

LATE SHEET

DEVELOPMENT MANAGEMENT COMMITTEE – 2nd APRIL 2014

Item 6 (Page 13-66) – CB/13/02916/FULL – The RSPB Reserve, Potton Road, Sandy.

Additional Consultation/Publicity Responses

6 further letters from the public supporting the proposal

1 letter objecting to the development – ineffective means of power generation.

Rights of Way Officer: I have no material objections to the location or the structure however I am aware of aspirations to create a pedestrian/cycle access route along the northern boundary of the application site that is just within the RSPB hedge line. If this pedestrian access route were able to cross the entrance splay to the turbine site without hindrance both objectives would be easily met as the actual location of the tower is not near the aspirational route.

CPRE (Campaign for Protection of Rural England) received 27/3/14:

CPRE Cambridgeshire and Peterborough wishes to make the following comments: We note that the major impact will be on the landscape of Bedfordshire, and we note the comments of Central Bedfordshire's Landscape Officer which identify the adverse impacts of the proposal. We see that the proposed turbine would be visually close to the existing TV Transmitter, giving rise to concerns about added "clutter" through cumulative impact. Given the importance of the Greensand Ridge in the lowland landscape of this part of eastern England, it is hoped that substantial weight will be given to these points.

We also note the concerns expressed by English Heritage of the adverse impact on heritage assets. We trust that the Committee will take these into account and give appropriate weight to them, especially in the context of a recent Court of Appeal judgement relating to the impact of development on designated heritage assets (the recent decision on a wind farm proposal affecting the setting of Lyveden New Bield.) (Our Cambridgeshire County Council has recently withdrawn consideration of the Ely Bypass, which would affect the setting of the Cathedral because of this).

The E.I.A assesses the impact on Gamlingay in South Cambridgeshire as minimal. We suggest that this might be because it takes a 5 k maximum distance for detailed analysis after which it is considered that the impact will be relatively small. However, our experience of wind turbine proposals leads us to recognise that in the open and low-relief landscapes of this part of the country, such tall structures are more highly visible and intrusive in real life than pre-development studies indicate. For these reasons we are surprised to be advised by South Cambridgeshire District Council that they have not been consulted on this application as we would have expected under the "duty to co-operate". Such an omission could lead to judicial review. I trust you will bring these comments to the attention of the Committee.

Amendments to Committee Report:
English Heritage 2nd comments not included in report.

Further to my letter of the 21st October 2013 we have subsequently received further information in the form of additional photo montages and wirescapes from the applicant and their consultant and have undertaken a further site visit. I would be pleased to offer the following additional comments. I have CC'd this to Jamie Baldwin at Ecotricity as requested.

English Heritage Advice

We now have sufficient images to assess those issues raised in our last letter and note that the quality of those provided is substantially better than those originally obtained. We do not therefore wish to raise any further issues in relation to the application in relation to paragraph 128 of the NPPF. The new images combined with those in the original application have provided evidence that some assets will not be impacted by the development. We do however continue to have concerns in relation to the impact of the development upon the setting of some of the designated heritage assets we noted in our previous letter.

It is clear from the wirescapes (see image Viewpoint 2 - Moggerhanger Park) that the turbine will be visible from the front of Moggerhanger Hall and in our view the turbine is likely to change the setting of the asset. Although the turbine would be distant, its location would be prominent and is situated on the ridge across the valley from the hall and would be visible from the front veranda. Although in our view this is harmful, we feel the impact is however relatively modest given the distance between the turbine and the hall.

In relation to Hazells Hall the applicant has also now provided a number of images from within the house and park. In the images (see Viewpoint – Hazells Hall Driveway Entrance, Grounds - VP1 and VP2), it appears that the turbine would not be visible from much of the park, and the trees which surround the park would provide effective screening. The blades and possibly the hub would however be visible in glimpsed views from parts of the garden, and from the principle rooms at the front of the house (see Viewpoint – Hazells Hall – Communal Garden, Viewpoint – Hazells Hall, The Old Quarters and Garden Court). Again the kinetic nature of the structure means it is likely to be more visible and distracting than a static mast of the same height. It may also be more visible in winter views when there are fewer leaves on the trees. Again however, in our view, the impact would be harmful but the level of harm is relatively modest.

