

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held in the Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 13 September 2017

PRESENT

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

Cllrs	Mrs S Clark	Cllrs	C C Gomm
	K M Collins		K Janes
	I Dalgarno		T Nicols
	F Firth		T Swain
	E Ghent		J N Young

Apologies for Absence: Cllrs M C Blair
D Bowater

Members in Attendance: Cllrs S Dixon
Mrs J G Lawrence
D J Lawrence
M A G Versallion
B Wells
R D Wenham

Officers in Attendance:	Ms P Bramwell	Planning and Highways Solicitor LGSS Law
	Mr D Hale	Planning Manager South
	Mr M Huntington	Principal Planning Officer
	Mrs C Jagusz	Committee Services Administrator
	Mr S Joynes	Environmental Health Officer
	Mr D Lamb	Planning Manager East
	Mrs D Lavender	Principal Planning Officer
	Mr L Manning	Committee Services Officer
	Mr R Page	Principle Highways Officer
	Mr N Smith	Planning Project Manager
	Miss D Willcox	Senior Planning Officer

DM/17/55. **Chairman's Announcements**

The Chairman advised the meeting that the order of business in the morning would be Items 7, 8, 9, 10, 11 and 12. The Items scheduled to be heard after 1.30 p.m. would be 6, 13, 14, 15 and then 16.

The Chairman also reminded Members of the Committee that they had to be present throughout the entire debate on an Item (including the officer's introduction) in order that they could participate and vote upon it.

DM/17/56. **Minutes**

RESOLVED

that the minutes of the meeting of the Development Management Committee held on 16 August 2017 be confirmed and signed by the Chairman as a correct record.

DM/17/57. **Members' Interests**

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

Item	Nature of Interest	Present or Absent during discussion	
Cllr I Dalgarno	14	Knows the applicant through membership of the Conservative Party. Called in the application and subsequently discussed his concerns with the applicant. The applicant then raised said concerns with officers in an attempt to ameliorate them. Confirmed that he had not pre-determined the application.	Present
Cllr N Young	All	May have met applicants in his capacity as a former Portfolio Holder and as the current Executive Member for Regeneration	Present
Cllr N Young	7, 8, 9	All three applications are on	Present

		CBC land. Also has discussed general provision of accommodation for older persons with MANOP	
Cllr F Firth	16	Knows applicant	Present
All	16	Applicant is related to CBC Member	Present
Cllr K Matthews	6, 7, 8, 9, 11	Has met some of the speakers but not discussed the applications	Present
Cllr R Berry	6	In his role as ward Member has had substantial contact with applicant on a professional basis.	Present

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

Member	Item	Nature of Interest	Present or Absent during discussion
		None.	

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

Member	Item	Parish/Town Council	Vote Cast
Cllr F Firth	16	Northill	No

DM/17/58. **Planning Enforcement Cases Where Formal Action Has Been Taken**

The Chairman advised Members to raise any issues they might have with regard to planning enforcement cases with the Planning Enforcement and Appeals Team Leader.

NOTED

the monthly update of planning enforcement cases where action has been taken.

DM/17/59. Planning Application No. CB/17/01236/OUT

The Committee considered a report regarding Planning Application No. CB/17/01236/OUT for an outline application for the erection of building(s) to provide extra care accommodation comprising up to 93 units with associated access, landscaping and ancillary works with all matters reserved except for access at land at Sorrell Way, Biggleswade.

The Committee noted that there was no additional information contained in the Late Sheet on this application and the planning officer had no additional information to report verbally.

In advance of consideration of the application the Committee received representations from Biggleswade Town Council and the applicant's agent under the public participation scheme. A Member sought clarification on the points raised by the Town Council representative. In response the Town Council representative stated that the application was linked to the Saxon Drive development (minute DM/17/60 refers) as a means of overcoming the requirement to provide social housing on the Saxon Drive site. In addition the proposed access to the development wasn't suitable, clearly defined or adequate.

A local Member reported a request from residents of the existing Flowers Estate that the shrubbery/bushes on either side of the footpath be maintained so that a clear demarcation remained between the Estate and the proposed new development. He asked that this request be incorporated within a condition. A second Biggleswade Member stated that she shared some of her concerns with those of the Town Council regarding affordable housing. She commented that it was usual to consider each application on its individual merits and that the application before Members and that for Saxon Drive should be considered separately, without the current application, if approved, removing the requirement for affordable housing under the Saxon Drive scheme. Further, the application was of 93 units and therefore represented a considerable increase in the population of older people who would tend to require extra care. There appeared to be no indication of how this care was to be provided, given that local GP's were at capacity and an absence of funding to increase provision.

The Chairman emphasised that there were two separate applications before Members. However, if one was not approved by Members it could possibly jeopardize approval of the other.

The Committee considered the application and in summary discussed the following:

- The vehicular access onto the development would be located at the northwest corner of the site off Sorrell Way whilst the pedestrian access was to be dealt with under reserved matters.

- The retention of shrubbery/bushes along the boundary with the Flowers Estate and as much of the existing vegetation including the blackberry bushes, as was possible give the need to divert the footpath. It was suggested that the proposed landscaping condition be strengthened to reflect this.
- The absence of any response by the NHS regarding the need for additional GP provision. It was acknowledged that previous attempts to challenge the approach adopted by the NHS had failed. It was noted that the new Greenfields private development of one and two bedroom apartments for older people, located near Leighton Buzzard, had a primary care facility on site thus removing reliance on local GP's.
- The Council's ambition to provide three thousand additional homes for older people. Extra care accommodation, such as that provided at Priory View in Dunstable, was extremely popular and many were affordable units. Older people moving into such accommodation freed up housing for younger people requiring family housing.
- The site was never intended to be open space and had been designated for a school or residential development.

On being put to the vote 11 members voted for approval, 0 voted against and 1 abstained.

RESOLVED

that Planning Application No. CB/17/01236/OUT relating to land at Sorrell Way, Biggleswade be approved as set out in the Schedule attached to these minutes.

DM/17/60. Planning Application No. CB/17/01277/OUT

The Committee considered a report regarding Planning Application No. CB/17/01277/OUT for the erection of up to 230 residential dwellings with associated access, landscaping, open space and ancillary works with all matters reserved except for the means of access from Saxon Drive at land at Saxon Drive, Biggleswade.

In advance of consideration of the application the Committee's attention was drawn to additional consultation/publicity responses and additional/amended conditions/reasons as set out in the Late Sheet including a change in the description of the application so that it referred to 'up to 200 dwellings' and not 'up to 230 dwellings'.

In advance of consideration of the application the Committee received representations from Biggleswade Town Council, an objector and the applicant's agent under the public participation scheme.

In response to two of the points raised by the Town Council the Chairman advised first, that the development would not set a precedent as all planning applications had to be considered on their individual merits and, second, that

there was no knowledge of a covenant on the land referred to. Further, if there was one it would not constitute a material planning matter but a civil one.

Clarification on a point raised by the applicant's agent was sought by a Member. The agent confirmed that there would no development on that part of the flood plain which lay within the application site.

A local Member stated that approval of an application for development which lay outside the settlement envelope would set a precedent, encourage developers to submit such applications and for development to proceed without proper consultation or planning. He therefore requested that the application be withdrawn until such time as it could be considered in the context of the Central Bedfordshire master plan. However, the Chairman advised that the Committee was required to determine the application before it. The Committee could not withdraw the application and if it deferred consideration the application could be called in for determination by an Inspector. The legal officer explained that the application before the meeting could not be deferred unless on planning grounds. Further, the applicant had not indicated that the application should be deferred or withdrawn. The Committee was, therefore, required to determine it.

A second Biggleswade Member reiterated her concern regarding the relationship between the current application before the Committee and that previously considered (minute DM/17/59 refers). She then suggested that the application could be refused. The Member referred to a previous application for a GP surgery and playing fields on the site which had been refused at appeal by an Inspector who had rejected development of the land. She compared this with the Council's determination as the landowner to proceed with development. She referred to the historical role of the land as open space and with the local road network already being at overcapacity and therefore unable to absorb the increase in vehicular movements associated with the development. Last, the Member expressed concern regarding the provision of healthcare given the substantial cumulative increase in residents arising from this development and others.

The Committee considered the application and in summary discussed the following:

- That the application lay outside the settlement envelope. As required under the National Planning Policy Framework (NPPF) the application had been assessed in line with the presumption of sustainable development and the scheme had been found to comply.
- The financial (s106) contributions which would come forward would help mitigate problems with infrastructure deficit with regard to education provision (£2.8M) to nearly £200K towards leisure facility upgrades.
- The application was for up to 200 dwellings but the details relating to the density of the development would be considered at the Reserved Matters stage.
- The loss of the site as a recreational area and wildlife. There had been no objection from the ecology officer and the amount of leisure

opportunities would increase as the development would only take place on that land currently used for growing crops.

- The statement by the highways officer that the increase in traffic movements was not regarded as unreasonable and the junction at Chambers Way/London Road functioned safely.
- The impact of the reduction of the overall number of dwellings on the number of self build units. The planning officer advised that the number of self build units had not been specified in the outline application.
- Expressions of concern by Members regarding the national failure of the NHS to provide appropriate levels of health care provision and to respond to the Council's consultation on planning applications. It was commented by a Member that it not possible for the Council, which was already attempting to support the NHS, to suspend its own obligations to provide housing whilst waiting for the NHS to improve its efficiency. The Member also reminded the Committee of the government's strongly held position that local authorities should not retain their land stock but instead use it towards the provision of housing.
- A Member's comments regarding the application site lying outside the settlement envelope, the loss of agricultural land and countryside and that the Council had a five year land supply. The Chairman reminded the meeting that the Committee was required to determine applications in accordance with national and local legislation. Whilst the Council had secured its 5 year land supply under its Local Plan the requirements of the National Planning Policy Framework (NPPF) also had to be met.
- The recent statement by a Planning Inspector with regard to the Council's use of its Policy DM4 as a means to restrict housing development outside settlement boundaries. The Inspector had stated that the Policy was more restrictive in its approach than was set out within the NPPF with the latter's presumption in favour of sustainable development and was therefore incompatible with it. The Council must make a presumption in favour of sustainable development regardless of Policy DM4.

On being put to the vote 10 Members voted for approval, 1 voted against and 1 abstained.

RESOLVED

that Planning Application No. CB/17/01277/OUT relating to land at Saxon Drive, Biggleswade be approved as set out in the Schedule attached to these minutes.

DM/17/61. Planning Application No. CB/17/02682/REG3

The Committee considered a report regarding Planning Application No. CB/17/02682/REG3 for a change of use of agricultural land to a Travelling Showpeople site to create four plots, each plot accommodating the following: - 2 x mobile homes/chalets; - 4 x caravans; - 1 x workshop; - 4-6 trailer parking

spaces; - 4 x car parking spaces at Kennel Farm, Saxon Drive, Biggleswade, SG18 8UT.

In advance of consideration of the application the Committee's attention was drawn to additional consultation/publicity responses, additional comments and additional conditions as set out in the Late Sheet. The planning officer advised that, in addition, recommended condition 9 should be amended to state that the vehicular access should be surfaced in an approved material for its entire length and not for a minimum distance of 25.0m into the site.

In advance of consideration of the application the Committee received representations from Biggleswade Town Council, an objector and the applicant's agent under the public participation scheme. In response to a comment from the Town Council that the application was premature because the Local Plan was not yet in place the Chairman stated that the application was before the Committee and therefore required determination.

Clarification on some of the points raised by the public speakers was sought by Members. In particular information was sought with regard to the Town Council's request that all operational restrictions placed on the nearby industrial units should also apply to the Travelling Showpeople site and to the Town Council's comments that a large number of local members of the public were of the opinion that the proposed location was unsuitable due to its proximity to existing properties. The Town Council representative felt unable to respond to a query as to whether the proposed site was more unsuitable than the Travelling Showpeople's current site within the town centre.

A ward Member commented that the site had originally been proposed by the Town Council as a site for Travelling Showpeople some 10 years ago. He indicated both his own and another Biggleswade ward Member's continued full support for the site to be used for this purpose and for the application before the Committee.

A Biggleswade ward Member stated that no complaints had been received about the Travelling Showpeople current site near Franklins Mill in Biggleswade town centre. The community had lived in Biggleswade for at least 100 years and had not caused any problems. The Member commented that the need to protect the ancient heritage asset should not outweigh the requirement to meet the needs of the living. She added that the site would not be for a showground but for accommodation.

The Committee considered the application and in summary discussed the following:

- Concern regarding the scale and height of the proposed workshop building. The planning officer confirmed that the building was 7 metres high but the site was sloped and, as a result, the height would be approximately the same as the existing commercial units to the east of the site. Although there would be a visual impact it was not regarded as significantly harmful.

- An operational restriction in line with that imposed on the nearby Stratton Business Park industrial area. It was noted that the Park was subject to a Local Development Order and there were no restrictions on the Park's hours of operation, with the exception of one unit, in order to encourage economic growth.
- The Council's archaeologist request for a condition to protect the scheduled ancient monument in contrast to the submission of an objection to the application by Historic England. In addition the setting had already been effected by the presence of a dwelling within the monument site and the nearby park homes and industrial area.
- The loss of grade 2 agricultural land set against the relative lack of brown field land to use instead. The loss of agricultural land was also balanced against the established need to meet a shortfall in Travelling Showpeople sites.
- That there were more suitable locations and the site was not designated in the Local Plan. The Chairman advised that these were not issues for the Committee. Its function was to determine the application before it in accordance with national and local policies.
- Harm to the amenity of neighbours would be mitigated by a condition limiting the hours of operation. It was noted that the proposed condition on the Late Sheet would need to be amended to prevent works on machinery before 8.00 a.m. on Sundays and Bank Holidays. A condition could be added to control the hours that lighting was permitted.
- The original public consultation on the application met legislative requirements but, following comment from a member of the public, it had been acknowledged that the application was of a contentious nature and there was substantial public interest. A fuller reconsultation had therefore taken place.
- A Member's request that further discussion take place with Historic England to ensure that the Council was seen to be taking full account of its concerns given the former's apparently inconsistent approach in its responses adopted to the application and the previous application (minute DM/17/ refers) by that body. The planning officer placed the Historic England response in context and commented that the setting of the monument site had already been significantly affected by earlier developments.
- Comments by a Member to the presence of a Travelling Showpeople's site in his own ward, the little disturbance that was generated and how they cultivated a good relationship with local residents.
- The confusion between the Travelling Showpeople and Gypsy and Traveller communities which had been exacerbated by an incorrect reference in the officer's original report.
- Comments by a Member on the impact of the existing industrial development on the top of the hill on the openness of the area, his viewpoint that the Travelling Showpeople's site was an extension of this, the need for fully appropriate landscaping and screening and his suggested use of LED lighting in order to minimise light pollution.

On being put to the vote 10 Members for approval, 0 against and 2 abstained.

RESOLVED

that Planning Application No. CB/17/02682/REG3 relating to Kennel Farm, Saxon Drive, Biggleswade, SG18 8UT be approved as set out in the Schedule attached to these minutes.

AT THE CONCLUSION OF ITEM 9 ABOVE COUNCILLORS D LAWRENCE AND MRS J LAWRENCE LEFT THE MEETING

THE COMMITTEE ADJOURNED AT 12.01 P.M. AND RECONVENED AT 12.11 P.M. ALL MEMBERS OF THE COMMITTEE WERE PRESENT

DM/17/62. Planning Application No. CB/15/01657/OUT

The Committee considered a report regarding Planning Application No. CB/15/01657/OUT for an outline application for the enhancement of sporting facilities including new '4G' floodlit pitch, tennis courts, improved grass pitches and new changing rooms and the construction of up to 64 new homes on land south west of the main school buildings and new access from Hitchin Road at Samuel Whitbread Community College, Shefford Road, Clifton, Shefford, SG17 5WS.

The planning officer advised the meeting that the application had previously been considered and approved by the Committee on 20 June 2016 but had been re submitted because the original submission had referenced the then lack of a 5 year land supply as a material consideration. This position had now changed with the land supply requirement having been met and so Members were being asked to determine the application having regard to this factor.

In advance of consideration of the application the Committee's attention was drawn to additional consultation/publicity responses and additional comments. In view of the additional responses the planning officer stressed that the change in the land supply was the only issue which had altered since the Committee's original decision to approve.

In advance of consideration of the application the Committee received a joint representation from the applicant and a supporter.

A ward Member praised the school's sporting achievements and welcomed the proposed improvements to its sports facilities given the school's sporting ethos and the use by other schools in Central Bedfordshire of its facilities. He acknowledged the concerns expressed by Clifton Parish Council and advised the meeting of the possibility of new junction to the north of the site which could be employed to overcome the issues generated by the current school bus

traffic route through Clifton. He asked that all parties involved in the separate planning application for The Hales, which included the proposed junction, give full consideration to this matter given the wide ranging positive impact which would arise.

Members considered the application and no issues were raised. A Member took the opportunity to assure any members of the public observing the meeting that the debate on the application had been relatively short because it had already been approved at a previous meeting and had been brought back before the Committee purely because of the change in the status of the Council's land supply.

On being put to the vote 11 Members voted for approval, 0 voted against and 1 abstained.

RESOLVED

that Planning Application No. CB/15/01657/OUT relating to Samuel Whitbread Community College, Shefford Road, Clifton, Shefford, SG17 5QS be approved as set out in the Schedule attached to these minutes.

DM/17/63. Planning Application No. CB/17/00358/RM

The Committee considered a report regarding Planning Application No. CB/17/00358/RM relating to reserved matters for the erection of 180 dwellings with landscaping, open space and associated works pursuant to outline planning permission reference CB/16/01455/OUT dated 30 June 2016 at land east of Hitchin Road and south of the former pig testing unit, Hitchin Road, Stotfold.

The Committee noted that there was no additional information contained in the Late Sheet on this application. However, the planning officer reported verbally that he had received an email from Fairfield Parish Council stating that its concerns regarding the absence of a dedicated area for goods vehicle turning area on the site of the retail unit(s) had now been met and so it had withdrawn its objection. The meeting was advised that the application had been brought before the Committee for determination solely because of the Parish Council's objection.

In advance of consideration of the application the Committee received a representation from the applicant's agent under the public participation scheme.

A ward Member indicated his support for the application. He commented favourably on the design of the housing scheme, which had replicated that of the original Fairfield development, and informed the Committee that the school would be constructed on a modular basis off-site and invited Members to informally attend the associated works.

Members considered the application and no issues were raised.

On being put to the vote 11 members voted for approval, 0 voted against and 1 abstained.

RESOLVED

that Planning Application No. CB/17/00358/RM relating to land east of Hitchin Road and south of the former pig testing unit, Hitchin Road, Stotfold be approved as set out in the Schedule attached to these minutes.

DM/17/64. Planning Application No. CB/17/02023/OUT

The Committee considered a report regarding Planning Application No. CB/17/02023/OUT an outline application for the erection of five detached dwellings with all matters reserved on land adjacent to Haynes Turn, south of High Road, Haynes Turn, Haynes.

In advance of consideration of the application the Committee's attention was drawn to additional comments as set out in the Late Sheet. The planning officer reported verbally that, in addition, he had received an email from the ward Member setting out her objections to the application.

In advance of consideration of the application the Committee received representations from Haynes Parish Council and an objector to the application under the public participation scheme.

At this point a statement from the ward Member opposing the application was read out by the Chairman. The ward Member had been unable to attend the meeting in person. Her statement had concluded with a request that the Committee reject the application on the grounds of overdevelopment and the negative impact it would have on local residents.

The Committee considered the application and in summary discussed the following:

- The decision by the Inspector at appeal to overturn the Council's original decision, taken on 6 May 2016, to refuse the original application for three dwellings and the Inspector's statement that the site could accommodate seven dwellings. Whilst the highways officer did not agree with the Inspector's highways assessment regarding the site he felt the Committee was bound by the Inspector's decision.
- The Inspector's professional ability to reach a decision regarding highways issues.
- The highways officer's statement that he did not feel that the likely volume of vehicle movements arising from the proposed development was of concern. His main concern remained visibility but, given the outcome of the appeal and that concerns regarding visibility had been

rejected by the Inspector, he felt that this would not be sufficient to maintain an objection to the current application. He made reference to the local speed limit of 60 mph and that even though a speed survey had revealed that vehicles were travelling at a slower speed than the maximum permitted it was apparent that drivers exiting the junction lacked the required level of visibility in either direction.

- Concerns regarding the availability of sufficient space for larger vehicles to turn within the site. The highways officer reminded Members that the application was an outline application and the issue would be addressed under reserved matters.
- No record over the last five years of any accidents having taken place at the junction had been found.
- The Inspector's decision was a material consideration with regard to the planning application before the Committee. Members were required to consider the application before them with the Inspector's decision and the relevant planning policies in mind. The Inspector did not have to be a highways specialist in order to have determined the application.
- The Inspector's statement that the site was a clearly defined area suitable for development. The current application could not, therefore, be regarded as encroachment into the open countryside as the original application for the same site had been regarded as acceptable by the Inspector.
- A planning officer's comments that given the Inspector's comments Members had to be sure that they felt the additional dwellings made the scheme unacceptable. Further it would be difficult to substantiate the reasons for refusal in the light of the Inspector's conclusions. Loss of amenity had not featured as an issue in the previous scheme and nor had the Inspector raised this.
- A Member's comments that should the Committee refuse the application then the Inspector at any subsequent appeal would consider the way in which any decision to refuse the application was reached and the accompanying decision to ignore the previous Inspector's clear guidance. He warned the Council would be found to be obdurate, lose the appeal and would be required to pay costs.
- An understanding that the Inspector's statement that the site could accommodate seven dwellings was a reference to three new three dwellings (as per the original application) joining the existing four dwellings already on the site and not an indication by him that seven new dwellings could be built alongside the original four. Given that the application before Members was for five new dwellings, two more than the original application and the possible size of the dwellings could generate a substantial increase in traffic movements it was felt by some Members that a challenge to the Inspector's decision would be justified.

It was moved and seconded that the application be refused on the grounds of loss of amenity, overdevelopment and highways issues as adequate visibility could not be achieved and represent the intensification of a substandard access.

On being put to the vote 7 Members voted for refusal, 4 voted against and 1 abstained.

RESOLVED

that Planning Application No. CB/17/02023/OUT relating to land adjacent to Haynes Turn, south of High Road, Haynes Turn, Haynes be refused as set out in the Schedule attached to these minutes.

