

## **Item No. 8**

<b>APPLICATION NUMBER</b>	<b>CB/15/01626/REG3</b>
<b>LOCATION</b>	<b>Land at Thorn Turn, Thorn road, Houghton Regis, Dunstable LU6 1RT</b>
<b>PROPOSAL</b>	<b>Development of a Waste Park comprising waste transfer station, split level household waste recycling centre and resale building, together with new access road from Thorn Road.</b>
<b>PARISH</b>	<b>Houghton Regis</b>
<b>WARD</b>	<b>Houghton Hall</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs: S Goodchild &amp; J Kane</b>
<b>CASE OFFICER</b>	<b>David Peachey</b>
<b>DATE REGISTERED</b>	<b>21.05.2015</b>
<b>EXPIRY DATE</b>	<b>10.09.2015</b>
<b>APPLICANT</b>	<b>Central Bedfordshire Council</b>
<b>AGENT</b>	<b>Atkins Global</b>
<b>REASON FOR Call in to Committee</b>	<b>Council application</b>
<b>COMMITTEE TO DETERMINE</b>	
<b>RECOMMENDED DECISION</b>	<b>Approval</b>

### **Summary of Recommendation**

The proposals involve the provision of new municipal waste management facilities for the collection, bulking up and transfer of household wastes to assist the Council in its role as Waste Disposal Authority in meeting nationally-set targets for the diversion of waste from landfill and implementing the requirements of the European Waste Framework Directive (2008/98/EC) and Waste (England and Wales) Regulations 2011.

The application land falls within the Green Belt and would be harmful to the Green Belt due to its inappropriateness and its impact on openness. There would be a degree of related harm due to the loss of agricultural land and less than substantial to heritage assets. The harm caused by these impacts is considered to be outweighed by the following very special circumstances in the wider public interest:

- the designation of the application land as a preferred strategic waste management site in the recently adopted Minerals & Waste Local Plan: Strategic Sites & Policies;
- the pressing need to provide fit for purpose waste facilities to deliver key statutory functions of the Waste Disposal Authority;
- the lack of alternative suitable sites outside the Green Belt within the parameters of project delivery;
- the strong likelihood of a strategic allocation north of Houghton Regis being formalised as part of the Development Plan in the future and the recent

planning decisions and other committed development within the allocation area, including the July 2015 resolution of this Committee to grant outline permission for employment uses on land adjoining the proposed waste park

The site is located within the western segment of the Houghton Regis North Strategic Urban Extension, as allocated in the emerging Development Strategy identified to accommodate the needs of a growing population in the area.

The proposals are in accord with national and local waste specific policies and general environmental policies and no technical objections have been raised by consultees. Subject to suitable mitigation, no significant or unacceptable environmental impacts would result from the proposed development, including with respect to access and transport, flood risk, water resources, landscape and visual impacts, noise, air quality, odour, dust, ecology and biodiversity and archaeology.

It is recommended that planning permission is granted subject to conditions. In formulating this recommendation all of the evidence and potential impacts of the development that are considered to be material to determining this application have been examined. This has included assessing the application and Environmental Statement including the further information provided, representations received and consultation responses. All material issues have been adequately addressed in the application and the Environmental Statement. As the site is allocated for strategic waste management uses in the 'Bedford Borough, Central Bedfordshire and Luton Borough Councils Minerals and Waste Local Plan: Strategic Sites & Policies (adopted January 2014)', this application can be determined by the Council without referral to the Secretary of State.

## **Recommendation**

That Planning Permission be granted subject to the following conditions:

### General:

1. Planning permission shall extend to the area delineated by a solid red line on the attached plan no. CB/15/01626/REG3 (dated August 2015). Development shall be carried out strictly in accordance with the particulars of the development, plans and specifications contained within the planning application. The approved plans and particulars comprise (except where modified by other conditions of this permission):

### Documents:

- Application form dated 07/05/2015;
- Planning Supporting Statement (dated May 2015);
- Addendum to Planning Statement Summary of Proposed Mitigation Measures (dated July 2015);
- Design & Access Statement (dated 7 May 2015);
- Flood Risk Assessment (dated 12 May 2015);
- Ian Farmer Associates Ground Investigation Report (dated December

