

Item No. 6

APPLICATION NUMBER	CB/13/02916/FULL
LOCATION	The RSPB Reserve, Potton Road, Sandy, SG19 2DL
PROPOSAL	Erection of one wind turbine, with a maximum overall height of up to 100m together with access tracks, crane pad area, electricity sub-station, temporary construction compound and amended vehicular access on land at the RSPB Reserve, near Sandy.
PARISH	Sandy
WARD	Sandy
WARD COUNCILLORS	Cllrs Aldis, Maudlin & Sheppard
CASE OFFICER	Samantha Boyd
DATE REGISTERED	28 August 2013
EXPIRY DATE	23 October 2013
APPLICANT	The Royal Society for the Protection of Birds and Sandy Wind Turbine Ltd
AGENT	Ecotricity (Next Generation) Ltd
REASON FOR COMMITTEE TO DETERMINE	Cllr Call In - Cllr Aldis
RECOMMENDED DECISION	Planning Reason: In view of the large public interest in the application. The wind turbine would have a positive impact on the applicant's desire to become a sustainable community for energy consumption
RECOMMENDED DECISION	Full Application - Approval Recommended

Reason for Recommendation

National and Adopted Local Planning Policies support the installation of renewable energy projects provided there is no unacceptable adverse impact. The proposed 100m wind turbine is considered to have an impact on the landscape and the nearby heritage assets. However in accordance with Policy CS13, DM1 and the National Planning Policy Framework, the impact is not considered to be unacceptable that it would outweigh the benefits of harnessing wind power.

The proposal would not have an adverse negative impact on biodiversity or ecology or an adverse impact on the residential amenity of neighbouring properties and is acceptable in terms of highway safety.

Therefore by reason of its size, design and location, the proposal is in conformity with Policies CS13, DM1, CS15, DM13, DM3, DM14 and DM15 of the Core Strategy and Management Policies, November 2009; and The National Planning Policy Framework

Recommendation

That Planning Permission be granted subject to the following:

RECOMMENDED CONDITIONS / REASONS

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

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

- 2 The permission is for a period not exceeding 25 years from the date on which electricity is first exported to the electricity grid (the operational date). Written notification of the operational date shall be given to the Local Planning Authority within one month of that date. No later than 12 months after the expiry of the permission all elements of the development at and above ground level shall be removed and the site restored in accordance with a decommissioning scheme previously submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and landscape protection.

- 3 If any turbine fails to produce electricity for a continuous period of 6 months the operator of the development shall notify the Local Planning authority in writing no later than one month after the end of that period. the turbine and its associated equipment shall be removed from the site no later than 9 months from the end of that period and the relevant part of the site restored, all in accordance with a decommissioning scheme previously submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and landscape protection.

- 4 No later than 3 months from the date of this permission the developer shall inform the Ministry of Defence (MoD) and the Civil Aviation Authority (CAA) of the proposed date of commencement of development and the maximum extended height of any construction equipment to be used on the site.

Reason: In the interests of safety

- 5 No later than 14 days after the operation date the developer shall inform the MoD and CAA in writing of:

- (i) the date of completion of construction
- (ii) the height above ground level of the highest potential obstacle
- (iii) the position of the structures in latitude and longitude; and
- (iv) the lighting details of the site.

Reason: In the interests of safety.

- 6 **No development shall take place until details of all access tracks, including details of their location, construction and surface materials, have been submitted to and approved in writing by the Local Planning Authority. The tracks shall be laid out in accordance with the approved details and so retained thereafter.**

Reason: In the interests of visual amenity and highway safety in accordance with Policy DM1 and DM3 of the Core Strategy and Development Management Policies (2009)

- 7 **No development shall take place until details of the proposed road access to the site, including associated visibility splays have been submitted to and approved in writing by the Local Planning Authority. The access shall be provided in accordance with the approved details, brought into use prior to the operational date and so retained thereafter and the visibility splays shall at all times be kept free of obstructions to visibility of drivers.**

Reason: In the interests of visual amenity and highway safety in accordance with Policy DM1 and DM3 of the Core Strategy and Development Management Policies (2009)