THE COMMITTEE ADJOURNED AT 1.19 P.M.AND RECONVENED AT 1.50 P.M. ALL MEMBERS OF THE COMMITTEE WERE PRESENT

DM/17/65. Planning Application No. CB/16/01389/FULL

The Committee considered a report regarding Planning Application No. CB/16/01389/FULL for the installation of a single wind turbine with a maximum tip height of 143.5m (hub height 100m; rotor diameter of 87.0m), substation, hardstanding area, access track, underground cabling and associated infrastructure at land off the A5 at Checkley Wood Farm, Watling Street, Leighton Buzzard, LU7 9LG.

In advance of consideration the Committee's attention was drawn to additional consultation/publicity responses as set out in the Late Sheet. The planning officer reported that since the publication of the Late Sheet Members had also been sent a letter and slide show by an objector.

In advance of consideration of the application the Committee received representations from Heath and Reach Parish Council, Potsgrove Parish Meeting, an objector on behalf of Stop Checkley Wood Turbine (SCWT) Action Group, an objector on behalf of local residents/Savills, the applicant and the applicant's agent under the public participation scheme. Clarification on a point raised by the Heath and Reach Parish Council representative was sought by a Member.

The ward Member for Heath and Reach, who had called in the application, referred to three issues that required consideration by the Committee: justification for the breach of the Green Belt, industrialisation and the changing nature of the English countryside and localism in the form of the opinions of the community which would need to live with the outcome of the Committee's decision. The Member stated that an additional wind turbine would change the character of the landscape through cumulative dominance and adversely impact on the local and historic environment. He added that the view of most professionals in this sector was that a turbine in the proposed location would cause harm. In contrast he could not identify any special benefits that would outweigh this. Whilst supporting renewable energy he believed the turbine to be in the wrong location, too close to homes and that any benefits could not justify the impact on the Green Belt. He also warned of the industrialisation of

the countryside and impression of dominance created by the presence of a second turbine. The ward Member stated that since the last wind turbine application in 2010 it was expected that a greater emphasis should be given to the views of the local community. He stated that local residents were overwhelmingly against the application and warned that approval would set a precedent. He asked the Committee to refuse the application.

The ward Member for Aspley and Woburn, representing the parishes of Potsgrove and Battlesden in his ward which lay near to the application site, reminded the meeting that the planning process was there to protect local people from developments blighting their environment and views. The existing turbine was already extremely visually intrusive and another turbine would have a further negative impact. He expressed the hope that the Committee had visited the locality and was fully aware of the likely visual impact. The ward Member stated that local residents did not benefit from the existing turbine's output as it had been constructed purely for commercial gain by a company which had no interest in improving the local area. He asked the Committee to consider the impact on local communities and to reject the application.

In response to a point raised the Chairman advised that the Committee had undertaken a site inspection in relation to the application and had viewed the application site from various locations.

The planning officer responded to a number of the points raised so far.

The Committee considered the application and in summary discussed the following:

- Issues relating to the Green Belt, the visual impact of the existing wind turbine and the predicted visual impact of the proposed turbine on local homes and the landscape in general and whether or not the new turbine met the 'Lavender Test'.
- The need for sustainable energy set against the need for planning balance.
- Counsel's opinion that an Environment Impact Assessment was not required.
- The complaints made by local residents regarding the noise levels generated by the existing wind turbine, the cumulative increase in noise levels should a second turbine be built, the impact of Amplitude Modulation, the validity of, and compliance with, the Government's technical guidelines ETSU-97 and the existing ambient noise levels.
- The possibility of greater reliance on off shore wind farm development and the challenges that arose in relation to the generation of electricity by that means, including the cost and the need to increase the number of electricity pylons with its resulting visual impact.
- The varying interpretations of the Council's own Wind Energy Guide No.1. The planning officer explained that the guidance recognised that a cluster of turbines had a lesser impact on the landscape than a series of single turbines spread through the landscape. The proposed turbine

would be 'clustered' with the nearby existing turbine and not built in isolation some distance away. This proposal would cause limited to moderate harm very locally and did not conflict with the Guidance Note taken as a whole.

- The Government's stance on the provision of renewable energy including the ministerial statement.
- The level of local public objection against the proposal and the extent to which the Council could address the concerns of local residents to this and other planning applications.

On being put to the vote 6 Members voted for approval, 4 voted against and 1 abstained.

RESOLVED

that Planning Application No. CB/16/01389/FULL relating to land off A5 at Checkley Wood Farm, Watling Street, Hockliffe, Leighton Buzzard, LU7 9LG be approved as set out in the Schedule attached to these minutes.

COUNCILLOR K JANES WAS ABSENT FOR PART OF THE DEBATE ON ITEM 6 ABOVE AND SO WAS UNABLE TO VOTE ON THE APPLICATION

AT THE CONCLUSION OF ITEM 6 ABOVE COUNCILLORS K JANES, MRS S CLARK, M VERSALLION AND B WELLS LEFT THE MEETING

PRIOR TO THE CONSIDERATION OF ITEM 13 BELOW COUNCILLOR R WENHAM ARRIVED AT THE MEETING

DM/17/66. Planning Application No. CB/17/03294/FULL

The Committee considered a report regarding Planning Application No. CB/17/03294/FULL for the removal of an existing two classroom modular unit, construction of a freestanding four court sports hall with changing facilities and attached two storey six classroom block and the construction of additional car parking at Henlow Middle School, Church Road, Henlow, SG16 6AN.

In advance of consideration of the application the Committee's attention was drawn to additional consultation/publicity responses, additional comments, additional/amended conditions/reasons and to notification of an error within the report as set out in the Late Sheet.

In advance of consideration of the application the Committee received a representation from the applicant under the public participation scheme. A Member queried the applicant's statement that the Academy's performance was above average when the Council's website stated the opposite. In response the applicant stated that she had referred to the 2017 data. The Chairman advised the applicant to check the content of the Council's website and, if it was incorrect, to contact the Executive Member for Education and

Skills and request that it be amended. A brief discussion took place on the Academy's academic performance and results.

A ward Member stated that excellent progress had been made since the new head teacher had been appointed and he had no hesitation in supporting the school's expansion. He then explained that he had called in the application for the Committee to determine because of his concern regarding the proposed Travel Plan and the impact on local residents. However, following various consultations a revised travel plan had been submitted and consideration given to the Council's policy on transport to school. The highways conditions now reflected the need for changes both inside and outside the school site. There was also a commitment by highways officers to carry out a consultation with the local community regarding the introduction of limited waiting and drop off restrictions outside the school. The ward Member stated that there was the possibility of a further five car parking spaces for existing staff being added and which would be located on the site of the builder's portacabins during the proposed development. He was now fully supportive of the application and had withdrawn his objection.

The planning officer recommended the use of an additional condition seeking details of the five additional car parking spaces to be submitted if the Committee wished to see them provided.

A second ward Member thanked the head teacher and its leadership for taking two additional classes at this highly regarded school. He had also expressed concern regarding the Travel Plan but the school now met the relevant objectives and hopefully the Travel Plan would satisfy local residents and there would be no highways objections. He moved the addition of a condition regarding the five additional parking spaces.

The Committee considered the application and no issues were raised.

On being put to the vote 9 Members voted for approval, 0 voted against and 1 abstained.

RESOLVED

that Planning Application No. CB/17/03294/FULL relating to Henlow Middle School, Church Road, Henlow, SG16 6AN be approved as set out in the Schedule attached to these minutes.

DM/17/67. Planning Application No. CB/17/02361/FULL

The Committee considered a report regarding Planning Application No. CB/17/02361/FULL for a change of use for the proposed Teen Building (CB/16/01005/FULL approval granted 28 April 2016 and subsequent relocation CB/17/00188/VOC approved 9 March 2017) to a private Day Nursery and associated Children's Activity Centre at Henlow Bridge Lakes Ltd, Bridge End Road, Henlow, SG16 6LN.

No additional consultation/publicity responses, comments or conditions were reported in the Late Sheet.

In advance of consideration of the application the planning officer informed the Committee that, since his report had been published, he had received additional supporting information from the applicant. This stated that approximately 35 children would attend the nursery, that the experience of other sites run by the operator was that not all parents arrived at the same time with their children and that the company's environmental policy incentivised staff to walk and cycle to work. In addition information had been circulated directly by the applicant to Members on issues within the report including a query with regard to proposed condition 2 requiring access to the nursery being from the existing main site entrance to Henlow Lakes. The applicant had suggested that the existing site access be used and the highways officer had raised no objection to this. The planning officer therefore recommended that condition 2 within his report relating to access for the nursery being from the existing main site entrance to Henlow Lakes should be removed.

In advance of consideration of the application the Committee received representations from an objector to the application and from the applicant under the public participation scheme. Clarification on some of the points raised by the public speakers was sought by Members.

A ward Member stated that he had fully supported the development of the site since its inception and the quality of the development had assisted tourism. However, he felt concern at the proposed change of use. As the governor of a local school which had its own nursery he had seen very young children thrive in a school based environment. He therefore believed nurseries should be based on school sites as that arrangement provided children with an incentive to move on from the nursery to the school proper. He recognised the business benefit of the proposal and that the demand existed for nursery places but felt that this was not the right location. In addition he was concerned at the possible highways safety implications as returning commuters attempted to reduce their journey time from the railway station to the nursery to collect their children by turning across the oncoming traffic flow to access the site. Following discussion the applicant had subsequently discussed the ward Member's concerns with the highways officer and it had been acknowledged that some warning signage was incorrectly located. However, the ward Member remained concerned as to whether this issue could be remedied.

The Committee considered the application and in summary discussed the following:

- The highways officer's statement that there would be an estimated 36 additional vehicular movements which would be spread throughout the day. In addition the junction between the A507 and the one way only access road (gyratory) to the signage was of the approved standard. There were prominent no right/left turn signs in place and any contravention of these instructions would therefore be dealt with by the

police. The site had an approved junction and there were no real highways concerns despite the increase in traffic movements. There had been five recorded accidents between 2013-15 and only two could be tentatively linked to the highways concerns raised.

- The police statement that the speed limit of the A507 in the area should be reduced. The highways officer stated he was unaware of this viewpoint. However, there was a review being undertaken of the A507 and its junctions and accident rates would be considered to see if a speed limit reduction was justified.
- The highways officer's statement that the increased level of vehicular movements would have no detrimental impact on The Lodge, as the nearest residential property. The installation of a physical barrier to prevent vehicle movements could not be justified given the volume of traffic.
- The rationalisation of the existing local road traffic signs to ensure they were both correct and located in the optimal position. It was requested by a Member that condition be included a vehicle activated sign (VAS) or other appropriate measures instructing drivers to reduce their speed be installed on the east bound carriageway and on the west bound carriageway instructing drivers not to undertake an inappropriate turn.

On being put to the vote 8 Members voted for approval, 1 voted against and 1 abstained.

RESOLVED

that Planning Application No. CB/17/02361/FULL relating to Henlow Bridge Lakes Ltd, Bridge End Road, Henlow, SG16 6LN be approved as set out in the Schedule attached to these minutes.

AT THE CONCLUSION OF ITEM 14 ABOVE COUNCILLOR R WENHAM LEFT THE MEETING

DM/17/68. Planning Application No. CB/17/03030/FULL

The Committee considered a report regarding Planning Application No. CB/17/03030/FULL for the conversion of an existing building to an annexe at 6 The Old Dairy, Speedsdairy Farm Road, Beadlow, Shefford, SG17 5PL.

No additional consultation/publicity responses, comments or conditions were reported in the Late Sheet.

Members considered the application and no issues were raised.

On being put to the vote 9 Members voted for approval, 0 voted against and 1 abstained.

RESOLVED

that Planning Application No. CB/17/03030/FULL relating to 6 The Old Dairy, Speedsdairy Farm Road, Beadlow, Shefford, SG17 5PL be approved as set out in the Schedule attached to these minutes.

DM/17/69. Planning Application No. CB/17/02780/FULL

The Committee considered a report regarding Planning Application No. CB/17/02780/FULL for a proposed menage at Ickwell Fields, Ickwell Road, Upper Caldecote, Biggleswade, SG18 9BS.

No additional consultation/publicity responses, comments or conditions were reported in the Late Sheet.

Members considered the application and no issues were raised.

On being put to the vote 9 Members voted for approval, 0 voted against and 1 abstained.

RESOLVED

that Planning Application No. CB/17/02780/FULL relating to Ickwell Fields, Ickwell Road, Upper Caldecote, Biggleswade, SG18 9BS be approved as set out in the Schedule attached to these minutes.

DM/17/70. Late Sheet

In advance of consideration of the planning applications attached to the agenda 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.

DM/17/71. Site Inspection Appointment(s)

NOTED

that the next meeting of the Development Management Committee will be held on 11 October 2017.

RESOLVED

that all Members and substitute Members along with the relevant ward representatives be invited to conduct site inspections on 9 October 2017.

(Note: The meeting commenced at 10.00 a.m. and concluded at 4.58 p.m.)

Chairman

Dated

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Item No. 7

APPLICATION NUMBER CB/17/01236/OUT
LOCATION Land at Sorrell Way, Biggleswade
PROPOSAL Outline application: erection of building(s) to provide extra care accommodation comprising up to 93 units with associated access, landscaping and ancillary works. All matters reserved except for access.

PARISH Biggleswade
WARD Biggleswade South
WARD COUNCILLORS Cllrs Lawrence & Woodward
CASE OFFICER Michael Huntington
DATE REGISTERED 31 March 2017
EXPIRY DATE 30 June 2017
APPLICANT CBC Assets Department
AGENT Woods Hardwick Planning Ltd
REASON FOR COMMITTEE TO DETERMINE Land in ownership of Central Bedfordshire Council

Town Council objection to a major application recommended for approval

RECOMMENDED DECISION **APPROVAL** subject to a s106 agreement
Recommendation:

That Planning Permission be granted subject to the following:

RECOMMENDED CONDITIONS / REASONS

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

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

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

Reason: To comply with Part 3 Article 6 of the Town and Country Planning (General Development Procedure) Order 2015.

- 3 **No development shall take place until details of the surface water drainage system and the implementation (including a timetable), maintenance and management of the sustainable drainage scheme relating to that phase have been submitted to and approved in writing by the local planning authority. Development shall be carried out and operated thereafter in accordance with the approved details.**

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)

This is a pre-commencement condition as it is important to agree drainage details before development begins.

- 4 The plans to be submitted in accordance with Condition 2 of this permission shall include a tree survey carried out in accordance with BS5837 2012 which shall identify the location of all trees on the land, together with the species of each tree.

Reason: To enable the siting of buildings to be considered in relation to the existing trees.

(Section 7 & 11, NPPF)

- 5 The plans to be submitted in accordance with Condition 2 of this permission shall include details of how the proposed and existing landscaping relates to the existing public footpath and any potential diversions of the footpath that may take place. Development shall take place in accordance with the approved details.

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 and the principles of the NPPF.

- 6 No part of the development shall be occupied until a toucan crossing has been provided enabling pedestrians and cyclists to cross Chambers Way, connecting occupiers of the development with facilities at the Saxon Centre.

Reason: To ensure that the development provides appropriate access and linkages in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009 and the principles of the NPPF.

- 7 No development shall take place above DPC level until details of all means of enclosure and boundary treatments, including buffers to existing and new hedging, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the development would be

- 8 No part of the development shall be occupied until the car parking layout shall has been completed in accordance with the approved plans. The area shall be retained thereafter for its intended purpose.

Reason: To ensure that the car parking provision is provided before the occupation of any of the dwellings, to ensure the amenity of the residents (Section 7, NPPF).

- 9 If, during development, contamination not previously identified is found to be present at the site, then no further development of that phase shall be carried out until an investigation strategy and risk assessment and, where necessary, a remediation strategy and verification plan detailing how this unsuspected contamination will be dealt with has been submitted to and approved in writing by the local planning authority. No part of that phase shall be occupied until measured identified in the approved remediation strategy and verification plan have been completed and a verification report demonstrating completion of the approved remediation works and the effectiveness of the remediation has been submitted to and approved in writing by the local planning authority.

Reason: To protect human health and the environment (Section 8, NPPF)

- 10 No dwelling shall be occupied until details of a piece of public art to form part of the development, including a timetable for its provision, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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 and the principles of the NPPF.

- 11 No external lighting shall be installed on any part of the development until details have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason: To ensure that the amenity would be acceptable in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009 and the principles of the NPPF.

- 12 **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 include details of:**

- a) Construction traffic routes and points of access/egress to be used by construction vehicles;**
- b) Details of site compounds, offices and areas to be used for the**

storage of materials;

- c) **Contact details for site managers and details of management lines of reporting to be updated as different phases come forward;**

Construction working hours shall be 8am to 6pm Monday to Friday and 8am to 1pm on Saturdays, with no working on Sundays or Bank Holidays. There shall be no burning on site.

The development hereby permitted shall be carried out only in accordance with the approved CEMP.

Reason: To safeguard the amenity of existing and future residents. (Section 7, NPPF)

This is a pre-commencement condition as this detail needs to be agreed before the start of construction.

- 13 This approval relates only to the details shown on the submitted plan number SLP-02 SW rev B.

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

- 14 **No development shall take place until wheel-cleaning facilities which prevent the deposit of mud or other extraneous material on the highway during the construction period have been installed at the vehicular site exit and made operational and the Site Developer shall ensure that these are used by all vehicles exiting the site until the development has been substantially completed or until the roadworks necessary to provide adequate and clean access to and from the public highway have been completed (apart from final surfacing).**

Reason: In the interests of the users of adjacent roads and to prevent the deposit of mud or other extraneous material on the highway during the construction period. This is a pre-commencement condition as it is important to ensure that there are wheel cleaning facilities in place before development begins (Section 7, NPPF)

- 15 **No development shall take place until a Section 106 agreement has been entered into to secure the provision of an affordable housing scheme and off site highway works on the form of the draft attached hereto.**

Reason: To secure appropriate contributions towards the social and community infrastructure needs of the local community.

INFORMATIVE NOTES TO APPLICANT

1. The applicant is advised that in order to comply with Condition 2 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 Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ. (HN viii)

2. The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Central Bedfordshire Council's Highway Help Desk, Priory House, Monks Walk, Chicksands, Shefford, Bedfordshire, SG17 5TQ quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.

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Item No. 8

APPLICATION NUMBER CB/17/01277/OUT
LOCATION Land at Saxon Drive Biggleswade
PROPOSAL Outline Application: Erection of up to 200 residential dwellings with associated access, landscaping, open space and ancillary works. All matters reserved except means of access from Saxon Drive
PARISH Biggleswade
WARD Biggleswade South
WARD COUNCILLORS Cllrs Lawrence & Woodward
CASE OFFICER Michael Huntington
DATE REGISTERED 14 March 2017
EXPIRY DATE 13 June 2017
APPLICANT Central Bedfordshire Council Assets
AGENT Woods Hardwick Planning Ltd
REASON FOR COMMITTEE TO DETERMINE Major application and departure from the Development Plan

Land in ownership of Central Bedfordshire Council

Town Council objection to a major application recommended for approval

RECOMMENDED DECISION APPROVAL subject to a Section 106 Agreement

Recommendation:

That Planning Permission be granted subject to completion of a Section 106 Agreement and the following conditions:

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 and 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.

- 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

Reason: To comply with Article 3 of the Town and Country Planning (Development Management Procedure) Order 2015.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan reference 01-Saxon Drive rev B, and the access shown on 01-Indicative masterplan rev C, and the Green Infrastructure Plan.

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

- 4 **No development shall commence at the site before a phasing plan has been submitted to and approved in writing by the Local Planning Authority. Applications for reserved matters and for the approval of details pursuant to a planning condition shall be made with reference to the relevant phase as shown on the phasing plan. The phasing plan shall include details of the amount and location of self build plots, as well as a timetable for the provision of the land for the self build plots.**

Reason: To ensure that different elements of the development can come forward at the appropriate time, and to ensure that the development would be acceptable in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009 and the principles of the NPPF. This is a pre-commencement condition as it is necessary to agree the phasing before development begins.

- 5 **The reserved matters to be submitted for Condition no.2 above shall include 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. The development shall be carried out as approved and in accordance with the approved timetable.**

The soft landscaping scheme, with particular emphasis on the tree planting on the site boundaries, shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes at the time of their planting, and proposed numbers/densities where appropriate; and details of a scheme of management/maintenance of the soft landscaping areas. The soft landscaping areas shall be managed thereafter in accordance with the approved management/maintenance details.

The scheme shall also include an up to date survey of all existing trees and hedgerows on and adjacent to the land, with details of any to be retained (which shall include details of species and canopy spread). Notwithstanding the details submitted with the application hereby approved the measures for their protection during the course of development should also be included. Such agreed measures shall be implemented in accordance with a timetable to be agreed as part of the landscaping scheme.

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. This is a pre-commencement condition as it is necessary to ensure that details of hard and soft landscaping are agreed before development begins.

- 6 **No development shall commence within each phase until a detailed surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall also include details of how the system will be constructed, including any phasing, pipework inclination, manholes/inspection chambers and how it will be managed and maintained after completion. The scheme shall be implemented in accordance with the approved final details before the development is completed, and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.**

Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with section 10 of the NPPF. This is a pre-commencement condition as drainage infrastructure needs to be installed at the start of development.

- 7 The details required by Condition 2 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.

- 8 The submission of reserved matters and the implementation of the development hereby permitted shall be carried out in accordance with the parameters and the land use budget set out in the indicative masterplan rev C.

Reason: For the avoidance of doubt.

- 9 **No development shall commence until a public right of way scheme has been submitted to and approved in writing by the Local Planning Authority for the enhancement of existing and the provision of additional public footpaths and bridleways to include:**

- **the design, to include landscaping, width and surfacing;**

- proposals for any diversions of existing public rights of way (where necessary);
- the temporary closure and alternative route provision (where necessary) of an existing right of way

The public right of way scheme submitted should be in accordance with the approved ROW Standards and Guidance, and no dwellings shall be occupied until a timetable for the implementation of the scheme has been agreed in writing with the Local Planning Authority.

Reasons: This is a pre-commencement condition to ensure that the interests of the amenity of pedestrians and other non motorised users and the safety of users are not compromised by any traffic generated by the development and in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009 and the principles of the NPPF.

- 10 **No development shall commence until a Heritage Assets Enhancement Scheme has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until a timetable for the implementation of the Enhancement Scheme has been agreed in writing with the Local Planning Authority.**

Reason: To ensure that the development would be acceptable in accordance with Policies CS15 and DM13 of the Core Strategy and Development Management Policies 2009 and Section 12 of the NPPF. This is a pre-commencement condition as it is important to ensure that the enhancement of the heritage assets adjacent to the site are secured before development begins.

- 11 **No dwelling shall be occupied until a scheme for ecological enhancement, to include a management scheme for the adjacent County Wildlife Site and in accordance with the submitted Ecological Impact Assessment, has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.**

Reason: To ensure that the development would be acceptable in accordance with section 11 of the NPPF.

