

Item No. 18**SCHEDULE D**

APPLICATION NUMBER	BC/CM/2009/1
LOCATION	Caddington Golf Club
PROPOSAL	Importation of clean inert material to form six new holes, change of use of land to a golf course and remodeling of part of the existing golf course, including landscaping and ancillary works
PARISH	Caddington
WARD &	South East Bedfordshire
COUNCILLORS	Councillors Stay and Gammons
CASE OFFICER	James Delafield
DATE REGISTERED	7 January 2009
EXPIRY DATE	29 April 2009
APPLICANT	Caddington Golf Club Ltd
AGENT	Savills L&P Ltd
REASON FOR COMMITTEE TO DETERMINE	Development in the Greenbelt/Chilterns AONB
RECOMMENDED DECISION	Approval subject to conditions.

SITE LOCATION:

Caddington Golf Club is located to the north of Caddington and to the south-west of Chaul End. The site is accessed from the eastern boundary off Chaul End Road, approximately 3 kilometres from Junction 11 of the M1 (see plan reference BC/CM/2009/1-1). The site is approximately 53ha and is predominantly used as an 18 hole golf course. The exception is a field in the southwest corner of the site which is currently used by a model aircraft club. The existing clubhouse and greenkeepers building are located in the south-eastern corner of the site, with adjacent car parking provision for 93 cars. There is an extant planning consent for alterations and extensions to the existing clubhouse and for the extension and relocation of the existing greenkeepers building (ref SB-TP-08-0793). As part of that planning consent, car parking provision will increase to 130 spaces.

The site lies within the Chilterns Area of Outstanding Natural Beauty (AONB), Green Belt and Area of Great Landscape Value (AGLV). The site is bounded to the east by Chaul End Road, beyond which lies a compound, used by Vauxhall Motors for the storage of vehicles. Arable land immediately surrounds the site to the north, west and south. Twentynine Wood also borders a section of the western boundary, beyond which lies a communications mast.

Three public footpaths (No. 6, 7 and 8) cross the site. Footpath 46 runs along the north-eastern and eastern boundary of the course, before crossing Chaul End Road near the main entrance to the golf course and joining with footpath A8.

The nearest residential properties are located in Chaul End, approximately 135 metres away from the site boundary of the golf course.

THE APPLICATION:

The proposal is for the importation of inert waste material to form six new holes within the field in the southwestern corner of the site and to remodel parts of the existing golf course. The field is outside of the area previously permitted for use as a golf course. Therefore, the creation of the six new holes within the field would see a change of use of this land to a golf course.

The total area of land involved is 27.2 hectares, and will include the majority of the southern half of the site and a 6.8 hectare section within the northern half. The project will be carried out in four phases and it is anticipated that the overall construction will take 3 years. When complete the development will provide a lengthened and enhanced 18 hole golf course and a new 9 hole academy golf course.

The development will require the importation of approximately 800,000 tonnes of inert waste derived from construction, demolition and excavation projects. The haulier, McGee Group, will carry out the importation of material using their fleet of vehicles. A maximum of 200 HGVs will deliver material to the site per day (an average of 20 per hour), and will access the site from the A5065 onto Chaul End Road. The proposed operating hours for the site are 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 14:00 hours on Saturdays. No operations will take place on Sundays or Public Holidays. A site compound will be erected on site within the first phase, and will include wheel cleaning facilities, site office and portaloo.

It is stated that a key element of the proposal is the strategy to markedly improve drainage on the site. The applicants reports that the current drainage regime is not robust and will often result in the course flooding and being unplayable on many days throughout the year. The applicant has reported that levels will be raised on site up to a maximum high point of 8.2 metres above existing contour levels to create effective movement of water for drainage purposes. A water flow analysis plan is included within the application, and details the proposed drainage regime. Water will be retained on site through a series of new and existing ponds and will be used for irrigation purposes. The design is also intended to enhance the aesthetic appearance; biodiversity; safety (for golfer and users of the public rights of way) and playability of the course.

Implementation of the project will be carried out in accordance with a Construction Method Statement (CMS) detailing all logistical requirements, and a Construction Environmental Management Plan (CEMP) that will include measures to minimise the effects of the construction upon the receiving environment. During the construction period, footpaths will be retained but with appropriate safety barriers and controlled cross over points.

RELEVANT POLICIES:

National Policies (Planning Policy Guidance & Planning Policy Statements)

PPS 1 – Delivering Sustainable Development

PPG 2 – Greenbelts

PPS 7 – Sustainable Development in Rural Areas

PPS 9 – Biodiversity and Geological Conservation

PPG 17 – Planning for Open Space, Sport and Recreation

East of England Plan (May 2008)

ENV2 – Landscape Conservation

Minerals and Waste Local Plan (2005)

Policy W17 - Land raising
 Policy W21 - Inert waste landfilling
 Policy GE5 - Green Belt
 Policy GE7 - Protection of the Chilterns AONB
 Policy GE9 - Landscape protection and landscaping
 Policy GE11 - Protection of sites of national nature conservation importance
 Policy GE13 - Species and habitat protection and enhancement
 Policy GE14 - Archaeology
 Policy GE18 - Disturbance
 Policy GE19 - Flooding
 Policy GE20 - Water resources
 Policy GE21 - Public rights of way
 Policy GE23 - Transport

Minerals Policy Statements

MPS2 - Controlling and Mitigating the Environmental Effects of Mineral Extraction:
 Annex 2 Noise (2005)

PLANNING HISTORY

SB TP 1983 1115	Change of use from agriculture to recreational purposes (about 17 acres)
SB TP 1984 0439	Change of use of land (approx 6 acres) for recreational use for flying model aircraft
SB TP 1985 240	Continuation of use of land for purpose of flying model aircraft
SB TP 1987 208	Continuation of use of land for flying model aircraft
SB TP 1987 738	New Clubhouse
SB TP 1991 207	Extension to Golf Course
SB TP 2000 588	Erection of workshop/machinery store, resurfacing of existing car park and alterations to front elevation of clubhouse to provide pro shop
BC CM 2006 7	Retention of existing earth bund and formation of new bund by reduction of height of existing bund by 0.75m.
SB TP 2008 793	Alterations and extension to existing clubhouse and re-siting and extending existing greenkeepers building

REPRESENTATIONS

Cllr Richard Stay	Supports the proposal.
Caddington Parish Council	<p>Support the proposal in principle. Do not consider that this is a breach of green belt policy because this is already existing leisure land as a golf course. The land proposed for the new holes is also land used for leisure purposes. Consider that this will not be detrimental, but an improvement to enhance drainage and patrons use.</p> <p>If the application is granted, would like to impose the following conditions:</p> <ul style="list-style-type: none"> ○ If the extension area is removed at any time, the land automatically reverts to its original status ○ Lorry movements should be no more than 7 per hour ○ No vehicles must at any time wait to enter the site on

Chaul End Road

- If at any time it is deemed there is a severe traffic flow problem, operations shall cease until a new traffic scheme is put in place that is acceptable to all parties.

