

## CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 9 January 2019

### PRESENT

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

Cllrs M C Blair  
Mrs S Clark  
I Dalgarno  
F Firth  
E Ghent

Cllrs C C Gomm  
K Janes  
T Nicols  
T Swain  
J N Young

Apologies for Absence: Cllrs R D Berry  
K M Collins

Substitutes: Cllrs D Bowater (In place of R D Berry)  
P Smith (In place of K M Collins)

Members in Attendance: Cllrs Mrs D B Gurney,  
Ms C Maudlin

Officers in Attendance: Ms P Bramwell Solicitor, LGSS  
Mr J Ellis Planning Manager South  
Mr S Kemp Planning Officer  
Mr D Lamb Strategic Delivery Manager  
Mr L Manning Committee Services Officer  
Ms J Martin Senior Planning Officer  
Mr J Peck Planning Officer  
Ms S Sherwood Committee Services Officer  
Mr B Tracy Planning Officer

DM/18/112. **Chairman's Announcements**

The Chairman advised the meeting that the order of business for the planning applications would be as follows:

6,7,10,9,5 and 8.

DM/18/113. **Minutes**

**RESOLVED**

**that the Minutes of the meeting of the Development Management Committee held on the 5 December 2018 be confirmed and signed by the Chairman as a correct record.**

DM/18/114. **Members' Interests**

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

	<b>Item</b>	<b>Nature of Interest</b>	<b>Present or Absent during discussion</b>
All	6	Public Speaker is a former Member of the authority.	Present
Cllr Smith	8	Grandson attends Fulbrook Middle School.	Present
Cllr Ghent	5	Aware of the application through his works as Assets portfolio holder but has not been present during discussions.	Present
Cllr Young	9	Knows the applicant through his duties as Regeneration portfolio holder.	Present

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

<b>Member</b>	<b>Item</b>	<b>Nature of Interest</b>	<b>Present or Absent during discussion</b>
None			

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

<b>Member</b>	<b>Item</b>	<b>Parish/Town Council</b>	<b>Vote Cast</b>
None			

DM/18/115. **Planning Application No. CB/18/02867/VOC (Sandy)**

The Committee had before it a report regarding Planning Application No. CB/18/02867/VOC for a variation of Condition 4 of application CB/16/04369/OUT, dated 13/04/2107 – an amendment to remove the occupational restriction and condition to provide bungalows only at Land South of Barford Road, Blunham, MK44 3NE

In advance of consideration of the application the Committee heard representations from public speakers.

The public speakers included a representation in objection from Parish Councillor Nigel Aldis, a representation in objection from Charles Day, and a representation from Reda Iskandar as agent for the applicant in support.

Committee Members discussed the following points:

- Members discussed the concerns of the Parish Council relating to the evidenced need for older peoples housing in the local area. The planning Officer noted that there was no council policy that required an age restriction relating to the sale of bungalows and the amount of bungalows provided exceed the policy H3 requirement and therefore approval was recommended.
- Members discussed the agents points of the advantages of being able to release the bungalows to potential purchasers with other needs or disabilities. The agent raised concerns around restricting the sale of the bungalows and potentially having unsold units as a result. Members disagreed with this as there was evidence of a housing need demand for the aging population.
- It was clarified that although the current developer had bought the site since the outline application was approved and they were aware of the age restrictions on the bungalows. It was discussed that the original developer had entered into the condition voluntarily and this was used as a positive point to the Parish Council and residents at consultation stage.

- Members agreed that removing the restriction would not guarantee the properties would go to purchasers with need for a bungalow and may cause a loss of suitable housing to those over 55.
- The planning officer noted that there was no policy to support the restriction but Members felt that there was an overwhelming need for housing to be reserved for older people. The planning officer agreed that there is a need for housing for older people.
- Members moved for REFUSAL to remove the condition, against officer recommendation, as the restriction meets the national demand of over 55s housing as set out in the NPPF (Paragraph 60), the provision for the over 55 restriction was material in terms of the decision relating to the original application and the committee sees no reason to negate the original decision.

On being put to the vote for REFUSAL, 12 voted in favour, 0 against and 1 abstention.

#### **RESOLVED**

**That the Planning Application No. CB/18/02867/VOC at Land South of Barford Road, Blunham, MK44 3NE, be refused.**

DM/18/116. **Planning Application No. CB/18/03395/FULL (Houghton Conquest & Haynes)**

The Committee had before it a report regarding Planning Application No. CB/18/03395/FULL for the erection of 37 dwellings at Chapel End Road, Houghton Conquest, MK45 3LL.

In advance of consideration of the application the Committee's attention was drawn to additional consultation, additional comments and amended conditions as set out in the Late Sheet as well as representations from public speakers.

The Officer advised the members that contributions were only sought for the additional 20 dwellings, the obligations for the other 17 were to be secured in accordance with the original agreement. The following contributions were sought:

#### **Education**

Early Years  
Lower  
Middle  
Upper

#### **Community Facilities**

Village hall improvements

### **Leisure**

Outdoor Sport  
Children's Play  
Informal Recreation

### **Health Care**

Proposed GP surgery

The public speakers included a representation from Ian Mitchell as the applicant in support.

Committee Members discussed the following points:

- Members asked the applicant for clarity around the compliance of the parking arrangements due to highways concerns as detailed in the officer's report. It was reported that the visitors parking would be on private areas of the road run by a management company and not on the highways land. The planning officer noted there was not a quantum compliance issue as there was enough spaces planned, it was where they were situated. It was discussed and reported that this issue was addressed in the amended condition 2 as set out in the late sheet. It was noted that although the report sets out a number of highways concerns, the highways officer did not raise any on the site visit attended by Members.
- Members were keen to ensure nomination rights for the bungalows would be maintained. The applicant responded that there was a Registered Provider agreed to take the additional units should the Committee be minded to approve. The Planning Officer added that this could be an informative to the applicant.
- On further discussion on highways concerns (Condition 3 in the highways recommendation section of the officer's report), it was agreed that removal of permitted development rights on garages should be a condition.
- Members discussed concerns relating to the density of the additional dwelling site, the planning officer reported that the net density of the area of additional dwellings had grown from 19 dwellings per hectare to 40 dwellings per hectare, but when looking at the site as a whole, it had only increased from 14.9 dwellings per hectare to 17.3 dwellings per hectare which was a low density over all. It was noted by a Member that this was efficient use of the site and the dwellings already built were to a high quality and architectural style and expected that this be continued with the dwellings proposed
- It was noted that the S106 infrastructure contributions had not yet been agreed with the applicant but approval of the scheme would be dependent on a legal agreement to include necessary financial

contributions towards the identified infrastructure projects, to mitigate the needs arising from the development.

- Members agreed to move as set out with the additions of a condition to removed the permitted development rights of the garages and an informative to the applicant about the Councils request to retain nomination rights.

On being put to the vote for APPROVAL, 11 voted in favour, 0 against and 2 abstentions.

### **RESOLVED**

**That the Planning Application No. CB/18/03395/FULL at Chapel End Road, Houghton Conquest, MK45 3LL, be approved as set out in the schedule attached to these minutes.**

### **THE COMMITTEE ADJOURNED AT 11.30 A.M. AND RECONVENED AT 11.40 A.M.**

#### **DM/18/117. Planning Application No. CB/18/01795/FULL (Toddington)**

The Committee had before it a report regarding Planning Application No. CB/18/01795/FULL for a proposed energy storage facility to provide energy balancing service to the National Grid at Chapel Farm, Luton Road, Chalton, Luton, LU4 9UJ.

In advance of consideration of the application the Committee's attention was drawn to additional comments and additional/amended conditions as set out in the Late Sheet as well as representations from public speakers.

The public speakers included a representation from Parish Councillor Keith Featherstone in objection and a representation from Louise Leyland as agent to the applicant in support.

