

LATE SHEET

DEVELOPMENT MANAGEMENT COMMITTEE – 01 FEBRUARY 2012

SCHEDULE B

Item 7 (Page 11-46) – CB/11/04077/FULL – The Marston Vale Millennium Country Park, Station Road, Marston Moretaine, Bedford.

Additional Consultation/Publicity Responses

Since finalising the report for committee, a further consultation response has been received from Cranfield Airport. The response objects to the application on the basis that the turbine would appear on the proposed radar system for the airport (a copy of the response has been appended to the late sheet – appendix 1).

In addition to this they state that they did not receive the consultation letter for this application or that of the previous application in 2010.

Additional Comments

The response received from Cranfield Airport was forwarded to the agent for the application along with some questions in relation to points raised in the consultation period. The agent has responded and this has also been appended to the late sheet – Appendix 2. In summary the following issues have been commented on:

Proposed turbine installation date of March 2012

This date was originally chosen by the applicant due to the availability of the Feed in Tariff at set rates up to this point, these rates relate to the operational income as opposed to providing funding for the construction. After this date these rates are expected to drop. Whilst this deadline is unlikely to be met, it is the applicants intention to commence works as soon as they practically can.

The reduced rates will not make the project unfeasible from a financial perspective – different financial considerations will need to be taken into account in determining the turbine model, and size to be installed.

Candidate turbine

The applicant has not yet reached a decision on the candidate turbine to be installed.

Sub-station

At the time of the previous application negotiations with the Distribution Network Operator had only just commenced and the requirement for a sub-station had not been clarified. The applicants would have submitted a separate application for a sub-station if/when it was determined necessary.

The EfW plant will not be able to use this sub-station as it will require a grid connection of a substantially greater scale than that of the turbine.

Cranfield Airport Objection

The objection is based on a radar system that they are intending to install at the airfield at some point in the future. Their proposals are not well advanced. It is considered that development cannot be precluded by potential future proposals where there is little certainty over what type of radar may be developed. Due to the timings involved it is considered by the agent that their objection is unreasonable and it should be the Airfield's responsibility to account for any turbine in their future development of a radar system.

Case Officer comments

Planning permission was granted for the erection of an 120.5m high turbine in November 2010. This permission is extant and can still be implemented should this application be refused. The committee report for the previous application states that Cranfield Airport were consulted and that no response was received. Prior to submitting the application in 2010 pre-application discussions were also undertaken with Cranfield Airport by the agents of the application and this is detailed in the planning statement.

In terms of the consultation issue, a consultation letter was sent in relation to this application on the 16th November 2011. In respect of the previous application, the report referred to Cranfield Airport as a consultee and noted that no response had been received.

A similar objection was raised by Cranfield Airport to the Langford Wind farm and the advice from the applicants for that application was similar to that of the agents for this application, in that the plans were not well advanced and that development cannot be restricted by potential future proposals. In the Langford Wind farm decision the Inspector concluded that given the lack of information on what might be installed, when and what the implications would be, I agree with the Council that this is a matter that cannot carry weight.

Given the Langford Wind farm appeal decision and the extant permission for an 120.5m high turbine it is considered that the proposed application would not be any worse than that previously approved and that the objection from Cranfield Airport should be given little weight.

In terms of the access for the construction of the turbine and the delivery of the component parts. Highways have not objected to the application. They have recommended a condition the same as on the previous application, which requires the applicants to submit to the Local Planning Authority for approval the access route that is chosen.

Additional/Amended Conditions

None.

Item 8 (Page 47-82) – CB/11/04135/OUT – Land off Kiln Way, Dunstable.

Additional Consultation/Publicity Responses

Highway Officer (17/1/12) – Recommends conditions and informatives. To fund/contribute to the improvements to public transport (Real Time Information and the Luton/Dunstable Busway) a contribution should be sought totalling £5,200.

Environment Agency (24/1/12) – Review of Geotechnical and Geoenvironmental Report complete. No objections to soakaways and recommends condition to ensure they are designed, installed and maintained so that they pose a low risk of pollution to the groundwater.

Additional Comments

This is the final request for infrastructure contributions. To assist Members as they decide whether to take the recommended option of an affordable housing contribution plus WT contribution or the ‘calculator’ contributions we have set out the figures:

Recommended option ‘A’	£	Alternative option (Calculator) ‘B’	£
Wildlife Trust	8,000.00	Wildlife Trust	8,000
Affordable housing	22,747.69		
		Public transport	5,200
		Health	10,700
		Social and Community	4,235
		Waste	768
		Emergency	1,844
TOTAL	30,747.79	TOTAL	30,747.69

The amended conditions below take into account the amendments from the Environment Agency which delete conditions 7 to 10 as no longer being necessary.

Amended / Additional Conditions

Conditions 7 to 10 deleted.

Condition 11 to be renumbered 7, and to have the following changed “REASON: (Environment Agency condition) To protect the quality of the groundwater in the Principal Chalk Aquifer directly beneath the site. Any drainage design must be protective of the groundwater and in line with the Environment Agency ‘Groundwater Protection: policy and practice (GP3)’ for the use of infiltration techniques to be approved.”

Conditions 12 to 16 renumbered 8 to 12.

The following are new conditions with the new numbering.