Would also like to request that an Environment Agency officer is on site to monitor the imported materials to make sure they are suitable.

Neighbours

Zouches Farm, Caddington – no objection in principle, although raises the following concerns:-

- Increase surface water runoff from land raising, which could alter productivity of adjacent farmland and also affect trees and wildlife.
- The valley which passes through the golf course is also a natural watercourse and channels a lot of water in the winter.

Consultations/Publicity responses:

Campaign to Protect Rural England

Do not formally object but raise concerns about the scale of the project, particularly with regard to:-

- The prolonged disfigurement of the existing pleasant landscape enjoyed by those walking the public footpaths which lie across it.
- The sheer number of turning movements on and off Chaul End Road, which present a very major safety hazard.

CPRE urge the closest of scrutiny and conditioning of the proposal to ensure that landscape enhancement, as promised, will indeed be the eventual outcome of the project, and that is achieved without unacceptable levels of disturbance and disruption in the interim.

As regards conformance with general planning policies for the countryside as set out in PPS7 *Sustainable Development in Rural Areas* provision of paragraphs 21, 34 (ii) and 35 (ii) are relevant, and there is a clear need to be satisfied that the outcome of the proposal would not be such as to involve conflict with these.

Environmental Health Officer

Does not object in principle. The applicant should verify that any material brought onto the land is not going to cause the land to be contaminated. Any assessment of material brought on to the land should be risk based and use the appropriate, authoritative and scientifically based guideline values. Samples of material should also be taken before any is deposited on site.

A further assessment of noise has been carried out on request with regard to guidance within Minerals Policy Statement 2. MPS 2 sets a maximum noise level of 55dB(A)LAeq,1 hour or 10dB above the background noise levels, whichever is lower. It also allows for increased daytime limits of up to 70dB(A)LAeq, 1hour for certain activities including the construction of new permanent landforms for periods up to 8 weeks in a year where it is clear this will bring longer term environmental benefit to the site or its environs. These limits should be imposed as a condition.

With regard to health and safety, the applicant should provide the local authority with a method statement that addresses the

potential conflict of movements of haulage lorries, golfers and walkers using the land while the construction takes place.

London Luton Airport

Has no safeguarding objection to the proposal subject to the following requirements:-

- The golf club is in proximity of our easterly flightpath and as such we require that the golf club deter the nesting or congregating of large fowl in and around their ponds.
- In order to map known bird attractant sites within a 13km circle of the aerodrome we would require the clubs permission to carry out an annual bird survey on an arranged basis.

**East of England
Development Agency**

Has no substantive comment to make on the proposal.

**East of England
Regional Assembly**

Comment that the application is in general conformity with the RSS.

Natural England

Has no objection, subject to conditions. In addition to the surveys and mitigation measures proposed in the application, detailed mitigation plans for water voles and amphibians should be agreed in writing prior to works commencing. If any other protected species are found on site, prior to or during the development, all works must cease and Natural England should be consulted immediately for further guidance on the matter. In addition, a management plan should be agreed in writing to ensure the long term maintenance of biodiversity across the site, with sufficient resources secured to implement such a plan.

Chiltern Society

Support the application because of the carefully researched replanting of indigenous species, which will improve the visual amenity and biodiversity of the area. The development would be a marked improvement in the landscape value in this part of the AONB. No footpaths will need to be diverted, although paths should be clearly marked to prevent walkers being exposed to danger. The Society understands that the development will not be seen from the present boundary of the course, and does not cut across the scarp face of the Chilterns. The fact the development is to be completed over three phases will minimise the effect on visual amenity and reduce adverse disruption to wildlife habitat.

**Chiltern Conservation
Board**

Does not object in principle of an extension to the golf course, but objects to the planning application as submitted for the following reasons:

- The Board can see no justification for raising the land other than to allow for the deposition of waste in a place which is considered to be wholly inappropriate.
- The land raising would lead to an artificial landscape, full of false hills, valleys and water features that would bear no relation to the character and form of the surrounding land within the AONB which gently undulates and slopes generally up from east to west. The development would therefore have detrimental impacts on the landscape of the AONB.

- Concern about the volume of traffic movements on the local highway network (although welcome assurance that no lorries will travel south along Chaul End Road).
- Importation and deposition of waste will have impacts on ground water unless there is to be careful policing of what is brought onto the site.
- The changes in land levels and land form and the very busy nature of the site due to the huge number of vehicle movements would have detrimental impacts on the enjoyment of the AONB by members of the public.

**Central Bedfordshire
Rights of Way Officer**

Comments that ideally the opportunity should have been taken to deal with the layout of the whole course to resolve all conflict issues experienced between golfers and walkers.

However, the majority of issues relating to rights of way are outside of the development area and the applicant has carried out/proposed a number of measures to try to address some of the conflict issues which exist across the course. These include removing a bunker which affects footpath 7; the general movements of fairways, greens and tees away from existing public rights of way; improved visibility for golfers and walkers; and increased signage for walkers. Welcomes their support for addressing the remaining issues where the public footpaths cross fairways and greens in due course.

It is noted that the applicants state that no temporary closures/diversions of public rights of way will be necessary. It should be conditioned that all of the public rights of way across the course should therefore remain clear and usable to the public at all times.

It should also be conditioned that further information be submitted on proposed safety measures and barriers intended for where public rights of way will cross haul roads.

It is all noted that new additional sections of permissive footpath are to be provided. The golf club could dedicate these as new public rights of way. It would up to the Council, however, to decide whether or not they wished to accept such paths, due to the additional maintenance and liability burden this would place on council taxpayers. Usually, the Council would be looking for the provision of routes which would offer the greatest public benefit through the enhancement of the recreational public rights of way network.

**Beds Rights of Way
Association**

Do not oppose the proposed development *per se*, but have concerns that the proposed remodelling may obscure the existing views for walkers using the footpaths. The maximum remodelling height should be specified as a condition of any permission granted.

**Central Bedfordshire
Highways Officer**

Comments that the majority of the route from the golf club to the A5065 is to a satisfactory standard. The junction at Chaul End Road with the strategic highways network at the A5065 is adequate for the proposed additional traffic. Chaul End Road from the golf club access northwards for approximately 300

metres has a lower standard than the rest of the route to the A5065. The width of this section is inadequate to safely accommodate two passing HGVs passing and this additional HGV traffic would result in an unacceptable danger to traffic on the highway and damage to the verges. It is recommended that a condition be included on any approval of planning permission to require the applicant to enter into an agreement under section 278 of the Highways Act to deliver improvements to this length of the highway before implementation. Subject to the satisfactory highway improvements, the highway network could accommodate the proposed maximum number of 200 HGVs entering the site per day.