- 12 **No development shall take place until a Section 106 agreement has been entered into to secure affordable housing provision, financial contributions towards education, leisure centre, playing fields, equipped play areas, footpath and cycle connections and links, open space and heritage enhancements, on the form of the draft attached hereto.**

Reason: To secure appropriate contributions towards the social and community infrastructure needs of the local community, in accordance with paragraph 24 of the NPPF.

- 13 **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 include details of:**

- a) **Construction traffic routes and points of access/egress to be used by construction vehicles;**
- b) **Details of site compounds, offices and areas to be used for the storage of materials;**
- c) **Contact details for site managers and details of management lines of reporting to be updated as different phases come forward;**

Construction working hours shall be 8am to 6pm Monday to Friday and 8am to 1pm on Saturdays, with no working on Sundays or Bank Holidays. There shall be no burning on site.

The development hereby permitted shall be carried out only in accordance with the approved CEMP.

Reason: To safeguard the amenity of existing and future residents. (Section 7, NPPF)

This is a pre-commencement condition as this detail needs to be agreed before the start of construction.

- 14 **No dwelling shall be occupied until details of public art strategy to form part of the development, including a timetable for its provision, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.**

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 and the principles of the NPPF.

- 15 **No development shall take place until wheel-cleaning facilities which prevent the deposit of mud or other extraneous material on the highway during the construction period have been installed at the vehicular site exit and made operational and the Site Developer shall ensure that these are used by all vehicles exiting the site until the development has been substantially completed or until the roadworks necessary to provide adequate and clean access to and from the public highway have been completed (apart from final surfacing).**

Reason: In the interests of the users of adjacent roads and to prevent the deposit of mud or other extraneous material on the highway during the construction period. This is a pre-commencement condition as it is

important to ensure that there are wheel cleaning facilities in place before development begins (Section 7, NPPF)

- 16 No building shall be occupied until the junction of the proposed vehicular access (altered roundabout) with the highway has been constructed in accordance with the approved details.

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

- 17 Visibility splays shall be provided at the junction of the access with the public highway before the development is brought into use. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 43m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall for the perpetuity of the development remain free of any obstruction to visibility.

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

- 18 Visibility splays shall be provided at all internal road junctions within the site. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the side road from its junction with the channel to the through road and 25m measured from the centre line of the side road along the channel of the through road. The vision splays required shall be provided and defined on the site by or on behalf of the developers and be entirely free of any obstruction.

Reason: To provide adequate visibility at road junction in the interest of road safety.

- 19 The development shall be served by means of roads and footpaths which shall be laid out and drained in accordance with the Central Bedfordshire Design Guide September 2014 or other such documents that replace them, and no building shall be occupied until the roads and footpaths which provide access to it from the existing highway have been laid out and constructed in accordance with the above-mentioned Guidance.

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

- 20 The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall illustrate an independent vehicular turning head areas for an 11.5m refuse collection vehicle. Car and cycle parking shall also be provided in accordance with the relevant parking

standards at the time of the submitted reserved matters.

Reason: To enable vehicles to draw off, park and turn outside the highway limits thereby avoiding the reversing of vehicles on to the highway and parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport.

- 21 The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall include car and cycle parking in accordance with Central Bedfordshire Design Guide September 2014 or other such documents that replace them has been submitted and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and made available for use before the development is occupied and the car and cycle parking areas shall not thereafter be used for any other purpose.

Reason: To ensure a satisfactory standard of development in accordance with the Central Bedfordshire Design Guide September 2014.

- 22 No dwelling shall be occupied until a zebra crossing in the near vicinity of the development entrance (roundabout eastern arm) has been provided 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 resited to provide an unobstructed footway to the crossing.

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

- 24 No dwelling shall be occupied until a TOUCAN crossing, south of the Saxon Way/Sorrel Way/Baden Powell Way Roundabout), has been provided 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 resited to provide an unobstructed footway to the crossing.

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

- 25 No development shall take place within each phase of the development until a written scheme of archaeological investigation has been submitted to and approved in writing by the Local Planning Authority. The said development shall only be implemented in full accordance with the approved scheme of archaeological resource investigation. This written scheme will include the following components, completion of each of which will trigger the phased discharging of the condition:

(i) A method statement for the investigation and recording of any archaeological remains present;

(ii) A post-excavation assessment and updated project design (to be submitted within six months of the completion of fieldwork at (i), unless otherwise agreed in advance in writing by the Local Planning Authority);

(iii) Completion of post-excavation analysis, 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 (to be completed within two years of the completion of fieldwork at (i), unless otherwise agreed in advance in writing by the Planning Authority);

(iv) A Programme of interpretation, public outreach and community engagement.”

Reason: To record and advance understanding of the archaeological resource which will be unavoidably destroyed as a consequence of the development in accordance with Chapter 12 of the National Planning Policy Framework. This condition is pre-commencement as a failure to secure appropriate archaeological investigation in advance of development would be contrary to paragraph 141 of the National Planning Policy Framework that requires the recording and advancement of understanding of the significance of any heritage assets to be lost (wholly or in part).

INFORMATIVE NOTES TO APPLICANT

1. The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Central Bedfordshire Council's Highway Help Desk, Priory House, Monks Walk, Chicksands, Shefford, Bedfordshire, SG17 5TQ quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.
2. The applicant is advised that in order to comply with Condition 2 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 Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ. (HN viii)
3. The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Development Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ . 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. (HN xii)

Item No. 9

APPLICATION NUMBER	CB/17/02682/REG3
LOCATION	Kennel Farm, Saxon Drive, Biggleswade, SG18 8UT
PROPOSAL	Change of use of agricultural land to a Travelling Showpeople Site to create 4 plots, each plot accommodating the following: - 2 x mobile homes/chalets; - 4 x caravans; - 1 x workshop; - 4-6 trailer parking spaces; - 4 x car parking spaces.
PARISH	Biggleswade
WARD	Biggleswade South
WARD COUNCILLORS	Cllrs Lawrence & Woodward
CASE OFFICER	Alex Harrison
DATE REGISTERED	30 May 2017
EXPIRY DATE	25 July 2017
APPLICANT	Central Bedfordshire Council Assets
AGENT	Woods Hardwick Planning Ltd
REASON FOR COMMITTEE TO DETERMINE	Town Council objection to a major application Outstanding objections to a CBC application
RECOMMENDED DECISION	Full Application - Granted

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 The three caravans hereby approved shall not be used by any persons other than Travelling Showpeople as defined in Annex 1 of Planning Policy for Traveller Sites.

Reason: To ensure that the use of the site is restricted to Travelling Showpeople in accordance with Planning Policy for Traveller Sites and the National Planning Policy Framework and in recognition of the location of the site within the Green Belt and the 'very special circumstances' case accepted.
(Policy 36 D.S.C.B)

- 3 No vehicles or fairground equipment shall be stored or repaired at the site other than those belonging to the occupiers of each plot hereby approved on the site and such use of the site shall be restricted to the areas shown on approved plans as 'vehicle storage'.

Reason: To ensure that the use of the site is restricted to Travelling Showpeople accommodation, together with ancillary associated storage and repair only in the interests of residential amenity and traffic movements. (Policy DM3 CSDMP).

- 4 No more than four caravans shall be stationed on any one plot hereby approved at any time.

Reason: To ensure the retention of planning control by the Local Planning Authority in recognition of the location of the site in the countryside in the interests of neighbouring amenity and traffic movements. (Policy DM3 CSDMP).

- 5 **Notwithstanding the details in the approved plans no development shall take place until a revised 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 revised scheme shall include provision for screen soft landscaping on the boundaries of the site and timings of plantings show that all bare root planting is carried out during the dormant period between October and March. 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)

- 6 **No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment and Drainage Strategy (February 2016), has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include provision of attenuation for the 1 in 100 year event (+30% allowance for climate change) and a restriction in run-off rates to that outlined by the IDB. Any revisions to the agreed strategy shall be fully justified and approved before the development is completed and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan. Details of how the system will be constructed including any phasing of the scheme, and how it will be managed and maintained after completion will also be included. The scheme shall be implemented in accordance with the approved final details before the development is**

completed, and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with para 103 NPPF.

- 7 No building/dwelling shall be occupied until the developer has formally submitted in writing to the Local Planning Authority a 'Maintenance and Management Plan' for the entire surface water drainage system, inclusive of any adoption arrangements and/or private ownership or responsibilities, and that the approved surface water drainage scheme has been correctly and fully installed as per the final approved details.**

Reason : To ensure that the implementation and long term operation of a sustainable drainage system (SuDS) is in line with what has been approved, in accordance with Written Statement HCWS161 (Policy DM3 CSDMP)

- 8 No development shall take place until the alterations to the roundabout, replacement of the street furniture for the 'green wheel' inclusive of tactile paving and widening of the access inclusive of footways, temporary passing bay and permanent passing bay has been fully constructed in accordance with the approved drawing 17874-TRAV-5-SK001.**

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway, to ensure suitable access is provided for construction vehicles and site occupiers and to ensure development does not affect countryside access via the Green Wheel. (Policy DM3 CSDMP)

- 9 The vehicular access shall be surfaced in bituminous or other similar durable material (not loose aggregate) as may be approved in writing by the Local Planning Authority for its entire length into the site, measured from the highway boundary, before the premises are occupied. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.**

**Reason: To avoid the carriage of mud or other extraneous material or surface water from the site into the highway so as to safeguard the interest of highway safety
(Policy DM3 CSDMP)**

- 10 Prior to occupation, the proposed development shall be carried out and completed in all respects in accordance with the siting and layout, and parking and turning provision illustrated on the approved drawing no. 29191/006/007 Revision B and defined by this permission and,**

notwithstanding the provision of the Town and Country Planning General Permitted Development Order 2015, (or any Order revoking or re-enacting that Order) there shall be no variation without the prior approval in writing of the Local Planning Authority.

Reason: To ensure that the development of the site is completed insofar as its various parts are interrelated and dependent one upon another and to provide adequate and appropriate access arrangements at all times.
(Policy DM3 CSDMP)

- 11 The 'temporary passing bay' hereby approved as shown on Drawing No. 17874-TRAV-5-SK001 shall be retained for use until such a time that the access lane has been widened and constructed to a suitable width as to accommodate a two way flow of vehicles.

Reason: To ensure vehicles can pass on the access road in the interests of highway safety and convenience.
(Policy DM3 CSDMP)

- 12 Development hereby approved shall be carried out in accordance with the proposed details contained in Kennel Farm, Biggleswade, Bedfordshire, Ref: 36566, Ecological Appraisal Dated: 3rd March 2016 as already submitted with the planning application and with details to be submitted to and approved in writing by the Local Planning Authority prior to the development hereby approved coming into use.

Reason: To ensure a net gain in biodiversity.
(Para 109 NPPF)

- 13 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers Drawing Numbers 3079-1000, 2635/00_010 Rev F, 2635/00_015, 17874-TRAV-5-SK001, D2154 L.201 Rev A, 29191/006/008 Rev B, 29191/006/011.

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

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

Reason: To protect *in situ* or record and advance understanding of the heritage assets with archaeological interest which will be unavoidably affected as a consequence of the development. This condition is pre-commencement as a failure to secure appropriate archaeological investigation in advance of development would be contrary to paragraph 141 of the *National Planning Policy Framework* (NPPF) that

requires developers to record and advance of understanding of the significance of any heritage assets to be lost (wholly or in part) as a consequence of the development.

- 15 No works to show equipment or machinery and no operation of machinery shall take place on the plots hereby approved before 7:00 am on weekdays and 9:00 am on Saturdays, Sundays or Bank Holidays nor after 19:00 pm on weekdays and 17:00 pm on Saturdays, Sundays or Bank Holidays.

Reason: To safeguard the residential amenity which the occupiers of neighbouring properties might reasonably expect to enjoy.
(Section 7, NPPF)

- 16 **No development shall take place until details of proposed external lighting to be installed shall have been submitted to and approved in writing by the Local Planning Authority. Any lighting proposed shall utilise LED technology only and details shall include the design of the lighting unit, any supporting structure and the extent of the area to be illuminated. The external lighting shall be installed in accordance with the approved details.**

Reason: To protect the visual amenity of the site and in the interests of biodiversity in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009).

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 applicant is advised that in order to comply with Condition 8 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 Highways Agreements Officer, Highways Contract Team, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ

To fully discharge condition 8 the applicant should provide evidence to the Local Planning Authority that the construction is in accordance with the approved plan, before the development is brought into use.

The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Highways Help Desk tel: 0300 300 8049

The applicant is advised that parking for contractor's vehicles and the storage of materials associated with this development should take place within the site and not extend into within the public highway without authorisation from the highway authority. If necessary the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk on 03003008049. Under the provisions of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of construction of the development hereby approved

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, 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.

Item No. 10

APPLICATION NUMBER	CB/15/01657/OUT
LOCATION	Samuel Whitbread Community College, Shefford Road, Clifton, Shefford, SG17 5QS
PROPOSAL	Outline Application: enhancement of sporting facilities including new '4G' floodlit pitch, tennis courts, improved grass pitches and new changing rooms. Construction of up to 64 new homes on land south west of the main school buildings and new access from Hitchin Road.
PARISH	Clifton
WARD	Arlesey
WARD COUNCILLORS	Cllrs Dalgarno, Shelvey & Wenham
CASE OFFICER	Alex Harrison
DATE REGISTERED	19 May 2015
EXPIRY DATE	18 August 2015
APPLICANT	Bedfordshire East Schools Trust
AGENT	Phillips Planning Services Limited
REASON FOR COMMITTEE TO DETERMINE	Change in 5 year housing land supply position. Parish Council objection to an application for major development
RECOMMENDED DECISION	Outline Application - Granted

Recommendation:

That Outline Planning Permission be granted subject to the completion of a section 106 agreement and the following:

RECOMMENDED CONDITIONS / REASONS

- 1 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 Article 3 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 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.

- 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 an Environmental Construction Management Plan detailing access arrangements for construction vehicles, on-site parking, loading and unloading areas, materials storage areas and wheel cleaning arrangements shall be submitted to and approved in writing by the Local Planning Authority. The construction of the development shall be carried out in accordance with the approved Environmental Construction Management Plan.**

Reason: In the interest of highway safety, to ensure a satisfactory standard of construction and layout for the development and to comply with Policy DM3 of the Core Strategy and Development Management Policies 2009.

- 5 Any application for reserved matters shall include details of the existing and final ground, ridge and slab levels of the buildings. The details shall include sections through both the site and the adjoining properties and the proposal 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).

- 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.**

The soft landscaping scheme, with particular emphasis on the tree planting on the site boundaries, shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes at the time of their planting, and proposed numbers/densities where appropriate; and details of a scheme of management/maintenance of the soft landscaping areas. The soft landscaping areas shall be managed thereafter in accordance with the approved management/maintenance details.

The scheme shall also include an up to date survey of all existing trees and hedgerows on and adjacent to the land, with details of any to be retained (which shall include details of species and canopy spread).

Notwithstanding the details submitted with the application hereby approved the measures for their protection during the course of development should also be included. Such agreed measures shall be implemented in accordance with a timetable to be agreed as part of the landscaping scheme.

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 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 6 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 6.**

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

- 8 **No development shall take place until the detailed design and associated management and maintenance plan for the proposed surface water drainage for the site, based on the national Non-statutory Technical Standards for Sustainable Drainage Systems and a detailed and site specific assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be implemented in accordance with the approved detailed design and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.**

Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance, in accordance with Policy 49 of Development Strategy for Central Bedfordshire Revise Pre-Submission Version June 2014.

- 9 **The details required by Condition 2 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.

- 10 **No development relating to the construction of the dwellings or the community use of the sports pitches shall commence pursuant to this permission until details have been submitted to and approved in writing by the Local Planning Authority of a scheme of noise mitigation that demonstrates how acceptable amenity levels will be maintained for existing and proposed residents as a result of the community use of the leisure facilities hereby approved. The works shall be carried out in accordance with the approved details and shall be in place prior to the occupation of the dwelling to which each works relate.**

Reason: To ensure suitable levels of amenity are provided for residents in accordance with policy DM3 of the Core Strategy and Development Management Policies 2009.

- 11 **No development shall take place unless and until the following have been submitted to and approved in writing by the Local Planning Authority:**
- a. A Phase 1 Desk Study incorporating a site walkover, site history, maps and all further features of industry best practice relating to potential contamination.**
 - b. Where shown to be necessary by the Phase 1 Desk Study, a Phase 2 Site Investigation report further documenting the ground conditions of the site with regard to potential contamination, incorporating appropriate soils and gas sampling.**
 - c. Where shown to be necessary by the Phase 2 Desk Study, a Phase 3 detailed scheme for remedial works and measures to be taken to mitigate any risks to human health, groundwater and the wider environment.**

Any works which form part of the Phase 3 scheme approved by the local authority shall be completed in full before the use hereby permitted commences. The effectiveness of any scheme shall be demonstrated to the Local Planning Authority by means of a validation report (to incorporate photographs, material transport tickets and validation sampling), unless an alternative period is approved in writing by the Authority. Any such validation should include responses to any unexpected contamination discovered during works.

The British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoils that are moved or traded and should be adhered to.

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

Reason: The details are required prior to commencement to protect human health and the environment in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009).

- 12 **No development shall begin until details of the junction between the**

proposed estate road and the highway in accordance with the approved plan number 422-44 Rev B, including the provision of foot and cycleway as indicated 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. The visibility splays shall remain for the perpetuity of the development and shall remain free of any obstruction to visibility.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the proposed estate road in accordance with policy DM3 of the Core Strategy and Development Management policies 2009

- 13 No dwelling shall be occupied until a 3 m wide foot/cycleway has been constructed on the north side of the access road between Hitchin Road and the Academy in accordance with details of the approved scheme to be submitted to and approved by the Council. Any statutory undertakers' equipment or street furniture shall be re-sited as required to provide an unobstructed footway.

Reason: In the interests of road safety and pedestrian movement in accordance with policy DM3 of the Core Strategy and Development Management Policies 2009.

- 14 **Notwithstanding the details in the approved plans, no development shall take place until details have been submitted to and approved in writing by the Local Planning Authority of a schedule of proposed traffic calming works to the access road hereby approved that would prohibit the ability for buses to use the road and to ensure that there is no direct vehicular access between Hitchin Road and the Academy in perpetuity. The works shall be carried out in accordance with the approved details and thereafter be retained.**

Reason: To ensure the safe operation of the surrounding road network in the interests of road safety in accordance with policy DM3 of the Core Strategy and Development Management policies 2009

- 15 Any reserved matters application shall include:
- A traffic management plan that details procedures for managing access to the academy site such that there is no vehicular link to the Hitchin Road
 - Details of the pedestrian route linking the Hitchin Road development to Shefford Road.
 - Details of the pedestrian/cycle route linking to Southfields from the residential development and its mechanism for delivery.
 - Estate road design to geometric standards appropriate for adoption as public highway.
 - Cycle parking and storage in accordance with the council's standards applicable at the time of submission.

- Vehicle parking and garaging, inclusive of visitor parking in accordance with the councils standards applicable at the time of submission.

Reason: In the interests of road safety and pedestrian movement in accordance with policy DM3 of the Core Strategy and Development Management policies 2009

- 16 **No development shall commence at the site before a phasing plan has been submitted to and approved in writing by the Local Planning Authority. Applications for reserved matters and for the approval of details pursuant to a planning condition shall be made with reference to the relevant phase as shown on the phasing plan.**

Reason: To ensure that different elements of the development can come forward at the appropriate time.

- 17 **No development shall take place until details of the design and layout of the Tennis/Netball Court, Cricket Facilities, Athletic Facilities and Sports Pavilion have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The development hereby approved shall not be constructed other than substantially in accordance with the approved details.**

Reason: To ensure the development is fit for purpose and sustainable and to accord with policy DM3 of the Core Strategy and Development Management Policies 2009.

- 18 The community use of the sports facility shall not begin until a scheme setting out the type, design, lux levels and measures to control glare and overspill light from sports lighting and measures to ensure sports lights are switched off when not in use has been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The scheme shall accord with Sport England's "Outdoor Sports Lighting" Briefing Note published in September 2010. After commencement of use of the sports facility the sports lighting shall be operated in accordance with the approved scheme.

Reason: To balance illuminating the sports facility for maximum use with the interest of amenity and sustainability and to accord with policy DM3 of the Core Strategy and Development Management Policies 2009.

- 19 Unless otherwise agreed in advance and in writing by the Local Planning Authority after consultation with Sport England, the sports facility and its associated sports lighting shall not be used outside the hours of:

- 8 a.m. and 10 p.m. Monday to Friday;
- 8 a.m. and 10 p.m. on Saturday; and
- 8 a.m. and 8 p.m. on Sunday and public holidays.

Reason: To balance illuminating the [sports facility for maximum use with the

interest of amenity and sustainability and to comply with policy DM3 of the Core Strategy and Development Management Policies 2009.

- 20 **No development shall take place until a playing field construction specification (including a delivery programme) for the reconfigured pitches at the Samuel Whitbread Academy, prepared in consultation with Sport England, has been submitted to and approved in writing by the Local Planning Authority. The approved specification shall be complied with in full prior to the completion of the development unless otherwise agreed with the Local Planning Authority.**

Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose and to with policy DM3 of the Core Strategy and Development Management Policies 2009.

- 21 **No development shall take place until the following documents have been submitted to and approved in writing by the Local Planning Authority, after consultation with Sport England:**

- (i) A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field which identifies constraints which could affect playing field quality; and**
- (ii) Based on the results of the assessment to be carried out pursuant to (i) above, a detailed scheme which ensures that the playing field will be provided to an acceptable quality. The scheme shall include a written specification of soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.**

The approved scheme shall be carried out in full and in accordance with a timeframe agreed with the Local Planning Authority [after consultation with Sport England] [or other specified time frame – e.g. before first occupation of the educational establishment]. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.

Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose and to with policy DM3 of the Core Strategy and Development Management Policies 2009.

- 22 **No development shall take place until a scheme to ensure the continuity of the existing sports use on the playing fields and facilities shown edged within the red line area on Drawing No. 14-01 during construction works is submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The scheme shall ensure that the sports facilities remain at least as accessible and at least equivalent in terms of size, usefulness, attractiveness and quality to the existing playing fields and facilities and shall include a timetable for implementation. The approved scheme shall be implemented and complied with in full throughout the carrying out of the development.**

Reason: To protect the playing fields from damage, loss or availability of use and to accord with Policy E4 of Sport England's Playing Field Policy.

- 23 Any future reserved matters application shall be accompanied with a bat transect survey which shall be carried out prior to submission with its recommendations taken account of in the detailed designs of the scheme.

