

## **LATE SHEET**

### **DEVELOPMENT MANAGEMENT COMMITTEE**

**17 DECEMBER 2014**

#### ***Item 6 (Pages 17-38) – CB/14/02013/FULL – Land fronting Potton Road, Biggleswade.***

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

Email received from 2 Williams Court, Biggleswade on 10 December 2014 stating concerns regarding the two access points onto an already busy road especially the one closest to Edward Peake School and the 2 no. old oak trees to the rear of the site should be retained.

The Highways Officer is satisfied with the safety of the access points and officers can confirm that the 2 no. oak trees are to be retained within the scheme.

##### **Corrections to Report**

- Page 23 final paragraph (Section 1 – Principle of Development, 2<sup>nd</sup> paragraph) – policy corrected from HA4 to HA1

##### **Submission of Additional Information/Surveys**

- A Public Art Strategy was submitted shortly after the report deadline, this has been accepted by the Arts Development Officer therefore the relevant condition needs to be updated to reflect this.
- A further Badger Survey was submitted. The Council's Ecologist is now satisfied there is no likely impact on a protected species and hence no need to apply for a licence but they still require the developer to keep a watching brief over the area and ensure any open trenches are covered overnight or have sufficient means of escape. This can be secured by condition.
- Reference is made at the first paragraph of page 25 of the Committee report to the completion date of the Eastern Relief Road. Officers are advised that this is now not likely to be until late May 2015 due to IDB Agreements and site works therefore an amended condition is now recommended below.  
The developers would not be satisfied with a complete restriction on the commencement of development prior to the opening of the road and have therefore have agreed to the condition as a way forward. In addition a construction traffic routing plan would be secured through the Section 106 Agreement. The Highways Officer is satisfied with this approach.

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

###### **Condition 2**

No ground works shall take place on site prior to 1 April 2015 and no construction of any dwellings shall commence until after 1 May 2015. Ground works are defined as site clearance, excavation and site setting out.

Reason: To allow for the opening of the Biggleswade Eastern Relief Road to traffic and thereby ensure the local highway network has adequate capacity to deal with traffic generated as a result of this development. (Policy 25, DSCB)

#### Condition 9

No development hereby approved shall take place until a Public Art delivery timetable has been submitted to and approved in writing by the Local Planning Authority. The Public Art Strategy shall then be implemented in full as approved in line with the agreed strategy and project timetable prior to the 150<sup>th</sup> occupation.

Reason: In the interests of promoting local distinctiveness and creating a sense of place. (Policy 43 DSCB)

#### Condition 14

No occupation of any permitted building shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:

1. Where shown to be necessary by any Phase 2 Desk Study found to be necessary by Condition 13, a Phase 3 detailed remediation scheme and measures to be taken to mitigate any risks to human health, groundwater and the wider environment. Any works which form part of the Phase 3 scheme approved by the local authority shall be completed in full before any permitted building is occupied.
2. The effectiveness of any scheme shall be demonstrated to the Local Planning Authority by means of a validation report (to incorporate photographs, material transport tickets and validation sampling), unless an alternative period is approved in writing by the Authority. Any such validation should include responses to any unexpected contamination discovered during works.

Reason: To protect human health and the environment (Policy 44, DSCB)

#### Condition 20

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 56157-100, 56157-101G, 56157-102B, 56157-103B, 56157-105D, 56157-107B, 56157-110A, 56157-111A, 56157-112A, 56157-113A, 56157-118, 56157-119, 56157-120A, 56157-121B, 56157-122A, 56157-123A, 56157-124A, 56157-125A, 56157-126A, 56157-127A, 56157-128A, 56157-129A, 56157-130A, 56157-131A, 56157-132A, 56157-133A, 56157-134A, 56157-135A, 56157-136A, 56157-137A, 56157-138A, 56157-139B, 56157-140A, 56157-141A, 56157-142A, 56157-143A, 56157-144, 56157-145B, 56157-146A, 56157-150B, 56157-151B, 56157-152A, 56157-153A, 56157-154A, 56157-155B, 56157-160, 56157-161, 56157-162A, 56157-163A, 56157-164, 56157-165, 56157-166, 56157-167, 56157-168A, 56157-169, 56157-170A, 56157-171, 56157-172, 56157-173, 56157-175, 56157-176, 56157-177, 56157-178, 56157-179A, 56157-180, 56157-181, 56157-182, 56157-183, 56157-184, 56157-185, 56157-186, 56157-190, 56157-191A, 56157-192A, 56157-193A, 56157-194A, 56157-195, 56157-196, 56157-197A, 56157-198, 56157-199A, 56157-200A, 56157-201, 56157-202A, 56157-203A, 56157-204A, 56157-205, 097-CMP-01

Reason: To identify the approved plan/s and to avoid doubt.

#### Additional condition no. 19

No ground clearance works shall take place until a site check has been conducted by an experienced ecologist to ensure no badgers have taken up residence since the last survey was made. The recommendations as set out in the Badger Survey Report by First Environment Consultants Ltd dated 17 October 2014 must be complied with at all times.

Reason: To safeguard and protect any protected species found on site. (Policy 50 DSCB)

***Item 7 (Pages 39-62) – CB/14/03520/FULL – Site of Former The Gables, Mill Lane, Potton.***

**Additional Consultation/Publicity Responses**

1. Additional Town Council comment following amended plans:

*‘No reason to alter objection previously. It has also been advised that the road outside the school is one of the most dangerous in Bedfordshire for road safety. The Committee would also like to add the lack of visibility splay and overdevelopment of the site.’*

2. One additional letter received from the occupier of 4 Mill Lane raising the following issues:

- States that the stairwell landing window would not be high-level and should be obscurely glazed and fixed shut.
- Window to bedroom 3 on plot 3 is less than 12 metres from the garden and will overlook the garden and rear windows of 4 Mill Lane. Commented that the rooms are small and the window should be obscurely glazed and fixed shut.
- No gardens achieve minimum garden depth contrary to the design guide.

**Additional Comments**

None.

**Additional/Amended Conditions**

Note to applicant on page 61 should read ‘Condition 03’ instead of ‘Condition XX’

***Item 8 (Pages 63-76) – CB/14/03675/FULL – Poppy Hill Farm, Cambridge Road, Langford.***

**Additional Consultation/Publicity Responses**

None.

**Additional Comments**

The Applicant’s initial agricultural advisor’s comments, the Council’s appointed Agricultural Advisor’s comments and the Applicant’s Agricultural Advisor’s response have been attached at Appendix A.

**Additional/Amended Reasons**

None.

***Item 9 (Pages 77-84) – CB/14/04099/VOC – Ickwell Fields, Ickwell Road, Upper Caldecote, Biggleswade.*****Additional Consultation/Publicity Responses**

None.

**Additional Comments**

None.

**Additional/Amended Reasons**

None.

***Item 10 (Pages 85-96) – CB/14/04151/FULL – 3 Rosemary Lane, Lower Stondon*****Additional Consultation/Publicity Responses**

Letter of objection from No 4 Rosemary Lane received 2.12.14 in relation to the revised plans:

We have reviewed the proposed Planning Application for a building extension to 3 Rosemary Lane, including the recently posted amendment made to the Application. This letter supersedes and replaces our original Letters of Objection to this Application, dated 4 and 15 November. The proposed extension, if approved, would rise directly opposite our property.