Environment Agency

Following the submission of further information on flood risk, the E.A raises no flood risk objection to the proposal. The information provided indicates that the surface water run-off can be effectively managed without risk to other properties.

Conditions are required with regard to ecology and biodiversity, including the submission of a biodiversity management plan; provision of buffer strips around ponds and drainage ditches; and a great crested newt protection plan.

Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer.

Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground water.

DETERMINING ISSUES

The main considerations of the application are:

1. **Principle of the Development**
2. **Archaeology**
3. **Biodiversity**
4. **Flood Risk**
5. **Water Quality**
6. **Rights of Way**
7. **Transportation**
8. **Disturbance**
9. **Landscape and Visual Impact**
10. **Area of Outstanding Natural Beauty & Green Belt**

Considerations

1. Principle of the Development

In the Letter to Chief Planning Officers: Large-scale Landscaping Development Using Waste, dated 20th January 2009, it is stated that both CLG and Defra consider that landscaping developments involving importing over 100,000 tonnes of waste likely to be waste disposal operations, given that they would not have been undertaken if the material used to construct the landscaping were not waste. It is important that the application is considered by the waste planning authority in the

context of the authorities' planning policies for waste.

The proposal is to import approximately 800,000 tonnes of inert waste material over three years to create six new holes and to remodel parts of the existing course. In creating the six new holes in the southwest field, the proposal would see a change of use of this land to a golf course.

Due to the nature of the proposal, and in terms of the Minerals and Waste Local Plan (MWLP), the development can be considered to constitute both land raising and inert landfilling. Policy W17, *land raising*, states that permission will not be granted for land raising unless there is clear overall planning benefit arising from the proposal. Policy W21, *inert waste landfilling*, states that permission will not be granted for landfill of inert wastes except where proposals contribute to the restoration of old mineral workings or provide a demonstrated environmental benefit. The accompanying text adds that use of inert waste in the restoration of old mineral workings will be prioritised in preference to new landfill, landscaping or bunding works. Landscaping works will only be permitted where a genuine need or environmental gain can be demonstrated.

The applicant has stated that the need for the proposal stems from the commercial situation of the golf club. The current levels of membership are low, and the applicant has attributed this to the standard of the facilities, stating that they have not developed in line with the recognised standards for golf, and are falling behind other competing venues in the area. To address this, firstly an application for alterations and an extension to the clubhouse was submitted to South Beds District Council and approved. Secondly, it is their intention through this proposal to make the course more accessible and attractive to golfers of all levels. Through this proposal the layout of the course is to be reconfigured, with 6 new holes to be added. When completed the development will provide a new 9 hole academy course and a lengthened and enhanced 18 hole course.

In addition to improving the playability of the course the applicant considers that the design will,

- Improve drainage of the site, ensuring the course can remain playable for longer periods of the year;
- enhance the existing public footpaths;
- encourage natural habitats for wildlife;
- enhance the landscape in keeping with the natural characteristics of the Chilterns AONB.

The impacts of the proposal on rights of way, ecology and landscape will be discussed in more detail later in this report. In terms of benefits it is recognised that the proposal will, through landscaping, see the replacement of non-native planting with more locally indigenous trees; the creation of new habitat and the enhancement of existing habitat; and some improvements to the rights of way network to minimise conflict between golfers and walkers.

Improving the commercial situation of the golf club will help secure the existing 10 full time and 11 part time jobs, and it is stated that a further 4 full time and 5 part time jobs will be provided. It is also recognised that the proposal will result in key recreational benefits to users of the golf course, which include a new 9 hole academy course, enhancement of the existing course and improvements to the drainage of the site.

The drainage issue in particular has been a key factor in the design of the proposal, with strategic high points being designed into the land raise around the course, so to

initiate the momentum of flow and ensure the surface water drains off the golf holes as quickly as possible. The applicant has reported that the current drainage regime is not robust and will often result in the course flooding and having to close on many days throughout the year. Based on this evidence provided and from officers site visits, it is accepted that pooling water is an issue on site, particularly in winter, and there is a need to address this if the course is to remain playable for longer periods of the year. It is considered that the drainage scheme put forward would achieve efficient drainage of the site, and allow the course to open for more days throughout the year.

It is considered that the need for the proposal has been demonstrated by the applicant and planning benefits have been identified. Before concluding that clear overall planning benefit would result from the proposed development it is necessary to assess against the impacts of the proposal, which is undertaken throughout the following sections.

2. Archaeology

When considering proposals for waste development, Policy GE14, *archaeology*, of the MWLP, states that the preservation of sites of major archaeological importance and their settings will be required.

It is established in the application that the development site contains some evidence of archaeological remains, including crop and soil marks of probably medieval and post-medieval field systems and evidence of post-medieval quarrying. Evidence from the surrounding area also indicates that the site has significant archaeological potential, which Central Bedfordshire Archaeological Officer comments would certainly be of national and potentially of international significance. He adds that although creation of the existing golf course will have had some impact on archaeological remains, they are still likely to survive within the site, particularly in the extension area to the south west.

The effects of the proposed development on archaeological remains are identified in the application. They are largely associated with various types of ground disturbance from installing drains, to large areas of topsoil stripping preparatory to land raising and landscaping. The applicant suggests that compaction from land raising will not be a problem. Central Bedfordshire Archaeological Officer comments that the proposed mounding does have the potential to compact fragile archaeological remains. He adds that the importation of material could also cause damage to archaeological remains though plant lorry and machine movements.

Based on an assessment of the archaeological potential of the development site, the applicant concludes that no archaeological deposits have been identified which require preservation *in situ*. As raised above, the site has the potential to contain *in situ* Palaeolithic deposits; however these are likely to be located relatively deep and beneath the zone of disturbance likely to be caused by the development.

Central Bedfordshire Archaeological Officer concludes that the impact of the development on archaeological remains can be mitigated by a programme of archaeological investigation in advance of or during development. Details of the scheme of investigation can be agreed post consent, if the application was granted. Subject to the imposition of a planning condition to this effect, it is considered the proposal accords with policy GE14.

3. Biodiversity

Policy GE11, *protection of sites of national nature conservation importance*, of the MWLP states that permission will be refused for proposals that would harm SSSI or

National Nature Reserves, unless the reasons for the development clearly outweigh the nature conservation value of the site.