Committee Members discussed the following points:

- Members discussed and clarified what equipment would be on site with regards to a large transformer. It was noted that the large transformer was no longer part of the application. The agent for the applicant reported there will be small battery and transformer housings at 2.2mtrs high each, these would be surrounded by a 2.4mtr high perimeter fence. It was noted by the planning officer that condition 2 covers a full landscaping scheme to be submitted to ensure adequate screening.
- The agent reported for clarification, that the application site (land adjacent to the existing substation) was the normal position for this type of storage facility to be built and could not be built closer as the land is owned by the National Grid and so could not be built on by the applicant.

- The planning officer addressed that multiple applications had been referred to during the public representations. It was reported that the National Grid had advertised capacity and there had been a flurry of applications made. Members were asked to note this is the only battery store application currently received.
- In response to the Parish Councils concern of noise, the planning officer noted that Condition 8 would cover any noise related issues and there had been no objection relating to noise from the environmental officer.
- A Ward Member added there had been a lot of planning applications and recent developments including, housing, retail, infrastructure and warehousing. The village wanted to protect the green belt and reported he was not comfortable with the location of the application but needed to balance that with the need for sustainable energy development.
- Members discussed the VSC's (very special circumstances) as listed in 2.2 of the officers report which predominantly involved the benefits of sustainable energy It was agreed that they reflected Section 10 of the NPPF which recognises the benefits of such applications.
- Members agreed to move as set out.

On being put to the vote for APPROVAL, 11 voted in favour, 1 against and 1 abstention.

#### **RESOLVED**

**That the Planning Application No. CB/18/01795/FULL at Chapel Farm, Luton Road, Chalton, Luton, LU4 9UJ be approved as set out in the schedule attached to these minutes.**

**COUNCILLOR NICOLS LEFT THE ROOM AT 12.18 P.M.AND RETURNED AT 12.45 P.M. AND WAS NOT PRESENT FOR THE DEBATE OF THE NEXT ITEM AND DID NOT TAKE PART IN THE VOTE.**

#### **DM/18/118. Planning Application No. CB/18/03205/FULL (Caddington)**

The Committee had before it a report regarding Planning Application No. CB/18/03205/FULL for the erection of a production facility (with use classes B1(a) (offices) and B1(c) (light industry appropriate in a residential area)) with associated office, on site parking and access road off Pepsal End Road at land adjacent to Ashridge, Pepsal End Road, Pepperstock, Luton, LU1 4LJ.

In advance of consideration of the application the Committee's attention was drawn to additional consultation, publicity responses and additional comments as set out in the Late Sheet as well as a representation from a public speaker.

The public speaker included a representation from Mr Harper as the applicant in support.

Committee Members discussed the following points:

- The planning officer summarised his report for Members and detailed reasons for refusal.
- Members discussed the benefits to the application, one of which was the new employment of 12 staff members within the business that already supports 40 staff.
- Members asked the applicant if he had considered other sites for the production facility, the applicant reported he had looked inside and outside the county but found no building suitable. Due to strict food safety requirements, a custom building is required. It was also noted that there is no parking on or local to the existing shop site, which was also a factor in considering where his staff could safely park.
- Members noted that the proposed facility was close to the applicant's own property, the applicant reported that he did not believe there would be any adverse impact on his living conditions.
- The Chair read out a statement of support from the Ward Members who could not attend the Committee. The reasons of support stated there were no other sustainable or commercially viable sites outside the Green Belt and there are VSC's (very special circumstances) in this case that outweigh the potential harm to the Green Belt, one of which being to support a thriving rural business to grow. They did however suggest two conditions to minimise any potential impact which were to propose that Land adjacent to No 11 Pepsal End Road/ Pedlars be retained as open space and land adjoining Pepsal End Road only be used as an access road to the production facility and that lorry / delivery movements to the production facility be limited to between the hours of 06:00 and 18:00.
- Members discussed the comments from neighbours consulted. It was agreed that the neighbouring properties should have protection with regards to buffering, screening and landscaping. It was agreed that a landscaping scheme should be a condition to submitted as suggested within the Landscaping Officers comments within the report. Members requested the planning officer be delegated to supply appropriate wording for a condition.
- Members agreed that the conditions discussed would be enough to mitigate any impact within the Green Belt and that the applicant will not find a more suitable or sustainable location.
- Members agreed that the VSC's were enough to justify any impact on the green belt, those being supported by paragraph 80 of the NPPF –

conditions in which a business can grow and adapt, significant weight should be given to supporting economic growth and paragraph 83a which supports sustainable business growth in rural areas through well designed buildings.

- Members noted that the existing café in the business was a valuable community asset and the planning benefits outweigh the damage.
- Members agreed to move to APPROVE the application, against officers recommendations, with the additions of conditions to maintain open space adjacent to 11 Pepsal End Road/ Pedlars and to limit the hours of delivery/lorry movements to mitigate the impact on the Green Belt and to have a detailed landscaping scheme conditioned to protect neighbouring properties as discussed.

On being put to the vote for APPROVAL, 9 voted in favour, 2 against and 1 abstention.

#### **RESOLVED**

**That the Planning Application No. CB/18/03205/FULL at land adjacent to Ashridge, Pepsal End Road, Pepperstock, Luton, LU1 4LJ be approved as set out in the schedule attached to these minutes.**

**AT THE CONCLUSION OF ITEM 9 ABOVE COUNCILLORS GHENT & CLARK LEFT THE MEETING**

**THE COMMITTEE ADJOURNED AT 13.10 P.M AND RECONVENED AT 13.15 P.M.**

**COUNCILLOR SMITH WAS NOT PRESENT FOR THE OFFICERS PRESENTATION AND THEREFORE DID NOT TAKE PART IN THE DEBATE OR VOTE.**

**DM/18/119. Planning Application No. CB/18/04185/FULL (Arlesey)**

The Committee had before it a report regarding Planning Application No. CB/18/04185/FULL for a two storey detached school building with associated car/cycle parking, external works, landscaping and external play areas at Etonbury Academy, Stotfold Road, Arlesey, SG15 6XS

In advance of consideration of the application the Committee's attention was drawn to additional consultation and additional comments as set out in the Late Sheet. There were no representations from public speakers.

Committee Members discussed the following points:

- A Ward Member noted that the proposed application was fully supported by all Arlesey Ward Members as the extension to the school was would meet an urgent local need.

- The Planning Officer clarified that only one objection had been received on the application which related to technical issues around the school capacity and the design of the building. The other representations noted in the report were general comments and one representation of support.
- Members agreed to move as set out.

On being put to the vote for APPROVAL, 9 voted in favour, 0 against and 1 abstention.

## **RESOLVED**

**That the Planning Application No. CB/18/04185/FULL at Etonbury Academy, Stotfold Road, Arlesey, SG15 6XS, be approved as set out in the schedule attached to these minutes.**

### **DM/18/120. Planning Application No. CB/17/04133/FULL (Aspley & Woburn)**

The Committee had before it a report regarding Planning Application No. CB/17/04133/FULL for the construction of a synthetic turf pitch with associated floodlighting, fencing and ancillary features at Fulbrook Middle School, Weathercock Lane, Aspley Guise, Milton Keynes, MK17 8NP

It was noted that there were no further comments or conditions added to the late sheet and there were no representations from public speakers.

Committee Members discussed the following points:

- A Member highlighted the health and wellbeing advantages to young people this application would offer, giving them more access to sporting activities. Concerns were raised about the viability of the pitch due the restrictions imposed on hours of use in relation to the floodlighting. It was reported that the applicant could come back to planning with a variation of conditions if it was an issue, for further consideration by officers.
- After Member concerns relating to potential impact of the floodlighting on neighbouring properties as well as the local wildlife, the Planning Officer responded that there was a condition to have a full lighting plan submitted and approved before the development commenced.
- Members asked for clarification of the objection noted that could not be covered by conditions, it was reported by the Planning Officer that the objection concerned adult language that may be used whilst the pitch is in use.
- Members discussed use of the pitch after dusk and its possible effects on the native bats in the vicinity. The Planning Officer drew members

attention to Condition 6 which requires a detailed lighting strategy for bats to be submitted and approved, this also includes set timings that areas are allowed to be lit between the months of April and October, Condition 10 also specifies times that the floodlights can be used throughout the rest of the year.