Reason: To ensure development takes account of bat potential in the area in accordance with the recommendations of the Preliminary Ecological Appraisal by Landscape Planning Ltd that accompanies the application and in the interests of policy DM15 of the Core Strategy and Development Management Policies 2009.

- 24 **No development shall take place until details of the design and layout of the Artificial Grass Pitch, as proposed in accordance with Appendix 4 of the document Sport England Response to comments (January 2016 revision) have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The development hereby approved shall not be constructed other than substantially in accordance with the approved details.**

Reason: To ensure the development is fit for purpose and sustainable and to accord with policy DM3 of the Core Strategy and Development Management Policies 2009.

- 25 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 14-01 and 522-44 Rev B.

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. The applicant is advised that in order to comply with both Condition 1 and 2 of this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks

Walk, Chicksands, Shefford SG17 5TQ.

3. 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 Highways Help Desk tel: 0300 300 8049
4. All roads to be constructed within the site shall be designed in accordance with Central Bedfordshire Council's publication "Design in Central Bedfordshire A Guide to Development" and the Department for Transport's "Manual for Streets", or any amendment thereto.
5. The applicant is advised that the design and layout of the sports facility should comply with the relevant industry Technical Design Guidance, including guidance published by Sport England, National Governing Bodies for Sport. Particular attention is drawn to:
 - Artificial Surfaces for Outdoor Sports guidance note (2013)
 - England & Wales Cricket Board's TS6 document on Performance Standards for Non-Turf Cricket Pitches Intended for Outdoor Use
 - Sport England's Athletics design guidanceSport England's Pavilions and Clubhouses design guidance

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.

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Item No. 11

APPLICATION NUMBER	CB/17/00358/RM
LOCATION	Land east of Hitchin Road and south of the Former Pig Testing Unit, Hitchin Road, Stotfold
PROPOSAL	Reserved Matters: Erection of 180 dwellings with landscaping, open space and associated works pursuant to outline planning permission reference CB/16/01455/OUT dated 30th June 2016
PARISH	Fairfield
WARD	Stotfold & Langford
WARD COUNCILLORS	Cllrs Dixon, Saunders & Saunders
CASE OFFICER	Alex Harrison
DATE REGISTERED	06 February 2017
EXPIRY DATE	08 May 2017
APPLICANT	Lochailort Fairfield Ltd
AGENT	
REASON FOR COMMITTEE TO DETERMINE	Parish Council objection to a major application.
RECOMMENDED DECISION	Reserved Matters - Approval

Recommendation:

That Reserved Matters consent be granted subject to the following:

RECOMMENDED CONDITIONS / REASONS

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

**Reason: To control the appearance of the building in the interests of the visual amenities of the locality. This is a pre-commencement condition as material details need to be agreed prior to start of development.
(Section 7, NPPF)**

- 2 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows, including dormer windows and rooflights shall be inserted into the northern (rear) elevation of Plot 12 or the western (rear) elevation of Plot 33 of the development hereby approved, without the grant of further specific planning permission from the Local Planning Authority.**

Reason: To protect the privacy of neighbouring residents.
(Section 7, NPPF)

- 3 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the garages with habitable accommodation above at plots 58, 59, 60, 65, 72, 73, 75, 91, 92, 93 and 99 hereby permitted shall only be used ancillary to the dwellings to which they relate as shown on the approved plans.

Reason: To prevent the establishment of an independent unit on the site in the interests of highway safety and convenience and neighbouring residential amenity.
(DM3 CSDMP)

- 4 **Notwithstanding the details in the approved plans, no development shall take place until details have been submitted to and approved in writing by the Local Planning Authority of a scheme of hard and/or soft landscaping at the western part of the site to provide purposely designed measures aimed to address the issue of on street parking of visitors to the commercial unit(s) hereby approved. The works shall then be carried out in accordance with the approved details and be in place prior to the first commercial unit coming into operation.**

**Reason: To ensure the operation of the commercial unit(s) hereby approved will not adversely affect highway safety and convenience.
(DM3 CSDMP)**

- 5 **Notwithstanding the details in the approved plans, no development shall take place until details have been submitted to and approved in writing by the Local Planning Authority of a revised landscaping scheme for the eastern part of the site which shows a proposed footpath, planting and drainage scheme that is located outside of the Internal Drainage Board's 7 metre byelaw strip taken from the near edge of Pix Brook. The works shall then be carried out in accordance with the approved details and in accordance with a timetable for delivery submitted for approval as part of these details.**

**Reason: To ensure the development does not inhibit the maintenance of Pix Brook as required by the Internal Drainage board in the interests of drainage in the area.
(DM3 CSDMP)**

- 6 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 17755/1003F, 17755/1006D, 17755/1007C, 17755/1009, 17755/1010A, 17755/1018B, 'energetics' Substation Plan Rev B, 38149/C/110, 17755/120, 17755/121, 17755/122, 17755/123A, 17755/124, 17755/125, 17755/126, 17755/127, 17755/128A, 17755/129, 17755/130A, 17755/131, 17755/132A, 17755/133A, 17755/134a, 17755/135, 17755/136, 17755/137, 17755/138B, 17755/139, 17755/140, 17755/141C, 17755/142C,

17755/143, 17755/144, 17755/145, 17755/146A, 17755/147A, 17755/148, 17755/149, 17755/150, 17755/152A, 17755/153, 17755/154B, 17755/155, 17755/156, 17755/157, 17755/158C, 17755/159, 17755/160A, 17755/161, 17755/163, 401B, 402B, 403B, 404B, 405B, 406B, 407C, 408.

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 the location of the construction compound is not approved as part of this permission and is required to be approved by condition on the outline consent. An appropriate location for such a compound would be away from existing residential properties so as to minimise any impact on amenity.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, 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.

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Item No. 12

APPLICATION NUMBER	CB/17/02023/OUT
LOCATION	Land adjacent to Haynes Turn, south of High Road, Haynes Turn, Haynes
PROPOSAL	Outline Application: with all matters reserved for the erection of five detached dwellings
PARISH	Haynes
WARD	Houghton Conquest & Haynes
WARD COUNCILLORS	Cllr Mrs Barker
CASE OFFICER	Michael Huntington
DATE REGISTERED	31 May 2017
EXPIRY DATE	26 July 2017
APPLICANT	LSF Properties
AGENT	CB Architecture
REASON FOR COMMITTEE TO DETERMINE	Ward Member call-in: <ul style="list-style-type: none">• Overdevelopment;• Highways;• Outside settlement envelope
RECOMMENDED DECISION	Outline Application - Approval

That planning permission be REFUSED for the following reasons:

1. Loss of amenity

The proposed development would cause harm to the amenities of existing and future residents by unsatisfactorily intensifying the amount of development within the area previously approved by planning application ref. CB/16/01088/OUT. The potential benefits to be had from the development comprising the addition to the village's housing stock including the policy presumption in favour of using land effectively and in sustainable locations are acknowledged but are not considered sufficient to outweigh the identified harm in terms of amenity harm, and as such would be contrary to the objectives of Policy DM3 of the Core Strategy and Development Management Policies 2009 and the NPPF.

2. Overdevelopment

The proposed development would cause harm to the character and appearance of the area by unsatisfactorily intensifying the amount of development within the area previously approved by the planning ref. CB/16/01088/OUT, would fail to respect the semi-rural edge to the settlement in this location, would neither protect nor enhance the natural and built environment, and as such would be contrary to the objectives of Policy DM3 of the Core Strategy and Development Management Policies 2009 and the NPPF.

3. Highways

The proposal, by increasing the number of units using the access from 7 dwellings to 9 dwellings, would cause harm by intensifying the use of the access, and would lead to danger and inconvenience to users of the highway and the properties. The proposed development would therefore be detrimental to highway safety and users of the proposal, and would be contrary to the objectives of Policy DM3 of the Core Strategy and Development Management Policies 2009 and the NPPF.

Item No. 6

APPLICATION NUMBER CB/16/01389/FULL
LOCATION Land off A5 at Checkley Wood Farm, Watling Street, Hockliffe, Leighton Buzzard, LU7 9LG
PROPOSAL Installation of a single wind turbine with a maximum tip height of 143.5m (hub height 100m; rotor diameter of 87.0m), substation, hardstanding area, access track, underground cabling and associated infrastructure.
PARISH Heath & Reach
WARD Heath & Reach
WARD COUNCILLORS Cllr Versallion
CASE OFFICER Debbie Willcox
DATE REGISTERED 05 May 2016
EXPIRY DATE 04 August 2016
APPLICANT Checkley Wood Energy Limited
AGENT Engena Limited
REASON FOR COMMITTEE TO DETERMINE Major application with Parish Council objections; and

Called in by Cllr Versallion for the following reasons:

- A loss of visual and landscape amenity;
- The proposal would be overdevelopment, combined with the existing largest turbine in the country;
- It would be overbearing with its height and dominance within the landscape;
- The impact on landscape would be very dominant and from many and far reaching views;
- There is high public interest in the application.

RECOMMENDED DECISION

Full Application - Recommended for Approval

Recommendation:

That Planning Permission be APPROVED subject to the following:

RECOMMENDED CONDITIONS

- 1 The development hereby permitted shall begin not later than five 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 make and model of the turbine hereby permitted shall be a Vensys 87, with a maximum height of 143.5 metres and a maximum rotor diameter no greater than 87m.

Reason: The acceptability of the proposal is based on the turbine matching in dimensions (including rotor cell), appearance, performance, and impact in terms of noise and shadow flicker, the existing turbine at Double Arches, which is a Vensys 87 turbine.
(Policy BE8, SBLPR and Sections 7 & 11, NPPF)

- 3 **No development shall take place until details of the colour finishes of the turbine and the substation hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and retained as such thereafter.**

**Reason: To protect the visual amenities of the area.
(Policy BE8, SBLPR and Section 7, NPPF)**

- 4 **No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority and Highways England. Development shall be carried out in accordance with the approved Construction Method Statement. The CMS shall identify:**

- i) Areas on site designated for the storage of heavy duty plant and equipment, including vehicles, and car parking facilities for construction site operatives and visitors;**
- ii) Activities like earth moving, aggregate mixing, crushing, screening, and piling and on-site storage and transportation of raw material;**
- iii) Working practices to control emissions of dust and mud arising from on-site activities, including details of wheel-wash facilities;**
- iv) Working practices for protecting nearby dwellings, including measures to control noise and vibration arising from on-site activities as set out in British Standard 5228:2009 Noise and Vibration Control on Construction and Open Sites;**
- v) Details of bunded facilities for any storage of oils, fuels or chemicals;**
- vi) Details of the temporary construction compound; and**
- vii) A programme for the construction works.**

Reason: The condition must be discharged prior to commencement to protect the amenities of the neighbouring residential properties and

**highway safety.
(Policy BE8, SBLPR and Sections 4 & 11, NPPF)**

- 5 The temporary construction compound shall be removed no later than three months from the date of commissioning of the turbine and the ground restored to its previous condition within six months of such removal, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the character and appearance of the surrounding area and to ensure that the compound is removed within an acceptable timeframe as the structure is temporary.

(Policy BE8, SBLPR and Section 7, NPPF)

- 6 **No development shall take place until a traffic management plan, as set out in the Transport Assessment accompanying the application, for the implementation of the permission has been submitted to, and approved in writing by the Local Planning Authority and Highways England. The scheme shall include arrangements for exceptional loads and appropriate temporary signage and shall be implemented in accordance with the approved details.**

Reason: The condition must be discharged prior to commencement in the interests of highway safety.

(Section 4, NPPF)

- 7 **No development shall take place until a scheme of foul drainage for the constructional and operational phases of the development has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

Reason: The condition must be discharged prior to commencement to ensure appropriate drainage during the construction phase.

(Section 10, NPPF)

- 8 **A Biodiversity Management Plan (BMP), to include details of bat and bird mortality monitoring and ecological enhancements, shall be submitted to and be approved in writing by the local planning authority prior to the commencement of the development. The BMP shall also set out (where the results from monitoring show that conservation aims and objectives are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.**

Reason: The condition must be discharged prior to commencement to ensure that biodiversity interests are protected, including during the

**construction period.
(Section 11, NPPF)**

- 9 The turbine hereby permitted shall not be first brought into use until a landscaping scheme to include the replacement or reinforcement of damaged or removed sections of hedgerow has 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 first use of the turbine (a full planting season means the period from October to March). The hedgerow shall subsequently be maintained and any which die or are destroyed during the lifetime of the development shall be replaced during the next planting season.

Reason: To ensure an acceptable standard of landscaping.
(Policy BE8, SBLPR and Sections 7 & 11, NPPF)

- 10 The rating level of noise immissions from the Checkley Wood wind turbine in isolation and, if operational, in combination with the Double Arches wind turbine (Planning Ref CB/10/03034/FULL)(including the application of any tonal penalty to the single or combined sound), as determined in accordance with the attached Guidance Notes, which form part of this condition, shall not exceed the decibel value identified for the relevant integer wind speed in relation to the relevant dwellings identified in the tables attached to this condition, provided when assessing noise impact in combination, the noise immissions from the Double Arches turbine does not also exceed the limits in isolation. In the case of any dwelling not identified in the tables which lawfully exists or has planning permission at the date of this permission, the rating level of noise immission shall not exceed the levels as derived in accordance with this condition, provided when assessing noise impact in combination, the noise immissions from the Double Arches turbine does not also exceed the limits in isolation.

Furthermore:

- a. The wind turbine operator shall continuously log power production, nacelle wind speed, orientation and wind direction, any cap or limitation provided on power generated, the rotational speed as RPM, blade pitch and any settings applied controlling blade pitch and turbine RPM, and ensure data of such elements is available in accordance with Guidance Note 1(d). The wind turbine operator shall also continuously log 10 metre height wind speeds, wind direction and ground level rainfall all of which must be arithmetically averaged over 10 minute periods, measured at locations approved in writing by the local planning authority during any checks for compliance with this condition after being so required by the local planning authority. All the data must correlate with measured noise levels throughout the duration of any noise measurements. These data shall be obtained for any compliance checks and retained by the operator for the life of the planning permission. The wind turbine operator shall

provide this information in the format set out in Guidance Note 1(d) to the Local Planning Authority on its request, within 28 days of receipt in writing of such a request.

- b. No electricity shall be exported until the wind turbine operator has submitted to the Local Planning Authority for written approval, and such approval has been given, a list of proposed independent consultants who may undertake compliance measurements on behalf of the operator in accordance with this condition. Amendments to the list of approved consultants shall be made only with the prior written approval of the Local Planning Authority.
- c. Within 21 days from receipt of a written request from the Local Planning Authority following a complaint to it from an owner or occupier of a dwelling alleging noise disturbance at that dwelling, the wind turbine operator shall, at its expense, employ a consultant approved by the Local Planning Authority to assess the level of noise immissions from the wind turbine at the complainant's dwelling in accordance with the procedures described in the attached Guidance Notes. The written request from the Local Planning Authority shall set out at least the date or some dates, time and location that the complaint relates to and where known any identified atmospheric conditions, including wind direction as well as a statement as to whether, in the opinion of the Local Planning Authority, the noise giving rise to the complaint contains or is likely to contain a tonal component.
- d. The assessment of the rating level of noise immissions from the Checkley Wood wind turbine in isolation and, if operational, in combination with the Double Arches wind turbine shall be undertaken in accordance with an assessment protocol that shall, prior to the commencement of any measurements, have been submitted to and approved in writing by the Local Planning Authority. The protocol shall include the proposed measurement location or locations identified in accordance with the Guidance Notes where measurements for compliance checking purposes shall be undertaken and also the range of meteorological and operational conditions (which shall include the range of wind speeds, wind directions, power generation and times of day) to determine the assessment of rating level of noise immissions along with a reasoned assessment as to whether the noise giving rise to complaint contains or is likely to contain a tonal component. The proposed range of conditions shall include those which prevailed during times when the complainant alleges there was disturbance due to noise, having regard to the written request of the Local Planning Authority under paragraph (c), and such others as the independent consultant or local planning authority consider likely to result in a breach of the noise limits. The data analysis shall exclude periods unlikely to contribute to the complaint in relation to

the decibel level of noise.

- e. Where a dwelling to which a complaint is related is not listed in the tables attached to these conditions and any part of its dwelling building is within the 35dBA contour identified in Plan A or B as attached to this permission, the wind turbine operator shall submit to the Local Planning Authority for written approval proposed noise limits selected from those listed in the tables to be adopted at the complainant's dwelling for compliance checking purposes. The proposed noise limits shall be those limits selected from the Tables specified for a listed location which the independent consultant considers as being likely to experience the most similar background noise environment to that experienced at the complainant's dwelling. In the event noise limits are not approved within 42 days of the operator being notified of the complaint, the limits at each 10 metre height wind speed shall be the lowest of any of those properties which are listed in the tables.
- f. In the case of wind turbine noise from the Checkley Wood turbine in isolation at any dwelling building located further than the predicted 35dBA contour shown in Plan A, attached to this permission and used for identification purposes only to which a complaint is related, a limit of 35dB LA90(10 minutes) shall apply at all times and for all wind speeds up to 12m/s as a 10 minute arithmetic average value when measured in accordance with this condition. In the case of wind turbine noise from the Checkley Wood turbine in combination with wind turbine noise from the Double Arches turbine at any dwelling building located further than the predicted 35dBA contour shown in Plan B, attached to this permission and used for identification purposes only to which a complaint is related, a limit of 35dB LA90(10 minutes) shall apply at all times and for all wind speeds up to 12m/s as a 10 minute arithmetic average value when measured in accordance with this condition, provided when assessing noise impact in combination, the noise immissions from the Double Arches turbine does not also exceed the limits in isolation.
- g. The wind turbine operator shall provide to the Local Planning Authority the independent consultant's assessment of the rating level of noise immissions undertaken in accordance with the Guidance Notes within 2 months of the date of the written request of the Local Planning Authority for compliance measurements to be made under paragraph (c), unless the time limit is extended in writing by the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority, the assessment shall be accompanied by all data collected for the purposes of undertaking the compliance measurements, such data to be provided in the format set out in paragraph 1(d) of the Guidance Notes with the exception of audio data which shall be supplied in the format in which it is recorded. The instrumentation used to undertake the measurements shall

be calibrated in accordance with Guidance Note 1(a) and certificates of calibration shall be submitted to the Local Planning Authority with the independent consultant's assessment of the rating level of noise immissions.

h. Where a further assessment of the rating level of noise immissions from the wind turbine is required pursuant to Guidance Note 4(c), the wind turbine operator shall submit a copy of the further assessment within 21 days of submission of the independent consultant's assessment pursuant to paragraph (d) above unless the time limit has been extended in writing by the Local Planning Authority.

i. Once the Local Planning Authority has received the independent consultant's noise assessment required by this condition, including all noise measurements and audio recordings and the Local Planning Authority is satisfied of an established breach of the noise limit, then upon notification by the Local Planning Authority in writing to the wind farm operator of the said breach, the wind farm operator shall mitigate to prevent future recurrence of the said breach and within 28 days of the notification, shall propose a mitigation scheme in writing for the approval of the Local Planning Authority. The scheme shall be designed to mitigate the existence or likely recurrence of a breach. The scheme shall specify the timescales for implementation. The approved scheme including any caveats or controls on it applied by the Local Planning Authority as part of its approval shall be implemented as approved and thereafter retained unless otherwise agreed by the Local Planning Authority, in writing.

Table 1 – Noise Limits 0700 - 2300 (dB LA90,10 minutes)

Location	Measured wind speed at 10 metre height (m/s) at the location approved by the local planning authority averaged over 10-minute periods											
	1	2	3	4	5	6	7	8	9	10	11	12
The dwellings identified as H14-H17, Overend Green as specified in the Double Arches Wind Turbine Environmental Statement Volume 1: Main text July 2010 paragraph 7.3.3	35.0	35.0	37.0	39.0	41.0	43.0	45.0	47.0	49.0	51.0	53.0	55.0
H18 – Overend	35.0	35.0	37.0	39.0	41.0	43.0	45.0	47.0	49.0	51.0	53.0	55.0

Kingsway Bungalow	43.0	43.0	43.0	43.0	43.0	43.0	43.0	43.0	43.0	43.0	43.0	43.0
Mileway House	43.0	43.0	43.0	43.0	43.0	43.0	43.0	43.0	43.0	43.0	43.0	43.0

Table 3: Coordinate locations of the dwellings listed in Tables 1 and 2

Dwelling	Easting	Northing
The dwellings identified as H14-H17, Overend Green as specified in the Double Arches Wind Turbine Environmental Statement Volume 1: Main text July 2010 paragraph 7.3.3	493263	228805
H18 – Overend Green	493357	228722
H19 - Bethney	493374	228685
Checkley Wood Bungalow	494822	229040
Sandhouse Cottages	493794	229866
The Poplars	494413	228520
Potsgrove	495042	229840
H1	493649	230022
Kingsway Bungalow	494433	228220
Mileway House	494425	228472

Note to Table 3: The geographical coordinate references are provided for the purpose of identifying the general location of dwellings to which a given set of noise limits applies.

Note: For the purposes of this condition, a “dwelling” is a building within Use Class C3 & C4 of the Town and Country Planning (Use Classes) Order 1987 which lawfully exists or had planning permission at the date of this consent.

Reason: To ensure that the amenities of neighbouring occupiers are not prejudiced by excessive noise.
(Policy BE8, SBLPR and Section 11. NPPF)

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

- a. A change in the measured LAeq 100 milliseconds turbine noise level

of more than 3dB (represented as a rise and fall in sound energy levels each of more than 3dB) occurring within a 2 second period.

b. The change identified in (a) above shall not occur less than 5 times in any one minute period provided that the LAeq, 1 minute turbine sound energy level for that minute is not below 28dB.

c. The changes identified in (a) and (b) above shall not occur for fewer than 6 minutes in any hour.

Noise immissions shall be measured at a complainant's dwelling not further than 35m from the relevant dwelling building, and not closer than 3.5m of any reflective building or surface other than the ground, or within 1.2m of the ground.

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

(Policy BE8, SBLPR and Section 11, NPPF)

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

- Prior to the commencement of any measurements by the independent consultant to be undertaken in accordance with this condition, the wind farm operator shall submit to the Local Planning Authority for written approval the proposed measurement location identified. Measurements to assess compliance with the noise limit of this condition shall be undertaken at the measurement location or locations approved in writing by the Local Planning Authority.
- Prior to the submission of the independent consultant's assessment of the noise emissions in accordance with the requirements of this condition, the wind turbine operator shall submit to the Local Planning Authority for written approval a proposed assessment protocol setting out the range of meteorological and operational conditions (which shall include the range of wind speeds, wind directions, turbine power generation and where available, rotational speed and blade pitch settings and also the times of day) to determine the assessment of noise emissions.

