

## **LATE SHEET**

### **DEVELOPMENT MANAGEMENT COMMITTEE – 10 NOVEMBER 2010**

#### **SCHEDULE B**

##### ***Item 7 (Page 15-38) – CB/09/06766/RM – Dukeminster Estate, Church Street, Dunstable.***

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

None.

###### **Additional Comments**

None.

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

Amended drawing number – In respect of Conditions 5, 11 and 12, substitute “Drawing Nos. 100A and 101A” for “Drawing No. 2429/101A”.

Condition 10 shall read:

“Save for the parking spaces to be provided in association with the proposed Class A1 and Class D1 units hereby permitted, any garage, drive through garage, car port and parking space and any access thereto shall only be used for purposes incidental to the use of the dwelling units for residential purposes and no trade or business shall be carried out therefrom.

REASON: To prevent the introduction of any commercial use within the residential areas of the site.

(Policy BE8, S.B.L.P.R.)”

##### ***Item 8 (Page 39-58) – CB/10/03096/RM – Warren Wood, Fordfield Road, Millbrook.***

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

None.

###### **Additional Comments**

1. May it be noted that the cross section of the proposed screen bunding was submitted as part of condition 5 attached to MB/08/00614/FULL and was subsequently approved on 7 September 2010. The report makes reference to the omission of these details and the requirement for a suitable condition under section 2 (Landscape & Visual Implications). As these details have been considered, condition 4 in the recommendation can be removed.

2. Amended plans have been received for the Tree Protection Plan and Landscape masterplan to correct some minor errors. Plan Numbers need to be amended in condition 1.

### **Additional/Amended Conditions**

1. Remove condition 4.
2. Amend condition 1 to reflect new drawing numbers for amended plans.

### ***Item 9 (Page 59-98) – CB/10/01359/FULL – The Marston Vale Millennium Country Park, Station Road, Marston Mortaine, Bedford.***

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

Entec have received a letter from English Heritage dated 20th October stating that the *'information provided in the appraisal is now sufficient for English Heritage to assess the impact of the scheme on the historic environment at the application stage and we will be advising the LPA in due course'*. No response has been received by the Council.

The comments of the Landscape Planner of Central Bedfordshire Council have not been reported. The comments are as follows:

#### Marston Vale MCP Wind Turbine

“Apologies for the delay in completing my comments, following my earlier e-mail.

I have read the reports provided by Entec and have undertaken a site visit with regard for this Application as well as other visits to the locality to consider the visual implications of the Covanta application which would be on the adjoining land.

The landscape impacts arising from installation of a wind turbine involve primarily visual disruption, changes to landscape character and loss of tranquillity (which includes visual disturbance as well as noise).

There is very little guidance available to help assess the appropriateness of a wind turbine or wind farm in it's landscape setting. I am preparing some guidance for the Authority, which stems from interpretation of the Landscape Character Assessment and have also referred to the Policy Statement prepared by Natural England. This policy was prepared to guide NE staff rather than a wider use and as such places a greater emphasis on protected landscapes than the general landscape.

It is generally accepted that individuals have a personal response to wind turbines but their general acceptability is greatly determined by the scale of the setting.

My advice to the Authority is that turbines are

- Most appropriate in large scale arable farmland.
- Can create a positive landmark
- Are best suited to land which already has a degree of urban influence or noise disturbance eg set beside a major transport corridor or to the edge of an industrial complex.

Turbines are least appropriate where their physical structures and movement will disrupt important landscape panoramas or distinctive countryside. Small scale, historic landscapes are the most vulnerable to the urban influence of turbines. A further key factor is whether the structures would disrupt a distinctive landform. The perception of the landscape is also an important factor - so that the degree of visibility from valued cultural or recreational areas is an important consideration, especially relevant for landscapes valued for their rural qualities.