- Members agreed to move as set out.

On being put to the vote for APPROVAL, 10 voted in favour, 0 against and 1 abstention.

#### **RESOLVED**

**That the Planning Application No. CB/17/04133/FULL at Fulbrook Middle School, Weathercock Lane, Aspley Guise, Milton Keynes, MK17 8NP be approved as set out in the schedule attached to these minutes.**

#### DM/18/121. **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/18/122. **Site Inspection Appointment(s)**

#### **NOTED**

**that the next meeting of the Development Management Committee will be held on 6 February 2019.**

#### **RESOLVED**

**that all Members and substitute Members, along with the relevant ward representatives, be invited to conduct the site inspections on 4 February 2019.**

(Note: The meeting commenced at 10.00 a.m. and concluded at 1.35 p.m.)

Chairman .....

Dated .....

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**Item No. 7**

**APPLICATION NUMBER** CB/18/03395/FULL  
**LOCATION** Land at Chapel End Road, Houghton Conquest  
MK45 3LL  
**PROPOSAL** Erection of 37 dwellings and associated  
development  
**PARISH** Houghton Conquest  
**WARD** Houghton Conquest & Haynes  
**WARD COUNCILLORS** Cllr Mrs Barker  
**CASE OFFICER** Benjamin Tracy  
**DATE REGISTERED** 10 October 2018  
**EXPIRY DATE** 09 January 2019  
**APPLICANT** Kier Living  
**AGENT**  
**REASON FOR** Major Application - Houghton Conquest Parish  
**COMMITTEE TO** Council Objection.  
**DETERMINE**

**RECOMMENDED**  
**DECISION** Recommended for Approve

**Recommendation:**

That Planning Permission be **GRANTED** subject to S106 agreement(s) and 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 No dwelling hereby approved shall be first occupied until details of all final hard surfacing materials as well as an Implementation scheme for all hard landscaping (including boundary treatments in accordance with Drawing reference 389-SK-07 Rev H and hard surfaced areas), has been submitted to and approved in writing by the Local Planning Authority. The implementation scheme shall detail the time scales/ triggers for the completion of hard landscaping. Thereafter the development shall be completed in full accordance with the approved details and the implementation scheme.

Reason: To secure the delivery of car parking spaces, boundary treatments and hard landscaping to safeguard the visual amenities of the locality and the amenity of future occupiers.

- 3 No works above slab level relating to the construction of the dwellings hereby approved shall take place until details of soft landscaping together with a

timetable for its implementation have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved and in accordance with the approved timetable.

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

- 4 No dwelling hereby approved shall be first occupied until a Landscape Maintenance and Management Plan for all hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the persons or body that 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 2 and 3.

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.

- 5 The development shall be externally finished in the materials specified on Drawing reference 389-SK-08 Rev H, including the materials specified for external walls, roofs, doors, windows, rainwater goods and soffits, unless otherwise approved in writing by the Local Planning Authority.

Reason: To control the appearance of the building in the interests of the visual amenities of the locality.

- 6 **No development shall commence until a detailed surface water drainage scheme, to manage surface water run off from the development for up to and including the 1 in 100 year event (+40%CC) for the scheme has been submitted to and approved in writing by the Local Planning Authority. The discharge rate from the development will be limited to the equivalent 1 in 1 year rate, or an appropriate rate as agreed by the Bedford Group of Internal Drainage Boards or sewage undertaker. The final detailed design shall be based on the agreed drainage Strategy (to be submitted) and DEFRA's Non-statutory technical standards for sustainable drainage systems (March, 2018), and shall be implemented as approved. Any variation to the connections and controls indicated on the approved drawing which may be necessary at the time of construction would require the resubmission of those details to the Local Planning Authority for approval.**

**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 of the NPPF.**

- 7 No dwelling hereby approved shall be first occupied until the developer has formally submitted in writing to the Local Planning Authority a finalised 'Maintenance and Management Plan' for the entire surface water drainage system, inclusive of any adoption arrangements and/or private ownership or responsibilities, and confirmation that the approved surface water drainage scheme has been correctly and fully installed as per the final approved details. Thereafter the surface water drainage system shall be managed in accordance with the approved details for its lifetime, unless any other variation is agreed in writing.

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.

- 8 Bird and bat bricks shall be installed in the dwellings identified on drawing reference 389-SK-10 Rev D and in full accordance with the details specified on that drawing, prior to the first occupation of those dwellings, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure development is ecologically sensitive and secures biodiversity enhancements in accordance with the National Planning Policy Framework.

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

Reason: In the interests of sustainability.

- 10 The first floor windows in the side elevations of plots 109, 110, 111, 112, 113, 114, 115, 116, 118, 119, 120, 121, 122, 123, 125, 126, 127, 128, 129, 131, 132, 134, 135, 136, 137, 138, 140, 141, 142, 143 and 144 of the development hereby permitted shall be permanently fitted with obscured glass of a type to substantially restrict vision through it at all times and shall be non-opening, unless the parts of the window(s) which can be opened are more than 1.7m above the floor of the room(s) in which the window(s) is installed.

Reason: To safeguard the privacy of occupiers of adjoining properties.

- 11 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 upper floor windows shall be inserted into: the northeastern elevation of plots 133 and 139; the southeastern elevation of plot 124; the southwestern elevation of plot 145; or the northwestern elevation of plot 117, of the development hereby permitted, without the grant of further specific planning permission from the Local Planning Authority.

Reason: To protect the privacy of neighbouring residents.

- 12 No dwelling hereby permitted shall be first occupied until the vehicle parking spaces to serve that plot as indicated on the approved drawings to serve that dwelling have been completed and surfaced in accordance with the approved hard landscaping scheme. Thereafter the vehicle parking spaces shall be kept available for parking at all times.

Reason: to minimise the potential for on-street parking and thereby safeguard the interest of the safety and convenience of road users.

- 13 Prior to the first use of any new access drive, a triangular vision splay shall be provided on each side of the new access drive and shall be 2.8m measured along the back edge of the highway from the centre line of the anticipated vehicle path to a point 2.0m measured from the back edge of the highway into the site along the centre line of the anticipated vehicle path. The vision splay so described shall be kept free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level throughout the lifetime of the development.

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).

- 14 Prior to the first use of any approved road junctions within the site, visibility splays shall be provided at those road junctions. As a minimum dimensions of the visibility splays 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 thereafter be proposed 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 junctions in the interest of road safety.

- 15 No dwelling hereby permitted shall be first occupied, until a scheme for the secure and covered parking of cycles on the site, has been submitted to and approved in writing by the Local Planning Authority. Thereafter no dwelling shall be first occupied until the cycle parking to serve that dwelling has been completed and made available for use.

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

- 16 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any amendments thereto, the garage accommodation on the site shall not be used for any purpose, other than as

garage accommodation, unless permission has been granted by the Local Planning Authority on an application made for that purpose.

Reason: To retain off-street parking provision and thereby minimise the potential for on-street parking which could adversely affect the convenience of road users.

- 17 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: Revised Site Location Plan; 389-SK-01 Rev J; 389-SK-06 Rev J; 389-SK-07 Rev H; 389-SK-10 Rev D; 389-SK-04 Rev J; KSHT-OAKW-101-05A; KSHT-OAKW-101-01; KSHT-OAKF-101-03A; SHT-OAKF-101-01; KSHT-HOPWv2-101-05A; KSHT-HOPWv2-101-01; KSHT-CHAR-101-50A; 2BH-A-01; 2BH-A-G-01 Rev B; 3BH-A-01 Rev B; SG2-101-01; and DG2-101-01.

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 as a result of the development, new highway street lighting will be required, and the applicant must contact the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ for details of the works involved, the cost of which shall be borne by the developer. No development shall commence until the works have been approved in writing and the applicant has entered into a separate legal agreement covering this point with the Highway Authority.
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 within the site 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 Highways Agreements Officer, Highways Contract Team, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ .
4. 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".
5. The developer/applicant is advised to use a registered provider for affordable homes which the Council holds nomination rights for tenants.