**We object most strongly** to the proposed extension for the following reasons all of which would have a serious negative impact upon our property, number 4 Rosemary Lane, whilst some would also have a highly detrimental effect upon the immediate area :

1. **Proximity of the proposed extension**; this would be circa 18 feet from the front wall of our house and the rooms that would be negatively impacted. This would be very close indeed, too close. We have a very small front garden of only 5 feet in width. Rosemary Lane is in effect a footpath, being blocked from use by motor vehicles, and is only 9 feet wide between the front of our house and the small garden plot to be used for this proposed extension.

Our house is a 3 floor building; the height of the proposed extension would be circa 90 per cent of the height of our house. The issues of proposed height and proximity of such an extension would have significant negative impacts upon our house. See Photo 1; this was taken from the 3rd floor of our house and demonstrates these issues very clearly. These lead to the next serious issues.



2. **Loss of Privacy**; we would become grossly overlooked by the proposed extension. Anyone in the proposed extension would be able to look directly into some of our main living rooms. Specifically, this would have a serious negative impact upon our privacy for : our kitchen, our main bedroom and a further bedroom (these rooms would be directly opposite the proposed extension). In addition, our privacy would also be negatively impacted in our lounge, family room, and a hallway.

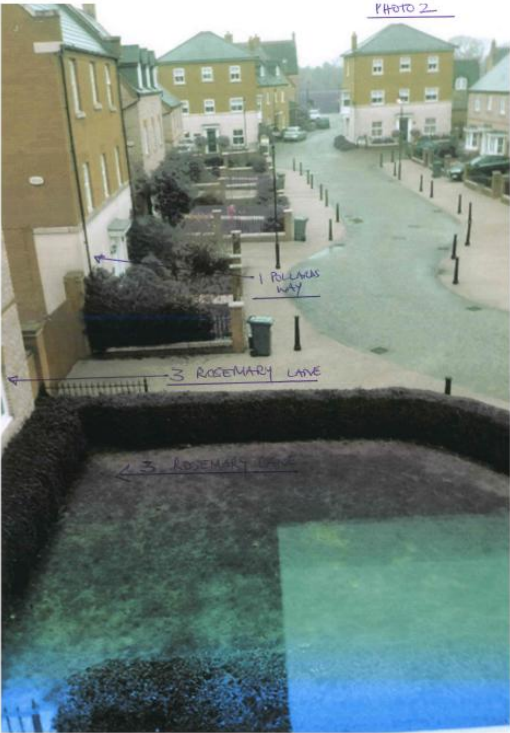
3. **Severe Reduction of Light/Sunlight in the rooms** that would be affected. Our Right of Light would be severely reduced in the above-mentioned rooms, where there is already a light issue. This proposed extension would make light considerably worse, especially given the proximity and height requested. Sunlight would be blocked from entering the above-mentioned key/main rooms in our house.

4. **Total Loss of Sunlight in Rear Garden**. We get sunlight in our rear garden at present. This sunlight would be completely blocked-out just after mid-day, every day all year round, by this extension, given the proximity and height requested. The trajectory of the sun would cause the sun to fall behind the proposed extension.

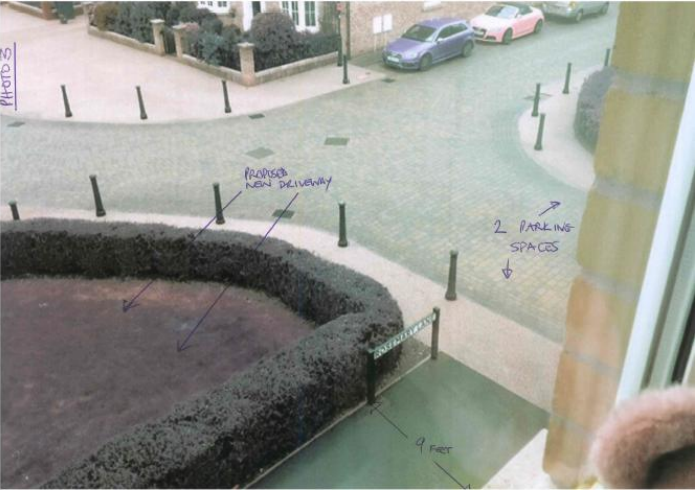
5. **Scale of proposed extension** is large and disproportionate with the existing property, and would be circa 50 per cent of the size of the existing property. The original building plan for numbers 3 and 4 Rosemary Lane took great care not to cause the above 1-4 issues. The extension application makes no mention of potential fencing nor of trees or bushes, the planting of which would reduce our light and sunlight even further.

6. **Proposed extension would change the nature of the current street scene**. We live in a rectangular road area with 4 roads involved and with 4 identical houses at the points of the rectangle. The roads are Rosemary Lane, Pollards Way, Orchard Way and Bluebell Drive: our house is one of these 4 points. The existing properties involved were designed and built in perfect straight lines. If this extension were to

proceed it would destroy this well-planned and balanced symmetry, as well as being an eyesore. See Photo 2, which was taken from 2nd floor of our house.



**7. Dangers from Proposed Drive-in/Parking Place.** This would create a **new set of dangers (Health & Safety issues)** to the area. See Photo 3 which was taken from our house:



(a) A well-used pavement passes alongside the front garden area owned by number 3 Rosemary Lane. The pavement is used by families walking their young children, and pet dogs; they are protected by bollards which have been placed alongside the pavement, as shown in Photo 3. These bollards would have to be removed to accommodate the proposed drive-way, leaving pedestrians unprotected, thus increasing danger to them.

(b) It would also increase road usage around this area, as the owners of number 3 currently use their more than adequate parking spaces at the rear of their property (they use the existing entrance/exit via Orchard Way). In addition this would cause issues with the turn in Pollards Way towards Bluebell Drive, and with usage of the two existing car park spaces at this end of Rosemary Lane.

(c) The proposed parking space would also cause problems for the residents of 1 Pollards Way with their parking place.

Overall, there are thus dangers that would be caused by such a new parking space in number 3's front garden which would cause Health & Safety issues and increase the likelihood of accidents.

Though we are not planning experts, we are concerned that the plans submitted may not entirely match with the Proposal; this is something that your Department is expert at and would no doubt review.

There would also be a property value switch as a result of such an extension, with number 3 increasing in value whilst our property would decrease in value. Such an extension would also make our house more difficult to sell. We know that you do not normally take property values into consideration, however such a resultant value switch would be wholly iniquitous, so we request that this is also considered in this specific case.

It seems obvious to us that the applicants in their submission have shown a total disregard for, and no consideration whatsoever for either the immediate neighbourhood or their neighbours.

In summary, we believe that all of the items raised, and especially in 1 – 4 above (proximity/height, loss of our privacy, loss of light, loss of sunlight), together with the negative impacts upon the surrounding street scene, provide a very strong case in support of our Objection, and hope that this extension proposal is rejected.