The change in view experienced from residential areas is also of the utmost importance. The impact of the loss of an open view will vary with the Receptor and with their own relationship with the landscape – but for many people the introduction of movement, rather than just the height of the turbine is the key intrusive factor. My personal view is that wind turbines are best sited where the whole structure can be seen from the majority of viewpoints. I find it visually unsatisfactory to see only part of the blade structure – the sculptural form is lost.

In my opinion, the Entec report has adequately assessed the visual impacts from viewpoints in the wider countryside (although our conclusions may differ) but has not assessed the view from residential areas within Marston Moretaine sufficiently. Throughout the report there is little mention of the visual impact of the moving blades.

#### Visual Impact Comments from key viewpoints:

##### i) The Greensand Ridge, Amptill Park, Amptill Park House

The general view from the Greensand Ridge would be of an extremely intrusive element within a currently open landscape. It is accepted that the southern Marston Vale is subject to major change if the Nirah leisure complex is built and particularly if the Covanta EfW plant is granted permission; both sites utilizing clay pits to reduce the impact of development. The Nirah roofline would itself be incongruous in the semi-rural setting, but it has a distinctive sculptural form. The Covanta building is also designed to be a bold structure with a strong industrial character, the largescale boxed frame has three chimneys extending 110 m above the surface of Rookery Pit, the adjacent site to the Millennium Country Park.

I disagree with the statement that the turbine would not appear out of place within the *modern* English landscape (my italics) The Marston Vale is undergoing environmental regeneration, as exemplified by the Country Park. Also – this is not a landscape containing many “vertical features” so the turbine would not associate with other structures. Although the turbine would have some positive attributes in terms of environmental education and carbon reduction, these factors that needs to be weighed against visual intrusion. In my view, the energy gain from one turbine is not sufficient to outweigh the visual intrusion caused by the turbine. The dominance of the turbine is shown in the photomontage.

Amptill Park – there would be clear views from the escarpment of this Capability Brown landscape. There are existing views of the Petsoe End turbines (and potentially the Covanta RRF) so a degree of intervisibility between the windfarm and the turbine. The view of the turbine would bring industrial development significantly closer to the Ridge.

Amptill Park House: views as above – except that residents would experience the intrusion on a daily basis rather than just on recreational visits.

##### ii) Views from Marston Moretaine

Existing and proposed residential areas will have clear views of the turbine, some views will be filtered by buildings and property, but the turbine will introduce an industrial element into land which was secured for recreational purposes.

iii) Views from Stewartby

Views will be filtered, but the turbine will interrupt views through to the Greensand Ridge.

iv) Views from Millbrook

The photomontage again demonstrates the intrusive nature of the turbine in its setting.

v) Views from Houghton House

The structure would be highly prominent from this SAM and the western ridge.

### Conclusion

A single turbine punctuates the skyline causing a strong visual change. Although the Vale has a history of chimneys, great care has to be given before introducing large structures with moving elements into this open landscape. In landscape terms, it is important to value the contrast between the Vale and the Ridge – a turbine would disrupt the “horizontal” features within the Vale – lakes, hedges, even the horizontal lines associated with most development. Visually, the moving blades will bring disturbance to an area becoming associated with recreation rather than industry.

I question the validity and effectiveness of one turbine : current thinking is that a grouping of 3-6 turbines form an efficient small unit – there is an economy of scale in terms of costs to output and this number of turbines can form a visually acceptable group in the lowland landscape. In my view there are better methods of generating energy in this area, which would not have a serious consequence visually. Biomass is an obvious choice within the Community Forest. The Centre could also explore the opportunities of Ground Source Heat Pumps or Solar Panels.

I strongly oppose the Application as I consider it will detract from the landscape character of the Vale and the Greensand Ridge, and be intrusive in views from residential areas and viewpoints of the highest value in terms of recreation.”

An objector is unable to attend the Development Management meeting but would like the following to be brought to the attention of the Members.

“I would like to express my objection to this planning application on the grounds of compromised safety when riding a horse around the circular horse trail provided by the country park.