The new images have also confirmed that the turbine would also be visible from both Potton and Everton. The church in Everton is relatively modest and is situated on the far side of the settlement, away from the turbine. Although the landscape between the settlement and the turbine is open and the turbine would be visible from the village, we feel the church may be screened by the village. The turbine if constructed may however be visible in views looking towards the turbine from the north side of the village. In relation to Potton the principle issues are the visibility of the turbine from the designated assets which form a group centred on the Church on the east side of the village, which includes an extension of the Conservation Area. Again the turbine would be visible from this area and is relatively prominent in these views,

mainly because of the open nature of the landscape between the turbine location and the town. The effect here would also be harmful to the setting of the church and Conservation Area, although again we feel the harm would be less than substantial.

Perhaps the greatest concern in our previous letter was in relation to the two scheduled monuments situated within the RSPB holding at the Lodge. We are happy now that there would be no views of the turbine from within the scheduled monument known as the Hill fort west of the Lodge, and the new image confirms that this would be the case. Our concerns about the impact on the other promontory fort is however still valid. The site known as Galley Hill is situated in the most open area of heath and there are a number of views where the turbine would be visible from with the hill fort, including from the main public path to and from the site, and from the ramparts to the rear of the site. The turbine would only be partially screened by the trees and it is likely that the blades and hub would be visible in these views. The kinetic nature of the turbine will also catch the eye. As discussed we consider this to be harmful, however again, given the distance and the tree screening we are of the view that the harm is likely to be less than substantial.

Recommendation

As discussed above we have now had an opportunity to further assess the above application and have concluded that the application will be harmful to the setting of a number of highly designated nationally important heritage assets. In this case however we consider that the harm to the assets is likely to be less than substantial. We therefore feel that in this case, the application should be judged against Paragraph 134 of the NPPF which states that public benefit deriving from a proposed development should be weighed against harm to the significance of designated heritage assets. In line with paragraph 134, we therefore feel the Council should weigh any public benefit deriving from it against the harm to heritage assets, and determine the application in accordance with their policies.

Reference in report to PPS22 Companion Guide: This document has now been cancelled and replaced by Planning Practice Guidance for Renewable and low carbon energy (06/03/14)

Additional Comments

Further comments from Applicant on additional comments made:

Rebuttals to additional comments made since December committee report (see page 5 of RSPB April Committee Report).

1. Aviation safety concerns for low flying – the individual is concerned that “nowhere in the application does it refer to the structure being illuminated for the benefit of aircraft/helicopters”

The usual process is that the MoD would request aviation lighting in their consultation responses to the developer and Local Planning Authority. In this case the MoD has requested that the turbine is fitted with 25 candela omnidirectional red lighting or infrared lighting with an optimised flash pattern of 60 flashes per minute of 200ms to 500ms duration at the highest practicable

point” (Letter to LPA sent on 29th January 2014). It is expected that this will form a condition on any planning permission should it be granted.

2. Concern that the introduction of a single aviation light on the turbine (at a height of 99.5m AGL) was not considered with respect to the bat monitoring studies carried out, and that insects will be attracted to an aviation light and subsequently more bats will also be attracted placing considerable danger to bats.

This was not considered because insects are not attracted to red light (620nm-740nm). Ecologists use bright white metal halide or UV lights to attract and sample insects at night. Whilst insects are sensitive to a broad spectrum of lighting the majority are most sensitive to short wave, particularly UV light (340-360nm) (Menzel and Backhaus 1991, Pichaud et al 1999). At night UV, blue and white light attract significantly more insects than other colours (Ashfaq et al 2005, Jerssia and Curtis 2001, Holyoak et al 1997). Based on experimental and physiological studies light at the higher end of the visible spectrum (>550nm) is outside the range of vision for most insects (Cruz & Linder 2011).

3. Concern was raised over effective bat mitigation and that this mitigation may not be conditioned on any planning permission.

Ecotricity put forward suitable bat mitigation in the Environmental Report, which Natural England has stated is acceptable and have proven to be effective in other parts of Europe. It is expected that the bat mitigation will form a condition on any planning permission should it be granted.

4. Concern has been raised over potential TV reception problems due to the proximity of the Sandy Heath Transmitter.

Ecotricity has commissioned an independent company specialising in the impact of wind turbines on TV reception to provide a study and report on the RSPB site. The results of the study demonstrate that the proposed wind turbine will not impact the reception of any television broadcast platform, no interference will occur and no mitigation measures are required. Due to the proximity of the transmitter to the turbine, the strength of the Sandy Heath signal and the height of the transmitter in relation to the proposed turbine, only a small area expanding to approximately 415 metres to the south west from the base of the turbine would have the potential to be affected. There are no homes or buildings within the potentially affected area.