A further e-mail received on 15/12/14 attaching 3 photos and a plan:

#### Brief Notes

1. Photo "Roof": Taken from 3rd floor of our house (4 Rosemary Lane). The red box added to the photo shows the close proximity of the proposed extension, its huge size, and the extent of overlapping involved.
2. Photo "Garden side": Taken from 2nd floor of our house. The red line across the photo shows the true length of the proposed extension, as opposed to the smaller roped-off area shown.
3. Photo "Garden front": Taken from ground level outside. The two red lines show the full extent of the proposed extension as opposed to the smaller roped-off area shown.

All measurements with the red lines are based upon the dimensions shown in the Planning Application by the applicants. The purpose of submitting these to you is to add clarity.

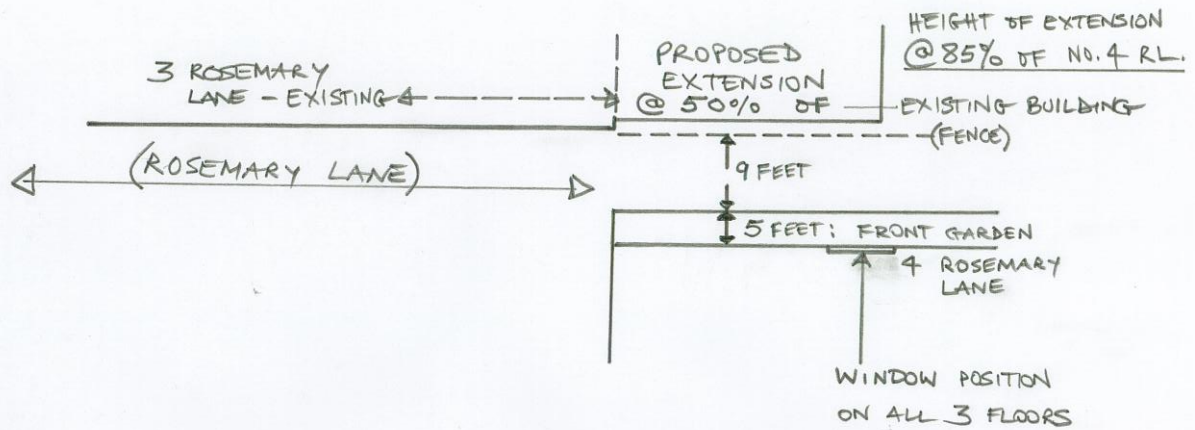








CB 14/04151 : OVERBEARING IMPACT UPON 4 ROSEMARY LANE.



- PROPOSED EXTENSION :
1. 50% OF SIZE OF EXISTING BUILDING.
  2. 85% OF HEIGHT OF NO. 4 ROSEMARY, THIS WOULD IMPACT ALL 3 FLOORS OF NO. 4.
  3. PROXIMITY : ONLY 14 FEET BETWEEN NO. 4 FRONT WALL (AND WINDOWS) AND PLOT FOR EXTENSION.

## **Additional Comments**

The application was registered on the 24 October the same day the emerging Development Strategy was submitted to the Secretary of State. As such the following policies should also be mentioned.

## **Central Bedfordshire Council's Emerging Development Strategy 2014**

Policy 4            Settlement Hierarchy  
Policy 43          High Quality development

Having regard to the National Planning Policy Framework, limited weight is given to the policies contained within the emerging Development Strategy for Central Bedfordshire, which is consistent with the NPPF. The draft Development Strategy was submitted to the Secretary of State on 24th October

## **Additional/Amended Conditions**

No additional or amended conditions.

## ***Item 11 (Pages 97-122) – CB/14/04317/FULL – Riveroaks (formerly Silver Lake Farm), Stanford Lane, Clifton, Shefford.***

## **Additional Consultation/Publicity Responses**

At 15<sup>th</sup> December a 67 further responses from local residents objecting to the application have been received – none raise any issues which have not already been covered in the report.

One letter in support of the application has been received which sets out that “Personally I have no objection to this application. People have to live somewhere. I strongly believe the majority are given a bad name by the minority.”

On 16 December the following additional comments were received:

“In March 2012 the government issued its new planning policy on the provision of caravan sites for Gypsies and Travellers: *Planning policy for traveller sites (‘PPFTS’)*.”

*Paragraph 4 of PPFTS* explains that the government’s ‘... aims in respect of traveller sites include:

- *that plan-making and decision-taking should protect the Green Belt from inappropriate development*
- *for [LPAs] to have due regard to the protection of local amenity and local environment.’*

I have had great difficulty in ascertaining whether the site in question is regarded as green belt though it certainly should be regarded as such.

*Paragraph 6 of PPFTS*, 'The assessment of need' details how LPAs should go about compiling an evidence base to support their approach to site provision:

*'In assembling the evidence base necessary to support their planning approach [LPAs] should:*

*(a) pay particular attention to early and effective community engagement with both settled and traveller communities (including discussing travellers' accommodation needs with travellers themselves, their representative bodies and local support groups).*

I certainly do not consider that requirements with respect to community engagement have been properly met. We actually had less than 24 hours to respond on this application after we found out about it! As a development that potentially has implications for everyone in the village I would consider that all should have received official notification of it with 21 days to respond! Had I received adequate notice I would have prepared a substantially longer and more detailed submission. Furthermore having subsequently received a letter advising that 'I had the opportunity to address the Committee if I wished' I rang (well within the specified deadline) to request such an opportunity only to receive a call just after 08.00 the following day to the effect that as there were too many such requests mine was denied". I was told that others had organised themselves into groups. I was unaware of any such groups and nor was I advised what these were. My concerns are I suspect rather different to those of any organised groups.

Turning to the application itself Section 13 deals with the Assessment of Flood Risk:

In response to the question "Is your proposal within 20 metres of a watercourse (e.g. river, stream or beck) the applicant has indicated 'NO'.

In actual fact the site is actually bounded on one side by the River Ivel and on the other by the old Ivel Navigation Canal. As such this answer is clearly incorrect. Furthermore it is indicated on the Local Development Framework Map as floodplain. Although there is no public access to the development site I can verify that land in this immediate vicinity does certainly become severely waterlogged at times and river water levels can on occasions be very high with clear potential for more severe flooding. The application claims however that there is no risk of flooding

As indicated in my written response I am seriously concerned about the potential of contamination/ pollution of this water course, already seriously degraded from what it was thirty years ago, though still retaining an interesting and important biodiversity. In recent years there has been temporary traveller roadside settlement c 1km further north on Stanford Lane. On several occasions immediately following such short-term settlement I have personally removed quantities of rubbish including tyres, metal, fabric plastics, glass and two car batteries etc. from the Ivel Navigation and taken these to the tip. Larger items including an old mattress remained there for months prior to removal. A recent visit revealed more large plastic items in the Navigation Canal - at least not hazardous! Whilst I cannot categorically claim that the temporary traveller settlement was the source of this rubbish it was coincidental with respect to time scale. Nonetheless any long term settlement, even at low density so close to the river clearly exacerbates this potential. What considerations have been given to the potential impact on the local environment of this application, in particular the river system and the likely implications for biodiversity?

My initial written communication indicated some particular species of concern including Harvest Mouse, Dragonflies and Damselflies but there are additionally several interesting and scarce species of insects and other invertebrates that have been found along this short stretch (less than 0.5km) of the River Ivel and the Navigation canal. I did offer to provide details but it is no surprise to me that nobody has followed this up. Some of the species found here have been found nowhere else in the County. In addition, as another example, *Theridiosoma gemmosum*, the only member of its family in the UK is well established here. It is a very local wetland species There is just one other known site in Bedfordshire and very few records from surrounding counties, with only a single from Cambs (Chippenham Fen). My offer to provide further information on the biodiversity remains.