- 8 **No development shall take place until details of the turbine, including their foundation construction, make, model, design, external appearance, finish, colour and technical specification have been submitted to and approved in writing by the Local Planning Authority. The turbine shall be erected in accordance with the approved details and so retained thereafter.**

Reason: In the interests of visual and neighbouring amenity in accordance with Policy DM1 and DM3 of the Core Strategy and Development Management Policies (2009)

- 9 **No development shall take place until details of any permanent buildings on the site, including details of materials to be used on external surfaces, have been submitted to and approved in writing by the Local Planning Authority. The buildings shall be erected in accordance with the approved details and so retained thereafter.**

Reason: In the interests of visual and neighbouring amenity in accordance with Policy DM1 and DM3 of the Core Strategy and Development Management Policies (2009)

- 10 **Prior to the operational date a scheme for assessing shadow flicker in the event of any complaint from the owner or occupier of a dwelling and for remedial measures shall be submitted to and approved in writing by the Local Planning Authority. For the purposes of this condition, a dwelling is defined as a building falling within classes C3 and C4 of the Town and Country Planning (Use Classes) Order 1987 as amended, which lawfully exists, or had planning permission, at the time of this planning permission and which is situated within a distance equivalent to 10 rotor diameters from one of the turbines. The development shall be carried out in accordance with the approved scheme.**

Reason: In the interests of neighbouring amenity in accordance with Policy DM3 of the Core Strategy and Development Management Policies DPD (2009).

- 11 **No development shall take place until a scheme of archaeological investigation, together with a programme for its implementation, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for access to the site by a nominated archaeologist during construction to examine excavations and record or remove finds. The scheme shall be implemented in accordance with the approved details.**

Reason: To protect heritage assets in accordance with the NPPF.

- 12 **No development shall commence until details of the junction of the proposed vehicular (west) access, including kerb radii and tracking diagrams of the largest vehicle entering/leaving the site in both directions has been submitted to and approved in writing by the Local Planning Authority and the junction shall be constructed in accordance with the approved details prior to the development commencing.**

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

- 13 **No development shall take place until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The CTMP shall include proposals for construction traffic routes, the scheduling and timing of movements, any traffic control, signage within the highway inclusive of temporary warning signs, the management of junctions to, and crossing of, the public highway and other public rights of way, details of escorts for abnormal loads, temporary removal and replacement of highway infrastructure and street furniture, the reinstatement of any signs, verges or other items displaced by construction traffic, banksman and escort details, tracking diagrams at junctions and bends along the route, details of the construction workers and deliveries parking and access within and to the site, details of how the use of the existing (east) access will be stopped to transporters and vehicles relating to the construction of the wind turbine. The CTMP shall be implemented in accordance with the approved details for the duration of the construction period.**

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

- 14 **Construction work and deliveries to the site shall only take place between the hours of 08.00 and 18.00 on Monday to Friday inclusive and 08.00 and 13.00 on Saturdays, with no work or deliveries on a Sunday or public holiday unless otherwise agreed in writing with the Local Planning Authority. Outside these hours work shall be limited to dust suppression and emergency works, details of the latter to be notified in writing to the Local Planning Authority within 3 days of the occurrence of the emergency.**

Reason: In the interests of residential amenity and Highway safety.

- 15 **No development shall commence until details of a scheme of environmental mitigation has been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved scheme.**

Reason: To enable proper consideration of the impact of the development on the contribution of nature conservation interests to the amenity of the area.

- 16 **No development shall take place until a monitoring scheme for surveillance of bird and bat activity and mortality and monitoring of activity of Biodiversity Action Plan species has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.**

Reason: In the interests of biodiversity and wildlife protection.