5. 2 Clock Tower Cottage comments:

a. Pg 2 – Individual states that: “I flag the statement in the application ‘no protection exists for the benefit of a private view. Consequently, I do not regard as unacceptable the situation in which a turbine is prominent in the view from a domestic window’ (Source: Ecotricity/RSPB Planning Statement, page 16)”

The individual has incorrectly attributed a statement made by The Planning Inspectorate in an Appeal Decision made in July 2010 (Ref: APP/C3105/A/09/2116152) to the RSPB The Lodge Planning Statement. The Planning Statement references the Inspector’s remarks on page 18, however it

is wholly inaccurate and misleading to attribute this statement to Ecotricity or the RSPB.

b. Pg 3 – No discussion on ravens or ospreys in the Environmental Report.

Firstly it needs to be made clear that the review of the existing data and appraisal of habitat and species likely to be present during the initial reconnaissance survey concluded that this is a relatively low risk site. There are no records of priority species breeding or wintering within 500m of the proposed turbine, and there is limited suitable habitat in the immediate vicinity of the proposed turbine.

Based on the estimated level of risk and appropriate statutory guidance no further ornithological surveys were technically required. However as RSPB and Ecotricity both have a desire to ensure that renewable energy does not impact on wildlife, alongside a commitment to undertake research into the impact of wind turbines on wildlife. Therefore, further baseline studies were conducted at the proposed turbine site and a control area which included:

- Breeding bird surveys extending to 500m from the proposed turbine location and 500m from the centre of the control area**
- Surveys to investigate the use of the area during the non-breeding period**
- Vantage point (VP) surveys to assess bird flight lines and use of the area by foraging birds.**

These surveys were conducted between November 2009 and November 2010 with the aim of establishing a baseline against which post-construction studies can be compared as well as increasing confidence in the prediction that there would not be any detrimental impacts on existing or future bird populations on the reserve.

In addition, locally important numbers of woodcock are known to winter within the woodland on The Lodge nature reserve. Little was known about the wintering foraging behaviour of woodcock in the turbine area, and therefore nocturnal surveys were conducted to assess whether birds were flying through the turbine area or feeding close to the turbine during the winter months. Woodcock were recorded on 5 out of 10 surveys, with a maximum count of two birds on any one night. All flights were estimated to be below ca 20m and only one was within 200m of the proposed turbine location (see ES paragraphs 6.29-6.30). Therefore, it was concluded that the risk to this population from the erection of the turbine is negligible.

Also habitat is being created on The Lodge reserve to attract breeding nightjars, and although they have yet to be recorded breeding on the site, baseline nightjar surveys were also conducted. No nightjars were seen or heard during the surveys (see ES paragraphs 6.26-6.28). The habitat in the vicinity of the proposed turbine is managed in such a way that it is expected that nightjar would not be attracted to the area.

Ravens

Ravens were seen by the ornithological surveyor and known to be present in the area and were therefore included on all recording sheets. However, ravens were not recorded breeding or foraging within 500m of the turbine location during the breeding season. They were recorded once during the monthly wintering birds surveys within 500m of the turbine and within 500m of the control area. They were not recorded during the Vantage Point flight activity surveys within 200m of the turbine location or during Vantage Point flight activity surveys over the control area. However, subsequent to the surveys work raven have breed on the reserve. However, the nest site is over 500m from the proposed turbine location and therefore it is considered that there is no risk of disturbance.

There is no published evidence of either collision mortality or disturbance of raven at wind farms in the UK, although they are often mentioned in relation to wind farms as being one of the scavengers that may remove other casualties.

In an extensive study of 13 wind farms (741 turbines, 227 surveyed) in Northern Spain where relatively high mortality of raptor was recorded and where raven were recorded as being present no raven casualties were found((Lekuona & Ursa 2007).

In the most recent summary of Wind Turbine Interaction with Birds, Bats and their Habitats 2014 from the USA (www.nationalwind.org) it states:

“There are two significant factors important in assessing fatality risk to birds. Studies have indicated that the level of bird use at the site and the behaviour of the birds at the site are important factors to consider when assessing potential risk. For example, raptor fatalities appear to increase as raptor abundance

increases. Certain species (e.g. Red-tailed Hawks and Golden Eagles) that

forage for prey in close proximity to turbines appear to have increased fatalities, while others like common ravens appear to avoid collisions with turbines (Erickson et al. 2002; Anderson et al. 2004, 2005; Kingsley and Whittam 2007; Kuvlesky et al. 2007; NAS 2007).”