As a retired Ecologist for another Local Authority with direct input into development Control including Public Inquiry work, we would certainly have raised concerns about this proposed development.”

### **Clifton Parish Council**

Comments have been received from Clifton Parish Council and are reproduced in full below. An extension of time to 11<sup>th</sup> December to submit comments was agreed with the Parish Council due to the timing of their meetings. Officer comments on each point have been included in italics.

“At their meeting last night the Parish Council unanimously voted to submit a request to refuse permission for the above planning application. A substantial list of reasons is set out below.

1. There is no substantiated need for an additional Travellers site to those sites already provided in the electoral ward of Arleseey, and adjoining wards of Stotfold and Langford, and Northill.

*[There is a general unmet need for Gypsy and Traveller pitch provision in Central Bedfordshire as a whole, this matter is addressed in section 1 of the report.]*

2. The site lies outside of any built up area within the open countryside where there is a general presumption against granting of planning permission for new development.

*[The report acknowledges that this is the case and deals with this point in various sections, concluding that this is one aspect that weighs against the grant of planning permission.]*

3. Central Bedfordshire Council, and its predecessor Mid Bedfordshire District Council, in considering previous applications for development, have always ruled that this site lies outside any settlement envelope and is therefore within the open countryside.

*[This point is not disputed and is taken into account in the report.]*

4. The current applicant, who has owned the site since 2002, has had a number of applications which included use/provision of residential accommodation refused resting on the above criteria (see reasons 2 and 3 above)

*[Central Government has drafted specific legislation and guidance for Local Planning Authorities to use to determine planning applications for Gypsy and Traveller sites. None of the previous applications were for Gypsy and Traveller accommodation, therefore none were judged against the policy framework which is in play in the determination of this application.]*

5. The site is adjacent to a reasonably fast road with no footpaths to Clifton, the nearest provider of community related facilities – i.e. – shops, schools and other services highlighted in the application, as needed by the proposed residents of the requested accommodation. Neither are there any suitable hard surface pedestrian direct routes into Shefford.

*[This matter is addressed in section 6 of the report.]*

6. The Central Bedfordshire Gypsy and Travellers Plan has been withdrawn and any factors included cannot be used as reasons for approving this application.

*[The Gypsy and Traveller Local Plan has been withdrawn and the report assesses the proposal against Mid Beds Local Plan policy HO12 which is the relevant adopted policy and also refers to the criteria based policy in the draft Gypsy and Traveller Plan, see sections 4 & 5 of the report.]*

7. In light of previous and current consideration of the status of travellers applying for planning permission, (see Planning Resource; also referred to in Wrexham CBC v National Assembly for Wales & Berry (2003), Gypsy & Traveller Law (Second Edition) (Legal Action Group)) the “traveller” status of the applicant, and need for “traveller settled accommodation”, bearing in mind his past and present established residences, has not be proven.

*[Planning Policy for Traveller Sites, states in annex A that:*

*“For the purposes of this planning policy “gypsies and travellers” means: Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family’s or dependants’ educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.”*

*This is therefore the definition that needs to be met. It is considered that based on the information provided that the applicant and other proposed occupants meet this definition.]*

8. The residential units proposed are permanent dwellings and decisions on previous applications on this site, have established that dwellings are inappropriate in this location, i.e., within the open countryside (see reason 4 above).

*[See point 4.]*

9. The site for change of use, even in an acceptable and approved area, is a “mobile home” development, of which there is already ample provision in Clifton and Stondon, with vacancies on both sites. (See the Albion Archaeology Heritage Statement reference, in non-technical summary, to the reference to Mrs. Sylvia Porter gathering information in support of a planning application for the development of “mobile home and caravan site at “Silverlake Farm, Stanford Lane, Clifton”).

*[The planning application is not for a “mobile home” development but a Gypsy and Traveller site which there is an acknowledged general unmet need for within Central Bedfordshire as a whole and is therefore assessed against the relevant policies for such a proposal.]*

10. An application for a mobile home development would again be for new permanent residential accommodation within the open countryside, with insufficient justification to cause a change of decision from that on previous applications.

*[See points 4 & 9.]*

- 11 The applicant states, in answer to Q24 on the application form, that the site cannot be seen from the road. This reply is questioned taking into consideration the size and construction of the existing entrance gates to the site.

*[Question 24 relates to whether the application site can be seen from the road for the purposes of the planning officer making a site visit. Whilst the existing entrance can be seen from the road, it is necessary for officers to enter the site to be able to see the land which is proposed for development.]*

12. There is non-compliance with the required visibility standards on the 60 mph road, taking into consideration vehicle movements generated by a traveller’s site.

*[The Highways Development Control Officer has raised no objection the proposal, this matter is addressed in section 6 of the report.]*

13. Insufficient information has been provided on the construction/provision of necessary facilities to accurately assess the effect of the proposed site on biodiversity.”

*[Impact on biodiversity has been addressed in sections 4 & 5 of the report.]*

### **Officer comments**

Concerns have been raised regarding the potential impact the proposal would have on health and educational facilities.

### **Education**

The School Organisation Plan 2014 which covers the period 2014 -2019 states:



“The Samuel Whitbread Planning Area includes the towns of Shefford, Arlesey, Stotfold and surrounding villages. Parts of this planning area share a boundary with Hertfordshire County Council which, in previous years, has enabled parental preferences to be expressed and fulfilled outside of Central Bedfordshire.

Hertfordshire no longer has the capacity to provide places for pupils living within Central Bedfordshire, this, combined with the impact of housing development, has led to a significant increase in demand for school places with forecasts now indicating an immediate and sustained need for additional lower school places in Stotfold, with a requirement for additional lower school places in future in Arlesey and new middle and upper school places to be created from September 2017.

There are three middle schools in this area, Etonbury, Henlow and Robert Bloomfield, the forecasts are divided into pyramids to reflect this.

1,097 dwellings are planned for the Samuel Whitbread area over the forecast period including:

- 180 dwellings in Stotfold
- 350 dwellings at the Arlesey Cross development in Arlesey (of a total of approximately 1000 dwellings in total)”

There is clearly a need for additional school places going forward in this area in general and it is not considered that the addition of 2 children who will be in need of school places in the future will place an unacceptable burden on the educational facilities in the area, particularly in light of the proposed resident development within the area that will need to be accommodated.

## **Healthcare**

The websites of Shefford Health centre and The Hawthorns Surgery, Lower Stondon state the following with regard to new patients:

### Shefford Health Centre

We have an open list and welcome requests for registration from patients living in the practice area. We accept patients from the following areas: Broom, Campton, Chicksands, Clifton, Clophill, Gravenhurst, Haynes, Henlow, Ireland, Langford, Meppershall, Old Warden, Shefford, Shillington, Stanford and the Stondons.

### The Hawthorns Surgery, Lower Stondon

We have an open list and welcome requests for registration from patients living in or moving to the practice area. The practice covers the following villages: Lower and Upper Stondon, Shillington, Meppershall, Gravenhurst, Campton, Clifton, Shefford, Henlow, Langford, Holwell and Pirton.

