it took a good number of years to set up the range site at Thorn Turn even after that area of land had been found the task of finding an alternative location to move to it is a mammoth one.

Therefore, we would urge the committee to defer their decision to grant this outline extended planning permission application until such time as a new location for the range, with planning permission has been completed.

If a new location is found then the association would be happy to withdraw its objection to the application.

### **Additional/Amended Conditions**

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



Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the proposed estate road, in accordance with the NPPF.

18..Before the new access is first brought into use, any existing access within the frontage of the land to be developed, not incorporated in the access hereby approved shall be closed in a manner to the Local Planning Authority's written approval.

Reason: In the interest of road safety and to reduce the number of points at which traffic will enter and leave the public highway, in accordance with the NPPF.

22. Before any building is occupied a 3.0m wide footway/cycleway shall be constructed on the south side of Thorn Road for the entire length of the site frontage in accordance with details of the approved drawing/or scheme to be submitted to and approved by the Local Planning Authority. Any Statutory Undertakers equipment or street furniture shall be resited to provide an unobstructed footway.

Reason: In the interests of road safety and pedestrian movement, in accordance with the NPPF.

23. Before any property is occupied bus stop provision shall be delivered on each side of Thorn Road in the location of the application site in accordance with details of the approved drawing/or scheme to be submitted to and approved by the Local Planning Authority. Any Statutory Undertakers equipment or street furniture shall be resited to provide an unobstructed footway.

Reason: In the interests of road safety and improvements to sustainable modes of transport, in accordance with the NPPF.

24. No development shall commence until a wheel cleaning facility has been provided at all site exits in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The wheel cleaner(s) shall be removed from the site once the roadworks necessary to provide adequate access from the public highway have been completed (apart from final surfacing) to the satisfaction of the Local Planning Authority.

Reason: In the interests of the amenity and to prevent the deposit of mud or other extraneous material on the highway during the construction period, in accordance with the NPPF.

25. Development shall not begin until the detailed plans of the proposed highway lighting, using light emitting diodes (LED) within the development has been approved by the Local Planning Authority and no building shall be occupied until that lighting has been installed in accordance with the approved details.

Reason: To ensure that the proposed highways are adequately lit, in accordance with the NPPF.

#### **Additional/Amended Informatives**

4. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Central Bedfordshire Council's Highway Help Desk, P.O.Box 1395, Bedford, MK42 5AN.

5. The applicant is advised that if it is the intention to request the Central Bedfordshire County Council as Local Highway Authority, to adopt the proposed highways as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Development Planning and Control Group, Central Bedfordshire Council's Highway Help Desk, P.O.Box 1395, Bedford, MK42 5AN. No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.

6. The applicant is advised that in order to comply with the Conditions of this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Development Planning and Control Group, P.O.Box 1395, Bedford, MK42 5AN,

8. All roads to be constructed within the site shall be designed in accordance with Central Bedfordshire Council's publication "Design in central Bedfordshire (Design Supplement 7 – Movement, Street and Places" and the Department of the Environment/Department of Transport's "Manual for Street", or any a amendment thereto.

### ***Item 10 (Pages 147 - 157) – CB/16/0578/Full – Russell Farm, New Road, Maulden***

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

None

#### **Additional Comments**

Section 2: 'Design and *Affect* on the Character and Appearance of the area' be changed to 'Design and *Effect* on the Character and Appearance of the area'.

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

Additional condition RE02 be attached:

*'The buildings shall be used for B1 purposes and no other purposes (including other purpose falling within Class B of the Schedule to the Town and Country Planning (Use Class) Order 2006) or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.*

*Reason: To exclude the provisions of the said use Classes Order and thereby ensure that the Local Planning Authority retains full control of the future use of the buildings'.*

Additional Informative: 'STD' be attached regarding the fact that the permission does not include any other requirement such as the need for Building regulation consent.

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