- 17 A. Within 21 days from receipt of a written request of the Local Planning Authority, following a complaint to it alleging noise disturbance at a dwelling, the wind farm operator shall, at its expense, employ a consultant approved by the Local Planning Authority, to assess the level of noise emissions from the wind farm at a complainant's property in accordance with the procedures described in the attached Guidance Notes. The written request from the Local Planning Authority shall set out at least the date, time and location that the complaint relates to. Within 14 days of receipt of the written request of the Local Planning Authority made under this paragraph (B), the wind farm operator shall provide the information logged in accordance with paragraph (G) to the Local Planning Authority in the format set out in Guidance Note 1(e).
- B. Prior to the commencement of any measurements by the independent consultant to be undertaken in accordance with these conditions, the wind farm operator shall submit to the Local Planning Authority for written approval the proposed measurement locations identified in accordance with the Guidance Notes where measurements of noise and wind shall be obtained for compliance checking purposes. Measurements to assess compliance with the noise limit of this condition shall be undertaken at the measurement locations approved in writing by the Local Planning Authority.
- C. Prior to the submission of the independent consultant's assessment of the rating level of noise emissions in accordance with paragraph (E), the wind farm operator shall submit to the Local Planning Authority for written approval a proposed assessment protocol setting out the following:

- A. the range of meteorological and operational conditions (which shall include the range of wind speeds, wind directions, power generation and times of day) to determine the assessment of rating level of noise emissions; and
- B. a reasoned assessment as to whether the noise giving rise to the complaint contains or is likely to contain a tonal component.

The proposed range of conditions shall be those which prevailed during times when the complainant alleges there was disturbance due to noise, having regard to the written request of the Local Planning Authority under paragraph (B), and such others as the independent consultant considers likely to result in a breach of the noise limits. The assessment of the rating level of noise emissions shall be undertaken in accordance with the assessment protocol approved in writing by the Local Planning Authority.

- D. The wind farm operator shall provide to the Local Planning Authority the independent consultant's written assessment of the rating level of noise emissions undertaken in accordance with the Guidance Notes within 2 months of the date of the written request of the Local Planning Authority made under paragraph (B) unless the time limit is extended in writing by the Local Planning Authority. The assessment shall include all data collected for the purposes of undertaking the compliance measurements, such data to be provided in the format set out in Guidance Note 1(e) of the Guidance Notes. The instrumentation used to undertake the measurements shall be calibrated in accordance with Guidance Note 1(a) and certificates of calibration shall be submitted to the Local Planning Authority with the independent consultant's assessment of the rating level of noise emissions.
- E. Where a further assessment of the rating level of noise emissions from the wind farm is required pursuant to paragraph 4(c) of the attached Guidance Notes, the wind farm operator shall submit a copy of the further assessment within 21 days of submission of the independent consultant's assessment pursuant to paragraph (E) above unless the time limit has been extended in writing by the Local Planning Authority.
- F. The wind farm operator shall continuously log power production, rotational speed, nacelle wind speed, nacelle wind direction and nacelle orientation and where available as part of the SCADA system (Supervisory Control and Data Acquisition) the blade pitch and revolutions per minute of the turbine (the latter as a 10 minute average) at the wind turbine all in accordance with Guidance Note 1(d). 10 metre height wind speeds averaged over 10 minute periods shall be measured at a location approved by the local planning authority for comparison with the measured noise levels, for the duration of the noise level compliance check survey

required by the local planning authority or if separately required by the local planning authority (in writing) where the authority choose to assess compliance themselves. Rainfall shall also be measured during any measurement regime at a location approved by the local planning authority in writing. These data obtained shall be retained for the life of the planning permission. The wind farm operator shall provide this information in the format set out in Guidance Note 1(e) to the Local Planning Authority on its request, within 14 days of receipt in writing of such a request.

- G. Once the Local Planning Authority has received the independent consultant's noise assessment required by this condition, including all noise measurements and audio recordings, where the Local Planning Authority is satisfied of an established breach of the noise limit or through their separate measurements are satisfied of a breach of the noise limit, upon notification by the Local Planning Authority in writing to the wind farm operator of the said breach, the wind farm operator shall within 14 days propose a scheme for the approval of the Local Planning Authority. The scheme shall be designed to mitigate the breach and to prevent its future recurrence. This scheme shall specify the timescales for implementation. The scheme shall be implemented as reasonably approved by the Local Planning Authority and according to the timescales within it. The scheme as implemented shall be retained thereafter in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

For the purposes of this condition, a "dwelling" is a building which is lawfully used as a dwelling house and which exists or had planning permission at the date of this consent.