The Country Park has actively encouraged horse users to the site as it is a 'safe environment' to ride in, not on the public highway with all the conflict of horses and cars. There are few bridleways/horse trails in the Marston Vale. This is a circular route and has proved very popular, especially with children. Many travel there by horse box, park safely and then ride accompanied by an adult.

The British Horse Society have carried out extensive research on the issue of horse safety with wind turbines and recommends that a horse trail should be no closer to the turbine than a distance of three times the height of that turbine. The turbine proposed is 120m and at present the horse trail is approximately only 90m from the

proposed site, a huge shortfall of 270m. Research has shown that even the quietest of horses can be frightened by the potential moving shadow, moving light, hissing and whooshing noises and the occasional clang, all associated with turbine movement.

This could culminate in a potentially dangerous situation for the rider, the horse and the general public.”

The Marston Moretaine Action Group has submitted the following objection to the planning application:

The Marston Moretaine Action Group (MMAG) wish to make representations with regard to this proposal for the erection of a wind turbine within the Marston Vale Millennium Country Park. MMAG is a group of volunteers committed to ensuring sustainable development and campaigns against proposals which threaten our rural landscape and our distinct village community.

Their comments are as follows:

- (1) On the driveway into the Country Park there is a billboard which declares, “Its about using trees and woodland to repair a damaged landscape....and you can help”. How does the erection of a wind turbine – an industrial structure contribute to the reforestation of either the Country Park or the Marston Vale ?
- (2) Page 11 of the Design and Access Statement describes the area surrounding the site of the proposed turbine as existing/redundant industrial landscape with several large chimneys located on the opposite of Stewartby Lake which are 70-80m high. Reference is also made to the Energy from Waste plant proposed for Rookery Pit with a flue height of 115m and the number of electricity pylons running across the area. Is this a description of a country park or an industrial estate – if so what has been the point of the country park? Has it failed in its core objective to restore the previous clay workings landscape? Is this a true depiction of what visitors see when they walk around the Park? The dimensions of the turbine has certainly come as a shock to residents who have no recollection of being consulted on the scale of what is proposed.
- (3) The proposed turbine will be up to 120.5m to blade tip anticipating a hub height of 85m and a rotor diameter of 71m and the turbine will be situated on a slightly raised area of land at 41m AOD. It will be completely out of scale in relation to its surroundings and dominate the landscape for miles around contrasting with the nearby conservation areas and countryside.
- (4) The planning statement (Page 4) makes commendable reference to the need for renewable energy and the challenge of climate change and the contribution of the turbine generating enough electricity for the Forest Centre and approximately 907 homes. How will these 907 homes benefit from this green electricity and how will they be selected? If wind turbine technology is to play a part in the generating of green electricity in the Marston Vale will this be the first of other wind turbines either in the Park or elsewhere? If so how many? Should Central Bedfordshire Council be concerned that following this precedent there will be multiplicity of applications?

- (5) The Planning Statement (Page 14) refers to the Renewable Obligations Order which places an obligation on electricity suppliers to provide an increasing proportion of electricity from renewable sources. In effect this leads to a cross subsidy to render wind technology affordable. To what extent is any financial analysis in the application dependent on continuation of this subsidy ? The wind turbine is also expected to provide a guaranteed income for the Marston Vale Trust through the supply of electricity to the National Grid at a commercial scale – is the primary motivation here commercial or environmental?
- (6) The planning application makes reference to the Draft Over arching National Policy Statement for Energy (EN-1) and the Draft National Policy Statement for Renewable Energy Infrastructure (EN-3) which have yet to be placed before Parliament. There has been a change of Government which may issue alternative statements – should this application not be deferred until the new planning rules are clarified?
- (7) The application attempts to reassure but not entirely discount the potential impacts from noise and shadow flicker all based on modelling. However residents have all commented on how surprisingly noisy these machines can be continuously especially during the night when there is no background masking noise and distressing for those with tinnitus.

So we will certainly see and hear it – whether we will benefit from any green electricity is less clear and of course that does depend on the wind blowing !