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**Item No. 10**

<b>APPLICATION NUMBER</b>	<b>CB/18/01795/FULL</b>
<b>LOCATION</b>	<b>Chapel Farm, Luton Road, Chalton, Luton, LU4 9UJ</b>
<b>PROPOSAL</b>	<b>Proposed energy storage facility to provide energy balancing services to the National Grid</b>
<b>PARISH</b>	<b>Chalton</b>
<b>WARD</b>	<b>Toddington</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Costin &amp; Nicols</b>
<b>CASE OFFICER</b>	<b>Judy Martin</b>
<b>DATE REGISTERED</b>	<b>08 May 2018</b>
<b>EXPIRY DATE</b>	<b>07 August 2018</b>
<b>APPLICANT</b>	<b>Harmony Energy Storage</b>
<b>AGENT</b>	<b>PWA Planning</b>
<b>REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION</b>	<b>It is a major application and the Parish Council have raised an objection.  Recommended for Approval</b>

The Council as the Local Planning Authority hereby gives notice of its decision to **GRANT PERMISSION** for the development specified above and shown on the submitted plans, 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 **No development shall take place until a landscaping scheme to include all hard and soft landscaping and a scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.**

**Reason: To ensure an acceptable standard of landscaping.  
(Sections 12 & 15, NPPF)**

**This pre-commencement condition has been agreed with the applicant as it is necessary in order to ensure that no unnecessary harm is caused by the commencement of development works.**

- 4 **Prior to commencement of development storm water details (design and construction) shall be submitted to and approved in writing by the Local Planning Authority. Storage must be provided for all storm events up to and including the 1 in 100 year event + 40% allowance for climate change.**

**Reason: To ensure an acceptable scheme. The proposed means of surface water discharge is direct to a watercourse under the IDB's control and the Board will not accept discharge rates greater and the QBAR rate for the site impermeable area.**

**This pre-commencement condition has been agreed with the applicant as it is necessary in order to ensure that no unnecessary harm is caused by the commencement of development works.**

- 5 **Development shall not begin until details of turning areas suitable for a heavy goods vehicle has been approved by the Local Planning Authority and no building shall be occupied until those turning areas have been constructed in accordance with the approved details.**

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

**This pre-commencement condition has been agreed with the applicant as it is necessary in order to ensure that no unnecessary harm is caused by the commencement of development works.**

- 6 The maximum gradient of the vehicular access shall be 10% (1 in 10).

Reason: In the interests of the safety of persons using the access and users of the highway.

- 7 The proposed vehicular access shall be constructed and surfaced in accordance with details to be approved in writing by the Local Planning Authority for a distance of 25m into the site, measured from the highway boundary. Arrangement 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 the highway.

- 8 Noise resulting from the use of the plant, machinery or equipment associated with this permission shall not exceed the existing background level when measured or calculated according to BS4142:2014.

Reason: To protect the amenity of nearby premises.

- 9 The development hereby permitted shall be removed and recycled and the site restored at the end of its operational life.

Reason: For the avoidance of doubt and to protect the openness of the Green Belt (Section 13, NPPF)

- 10 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted site location plan and block plan and the plan numbered 001 Rev G.

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

## NOTES TO APPLICANT

**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.**

**The application form for approval of details reserved by a condition, guidance notes and fees (i.e. £34.00 for householder applications and £116.00 for all other applications, per submission) can be found on our website [www.centralbedfordshire.gov.uk](http://www.centralbedfordshire.gov.uk) or alternatively call Customer Services on 0300 300 8307 for hard copy forms.**

- 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.

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**Item No. 9**

<b>APPLICATION NUMBER</b>	<b>CB/18/03205/FULL</b>
<b>LOCATION</b>	<b>Land adjacent to Ashridge, Pepsal End Road, Pepperstock, Luton, LU1 4LJ</b>
<b>PROPOSAL</b>	<b>Erection of a production facility (with use classes B1(a) (offices) and B1(c) (light industry appropriate in a residential area)) with associated office, on-site parking and an access road off Pepsal End Road</b>
<b>PARISH</b>	<b>Slip End</b>
<b>WARD</b>	<b>Caddington</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Collins &amp; Stay</b>
<b>CASE OFFICER</b>	<b>James Peck</b>
<b>DATE REGISTERED</b>	<b>20 August 2018</b>
<b>EXPIRY DATE</b>	<b>15 October 2018</b>
<b>APPLICANT</b>	<b>Harper</b>
<b>AGENT</b>	<b>DLA Town Planning Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Called in for determination by the Development Management Committee by Cllr Stay if minded to refuse on the basis of:</b> <ul style="list-style-type: none"><li><b>• Minimal to zero impact on landscape</b></li><li><b>• This development is justified on Green Belt because VSC's include sustainability of the Harpers facility, employment and minimal impact on Green Belt</b></li></ul>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Recommended for Refusal</b>

The Council as the Local Planning Authority hereby gives notice of its decision to **GRANT PERMISSION** for the development specified above and shown on the submitted plans, 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 **No development shall commence until a detailed surface water drainage scheme, to manage surface water runoff from the development for up to and including the 1 in 100-year event (+40%CC), and a maintenance and management plan for the scheme has been submitted to and approved in writing by the Local Planning Authority. The discharge rate from the development will be limited to the equivalent 1 in 1 year rate, or an appropriate**

rate as agreed by the Bedford Group of Internal Drainage Boards. The final detailed design shall be based on the agreed drainage Strategy (to be submitted) and DEFRA's Non-statutory technical standards for sustainable drainage systems (March 2018), and shall be implemented and maintained as approved. Maintenance will ensure the system functions as designed for the lifetime of the development. An as built drainage drawing should be submitted to the Local Planning Authority as part of this condition.

**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 paragraphs 163 and 165 of the NPPF and its supporting technical guidance. (Section 15, NPPF)

- 3 No building shall be occupied until the developer has formally submitted in writing to the Local Planning Authority a finalised '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. (Section 15, NPPF)

- 4 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, on land in the applicant's control, be kept free of any obstruction.

**Reason:** To provide adequate visibility between the existing highway and the proposed access, and to make the access safe and convenient for the traffic which is likely to use it. (Policy T10, SBLPR, policy T2 of the emerging Central Bedfordshire Local Plan and section 9, NPPF)

- 5 Visibility splays shall be provided at the eastern junction of Front Street and Pepsal End Lane 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 120m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall, on land in the applicant's control, be kept free of any obstruction.

**Reason:** To provide adequate visibility between the existing highway and the proposed access, and to make the access safe and convenient for the traffic which is likely to use it. (Policy T10, SBLPR, policy T2 of the emerging Central Bedfordshire Local Plan and section 9, NPPF)

- 6 **Development shall not begin until details of the junction of the proposed vehicular access with the highway have been submitted to and approved by the Local Planning Authority and no building shall be occupied until the junction has been constructed in accordance with the approved details.**

**Reason:** In order to minimise danger, obstruction and inconvenience to users of the highway and the premises. (Policy T10, SBLPR, policy T2 of the emerging

Central Bedfordshire Local Plan and section 9, NPPF)

- 7 Before the access is first brought into use a triangular vision splay shall be provided on each side of the new access and shall measure 1.8m along the fence, wall, hedge or other means of definition of the front boundary of the site, and 1.8m measured into the site at right angles to the same line along the side of the new access drive. The vision splays so described and on land under the applicant's control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

Reason: To provide adequate visibility between the existing highway and the proposed access, and to make the access safe and convenient for the traffic which is likely to use it. (Policy T10, SBLPR, policy T2 of the emerging Central Bedfordshire Local Plan and section 9, NPPF)

- 8 The maximum gradient of the vehicular access shall be 10% (1 in 10).

Reason: In the interests of the safety of persons using the access and users of the highway. (Policy T10, SBLPR, policy T2 of the emerging Central Bedfordshire Local Plan and section 9, NPPF)

- 9 Any gates provided shall open away from the highway and be set back a distance of at least 5.0m from the nearside edge of the carriageway of the adjoining highway.