- 13 **Development shall not begin until details of the junction between the proposed estate road and the existing highway have been approved by the Local Planning Authority and no building shall be occupied until that junction has been constructed in accordance with the approved details.**

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

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

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

- 15 **Development shall not begin until the detailed plans and sections of the proposed road(s), including gradients and method of surface water disposal have been approved by the Local Planning Authority and no building shall be occupied until the section of road which provides access has been constructed (apart from final surfacing) in accordance with the approved details.**

Reason: To ensure that the proposed road works are constructed to an adequate standard.

- 16 No dwelling shall be occupied until all triangular vision splays are provided on each side of all accesses on to the new road and shall measure 1.8m along the fence, wall, hedge or other means of definition of the front boundary of the site, and 1.8m measured into the site at right angles to the same line along the side of the new access drive. The vision splays so described shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

Reason: To provide adequate visibility between the proposed highway and accesses, and to make the accesses safe and convenient for the traffic which is likely to use them.

- 17 The maximum gradient of the vehicular access shall be 10% (1 in 10).
- Reason: In the interests of the safety of persons using the access and users of the highway.
- 18 Before the premises are occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.
- Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises.
- 19 If the proposed road is not constructed to the full length and layout illustrated on the approved plan, a temporary turning space for vehicles shall be constructed within the site in a position to be approved in writing by the Local Planning Authority before any building taking access from the road is occupied.
- Reason: To avoid the need for vehicles to reverse into or from the highway in the interest of road safety.
- 20 No development shall commence until a wheel cleaning facility has been provided at the site exit in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The wheel cleaner(s) shall be removed from the site once the roadworks necessary to provide adequate access from the public highway have been completed (apart from final surfacing) to the satisfaction of the Local Planning Authority.
- Reason: In the interests of the amenity and to prevent the deposit of mud or other extraneous material on the highway during the construction period.
- 21 **Before development begins, a scheme for the parking of cycles on the site 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.
- 22 **Development shall not begin until the detailed plans of the proposed highway lighting, using light emitting diodes (LED) within the development has been approved by the Local Planning Authority and no building shall be occupied until that lighting has been installed in accordance with the approved details.**
- Reason: To ensure that the proposed highways are adequately lit.

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

Reason: To ensure adequate off street parking during construction in the interests of road safety.

- 24 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, Drawing No's S1/09105; B11612/100C, 101, 102, 103A, 104A, 105A; M4382 P 018 plus the Design and Access Statement or to any subsequent appropriately endorsed revised plan.

Reason: To identify the approved drawings and Design and Access Statement and to avoid doubt.

Amended / Additional Informatives

4. Amend as follows: "...(ref: AC/2012/116096/01-L01, in its letters dated 11/1/12 and 24/1/12, sent from the Huntingdon office)..."

New informatives

- 9 The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Central Bedfordshire Council's Highway Help Desk, P.O.Box 1395, Bedford, MK42 5AN.
- 10 The applicant is advised that if it is the intention to request the Central Bedfordshire County Council as Local Highway Authority, to adopt the proposed highways as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Development Planning and Control Group, Central Bedfordshire Council's Highway Help Desk, P.O.Box 1395, Bedford, MK42 5AN. No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.
- 11 The applicant is advised that in order to comply with Condition 17 of this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Development Planning and Control Group, P.O.Box 1395, Bedford, MK42 5AN,

- 12 All roads to be constructed within the site shall be designed in accordance with Central Bedfordshire Council's publication "Design in central Bedfordshire (Design Supplement 7 – Movement, Street and Places" and the Department of the Environment/Department of Transport's "Manual for Street", or any amendment thereto

Item 9 (Page 83-90) – CB/11/04338/FULL – Rubython house, 7 St Johns Road, Moggerhanger, Bedford.

Additional Consultation/Publicity Responses

Moggerhanger Parish Council - no objections but have the following concerns:

- 1) waste material from horses;
- 2) seepage of horse waste into pond where it maybe habitat of Great Crested Newts.

Additional Comments

For clarity the application was called to Committee by Cllr Turner the reason being public concern.

Additional/Amended Conditions

None.

Item 10 (Page 91-110) – CB/11/03036/FULL – Scyttels Court, Vicarage Close, Shillington.

Additional Consultation/Publicity Responses

Since finalising the report for committee, the following further consultation responses have been received from Shillington Men's Club, Shillington Women's Institute, and Shillington Wives Group.

Objections have been raised on the following grounds:

- The loss of the present informal parking arrangement at Scyttels Court for visitors to the Church;
- If the pathway to the side of the Church is blocked, this would mean that people who could normally walk to the Church will have to drive.

A letter has been received from Shillington Parish Council expressing concern and objecting to the proposal for nil contributions in the Section 106 agreement. This letter has also been circulated to all Members of the Development Management Committee.

Amendment to the Officer's report

Page 94, paragraph 2, reads 'This would be a 100% affordable housing scheme with 6 being for rent and 6 shared ownership'. The applicant has confirmed that there would be 9 dwellings for housing associated social rent, and 4 shared ownership.

Additional/Amended Conditions

None.

Item 11 (Page 111-116) – CB/11/03037/CA – Scyttels Court, Vicarage Close, Shillington.

Additional Consultation/Publicity Responses

None.

Additional Comments

None.

Additional/Amended Conditions

None.