Blow's Downs SSSI is situated approximately 1.5 kilometres to the west of the site. A total of 12 County Wildlife Sites (CWS) are located within 2.5km of the site, the nearest being The Linces CWS, approximately 250 metres to the north, and Stanners Wood, approximately 250 metres to the northwest. Natural England considers it is unlikely that the proposal will result in any significant impacts to these sites. On such advice, and in view of the distance of these designated sites from the golf course boundary, it is considered that the proposal will not result in harm to their nature conservation value.

Policy GE13, *species and habitat protection and enhancement*, of the MWLP states that planning permission will be refused for proposals that would adversely affect rare or threatened species or their habitats, except where any adverse effect would be overcome by appropriate on or off site mitigation measures, or, the adverse effects are reduced as far as practicable and are clearly outweighed by other planning benefits of the proposal and appropriate mitigation and/or compensation measures are taken.

The County Ecologist commented that the applicant has speculated about the possible presence of great crested newts, water voles and various reptiles, which is hardly a sensible basis to properly consider the protected species impacts of the development. They have concluded that some may be there and therefore the short term impact might be significant but the long term impact, if habitat is developed appropriately, is likely to be insignificant.

Planning Policy Statement 9, *Biodiversity and Geological Conservation*, states that 'it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all material considerations may not have been addressed in making the decision.'

Following this guidance, the County Ecologist commented that he would not normally recommend leaving the conservation of the protected species mentioned to planning conditions. He adds however, that not all the site will be disrupted and it is relatively new habitat much of which seems to have limited biodiversity value. He concludes that ultimately, even if all species are present, there will be sufficient undisturbed area for all populations to be protected.

Natural England has also considered this guidance within PPS 9. However, again taking into account the phased nature of the proposal, they consider that whilst insufficient survey information has been provided, the requirement for additional surveys and mitigation measures can be addressed by conditions. Natural England also require that a management plan be agreed in writing to ensure the long term maintenance of biodiversity across the site, with sufficient resources secured to implement such a plan. The requirement for a biodiversity management plan is shadowed by the Environment Agency. The EA have also requested conditions be imposed on any permission granted requiring the provision and management of a 5 metre wide natural buffer zone alongside ditches and around the ponds, and that all planting within the buffer zones should be locally native plant species only, of UK genetic origin.

Subject to the imposition of planning conditions to this effect, it is considered the proposal accords with policy GE14.

4. Flood Risk

Policy GE19, *flooding*, of the MWLP states that permission will not be granted for

waste development proposals in flood plains of flood risk areas where such proposal would significantly reduce the capacity of the flood plain, or impede the flow of flood water thereby increasing the risk of flooding elsewhere.

The site is located within Flood Zone 1, defined as an area which has less than 0.1% annual probability of river flooding in any year. It is located amongst chalk hills, devoid of substantial natural surface water bodies due to the high permeability of the chalk. The site itself however, is covered with impermeable clay layer which the applicant has attributed to the significant ponding of surface water on site. Whilst such flooding is experienced on site, the applicant comments that the natural topography of the site, forming a natural bowl, ensures it does not currently occur anywhere offsite, with surface water ultimately captured by excavated ponds in the centre of the site.

Through consultation on the application, concern has been raised over the potential for the land raising to direct surface water runoff from the site onto the neighbouring farmland. The applicant has commented that the changes in topography are entirely based on the existing topography, and the site will still largely reflect a natural bowl. However, it is the intention that the design will achieve the rapid clearance of surface water from playing surfaces and as such this will increase the volume of water entering the network of drainage ditches and interconnected ponds.

To ensure that drainage could be managed effectively and not impact upon surrounding properties, the Environment Agency requested additional flood risk information from the applicant. This was required to address the implications of flooding from a 1 in 100 year rainfall event, with the appropriate climate change allowance.

The applicant has calculated that the site (53.4ha) would need to provide flood capacity of 40,050m³ to attenuate a 1 in 100 year rainfall event (71.5mm), plus 5% for climate change. An additional water catchment plan was provided demonstrating the available flood storage capacity within the Caddington Golf Course site, which totals 42,100m³. This mainly comprises the existing water catchment basin within the valley through the centre of the site. In addition the capacity of the existing ponds and those to be created was been taken into account.

Following the assurance that that the surface-water runoff can be effectively managed without risk to other properties, the E.A removed their objection to the proposal. It is therefore accepted that the proposal would not increase the risk of flooding elsewhere, and as such conforms to policy GE19 of the MWLP.

5. Water Quality

Policy GE20, *water resources*, of the MWLP states that permission will not be granted for waste development proposals where the proposals would have an unacceptable impact on the quality of groundwater and/or surface water drainage, and the flow of groundwater on or in the vicinity of the site.

Concern has been raised by consultees that the deposited waste material could potentially contaminate groundwater. Caddington Parish Council has requested that an officer from the Environment Agency is present on site to monitor the suitability of imported materials.

The Environment Agency has confirmed that the use of inert waste for the construction of golf course will require a waste exemption. They would not routinely monitor such an operation, as it is considered a low risk activity, but they may carry out random monitoring.

The deposit of clean and validated inert waste material should not give rise to contamination of land or groundwater. By definition, inert material is that which does

undergo any physical, chemical or biological transformations, and would include uncontaminated earth and excavation waste such as bricks, concrete, stone etc.

Central Bedfordshire Environmental Health Officer has made the applicant aware in his comments that the ownership of land shown to be contaminated may accrue legal and financial liabilities under Part IIA of the Environmental Protection Act 1990. He adds that the applicant should verify that any material brought onto the land is not going to cause the land to be contaminated. Any assessment of material brought on to the land should be risk based and use the appropriate, authoritative and scientifically based guideline values. Samples of material should also be taken before any is deposited on site.

Subject to a condition requiring that only inert material is deposited on site it is considered that the proposal accords with Policy GE20 of the MWLP.

6. Rights of Way

Policy GE21, *public rights of way*, of the MWLP states that proposals that would lead to disruption of the public rights of way network in either the short or long term will only be granted where suitable alternative arrangements are made, or if this is not possible, disruption is reduced as far as practicable and is clearly outweighed by other planning benefit.

Three footpaths (No. 6, 7 and 8) pass through the existing golf course, all roughly in a north to south direction. Footpath 46 runs along the north-eastern and eastern boundary of the golf course, crossing Chaul End Road near the entrance to the golf club and joining with footpath A8. A number of permissive paths are also provided along the northern and western boundaries of the course.

There have been a number of reports of contention between golfers and walkers using footpaths across the existing course over the last few years with complaints made to both the Golf Club and the Council. Central Bedfordshire Rights of Way Officer has attributed this to the difficulty some walkers find in navigating their way across the course. Although not part of this application, the applicant has stated that it is their intention to enhance the existing footpaths, in attempt to address this conflict between user groups. Footpaths will be integrated more fully into the golf course design, by encouraging users through mowing regimes, to follow the contours of fairways or other features. They add that the proposed landscaping should also result in a more pleasing use of the footpaths. A significant amount of signage and routing along footpaths and at junctions will be erected, along with notices around the course, ensuring both walkers and golfers are aware of the health and safety issues. A further permissive route is also to be offered, joining footpath 6 through the middle of the site with footpath 46 along the eastern boundary.