- 2012);
- Litter Birds and Vermin Statement (dated 19 May 2015);
  - Economic Statement (dated 7 May 2015);
  - Sustainability Statement (dated 7 May 2015);
  - Utilities Statement (dated 19 May 2015);
  - Arboricultural Impact Assessment (dated 31 July 2015);
  - Tree Protection Plan no. 5134801-WP-ZZ-DR-Z-0001 Rev P2;
  - Tree Protection Plan no. 5134801-WP-ZZ-DR-Z-0002 Rev P2;
  - Thorn Turn Ecological Surveys Update (dated 3 July 2015);
  - Drainage Strategy (dated 24 July 2015);
  - Outdoor Access Statement (dated 19 May 2015);
  - Green Travel Plan (dated 7 May 2015);
  - Statement on Conformity with Equality Act (received 20 July 2015);
  - Anticipated Vehicle Movements Plus Assumptions (received 19 July 2015);
  - Works Information – Specification Appendices Series 3000: Landscape and Ecology (Amendment 2 dated 3 August 2015);
  - Odour Management Plan (dated 20 July 2015);
  - Lighting Strategy (received 29 July 2015);
  - Fire Strategy (received 17 July 2015);
  - Great Crested Newt Survey Report (dated 4 August 2015); and
- Thorn Turn Schedule of e-mails submitted during the determination period, as attached to Atkins' e-mail of 4 August 2015.

Drawings:

- Site Location Plan (Drawing no. WP\_PLA\_001 Rev P01);
- Planning Application Boundary (Drawing no. WP\_PLA\_002 Rev P02);
- Finished Levels (Drawing no. WP\_PLA\_004 Rev P01);
- Indicative General Arrangement (Drawing no. WP\_PLA\_005 Rev P04);
- Indicative Drainage Layout (Drawing no. WP\_PLA\_006 Rev P03);
- Landscape Plan Sheet 2 of 2 (Drawing no. WP\_PLA\_007 Rev P03);
- Landscape Planting Details & Schedule (Drawing no. WP\_PLA\_008 Rev P03);
- Access Road Details (Drawing no. WP\_PLA\_009 Rev P01);
- SUD Lagoon (Drawing no. WP\_PLA\_010 Rev P03);
- Pavement, Kerbing & Fencing Layout (Drawing no. WP\_PLA\_011 Rev P02);
- Earthwork Sections – Sheet 1 of 3 (Drawing no. WP\_PLA\_012 Rev P02);
- Earthwork Sections – Sheet 2 of 3 (Drawing no. WP\_PLA\_013 Rev P02);
- Earthwork Sections – Sheet 3 of 3 (Drawing no. WP\_PLA\_014 Rev P02);
- Road Lighting ISO-LUX South Contours (Drawing no. WP\_PLA\_015 Rev

- P03);
- Weighbridge Complex Plan & Details (Drawing no. WP\_PLA\_016 Rev P01);
- Weighbridge Complex Elevations (Drawing no. WP\_PLA\_017 Rev P01);
- Waste Transfer Station Welfare Plan and Details (Drawing no. WP\_PLA\_018 Rev P01);
- Waste Transfer Station Welfare Elevations (Drawing no. WP\_PLA\_019 Rev P01);
- Waste Transfer Station (WTS) GA Plan (Drawing no. WP\_PLA\_020 Rev P02);
- Waste Transfer Centre (WTS) Roof Plan (Drawing no. WP\_PLA\_021 Rev P02);
- Waste Transfer Station (WTS) Elevations (Drawing no. WP\_PLA\_022 Rev P04);
- Waste Transfer Station (WTS) General Sections (Drawing no. WP\_PLA\_023 Rev P01);
- Household Waste Recycling Centre Welfare Plan and Details (Drawing no. WP\_PLA\_024 Rev P01);
- Household Waste Recycling Centre Welfare Elevations (Drawing no. WP\_PLA\_025 Rev P01);
- Resale Store GA Plan and Elevations (Drawing no. WP\_PLA\_026 Rev P01);
- Resale Store Elevations (Drawing no. WP\_PLA\_027 Rev P03);
- Footpath Plan (Drawing no. WP\_PLA\_028 Rev P01);
- Substation Plan and Elevations (Drawing no. WP\_PLA\_029 Rev P01);
- Household Waste Recycling Centre Office Plan and Details (Drawing no. WP\_PLA\_030 Rev P01);
- Household Waste Recycling Centre Office Elevations (Drawing no. WP\_PLA\_031 Rev P01);
- Swept Path Analysis (Drawing no. WP\_PLA\_032 Rev P01);
- Swept Path Analysis (Drawing no. 800516-2022-0000-03 Rev P02.2);
- SUDs Attenuation Lagoon – Sections Sheet 1 of 2 (Drawing no. WP\_PLA\_033 Rev P01);
- SUDs Attenuation Lagoon – Sections Sheet 2 of 2 (Drawing no. WP\_PLA\_034 Rev P02);
- Western Bridleway Section Layout (Drawing no. WP\_PLA\_035 Rev P01);
- Western Bridleway Sections – Sheet 1 of 3 (Drawing no. WP\_PLA\_036 Rev P01);
- Western Bridleway Sections – Sheet 2 of 3 (Drawing no. WP\_PLA\_037 Rev P01);
- Western Bridleway Sections – Sheet 3 of 3 (Drawing no. WP\_PLA\_038 Rev P01);
- Operational Area Boundaries (Drawing no. WP\_PLA\_039 Rev P01);
- Indicative Combined General Arrangement (Drawing no. WP\_PLA\_040)