It is therefore considered that whilst local health provision may be under pressure local surgeries are still taking on patients and therefore the proposed occupiers of the site would be able to access healthcare.

## Amended Note to Applicant

Note 1 contained an error and should read:

1. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the reason for any condition above relates to the Policies as referred to in the Mid Bedfordshire Local Plan Review (MBLPR), Core Strategy and Development Management Policies (CSDMP) and the emerging Development Strategy for Central Bedfordshire (DSCB).

### ***Item 12 (Pages 123-146) – CB/14/03488/FULL – The Dog and Duck, Parkside Drive, Houghton Regis, Dunstable.***

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

The Public Protection Officer has responded “No comments”.

#### **Additional Comments**

A signed Unilateral Undertaking has been submitted in line with the contributions set out within Section 5 of the report.

A letter has been received from the applicant stating that he hopes that the revisions to the plans has met the concerns of Houghton Regis Town Council and offering any interested parties the opportunity to view the completed development internally, should planning permission be granted. The letter states that, should planning permission be granted, local constructors would be used and the flats would be built to the highest standards and facilities. The letter states that the project would be a great example of a local businessman, who has traded in Houghton Regis for 29 years, bucking the trend of closing pubs and investing for the future of the community.

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

None

### ***Item 13 (Pages 147-198) – CB/14/01480/FULL – Land adjacent Chalgrave Manor, Luton Road, Toddington.***

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

Neighbours	
Well Cottage, Featherbed Lane	<ul style="list-style-type: none"><li>• Unhappy not be able to register to speak due to over-subscription of speakers. Nowhere in the communication does this specify that this is dealt with on a first come first served basis.</li></ul>

	<ul style="list-style-type: none"> <li>• As you are aware my property boundary faces the said application site.</li> <li>• What will be the councils policy for future developments like these and also on all commercial and residential properties if you attend to make it compulsory for the installation of solar panels?</li> <li>• At Bookers Cash and Carry in Luton there would be ample space for thousands of panels on that roof. We have huge warehouses all over the country just drive into any town. Milton Keynes for example has Ikea, Costco, John Lewis and Burr drinks company to name but a few have acres of roof space. We are talking of hundreds of thousands of square meters if not millions why do we need to use farm land. Having recently gone down the M4 I noticed a solar park on the southern side of the carriageway which was as ugly as sin. Why these can't be relocated on rooftops is beyond me. This solar farm was not even disguised by trees.</li> <li>• Can you also tell me if you are intending to cover the Chalgrave Manor development with substantially high trees? Evergreen varieties such as Leylandi would be best and planted at least one meter apart and at least 2.5 meters tall from day 1 to disguise it. The deciduous bushes that are planned to be planted I assume will be either hawthorn, blackthorn, hazel, holly or bunanopolis etc. these only grown between 6 – 12 inches a year obviously if they are only 18 inches high when they are put in if the growth rate is only 6 inches a year it would take 17.5 years to get up to the 3 meter height that the developers are suggesting. Even if they grew at 12 inches a year it would take 8 years 9 months to get up to the 3 meter height. Obviously depending on the height of the property viewing this site it may well need to be higher than 3 metres. Whereas Leylandi would disguise it much quicker which is the whole idea of the planting. This is a really strong issue and can be addressed if the council put his forward as a condition.</li> <li>• This communication is entirely without prejudice to Mr Upchurch who is a fine outstanding man to our community and have upmost respect for him.</li> </ul>
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**Additional information submitted by the applicant's agent**

Following discussions regarding the access to the proposed solar farm, in order to establish the visibility splays required from the site access a traffic speed survey has now been completed and a copy of the report prepared by Ron Kelly, the applicant's transport consultant, has been received.

### Highways Officer's comments on the speed survey results (Appendix B)

I am content with the findings and indeed I feel that they have been more than generous in rounding up the findings and for completeness and to reduce the mitigation I would suggest the following:-

I would not suggest the 85%ile is rounded up to 50mph but the actual values used to determine the y value:-

43mph-114m  
44mph-118m  
46mph-127m  
49mph-142m

Further I would use a set back distance (x) of 2.4m rather than 4.5m which would greatly reduce the loss of hedgerow.

### ***Item 14 (Pages 199-224) – CB/14/04056/FULL – 22-38 Croft Green, Dunstable.***

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

Subsequent to the additional information submitted the Tree and Landscape Officer has made the following comments.

"I refer to my previous comments and the subsequent Arboricultural Statement prepared by CBA Trees, dated November 2014 (Ref. No. CBA10277 v2).

I am satisfied that this document addresses tree protection concerns, and would therefore request that the following conditions are imposed in order to ensure this:-

#### Implementation of Tree Protection Barriers

Prior to the commencement of development activities, including demolition, all tree protection barriers shall be erected in strict accordance with the "Tree Protection Plan" prepared by CBA Trees (CBA Drawing No.CBA10277.03A TPP), which forms Appendix CB3 of the "Arboricultural Statement" dated November 2014 (Document Ref CBA10277 v2), and shall remain securely in place throughout the course of development.

REASON: To ensure that retained trees are adequately protected throughout the course of development, so as to ensure the long-term good health, stability and amenity value of the retained trees.

#### Implementation of Arboricultural Method Statement

All arboricultural methodology and operations, as stipulated within the "Arboricultural Statement" dated November 2014 (Document Ref CBA10277 v2), shall be implemented in strict accordance with this document, both at pre-commencement stage and throughout the course of development.

REASON: To ensure a satisfactory standard of tree retention and good Arboricultural practice, so as to secure the long-term health, stability and amenity value of the retained trees.

Detailed Construction Specification of Cellular Confinement "No-Dig" Construction Surfacing

Prior to development, full construction specification details of an appropriate 3-dimensional, cellular confinement system shall be submitted to the Local Planning Authority for approval, to be used for those areas marked as "Sections of No-Dig Construction Surfacing" on the "Tree Protection Plan" prepared by CBA Trees (CBA Drawing No.CBA10277.03A TPP), which forms Appendix CB3 of the "Arboricultural Statement" dated November 2014 (Document Ref CBA10277 v2).

REASON: To provide a specially constructed hard surfacing, within the designated Root Protection Area of retained trees, which shall act a permeable, load suspension layer over the existing soil levels, so as to avoid compaction damage to the rooting medium by vehicle and foot traffic, and physical damage to the roots caused by excavation work, or root asphyxiation caused by the raising of soil levels, so as to ensure the long-term health, stability and amenity value of the root system of the retained trees.

Landscape Planting Scheme

Standard landscape planting condition to be used

**Additional and amended conditions**

In response to the Tree and Landscape Officers comments and suggested conditions, conditions 3 & 10 will be amended to reflect the Officers comments, condition 13 needs amending to include plans referred to in the proposed new conditions and condition 14 is an additional condition.