Central Bedfordshire Rights of Way Officer comments that ideally the opportunity should have been taken to deal with the layout of the whole course to resolve all conflict issues experienced between golfers and walkers. However, it is recognised that the majority of issues relating to rights of way are outside of the development area and the applicant is to carry out a number of measures to try to address some of the conflict issues which exist across the course. These include removing a bunker which affects footpath 7; the general movements of some fairways, greens and tees away from existing public rights of way; improved visibility for golfers and walkers; and increased signage. She also welcomes their support for addressing the remaining issues where the public footpaths cross fairways and greens in due course.

With regard to the construction, it is noted that the applicants state that no temporary

closures/diversions of public rights of way will be necessary. All of the public rights of way across the course will therefore remain clear and usable to the public at all times, although a number of safety barriers and cross over points will be required. Central Bedfordshire Rights of Way Officer requests that further information be submitted through a scheme on these proposed safety measures.

It is considered through the implementation of appropriate safety measures during construction that disruption to users of the public rights of way will be reduced as far as practicable, in accordance with Policy GE21 of the MWLP.

7. Transportation

Policy GE23, *transport*, states that permission will only be granted for waste development where the material is capable of being transported via the strategic highway network. The suitability and capacity of available access routes will be taken into account.

The applicant has stated that the proposal will result in a maximum of 400 HGV movements¹ at the site per working day over a 30 month construction period. Access to the site will be gained from the main golf club entrance off Chaul End Road. All vehicles will be routed along Chaul End Road from/to the A5065, which has good road connectivity to Junction 11 of the M1.

Consultees have raised concerns about the proposed number of additional HGV movements along Chaul End Road and the safety implications of lorries queuing and turning into the site. Concern has also been raised that HGVs may ignore the route proposed by the applicant and travel through Caddington.

The applicant has commented that only one haulage company will be used in the operation and the movements of their fleet of vehicles will be monitored by satellite systems. It is considered that suitable conditions can be attached to any grant of planning permission to control and monitor HGV movements into and out of the site. This includes the requirement for a CCTV system, with remote access, to monitor HGV movements

With regard to the suitability of the access route, Central Bedfordshire Highways Officer comments that the junction at Chaul End Road with the strategic highway of the A5065 is adequate for the proposed additional traffic. He adds that the majority of the route along Chaul End Road is also to a satisfactory standard. However, the road is of a lower standard from the golf club access northwards for approximately 300 metres. The current width of this section is inadequate to safely accommodate two passing HGVs passing and this additional HGV traffic would result in an unacceptable danger to traffic on the highway and damage to the verges. He therefore recommends that a condition be included on any grant of planning permission to require the applicant to enter into an agreement under section 278 of the Highways Act to deliver improvements to this length of the highway before implementation. Subject to the satisfactory highway improvements, he also considers that the highway network could accommodate the proposed maximum number of 400 HGV movements per day.

The applicant has agreed to widen the road as part of this proposal. However, this does raise further issues in terms of landscape impact, which are considered in a subsequent section.

With regard to concerns of HGVs queuing to enter the site on Chaul End Road, the location of the site compound, situated within phase 1 of the development, 300 metres along the access road from the site entrance should ensure that this will not

¹ A vehicle entering the site and then exiting the site is classed as 2 movements.

occur. Details of the facilities proposed within the site compound are included with the application. This includes a dry wheel spinner, rhino wheel cleaner and hand held power washer wheel cleaner.

Subject to improvements to sub-standard length of Chaul End Road, outside of the site entrance, and other conditions controlling the number of HGV movements and the route taken, it is considered that the proposal conforms to Policy GE23 of the MWLP.

8. Disturbance

Policy GE18, *disturbance*, of the MWLP states that proposals which are likely to generate disturbance from noise, dust, mud on the highway, illumination, litter, birds or pests will only be granted where the impact of any anticipated disturbance is reduced as far as practicable and is outweighed by other planning benefits of the proposal.

The nearest sensitive receptor to the site is Chaul End, located approximately 135 metres to the northeast of phase 2 of the proposed development area. Phases 1 and 3 are a considerable distance away from noise sensitive receptors. The proposed hours of operations are 0800 to 1800 Mondays to Fridays and 0800 to 1400 on Saturdays. The application includes a noise assessment, which predicts maximum noise levels during operations in phase 2 of 71.1dB at the nearest sensitive receptor within Chaul End. It is stated that this is a worst case scenario, when operations are at closest proximity to residential properties and has not taken account of local topography variations and landscaping. The applicant originally assessed predicted noise levels with reference to the Department of Environment Advisory Leaflet (1976) *Noise Control on Building Sites* which specifies that noise limits outside the nearest occupied room should not exceed 70dB(A) in rural areas. Central Bedfordshire Environmental Health Officer had commented that this is not the appropriate guidance for this type of activity. The more appropriate standard is Minerals Policy Statement 2 *Controlling and Mitigating the Environmental Effects of Mineral Extraction Annex 2*, which specifies that the maximum noise levels set should be 55dB(A) or 10dB above the background noise levels. It also allows for increased daytime limits of up to 70dB(A)LAeq, 1hour for certain activities including the construction of new permanent landforms for periods up to 8 weeks in a year where it is clear this will bring longer term environmental benefit to the site or its environs. The applicant has undertaken a further assessment with reference to this guidance and considered that construction noise can be limited to 70dB(A) for a period of 6 weeks whilst the construction of the permanent landform occurs within closest proximity to the noise sensitive properties. As operations continue in this phase moving away from these properties the worst effects will become gradually less. Due to the nature of the project and the existing topography which slopes down away from the properties, as the construction continues so will the amount of mounding available to baffle noise, effectively becoming a self-mitigating process. Whilst the applicant has not provided specific measures to mitigate noise levels at properties at Chaul End, a number of measures are proposed to limit noise levels across the site to protect the amenity of walkers and golfers during operations. These include the use of quieter versions of construction plant and use of temporary noise barriers where appropriate. It is proposed that these measures form part of a Construction Environmental Management Plan (CEMP) to be held onsite and to be agreed by planning condition. Central Bedfordshire Environmental Health Officer has raised no objection to the proposal but considers the limits set within MPS 2 should be imposed as a condition.

The deposit of inert materials onto land can cause dust problems, particularly during dry summer months. HGVs travelling along internal haul roads can also generate a

significant amount of airborne dust. The applicant has reported that procedures for dust suppression will again form part of the CEMP and will include the dampening of the surface of working areas and haul routes during the construction period.