Reason: To enable vehicles to draw off the highway before the gates are opened. (Policy T10, SBLPR, policy T2 of the emerging Central Bedfordshire Local Plan and section 9, NPPF)

- 10 Before the premises are occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises. (Policy T10, SBLPR, policies T2 & T3 of the emerging Central Bedfordshire Local Plan and section 9, NPPF)

- 11 Development shall not commence until a scheme detailing provision for on site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.**

**Reason: To ensure adequate off street parking during construction in the interests of road safety. (Policy T10, SBLPR, policies T2 & T3 of the emerging Central Bedfordshire Local Plan and section 9, NPPF)**

- 12 Prior to the occupation of the production facility with sedum roof hereby approved, equipment shall be installed to effectively suppress and disperse fumes and/or odour produced by cooking and food preparation, and the equipment shall be effectively operated for so long as the commercial food use continues. Full details of the method of odour abatement and all odour abatement equipment to be used, including predicted noise levels of the equipment in operation, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved equipment shall be installed and in full working order at all times to the satisfaction of the Local Planning Authority.

Reason: In order to prevent the adverse impact of odour arising from cooking activities on the amenity of nearby residents. (Policy BE8, SBLPR, policies HQ1 and CC8 of the emerging Central Bedfordshire Local Plan and section 15, NPPF)

- 13 The kitchen ventilation system approved in accordance with condition 12 above, together with any other external plant, machinery and equipment installed or operated in connection with this permission, shall be so enclosed, operated and/or attenuated that noise arising from such plant shall not exceed a level of 5dBA below the existing background level (when measured or calculated according to BS4142:2014. The applicant shall clearly demonstrate that noise from the installed plant achieves the required noise standard, prior to the use hereby permitted commencing.

Reason: To protect neighbouring residents from any adverse impact from noise arising from the kitchen extract ventilation system or other external plant on the premises. (Policy BE8, SBLPR, policies HQ1 and CC8 of the emerging Central Bedfordshire Local Plan and section 15, NPPF)

- 14 The premises shall not be used, nor deliveries received or despatched, except between the hours of 0600 hours to 1800 hours Monday to Friday, 0900 hours and 1330 hours on Saturdays. The premises shall not be used on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of nearby residents (Policy BE8, SBLPR, policies HQ1 and CC8 of the emerging Central Bedfordshire Local Plan and section 15, NPPF)

- 15 **Prior to development, full details of a Design and Works Specification, including an appropriate Method Statement, to be used in respect of the installation of a "No-Dig" cellular confinement system for the new access road, are to be submitted to the Local Planning Authority for approval. The cellular confinement system shall be of a specification that will withstand the weight of delivery vehicles that will use the premises, and also for all construction traffic that will visit the site. The approved Design and Works Specification and Method Statement shall then implemented to construct the cellular confinement system to its completion, before the commencement of all other construction works, and before allowing any other site access.**

**Reason: To protect the root system and rooting medium of "off-site" trees, which are vulnerable to excavation, asphyxiation and/or compaction damage resulting from traditional driveway construction methods, machinery and plant, by creating a load suspension layer over existing ground levels that can sustain the function of tree roots beneath its surface, so as to maintain the health, stability, screening and amenity value of the trees concerned. (Policy BE8, SBLPR, policies HQ1 & EE4 of the emerging Central Bedfordshire Local Plan and section 15, NPPF)**

- 16 **Prior to commencement of any works on site a scheme of landscape proposals shall be submitted to the Local Planning Authority for its approval in writing and shall include full detailed plans and specifications for all hard and soft landscape works.**

**A landscaped buffer zone shall be provided on the southern side of the new driveway and between the new driveway and along the entire northern boundary of 11 Pepsal End Road/ Pedlars of the site. A scheme for fencing the**

buffer zone along the southern edge of the new driveway shall be submitted to the Local Planning Authority for its approval in writing.

The submitted landscaping scheme will include the following:

1. Survey of all existing trees, hedgerows and shrubs on the site, identifying those to be retained and method for their protection in the course of the development;
2. Layout and specification for all hard landscaping materials, boundary treatments, enclosures, lighting and furniture;
3. Layout and specifications describing cultivation, protection and future management, for all soft landscaping including trees, hedgerows, shrubs, groundcover and grassed areas;
4. Schedules for planting noting species, plant sizes, forms, numbers / densities, mostly comprising native species typical of local area;
5. Detail on construction of sedum roof, planting specification, maintenance specification, and;
6. Implementation programme and long-term management schedule for all planting.

The approved fencing for the buffer zone along the southern edge of the new driveway shall be implemented prior to the construction of the new driveway and loading bay forecourt within the site.

All approved hard landscaping shall be implemented prior to the occupation of the development.

All planting comprised in the approved landscape scheme details shall be carried out in the first planting and seeding seasons following completion of the development.

Any trees, hedges or shrubs which within a period of 5 years from completion of development die, are removed, or become seriously damaged or diseased shall be replaced with similar species and sizes, unless the Local Planning Authority give written consent to any variation.

**REASON:** To protect visual amenity and character of the area and ensure a satisfactory environment (Policy BE8, SBLPR, policies HQ1, EE4 & EE5 of the emerging Central Bedfordshire Local Plan and paragraphs 127 & 153 of the National Planning Policy Framework 2018.)

- 17 Notwithstanding the provisions of Part 7, Classes:
- o F (extensions etc of office buildings);
  - o G (hard surfaces for office buildings);
  - o H (extensions etc of industrial and warehouse), and;
  - o J (hard surfaces for industrial and warehouse premises)
- of Schedule 2 to the Town and Country (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no hardsurfacing, buildings or other structures except those hereby and subsequently approved by the Local Planning Authority shall be constructed or erected within the red outline of the application site shown on the approved drawing with the reference PL 01/ Rev. P3 (dated April 2018) without the grant of further specific planning permission from the Local Planning Authority.

Reason: To control the development in the interests of the visual amenity of the area

and to control development which could be prejudicial to the openness and rural character of the South Bedfordshire Green Belt.  
(Policy BE8, SBLPR and sections 12 & 13, NPPF)

- 18 The parking of vehicles shall be restricted to the 12 nos. bay car park and the loading bay forecourt serving the production facility with sedum roof identified on drawing no. PL02/ Rev. P4. No other vehicle parking or open storage of materials shall take place on the site.

Reason: To preserve the openness of the Green Belt, the character of the locality and the residential amenity of neighbouring occupiers. (Policy BE8, SBLPR and sections 12 & 13, NPPF Policy BE8, SBLPR, policies SP4 and HQ1 of the emerging Central Bedfordshire Local Plan and sections 12 & 13, NPPF)

- 19 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers PL01/ Rev. P3, PL02/ Rev. P4, PL03/ P2 and PL04/ Rev. P3.

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

## NOTES TO APPLICANT

**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.**

**The application form for approval of details reserved by a condition, guidance notes and fees (i.e. £34.00 for householder applications and £116.00 for all other applications, per submission) can be found on our website [www.centralbedfordshire.gov.uk](http://www.centralbedfordshire.gov.uk) or alternatively call Customer Services on 0300 300 8307 for hard copy forms.**

- 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 The applicant is advised that in order to comply with Conditions 4 to 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. You are advised to contact the Highways Agreements Officer, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ. E-mail [highwaysagreements@centralbedfordshire.gov.uk](mailto:highwaysagreements@centralbedfordshire.gov.uk)
- 4 The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from The Street Works Co-ordinator, Bedfordshire Highways, by contacting the Highways Helpdesk 0300 300 8301.

- 5 The applicant is advised that the storage of materials associated with this development should take place within the site and not extend into within the public highway without authorisation from the highway authority. If necessary further details can be obtained from The Street Works Co-ordinator, Central Bedfordshire Highways, by contacting the Highways Helpdesk 0300 300 8301.
- 6 The applicants attention is drawn to their responsibility under The Equality Act 2010 and with particular regard to access arrangements for the disabled.