- Rev P01); and
- Surface Water Drainage Exceedance Management (Drawing no. WP\_PLA\_042 Rev P01).

REASON: To ensure the development is carried out in an acceptable manner and for the avoidance of doubt as to the development that is permitted.

2. The development hereby permitted shall be begun not later than the expiration of 3 years from the date of this permission. Written notification of the date of commencement shall be sent to the Local Planning Authority within 7 days of such commencement.

REASON: To comply with section 91 of the Town and Country Planning Act 1990 as amended by the section 51 of the Planning and Compulsory Purchase Act 2004 and to enable the Local Planning Authority to monitor compliance with the conditions of the planning permission.

Archaeology:

3. **No development shall take place unless and until a written scheme of archaeological investigation that includes post-excavation analysis and publication has been submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in full accordance with the approved scheme.**

**REASON: Details are required to be submitted prior to commencement of the development in order to record and advance the understanding of the heritage assets with archaeological interest which will be unavoidably affected as a consequence of the development and to make the record of this work publicly available in accordance with paragraph 141 of the NPPF and saved Policy GE14 of the Bedfordshire & Luton Minerals & Waste Local Plan 2005.**

Tree Protection:

4. **Notwithstanding the details contained within the submitted Arboricultural Impact Assessment and accompanying Tree Protection Plan nos. 5134801-WP-ZZ-DR-Z-0001 Rev P2 and 5134801-WP-ZZ-DR-Z-0002 Rev P2, no development hereby permitted shall take place unless and until a site specific Arboricultural Method Statement (AMS) has been submitted to and approved in writing by the Local Planning Authority. Such method statement shall include details of and**

provision for:

- Measures for the root protection of trees, shrubs and hedgerows;
- removal of any existing structures and hard surfacing;
- Installation of any temporary ground protection;
- excavations;
- ground works, foundations, drainage and services;
- installation of new hard surfacing (materials, design constraints and implications for levels);
- a schedule of works to trees, shrubs and hedgerows; and
- a schedule of specific events requiring input or arboricultural supervision and monitoring and compliance.

Thereafter, development shall only be carried out in accordance with the approved AMS and the approved protection measures shall be retained for the duration of the construction period.

**REASON:** Details are required to be submitted prior to commencement of the development in order to safeguard the health of existing trees, shrubs and hedgerows on or adjacent to the site for the duration of preparatory and construction works in the interests of visual amenity and nature conservation in accordance with Policies GE9, GE10, GE12 and GE13 of the Bedfordshire & Luton Minerals & Waste Local Plan 2005.

Construction Environmental Management Plan:

5. No development shall take place unless and until a method of working in the form of a Construction Environmental Management Plan (CEMP) to include the following elements has been submitted to and approved in writing by the Local Planning Authority:
- the size and location(s) of any contractors' compounds;
  - arrangements for routing of construction traffic and parking of contractors' vehicles;
  - measures to be adopted and equipment to be used to prevent the trafficking of mud and debris onto the public highway;
  - a Dust Management Plan;
  - measures for the control of noise and vibration;
  - procedures to control lighting impact;
  - procedures to safeguard utilities and services;
  - management and re-use of indigenous soils, control of weeds and disposal of surplus soils and other wastes arising from construction activities;
  - measures to manage and protect surface water run off and mitigate any risk from blockage or severance of drainage pathways throughout the construction period;

- measures for the protection of groundwater;
- stand-off margin(s) to the bank top of the Ouzel Brook watercourse;
- construction site management practice to safeguard against risk to mammals (protected species) throughout the period of construction;
- measures to safeguard and warn users of nearby public rights of way and minimise any disruption to the network; and
- procedures to be adopted in the event of any complaint;

The CEMP as may be approved shall be implemented in full and complied with throughout the construction period.