- The proposed range of meteorological conditions shall be those which prevailed during times when the complainant alleges there was disturbance due to noise, or are identified as causing greater than expected amplitude modulation, having regard to the written request of the Local Planning Authority, and such other conditions as the independent consultant considers likely to result in a breach of the noise limits. The assessment of the noise emissions shall be undertaken in accordance with the assessment protocol approved in writing by the Local Planning Authority.
- The wind turbine operator shall provide to the Local Planning Authority the independent consultant's assessment of greater than expected amplitude modulation within 2 months of the date of the written request of the Local Planning Authority unless the time limit is extended in writing by the Local Planning Authority. The assessment shall include all data collected for the purposes of undertaking the compliance measurements, such data to be provided in the format set out in the Guidance Note to this condition where that guidance is provided on that data type.
- The wind turbine operator shall continuously log power production, nacelle wind speed, nacelle wind direction and nacelle orientation at the wind turbine and where available, blade pitch and revolutions per minute, expressed as 10 minute averages. 10m height wind speeds averaged over 10 minute periods shall be measured at a location approved by the local planning authority for comparison with noise levels, for the duration of the noise level compliance check survey. Rainfall shall also be measured during any measurement regime at a location approved by the local authority in writing. These data obtained shall be retained for the life of the planning permission. The wind turbine operator shall provide this information in the format set out in the Guidance Note to the Local Planning Authority on its request, within 14 days of receipt in writing of such a request.
- Once the Local Planning Authority has received the independent consultant's noise assessment required by this condition, including all noise measurements and audio recordings, where the Local Planning Authority is satisfied of an established breach of the noise limit, upon notification by the Local Planning Authority in writing to the wind turbine operator of the said breach, the wind turbine operator shall within 14 days propose a scheme for the approval of the Local Planning Authority. The scheme shall be designed to mitigate the breach and to prevent its future recurrence. This scheme shall specify the timescales for implementation. The scheme shall be implemented as approved by the Local Planning Authority and

according to the timescales within it. The scheme as implemented shall be retained thereafter unless otherwise agreed with the Local Planning Authority.

Reason: To ensure that the amenities of neighbouring occupiers are not prejudiced by excessive noise.
(Policy BE8, SBLPR and Section 11, NPPF)

- 13 The turbine shall not be first brought into use until a mitigation scheme setting out details of works necessary to mitigate any adverse effects to domestic television signals in the area caused by the development, which shall include a provision for the investigation and resolution of any claim by any person for loss or interference of their domestic television signal at their household within 12 months of the final commissioning of the wind turbine, has been submitted to and approved in writing by the local planning authority. The mitigation scheme shall be based upon the baseline television signal measurements carried out by GTech Surveys (Reference: Household Viewing Preference Survey – Checkley Wood Wind Turbine Development), as submitted to the Local Planning Authority.

Reason: In the interests of ensuring that surrounding residents continue to receive an adequate standard of domestic television reception.
(Section 5, NPPF)

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

Reason: To ensure shadow flicker is adequately mitigated.
(Policy BE8, SBLPR and Section 7, NPPF)

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

Reason: In the interests of visual amenity and landscape protection.
(Policy BE8, SBLPR and Sections 7 & 11, NPPF)

- 16 Not later than 3 months from the date that the planning permission hereby granted expires, or if the turbine ceases to operate for a continuous period of 6 months then, unless otherwise agreed in writing with the Local Planning

Authority, it shall be dismantled and removed from the site and the land reinstated to its former condition.

Reason: To ensure that the turbine is removed at the end of its operational life and to safeguard the character of the locality.
(Policy BE8, SBLPR and Sections 7 & 11, NPPF)

- 17 All electrical cabling on site shall be buried underground unless otherwise approved in writing by the Local Planning Authority.

Reason: For the avoidance of doubt.

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

Reason: To protect the quality of controlled waters in accordance with Groundwater Protection, Policy and Practice (GP3) P9-6 and Planning Policy Statement 23 (PPS23). The nature of soil and groundwater contamination is such that even where comprehensive site investigation is undertaken, some unsuspected contamination may exist between sample locations. This condition allows a reactive mechanism for the control of the way in which such contamination is treated, should it be discovered.
(Section 11, NPPF)

- 19 Upon installation, the turbine shall be fitted with MoD accredited 25 candela omni-directional red lighting or infrared aviation lighting with an optimised flash pattern of 60 flashes per minute of 200ms to 500ms duration at the highest practicable point and this shall be retained for the lifetime of the turbine.

Reason: In the interests of air safety.
(Section 10, NPPF)

- 20 **No development shall take place until a scheme for a project that will better reveal the historic significance of Saint Peter and All Saints Church at Battlesden (Grade I Listed) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include timescales for the delivery of the agreed project. The agreed scheme shall subsequently be delivered in accordance with the agreed timescales.**

Reason: The proposal would result in less than substantial harm to the setting of the Grade I Listed Church and the project is in line with

**paragraph 137 of the NPPF as it would mitigate that impact.
(Section 12, NPPF)**

- 21 The development shall be carried out and operated in accordance with the mitigation measures set out in the Hydrological Assessment prepared by Wallingford HydroSolutions Limited dated January 2016.

Reason: To ensure that no contamination of waters under and around the site takes place.
(Section 11, NPPF)

- 22 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers Figure 2A (received 27/06/2016), Figures 4 & 7 of the "Revised Figures and Visualisations - 87m Rotor Diameter" document dated June 2016 and Figures 6 & 8 of the "Checkley Wood Single Wind Turbine: Environmental Report Figures" dated March 2016

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

INFORMATIVE NOTES TO APPLICANT

1. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the South Bedfordshire Local Plan Review (SBLPR) and the National Planning Policy Framework (NPPF).
2. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
3. Guidance Notes for Noise Condition 10

These notes are to be read with and form part of condition 10 of this planning permission. They further explain the condition and specify the methods to be employed in the assessment of complaints about noise immissions from the wind turbine and cumulatively with the Double Arches turbine. The rating level at each integer wind speed is the arithmetic sum of the wind turbine noise level whether singularly from the Checkley Wood wind turbine and, if operational, cumulatively with the Double Arches wind turbine, provided the Double Arches noise immissions do not exceed the limits applied in this condition in isolation of the operation of the Checkley

Wood turbine. The rating level is determined from the best-fit curve described in Guidance Note 2 of these Guidance Notes and any tonal penalty applied in accordance with Guidance Note 3. Reference to ETSU-R-97 refers to the publication entitled "The Assessment and Rating of Noise from Wind Farms" (1997) published by the Energy Technology Support Unit (ETSU) for the Department of Trade and Industry (DTI).

Guidance Note 1

a. Values of the LA90, 10minutes noise statistic should be measured at the complainant's dwelling, using a sound level meter of EN 60651/BS EN 60804 Type 1, or BS EN 61672 Class 1 quality (or the equivalent UK adopted standard in force at the time of the measurements) set to measure using the fast time weighted response as specified in BS EN 60651/BS EN 60804 or BS EN 61672-1 (or the equivalent UK adopted standard in force at the time of the measurements). This should be calibrated in accordance with the procedure specified in BS 4142: 2014 (or the equivalent UK adopted standard in force at the time of the measurements). Measurements shall be undertaken in such a manner to enable a tonal penalty to be applied in accordance with Guidance Note 3.

b. The microphone should be mounted at 1.2 - 1.5 metres above ground level, fitted with a two- layer windshield or suitable equivalent approved in writing by the Local Planning Authority, and placed outside the complainant's dwelling. Measurements should be made in "free field" conditions. To achieve this, the microphone should be placed at least 3.5 metres away from the building facade or any reflecting surface except the ground at the approved measurement location. In the event that the consent of the complainant for access to his or her dwelling to undertake compliance measurements is withheld, the wind turbine operator shall submit for the written approval of the Local Planning Authority details of the proposed alternative representative measurement location prior to the commencement of measurements and the measurements shall be undertaken at the approved alternative representative measurement location.

c. The LA90,10 minute measurements should be synchronised with measurements of the 10-minute arithmetic average wind and operational data logged in accordance with Guidance Note 1(d), including the power generation data from the turbine control systems of the wind turbine and meteorological data recorded for the purposes of compliance testing.

d. Data provided to the Local Planning Authority in accordance with this noise condition shall be provided in comma separated values in electronic format, except descriptions of any other controls applied to turbine operation such as any cap on power output and audio data. The latter shall be provided in the form originally recorded.

e. A data logging rain gauge shall be installed in the course of the assessment of the levels of noise immissions. The gauge shall record over successive 10-minute periods synchronised with the periods of data recorded in accordance with Note 1(c).

Guidance Note 2

a. The noise measurements shall be made so as to provide not less than 20 valid data points as defined in Guidance Note 2 (b) and the data separated into periods chronologically occurring within the conditions identified as relevant for those leading to complaint with each assessed data set including not more than 40 valid data points each.

b. Valid data points are those measured in the conditions specified in the approved written protocol under paragraph (d) of the noise condition, but excluding any periods of rainfall measured at the location approved under paragraph (a) of the condition in the vicinity of the sound level meter. Rainfall shall be assessed by use of a rain gauge that shall log the occurrence of rainfall in each 10 minute period concurrent with the measurement periods set out in Guidance Note 1.

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

Guidance Note 3

a. Where, in accordance with the approved assessment protocol under paragraph (d) of the noise condition, noise immissions at the location or locations where compliance measurements are being undertaken contain or are likely to contain a tonal component, a tonal penalty is to be calculated and applied using the following rating procedure.

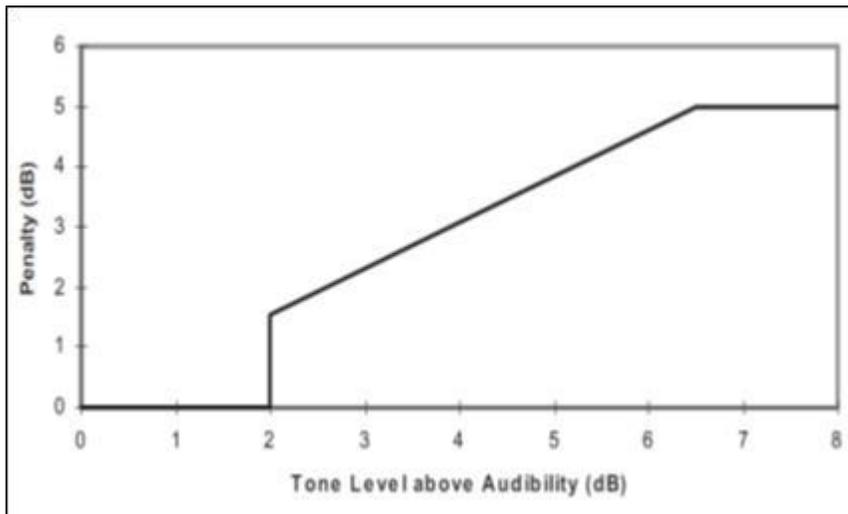
b. For each 10-minute interval for which LA90 data have been determined as valid in accordance with Guidance Note 2 a tonal assessment shall be performed on noise immissions during 2 minutes of each 10-minute

period. The 2 minute periods should be spaced at 10 minute intervals provided that uninterrupted uncorrupted data are available ("the standard procedure"). Where uncorrupted data are not available, the first available uninterrupted clean 2-minute period out of the affected overall 10-minute period shall be selected. Any such deviations from the standard procedure, as described in Section 2.1 on pages 104-109 of ETSU-R-97, shall be reported.

c. For each of the 2 minute samples the tone level above or below audibility shall be calculated by comparison with the audibility criterion given in Section 2.1 on pages 104-109 of ETSU-R-97.

d. The average tone level above audibility shall be calculated for each wind speed bin, each bin being 1 metre per second wide and centred on integer wind speeds. Samples for which the tones were below the audibility criterion or no tone was identified, a value of zero audibility shall be substituted.

e. The tonal penalty for each wind speed bin is derived from the margin above audibility of the tone according to the figure below.



Guidance Note 4

a. If a tonal penalty is to be applied in accordance with Guidance Note 3 the rating level of the turbine noise whether singularly for Checkley Wood turbine or in combination with Double Arches turbine, at each wind speed, is the arithmetic sum of the measured noise level as determined from the best fit curve described in Guidance Note 2 and the penalty for tonal noise as derived in accordance with Guidance Note 3 at each integer wind speed within the range specified by the Local Planning Authority in protocol under paragraph (d) of the noise condition.

- b. If no tonal penalty is to be applied then the rating level of the turbine noise at each wind speed is equal to the measured noise level as determined from the best fit curve described in Guidance Note 2.
- c. In the event that the rating level is above the limit(s) set out in the Tables attached to the noise conditions or the noise limits for a complainant's dwelling approved in accordance with paragraph (e) of the noise condition, the independent consultant shall undertake a further assessment of the rating level to correct for background noise so that the rating level relates to wind turbine noise immission only.
- d. The wind turbine operator shall carry out measurements for such period as the independent consultant requires undertaking any further noise measurements required under Guidance Note 4(c). Where it is not possible to obtain measurements of noise that are absent sound contribution from the Double Arches turbine and the Checkley Wood turbine, the background noise levels obtained from the assessment of compliance with the Double Arches turbine noise which is also absent noise from Checkley Wood turbine shall be used as the background noise level for determination of background noise contribution to the rated wind turbine noise whether assessing noise from Checkley Wood turbine in isolation or in combination with noise from Double Arches turbine at each integer wind speed. Where measurements of background noise levels absent any turbine operational noise are not obtainable for the purposes of determining its contribution to measured noise as part of the operator's compliance checks, the independent consultant shall submit a method for determining the background noise contribution. This method shall be subject to the prior written approval of the Local Planning Authority, which shall be subject to any controls or caveats of that approval as required by the Local Planning Authority.
- e. The steps in Guidance Note 2 shall be repeated with the turbine shut-down in accordance with Guidance Note 4(d), in order to determine the background noise level at each integer wind speed within the range requested by the Local Planning Authority in its written request under paragraph (c) and the approved protocol under paragraph (d) of the noise condition. The operators of Checkley Wood turbine shall also cause the turbine to cease operation for any period required by the Local Planning Authority for the purpose of its own assessment of background noise levels absent its turbine noise.
- f. The wind turbine noise at each integer wind speed shall then be calculated in line with best practice.
- g. The rating level shall be re-calculated by adding arithmetically the tonal penalty (if any is applied in accordance with Note 3) to the derived

wind turbine noise at that integer wind speed.

h. If the rating level after adjustment for background noise contribution and adjustment for tonal penalty (if required in accordance with Guidance Note 3 above) at any integer wind speed lies at or below the values set out in the Tables attached to the conditions or at or below the noise limits as defined by paragraph 1(e) or 1(f) of the noise condition then no further action is necessary. If the rating level at any integer wind speed exceeds the values set out in the Tables attached to the conditions or as defined in paragraph 1(e) or 1(f) of the noise condition then the development fails to comply with the condition.

4. Guidance Note in relation to condition 11

Amplitude Modulation (AM) is the regular variation of the broadband aerodynamic noise caused by the passage of the blades through the air at the rate at which the blades pass the turbine tower.

Where the local planning authority considers the level of AM may be at a level exceeding that envisaged by the condition, they may require the operator to appoint an approved independent consultant to carry out an assessment of this feature under this condition. In such circumstances, the sound level meter provided for assessment should include a switchable noise recording system (unless permanently recording all parameters and audio) which can be activated by the complainant, the independent consultant appointed by the operator or the local planning authority. The independent consultant shall initiate recordings of the turbine noise at times and locations when significant amplitude modulation is considered to occur. Such recordings shall allow for analysis of the noise in decibels using one-third octave bands from 20 Hz up to 10kHz and 'A' weighted decibel levels both at intervals of 100ms (milli-seconds). It shall also record audio at a standard of not less than 16 bit, 44KHz rate.

5. The Environment Agency has provided the following advice:

Appropriate protection (which should allow for inspection of joints) should be afforded to any oil-filled underground cabling and regular leak testing should be carried out, to minimise the risk of pollution to groundwater and surface waters.

As part of the decommissioning of this wind turbine, all below ground cables should be removed as electrical cables contain insulation oils which, if left to degrade within the ground, could lead to localised contamination of soils and potential leaching to surface water drains in the area.

6. The applicant is advised that they must notify the Defence Infrastructure Organisation Safeguarding within the Ministry of Defence of the following;
 - a. the date construction starts and ends;
 - b. the maximum height of construction equipment;
 - c. the latitude and longitude of every turbine.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, 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.

Item No. 13

APPLICATION NUMBER CB/17/03294/FULL
LOCATION Henlow Middle School, Church Road, Henlow, SG16 6AN
PROPOSAL Removal of existing two classroom modular unit. Construction of free standing four-court sports hall with changing facilities and attached two-storey six classroom block. Construction of additional car parking.
PARISH Henlow
WARD Arlesey
WARD COUNCILLORS Cllrs Dalgarno, Shelvey & Wenham
CASE OFFICER Nicola Stevens
DATE REGISTERED 06 July 2017
EXPIRY DATE 05 October 2017
APPLICANT Henlow Church of England Academy
AGENT PCMS Design
REASON FOR COMMITTEE TO DETERMINE Called in by Cllr Wenham

Highways safety grounds - Transport assessment and travel plan inadequate. No consideration of Executive adopted policy from OSC on travel improvements when schools are extended including 20mph zones, completion of safer route to school along Church Rd.

Parking - Transport assessment and travel plan inadequate. Parking considers only incremental impact and should be rebased on current policy (for all staff)

Other - High concern by residents in Groveside about parking and safety at school arrival and pick-up times. 60 signature petition presented to Henlow PC in June 2017.

RECOMMENDED DECISION Full Application - Approval

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

Reason: 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) and Section 7, NPPF.

- 3 The external finishes of the development hereby approved shall be constructed in accordance with the details shown on drg no's. 453.105 Rev B and 453.112 Rev B and described in Q9 'Materials' of the application form. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason: To control the appearance of the building in the interests of the visual amenities of the locality in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009) and Section 7, NPPF.

- 4 No occupation shall commence of the development hereby permitted until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the sports hall, playing fields, multi-use games area and school hall and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review, and anything else which the Local Planning Authority in consultation with Sport England considers necessary in order to secure the effective community use of the facilities. The development shall not be used at any time other than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and in accordance with policy CS3 of the Core Strategy and Development Management Policies (2009) and Section 8, NPPF.

- 5 Before the building is first brought into use, a Travel Plan shall be prepared and submitted to and approved by the Local Planning Authority. The plan shall contain details of:

- plans for the establishment of a working group involving the

School, parents and representatives of the local community

- pupil travel patterns and barriers to sustainable travel
- measures to encourage and promote sustainable travel and transport for journeys to and from school
- an action plan detailing targets and a timetable for implementing appropriate measures and plans for annual monitoring and review
- measures to manage the car parking on site

All measures agreed therein shall be undertaken in accordance with the approved Plan. There shall be an annual review of the Travel Plan (for a period of 5 years from the date of approval of the Plan) to monitor progress in meeting the targets for reducing car journeys generated by the proposal.

Reason:

In the interests of highway safety, to reduce congestion and to promote the use of sustainable modes of transport in accordance with policies CS4 and DM3 of the Core Strategy and Development Management Policies (2009) and Sections 4 and 7, NPPF.

- 6 No equipment, machinery or materials shall be brought on to the site for the purposes of development until substantial protective fencing for the protection of any retained trees (covered by the Tree Preservation Order) has been erected in positions that will prevent damage by construction works. The Tree protection fencing shall be erected at a distance and design shown in BS 5837 of 2012 or as may be subsequently amended. The approved fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made.

Reason: To protect the trees so enclosed in accordance with Section 8 of BS 5837 of 2012 or as may be subsequently amended.
(Sections 7 & 11, NPPF)

- 7 The existing modular unit shown omitted on drg no 453.101 Rev A (proposed block plan) shall be demolished and all resultant detritus completely removed from the site within 6 months of the first occupation of the development hereby approved.

Reason: In the interests of the visual amenities of the area and for the avoidance of doubt in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009) and Section 7, NPPF.

- 8 Prior to the development being brought into use details of an additional 19

parking spaces, parking provision for 5 buses and a turning head/informal roundabout and 20 informal overflow parking spaces and access thereto shall be submitted to and approved in writing by the local planning authority and the parking spaces and turning area shall be constructed in accordance with the approved details before the development is occupied.

Reason

To provide on site adequate parking provision for the avoidance of obstruction to the highway, and adequate on site turning provision in the interest of safety
(Policy DM3 of the Core Strategy and Development Management Policies (2009))

9

Prior to the development being brought into use measures to improve pedestrian safety will be implemented in the vicinity of the school, these measures to include but not limited to:

- A footway on the south side of Groveside and adjacent to the bowling green, from the Henlow Pavillion car park, to a drop kerb crossing point linking to the existing footway.
- Improved pedestrian facilities linking the Boyd Activity centre to the footway on the south side of Church Road. Pedestrian facilities to include but not limited to additional footways and enhanced crossing facilities.
- Enhanced crossing point at the junction of Groveside and Church Road.

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

(Policy DM3 of the Core Strategy and Development Management Policies (2009))

10

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

Reason

To avoid the carriage of mud or other extraneous material or surface water from the site so as to safeguard the interest of highway safety and reduce the risk of flooding and to minimise inconvenience to users of the premises and ensure satisfactory parking of vehicles outside highway limits
(Policy DM3 of the Core Strategy and Development Management Policies (2009))

11

Prior to development a construction traffic management plan including the following, shall be submitted to and approved by the local planning authority

- Construction worker parking and delivery loading and unloading area
- Site storage area
- Turning area within the site
- Times of deliveries

- How the public highway is to be maintained free of any mud, debris or extraneous materials from the demolition/construction period
- Any temporary highway traffic management (vehicular and pedestrian)

the construction management plan shall be implemented during the demolition/construction period in accordance with the approved details

Reason

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

(Policy DM3 of the Core Strategy and Development Management Policies (2009))

- 12 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:

453.100 Rev A

453.101 Rev A

453.103 Rev A

453.104 Rev B

453.105 Rev B

453.106 Rev A

453.107 Rev B

453.108 Rev B

453.109 Rev B

453.110 Rev B

453.111 Rev A

453.112 Rev B

RGL-17-2626-01 Sheet 1 of 6

RGL-17-2626-01 Sheet 2 of 6

RGL-17-2626-01 Sheet 3 of 6

RGL-17-2626-01 Sheet 4 of 6

RGL-17-2626-01 Sheet 5 of 6

RGL-17-2626-01 Sheet 6 of 6

Planning Statement

Design & Access Statement

Sports Assessment

Flood Risk Assessment

Geotechnical Site Assessment Report 17 May 2017

Transport Statement July 2017

Travel Plan June 2017

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. 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 National Planning Policy Framework (NPPF) and the Core Strategy for North Central Bedfordshire.
3. You are advised to note the comments of Sport England as follows: *The applicant is advised that the design and layout of the sports hall should comply with the relevant industry Technical Design Guidance, including guidance published by Sport England, National Governing Bodies for Sport. Particular attention is drawn to the "Sports Hall Design & Layouts" design guidance note <http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/sports-halls/>.*
4. The applicants attention is drawn to their responsibility under The Equality Act 2010 and with particular regard to access arrangements for the disabled.