- 18 **No development shall commence until details of the reduction of the width and re-instatement of the reduced width of the junction of the (west) access to serve the wind turbine has been submitted to and approved in writing by the Local Planning Authority. Within one month of the turbine being erected the junction shall be reduced in width and reinstated in accordance with the approved plans.**

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

- 19 Visibility splays shall be provided at the junction of the access with the public highway before the development commences. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 215.0m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall for the perpetuity of the development remain free of any obstruction to visibility.

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

- 20 **No development shall commence until the on site vehicular areas have been constructed and surfaced in a stable and durable material in accordance with details to be approved in writing by the Local Planning Authority for a distance of 20.0m into the site, measured from the highway boundary. 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 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

- 21 Within two months prior to the decommissioning date details of the traffic management plan and widening of the junction for removal of the turbine from the site, and the reduction of the width of the junction and reinstatement of the reduced width within one month after the removal of the turbine, shall be submitted to and approved in writing by the Local Planning Authority. The traffic management plan, construction of the widened junction, construction and reinstatement of the reduced width of the junction shall be completed in accordance with the approved details.

Reason: For the avoidance of doubt and in order to minimise danger, obstruction and inconvenience to users of the highway and the site.

- 22 Any gates provided shall open away from the highway and be set back a distance of at least 20.0 from the nearside edge of the carriageway of the adjoining highway.

Reason: To enable vehicles to draw off the highway before the gates are opened

- 23 Within one month of the turbine being erected the existing (east) access shall be closed in a manner to the Local Planning Authority's written approval.
(See Notes to the Applicant)

Reason: In the interest of road safety and to reduce the number of points at which traffic will enter and leave the public highway

- 24 **No development shall commence on site until the details of a turning space within the curtilage of the site for the largest transporter vehicle has been submitted to the Local Planning Authority and approved in writing. The turning space shall be implemented upon the commencement of the development and shall be constructed in accordance with the approved details.**

Reason: To enable vehicles to draw off, park and turn outside of the highway limits thereby avoiding the reversing of vehicles on to the highway.

- 25 Best practical means shall be taken at all times to ensure that all vehicles leaving the development site during construction of the development are in a condition such as not emit dust or deposit mud, slurry or other debris on the highway, in particular efficient means shall be installed prior to commencement of the development and thereafter maintained and employed at all times during construction of the development of cleaning the wheels of all lorries leaving the site

Reason: To minimise the impact of construction vehicles and to improve the amenity of the local area.

- 26 The turbine shall be fitted with 25 candela omni-directional red lighting or infrared lighting with an optimised flash pattern of 60 flashes per minute of 200ms to 500ms duration at the highest practicable points. The lighting shall remain in place for the duration of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of air safety.

- 27 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 4035_T0376_01, 4035_T0378_01, 4035_T0396_01, Environmental Report and Appendices dated August 2013.

Reason: For the avoidance of doubt.

28. 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.

Notes to Applicant

1. **Guidance Notes for Noise Conditions**

These notes are to be read with and form part of the noise conditions. They further explain the condition and specify the methods to be deployed in the assessment of complaints about noise emissions from the wind farm. The rating level at each integer wind speed is the arithmetic sum of the wind farm noise level as determined from the best-fit curve described in Note 2 of these Guidance Notes and any tonal penalty applied in accordance with Note 3. Reference to ETSU-R-97 refers to the publication entitled “The Assessment and Rating of Noise from Wind Farms” (1997) published by the Energy Technology Support unit (ETSU) for the Department of Trade and Industry (DTI).

Note 1

- (a) Values of the LA90,10-minute noise statistic required for condition 1 should be measured at the complainant’s property, using a sound level meter of EN 60651/BS EN 60804 Type 1, or BS EN 61672 Class 1 quality (or the equivalent UK adopted standard in force at the time of the measurements) set to measure using the fast time weighted response as specified in BS EN 60651/BS EN 60804 or BS EN 61672-1 (or the equivalent UK adopted standard in force at the time of the measurements). This should be calibrated in accordance with the procedure specified in BS 4142: 1997 (or the equivalent UK adopted standard in force at the time of the measurements). Measurements shall be undertaken in such a manner to enable a tonal penalty to be applied in accordance with Guidance Note 3.