Further objection received regarding the impact the turbine will have on horse riders and the bridle ways and on people with tinnitus who may be detrimentally affected. They believe that this needs exploring as if it is true then the Community Park would be in breach of the Disability Discrimination Act by in effect blocking a group of visitors from the community facility.

### **Additional Comments**

A response from Entec energy team has been received in relation into the concerns of the sailing club. They have done some previous research on air disturbance caused by turbines, and provide the following information.

*The wake of a wind turbine increases the air turbulence downwind of the turbine rotor. As the proposed turbine dimensions include a hub height of up to 85m and turbine blade up to 71m, the distance between the turbine base and the bottom of the blade arc is 49.5m. The height difference between the turbine base and the lake surface is approximately 5m, in which case the volume of air affected by the turbine is 54.5m above the surface of the lake at the turbine location. The volume of air affected by the turbine increases in size as one travels in the downwind direction, similar in shape to funnel with the narrow end at the turbine and the turbulence intensity. With a sailing boat mast that was 10m higher than the lake surface, the 'funnel cross-section' would need to expand from a height of 54.5m above the lake surface to 10m above the lake surface - an expansion of 44.5m. After approximately 7 rotor diameters distance from the turbine, or about 500m, the additional turbulence generated by the turbine is minimal. Studies of turbulence generated by wind turbines suggest that it would be highly unlikely for the volume of turbulent air to expand more than 44.5m in the downward direction over a horizontal distance of 500m.*

It is also worth adding that the prevailing winds are from the south west and the vast majority of the lake is on the northwestern side of the turbine and therefore will not be downwind of the turbine. Furthermore, the letter from Stewartby Water Sports Club states that the prevailing winds are usually from the west, in which case, the part of the lake which is down wind of the turbine is the most southeasterly section of the lake which the Trust has confirmed is not used for sailing.

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

None.

#### ***Item 10 (Page 99-116) – CB/09/06296/OUT – Land off Chapel Close, Clifton.***

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

Clifton Parish Council has noted the amendments to the above application. It is pleased to note that the environment is being taken into consideration. However much of the site has already been cleared and these recommendations now made are an attempt to make the best of the present situation. It hopes that they can be approved in order that this concern for the environment can be passed on to future generations.

#### **Additional Comments**

A local resident has sent in an email stating “he notes that he would like to attend the meeting to speak against this application but due to severe ill-health, he is unable to do so and would like this noted”.

*“It is of course inevitable that human greed will continue to take precedence over natural habitats, ecology and biodiversity on both a local and global scale and we will not accept the damage we are doing until it is way too late. How many more species must suffer the catastrophic decline as once common species such as house sparrows, starlings, song thrush etc?”*

*THINK GLOBALLY ACT LOCALLY.*

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

None.

#### ***Item 11 (Page 117-138) – CB/10/02493/OUT – Units 4, 5, 6, 7, 8, 9, 12, 13, 14 and 31 Humphreys Road, Dunstable.***

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

None.

## **Additional Comments**

Amendments to conditions to update noise-related conditions.  
Letters relating to 2 objectors represented by the public speaker are attached to this Late Sheet for convenience of Members.

## **Additional/Amended Conditions**

Condition 12 –

Begin “All plant, machinery and equipment, fixed or otherwise, installed or operated...”

New condition (‘31’) –

“Before the first building on the site is first occupied details of the acoustic fence and its provision with regard to timing shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To safeguard the amenities of local residential properties.

Policy BE8 SBLPR.”

Condition 29 in the agenda to be moved to the foot of the conditions and others re-numbered accordingly.

## ***Item 12 (Page 139-156) – CB/09/06722/FULL – Land on the South Side of Rugby Club, Woburn Street, Ampthill.***

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

Natural England – see below.

The Wildlife Trust for Bedfordshire, Cambridgeshire, Northamptonshire & Peterborough – see below.

### **Additional Comments**

A further plan was received on 15 October 2010 805/002 Revision T4 which showed a raised bund.