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

These requirements are as follows:

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

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

For further information on disability access contact:

The Centre for Accessible Environments (www.cae.org.uk)
Central Bedfordshire Access Group (www.centralbedsaccessgroup.co.uk)

5. You are advised to note the comments of the Emergency Response Planning Officer as set out in the attached letter.
6. The applicant is advised that further information regarding the updating of the School Travel Plan is available from the Transport Strategy Team, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands,

Shefford, and Bedfordshire, SG17 5TQ.

7. **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.**
8.
 - The applicant is advised that parking for contractor's vehicles and the storage of materials associated with this development should take place within the site and not extend into within the public highway without authorisation from the highway authority. If necessary the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk on 03003008049. Under the provisions of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of construction of the development hereby approved
 - Best practical means shall be taken at all times to ensure that all vehicles leaving the development site during construction of the development are in a condition such as not emit dust or deposit mud, slurry or other debris on the highway, in particular efficient means shall be installed prior to commencement of the development and thereafter maintained and employed at all times during construction of the development of cleaning the wheels of all vehicles leaving the site
 - 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 6, Article 35

The Council acted pro-actively through early engagement with the applicant at the pre-application stage which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

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Item No. 14

APPLICATION NUMBER	CB/17/02361/FULL
LOCATION	Henlow Bridge Lakes Ltd, Bridge End Road, Henlow, SG16 6LN
PROPOSAL	Change of use - for the proposed Teen Building (CB/16/01005/FULL Approval granted 28/4/16 and subsequent relocation CB/17/00188/VOC Approved 9/3/17) to a private Day Nursery and associated Children's Activity Centre.
PARISH	Henlow
WARD	Arlesey
WARD COUNCILLORS	Cllrs Dalgarno, Shelvey & Wenham
CASE OFFICER	Nikolas Smith
DATE REGISTERED	05 June 2017
EXPIRY DATE	31 July 2017
APPLICANT	Henlow Bridge Lakes Ltd
AGENT	Sherwood Architects Ltd
REASON FOR COMMITTEE TO DETERMINE	This application was called-in by Cllr Dalgarno for the following reasons:
	<ul style="list-style-type: none">• Unacceptable development in this location and an inappropriate change of use.• Adverse impact on traffic movements as it is in conflict with the current leisure activity of the site users.• The site was predicated around campers coming to stay and use the amenities and this application is in conflict with the leisure purpose of the site.
RECOMMENDED DECISION	Full Application - approve

Recommendation

That the application is approved subject to the following conditions:

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

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

- 2 The proposed use shall not commence at the site before a scheme for road signage associated with the access to and uses operating from Henlow Bridge Lakes (supported by a Road Safety Audit) together with a timetable for the implementation and completion of that scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall

be completed in accordance with the approved details including the approved timetable unless otherwise agreed beforehand in writing by the Local Planning Authority.

Reason: To ensure that the access to the site is safe in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 3 Before the development is brought into use, a scheme for the relocation of the existing tourism sign on the A507 shall be submitted to Local Planning Authority for written approval. The sign shall be relocated as approved in accordance with a timetable to be agreed in writing by the Local Planning Authority.

Reason: In the interest of road safety and traffic movement in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 4 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: 2017-02 rev A, 2017-01 rev B, 2017-03 rev A, 2017-10 rev A

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

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35

Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Item No. 15

APPLICATION NUMBER CB/17/03030/FULL
LOCATION 6 The Old Dairy, Speedsdairy Farm Road, Beadlow
PROPOSAL Conversion of existing outbuilding to annexe
PARISH Campton/Chicksands
WARD Shefford
WARD COUNCILLORS Cllrs Duckett, Blair & Downing
CASE OFFICER Donna Lavender
DATE REGISTERED 06 July 2017
EXPIRY DATE 31 August 2017
APPLICANT Mr J Lines
AGENT AP Consulting Engineers
REASON FOR COMMITTEE TO DETERMINE Applicant is related to a Development Management Officer

RECOMMENDED DECISION Full Application - Approval, subject to the completion of a 106 agreement

Recommendation:

That Planning Permission be APPROVED subject to completion of a Section 106 Agreement and the following:

RECOMMENDED CONDITIONS

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

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

- 2 **Before development begins and notwithstanding the details submitted with the application, details of the materials to be used for the external windows and doors of the proposed building shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved details.**

Reason: This condition is pre-commencement as materials are required to be ordered prior to construction and to ensure that the development is in keeping with the historical setting. (Section 12, NPPF)

- 3 The office accommodation proposed within the building shall only be used for purposes incidental to the host dwellinghouse.

Reason: To prevent the introduction of an inappropriate use harmful to the residential character of the area.
(Policy DM3 of the Core Strategy for the North and Section 7, NPPF)

- 4 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 16.372-P2 (Site and Block plan) & 16.372-P1 (Elevations & Floor Plans).

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

INFORMATIVE NOTES TO APPLICANT

1. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the National Planning Policy Framework (NPPF) and the Core Strategy for North Central Bedfordshire.
2. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
3. If bats are found during the course of any work to buildings or trees where not previously anticipated, then works should immediately stop and Natural England notified for appropriate advice.
4. This permission is subject to a Legal Obligation under Section 106 of the Town and Country Planning Act 1990.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, 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.

Item No. 16

APPLICATION NUMBER	CB/17/02780/FULL
LOCATION	Ickwell Fields, Ickwell Road, Upper Caldecote, Biggleswade, SG18 9BS
PROPOSAL	Proposed Menage
PARISH	Northill
WARD	Northill
WARD COUNCILLORS	Cllr Mr Firth
CASE OFFICER	Lauren Rance
DATE REGISTERED	06 June 2017
EXPIRY DATE	01 August 2017
APPLICANT	Mr & Mrs Ben Maudlin
AGENT	Richard Beaty (Building Design) Limited
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	Applicant related to Cllr Maudlin
	Full Application - Approval

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 development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 15.05.22, 15.05.21, 15.05.OSmap, CBC/001 and CBC/002.

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

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

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

If however you add an annexe to your property, the Valuation Office Agency

may decide that the annexe should be banded separately for Council Tax. If this happens, you will have to start paying Council Tax for the annexe as soon as it is completed. If the annexe is occupied by a relative of the residents of the main dwelling, it may qualify for a Council Tax discount or exemption. Contact the Council for advice on **0300 300 8306**.
The website link is:

<http://www.centralbedfordshire.gov.uk/council-tax/bands/find.aspx>

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

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35

Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

LATE SHEET

DEVELOPMENT MANAGEMENT COMMITTEE – Date 13/09/2017

Item 6 (Pages 17 - 256) – CB/16/01389/FULL – Land off A5 at Checkley Wood Farm, Watling Street, Hockliffe

Additional Consultation/Publicity Responses

Four additional letters of support received from 24 & 41 Timber Lane, Woburn; 24 Stoke Road, Linslade and 27 Albany Road, Leighton Buzzard.

Bedfordshire Gardens Trust

At Appendix A is an objection from the Bedfordshire Gardens Trust, responding on behalf of the Gardens Trust.

It is noted that the Bedfordshire Gardens Trust concur with Historic England that the impact on the significance of Woburn Park would be low-moderate and that the impact on Battlesden Church would be less than substantial, albeit at the higher end of the scale.

The Bedfordshire Gardens Trust also states that there would be a similar level of harm to the significance of Battlesden Park in general.

It is noted that the conclusion of the letter indicates that any harm to these heritage assets should be exceptional (wholly exceptional in the case of Grade I Listed heritage assets). However, this is not the correct policy test as set out in the NPPF. Paragraph 132 of the NPPF states that any harm should require clear and convincing justification, but it is only substantial harm which should be exceptional or wholly exceptional. None of the specialist heritage consultees has stated that the proposal would have substantial harm to any heritage asset.

It is considered that the conclusions set out in Section 5 of the report still apply.

Richard Buxton Environmental & Public Law

At Appendix B is a letter from Richard Buxton Environmental & Public Law writing on behalf of the Bedford Estates.

Counsel's advice has been sought on the content of the letter.

In respect of the requirement for an Environmental Impact Assessment, Counsel has advised that she does not think that the corrected Screening Opinion would be upheld as an unlawful approach. She has noted that the 2017 EIA regulations were not in force at the time the Screening Opinion was released and are therefore not pertinent to this matter.

In reference to Green Belt Considerations, it appears likely that the letter from Mr Buxton is in response to the previous iteration of the committee report, as it refers to a paragraph number that no longer exists in the current report and also raises issues which existed in the previous iteration of the report but have now been addressed within the updated version of the report.

In particular, the report now balances “any other harm” as well as inappropriateness of development in the Green Belt when considering whether very special circumstances exist.

The report also explains more clearly within the planning balance why it is considered that very special circumstances exist in this case.

Counsel has confirmed that whether or not very special circumstances exist is a matter of planning judgement for the decision maker. Matters of planning judgement cannot be questioned in law, unless decisions are irrational. She does not consider that the conclusions within the report are irrational.

Counsel considers that the updated report is written in such a way that, should the Committee approve the application, the Council ought to be able to resist a challenge to the decision in a Judicial Review scenario.

Savills

Attached at Appendix C is another letter from Savills. This draws the attention of Committee Members to the concerns of the Landscape Officer and considers further the Council’s Wind Turbine Guidance Note.

The Landscape Officer did raise concerns in regards to the development, but did not object to the proposal. The conclusion of the Landscape Officer was that if the proposal were to be progressed, it should be identical in design to the existing Double Arches turbine and have similar nacelle / blades height so that the two turbines should read as a single cluster. The proposal is for a turbine which would be identical in design to the Double Arches turbine and would have similar nacelle / blades height.

Section 4 of the report addresses Officer’s interpretation of the Wind Turbine Guidance Note. It acknowledges that it may be appropriate to consider that the proposal represents a cluster, as the proposed single turbine would be clustered with the existing Double Arches turbine, but then points out that the proposal would not represent more than one development within the landscape character area as the other part of the cluster would be the existing turbine at Double Arches. The cluster would therefore not compete with Double Arches, but include it. Section 4 of the report includes assessments of a cluster of turbines against the criteria set out within the guidance note.

SCWT

An additional letter has been received from the SCWT campaign, which is attached at Appendix D.

In response to this letter, the points raised are predominantly covered within the Officer's report at Section 7.

In response to point 1 of the letter, it is noted that it was Planning Officers and the Development Management Committee who considered that removing the Excessive Amplitude Modulation condition was a reasonable decision at the time, on the basis of government policy and several contemporaneous Appeal decisions.

In response to point 2 of the letter, it is noted that MAS Environmental clearly state in their response to the planning application on page 77 of the report that the conditions agreed (and recommended to be imposed) addressed their concerns in respect of amplitude modulation. This is why Officer's consider that the proposed condition would adequately protect neighbouring residents from unacceptable levels of noise pollution.

In response to point 3, the Council legally cannot impose, as part of this application, a condition on a wind turbine that does not form part of this application and is not located within the red line of the application site. As is noted in paragraph 7.14, any reports of EAM in the area would be sufficient to trigger investigation under the recommended condition for this wind turbine. It is noted that neither MAS nor the Council's Environmental Health Officer has outstanding concerns in respect of EAM.

Additional Comments

Additional information was submitted to the Enforcement Team to support a noise complaint for the existing wind turbine at Double Arches in relation to properties at Overend. The Enforcement Team will proceed with an investigation in accordance with the measures set out within the planning conditions which control the Double Arches turbine.

Item 7 (Pages 257 - 272) – CB/17/01236/OUT – Land at Sorrell Way, Biggleswade

Additional Consultation/Publicity Responses

None

Item 8 (Pages 273 - 296) – CB/17/01277/OUT – Land at Saxon Drive, Biggleswade

Additional Consultation/Publicity Responses

Change to description of application from 'up to 230 dwellings' to 'up to 200 dwellings'

The change in description also means a pro-rata reduction in the amount of s106 contribution for education and leisure will be required.

The change in description also means that the percentage of affordable housing provided when shared with the Sorrell Way scheme will increase to up to 46%.

Amendment to Condition 9, so that it reads:

No dwellings shall be occupied until a timetable for the implementation of the scheme has been agreed in writing with the Local Planning Authority.

Amendment to Condition 10, so that it reads:

No dwellings shall be occupied until a timetable for the implementation of the Enhancement Scheme has been agreed in writing with the Local Planning Authority.

Additional comment from Town Council regarding potential covenant on the land – Covenants on land are not material planning considerations, and there is no covenant on the land that the Planning Department is aware of.

Comments from Highways Officer below:-

No objection.

The access road off the roundabout is shown at 7.3m in width with 2m wide footways on both sides. This would lead to an increase in traffic on a route that dissects the leisure route and so it would be appropriate for a zebra crossing which can accommodate cyclists as well as pedestrians under new TSRDG (Traffic Signs Regulations and General Directions) provisions.

The Transport Assessment has looked at the following junctions in terms of operating capacity and accident data,

Saxon Drive/Foxglove Drive – Saxon Drive, Site Access Roundabout
Saxon Drive/Foxglove Drive/Dunton Lane, Roundabout
Saxon Way/Sorrel Way/Baden Powell Way, Roundabout
Chambers Way/A6001 London Road, Priority Junction

All the junctions are below the capacity level RFC (Ratio to Flow Capacity) of 0.85 with the exception of Chambers Way/London Road which will already be above its theoretical

maximum of 1.09 in 2026 (do nothing scenario) with the worst case being 1.16 (do something scenario) which is not considered severe in-line with NPPF guidance.

A crossing for pedestrians and cyclists to the Saxon Centre is proposed and it is recommended that a signalised TOUCAN crossing is provided on Saxon Drive to aid crossing in the location of where the Public Right of Way is located which is about 65m south of Saxon Way/Sorrel Way/Baden Powell Way Roundabout.

The following planning conditions will be required:-

Conditions

1/No building shall be occupied until the junction of the proposed vehicular access (altered roundabout) with the highway has been constructed in accordance with the approved details.

Reason

In order to minimise danger, obstruction and inconvenience to users of the highway and the premises.

2/Visibility splays shall be provided at the junction of the access with the public highway before the development is brought into use. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 43m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall for the perpetuity of the development remain free of any obstruction to visibility.

Reason

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

3/Visibility splays shall be provided at all internal road junctions within the site. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the side road from its junction with the channel to the through road and 25m measured from the centre line of the side road along the channel of the through road. The vision splays required shall be provided and defined on the site by or on behalf of the developers and be entirely free of any obstruction.

Reason

To provide adequate visibility at road junction in the interest of road safety.

4/The development shall be served by means of roads and footpaths which shall be laid out and drained in accordance with the Central Bedfordshire Design Guide September 2014 or other such documents that replace them, and no building shall be occupied until the roads and footpaths which provide access to it from the existing highway have been laid out and constructed in accordance with the above-mentioned Guidance.

Reason

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

5/The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall illustrate an independent vehicular turning head areas for an 11.5m refuse collection vehicle. Car and cycle parking shall also be provided in accordance with the relevant parking standards at the time of the submitted reserved matters.

Reason

To enable vehicles to draw off, park and turn outside the highway limits thereby avoiding the reversing of vehicles on to the highway and parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport.

6/The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall include car and cycle parking in accordance with Central Bedfordshire Design Guide September 2014 or other such documents that replace them has been submitted and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and made available for use before the development is occupied and the car and cycle parking areas shall not thereafter be used for any other purpose.

Reason

To ensure a satisfactory standard of development in accordance with the Central Bedfordshire Design Guide September 2014.

7/No dwelling shall be occupied until a zebra crossing in the near vicinity of the development entrance (roundabout eastern arm) has been provided 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 resited to provide an unobstructed footway to the crossing.

Reason

In the interests of road safety and pedestrian movement.

8/No dwelling shall be occupied until a TOUCAN crossing, south of the Saxon Way/Sorrel Way/Baden Powell Way Roundabout),has been provided 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 resited to provide an unobstructed footway to the crossing.

Reason

In the interests of road safety and pedestrian movement.

Clarification of financial contribution request from Leisure Services below:-

The wording for the S106 legal agreement will need to reflect more general refurbishment works instead of just the wet side changing rooms. Therefore, please can it state that the contribution is to be used for "refurbishment works at Saxon Pool Leisure Centre". The amount sought remains the same at £193,231.00.

Additional condition requested by Archaeological Officer set out below:-

"No development shall take place within each phase of the development until a written scheme of archaeological investigation has been submitted to and approved in writing by the Local Planning Authority. The said development shall only be implemented in full accordance with the approved scheme of archaeological resource investigation. This written scheme will include the following components, completion of each of which will trigger the phased discharging of the condition:

(i) A method statement for the investigation and recording of any archaeological remains present;

(ii) A post-excavation assessment and updated project design (to be submitted within six months of the completion of fieldwork at (i), unless otherwise agreed in advance in writing by the Local Planning Authority);

(iii) Completion of post-excavation analysis, 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 (to be completed within two years of the completion of fieldwork at (i), unless otherwise agreed in advance in writing by the Planning Authority);

(iv) A Programme of interpretation, public outreach and community engagement."

Reason: To record and advance understanding of the archaeological resource which will be unavoidably destroyed as a consequence of the development in accordance with Chapter 12 of the *National Planning Policy Framework*. This condition is pre-commencement as a failure to secure appropriate archaeological investigation in advance of development would be contrary to paragraph 141 of the *National Planning Policy Framework* that requires the recording and advancement of understanding of the significance of any heritage assets to be lost (wholly or in part).

Item 9 (Pages 297 - 325) – CB/17/02682/REG3 – Kennel Farm, Saxon Drive, Biggleswade

Additional Consultation/Publicity Responses

Additional comments received from the Council's Archaeologist raising no objection subject to a condition which is drafted below.

Landscape Officer

The proposals are well considered and will help to integrate the numerous buildings and units, eg from views from Dunton Lane.

There is some concern regarding potential views from the west.

The species selection is acceptable but it would be preferable to include a wider range of native shrubs eg to include dogwood. Wild cherry would also be an addition to the tree stock proposed and the use of orchard trees should also be considered.

Native shrubbery should be used to underplant the grouped trees proposed for the southern boundary, to increase the screening value and to benefit the habitat.

Consideration should also be given to establishing mixed native hedgrows rather than just hornbeam.

A Management Plan will be required to aid the longterm care of the trees, shrubs and wildflower grassland.

A detailed planting specification is also required - this needs to detail the proportions of shrubs used in the mix; eg an equal mix of species is not ideal. Blackthorn is invasive and should be planted at a lower rate. A reduced planting density for the native shrubbery is required - 3/m will lead to management issues in the future.

Green Infrastructure Coordinator

The application site is near the route of the Biggleswade Green Wheel network; a spur of the Biggleswade Green Wheel follows the route of the footpath to the south of Kennel Farm.

The Parish GI plan identifies the aspiration to upgrade this to a bridleway / cycleway. Opportunities to deliver this enhancement should be sought through the development if appropriate.

In terms of the site's wider context, there is a good RoW network around the site, and woodland belts planted to the south and east. The development should complement these through further woodland belt planting / landscape screening.

Additional Comments

Clarification on need.

The proposal for Travelling Showpeople plots is distinctly different to that of Gypsy and Traveller pitches. Therefore Para 1.6 does not reflect a need for travelling showpeople plots, rather, as it states, gypsy and traveller pitches. The GTAA identifies a need for up to 31 Travelling Showpeople plots in Central Bedfordshire over the period 2015 - 2035, and therefore the development of this site would assist in meeting this need.

In respect of comments from the Landscape Officer the views from the west will show the site in the context of its surroundings however this is to be considered against existing views from this location which go through the site to the commercial and agricultural buildings to the east. The impact will change but it is not considered to do so to a detrimental extent.

In respect of comments from the GI Coordinator the scale of development proposed is such that a contribution towards identified GI projects would not be considered reasonable or necessary to make the scheme acceptable in planning terms in this instance

Additional Conditions

No development shall take place until a written scheme of archaeological investigation; that includes provision for post excavation analysis and publication, has

been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall only be implemented in full accordance with the approved archaeological scheme.

Reason: To protect *in situ* or record and advance understanding of the heritage assets with archaeological interest which will be unavoidably affected as a consequence of the development. This condition is pre-commencement as a failure to secure appropriate archaeological investigation in advance of development would be contrary to paragraph 141 of the *National Planning Policy Framework* (NPPF) that requires developers to record and advance of understanding of the significance of any heritage assets to be lost (wholly or in part) as a consequence of the development.

No works to show equipment or machinery and no operation of machinery shall take place on the plots hereby approved before 7:00 am on weekdays and 8:00 am on Saturdays nor after 19:00 pm on weekdays and 17:00 pm on Saturdays, Sundays or Bank Holidays.

Reason: To safeguard the residential amenity which the occupiers of neighbouring properties might reasonably expect to enjoy.
(Section 7, NPPF)

***Item 10 (Pages 325 - 368) - CB/15/01657/OUT – Samuel Whitbread
Community College, Clifton, SG17 5QS***

Additional Consultation/Publicity Responses

Cllr Liddiard

I would of liked to of had the opportunity to address you in person at DMC on Wednesday but due to work commitments I am unable to make the meeting hence this email arriving to you before you carry out your site inspections tomorrow. As a ward member for Shefford for the last 5 months, traffic congestion and parking are a major concern for residents. Over 3500 children a day go to school in Shefford and Clifton and it at these times that severe congestion occurs despite the best efforts of the schools to educate parents and their pupils.

We all have a 'Place Making' responsibility to ensure that Central Bedfordshire is a great place to live and work and that proposals presented to the Council, wherever possible should significantly outweigh the impact caused. There is always a balance to strike between residents living close to schools and the fact that we want the best outcomes for children in Central Bedfordshire through our schools.

I have set out below my reasons below as to why DMC should debate this proposal afresh, to ensure that you are comfortable that the applicant has exhausted all avenues to prove that the proposal is the best that can be achieved and strike that fine balance. There might be alternative options.