- (b) The microphone should be mounted at 1.2 - 1.5 metres above ground level, fitted with a large diameter (150mm or larger) windshield or suitable equivalent approved by the Local Planning Authority, and placed outside the complainant’s dwelling. Measurements should be made in “free field” conditions. To achieve this, the microphone should be placed at least 3.5 metres

away from the building facade or any reflecting surface except the ground at the approved measurement location. In the event that the consent of the complainant for access to his or her property to undertake compliance measurements is withheld, the wind farm operator shall submit for the written approval of the Local Planning Authority details of the proposed alternative representative measurement location prior to the commencement of measurements and the measurements shall be undertaken at the approved alternative representative measurement location.

- (c) The LA90, 10-minute measurements must be synchronised with measurements of the 10-minute arithmetic average wind speed obtained at the approved location and with turbine operational data logged in accordance with Guidance Note 1(d), including the power generation data from the turbine control systems of the wind farm.

- (d) To enable compliance with the conditions to be evaluated, the wind farm operator shall continuously log actual arithmetic mean wind speed in metres per second (m/s) at 10 metres height, arithmetic mean wind direction in degrees from north and rainfall data in each successive 10-minute periods by direct measurement at the meteorological monitoring location approved by the Local Planning Authority. The correlation of wind speeds with the measured noise levels should comply with Guidance Note 1(c) and 1(d) and should be determined as valid in accordance with Note 2(b). The wind farm operator shall continuously log arithmetic mean nacelle anemometer wind speed, arithmetic mean nacelle orientation, arithmetic mean wind direction as measured at the nacelle, the revolutions per minute of the blades and arithmetic mean power generated during each successive 10-minute period for the wind turbine on the wind farm. All 10-minute measurement periods for all data including noise shall commence on the hour and in 10-minute increments thereafter synchronised with Greenwich Mean Time.

- (e) Data provided to the Local Planning Authority in accordance with paragraphs (E) (F) and (G) of this noise condition shall be provided in comma separated values in electronic format with each data set adequately described for identification of the data.