Response was received from the Wildlife Trust.

“These latest plans have taken up the suggestions that we proposed in our last letter dated 4<sup>th</sup> October 2010. This was to construct a bund which it is hoped will channel water away from the SSSI instead of a swale that could have encouraged water to collect and soak into the freely draining ground, which was more likely to have an impact on Cooper’s Hill Site of Special Scientific Interest (SSSI). As little is understood about the water movements within the ground on and around the application site, there is still a chance that nutrient rich waters from the proposed new rugby pitches will filter into the SSSI and degrade the acid mire community which is currently found there. The construction of the bund, however, should decrease this



possibility and therefore, it is important that its construction is included as a *condition* should the council be minded to grant planning permission.

We have noticed that the northern proposed pitch comes very close to the boundary of the SSSI and so we feel that it is important to stress that 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.

We understand that, should the Council be minded to grant planning permission, a *condition* will be included to ensure that a management plan is produced and implemented to cover the establishment of habitats which complement Cooper's Hill SSSI on the surroundings of the rugby pitches. The importance of this part of the application should not be overlooked. Should the suggested measures to minimise damage to Cooper's Hill SSSI be unsuccessful the expansion of suitable habitats onto the land surrounding the rugby pitches will become even more vital. The timescale for the production and implementation of the management plan should reflect this. We would advise that the plan should cover the management of the area surrounding the rugby pitches for at least ten years and must be appropriately funded by the developer over that period. The establishment of heathland and acid grassland is slow and therefore, this timescale is necessary to ensure the success of the habitat creation."

Natural England have no objections to the revised plan showing the bund.

Natural England and the Wildlife Trust are able to remove their objection to this planning application.

### **Additional/Amended Conditions**

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.

### **Additional Note to Applicant**

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.

### **Other**

An e-mail was received from an objector who has received an invitation to speak at the Development Management Committee meeting. He is unable to attend the meeting. Would like to go on record that he continues to be opposed to the application and that his objections have not been diminished by the review of the planning application and its backing details such as the ecology report or the archaeological study. Continue to be of the opinion that Ampthill has sufficient sports pitches and that the rugby club should seek to make use of under-used pitches such as those behind the Alameda school.

A further objector also unable to attend has commented that human greed is taking precedence over natural habitats, ecology and biodiversity on both a local and global scale. The proposal will cause damage and species will suffer.

***Item 13 (Page 157-170) – CB/10/03477/FULL – 2 High Street, Stotfold, Hitchin.***

**Additional Consultation/Publicity Responses**

None.

**Additional Comments**

None.

**Additional/Amended Conditions**

None.

***Item 14 (Page 171-180) – CB/10/02726/FULL – The Village Hall, High Street, Ridgmont, Bedford.***

**Additional Consultation/Publicity Responses**

None

**Additional Comments**

None

**Additional/Amended Conditions**

None

***Item 15 (Page 181-190) – CB/10/03413/FULL – Cranfield University, University Way, Cranfield, Bedford.***

**Additional Consultation/Publicity Responses**

None.

**Additional Comments**

The applicant's have submitted details of the specification for the floodlighting. The lighting is designed to be used in dense urban areas and to reduce the potential impact on neighbouring properties. The Public Protection Officer is satisfied with the

additional information and recommends that condition 2 should be replaced with a revised condition 9 which reads:

*Revised Condition 9:*

The external lighting installed on the site shall be implemented and maintained as approved. Should any unacceptable glare be caused to occupiers of the surrounding dwellings in the first 12 months following installation of the floodlights, the lighting shall be revised or adjusted to rectify this.

Reason: To preserve the residential amenities of occupiers of nearby residential dwellings.

**Additional/Amended Conditions**

*Cycle Parking:*

Before development begins, a scheme for the short stay parking of cycles on the site (including the dimensions of the cycle parking area, stands/brackets to be used and access thereto), calculated at 5 cycle parking spaces per pitch, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.

Reason: To ensure the provision of adequate cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport in accordance with Policy CS4 of the Adopted Core Strategy and PPG13: Transport.