**REASON:** Details are required to be submitted prior to commencement of the development in the interests of highway safety, the ecology of the site and to protect the amenities at present enjoyed by occupiers of nearby properties and users of the surrounding public right of way network in accordance with saved Policies GE6, GE13, GE17, GE18, GE19, GE20, GE21 and GE23 of the Bedfordshire & Luton Minerals & Waste Local Plan 2005.

Drainage:

6. No development shall take place unless and until construction design details of the bridge structure over the Ouzel Brook including culvert, together with a scaled cross sections through the culvert extending at least 80 metres towards Thorn Road to include:
- the Flood Zone 3 area, incorporating the existing bridleway track to the east and proposed access road; and
  - the intersection of the access road with the bridleway

have been submitted to and approved in writing by the Local Planning Authority. Thereafter, no development shall take place except in accordance with the approved details.

**REASON:** Details are required to be submitted prior to commencement of the development in order to ensure flood risk is not increased by ground-raising above existing levels along the nearby bridleway track and to ensure that the bridge and culvert are of satisfactory design in accordance with the requirements of the Internal Drainage Board and saved Policy GE19 of the Bedfordshire & Luton Minerals & Waste Local Plan 2005.

7. Prior to its construction, and notwithstanding the details in the submitted Drainage Strategy (dated 24 July 2015), final details of the sizing, layout, design and operation of the surface water drainage system for the combined application site and the adjoining site subject to application ref

CB/15/01627/REG3 shall have been submitted to and approved in writing by the Local Planning Authority. Such details shall include demonstration that infiltration will not occur and that parking / storage areas will be of impermeable construction. Thereafter, no construction works shall take place except in accordance with the approved surface water drainage system details.

REASON: To prevent flooding by ensuring the satisfactory disposal of surface water from the site and to ensure that people and property on site are protected from flooding in accordance with paragraph 103 of the NPPF, saved Policy GE19 of the Bedfordshire & Luton Minerals & Waste Local Plan and Policy 49 of the emerging Development Strategy for Central Bedfordshire.

8. Prior to the waste park hereby approved coming into operation, details of a management and maintenance plan for the surface water drainage system over the life of the development shall be submitted for the written approval of the Local Planning Authority. Thereafter, the management and maintenance plan as may be approved shall be complied with at all times.

REASON: To prevent flooding by ensuring the satisfactory disposal of surface water from the site and to ensure that people and property on site are protected from flooding in accordance with paragraph 103 of the NPPF and Policy 49 of the emerging Development Strategy for Central Bedfordshire.

Ecology:

9. **No development shall take place unless and until updated surveys of the site have been undertaken by a suitably qualified ecologist to ascertain the presence of the following protected / BAP species and, if evidence of any of these species is found, no development shall take place except in accordance with an appropriate compensation / mitigation strategy, accompanied by a programme for its implementation, that has first been submitted to and approved in writing by the Local Planning Authority.**
  - a) Reptiles;
  - b) Water Voles;
  - c) Dormice; and
  - d) Otters.

**REASON: Details are required to be submitted prior to commencement of the development in order to protect any protected or rare species and to provide appropriate mitigation / compensation in compliance with Natural England Standing Advice for Protected Species and saved Policy GE13 of the Bedfordshire & Luton Minerals & Waste Local Plan**



**2005.**

10. No felling or removal of limbs from mature trees shall take place unless and until a survey for roosting bats has first been undertaken by a licenced bat ecologist. Should these species be found to be present an appropriate compensation / mitigation strategy accompanied by a programme for its implementation shall have been submitted to and approved in writing by the Local Planning Authority before any such tree works commence. No development shall be carried out except in accordance with the approved strategy.

REASON: To protect any protected or rare species and to provide appropriate mitigation / compensation in compliance with Natural England Standing Advice for Protected Species and saved Policy GE13 of the Bedfordshire & Luton Minerals & Waste Local Plan 2005.

