

<b>APPLICATION NUMBER</b>	<b>CB/09/06722/FULL</b>
<b>LOCATION</b>	<b>Land On The South Side Of Rugby Club, Woburn Street, Ampthill</b>
<b>PROPOSAL</b>	<b>Full: Change of use from Agricultural Land to D2 Sports Pitches, Training Land with associated Groundworks.</b>
<b>PARISH</b>	<b>Ampthill</b>
<b>WARD</b>	<b>Ampthill</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Paul Duckett, Cllr Gary Summerfield</b>
<b>CASE OFFICER</b>	<b>Mary Collins</b>
<b>DATE REGISTERED</b>	<b>07 December 2009</b>
<b>EXPIRY DATE</b>	<b>08 March 2010</b>
<b>APPLICANT</b>	<b>Ampthill &amp; District RUFC</b>
<b>AGENT</b>	<b>Aragon Land and Planning UK LLP</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Councillor call in Cllr Summerfield: Effects on SSSI at Coopers Hill</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Granted</b>

### **Reasons for Granting**

The proposal is in conformity with Policy DM3 of the Core Strategy and Development Management Policies, Central Bedfordshire (North), November 2009, as it is appropriate in scale and design to its setting and respects the amenity of surrounding properties; DM14 as the proposal will not have an unacceptable impact on the landscape character of the area and DM15 as biodiversity is protected, appropriate mitigation measures will be carried out and the scheme will provide long term benefits for wildlife; Policy CS11 as the proposal supports the leisure developments in the countryside and which provides opportunities for rural diversification and is well located to support local services, businesses and other tourist attractions.

The proposal is in conformity with PPS5: Planning for the Historic Environment as the proposal reduces risks to a heritage asset.

It is also in accordance with Planning Policy Guidance: PPS1: Delivering Sustainable Development, PPG 2: Green Belt as the proposal does not affect the openness of the Green Belt and PPS 9: Biodiversity and Geological Conservation as biodiversity is safeguarded.

### **Recommendation**

That Planning Permission be Granted subject to the following:

- 1 The development hereby approved shall be commenced within three years of the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 which is designed to ensure that a planning permission does not continue in existence indefinitely if the development to which it relates is not carried out.

- 2 **No works shall commence on site until a scheme for the provision, implementation, ownership and maintenance of the surface water drainage system for the rugby pitches has been submitted to and agreed in writing with the Local Planning Authority . The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme and shall demonstrate that there will be no additional run-off from the site.**

**Reason: To prevent flooding by ensuring that satisfactory storage/disposal of surface water on the site up to the critical 1:100 year critical storm with climate change allowance and in doing so ensure that there is no increased flood risk elsewhere.**

- 3 **Prior to the commencement of development a scheme setting out measures for protecting all trees, shrubs and other natural features during construction work shall be submitted to and approved in writing by the Local Planning Authority. No work shall commence on site until all trees, shrubs and features to be protected are fenced with 2.3 high weldmesh fencing securely mounted on standard scaffolding poles driven firmly in the ground in accordance with BS 5837:2005;**

- **for trees and shrubs the fencing shall follow a line 1.0m outside the furthest extent of the crown spread, unless otherwise agreed in writing by the Local Planning Authority;**
- **for upright growing trees at a radius from the trunk not less than 6.0m, or two thirds of the height of the tree whichever is the greater;**
- **for other natural features along a line to be approved in writing by the Local Planning Authority.**

**Such fencing shall be maintained during the course of the works on the site. No unauthorised access or placement of goods, fuels or chemicals, soil or other materials shall take place inside the fenced area.**

**Reason: To safeguard the existing trees on the site in the interests of visual amenity.**

- 4 **The development permitted by this planning permission shall only be carried out in accordance with the approved biodiversity mitigation measures outlined in Section 5.1 of the Further Reptile and Nesting Bird Surveys dated 27 July 2010, compiled by Adonis Ecology Ltd unless otherwise agreed in writing by the Local Planning Authority.**

**Reason: To ensure biodiversity interests are safeguarded in line with PPS9.**

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

Reason: To ensure that any potential land contamination is identified and appropriate remedial measures taken to produce a site that is free from harm to humans and ground water and is suitable for its proposed end use.