Therefore due to very low level of activity and in the absence of published evidence of collision risk or disturbance by wind turbines there was no reason for them to be considered further in the assessment set out in the Environmental Report.

Osprey

There are no records of osprey breeding within 500m of the proposed turbine and no osprey were recorded during vantage point activity surveys. Whilst occasional ospreys have been sighted in the past on passage in the wider area, they do not remain for any significant periods. The habitat in vicinity of the

turbine is not suitable for osprey therefore any passage birds will not be attracted to the turbine location.

c. Pg 5 – No data on wind reports from the meteorological mast

The wind data is commercially sensitive, however the wind speeds recorded from the met mast show that over the last 18 months since the mast was erected the average wind speed at 70m above ground level has been 6.35m/s. The NOABL figure stated in the Environmental Report gave a generic average wind speed of 6.2m/s at 45m.

d. Pg 5 – Not looked at other sites.

Ecotricity and the RSPB have looked at a range of other RSPB reserves, but this isn't documented within the Environmental Report. The majority of the RSPB's reserves are not suitable for a turbine, usually due to their ornithological interest.

Additional/Amended Conditions

Condition 17 (noise mitigation)

Amend wording from:

- a. The rating level of noise emissions from the wind turbine, (including the application of any tonal penalty) when determined in accordance with the attached Guidance Notes, shall not exceed 35dB LA90 (10 minute) at any dwelling for any relevant 10m height 10 minute mean above ground level measured integer wind speed of between 1-12m/s as identified in this condition

To:

- b. The rating level of noise emissions from the wind turbine, (including the application of any tonal penalty) when determined in accordance with the attached Guidance Notes, shall not exceed 35dB LA90 (10 minute) at any existing dwelling at the date of permission for any relevant 10m height 10 minute mean above ground level measured integer wind speed up to 10 metres per second as identified in this condition.

The changes are to reflect that under ETSU R-97 it is considered best practice to apply the 35dB up to 10m/s for single wind turbines, and only up to 12m/s for multiple turbine developments.

Additional Condition to be included if permission granted: Bat Protection/Mitigation measures.

Prior to the erection of the wind turbine hereby approved, a bat mitigation scheme shall be submitted and approved in writing by the Local Planning Authority. The scheme shall include details of a turbine shutdown programme and further post-construction monitoring. The scheme shall be implemented as approved.

Reason: In the interests of biodiversity.

Item 7 (Page 67-80) – CB/14/00389/REG3 – Priory House, Monks Walk, Chicksands, Shefford.

Additional Consultation/Publicity Responses

None.

Additional Comments

The applicant has met with the Council's Ecologist, Landscape Officer and GI Officer. The meeting was constructive and all are agreed on the details that will need to be submitted pursuant to conditions 3 and 4.

Additional/Amended Conditions

None.

Item 8 (Page 81-90) – CB/14/00018/REG3 – Chiltern Gateway Centre, Dunstable Road, Whipsnade, Dunstable.

Amendment to the description of the proposed development

Description of the proposal amended following the reduction in the height of the canopies from 4.85 to 4.5 metres. This is recorded in the Officer's report under the section, 'Other Matters'.

Additional Consultation/Publicity Responses

None.

Additional Comments

None.

Amended Conditions

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers CBC/01, 02, 03 Rev. A & 04 Rev.A and 005879-1.00[C].

Reason: For the avoidance of doubt.

Item 9 (Page 91-102) – CB/14/00213/FULL – 46 Maple Way, Kensworth, Dunstable.

Additional Consultation/Publicity Responses

Kensworth Parish Council have provided the following comments

“Plans for the above were made available. The Parish Council objects to this application on the grounds:-

1. The premises appear to be used for commercial purposes within a residential area.
2. The hours of operation on this site and noise created causes grave concern to neighbours.
3. This development would further exacerbate the problems with parking in this quiet cul-de-sac.
4. This is an overdevelopment of an existing site and not in keeping with surrounding properties.”

A petition has been received against the construction of the garage with 12 signatures of occupiers of eight neighbouring dwellings.

An additional letter of objection has been received from the occupier of No. 44 Maple Way with the following points of objection:

- The height, depth, width and proximity of the garage to the boundary would result in a prominent, overbearing and visually obtrusive form of development and would be detrimental to the character and appearance of the cul-de-sac.
- Because the plot is too small, the garage would have to be built at an angle and the doors would face No. 44.
- There would be a loss of light and overshadowing to No. 44 because of the height and proximity of the garage.
- The activities carried out at the property causes parking problems.
- If permission is granted to the garage, the activities that take place at the property will increase, exacerbating noise and smell nuisances.
- The majority of the occupiers of the neighbouring properties have objected to the proposal.