11. No tree, shrub, scrub or other vegetation clearance works shall be carried out during the bird nesting season (March to August inclusive) unless the vegetation identified for removal has been immediately prior checked by an appropriately qualified ecologist and appropriate advance measures put in place to afford necessary protection to the written satisfaction of the Local Planning Authority.

REASON: To safeguard nesting birds in the interests of nature conservation in accordance with saved Policy GE13 of the Bedfordshire & Luton Minerals & Waste Local Plan 2005.

Pollution:

12. If, during construction of the development, contamination not previously identified is found to be present at the site, then no further works shall be carried out until the developer has submitted a method statement detailing how the unsuspected contamination shall be dealt with and obtained the written approval from the Local Planning Authority. This method statement shall detail how the unsuspected contamination is to be dealt with and work shall thereafter be carried out in accordance with the approved details.

REASON: To protect and prevent pollution of controlled waters in accordance with saved Policies GE17 and GE20 of the Bedfordshire & Luton Minerals & Waste Local Plan 2005.

13. No materials shall be imported to the site for purposes of construction of the development platform except the following classifications of engineering fill as defined in the '*Manual of Contract Documents for Highway Works – Volume 1 Specification for Highway Works Series 600 Earthworks*':

- Class 1A / 1B – general granular fill;
- Class 2A / 2B / 2C – general cohesive fill;
- Class 3 – general chalk fill.

and all such materials shall be placed and compacted in accordance with this manual.

REASON: To ensure that the site is suitable for its intended use and to protect the quality of the water environment in accordance with saved Policy GE17 of the Bedfordshire & Luton Minerals & Waste Local Plan 2005 and Policy 44 of the emerging Development Strategy for Central Bedfordshire.

Noise:

14. In accordance with the results of the BS4142 daytime and night time assessments in the Noise and Vibration chapter of the revised Environmental Statement (dated August 2015), as set out in Table nos. 8-19 and 8-20 of that document, the rating level from the noise sources on the operational site shall not exceed the recorded background level at the noise-sensitive properties identified.

REASON: To minimise nuisance to nearby residents by reason of noise in accordance with saved Policy GE18 of the Bedfordshire & Luton Minerals & Waste Local Plan 2005 and saved Policy BE8 of the South Bedfordshire Local Plan First Review 2004.

15. Prior to the waste park hereby permitted coming into operation, a scheme for the monitoring and control of noise from the operational site shall have been submitted to and approved in writing by the Local Planning Authority and thereafter no activities or operations shall take place except in accordance with the approved scheme. The scheme shall include and provide for:
- noise monitoring and recording procedures;
  - presentation of monitoring results to the Local Planning Authority; and
  - measures for the suppression and mitigation of noise, including but not limited to the use of broadband reversing alarms; and
  - procedures to be adopted in the event of complaints or the maximum permitted noise levels referred to in condition 14 of this permission being exceeded.

Thereafter, the scheme as may be approved shall be implemented in full and complied with at all times.

REASON: To enable the impact of operational noise to be monitored and controlled and mitigation steps to be devised where necessary so as to minimise nuisance to nearby properties by reason of noise in accordance with saved Policy G18 of the Bedfordshire & Luton Minerals & Waste Local

Plan 2005.

Construction and Operational hours:

16. No construction works associated with the development hereby permitted shall take place except between the following:  
0800 to 1800 hours Mondays to Fridays  
0800 to 1300 hours Saturdays

and no such works shall take place on Sundays or Public / Bank Holidays.

REASON: To minimise noise impacts arising from construction activities in the interests of protecting the amenity of nearby residential properties and users of the public rights of way network in accordance with saved Policy GE18 of the Bedfordshire & Luton Minerals & Waste Local Plan and saved Policy BE8 of the South Bedfordshire Local Plan Review.

17. No operations or activities authorised by this permission shall take place within the area shaded red on drawing no. WP\_PLA\_039 Rev P01 (Operational Area Boundaries) except between the following hours:

**Waste Transfer Station:**

0600 to 1730 hours Mondays to Fridays  
0600 to 1300 hours Saturdays  
0630 to 1600 hours Sundays  
0630 to 1700 hours Public / Bank Holidays.

with the exception that no operations shall take place on Christmas Day or New Year's Day.

**Household Waste Recycling Centre and Re-sale Shop:**

0700 to 1800 hours Mondays to Sundays, including Public / Bank Holidays.

with the exception that no operations shall take place on Christmas Day or New Year's Day.