Amended conditions to read:

- 3 **No development shall commence, including demolition, until all tree protection barriers have been erected in strict accordance with the "Tree Protection Plan" prepared by CBA Trees (CBA Drawing No.CBA10277.03A TPP), which forms Appendix CB3 of the "Arboricultural Statement" dated November 2014 (Document Ref CBA10277 v2), and shall remain securely in place throughout the course of development.**

**REASON: To ensure that retained trees are adequately protected throughout the course of development, so as to ensure the long-term good health, stability and amenity value of the retained trees. (Policy BE8 SBLPR & Policies 43 & 59 DSCB).**

- 10 **No development shall commence until, full construction specification details of an appropriate 3-dimensional, cellular confinement system, to be used for those areas marked as "Sections of No-Dig Construction Surfacing" on the "Tree Protection Plan" prepared by CBA Trees (CBA Drawing No.CBA10277.03A TPP), which forms Appendix CB3 of the "Arboricultural Statement" dated November 2014 (Document Ref**

**CBA10277 v2) have been submitted to and approved in writing by the Local Planning Authority.**

**REASON: To provide a specially constructed hard surfacing, within the designated Root Protection Area of retained trees, which shall act a permeable, load suspension layer over the existing soil levels, so as to avoid compaction damage to the rooting medium by vehicle and foot traffic, and physical damage to the roots caused by excavation work, or root asphyxiation caused by the raising of soil levels, so as to ensure the long-term health, stability and amenity value of the root system of the retained trees. (Policy BE8 SBLPR & Policies 43 & 59 DSCB).**

- 13 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers AA5060-2001, AA5060-2002, AA5060-2003, AA5060-2009 rev A, AA5060-2010 rev A, AA5060-2011, AA5060-2012, AA5060-2013, AA5060-2015 & CBA Drawing No.CBA10277.03A TPP.

Reason: To identify the approved plans and to avoid doubt.

- 14 All arboricultural methodology and operations, as stipulated within the "Arboricultural Statement" dated November 2014 (Document Ref CBA10277 v2), shall be implemented in strict accordance with this document, both at pre-commencement stage and throughout the course of development.

REASON: To ensure a satisfactory standard of tree retention and good Arboricultural practice, so as to secure the long-term health, stability and amenity value of the retained trees. (Policy BE8 SBLPR & Policies 43 & 59 DSCB).

***Item 15 (Pages 225-246) – CB/14/03686/FULL – Land at Former Garden Centre, Clophill Road, Maulden, Bedford.***

**Submission of Additional Information/Surveys**

- A Noise Assessment Report has been submitted to the Council which has addressed the areas of concern that the Environmental Health Officer had identified. The comments of the EHO are as following:

*“The noise consultant has identified the larger chiller unit of the Dog and Badger as requiring attention because of the significant noise impact of that unit at night when background noise levels are at their lowest. Other noise sources do not operate through the night, or in the case of the smaller chiller unit, which was not operating during the monitoring exercise it was assumed to be either non operational or only operates on extremely infrequent occasions.*”



*With respect to noise from amplified music the noise consultant argues that noise from music played inside and outside the pub will give rise to noise levels at the proposed dwellings well below the noise levels experienced at the existing dwellings. I can find only one noise complaint, received this summer, made in the past 3 years and this complaint was not pursued by the complainant. A similar argument is made in respect of customers using the outdoor space of the pub. The law is very precise in dealing with complaints, if a nuisance exists it must be abated and it does not matter whether a person moves to the nuisance and others have not complained. However the fact that there have been relatively few complaints suggests that the pub does not habitually cause problems.*

*Confirmation has been received that the bottle bank at the Dog & Badger is collected after 0800hrs on Mondays by Biffa.*

*The noise consultant concludes that the proposed development is potentially affected by noise from the nearby Dog and Badger. It is proposed to provide acoustic protection in the form of good quality close-boarded fencing to a height of 2.4 metres along the length of the boundary between the development site and the grounds of the Dog and Badger and returning for approximately 9 metres to the west at its southern end.*

*With respect to the large chiller it is proposed that noise is reduced at source either by means of acoustic treatment or by the replacement of the chiller with a quieter model and/or the relocation of the chiller or the installation of a replacement unit at a location such that off-site noise levels are reduced sufficiently. It is stated that the developer proposes to discuss these options with the pub's management and landlord.*

*As would be expected the noise consultant made no reference to odour from the kitchen extract, which was one of my original concerns, but neither has any other information been provided by the applicant.*

*Should you be minded to grant permission I would ask that any permission is subject to the following condition in respect of noise”:*

### **Additional Condition**

#### Condition 7

Prior to the commencement of the development hereby permitted, the applicant shall submit in writing for the approval of the local planning authority a scheme of noise attenuation measures which will ensure that internal noise levels from externally generated sources shall not exceed 35dB LAeq, 0700-2300 in any habitable room or 30dB LAeq, 2300-0700 and 45dB LAmax, 2300-0700 inside any bedroom, and that external noise levels from external sources shall not exceed 55dB LAeq, 1 hour in outdoor amenity areas. Any works which form part of the scheme approved by the local authority shall be completed and the effectiveness of the scheme shall be demonstrated through validation noise monitoring, with the results reported to the local planning authority in writing before any permitted dwelling is occupied, unless an alternative period is approved.

**Corrections to Report** - The following statement has been included:

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

Planning permission has been recommended for approval for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process 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.

***Item 16 (Pages 247-272) – CB/14/03419/FULL – Land North of Clayhill Farm, Greenfield Road, Westoning.***

**Additional Consultation/Publicity Responses**

Strategic Landscape Officer – has confirmed that the revised landscape plan showing details of planting submitted is acceptable and therefore condition 2 has been amended to include this plan.

**Additional Comments**

The recommendation should read as follows:

Full Application – Recommended for Approval subject to referral to the Secretary of State.

The applicant has confirmed that he is willing to provide a permissive footpath link along a headland path towards the railway bridge. This will therefore be included in the rights of way proposal.

**Additional/Amended Conditions**

The conditions have been revised as follows. Condition 4 has been removed as it was a duplicate of condition 10. Therefore, a full list of revised/ re-ordered conditions are shown below:

- 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 planting and landscaping scheme shown on approved Drawing No 3624\_LVIA\_007 Rev B dated 3rd December 2014 shall be implemented by the end of the full planting season immediately following the commencement of development (a full planting season shall mean the period from October to March). The approved landscaping shall subsequently be maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season with others of a similar size and species.

Reason: To ensure an acceptable standard of landscaping.  
(Policies 43 and 58, DSCB)

- 3 The development shall be carried out and maintained in accordance with the approved Landscape & Habitat Management Plan dated December 2014 and Ecological Mitigation Strategy dated November 2014.

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

- 4 Within 12 months of the completion of the development hereby approved, in the event of any complaint to the Council relating to Glint or Glare from the development, upon notification by the local planning authority, the applicant or operator of the solar farm shall within 28 days submit for approval to the Council details of a scheme of remedial measures to address the concerns raised with details of a timescale for the implementation of the works. The works shall be carried out in accordance with the approved details and timetable.

Reason: To ensure safety of users of the railway.

- 5 Should the solar panels not be used for the production of energy for a continual period of six months, the panels, support structures and associated buildings shall be removed in their entirety and the land shall be restored to its former condition in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent the retention of development in the countryside that is not being used for its intended purpose.

- 6 The permission hereby granted shall endure for a period of 25 years from the date when electricity is first generated by the Solar Farm (the 'First Export Date'). Written confirmation of the First Export Date shall be provided to the local planning authority no later than 1 calendar month after the event. Within 6 months, following the completion of the 25 year period, the solar panels, support structures, associated buildings and cabling shall be removed in their entirety and the land shall be restored to its former condition.