- 6 **Before development takes place details of how direct access between the A507 and the site for vehicles other than ground maintenance and emergency vehicles is to be prevented should be submitted to and approved in writing by the local planning authority. The approved details shall be implemented before the new facilities are first brought into use and thereafter retained for such purpose.**

**Reason: In the interest of highway safety and for the avoidance of doubt.**

- 7 Notwithstanding the approved plans, a 1.8 metre high chain link fence shall be erected in the positions shown on drawing 1370/10/1 prior to first use of the pitches. The fencing shall be kept in a good state of repair and retained at all times in perpetuity.

Reason: To ensure that the SSSI is protected against incursions by pedestrians.

- 8 The development permitted by this planning permission shall only be carried out in accordance with the habitat creation works outlined in Section 5.2 of the Further Reptile and Nesting Bird Surveys dated 27 July 2010, compiled by Adonis Ecology Ltd and shall relate to the areas shown on the plan at Appendix 1, Figure 3 attached to the report unless otherwise agreed in writing by the Local Planning Authority.

All habitat creation works shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. The works shall be undertaken not later than the end of the full planting season immediately following the completion of the development.

The sward development shall be monitored over the initial five years and the results reported annually to Natural England through the Local Planning Authority.

Reason: To create potential biodiversity gain through the appropriate design and management of wildlife enhancements within the development in line with PPS9.

- 9 The development permitted by this planning permission shall only be carried out in accordance with the principles for habitat enhancement management outlined in Section 5.2 of the Further Reptile and Nesting Bird Surveys dated 27 July 2010, compiled by Adonis Ecology Ltd and shown on the areas on the plan at Figure 3 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure existing or new habitats affected by development are managed effectively over an established period.

- 10 No works shall be commenced for the erection of any building or structure (including the erection of any lighting columns) within the area defined by the red line on site location plan Figure 3 without the specific grant of planning permission by the Local Planning Authority.

Reason: To protect the amenities of nearby occupiers and to protect the character and appearance of the surrounding countryside.

- 11 This permission does not authorise the use of the access from the A507 by vehicular traffic other than by vehicles used for ground maintenance or emergency vehicles.

Reason: To ensure safety of road users of A507.

- 12 The bund shown on drawing 805/002 Revision T4 shall be constructed before the rugby pitches are first laid. The bund shall be kept in a good state of repair and retained at all times in perpetuity.

Reason: To mitigate against water run off and fertilisers washing off into the lower and adjoining SSSI.

### Notes to Applicant

1. On uncontaminated land soakaways would be permissible for the disposal of clean surface water. Percolation tests should be undertaken, and soakaways designed and constructed in accordance with BRE Digest 365 (or CIRIA Report 156), and to the satisfaction of the Local Authority. The maximum acceptable depth for soakaways is 2 metres below existing ground level. If, after tests, it is found that soakaways do not work satisfactorily, alternative proposals must be submitted.
2. The granting of this planning permission does not absolve the applicants from complying with the relevant law protecting species, including obtaining and complying with the terms of conditions of any licences required, as described in Part IV B of *Circular 06/2005*.
3. The surface of the public footpath must not be disturbed and no materials can be stored on the path at any time.  
The Applicant is advised that if the Public Footpath is to be temporarily closed a period of six weeks notice will be required to arrange the temporary closure. Please contact Gemma Game, Rights of Way Officer, Central Bedfordshire Council on 0300 300 6574.
4. A surface water drainage scheme is required to effectively manage water run-off from the site so not to increase flooding on site or off site. The applicant will need to obtain water run-off calculations to provide information on the necessary storage/disposal (eg soakaways) of the surface water to the 1:100 year critical storm with climate change allowance that are necessary for this site.
5. The existing track between the clubhouse and the new pitches is on the line of Footpath 15 and is a right of way. Vehicles are unable to use this route.

6. No development, access for machinery or storage of materials can occur on the SSSI at any time. Many of the habitats which can be found at Cooper's Hill are fragile and damage caused by construction may take many years to recover if they do at all.

[Notes:-

1. In advance of consideration of the application the Committee were advised of consultation received as set out in the Late Sheet attached to these Minutes.
2. In advance of consideration of the application the Committee received representations made in accordance with the Public Participation Scheme.
3. Condition 12 was added and Note to Applicant No. 6 was added.