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

These requirements are as follows:

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

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

For further information on disability access contact:

The Centre for Accessible Environments ([www.cae.org.uk](http://www.cae.org.uk))  
Central Bedfordshire Access Group ([www.centralbedsaccessgroup.co.uk](http://www.centralbedsaccessgroup.co.uk))

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**Item No. 5**

<b>APPLICATION NUMBER</b>	<b>CB/18/04185/FULL</b>
<b>LOCATION</b>	<b>Etonbury Academy, Stotfold Road, Arlesey, SG15 6XS</b>
<b>PROPOSAL</b>	<b>Two storey detached school building with associated car/cycle parking, external works, landscaping and external play areas</b>
<b>PARISH</b>	<b>Arlesey</b>
<b>WARD</b>	<b>Arlesey</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Dalgarno, Shelvey &amp; Wenham</b>
<b>CASE OFFICER</b>	<b>Benjamin Tracy</b>
<b>DATE REGISTERED</b>	<b>12 November 2018</b>
<b>EXPIRY DATE</b>	<b>07 January 2019</b>
<b>APPLICANT</b>	<b>Dr A Lee</b>
<b>AGENT</b>	<b>DT Architects</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>The Council own the freehold of the site, and objections have been received.</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Approval</b>

The Council as the Local Planning Authority hereby gives notice of its decision to **GRANT PERMISSION** for the development specified above and shown on the submitted plans, 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 building hereby approved shall be externally finished in the materials described on drawing number AP0101 Revision P01, unless otherwise approved in writing by the Local Planning Authority.

Reason: To control the appearance of the building in the interests of the visual amenities of the locality.

- 3 No works above slab level relating to the construction of the building hereby approved shall take place until details of hard and soft landscaping (to include wild flower planting and cross sections of any bund) together with a timetable for its implementation have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved and in accordance with the approved timetable.

Reason: To ensure a net gain for biodiversity, acceptable mitigation for landscape visual impacts of the development and to ensure that the appearance of the development would be of a high quality, safeguarding the character and appearance of the area, including the intrinsic character and beauty of the countryside, in accordance with Policies CS16, DM3, DM14 and DM15 of the Core Strategy and Development Management Policies 2009 and Policies HQ1, EE2, EE4 and EE5 of the Submission Central Bedfordshire Local Plan (2018) as well as the NPPF.

- 4 The building hereby permitted shall not be first brought into use until a Landscape Maintenance and Management Plan for all hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the persons or body that 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.

Reason: To ensure a net gain for biodiversity, acceptable mitigation for landscape visual impacts of the development and to ensure that the appearance of the development would be of a high quality, safeguarding the character and appearance of the area, including the intrinsic character and beauty of the countryside, in accordance with Policies CS16, DM3, DM14 and DM15 of the Core Strategy and Development Management Policies 2009 and Policies HQ1, EE2, EE4 and EE5 of the Submission Central Bedfordshire Local Plan (2018) as well as the NPPF.

- 5 The development hereby approved (including the building and car parking areas) shall not be first brought into use until a detailed surface water drainage scheme, to manage surface water run off from the development for up to and including the 1 in 100 year event (+40%CC) for the scheme has been submitted to and approved in writing by the Local Planning Authority. The discharge rate from the development will be limited to the equivalent 1 in 1 year rate, or an appropriate rate as agreed by the Bedford Group of Internal Drainage Boards or sewage undertaker. The final detailed design shall be based on the agreed drainage Strategy (1.10 and 1.15 of the D&A statement issue P01 dated 08/11/18) and DEFRA's Non-statutory technical standards for sustainable drainage systems (March, 2018), and shall be implemented as approved. Any variation to the connections and controls indicated on the approved drawing which may be necessary at the time of construction would require the resubmission of those details to the Local Planning Authority for approval.

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 of the NPPF.

- 6 The building hereby approved shall not be first brought into use until a Maintenance and Management Plan for the entire surface water drainage system, inclusive of any adoption arrangements and/or private ownership or responsibilities, has been submitted and approved in writing by the Local Planning Authority. Details shall include written confirmation that the approved surface water drainage scheme has been correctly and fully installed as per the final approved details shall be provided. Thereafter the surface water drainage system shall be managed in accordance with the approved details for its lifetime, unless any other variation is agreed in writing.

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.

- 7 The development hereby approved shall only be implemented in full accordance with the archaeological scheme of works as described in Albion Archaeology document 2018/166, version 1.1, dated 12th December 2018.

Reason: In accordance with paragraph 199 of the NPPF to ensure that the developer records and advances the understanding of the significance of any heritage assets affected by development before they are lost (wholly or in part) and makes the results of the archaeological work (and any archive generated) publicly available.

- 8 In the event that contamination is found at any time when carrying out the approved development, it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall then be undertaken by a competent person, in accordance with "Model Procedures for the Management of Land Contamination, CLR 11". A written report of the findings should be forwarded for approval to the Local Planning Authority. Following completion of remedial measures a verification report shall be prepared that demonstrates the effectiveness of the remediation carried out. No part of the development should be occupied until all remedial and validation works are approved in writing.

Reasons: To ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990.

- 9 The building hereby approved shall not be first brought into use until an updated School Travel Plan, has been submitted to and approved in writing by the local planning authority. All measures within the approved travel plan shall be undertaken in full accordance with the approved plan or any update to the plan which has been formally approved by the Highway Authority thereafter.

Reason: In the interests of highway safety, to reduce congestion and to promote the use of sustainable modes of transport.

- 10 No development on the proposed new playing fields shall commence 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 adversely affect playing field quality; and
  - (ii) where the results of the assessment to be carried out pursuant to (i) above identify constraints which could adversely affect playing field quality, a detailed scheme to address any such constraints. The scheme shall include a written specification of the proposed soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.

Thereafter the approved scheme shall be carried out in full and in accordance with the approved programme of implementation [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.

- 11 Any gates and gate posts at the access for the replacement parking shall be located so as not to cause obstruction when open, to vehicles entering/ existing the access.

Reason: For the avoidance of doubt and for a usable access.

- 12 The car parking approved as part of this development shall be completed and made available for use prior to the first use of the building hereby permitted.

Reason: To ensure the provision of off-street car parking and thereby minimise the potential for on-street parking which could adversely affect the convenience of road users.

- 13 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: AP0201 Rev P03; AP0202 Rev P03; and AP0101 Rev P01.

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

## NOTES TO APPLICANT

**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.**

**The application form for approval of details reserved by a condition, guidance notes and fees (i.e. £34.00 for householder applications and £116.00 for all other applications, per submission) can be found on our website [www.centralbedfordshire.gov.uk](http://www.centralbedfordshire.gov.uk) or alternatively call Customer Services on 0300 300 8307 for hard copy forms.**

- 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



- 3 **Details of any external lighting to be installed on the site, including the design of the lighting unit, any supporting structure and the extent of the area to be illuminated, shall be submitted to and approved in writing by the Local Planning Authority prior to the development commencing. Only the details thereby approved shall be implemented.**

**Reason:**

**To protect the amenity of neighbouring residential occupiers from adverse impacts due to obtrusive or spillover light or glare (Chapter 12 NPPF).**

- 4 **Prior to development, an Arboricultural Method Statement, prepared by a suitably qualified arboriculturist, shall be submitted to the Local Planning Authority for approval, specifying the appropriate tree maintenance work required for the adjacent woodland edge, located along the southeastern boundary of the new sports pitch, in respect of the initial installation and future maintenance of the floodlighting columns. The tree work shall be specified in accordance with BS 3998 : 2010 "Tree Work - Recommendations", and shall only stipulate the minimum work required to facilitate provision and upkeep of the lighting columns, and therefore seek to maximise tree cover by avoiding unnecessary and excessive pruning work. The approved Arboricultural Method Statement shall then be used throughout the entire course of development works, and future site usage of the floodlit sports turf facilities.**

**Reason:**

**To ensure that the screening value and visual amenity of the adjacent woodland strip is maximised, and that only the minimum access facilitation pruning and future maintenance work is carried out, thereby preventing unnecessary and excessive pruning works from being undertaken.**

- 5 The development shall not be brought into use until a landscaping scheme to include all hard and soft landscaping and a scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.