Reason: To ensure that the development is decommissioned and to protect the character and appearance of the locality

- 7 Prior to operation the footpath known as Westoning Public Footpath No.1 and Flitton and Greenfield FP17 shall be diverted in accordance with the details submitted. At no time during the construction phase should the footpath be obstructed.

Reason: To ensure that the footpath remains open for all users during and after the construction phase.

- 8 The external finish of the inverter stations and substation shall be RAL 6020 in Matt unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interest of visual amenity and landscape character.

- 9 **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. 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.**

- 10 **No development shall commence until tracking diagrams have been provided and approved in writing by the Local Planning Authority for a 16.0m length heavy goods vehicle entering and exiting the site, and tracking diagrams of these vehicles passing each other at the passing area located at the junction of the access track. The development shall not be brought into use until the temporary alterations to the junction, the temporary widening of the access and the temporary passing bays have been constructed in accordance with the approved details for the duration of the construction phase only and thereafter shall be returned and reinstated to their original dimensions.**

**Reason: To provide adequate and temporary access and passing of vehicles clear of the highway during the construction phase.**

- 11 **No development shall commence until details of an additional temporary passing bay located within the site have been submitted to and approved in writing by the local planning authority. The development shall not be brought into use until the additional temporary passing bay has been constructed in accordance with the approved details for the duration of the construction phase only and thereafter shall be removed and the area reinstated.**

**Reason: To provide adequate passing and manoeuvring of vehicles along the access.**

- 12 The vehicular access 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 11.0m 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.

- 13 The turning space for vehicles illustrated on the approved drawing no. 1029-821/A shall be constructed before the development is first brought into use.

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

- 14 The siting of the security cameras shall be carried out in accordance with the details shown on plan numbers; 1029-511 Rev A and 1029-113 Rev H and remain as such for the life of the development unless otherwise agreed in writing by the Local Planning Authority.

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

- 15 The development hereby approved will not be externally lit except in an emergency. Prior to the operation of the development details of the emergency lighting, including the siting of any lighting columns, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: In the interest of visual amenity and landscape character.

- 16 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers Site location; 1029-111-D; 1029-112/T; 1029-113/H; 1029-141/B; 1029-142/A; 1029-144/A; 1029-145/A; 1029-146/B; 1029-147/B; 1029-511/A; 1029-821/A; 14020; TS13-184L\1; TS13-184L\2; 3624\_LVIA\_007\_B; Noise Assessment; Planning Statement; Agricultural Land Classification; Agricultural Statement; Habitat Creation; Landscape and Visual Impact Assessment; Flood Risk Assessment; Solar Photovoltaic Glint and Glare Study; Ecological Appraisal; Landscape & Habitat Management Plan dated December 2014 and Ecological Mitigation Strategy dated November 2014.

Reason: For the avoidance of doubt.

## **Notes to Applicant:**

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
2. The applicant is advised that no works associated with the construction of the widened vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk, Tel: 0300 300 8049 quoting the Planning Application number. 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 widened 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.
3. 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
4. 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.
5. The applicant is advised that no works associated with the CTMP should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk, Tel: 0300 300 8049 quoting the Planning Application number. This will enable the necessary consent and procedures under the Highways Act to be implemented.

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

Planning permission has been recommended for Approval for this proposal. 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.



***Item 17 (Pages 273-288) – CB/14/04277/FULL – R/O 1-5 Kingsbury Avenue, Dunstable.***

**Revised Plan Received**

A revised layout has been received to reflect the Highway Comments regarding the extent of the redline. Plan Number WPD-020-13-2D.

**Additional Consultation/Publicity Responses**

Letter sent of behalf of 1, 3, 7, 9, 11, 13 Kingsbury Gardens & 3, 5 Kingsbury Avenue received 10<sup>th</sup> December 2014. Please see Appendix C.

**Additional Comments**

Notwithstanding the points raised, it is considered that the matters are adequately addressed within the Officer's Committee Report.

**Amended Conditions**

8. The parking bay shown as visitor parking on plan WPD-020-13-2D shall be kept as unassigned parking and in an open condition, fully available for this purpose and no bollard, barrier or similar device or designation signs shall be erected thereon.

Reason: To minimise the potential for on-street parking and thereby safeguard the interest of the safety and convenience of road users.  
(Policies BE8 S.B.L.P.R, 27 & 43 D.S.C.B)

10. The turning space for vehicles illustrated on the approved Plan (No WPD-020-13-2D) shall be constructed before the development is first brought into use and thereafter shall be kept clear from all obstruction.

Reason: To enable vehicles to draw off, park and turn outside the highway limits thereby avoiding the reversing of vehicles on to the highway.  
(Policies BE8 S.B.L.P.R, 27 & 43 D.S.C.B)

16. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers WPD-020-13-1, WPD-020-13-2D & WPD-020-13-3.

Reason: To identify the approved plans and to avoid doubt.

**Item 18 (Supplement - Pages 3-52) – CB/14/03113/FULL – Land North of Leighton Road, West of Hawthorn, Leighton Road, Eggington.**

**Additions/Corrections to the report**

Reasons for Recommendation :

(page 5, Line 3) ‘----- and any other harm, including harm to the setting of the heritage assets.’

**The Application :**

(page 6) ‘seeks planning permission for the construction of a 7.4 MW Solar Farm ---.’

Installation of Photovoltaic panels

(Line 4) ‘ Circa 24,720 -----.’

(Line 12) ‘the estimated output is 7.4MW which would provide approximately 2132 average households with their total electricity needs and avoid approximately 3,638 tonnes ----’

VSCs (page 37)

(Bullet point 3) – ‘-----requirements of 2,132 average homes-----approximately 3,638 tonnes ----.’

Community benefit

(page 44, Line 5) –‘In this respect, the applicant has agreed to sign a Section 106 Agreement consenting to contribute a sum of £1000 per MW of installed capacity (£7,400 per annum) for a 25 year period.

**Agent’s further submission**

Please note that following a number of discussions with the Landscape Officer and Conservation Officer, Lightsource have amended the scheme. You will note that the revised layout (UK-1611-S100 p15) results in a lesser footprint and a reduction in the number of panels from the originally submitted scheme.

I have set out the main changes below:

1. The revised layout plan shows a reduction in capacity from 7.8MW to 7.4MW which has been due to the fact that there has been an overall reduction in the number of panels, from 29436 to 24720. The revised scheme sees the arrays and fence line pulled away from the southern boundary. Now that the proposals occupy a reduced area there will be more than adequate space to achieve a comprehensive planting scheme along the southern boundary which, in time will ensure that this screen is effective. The provision of planting in the SW corner would help to break up the appearance of the solar farm, would soften the views into the site when leaving the Conservation Area and would also be read as a continuation of the existing planting in the immediate context of the site.
2. The amount of ancillary infrastructure proposed has been slightly reduced. The 4 inverters, 2 transformers and 1 aux transformer, as shown on the original submitted plan has been replaced with 4 transformers and 4 inverters, Drawing

nos C600, C610 and C620 show the measurements of the inverter and transformer and switch gear. The newly proposed inverters and transformers and switchgear amount to a lesser footprint (49.7m<sup>2</sup>) compared to that initially submitted (56.4m<sup>2</sup>).