Members also need to be aware of the following:

- I have 3 children attending all 3 tiers of schools in the town.
- Mark Liddiard is employed by The Football Association as a National Project Manager. The Football Association has commented upon this application to Sport England as part of its MOU Planning Agreement.
- Mark Liddiard is a director appointed Governor to the Local Governing Body of Robert Bloomfield Academy by BEST Directors but does not act as a BEST Director.
- Mark Liddiard is a Director at Shefford Sports Club, the club would receive investment into its facilities if the proposal is granted.

Clifton Parish Council

Clifton Parish Councillors have the often stated concerns with regard the lack of infrastructure particularly in Education with regard the introduction of so many more houses into this area.

However a particular concern of Clifton Parish Council with regard this site/ application is that it fails to link access with the adjoining proposed site of 64 dwellings and address safety issues.

At present Clifton and Shefford suffer from over 20 buses arriving and departing through the centre of our respective village / town taking children to and from SWCC. This presents a physical risk to other road users and pedestrians, as well as negatively impacting our quality of life as these aging vehicles emit high levels of noxious fumes.

An earlier proposal was for these vehicles to use the 64 house /SWCC development access road to enter / leave the school thus gaining close access to the bypass etc. This proposal was rejected by CBC due to the nature of the T junction onto Hitchin Road.

This latest application however shows no sign of the demolition of 99 Hitchin Lane and the proposed road to replace it, despite clearly showing the proposed properties. The new proposal access is via a large roundabout.

Clearly the issue of two separate access roads in such close proximity needs to be addressed whilst at this early planning stage, and the safest practical solution found that meets the needs of Transport to and from SWCC and the 64 homes as well as the needs of these 80 or so homes.

We believe that no further permissions should be given on either application until this Safety issue is addressed by CBC and the developers. I understand that there is a lack of cooperation between these developers but this should be overcome in the interests of all concerned, not least the Parishioners of Clifton, Shefford, SWCC pupils and of course the new residents.

Additional Comments

The comments from Clifton Parish Council relate to this site but also a site immediately south of this one which is currently subject to an outline application to be developed to provide 80 dwellings. In respect of the merits of this application the access from Hitchin Road is not considered to be technically safe for busses to manoeuvre into and out of the site. In respect of the adjacent site this will be considered separately under that application.

Additional Conditions

None

Item 11 (Pages 369 - 396) - CB/17/00358/RM - Land east of Hitchin Road and south of the Former Pig Testing Unit, Hitchin Road, Stotfold

Additional Consultation/Publicity Responses

None

Additional Comments

None

Additional Conditions

None

Item 12 (Pages 397 - 410) - CB/17/02023/OUT - Land adj. to Haynes Turn, South of High Road, Haynes, MK45 3PA

Additional Consultation/Publicity Responses

Additional comments from Haynes Parish Council – comments repeated verbatim

Dear Colleagues on the Parish Council,

1.0 I have read the *Highway Network Impact Assessment* statement completed by Open Road Associates (ORA) in regards to the proposed development of Haynes Turn on behalf of the developer LSF Properties.

1.1 I make these initial observations.

1.2 NB: There are currently 4 large detached houses at the site, and this new application proposes to add a further 5 detached houses, consisting of 2 bungalows and 3 detached dwelling houses.

1.3 At paragraph 1.5 of the ORA statement, it is intended that '*no proposed alterations to the existing access, which connects Haynes Turn to the A600*' is needed. The rationale provided is '*vehicular movements in and out of the site are currently low (estimated average of 7 vehicular movements per 'average' dwelling per day) and it is not foreseen that the addition of five new dwellings would result in an unacceptable increase to the number of vehicles looking to access and egress the site*'. I would like to know the source of the figure given by ORA in regards to the average number of vehicular movements per average house. Is this an accepted and verifiable figure within Highway legislation? As I say it is not sourced so I cannot accept this on face value. I have conducted some crude research and found in England there is one car for every two persons – *source Ministry of Transport 2015* – and so it is reason to believe the number of vehicular movements at this proposed site will be considerably higher than led to believe. For example, if each household had 2 cars with 4 cars movements each day, then for 9 houses there would be 72 vehicular movements. On the other hand, if each household had 5 cars with 4 cars movements each day, then for 9 houses there would be 180 vehicular movements. These numbers can be moved around, but the purpose of these theoretical calculations is to highlight the high number of vehicle movements, which will undoubtedly occur.

1.4 At paragraph 1.6 of the ORA statement, it is suggested '*any increase in vehicle movements to and from the site will be accommodated without detriment to highway safety*'. Of course, this opinion is based on the number of vehicular movements ORA have proposed, which others might believe to be conservative. I would add to this that ORA have not made any reference to amount of vehicles which will visit the site e.g. friends/family, postal and Internet deliveries. In regards to Internet purchases, which are a preferred option for a considerable amount of people, large vans, and heavy goods vehicles of course complete such deliveries. Such large numbers of vehicular movements and size of such vehicles, which require large turning arcs, bring into question road safety at this site.

1.5 At paragraph 1.7 of the ORA statement, it is suggested '*the existing access is a suitable width to accommodate two-way vehicle flow*'. As I understand it, it is LSF's intent to continue to have the site and associated roads, un-adopted by the Local Authority. The existing site is a small cul-de-sac serving 4 detached dwellings, this new application proposes to extend this to 9 dwellings and as such I have significant concerns there will be a build up of traffic on an unregulated private road, which will affect vehicles on the A600 trunk road. Consequently, I believe such congestion without regulation will cause an accident involving residents as well as road users from the wider community.

1.6 At paragraph 2.2, it is clear from the ORA statement, that the visibility splays for this site **does not** confirm to the legal/advisory requirements as spelt out in the *Specification for Highways Works Volume 6, Section 2, Part 7 TD 41/95*. On this point, ORA are proposing for others to merely accept their assertion such speeds of 60mph cannot be achieved, and so everything will be all right. No survey, and no evidence have been provided by ORA as to the volume and/or speed of vehicular movements, and so I do believe their declaration can be accepted. NB: It is my intention to conduct my own survey and provide my findings to the Parish Council and Local Authority Highways.

1.7 At paragraph 3.2 and 3.4, the ORA statement indicates the visibility splays are controlled by the developer and the Local Authority, then explains this could be improved by '*clearing back some of the existing vegetation*'. Is the developer making arrangements for this to be

agreed upon, not only for the proposed development but continued management of the site for proceeding years?

1.8 On the 6th of July 2017, between 7am and 8am Parish Councillor James and myself conducted a traffic survey at the T-junction of Silver End Road/Haynes Turn/A600 High Road. At the junction, the A600 is subject to a 60mph speed limit; whilst Silver End Road is restricted to 30mph. Currently, the cul-de-sac known, as Haynes Turn is unregulated and so consequently it has no street furniture, no street lighting or road markings relevant to the highway. The A600 is a single carriageway with one lane in each direction – the northbound carriageway conveys traffic to Bedford and the southbound carriageway to Shefford. The A600 is subject to a 'no stopping' regulation and there is a bus layby on the east and west side of the carriageway on top of the junction. The road surface particularly on the A600 is in a poor state of repair, and the road markings are barely visible, presenting a danger to all road users. The street furniture is adequate for the junction in its current form. The junction is liable to flood in times of heavy downpours due to poor drainage in the village. Anglian Water, who often manages this hazard, will confirm this point. The visibility splays at Silver End Road and the Haynes Turn cul-de-sac contradict each other due to their close proximity. They both lay on the west side of the main road meaning drivers using the A600 are confused as to which exit other drivers are to take when indicating to leave the carriageway. Also, as the splays are so close, there is often a 'stand-off' between drivers who wish to enter the A600 at the same time. This creates confusion and a danger to all road users.

1.9 During the hour survey, a total of 1,133 motor vehicles passed through the junction. Of these, 115 motor vehicles either exited or entered Silver End Road onto or from the A600 trunk road. The types of vehicle were predominantly cars but a total of 112 vans, 13 buses, and 19 heavy goods vehicles were recorded. Frequently, drivers entering the A600 from the give-way markings in Silver End Road caused other road users to brake. This was partly caused by the volume of traffic on the A600, which caused a build up of vehicles on the side road. Drivers wishing to enter the main carriageway would become impatient opting **not** to 'give way' but instead take the best opportunity to enter the A600 when clearly it was unsafe to do so. With the advent of more housing on the main highway this situation would become quite complex and dangerous for all road users.

2.0 Lastly, this parish council commissioned a traffic survey in 2011 in regards to speeding at Deadman's Cross/A600. It should be noted Deadman's Cross is less than half a mile from Haynes Turn, and on the same section of the A600. I have included the data provided by the commissioned authority for your perusal. If I can direct your attention to the 'cumulative' data: on an average week day approximately 9,500 motor vehicles used this section of the A600 of which 1100 exceeded the speed limit at a recorded speed of 46mph or more. This of course prompted the introduction of a permanent speed camera at Deadman's Cross to enforce the 40mph speed limit, which exists there. This is a very clear indication that this application has not properly considered the dangers of introducing an unregulated road directly onto an exceedingly busy trunk road and T-junction, which connects our county town to Mid-Bedfordshire, and the A1 Motorway.

2.1 I submit this report for your consideration.

Steve Collin, Parish Councillor for Haynes dated the 6th of July 2017.

Item 13 (Pages 411 - 438) - CB/17/03294/FULL – Henlow Middle School, Church Road, Henlow, SG16 6AN

Additional Consultation/Publicity Responses

2 neighbours letters received from Nos 25 and 67 Groveside – concerned about highway and pedestrian safety impact, suggest road improvements.

Comments from CBC Senior Engineer - No objection or comment on this application and are happy for Building Control to manage the surface water drainage details through their application and inspection process.

Additional Comments

Applicant has submitted a response to the Council's Overview & Scrutiny Committee (list of 16 recommendations) – see attached.

Additional comments from agent regarding condition 7 below -

Additional comments from Highways Officer below –

Additional/Amended Conditions/Reasons

Agent comments: Unfortunately, this would actually make the scheme untenable, as the modular unit needs to be used as classroom space by the Academy right up until the point that the new sports hall and classroom block is completed and ready for occupation. Ideally, Condition no 7 would be omitted from any resulting planning permission.

To allow a transition period for the school to move over to the proposed new classrooms it is suggested condition 7 be amended as follows:

The existing modular unit shown omitted on drg no 453.101 Rev A (proposed block plan) shall be demolished and all resultant detritus completely removed from the site within 6 months of the first occupation of the development hereby approved.

Reason: In the interests of the visual amenities of the area and for the avoidance of doubt in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009) and Section 7, NPPF.

Highway Officer:

Suggest delete Conditions 9 and 10 and replace with the following:

Prior to the development being brought into use measures to improve pedestrian safety will be implemented in the vicinity of the school, these measures to include but not limited to:

- A footway on the south side of Groveside and adjacent to the bowling green, from the Henlow Pavillion car park, to a drop kerb crossing point linking to the existing footway.
- Improved pedestrian facilities linking the Boyd Activity centre to the footway on the south side of Church Road. Pedestrian facilities to include but not limited to additional footways and enhanced crossing facilities.
- Enhanced crossing point at the junction of Groveside and Church Road.

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

(Policy DM3 of the Core Strategy and Development Management Policies (2009))

Also please remove the informative relating to the s278 works and Streetworks – first 2 bullet points at no.8

Committee report error

There is an error in the report relating to 'Reason for committee to determine'. This should read as follows:

REASON FOR COMMITTEE TO DETERMINE

Called in by Cllr Wenham

Highways safety grounds - Transport assessment and travel plan inadequate. No consideration of Executive adopted policy from OSC on travel improvements when schools are extended including 20mph zones, completion of safer route to school along Church Rd.

Parking - Transport assessment and travel plan inadequate. Parking considers only incremental impact and should be rebased on current policy (for all staff)

Other - High concern by residents in Groveside about parking and safety at school arrival and pick-up times. 60 signature petition presented to Henlow PC in June 2017.

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Bedfordshire Gardens Trust

Debbie Willcox
Case Officer
Planning Department
Central Bedfordshire Council
Council Offices
Priory House, Monks Walk
Chicksands
Beds SG17 5TQ

8 September 2017

Dear Debbie Willcox

CB/16/01389/FULL

Installation of a single wind turbine with a maximum tip height of 143.5m (hub height 100m; rotor diameter of 87.0m), substation, hardstanding area, access track, underground cabling and associated infrastructure. Land off A5 at Checkley Wood Farm, Watling Street, Hockliffe, Leighton Buzzard LU7 9LG

Bedfordshire Gardens Trust is responding to this application on behalf of the Gardens Trust, statutory consultee for planning applications affecting registered historic parks and gardens. Although this application originated in 2016, it was only received by the Gardens Trust on 24 August 2017, giving a very short time to assimilate the voluminous documentation and respond. I hope that in future such referrals will be more timely. This response is restricted to the impact of the proposal on registered parks and gardens, and does not cover other heritage aspects more generally.

Summary: Bedfordshire Gardens Trust objects to this application owing to the level of harm to the Grade II registered site at Battlesden Park, and the Grade 1 registered site at Woburn Abbey.

Registered parks and gardens within the Study Area

The cultural heritage assessment by Headland Archaeology (as revised September 2016) states that there are two registered parks and gardens within 5km of the proposed turbine – Woburn Abbey and Battlesden Park. For completeness, it should be noted that there is now a third site within that radius: the formal gardens at Stockgrove House, Leighton Buzzard, were registered Grade II on 15 November 2016 (list entry number 1434590). The formal gardens are just across the local authority boundary in Milton Keynes UA, while the parkland adjoining forms the greater part of the Rushmere Country Park in Central Bedfordshire. A fourth site – the Whipsnade Tree Cathedral, registered Grade II on 10 February 2017 (list entry number 1439326) lies south-east of Dunstable within the 15km radius of the Outer Study Area.

Local planning policies

Heath and Reach lies within the area of your Council's South Local Development Framework, consisting of the former South Bedfordshire District local plan adopted in 2004. Policies from that plan saved in 2007 include BE7: Conservation and Enhancement of Historic Parks and Gardens: *"the local planning authority will encourage the conservation, enhancement and restoration of the historic parks and gardens identified as of importance in this plan and on the proposals map. Planning permission will not be granted for development that would unacceptably harm the character or appearance of such areas and their settings, or result in the loss of significance features."*

Battlesden, Potsgrove and Woburn, however, lie within the area covered by the North Local Development Framework adopted in 2009. Within the core strategy of that Framework,

heritage Policy CS15 states unequivocally that the Council will protect, conserve and enhance the district's heritage. I suggest that this should have some weight in the Council's decision-making process on this application. The emerging UA-wide local plan is at a relatively early stage – a public consultation exercise finished on 29 August 2017 – and so must have limited weight.

Battlesden Park

This representation focuses on Battlesden Park, which is the closest site to the proposed wind turbine, and the most seriously affected. I have made a visit to the publicly-accessible parts of the site, which contains the remains of mid-19th century formal terraced gardens in an 18th century (and earlier) park, and is associated with Humphry Repton and Joseph Paxton. As the Historic England register entry describes, the park of around 90ha is still bounded largely by agricultural land, with the south-west boundary formed by the A5 Watling Street. The site of the house lies within the park on the southern tip of a shoulder of land extending 1km south from the A4012, with Battlesden church forming a close group with the house site and the walled garden to the south of the churchyard. The site slopes down to a valley to the west and south in which lie two lakes. This topography (shown in the LIDAR view at Appendix A Fig 1) is very important in assessing the degree of harm which the proposal would cause to an area which remains (apart from the existing intrusion of the Double Arches wind turbine) remarkably rural and unspoilt. Battlesden Avenue running from the northern boundary of the site to the Hockliffe-Woburn road is also registered as part of the site.

The Cultural Heritage Assessment produced by Headland Archaeology for the applicant (reworked September 2016) concludes (page 39) that there will be no harm to the significance of Battlesden Park. We disagree. The Assessment underplays the importance of views within and beyond the site. There is evidence that views from the pre-1860s house and gardens to the south and south-west across Watling Street towards the Chilterns were valued, as attested by a visitor in 1748, and the presence of a bastion-shaped viewing mount (Tent Hill, shown topped with a tent in a watercolour c1820) at the south-west corner of the lower garden terrace.

We do not know the details of the garden before Humphry Repton's visit in 1806, but his sketch of the site made for an 1808 almanac, though schematic, shows house, church, a terraced walled garden with greenhouse, and Watling Street in the foreground. The later terraces south-west of the new house as designed or redesigned by Joseph Paxton and G H Stokes in the 1860s were clearly intended to take advantage of the aspect and the topography.

The northern drive and avenue runs along a ridge from which there are views to east and west. It is acknowledged that the views to the west above Home Wood would be impacted by the proposed turbine, as shown at Viewpoints 5 and 6 of the Battlesden Visualisations prepared for the applicant in December 2016. Other areas of the Park are dismissed in the Cultural Heritage Assessment (page 39) on the basis that "*there are public foot paths through the park, though none of the views are frequently accessed by members of the public and the hedgerows limit any such views.*" I would remind the applicant that a heritage asset is a heritage asset irrespective of public access.

Of the two lakes referred to in the register description, the larger lying south-west of the house site can be attributed on good evidence to a (very young) Joseph Paxton (whose elder brother William Paxton was the estate bailiff) and dated 1822. One of the public footpaths running down the eastern side of the registered site overlooks the lake. The Double Arches turbine is clearly visible from it (Appendix A fig 3) and again the proposed Checkley Wood terminal would greatly add to visual intrusion. The turbine is visible not just from the raised area overlooking the lake, but along the path for some distance where it runs parallel to the drive from the A5 lodges.

The Double Arches turbine is also clearly visible from the public footpath running along the western edge of the registered site (Appendix A fig 4), and from the footpath running westwards from the Avenue across the valley towards Potsgrove Church (which is outside the registered site, but part of its setting). The proposed Checkley Wood turbine would also intrude on those views.

Battlesden Church

The Historic England representation of 11 January 2017 concludes from the Visualisations of December 2016 and other evidence that “although the level of harm [to Battlesden Church] would be considered less than substantial (in the terminology of the NPPF), it would be towards the higher end of that scale”. We agree. As well as being a Grade I listed building in its own right, the church lies within the registered parkland and is an important component of the significance of the site. It follows that there must be harm to the significance of the registered site as well.

Woburn Park

I see no reason to disagree with the reasoning and conclusion by Historic England (their ref P0051167, representation of 11 January 2017) that there would also be a low-moderate level of harm to the significance of the registered Woburn Abbey park.

Conclusions

The proposed Checkley Wood turbine, because of its great height and the flickering movement of the rotor arms, would cause serious visual intrusion to the landscape of the Grade II Battlesden Park, leading to a high, though less than substantial, degree of harm to its significance. There would also be a low to moderate degree of harm to the significance of Woburn Abbey park. Harm to these assets should be exceptional (in the case of the Grade 1 Woburn Abbey park, wholly exceptional), and can only be justified by very compelling arguments. In deciding the application your Council needs to conduct a balancing exercise as in National Planning Policy Framework paragraphs 132 and 134 to establish whether the public benefits of the proposal outweigh the damage to the heritage assets affected. That is a matter for your Council, but I will only point out that the proposals have no public benefits as far as the registered parks and gardens themselves are concerned.

Yours sincerely



CAROLINE BOWDLER
Bedfordshire Gardens Trust
Conservation



Appendix A; Images, Battlesden Park

Fig 1 LIDAR image of Battlesden Park

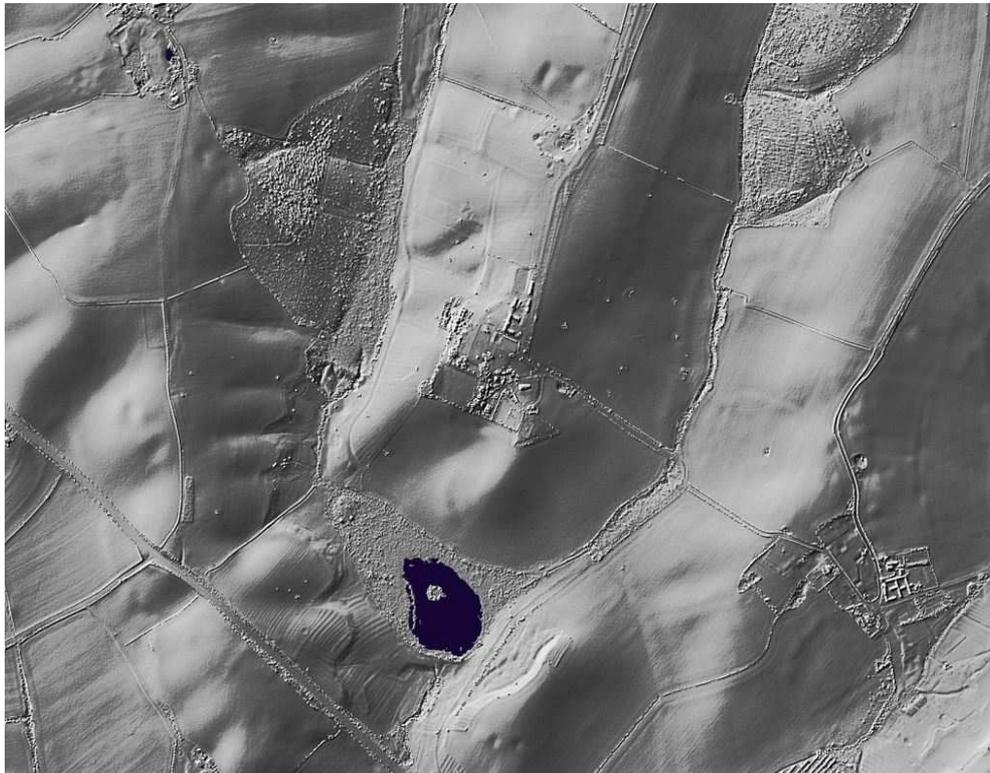


Fig 2 Key to views at Fig 3 and fig 4

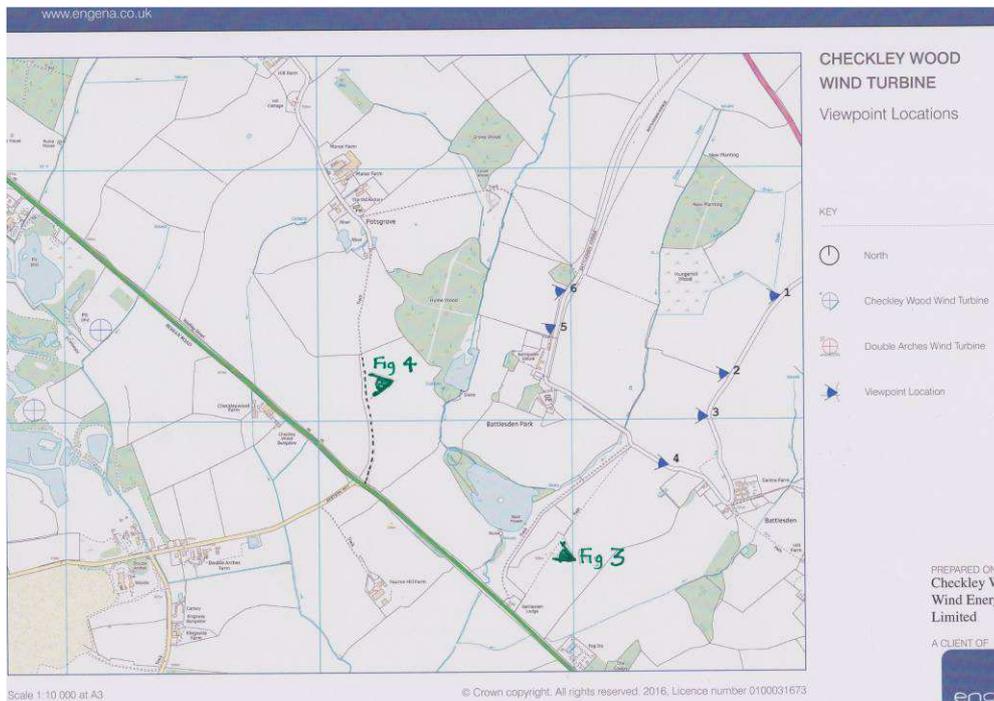


Fig 3 Double Arches wind turbine seen across Paxton's lake



Fig 4: Double Arches turbine seen from W edge of registered site



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Priory House
Monks Walk
Chicksands
Sheldford SG17 5TQ**Your Ref: Planning Application CB/16/01389/FULL**
Attn: Debbie Willcox

Our Ref: BEF1-001/RB

4 September 2017

Dear Sirs

Proposed Wind Turbine at Checkley Wood Farm

1. Thank you for your notification of 31.8.17 that this matter will be further considered by the Planning Committee on 13.9.17.
2. Bedford Estates have asked us to consider the materials including the officer report (OR). We and our clients were surprised in all the circumstances to see the OR recommending grant of permission here where the weight of considerations seems so heavily against it. Those particularly include the strong concerns raised in relation to landscape and the historic environment including by Historic England and your own officers.
3. Having reviewed the matter the OR does – as is often the case where one's reaction is "this cannot be right" – contain at least two issues which appear to be in legal error. For the avoidance of doubt this is not trespassing on the question of "planning judgement" which is not our place to do. That is for the Committee members to make their own minds up about once they have carefully considered all the materials including representations made on the day. On the other hand they must do that on the correct legal basis.
4. We trust you would agree that it is better that the Committee is properly informed of these now than following office recommendations which are – with respect – wrong in law, and then the decision end up being challenged.
5. The OR is lengthy and other papers here are voluminous so we will try to keep the points short. You are very familiar with the issues and we trust that an outline will suffice.