The occupier of No. 40 Maple Way has submitted a letter of objection. The points of objection are as follows:

- The garage would exacerbate existing parking problems.
- The height, depth, width and proximity of the garage to the boundary would be visually obtrusive.
- The garage would function as a workshop which would change the character of the area and make it an unpleasant environment.

Additional Comments

Revised plans have been submitted showing the garage as a rectangle instead of a parallelogram.

Additional/Amended Conditions

None.

Item 10 (Page 103-122) – CB/13/03499/FULL – Russell House, 14 Dunstable Street, Ampthill, Bedford.

Additional information

The adjoining neighbours and Town Council were reconsulted on 11th March 2014 due to a number of revised plans being received. Letter from Mr & Mrs Dickinson received 31st March 2014:

My wife and I are the owners of Alameda House, Alameda Walk, Ampthill which is a private residence sharing a circa 70 metre boundary with Russell House, 14 Dunstable Street, Ampthill.

General Comment

Following the first and second consultation periods relating to the Russell House Development planning application, our objections to the proposed Care Home were submitted on 7th November 2013 and 16 February 2014 and remain active and on the record.

1. Loss of sunlight from November – April
2. Loss of privacy
3. The Physical size of the North Elevation
4. North and South elevation - not in keeping with a building to be erected in a Conservation Area.

Amended Drawings recently submitted

We are writing in response to amended drawings recently submitted which include Changes to Landscaping, Parking, Siting of dwellings and visualisation from neighbouring properties.

We have set out below our further comments to the revised documents recently submitted.

1. Changes to Landscaping

Reference Russell House Ampthill Boundary Landscape Management Plan dated 5 March 2014

Appendix 1 email from Andy Girvan from Campbell Buchanan to Roger Dickinson (owner of Alameda House)

Following a meeting in January to discuss the planning application Campbell Buchanan offered to help mitigate the overbearing nature of the proposed Care Home by providing a brick wall along the northern boundary. "Although not shown we are committed to providing a wall that will be built on special foundations along the boundary" (to protect the existing trees). "Should the wall require the loss of trees we will plant replacement trees of no less than 4m high to provide immediate screening and these can be planted on either side of the wall as you wish. We confirm that we are happy to offer the services of our landscape architect, Alistair Huck, of the Huck Partnership, to advise you on the tree species and planting establishment. His time with you will be at our cost"

Agreement had been reached on the shared boundary treatment and this is not reflected in the revised document and therefore we do not accept the proposed treatment of the shared boundary as described in the Boundary Management Landscape Plan dated 5 March 2014. In addition the graphic below with a 1.8m high barrier illustrates that a brick wall 2.2m high is needed to provide privacy and offer some noise protection from the communal gardens sited directly behind the shared boundary.

2. Loss of privacy

Reference: Drawing of the West and North Elevation (drawing number 1206-40A 1 scale 1/100).

Given the nature of the proposed Care Home we anticipate that corridor lights will be on all night long and therefore the window on the North face of the "West wing" should be removed, the ground floor glass door replaced with a solid door.

Following a meeting on the 31 March 2014 with James Clements, I refer to a letter dated 31st March from Hugo Haig, with confirmation of acceptance of planning conditions for the following amendments;

- i) Removal of the window at the end of the corridor on the Western end of the Care Home wing to be replaced with a roof light.
- ii) Building of a brick wall along the mutual boundary with Alameda House.

The brick wall should be 2.2 metres high with the exception of the last 7.5 metres of wall at the western end which should be 1.3 metres high.

The offer of a Landscape architect and additional tree planting in the gardens of Alameda House is also noted as being part of the Agreement

We understand that planning permission will be conditional on the changes confirmed in the letter from Campbell Buchanan dated 31st March 2014'.

Letter from Campbell Buchanan (31st March 2014) See Appendix.

Comments

A letter from Campbell Buchanan dated 31st March confirms that they will accept planning conditions to build a brick wall on (or close to) the shared boundary with Alameda House and to remove the first floor window on the western wing of the Carehome. The proposed conditions are outlined below.

For clarification the application has been brought to Planning Committee by the Head of Development Management due to the public interest generated by the application.