Wheel wash facilities will be provided within the compound which will minimise the risk of mud or other debris being transferred onto the highway.

The site falls within London Luton Airport's Bird Strike Zone which could have implications in terms of the creation of the proposed water bodies. London Luton Airport have no safeguarding objection to the proposal, but since the golf club is in proximity of the easterly flight path, they have requested conditions that require the golf club incorporate management procedures to deter the congregating of large water fowl and allow them access to the site annually to monitor bird populations. The three main water bodies at the site already exist and it is not considered that the additional small ponds to be created will significantly increase the risk of bird strike. The applicant has stated that they would allow the London Luton Airport open access to the site to monitor bird populations.

Subject to conditions requiring the control of noise, dust and mud on the highway it is considered that the proposal conforms to Policy GE18 of the MWLP.

9. Landscape and Visual Impact

Policy GE9, *landscape protection and landscaping*, of the MWLP states that development which is likely to have an adverse effect on the landscape character of the area will only be granted where any adverse effect is reduced as far as practicable and is outweighed by other planning benefits of the proposal.

The landscape character of the area is set out in the County Council's South Bedfordshire District Landscape Character Assessment (LCA). Chapter 11b assesses the landscape character of the Caddington – Slip End Chalk Dipslope, in which the site is located. Falling within the Chilterns AONB, this northern section of the Chalk Dipslope landscape is defined by a broad plateau landform, which gently undulates to form a series of subtle valleys. Medium sized deciduous and mixed woodland blocks are also a prominent feature.

The applicant has undertaken an assessment on the predicted effects on landscape character and visual amenity once the development is complete and vegetation established. The assessment predicts the most apparent changes to the landscape to visitors of the site will be the increase in native tree planting, particularly in the south of the site. The removal of non-native coniferous species in the northern part of the site will be the second most apparent change. The applicant considers that these changes will create a distinct wooded landscape to the south and an equally distinctive open plateau to the north, which is synonymous with the character of the wider landscape, set out within the LCA. It is stated that the change in topography is likely to be a less noticeable feature in the landscape once the planting has matured and that the dominant topographical feature will remain the central valley with its lakes. Overall, the assessment concludes that the proposal will have a positive effect on the landscape and of little significance to the surrounding AONB.

Central Bedfordshire Landscape Enhancement Officer welcomes the removal of all conifers on site and the planting of more locally indigenous trees, although has raised concerns that the proposal would result in excessive remodelling of landscape, which is out of context with local landscape character and setting within the Chilterns AONB. She adds that even with extensive planting, it cannot be guaranteed that the changes will not be apparent from the local footpaths and have some impact on the wider AONB setting and status. The Chilterns Conservation Board has objected to the application on landscape grounds as they consider that

the extent and form of the land raising proposed would lead to an artificial landscape that is out of keeping with the surrounding area.

The applicant has contested that the design is wholly consistent with the natural topography of the site and generally follows the pattern of existing contours. They refer to cross sections taken through the natural valley through the centre of the course, which shows changes in ground levels of up to 12 metres. They add that the mown field is currently uncharacteristic of the Chilterns land form, and the design would be an improvement upon that and more in keeping with the local landscape character.

In response to a highway issue, the applicant has proposed to widen a section of Chaul End Road to safely accommodate passing HGVs. Central Bedfordshire Landscape Officer has raised concern that the removal of parts of the grass verge could be detrimental. The applicant has undertaken a road survey and has stated that widening by a maximum of 50cm is required, which would impact upon the grass verge but would not require the removal of any hedges.

After considering the advice of Central Bedfordshire Landscape Enhancement Officer and the Chilterns Conservation Board, it is considered that the extent of land raising proposed is likely to have some adverse effect on the landscape character of the area. However, it is considered that the planning benefits proposed will outweigh the adverse effect, which can through suitable planting required by planning condition be reduced as far as practicable. The proposal therefore does not conflict with Policy GE9 of the MWLP.

10. Green Belt & Area of Outstanding Natural Beauty

Green Belt

The site is located within South Bedfordshire Green Belt. Planning Policy Guidance 2 (PPG2): *Green Belts*, states that there is a general presumption against inappropriate development within the Green Belt and that it is for the applicant to show why permission for such development should be granted. It goes on to state that very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. Criteria for assessing the appropriateness of a development are set out with PPG2.

With reference to this guidance within PPG2, the applicant considers that it does allow for the proposed final use as it states that essential formal recreational uses are appropriate within the Green Belt provided they maintain its openness and do not detract from the purposes² for including land within the Green Belt. The applicant considers that the openness of the Green Belt will be unaffected and that the proposal does not contravene any of the purposes for including land within the green belt.

However, as previous established the proposal is considered a waste related

² PPG2 lists these five purposes of including land in Green Belts as:

1. to check the unrestricted sprawl of large built-up areas;
2. to prevent neighbouring towns from merging into one another;
3. to assist in safeguarding the countryside from encroachment;
4. to preserve the setting and special character of historic towns;
5. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

development, which is considered inappropriate development in the context of PPG2 unless it maintains openness and does not detract from the purposes for including land within the Green Belt. Furthermore, Policy GE5, *Green Belt*, of the MWLP states that for waste development, planning permission will only be granted where very special circumstances can be demonstrated that justify the proposal. It adds that for all waste development the proposal should preserve the openness of the Green Belt and minimise conflict with the purposes of its designations.

Although raising concerns, Central Bedfordshire Landscape Officer's has not objected to the proposal. It is considered that through the imposition of planning conditions that the openness of the landscape can be ensured, and therefore the proposal does not conflict with PPG 2. It is also considered that the applicant has demonstrated the very special circumstances that could justify the proposal. The proposal therefore complies with Policy GE5 of the MWLP.

Area of Outstanding Natural Beauty

The application site is located within the Chilterns Area of Outstanding Natural Beauty (AONB). National planning guidance for AONB's is set down in Planning Policy Statement 7 (PPS7): *Sustainable Development in Rural Areas*. Paragraph 21 states that AONBs "have been confirmed by the Government as having the highest status of protection in relation to landscape and scenic beauty. The conservation of the natural beauty of the landscape and countryside should therefore be given great weight in planning policies and development control decisions in these areas."

PPS7 goes on to state that major developments should not take place in these designated areas, except in exceptional circumstances. Because of the serious impact that major developments may have on these areas of natural beauty, and taking account of the recreational opportunities that they provide, applications for all such developments should be subject to the most rigorous examination. Major development proposals should be demonstrated to be in the public interest before being allowed to proceed. Consideration of applications within AONBs should include an assessment of:

- (i) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- (ii) the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and
- (iii) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

PPS7 recognises that there is scope for leisure related developments in statutorily designated areas, subject to appropriate control over their number, form and location to ensure the particular qualities or features that justified the designation are conserved. PPG17, *Planning for Open Space, Sport and Recreation*, states that in Areas of Outstanding Natural Beauty local planning authorities should look to meet the demands for sporting and recreational activities where the proposals are consistent with the primary objective of conservation of the natural beauty of the landscape.