Reason: To ensure an acceptable standard of landscaping.  
(Sections 12 & 15, NPPF)

- 6 Prior to use of the development hereby approved, a "lighting design strategy for bats" for the new sports pitches shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- a) identify those areas/features on site that are particularly sensitive for Barbastelle bats and that are likely to cause disturbance along important routes used to access key areas of their territory, for example, for foraging;
  - b) pitches shall not be lit from dusk through to dawn between the months of April and October inclusive, unless otherwise agreed in writing by the local planning authority

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To prevent a detrimental impact to the nationally scarce Barbastelle bat in accordance with section 15 of the NPPF.

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

**Reason: To ensure that adequate foul and surface water drainage is provided and that existing and future land drainage needs are protected.  
(Section 14, NPPF)**

- 8 No development shall commence until full details of the design and layout of the proposed artificial pitch have been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The facility shall not be constructed other than in accordance with the approved details.**

**Reason: To ensure the development is fit for purpose and sustainable and to accord with Development Plan Policy.**

- 9 Use of the development shall not commence until:  
(a) certification that the Artificial Grass Pitch hereby permitted has met FIFA Quality Concept for Football Turf - FIFA Quality or equivalent International Artificial Turf Standard (IMS) and  
(b) confirmation that the facility has been registered on the Football Association's Register of Football Turf Pitches have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development is fit for purpose and sustainable, provides sporting benefits and to accord with Development Plan Policy.

- 10 The artificial grass pitch and associated flood lighting shall not be used outside the hours of:  
a) 8 a.m. and 9 p.m. Monday to Friday;  
b) 10 a.m. and 6 p.m. on Saturday and Sunday

In addition the associated flood lighting shall not be used at all between the months of April and October (inclusive).

Reason:

In the interests of the protection of habitats and protected species and neighbouring amenity, and to accord with Development Plan Policy, (Chapter 12, NPPF).

- 11 Use of the artificial grass pitch shall not commence 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 artificial grass pitch and include details of pricing policy, hours of use, access by non-school users, management responsibilities and a mechanism for review. The development shall not be used otherwise 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 to accord with Development Plan Policy (Chapter 12, NPPF).

- 12 Prior to commencement of use of the new facility, the existing artificial cricket wicket shall be relocated in accordance with a scheme to be submitted to, and approved in writing by, the local planning authority in consultation with Sport England.

Reason: To ensure this facility is retained in a suitable location to meet Sport England/ECB guidelines, and to accord with Development Plan Policy

- 13 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers NSFMS001 B, NSFMS002 B, NSFMS003 E, NSFMS004 C, NSFMS005 C, NSFMS006 D, NSFMS007, NSFMS009 B, HLSO2790 Rev 8, CBC/001.

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

## NOTES TO APPLICANT

**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.**

**The application form for approval of details reserved by a condition, guidance notes and fees (i.e. £34.00 for householder applications and £116.00 for all other applications, per submission) can be found on our website [www.centralbedfordshire.gov.uk](http://www.centralbedfordshire.gov.uk) or alternatively call Customer Services on 0300 300 8307 for hard copy forms.**

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

- 4 Guidance on preparing Community Use Agreements is available from Sport England. <http://www.sportengland.org/planningapplications/> For artificial grass pitches it is recommended that you seek guidance from the Football Association/England Hockey/Rugby Football Union on pitch construction when determining the community use hours the artificial pitch can accommodate.

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**LATE SHEET**

**DEVELOPMENT MANAGEMENT COMMITTEE – 09.01.2019**

***Item 5 – CB/18/04185/FULL – Etonbury Academy, Stotfold Road, Arlesey, SG15 6XS***

**Additional Consultation Response**

Arlesey Town Council have issued the following consultation response:

Arlesey Town Council request that a condition be added to the above planning application: that the new car parking facility must be completed and useable before construction works for the new school commence on the existing car parking area, to mitigate against further detrimental impact on traffic flow and road conditions during peak school times.

**Additional Comments**

In the context of the phasing of the development in relation to car parking provision, the applicant has confirmed the following:

BEST have commissioned the provision of a temporary car parking facility on site, to accommodate the full number of spaces from the original car park during construction. The temporary car park is sited on the land to form the new car park.

This temporary car park will be in use from the proposed construction date and no loss to parking at the Etonbury site will occur. It is proposed that the works on the permanent car park will commence in the summer holidays to mitigate any disturbance to the School during term time.

Condition 12 of the Officer recommendation would ensure that the permanent car parking approved is completed and made available for use prior to the first use of the building.

**Additional/Amended Conditions/Reasons**

None

***Item 6 – CB/18/2867/VOC - Land South of Barford Road Blunham MK44 3NE***

**Additional Consultation Response**

None

**Item 7 – CB/18/03395/FULL – Land at Chapel End Road, Houghton Conquest MK45 3LL**

**Additional Consultation Responses**

**Leisure**

The Council's Leisure Team have requested the following financial contributions:

Outdoor Sport: £7,121.00 towards the Parish Council's project for outdoor gym equipment.

Children's Play: £20,000.00 for improvements to the children's play area at Chapel End Road.

Informal Recreation: £3,000.00 required to provide new bins and benches at the Recreation Ground. A suggested contribution by the developer is welcomed.

**NHS England/ Bedfordshire Clinical Commissioning Group (BCCG)**

The BCCG has issued the following consultation response:

Thank you for the opportunity to comment on the above planning application. Consideration of the potential consequences of this development and the health infrastructure implications has been undertaken on behalf of NHS England and Bedfordshire Clinical Commissioning Group.

Our understanding is although this application is for 37 dwellings, there is an existing 17 permitted, whereby contributions can only be sought based on the additional 20 dwellings.

The closest GP surgery to the development is at Marston Mortaine circa 5.5 miles away via country roads and the A421. Marston Surgery is considered severely constrained in terms of the ratio of patients to the current premises. There is a part-time basic facility in Wilstead currently operating out of a room in the local pharmacy, with the main surgery based in Ampthill and one of the most constrained premises in Bedfordshire.

A severe premises constraint affects a surgery's ability to take on new patients and even new GP's and allied clinical staff, especially with the requirement to offer a wider range of patient services from GP Practices, including mental health and community services and some outreach specialist services from local hospitals, delivering care locally and reducing referrals into secondary care.

This application for 37 dwellings will result in circa 96 additional patient registrations and create a constraint that will require premises reconfiguration, extension or even re-location to create additional clinical capacity. For this reason, in order to make this development acceptable to NHS commissioners, it is requested that a contribution for £1,060.50 per dwelling is made towards the proposed new GP surgery in nearby Wixams, supporting the delivery of the 5 Year Forward View and Primary Care at Home models.

The s106 request for this development has been calculated on 20 dwellings only and as follows:

Primary Care is currently commissioned by NHS England which has a co-commissioning relationship with Bedfordshire CCG. The primary care calculation is based on a formula adopted across the NHS England Midlands and East (Central Midlands) team to provide consistency for all the 25 local authorities it works with and as part of the single operating model of best practice it has developed. It has been consistently accepted by local planning authorities.

$w \times 2.6 = x$ Multiply the numbers of dwellings in any given development (w) by 2.6 to give x new patients
$x/2000 = y$ Divide the number of patients by 2000 to give the numbers of GPs needed (y) (based on the ratio of 2,000 patients per 1 GP (as set out in the NHS England " <i>Premises Principles of Best Practice, Part 1 Procurement &amp; Development</i> ")
$y \times 199 = z \text{ m}^2 \text{ of additional GMS space}$ Multiply the number of GPs required by 199 to convert to new GMS space (199 m <sup>2</sup> ) being the amount of floorspace required by each GP (again as set out in the NHS England " <i>Premises Principles of Best Practice, Part 1 Procurement &amp; Development</i> ")
$z \times \text{£}3,150^* = \text{£}$ Multiply the floorspace by £3,150 which represents build cost per m <sup>2</sup> including fit out and fees to give a total cost (£)
$\text{£}/\text{number of dwellings} = \text{£}815.90 \text{ (rounded to £816 per dwelling)}$ Dividing the total build cost by the number of dwellings provides a standard contribution required from each new dwelling towards the cost of providing GMS services for that development

Acute, community and mental health services are commissioned by Bedfordshire CCG. Accepting that for an application of this size the acute calculations are not being requested, the methodology of calculation, based on known data, is however similar for acute, community and mental health services.