The committee report states that there would be 65 members of staff. This is incorrect. There would be approximately 75 members of staff with approximately 20 members of staff on site at any one time.

While the main frontage building does have 3 full storeys it should also be noted that this part of the Carehome includes the use of the roof space which would house plant & machinery and a staff room.

It has come to light that no.41 Alameda Road has a 2-storey (MB/05/00185) rear extension which is not reflected on the Ordnance Survey map base. The rear of no.41 is therefore closer to the proposal site than previously considered. However, given the existing and proposed landscaping and boundary screening, combined with the drop in levels and separation distance, the relationship of no.41 and the proposed dwellings is considered to be acceptable.

Highway comments

The highway Officer has no objections subject to conditions and has stated:

The existing is two dwellings with associated access and parking provision. The proposal is to demolish the building at the frontage and rebuild to create a care home with associated parking provision, the rear building is to be demolished and the site used for sixteen residential dwellings and associated parking. The access/junctions remain unaltered.

The proposal provides sufficient parking provision for the care home and the residential units have sufficient parking provision in accordance with the current parking guidance (parking strategy: appendix F). The proposed development is not going through the Section 38 process and will be maintained by a management company, although the Central Bedfordshire refuse vehicle will frequent the residential part of the site and the applicant has provided a suitable turning area for this and tracking diagrams to indicate there is no over run.

Tree & Landscape Officer

No objection subject to conditions for new landscaping and to protect existing trees / tree roots.

Viability Assessment

A viability assessment (Three Dragons) has been submitted and assessed by the Council's Housing section. The Housing Development Officer has confirmed that the site is unviable. The applicant proposes to pay the £270k contribution outlined in the committee report but would not provide affordable housing or a contribution to AH. The principal reasons for the site being unviable are the increased costs related to the high quality design and the cost paid for the land. In this instance the proposed contributions are therefore considered to be acceptable.

Additional Conditions

13) Before the development is brought into use details of the signage including location, at the means of ingress and egress at the access/junction and directional signage for heavy goods vehicles within the site shall be submitted to and approved in writing by the Local Planning Authority and the signage shall be constructed in accordance with the approved details

Reason: To avoid vehicle waiting in the highway whilst another leaves the site and for the avoidance of doubt.

14) Before development commences details of how the turning area and passing bays will be kept free of parked vehicles shall be submitted to and approved by the Local Planning Authority and the development shall not be brought into use until the 'keep clear' measures have been implemented in accordance with the approved details.

Reason: To allow vehicles to turn and leave the site in forward gear and allow the two way flow of vehicle within the site.

15) Any structure or planting at the frontage of the properties no. 1 to no. 5 shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining carriageway level. Any structure or planting on the south side of the access from the eastern bay of plot no.1 to the southern site junction, at the frontage of the carriageway between plot no. 15 and 16, plot no. 13 and 14 and plot no. 11 and 12 and east of the access of plot no. 16 for 6.0m in an easterly direction; measuring at least 2.0m from the nearside edge of the adjacent road carriageway, shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining carriageway level

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

16) The north and south existing vehicular access/junctions shall be surfaced in bituminous or other similar durable material as may be approved in writing by the Local Planning Authority for a distance of 6.0m into the site, measured from the highway boundary, before the premises are occupied. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site into the highway so as to safeguard the interest of highway safety.

17) Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any amendments thereto, the garage accommodation on the site shall not be used for any purpose, other than as garage accommodation, unless permission has been granted by the Local Planning Authority on an application made for that purpose.

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

18) Before the premises are occupied all on site vehicular areas shall be surfaced in a stable and durable manner in accordance with details to be approved in writing by the Local Planning Authority. Arrangements shall be made for surface water drainage from the site to soak away within the site so that it does not discharge into the highway or into the main drainage system.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site so as to safeguard the interest of highway safety and reduce the risk of flooding and to minimise inconvenience to users of the premises and ensure satisfactory parking of vehicles outside highway limits

19) The proposed development shall be carried out and completed in all respects in accordance with the access siting and layout, turning area, parking provision illustrated on the approved drawing No. -25I and defined by this permission and, notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995, (or any Order revoking or re-enacting that Order) there shall be no variation without the prior approval in writing of the Local Planning Authority.

Reason: To ensure that the development of the site is completed insofar as its various parts are interrelated and dependent one upon another and to provide adequate and appropriate access arrangements at all times

20) No development shall commence until a details of the method statement of preventing site debris from being deposited on the public highway have been submitted to and approved in writing by the Local Planning Authority. The approved method statement shall be implemented throughout the construction period and until the completion of the development.