With regard to regional guidance, Policy ENV2, *Landscape Conservation*, of the East of England Plan 2008, states that within the AONBs priority over other considerations should be given to conserving the natural beauty, wildlife and cultural heritage of each area.

At a local level, Policy GE 7 *Protection of the Chilterns Area of Outstanding Natural Beauty*, states that permission will only be granted for waste development in the

Chilterns AONB where it is demonstrated to be in the public interest.

i) On reflection of the need for the development, which is in summary, to provide a better quality and economically viable golf facility, it is considered that this is a not national consideration. Although visitors to the club may travel from further afield, it is expected that the majority of members of the golf club will live in the surrounding area, and thus the golf club provides a relatively local facility.

It is not clear what would happen to the golf club if the development was not permitted. The golf club already provides an 18 hole course with clubhouse facilities, although one that is reported to be struggling to attract members because of the standard of the facilities provided. The worst case scenario is that the golf club would close. If so, 10 full time and 11 part time staff would lose their jobs and members their club.

The other issue to be considered is that of the need for a new facility for the disposal of inert waste material. The applicant has provided information on the source of the material to be used, with the majority to be supplied from current and potential future construction projects secured by McGee Group in London. Therefore a consistent supply of inert material appears to be available to Caddington Golf Club.

ii) Since the application is for improvements to an existing golf club, it is considered that there is little scope to look to develop a golf course elsewhere outside of the designated area. The other option is to meet the need, particularly drainage, through a different layout to the proposed. The applicants are insistent that the proposed layout is the optimum to address issues of drainage and ensure the course remains open for as long as possible.

iii) The detrimental effects on the environment, the landscape and recreational opportunities, and the extent to which they could be moderated have been discussed in the sections above.

Specific concerns with regard to wildlife and cultural heritage have not been highlighted. Concerns have been raised on the impact of the proposal on the landscape character, although Central Bedfordshire Landscape Officer has not objected to the proposal. It is considered that suitable planting can be required by condition to moderate the adverse effects. Recreational opportunities will be provided through the creation of the 9 hole academy course.

It is considered that the proposal does constitute the exceptional circumstances required by PPS 7, and that allowing the proposal to proceed would be in the public interest. Therefore the development complies with PPS 7 and Policy GE 7 of the MWLP.

CONCLUSIONS

Due to the nature of the proposal and location of the site within the South Bedfordshire Greenbelt and the Chilterns Area of Outstanding Natural Beauty, planning policy has required that a balancing exercise be undertaken, weighing up whether very special circumstances (Greenbelt) and exceptional circumstances (AONB) exist which could outweigh any harmful impacts of the proposal.

The proposal is in general conformity with relevant development plan policies. However, concerns have been raised with regard to the impact of the proposal on the landscape character of the area.

It is recognised that there are significant benefits with the proposal. It will improve a golf facility which is reported to be struggling to attract members, through enhancement of the 18

hole course and provide further recreational opportunities through the creation of a new 9 hole academy course. The improvements to drainage in particular will ensure the course can remain open for more days throughout the year. Improving the commercial situation of the golf club will help secure the existing 10 full time and 11 part time jobs, and potentially provide an additional 4 full time and 5 part time jobs. The proposal will also, through landscaping, see the replacement of non-native planting with more locally indigenous trees; the creation of new habitat and the enhancement of existing habitat; and some improvements to the rights of way network to minimise conflict between golfers and walkers.

It is considered that these planning benefits outweigh the adverse effects on the landscape, Green belt and Chilterns AONB. Also, it is felt that if permission were granted, appropriate planning conditions can be imposed to adequately control the development.

RECOMMENDATION

It is recommended that planning permission be approved subject to the following conditions:

1. Planning permission shall extend to the area edged with a thick black line on the attached plan no. BC/CM/2009/1-1. The development shall be carried out in accordance with the planning application received on 7 January 2009 and additional information submitted on 22 April 2009, 8 June 2009 and 18 June 2009, except where modified by other conditions of this permission and except for any minor amendments which may be agreed in writing by the Local Planning Authority.

(Reason: To define the permission and allow for minor amendments)

Time Limits

2. The development hereby permitted shall be begun not later than the expiration of 3 years from the date of this permission. Written notification of the date of commencement shall be sent to the Local Planning Authority within 7 days of such commencement.

(Reason: To comply with section 51 of the Planning and Compulsory Purchase Act 2004)

3. The waste operations hereby permitted shall cease on, or before, three years of the date of commencement and the restoration of the site, excluding the aftercare requirements, shall be completed within a further 12 months of the cessation date.

(Reason: To ensure that operations are completed within an acceptable timescale and to prevent the prolonged disturbance to the local environment)

Phasing

4. Except for such modifications as may be approved in writing by the Local Planning Authority, the site shall be worked in four phases as shown on plan GGD-165-2015, and subsequent phases shall not proceed without the written consent of the Local Planning Authority, which shall be dependent on progress in the restoration of the previous phases, in accordance with the approved scheme.

(Reason: to provide for a satisfactory restoration of the site)

5. Upon completion of each phase as shown on plan GGD-165-2015, a topographical survey shall be carried out and submitted to the Local Planning Authority. The survey should demonstrate that the phase has been restored in accordance with the contours shown on drawing no. GGD-165-2016.

(Reason: To provide for a satisfactory restoration of the site)

Hours of operation

6. Unless otherwise approved in writing by the Local Planning Authority, no operations authorised or required under this permission, including HGV movements to and from the site, shall take place except between the hours of 07:00 hours to 17:00 hours Monday to Fridays and 07:00 hours to 13:00 on Saturdays.

(Reason: To protect the amenities of neighbouring properties)

7. No operations hereby approved shall take place on Sundays or Public Holidays.

(Reason: To protect the amenities of neighbouring properties)

Access

8. There shall be no access to the site other than the existing site access off Chaul End Road as shown on plan BC/CM/2009/1-1.

(Reason: In the interests of highway safety)

9. No HGVs shall deliver waste material to the site unless and until improvements to Chaul End Road northwards of the golf club entrance have been agreed in writing with the Local Planning Authority and subsequently, implemented in full.

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

Vehicle Movements

10. Unless otherwise approved in writing by the Local Planning Authority, there shall be not more than 400 HGV³ movements⁴ entering and exiting the site in any one working day (pro-rata for part days).