3. The total floor space (ancillary buildings) in the revised design amounts to 101.85 square metres compared to the initially submitted design which comprised a floor space of 131.30 square metres. The revised layout does not include the auxiliary transformer or communications building which had been proposed in the revised layout thereby amounting to the reduction in footprint. .

### **Additional/Amended documents submitted**

- Landscape and Visual Impact Assessment – December 2014
- Biodiversity Management Plan –December 2014
- Construction, Decommissioning and Traffic Management Method Statement – November 2014
- Outline Landscape Proposals - FIG 1.9 UA007283 Issue 06
- Site Sections -101-UA007283 Issue 2

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

#### Landscape Officer

Many thanks for forwarding final landscaping plan.

The additional woodland edge planting to the southern portion of the site is a positive measure.

Fence line / site boundary ' A ' would benefit from inclusion of hedgerow to assist integrating this boundary within the context of the Clipstone Brook Corridor and which will form a future link to the Clipstone Country Park associated with East Leighton Buzzard growth area in coming years.

The woodland area to the western corner of the site has been omitted but I would suggest inclusion of woodland at this location with an extended area of wildflower planting would benefit biodiversity.

With regard to planting specifications:

Please could betula as individual trees be replaced with a different species from the proposed planting palette, eg carpinus. Inclusion of betula in woodland planting mix is appropriate with local character.

Could the planting spacing be described for the woodland edge planting.

Prunus spinosa has a tendency to sucker and encroach on to footpaths – and is prickly – therefore please could prunus be removed from the hedgerow planting mix adjacent to footpaths.

#### English Heritage

We note that the footprint of the solar panels have been reduced and the proposals for increased screening on the south. The reduced footprint has removed a number of panel rows in the southern third of the solar farm and included new woodland and

wildflower edges, new hedgerow and several new trees along the southern boundary of the site.

The increased screening is welcome and could help to break up the appearance of the solar farm – although we should note that this would be seasonally (and species) dependent and the lifetime of the solar farm versus the growth speed of the trees would also need to be taken into account. The screening from trees has been focused tight along the southern boundary and we would highlight whether increasing the width of the planting might increase any potential benefit. Similarly, we note the addition of trees along the field boundary in the northern portion of the site and would encourage consideration of additional tree planting along the field boundary through the middle of the site; which together could help further break up the ‘block’ appearance of the solar farm.

Whilst we would acknowledge that the amended proposals would reduce the level panels; it would be our view that this would only be a marginal change from the previous proposals in terms of its impact upon the setting of the conservation area. It is clear that the solar arrays would still directly impose upon historic agricultural landscape surrounding Eggington and its conservation area, and would still clearly be visible from within the northeast of the area and when leaving it.

Whilst we would acknowledge that impact upon the setting of the conservation area has been reduced, the amended proposals have not negated or removed the harm from the proposal to the significance of the heritage asset, in terms of NPPF paragraph 132. Whilst we would not in principle object to this solar proposal; we would reiterate our previous advice to Central Bedfordshire Council. The Council, in line with their specialist Conservation advice, must be satisfied that your application has demonstrated clear and convincing justification for this harm, and that the harm is outweighed by the public benefits of the proposal. If a clear and convincing justification for the harm is not found, we would recommend the Council refuse the application.

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

#### Condition 9

(page 47) ‘-----Biodiversity Management Plan ----- dated December 2014.’

#### Condition 22

UK-1611-S100 P15, MFE\_02, 101-UA007283 Issue 2, FIG 1.9 UA007283 Issue 06, TYP\_P\_E, CSR\_01, DNO\_01, SB\_01, UK Hullavington C600 Inverter details , UK Hullavington C620 Transformer details , CCTV\_01 , UK-Hullavington-C610-Building-MV- Details, L332/1 Rev. B, L332/2 Rev. A, & CBC/001(DEER FENCE).

**Item 19 (Supplement – Pages 53-88) – CB/14/04064/FULL – Land at Millfield Farm (Phase 2), Millfield Lane, Caddington.**

**Additional Consultation/Publicity Responses**

Caddington Parish Council

Supports the application subject to sufficient screening and consideration of the Conservation Area for which we defer to the judgment of the officer dealing. (Officer Note : Site is within the AONB and not Conservation Area)

Neighbour Comments

Millfield House :

1 How will access to the site happen Millfield Lane is already full of pot holes / road damage after the previous site was built this has not been addressed.

2 Will access to the site in anyway impact my property and access to it, there has been many large vehicles up and down the lane for weeks.

3 Has the implications for my property being the closest to the site been properly considered, what will the financial impact on my property value be

4 We did not get a direct note around consultation given our proximity surely we should have been engaged. (Officer Note : Consultation letter was sent On the 22<sup>nd</sup> October 2014)

5 Has there been a proper assessment of the impact of so many solar panels being erected close to my property from a health and safety perspective . The previous site was much further away this is a lot closer.

6 We will shortly be surrounded by Solar panel farms , when we first moved to this property there was talk of a much smaller area being designated for a farm, this has now been dramatically extended significantly beyond the original concept , and now only a few yards from our property.

7 We live next door to a business park , we only found out last year whilst having a new sewage unit installed that we have extremely high voltage power lines running across our property again purely to service the business park.

8 There is yet another business park being built at the end of our lane again a short distance from our property .

In short we are now surrounded by non-green belt land that continues to have material building works. There can be no other conclusion that our land has now become isolated and therefore should be redefined ensuring that there is consistency of treatment for us all.

I would say I'm not at this stage objecting to the development but I would like clarity around the implications for me and my family on a number of fronts.

### Public Rights of Way Officer

The amended plan seems acceptable from the public right of way point of view. It says 9 metres as the hedge itself is to be 2 metres wide. I do notice Prunus spinosa though and we have asked for this to be left out in the past.

### Highways Officer

The speed survey results look alright.

### **Additional Documents/ Information**

#### Agricultural land Classification Report

Letter dated 11<sup>th</sup> December 2014 by Reading Agricultural Consultants.

#### Appraisal of Landscape and Visual Effects – December 2014

#### Cross -sectional Drawing –December 2014

#### Speed Survey Results –December 2014

### **Additions/Corrections to the report**

Page 56

The estimated output is 4.99MW which would provide approximately 1,300 average households with their total electricity needs and avoid 3,200 tonnes per annum of CO<sup>2</sup> emissions.

### **Additional Condition**

**Development shall not commence until construction details of the proposed access, including details of materials and gates to be installed have been submitted to and approved by the Local Planning Authority.**

**Reason: In the interest of preserving the visual amenities of the AONB.  
(Policies BE8, SBLPR and 43, 50 & 58, DSCB)**

### **Amended Conditions**

Condition Number 16 to read:

CBC/001, BNL.0617\_06-6, CBC/002, CBC/003, BNL.0617\_06-E, TS14-278W1, BNL.0617\_01-A, BNL.0617\_02-A, BNL.0617\_03-A, BNL.0617\_04-A, BNL.0617\_07-A, BNL.0617\_10-A, SCP/14920/F01 Rev. A and SCP/14920/F02 Rev. A.