***Item 16 (Page 191-198) – CB/10/03471/FULL – 10 Browns Way, Aspley Guise, Milton Keynes.***

**Additional Consultation/Publicity Responses**

A response from Anglian Water has not been received. A plan showing the approximate position of the public sewer has been received from the neighbouring occupiers.

An objection letter was received from the occupier of 12 Browns Way, Aspley Guise.

- New extension would sit directly over the main public sewerage and local drains
- The size of the extension is over 50% of the existing property. The extension will result in overdevelopment on what is a very small site and will have an overbearing impact on the plot and surrounding properties.
- Note the inclusion of a window on the side of the property, which currently is a solid brick wall with no windows, this window may look aesthetically unpleasing and will look straight onto the property as an amenity consideration, wish to see window obscurely glazed.

A response has been received from the Council's Highways Section who have no objection to the proposal as the existing is a four bedroom dwelling with three parking

spaces, one in the garage and two in front. The proposal extends the property but the number of bedrooms and on site parking provision remains unchanged.

Further response has been received from the occupier at 8 Browns Way, Aspley Guise who state that they do not understand how planning permission can be recommended for a 2-Storey extension that has a brick wall and roof line of 10 metres high, 4 metres wide, and located only one yard away from the boundary, which will without doubt be detrimental to loss of light and be overbearing.

They point out that in the report to committee, the Officer states that "The two storey rear extension is **"approximately" 3 metres deep** but this measurement is **actually incorrect as the extension will be over 4 metres deep**, resulting in a build increase of over 30%!

It is brought to the attention of the Members that the committee report states that the two storey rear extension will be four metres deep but refers to the extension projecting beyond the rear wall of 8 Browns Way by three metres.

### **Additional Comments**

The report refers to a bathroom window in the side of 12 Browns Way that faces the site. This is incorrect, the window is fitted with obscure glass but is a secondary window serving a bedroom.

### **Additional/Amended Conditions**

None.

## ***Item 17 (Page 199-204) – CB/10/03547/FULL – 15 Walton Close, Shefford.***

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

None.

### **Additional Comments**

None.

### **Additional/Amended Conditions**

None.

## **SCHEDULE C**

### ***Item 18 (Page 205-210) – CB/10/03622/FULL – 34 Chase Hill Road, Arlesey.***

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

Arlesey Town Council –

Recommended: to approve this proposal, subject to neighbours' comments being taken into consideration, otherwise no objections from the Town Council.

#### **Additional Comments**

N/A

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

N/A

### ***Item 19 (Page 211-218) – CB/10/02921/FULL – John Donne Lower School, High Street, Blunham, Bedford.***

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

##### **Highways Development Control:**

No objections – this is based on the nursery being an existing facility and the hall being an improvement to the existing facility and therefore the development should not facilitate a significant increase in traffic.

##### **The Environment Agency:**

No objection - Subject to conditions relating to finished floor levels, the provision of flood resilient construction to be submitted, and suitable provision for surface water drainage.

#### **Additional Comments**

None.

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

Environment Agency conditions:

4. Finished floor levels of the new nursery shall be set no lower than 20.40maOD and of the new extension no lower than existing as shown on drawing number 4313/03 rev D.

Reason: To reduce the impact of flooding on the proposed development and future occupants.

5. **Prior to the commencement of any development, a scheme for the provision and implementation of Flood Resilient Construction shall be submitted and agreed in writing with the Local Authority. Flood Resilient Construction should be provided up to a level of at least 20.70maOD. The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such time as may be specified in the approved scheme.**

**Reason: To reduce the risk of flooding to the proposed development and future occupants.**

6. Surface water shall be disposed of via a suitably designed infiltration system (designed and constructed in accordance with BRE Digest 365 as shown on drawing number 4313/03 rev D and the information submitted from RSK STATS Geoconsult Ltd. The soakaways shall be maintained and managed in perpetuity of the development.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of these.