(Reason: In the interests of highway safety)

11. No HGV's shall turn right out of the site access onto Chaul End Road.

(Reason: To minimise the danger, obstruction, and inconvenience to users of the highway and of the site.)

³ All vehicles over 7.5 tonnes gross vehicle weight.

⁴ A vehicle entering the site and then exiting the site is classed as 2 movements.

12. No HGVs shall deliver waste material to the site unless and until a CCTV camera has been installed which monitors the entrance to the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of;
- the columns and cameras to be used,
 - the area covered,
 - the capability for remote access viewing,
 - The removal of the CCTV following completion of the works.

The CCTV system shall thereafter be implemented only in accordance with the agreed scheme.

(Reason: To allow the monitoring of traffic movements)

13. No HGVs shall deliver waste material to the site unless and until a method statement that addresses the potential conflict of movements of HGVs, golfers and walkers using the site during operations has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved scheme shall be carried out in full.

(Reason: To address health and safety)

Public Rights of Way

14. All public rights of way across the course should remain usable at all times.

(Reason: to minimise disturbance to users of the public rights of way)

Environmental Protection

15. No operations shall take place in each phase until the limits of waste disposal delineated on the ground in accordance with a scheme which has first been submitted to and approved in writing by the Local Planning Authority.

(Reason: To define the limits of the permission and allow for monitoring of other planning conditions)

16. At all time adequate precaution shall be taken to keep roads free of mud and dust arising from the site.

(Reason: To minimise any disturbance by reason of dust and in the interest of highway safety)

17. No HGVs shall leave the site without first passing through the wheel cleaning system, as shown on the facilities set up, drawing no SK 002.

(Reason: To prevent the transport of mud onto the highway and in the interest of highway safety)

18. Except for temporary operations, the free field Equivalent Continuous Noise Level, $L_{Aeq,1hr}$, due to operations in the site, shall not exceed 55 dB $L_{Aeq,1hr}$, when measured at the boundary of any residential dwelling. For temporary

operations such as site preparation, soil and overburden stripping, screening, bund formation and removal and final restoration, the free-field noise level due to work at the nearest point to each dwelling shall not exceed 70dB_{L_{aeq} 1hr}, when measured at the boundary of any residential dwelling. Temporary operations shall not exceed a total of eight weeks in any calendar year.

(Reason: To minimise any nuisance to nearby residents by reasons of noise)

19. No development shall take place on site unless and until a scheme detailing measures to be undertaken in the event of any complaint about noise, has been submitted and approved in writing by the Local Planning Authority. The scheme shall include details of;
- monitoring location;
 - monitoring frequency and duration;
 - equipment used for monitoring;
 - the logging of all weather conditions and on site and off site events occurring during measurements including 'phased out' extraneous noise events;
 - any breaches of the prescribed noise levels, together with recommended noise mitigation measures.

(Reason: To enable compliance with prescribed noise levels for on-site operations to be adequately monitored and assessed in the event of complaints about noise being received)

20. In the event of any complaint about noise arising from on-site operations being received by the Local Planning Authority, the applicant shall carry out noise monitoring in accordance with the scheme approved under condition 19, with the results reported to the Local Planning Authority in writing.

(Reason: To enable compliance with prescribed noise levels for on-site operations to be adequately monitored and assessed in the event of complaints about noise being received)

21. No development shall commence on site until a detailed scheme for the suppression and control of dust has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved scheme shall be carried out in full.

(Reason: To protect the amenities of residents in the locality from the effects of any dust arising from operations on site).

22. No vehicles shall exceed a speed of 15mph within the application areas.

(Reason: To minimise any nuisance to nearby residents by reason of dust)

23. No floodlighting shall be used on site until a scheme for floodlighting has been submitted to and approved in writing by the Local Planning Authority. Thereafter, no floodlighting shall be used unless in accordance with the approved scheme.

(Reason: To minimise disturbance to the local environment).

24. Nothing other than inert material shall be imported to or tipped on the site.

(Reason: To exercise control over the development and protect the amenities of neighbouring properties)

25. Topsoils and subsoils in each phase shall not be stripped, stored and replaced except in accordance with a scheme of soil handling and machine movements, which shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved scheme shall be carried out in full.

(Reason: To protect the structure of the soils and to ensure the satisfactory restoration of the site)

Archaeology

26. No development shall take place unless and until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved scheme shall be carried out in full.

(Reason: To ensure that archaeological remains likely to be disturbed in the course of the works are adequately investigated and recorded)

Wildlife Protection

27. No development shall take place on site unless and until a detailed mitigation plan for the surveying and protection of all legally protected/BAP species during operations has been submitted to and agreed in writing by the Local Planning Authority. Thereafter, the approved scheme shall be carried out in full.

(Reason: To ensure the protection of protected species.)

28. No clearance of vegetation or soil stripping shall take place except between September and March, being outside the bird nesting season, unless a prior survey has been undertaken to ensure no nesting birds will be disturbed, and only then with prior notification to the Local Planning Authority.

(Reason: To ensure the protection of nesting birds.)

Landscaping, Restoration and Aftercare

29. No development shall take place on site unless and until a detailed landscaping scheme for planted areas has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include provision for:

- Retention and safeguarding of existing trees;

- A specification of the number, species, size and location (existing and new) of the trees to be transplanted, together with details of additional mature stock if required;
- A specification detailing the species, size, number, and location of all other trees, shrubs and hedgerows to be planted;
- Grassland and aquatic mixes;
- Details of topsoils proposed for planted areas together with details of ripping and other soil amelioration treatments, if required.
- Maintenance of all trees, shrubs and hedgerows for a period of 5 years from the date of planting;
- Progressive implementation;
- Annual monitoring meetings;
- Any other matters as relevant.

(Reason: To ensure a satisfactory restoration of the site)

30. No development shall take place on site unless and until a scheme for the aftercare and management of the restored ponds and grassland areas has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall include,
- Provision for the establishment and development of wildlife conservation features;
 - The provision and upkeep of protective fences;
 - Measures to protect the ecological habitats from potential use of fertilizers and pesticides.
 - Maintenance of an annual cutting regime appropriate to the development of grassland habitats;
 - Annual monitoring meetings;
 - Implementation of the approved management scheme amended as necessary at the annual meetings for a period of 5 years from completion of planting.

(Reason: to secure ecological enhancement)

Miscellaneous

31. Throughout the period of landfilling and restoration operations, a copy of this planning permission including all documents, plans and details of pre-development schemes shall be displayed on the site during working hours in a location which is readily accessible to any person undertaking the development.

(Reason: For the avoidance of doubt)

NB Where conditions include the phrase "Except as may be/unless otherwise approved in writing by the LPA....", this is to allow for exceptions to be approved for temporary periods for special circumstances or minor amendments to be made.