Reason: In the interests of highway safety 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 secure and covered parking of cycles on the site (including the internal dimensions of the cycle parking area, stands/brackets to be used and access thereto), calculated at one cycle parking space per bedroom for the residential units and 2 short stay spaces per residential unit, and secure and covered cycle parking provision for the care home 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.

(See Notes to the Applicant)

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 commence until a scheme detailing provision for on site parking for construction workers and deliveries 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.

23) The development shall not be commenced until a site wide travel plan has been submitted to and approved in writing by the Council, such a travel plan to include details of:

- Baseline survey of site occupants in relation to these current/proposed travel patterns;
- Predicted travel to and from the site and targets to reduce car use;
- Details of existing and proposed transport links, to include links to both pedestrian, cycle and public transport networks;
- Proposals and measures to minimise private car use and facilitate walking, cycling and use of public transport;
- Detailed 'Action Plan' to include specific timetabled measures designed to promote travel choice and who will be responsible;
- Plans for monitoring and review, annually for a period of 5 years at which time the resulting revised action plan shall be submitted to and approved in writing by the planning authority;
- Details of provision of cycle parking in accordance with Central Bedfordshire Council Guidelines.

Details of marketing and publicity for sustainable modes of transport to include site specific welcome packs. Welcome pack to include:

- Site specific travel and transport information;
- Details of sustainable incentives (e.g. travel vouchers);
- Maps showing the location of shops, recreational facilities, employment and educational facilities;
- Details of relevant pedestrian, cycle and public transport routes to/ from and within the site;
- Copies of relevant bus and rail timetables together with discount vouchers for public transport and cycle purchase;
- Details of the appointment of a travel plan co-ordinator.

24) No part of the development shall be occupied prior to implementation of those parts identified in the Travel Plan [or implementation of those parts identified in the Travel Plan as capable of being implemented prior to occupation]. Those parts of the approved travel plan that are identified therein as being capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.

Reason: To promote sustainable modes of travel and to reduce the potential traffic impact of the development on the local highway network

25) The Carehome hereby granted permission shall only be used for a use within Class C2 of the Town and Country Planning (Use Classes) Order 1987 (Amended) or as subsequently amended.

Reason: To ensure that the building is used for an appropriate use in the interests of residential amenity and highway safety.

26) The first floor window on the northern elevation of the Carehome's western projecting wing shall not form part of this permission. No development shall commence until a scheme for the removal of this window has been submitted to and confirmed in writing by the Local Planning Authority. The agreed details shall thereafter be carried out in full.

Reason: To protect the amenity of the adjoining neighbours

27) All areas on the submitted plan no. 2012/29 Revision -251 indicated as "existing hard surfacing to be replaced" shall not be carried out in any manner or form that involves the removal of the existing hard surface. All new surfacing is to be constructed on top of existing surface. The boundary walls on the site that front with Dunstable Street are to be retained throughout with no removal to facilitate any resurfacing.

Reason: to avoid damage to tree roots that will have encroached beneath the existing surface and ensure the health and longevity of trees on site into the future.

28) No development shall commence until the existing site levels, including site levels on adjoining land, and proposed slab/finished floor levels have been submitted to and agreed in writing with the Local Plan Authority.

Reasons: In the interests of residential amenity and to ensure a satisfactory appearance to the development.

29) Notwithstanding the details submitted with the application, no development shall commence until full architectural detailing at a suitable scale has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out only in accordance with the approved details.

Reason: To ensure that the development is in keeping with the existing building.
(Policy DM3 & 13)

Amended Condition 13 to report – Now Condition 30

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers Photo Montage – "as is", Photo Montage – "proposed", 2012/29 - 25 L, 2012/29 - 26b, 2012/29 - 27b, 2012/29 - 28b, 2012/29 - 29a, 2012/29 - 30b, 2012/29 -31a, 2012/29 - 32b , 2012/29 - 33a, 2012/29 - 34b, 2012/29 - 40a Craft Building, HC1206 – 010A (existing elevations), A01-005 sheet 1of3 (existing floor plans), A01-005 sheet 1of3 (existing floor plans), A01-005 sheet 1of3 (existing floor plans), 1206-400A, 1206-401A, 1206-402A, 1206-403, 1206-404, 5683 Sketch (A), 5683 Sketch (B), HC1206-35 D, HC1206-101 Revision E, HC1206-220 Revision 3, HC1206-221 Revision 3, HC1206-

222 Revision 3, HC1206-223 Revision 4, HC1206-224 Revision 4, HC1206-302 Revision K, HC1206-305 Revision C, HC1206-307 Revision C, 3375-D Revision B, 321-01G, Visual impact assessment 22 Dunstable Street & Visual impact assessment Alameda House.