These contributions are calculated by activity type and recorded attendance data. These secondary care activity type attendance numbers reflect a lower proportion of the population than the 90% first accessing healthcare via GP provided primary care services.

This approach then determines the proportionate growth of specific development sites from which space requirements are determined by infrastructure type – e.g. for acute services: Wards; Theatres; A & E space; Outpatients Suite/consulting rooms; MRI CT Ultrasound and X Ray etc. The acute services build costs per infrastructure type are considerably more expensive than for primary and community care, due to their complexity and highly sophisticated technical requirements.

For Community Health Centres: treatment rooms; consulting rooms; diagnostic rooms etc., a similar calculation using the same attendance methodology for community health services establishes an infrastructure cost per dwelling of £114.10

A final secondary healthcare consideration relates to mental health services and here the attendance methodology establishes an infrastructure cost per dwelling of £130.40. The mental health costs per dwelling reflect differing infrastructure types such as in-patient wards as well as a range of community based mental health provision.

The calculations above for a contribution of £1,060.50 per dwelling totalling £21,210.00, are based on the impact of this development only; on 20 dwellings, rather than the total of 37 proposed.

### **Additional Comments/ Amended recommendation**

It is considered that it is necessary, reasonable and relevant to seek the following contributions from the proposed development in addition to those identified in the Officers report:

£21,210.00 towards the proposed new GP surgery in nearby Wixams, supporting the delivery of the 5 Year Forward View and Primary Care at Home models.

£7,121.00 towards the Parish Council's project for outdoor gym equipment.

£20,000.00 for improvements to the children's play area at Chapel End Road.

£3,000.00 required to provide new bins and benches at the Recreation Ground. A suggested contribution by the developer is welcomed.

It is considered that these financial contributions would be CIL regulation compliant.

The Officers recommendation is amended to seek these contributions, to ensure that the impacts of the development would be mitigated, and the needs of new residents are met.

### **Amended Conditions**

Amendment to Condition 2 to refer to visitor parking spaces:

- 2 No dwelling hereby approved shall be first occupied until details of all final hard surfacing materials as well as an Implementation scheme for all hard landscaping (including visitor parking spaces and boundary treatments in accordance with Drawing reference 389-SK-07 Rev H and hard surfaced areas), has been submitted to and approved in writing by the Local Planning Authority. The implementation scheme shall detail the time scales/ triggers for the completion of all hard landscaping and visitor parking spaces. Thereafter the hard landscaping shall be completed in full accordance with the approved details including the timescales/ triggers detailed within the approved implementation scheme. All visitor car parking spaces shall thereafter be kept available for parking at all times.

Reason: To secure the delivery of car parking spaces, boundary treatments and hard landscaping to safeguard the visual amenities of the locality and the amenity of future occupiers and to minimise the potential for on-street parking and thereby safeguard the interest of the safety and convenience of road users.

***Item 8 – CB/17/04133/FULL – Fulbrook Middle School, Weathercock Lane, Aspley Guise, Milton Keynes, MK17 8NP***

**Additional Consultation/Publicity Responses**

None

**Additional Comments**

None

**Additional/Amended Conditions/Reasons**

None

***Item 9 – CB/18/03205/FULL – Land adjacent to Ashridge, Pepsal End Road, Pepperstock, Luton, LU1 4LJ***

**Additional Consultation/Publicity Responses**

An additional consultation response was received by the Council on 20/12/18 from the occupier of a neighbouring residential property. The contents of this consultation response are summarised as follows:

- Unable to attend the meeting in person due to work commitments.
- Surprised that the application could be granted planning permission given the officer recommendation for refusal and the fact that the proposal for the current planning application has not changed from the last planning application which was also refused.
- Strongly object to the potential approval of the current planning application before Members as an offer has just been accepted to buy our property for the use and enjoyment of a disabled child. The erection of a proposed production facility/ factory nearby would result in disruption during construction and operation.
- The western portion of the land for the application site has continued to be used as car parking which causes noise disturbance for neighbouring properties.
- The existing car parking on the western side of the application site for the proposed production facility has no planning permission. The Council has not substantially responded to complaints made regarding this car parking and has not taken any formal action to address this breach of planning.
- Appalled at the idea that planning permission can be granted to the applicant for the proposal before Members given that the applicant has not previously
- abided by planning rules by not obtaining planning permission for the car parking on the western side of the application site.

A further neighbour consultation response was received by Council on 02/01/19 which reiterates several points previously made in the consultation response received by the Council on 20/12/18 but has also raised additional points which are summarised as follows:

- It is hoped that action will be taken so cars will no longer park on the western side of the field for the application site.
- The view of the land for the application site with vehicles parked on it from our property's windows is an eyesore which is hoped will not continue for much longer.

### **Additional Comments**

The CBC planning case officer for this planning application responds to the additional consultation comments received on 20/12/18 and 02/01/19 as follows:

- The planning application referred to in the first bullet of the summary of the neighbouring consultation response received by the Council on 20/12/18 is planning application CB/18/02027/FULL. The application's proposal was also for a proposed production facility with associated on-site car parking and access road. The previous application's proposed scheme was revised and was of the same design and was on the same parcel of land adjacent to Ashridge, Pepsal End Road, Pepperstock as the planning application currently being considered by Members. Planning application CB/18/02027/FULL was withdrawn prior to determination and so the Council issued no formal decision on this previous planning application.
- Whilst comments regarding the prejudicing of future or ongoing purchases for a nearby residential property are noted, private transactional property matters are not a material planning consideration which can be considered in the determination of the planning application before Members.
- Concerns raised about the visual impact, disturbance and pollution resulting from the proposal on the amenity of the occupiers of neighbouring properties have been addressed in the Neighbouring Amenity sub-section of the committee report and in the consultation response of the Council's Pollution/Public Protection officer to the current proposal.
- The car parking taking place in a field on the western side of the application site has not received planning permission from the Local Planning Authority Central Bedfordshire Council. This car parking is currently subject to an ongoing Planning Enforcement investigation with the most appropriate course of action to be determined in due course by Central Bedfordshire Council planning enforcement officers.
- For the comments made in the last bullet point of the summary of the neighbour consultation response received by the Council on 20.12.18, the CBC planning case officer for this planning application would remark that each planning application should be assessed on its own merits. Whether or not planning permission was obtained prior to the commencement of development should not preclude decision-making for future planning applications made by the same applicant.

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

None

**Item 10 – CB/18/01795/FULL – Chapel Farm, Luton Road, Chalton, Luton, LU4 9UJ**

**Additional Consultation/Publicity Responses**

**Additional Comments**

For clarification

On page 2 para 3 it is stated that arrangements have been made to relocate the 6.8m transformer (which was removed from the proposal) to the adjacent substation. The applicant has been in discussions with UKPN (the District Network Operator for the site) who have confirmed that no transformer will be required to facilitate the proposed development. The connection UKPN is providing is at 33kV so there is no need for a large 132/33kV transformer and associated infrastructure. The scheme will connect directly into the 33kV side of the existing DNO transformer inside their substation – so other than a small DNO substation building to house their 33kV switchgear and metering, there will be no need for any further equipment on their site in association with this proposal.

**Additional/Amended Conditions/Reasons**

Condition 1 should read as following:

***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.***

Removal of Condition 3 (which reads as following) as the track which is to be used was laid by Highways England in accordance with manufacturers recommendations and can accommodate loads of up to 20 tonnes. The maximum size of vehicles used for the construction of the proposed development would be 12 tonnes.

The track was originally constructed for the lagoon; and was kept in situ for future maintenance. The proposed development would also utilise the track during construction, and afterwards for occasional maintenance visits.

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

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

***This pre-commencement condition has been agreed with the applicant as it is necessary in order to ensure that no unnecessary harm is caused by the commencement of development works.***

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