Environmental impact assessment

6. The reasons for the council's approach to EIA being unlawful were originally set out in detail in our letter of 3.8.16. The net result of that was that the Council carried out a fresh screening opinion dated 18.11.16. This corrected an error in

an earlier purported screening opinion dated 25.3.15. We have reviewed the later screening opinion and the OR.

7. In our letter of 3.8.16 we raised three areas of concern: significance (including the question of mitigation measures), the EIA voluntarily provided for the Double Arches application, cumulative impact, and proximity to sensitive areas. The OR addresses these points at §§16.4-13.
8. As for the issue of “significance”, we are truly surprised that the Council in the OR purports to hide behind the suggestion that EIA and planning significance are different things. Particularly given the low threshold applicable to EIA (see the discussion and authority *R. (Bateman) v. South Cambs DC* [2011] EWCA Civ 157 which we referred you to in our letter of 3.8.16, to the effect that the threshold is met where there is “any serious possibility” of significant effects) this is obviously wrong. The screening opinion accepts in terms that there “may be significant effects on a small number of heritage assets” and the probability of this is “high”.
9. Perhaps this is discounted by the notion that “the impact is not complex and reasonably predictable”. But that is not the test. We refer to the currently applicable rules (2017 EIA Regulations) where the relevant consideration is “the possibility of effectively reducing the impact”. That does not appear to have been considered at all. But anyway the report itself acknowledges significance notwithstanding.
10. As for the EIA of the Double Arches application, as we pointed out in our letter of 3.8.16 the Council considered then that the matter was of environmental significance, and the refusal was recommended in strong terms on the basis of effects on landscape and the historic environment. It just does not “add up” now to say in the OR that this is really a single turbine application, consistent with others where EIA has not been required.
11. From this also follows the point that in relation to cumulative impact, we can say little more than that the Council’s approach here is a blatant attempt at unlawful “salami slicing” and refer to the points made in our letter of 3.8.16.

Green Belt

12. The Council (rightly) recognises that the development is “inappropriate development” from a Green Belt (GB) perspective and therefore “very special circumstances” (VSC) must be found to justify development. In summary the OR concludes that the substantial harm that would be caused to the GB is “clearly and demonstrably” outweighed by (principally) the electricity generating benefits of the scheme.
13. There are two important legal errors in the analysis.
14. First, we deal with the matter as put. Although in the end the existence of VSC is a matter of judgement, the difficulty with the OR’s approach is that there is nothing to suggest anything special about electricity generation from this proposal. It is of course fully accepted that renewable electricity is a good thing and our clients (and indeed we) strongly support that. But in order to constitute VSC the situation has to be not just “special” but “very special”. There is nothing of either of those identified here at all. It is just “one more turbine” contributing

as part of a national effort to improve renewable generation. That is simply not good enough.

15. VSC must be interpreted to mean what it says. We are aware that the NPPF contemplates at §91 that VSC may include the wider environmental benefits from renewable energy. We accept that in considering VSC it is right to put that in the balance, as the OR does. But what it does not do is explain why in this instance it “clearly and demonstrably outweighs” the identified harm. The OR identifies the extent of electricity generation and that it is “significant” (see §3.12). However that still does not make it “special” let alone “very special”.
16. And in this context the OR appears, see again §3.12) to muddle the NPPF support for small scale electricity generation at §98 NPPF with GB factors. But that is wrong, §98 is in a different section dealing with planning and environmental challenges generally. Of course we do not say that VSC cannot exist in relation to even a small scale renewable energy project, just that there is no indication that VSC can properly be said to exist here. The OR jumps to its conclusion without explaining why.
17. In this context we particularly note the observations of your Renewables Officer at OR pp.33-36. There is no suggestion there of the special circumstances of this application. Indeed it is neutral at best given the other considerations mentioned. It is thus extraordinary for the OR to conclude as it does in relation to GB and VSC. As a matter of law we are satisfied overall that the OR is misdirected in this regard.
18. The second error is one that goes directly against established jurisprudence, namely the need to balance “any other harm” as well as inappropriateness of development in the GB when considering whether VSC exist or not. This issue was discussed in *Reigate and Banstead BC and Others v Redhill Aerodrome Limited* [2014] EWCA Civ 1386 and it appears that the OR here is manifestly deficient in the balancing it purports to carry out. The “other harm” identified in the report simply does not form part of the VSC balance. That is a serious error of approach.
19. We trust these observations are of assistance.

Yours faithfully

[Redacted signature]

Richard Buxton Environmental and Public Law

[Redacted contact information]

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5 September 2017

Woburn/Checkley Wood/CBC Dev Mngt committee.ltr.0509

The Savills logo consists of the word "savills" in a lowercase, sans-serif font, colored in a reddish-pink hue, set against a bright yellow rectangular background.

Members of the Development Management Committee
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Dear Sirs

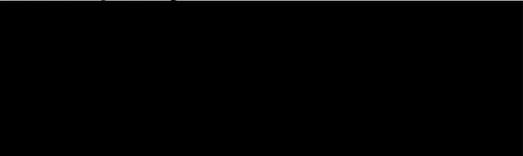
PLANNING APPLICATION CB/16/01389/FULL - CHECKLEY WOOD WIND TURBINE

Further to our previous submissions, please find enclosed the following correspondence which we have recently sent to Debbie Willcox, the Planning Officer at Central Bedfordshire Council:-

- Savills letter dated 30 August 2017
- Richard Buxton's letter dated 4 September 2017

There are several reasons why we consider that this application should be refused, including opinions which have been expressed by some of the Council's own Officers, as well as our own and other parties' interpretation of the planning policy and how it applies to what will be one of the largest onshore turbines in the UK.

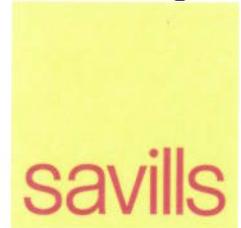
Yours faithfully

A large black rectangular redaction box covers the signature area.

Michael Horton BSc MRICS
Director

Encs

30 August 2017
WOB/CheckleyWood/CBC.Willcox.ltr.3008



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Dear Debbie

Checkley Wood Farm - Proposed Wind Turbine Application No.CB-16-01389-4

It was helpful to speak to you on the telephone further to my letter dated 17 August 2017, primarily concerning landscape issues and the Council's own guidance note on wind energy development in Central Bedfordshire.

During the conversation, you made the point that CBC's own Landscape Officer had not objected to the application. Having read through the agenda papers for the last Committee meeting and referring to page 59, I have looked through the Landscape Officer's comments which I think raises more concerns than have been admitted.

To quote his comments:-

"I have serious concerns regarding the proposal's visual impact on the local and wider landscapes, especially given wind turbines cannot be mitigated visually, it is important to note that the proposed turbine is of an equivalent scale to the existing turbine at the adjoining Double Arches site – currently one of the tallest on-shore turbines in the UK."

That may not technically be an objection, but neither does it indicate any support and it does indicate the Officer has serious concerns.

In the last paragraph of page 61, the Officer refers to the key question of the cumulative effect of two turbines at this location, in particular, raising the issue of capacity of the landscape to accommodate more turbines being the key.

On page 62, the Officer comments on CBC's own wind energy guidance, but for some reason does not provide an opinion on which of the capacity criteria apply, either a single turbine or a cluster of 1-3 turbines.

I find this odd. Surely it is an Officer's responsibility to give an opinion as to how the guidance should be interpreted.

In my letter dated 17 August 2017, I provided views on what seems to be a logical interpretation of the guidance, i.e. that you have to accept that the Double Arches turbine is already there and the issue is trying to assess the capacity of the given landscape to absorb wind development.

I reiterate, that adding this turbine into the existing landscape produces one where two turbines exist and thus, the appropriate criteria to consider in landscaping terms, is that described as a cluster of 1-3 turbines.





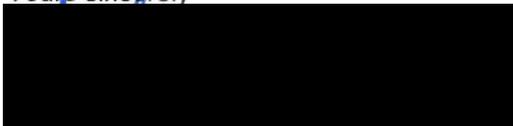
Thus, as stated, in the guidance notes, there is a low capacity for the landscape in question to absorb a cluster of 1-3 turbines. The analysis specifically refers to concerns over cumulative impact with a large turbine at Double Arches.

I have tried to think how the single turbine criteria might be applied as you describe. It seems illogical to me that another turbine in one planning application should be considered as a single turbine in the landscape when one exists already. In theory, if your interpretation applies there could be several applications of single turbines made, which could create substantive numbers of turbines clustered there, but only the single turbine criteria would be applicable to consider the landscape's capacity to absorb them. Surely this cannot be right?

I know this letter may seem slightly repetitive, but I think it is a vital point that the members of the Committee consider and it is important that the serious concerns that your Landscape Officer has over the application, are made clear.

With regards,

Yours sincerely



Michael Horton BSc MRICS
Director

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Ms. D Willcox & Mr. S Joynes,
Central Bedfordshire Council,
Priory House,
Monks Walk,
Chicksands,
SG17 5TQ

September 7th, 2017

Dear Ms. Willcox & Mr. Joynes,

RE: Proposed Checkley Wood Wind Turbine - Noise Impact Assessment

We wrote to you on 2nd July raising serious concerns regarding the Noise Impact Assessment and the proposed planning conditions designed to protect the Public Health of local communities.

You advised us that the revised Officer's Report ("OR") would be available on 31st August and would provide the necessary explanations and assurances. Having now had the opportunity to review that report, we are of the firm opinion that these substantial planning matters have not been addressed and trust that you will agree, that it is better that the Committee is properly informed of these now, before any decision is made.

In an attempt to be succinct, we will outline the key issues and references to documents within the OR:

1. Section 7.9 of the OR states "when planning permission was granted in 2011 for the Double Arches turbine, a condition to control the effects of EAM was imposed. This condition was removed under Planning Reference CB/13/02037/VOC in September 2013 on the basis that there was insufficient evidence to show that it was reasonable and enforceable, which is considered to be a reasonable decision based on the available evidence at the time."

The Council's advisers, MAS, disagree that this was reasonable. In their report of 12th February 2015, Section 4.4 they state "The variation of Condition 10 to permit higher levels of noise impact at dwellings influences the overall noise impact to which residents will be subjected. It was considered at approval of the original Application that EAM was in need of control. This remains the case and is relevant to the variation of Condition 10 as the combined impact of higher noise levels and noise character (*i.e.* EAM), is a significant change of impact.

The OR is incorrect and the lifting of the AM condition was not deemed reasonable in the report.

2. Section 7.11 of the OR states "The Parsons Brinkerhoff Report found significant evidence that where EAM occurs the adverse effects can be significant and therefore, a condition should always be imposed."

and

Cont'.....

-2-

MAS in their report of 12th February 2015, Section 3.6, comment “it is to be recognised that whilst the metric for determining EAM was removed from the previous consent by VOC, the need for its control was not.”

Further to these statements:

Respondents to the Planning Application have reported EAM arising from Double Arches (7.11 OR).

Further, the likelihood and level of EAM is increased when wind speeds between the apex and the nadir of the turbine are markedly different and/or the airflow to the turbine’s blades is disturbed. It is a recognised fact that at only 410m distant, the erection of a second turbine will increase airflow disturbance and therefore, increase the likelihood of EAM both in terms of frequency and level.

The proposed Planning condition for AM control only controls the EAM generated by the Checkley Wood turbine.

Remarkably the OR, Section 7.13, states “As such, it is considered that the proposed EAM conditions would meet the six tests for planning conditions and would provide an adequate protection for neighbouring residents in regard to the potential impacts of EAM.” No explanation is given as to how this conclusion was reached or whether the Council’s noise advisers, MAS, were consulted.

It is CBC and NPPG Policy that the CUMULATIVE impact of turbine noise is to be considered.

By definition the points above show that the cumulative impact of the noise (*EAM*) arising from the 2 turbines has NOT been considered. Furthermore, the points above also demonstrate that the total EAM will, in all likelihood, be increased by the actions of one turbine on the other.

As such, the following statements contained within the OR must be reconsidered:

Pollution Officer “I therefore recommend support, on the grounds that the agreed conditions pertaining to the cumulative impact of turbine noise and AM are imposed.”

This statement has not been met.

Renewables Officer “I have no objections to Planning Permission, however, this is based on the assumption that Committee satisfied that the issues raised by the local community have, or will, be adequately resolved and the Landscape Officer is satisfied with the mitigation proposed to limit landscape impact and other aspects such as noise, etc., are dealt with satisfactorily.”

This statement has not been met.

Planning Officers, Section 7.13 “It is considered that the proposed EAM conditions would meet the six tests for Planning conditions and would provide an adequate protection for neighbouring residents.”

This statement has not been met.

June 2015 Ministerial Statement “When considering applications for wind energy development, LPA’s should only grant Planning permission if, following consultation, it can be demonstrated that the Planning impacts identified by affected local communities have been fully addressed and, therefore, the Proposal has their backing.”

This statement has not been met.

Cont’.....

-3-

3. Finally the OR makes a significant error of Application when it states (*Section 7.14*) "It should be noted that the turbine at Double Arches is not part of this Application and Planning Law does not permit the imposition of conditions which would seek to control a turbine that is not part of this Application".

Firstly, it must be recognised that EAM control is only lacking from Double Arches because CBC allowed by VOC, the EAM condition on the original approval to be lifted.

Planning Law however does ensure that the consequences of any proposed development are understood and managed. It has been shown above that one of the consequences of this proposed development will be to, in all likelihood, increase EAM arising from the nearby Double Arches turbine. If this affect cannot be mitigated, then the requirement of Planning Law is clear and that is the refusal of the proposed development.

Will you please ensure that this letter is provided to Committee Members of the Late List and that they fully understand the points made.

Kind regards.

Chris Roberts
On behalf of SCWT

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HENLOW ACADEMY: Proposed New Sports Hall and Classroom Block

Planning Reference: CB/17/03294/FULL

OCS (Overview & Scrutiny Committee) Points:

	Recommendation:	How it has been addressed:
1	RECOMMENDED that officers work closely and proactively with schools, taking into account current resources and staffing levels to regularly promote school travel plans and existing health programmes that encourage active and sustainable travel for children within catchment.	The Academy is happy for this regular communication to be established with the appropriate Council officers.
2	RECOMMENDED that every school be encouraged to produce an active and regularly updated travel plan, maintaining the relationship with Council officers when providing travel data.	<p>The Academy is pro-active in the management of pupil and teacher traffic. In addition, a new Travel Plan and Transport Statement have been produced as part of this planning application.</p> <ul style="list-style-type: none"> ▲ If it is expected that the school must be working towards instigating a 20MPH zone on the approach roads (in particular Groveside & Church Road) then they are willing to work with CBC Highways team in order to achieve this, and can add this to the Travel Plan and Transport Statement. <p>When approved, the Academy will adopt the Travel Plan and follow the actions required, reviewing at regular intervals.</p> <ul style="list-style-type: none"> ▲ It could be conditioned for the Academy to review the Travel Plan annually (for example).
3	RECOMMENDED Information sharing: the production of a school's parking leaflet (similar to that of a neighbouring authority) with distribution electronically where possible to schools, parents and via the Council's website and social media outlets.	The Academy has prepared a leaflet 'Dropping off Pupils at Henlow Academy', and will distribute this information to new parents and children upon enrolment at the school, and also to existing pupils, from Autumn term 2017. Some recommended information for parents and

		<p>children is provided in the appendices to the Henlow Academy Travel Plan:</p> <ul style="list-style-type: none"> ▲ Appendix B: A sample 'Travel Guide' leaflet, which Henlow Academy can use as a template to produce their own site Travel Guide ▲ Appendix C: Travel Plan - Action Plan which lists specific measures to be undertaken by the Academy over the forthcoming school year to promote sustainable travel
4	RECOMMENDED regular (termly) communication between Council Officers and Head Teachers, reinforcing the promotion of school travel plans and sustainable travel solutions.	The Academy is happy for this regular communication to be established with the appropriate Council officers.
5	RECOMMENDED that the Council fully enforce inappropriate parking on yellow 'zig zags' which are placed along the entire frontage of all schools, ensuring they are always positioned to the maximum enforceable length.	The Academy is happy for the Council to provide parking enforcement officers to police this.
6	RECOMMENDED that where parking restrictions exist, current measures are robustly deployed and enforced, taking into account existing resources.	The Academy has drawn up a duty rota of senior staff to supervise the front entrance to the site at the beginning and end of the school day. In addition, the Academy is happy for the Council to provide parking enforcement officers to police parking restrictions.
7	RECOMMENDED that visible signage be displayed outside all schools where deemed necessary, prohibiting parking and waiting between the hours of approximately 8-9am and 3-4pm, acknowledging that individual schools may have differing opening times, taking into account the impact of any restrictions upon residents within the area and existing budget constraints.	Academy staff are currently reviewing signage around and close to the site, and will take steps to improve it. The Academy is content for the requirement to provide new signage to be conditioned as part of any planning permission granted for the scheme
8	RECOMMENDED the introduction of 20mph zones outside of new schools and existing schools, assessing the most appropriate radius to place them in.	The Academy is content for CBC to put in place 20 MPH zones in the roads close to the site.

9	RECOMMENDED that planning conditions already within the Council's remit be applied when considering school expansions and new builds, without the need to amend current policy.	The Academy is content for the local authority to impose conditions as it deems appropriate regarding parking and travel to school
10	RECOMMENDED that lower and primary schools be encouraged to allocate a designated member of staff to manage collection and drop off of children at the start and end of the school day.	N/A
11	RECOMMENDED that new schools and expansions include provision for school buses, access and turning wherever possible.	This has been addressed at design stage, and the drawings submitted for planning show the following improvements to the site: <ul style="list-style-type: none"> ▲ Car park extension to create 14 additional spaces, allocated as follows: <ul style="list-style-type: none"> ○ Visitor Parking – 4 spaces (marked numbers 11-14 on drawing 453-110B) which will double as a bus / coach waiting area (within restricted times) ○ DDA Parking – 1 space ○ Staff Parking – 9 spaces ▲ A new turning circle will be created for coaches/buses/other vehicles. Pedestrians will be protected by bollards. ▲ Emergency vehicle access to the new building has been considered. A 'Grasscrete' track will be created from the far end of the new car park towards the proposed block.
12	RECOMMENDED that schools promote a staggered start and finish time where a number of schools are in close proximity to one another in order to alleviate the pressure on parents needing to drop off children of differing ages to different schools.	This is something which could be explored with other nearby schools (Raynsford CofE Academy, the lower school which is located on Park Lane, for example).
13	RECOMMENDED that schools promote walking buses where practical, further strengthening schemes to encourage walking, cycling, scooting and other means of sustainable travel.	Walking buses are encouraged by means of existing 'travel to school' publicity distributed and promoted by the school.

14	RECOMMENDED that middle and upper schools be encouraged to work with local transport providers to facilitate subsidised travel for out of catchment children, where practical.	A new bus route is being created from Stotfold for the group of children who will be outside of school catchment area.
15	RECOMMENDED that schools work closely with catchment area children and parents to minimise as much as possible any unnecessary short distance car journeys, taking into account the time constraints faced by working parents.	Induction meetings and literature distributed at regular intervals already stresses the importance of travelling to and from school by means other than the private car, wherever practicable.
16	RECOMMENDED that schools be encouraged to work closely with the local community in order to maximise shared resources including utilising village hall car parks, local supermarkets, park and stride solutions and liaison with parish councils in order to support improvements and closer partnership working.	<p>Local community arrangements are already in place for parent drop off and pick up parking with:</p> <ul style="list-style-type: none"> ▲ Boyd Field (Scouts car park) on Church Road ▲ Henlow Park Pavilion on Groveside ▲ The Five Bells on High Street ▲ The Millenium Field at the end of Gardiners Lane <p>Parents are allowed to use the car parks at each of these locations.</p>