Reason: For the avoidance of doubt.

Informative

The applicant is advised that no highway surface water drainage system designed as part of a new development, will be allowed to enter any existing highway surface water drainage system without the applicant providing evidence that the existing system has sufficient capacity to account for any highway run off generated by that development. Existing highway surface water drainage systems may be improved at the developers expense to account for extra surface water generated. Any improvements must be approved by the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.

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 Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, SG17 5TQ

The applicant is advised that photographs of the existing highway that is to be used for access and delivery of materials will be required by the Local Highway Authority. Any subsequent damage to the public highway resulting from the works as shown by the photographs, including damage caused by delivery vehicles to the works, will be made good to the satisfaction of the Local Highway Authority and at the expense of the applicant. Attention is drawn to Section 59 of the Highways Act 1980 in this respect.

The applicant is advised that Central Bedfordshire Council as highway authority will not consider the proposed on-site vehicular areas for adoption as highway maintainable at public expense.

The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council's "Cycle Parking Annexes – July 2010".

Recommendation

The owner of the site to the rear of The Limes (Storey Homes) has been reconsulted on the latest amendments with a deadline for comments of 9th April. The recommendation is therefore:

To authorise the Head Director Development Management to issue the grant of PERMISSION subject to no further planning objections being received that have not already been covered in the committee report/late sheet, planning conditions outlined in this report and the completion of an Agreement under Section 106 of the Town and

Country Planning Act 1990 to secure contributions towards infrastructure and a landscaping scheme and management plan.

Item 11 (Page 123-136) – CB/13/04006/MW – Stone Lane Quarry, Woburn Road, Heath and Reach.

Additional Consultation/Publicity Responses

None.

Additional Comments

None.

Additional/Amended Conditions

None.

Item 12 (Page 137-150) – CB/14/00134/MW – Sundon Landfill Site, Common Lane, Sundon, Luton.

Additional Consultation/Publicity Responses

Parish Council comments

Sundon Parish Council would like to make the following response to Application No. CB/14/00134/MW Variation of condition 17 of Planning Permission CB/12/03266/M to permit an increase in HGVs using the site to 175 per day. Sundon PC has no objection to the above application subject to the strict enforcement of points 2.3, 3.7 and 4.3 as set out in the Planning Supporting Statement number 14/0013/MW.

Additional Comments

The particular sections of the Planning Statement referred to by the Parish Council concern:

- the continued use of the existing access off the A5120 via the specifically constructed roundabout;
- ensuring that the majority of soils would be delivered via the M1 and not use local routes through management of the soil importation contract; and
- vehicles continuing to enter and exit the site to and from the west via the existing site access so as to avoid an increase in vehicle noise impacting on the more populated areas of Harlington, Sundon and Toddington.

Officers consider that the first and third points would be adequately addressed by existing conditions which prescribe the means of access to the landfill from the public highway. With regards to the second point, whilst the Council as Waste Disposal Authority is able through its contractual arrangements to exert a level of control over the direction of HGV travel to and from the site so that the majority of traffic utilises junction 12 of the M1, it is not possible to guarantee that all site traffic would avoid use of local routes.

Additional/Amended Conditions

None.

Item 13 (Page 151-158) – CB/14/00038/FULL – Land adj to 2 Windmill Way, Cranfield, Bedford.

Additional Consultation/Publicity Responses

Comments were received from number 25 Millards Close, this was in response to the letter from Committee Services regarding speaking at Development Management Committee.

No new issues were raised, however the comments did reiterate the neighbours dissatisfaction with the possibility of this becoming private garden land, and stressed the existing parking pressures in Millards Close and Windmill Way.

Although not a planning consideration the response did raise the issue of the Council benefiting financially from this development, and that the planning system is not working properly.

Additional Comments

None.

Additional/Amended Conditions

None.

Item 14 (Page 159-166) – CB/14/00019/FULL – 115 Bedford Road, Cranfield.

Additional Consultation/Publicity Responses

None.

Additional Comments

It should be noted, that it is evident that works have commenced, and although not finished, the shed has been partly constructed.

Additional/Amended Conditions

None.