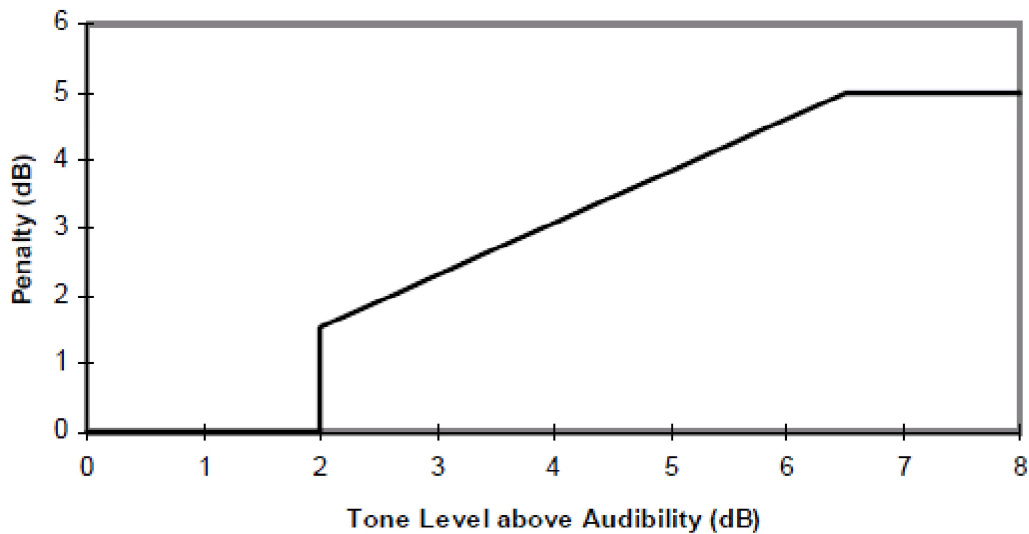
Note 2

- (a) The noise measurements should be made so as to provide not less than 20 valid data points as defined in Note 2 paragraph (b). Where more than 80 valid data points are obtained, data shall be separated into contiguous sets of not more than 40 data points and not less than 20 data points based on the nearness of their occurrence to the meteorological conditions reflected during complaints of noise. The data points should be chronologically ordered according to the meteorological conditions.
- (b) Valid data points are those measured in the conditions set out in the assessment protocol approved by the Local Planning Authority under paragraph (E) of the noise condition but excluding any periods of rainfall measured at the approved meteorological measurement location provided in accordance with the planning permission on the wind farm site.
- (c) Values of the LA90,10-minute noise measurements and corresponding values of the 10-minute ten metre height wind speed for those data points considered valid in accordance with Note 2 paragraph (b) shall be plotted on an XY chart separately for each data set with noise level on the Y-axis and wind speed on the X-axis. A least squares, "best fit" curve of the lowest practicable order as deemed appropriate by the independent consultant (but which may not be higher than a fourth order) and in cases of measurements by the planning authority, as deemed appropriate by the planning authority, should be fitted to the data points and define the wind farm noise level at each integer speed for each data set.

Note 3

- (a) Where in accordance with the approved assessment protocol under paragraph (D) of the noise condition, noise emissions at the location or locations where compliance measurements are being undertaken contain or are likely to contain a tonal component, a tonal penalty is to be calculated and applied using the following rating procedure.
- (b) For each 10-minute interval for which LA90,10-minute data have been determined as valid in accordance with Note 2 a tonal assessment shall be performed on noise emissions during 2 minutes of each 10-minute period. The 2-minute periods should be spaced at 10-minute intervals provided that uninterrupted uncorrupted data are available (“the standard procedure”). Where uncorrupted data are not available, the first available uninterrupted clean 2-minute period out of the affected overall 10-minute period shall be selected. Any such deviations from standard procedure shall be reported.
- (c) For each of the 2-minute samples the tone level above audibility (Lta), shall be calculated by comparison with the audibility criterion given in Section 2.1 on pages 104 -109 of ETSU-R-97.
- (d) The tone level above audibility (Lta) shall be plotted against wind speed for each of the 2-minute samples. Samples for which the tones were below the audibility criterion or no tone was identified, a value of zero audibility shall be substituted.
- (e) A least squares “best fit” linear regression shall then be performed to establish the average tone level above audibility for each integer wind speed derived from the value of the “best fit” line fitted to values within $\pm 0.5\text{m/s}$ of each integer wind speed. If there is no apparent trend with wind speed then a simple arithmetic mean shall be used. This process shall be repeated for each integer wind speed for which there is an assessment of overall levels in Note 2.

- (f) The tonal penalty is derived from the margin above audibility of the tone according to the figure below.



Note 4

- (a) If a tonal penalty is to be applied in accordance with Note 3 the rating level of the turbine noise at each wind speed is the arithmetic sum of the measured noise level as determined from the best fit curve described in Note 2 and the penalty for tonal noise as derived in accordance with Note 3 above at each integer wind speed within the range set out in the approved assessment protocol under paragraph (E) of the noise condition.
- (b) If no tonal penalty is to be applied then the rating level of the turbine noise at each wind speed is equal to the measured noise level as determined from the best fit curve described in Note 2.
- (c) In the event that the rating level is above the limit in the noise condition the independent consultant shall undertake a further assessment of the rating level to correct for background noise so that the rated level relates to wind turbine noise emission only.
- (d) The wind farm operator shall ensure that all the wind turbines in the development are turned off for such period as the independent consultant or the Local Planning Authority requires to undertake the further assessment or for any independent assessment by the planning authority. The further assessment shall be undertaken in

accordance with the following steps:

- i. Repeating the steps in Note 2, with the wind farm switched off, and determining the background noise and wind farm noise at each integer wind speed within the range set out in the approved assessment protocol under paragraph (E) of the noise condition.
- ii. The wind farm noise at this speed shall then be calculated where the measured level with turbines running but without the addition of any tonal penalty:
- iii. The rating level shall be re-calculated by adding the tonal penalty (if any is applied in accordance with Note 3) to the derived wind farm noise at that integer wind speed.
- iv. If the rating level after adjustment for background noise contribution and adjustment for tonal penalty (if required in accordance with note (iii) above) at any integer wind speed lies at or below 35dB LA90 (10 minute) then no further action is necessary. If the rating level at any integer wind speed exceeds the value in the condition for any data set then the development fails to comply with the condition.

Highway Notes

- The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council Highways Department. Upon receipt of this Notice of Planning Approval, the applicant is advised to seek approval from the Local Planning Authority for details of the proposed vehicular access junction in accordance with condition 18. Upon formal approval of details, the applicant is advised to write to Central Bedfordshire Council's Highway Help Desk, Technology House, 239 Ampthill Road, Bedford MK42 9BD quoting the Planning Application number and supplying a copy of the Decision Notice (with list of conditions) and a copy of the approved plan for the access. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration. To fully discharge condition 1 the applicant should provide evidence to the Local Planning Authority that Bedfordshire Highways have undertaken the construction in accordance with the approved plan, before the development is brought into use.

- 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, Technology House, 239 Ampthill Road, Bedford MK42 9BD
- 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 the storage of materials associated with this development should take place within the site and not extend into within the public highway without authorisation from the highway authority. If necessary further details can be obtained from Bedfordshire Highways (Amey), District Manager (for the relevant area) via the Central Bedfordshire Council's Customer Contact Centre on 0300 300 8308.
- The applicant is advised that in order to achieve the vision splays in condition 19 of the permission it may be necessary for vegetation overhanging the public highway to be removed. Prior to the commencement of work the applicant is advised to contact Central Bedfordshire Council's Customer Contact Centre on 0300 300 8308 to request the removal of the overhanging vegetation on the public highway.
- The applicant is advised that the closure of existing (east) access and the reduction of the width of the (west) access shall include the reinstatement of the highway to include any footway, verge and kerbing and no works associated with the closure of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council Highways Department. Upon receipt of this Notice of Planning Approval, the applicant is advised to seek approval from the Local Planning Authority for details of the proposed vehicular access junction in accordance with the relevant conditions. Upon formal approval of details, the applicant is advised to write to Central Bedfordshire Council's Highway Help Desk, Technology House, 239 Ampthill Road, Bedford MK42 9BD quoting the Planning Application number and supplying a copy of the Decision Notice (with list of conditions) and a copy of the approved plan for the access. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. To fully discharge condition 4 the applicant should provide evidence to the Local Planning Authority that Bedfordshire Highways have undertaken the construction works in accordance with the approved plan, before the development is brought into use. The applicant will also be expected to bear all costs involved in closing the accesses.

- The applicant is advised that no works associated with the construction traffic management plan (CTMP) should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council Highways Department. Upon receipt of this Notice of Planning Approval, the applicant is advised to seek approval from the Local Planning Authority for details of the CTMP in accordance with condition 10. Upon formal approval of details, the applicant is advised to write to Central Bedfordshire Council's Highway Help Desk, Technology House, 239 Ampthill Road, Bedford MK42 9BD quoting the Planning Application number and supplying a copy of the Decision Notice (with list of conditions) and the approved CTMP. This will enable the necessary consent and procedures of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the proposal affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) and re-instatement of the highway then the applicant will be required to bear the cost of such removal or alteration and re-instatement. To fully discharge condition 13 the applicant should provide evidence to the Local Planning Authority that Bedfordshire Highways are proactive with the CTMP.

Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

The Council acted pro-actively through early engagement with the applicant at the pre-application stage which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

NOTES

- (1) In advance of the consideration of the application the Committee were advised of consultation and publicity responses including 6 further letters from the public supporting the proposal, 1 letter of objection to the development. Comments from Campaign for Protection of Rural England, advice from English Heritage, further comments from the Applicant on additional comments made.

An amendment to Condition 17 and an additional condition was set out in the Late Sheet.

- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation scheme.