REASON: To minimise noise impacts arising from operational activities in the interests of protecting the amenity of nearby residential properties and users of the public rights of way network in accordance with saved Policy GE18 of the Bedfordshire & Luton Minerals & Waste Local Plan and saved Policy BE8 of the South Bedfordshire Local Plan Review.

18. Prior to 0700 hours, no waste operations or activities shall take place outside the Waste Transfer Station building except for purposes of vehicle access / egress to that building.

REASON: To minimise noise impacts from operational activities in the

interests of protecting the amenity of nearby residential properties and users of the public rights of way network in accordance with saved Policy GE18 of the Bedfordshire & Luton Minerals & Waste Local Plan.

19. Prior to 0700 hours, no loading, unloading or other waste handling operations shall take place inside the Waste Transfer Station building unless all of the fast-acting doors are fully closed. .

REASON: To minimise noise impacts from operational activities in the interests of protecting the amenity of nearby residential properties and users of the public rights of way network in accordance with saved Policy GE18 of the Bedfordshire & Luton Minerals & Waste Local Plan.

HGV traffic:

20. There shall not be more than 120 Heavy Goods Vehicle<sup>1</sup> movements<sup>2</sup> entering and exiting the operational area of the site (as shown shaded red on drawing no. WP\_PLA\_039 Rev P01) on any working day (pro-rata for part working days).

REASON: In the interests of highway safety and in accordance with saved Policy GE23 of the Bedfordshire & Luton Minerals & Waste Local Plan 2005 and Policy 25 of the emerging Development Strategy for Central Bedfordshire.

Travel Plan:

21. In accordance with the Green Travel Plan Framework submitted in support of the application, within 6 months of the occupation of the development first being brought into use, a Travel Plan shall be submitted for the written approval of the Local Planning Authority. Such Travel Plan shall include details of and provision for:

- predicted travel to and from the site;
- a HGV freight management plan, incorporating measures to co-ordinate deliveries and collections of waste, route optimisation, minimising travel through Dunstable town centre and maximising use of the strategic road network;
- details of existing and proposed transport links, to include links to pedestrian, cycles and public transport networks;
- measures and targets to minimise private car use and facilitate walking, cycling and use of public transport;
- timetable for implementation of measures designed to promote travel choice;
- details of cycle parking facilities;
- details of marketing and publicity for sustainable modes of transport to include site specific travel information packs, to include:

- travel and transport information,
- travel vouchers,
- details of relevant pedestrian, cycle and public transport routes to / from within the site,
- copies of relevant bus and rail timetables;
- details of the appointment of a travel plan co-ordinator;
- an action plan listing the measures to be implemented and relevant timescales; and
- annual monitoring and review of the Travel Plan for a period of 5 years.

The Travel Plan as may be approved shall be implemented in full and complied with at all times.

REASON: In the interests of sustainability and to minimise traffic impacts from the operational development in accordance with Policy 26 of the emerging Development Strategy for Central Bedfordshire.

Public Rights of Way:

22. The access road hereby approved shall include, as part of its construction, ducting for electrical connection to facilitate future upgrades through the provision of Pegasus crossings at the points where Bridleway 49 intersects with the access road and across Thorn Road to the east of its junction with the access road.

REASON: To allow for the timely delivery of suitable upgrades to the public rights of way network at an appropriate time in accordance with saved Policy GE21 of the Bedfordshire & Luton Minerals & Waste Local Plan 2005.

Highway Safety:

23. Prior to the waste park hereby permitted coming into operation, a highway safety scheme shall have been implemented in accordance with details previously submitted to and approved in writing by the Local Planning Authority. Such scheme shall include details of and provision for:
- a) construction of a timber fenced holding area for horses on both sides of the access road at the point where it is intersected by Bridleway no. 49;
  - b) construction of speed retarders or sleeping policeman on the site access road either side of its intersection with Bridleway no. 49; and
  - c) the specification and positioning of suitable signage warning bridleway users of site traffic and vice versa, including potential for sudden noise impacts.

Such measures shall be retained for the life of the development.

REASON: In the interests of safety for users of the highway and public rights

of way network in accordance with saved Policies GE21 and GE23 of the Bedfordshire & Luton Minerals & Waste Local Plan 2005 and Policy 25 of the emerging Development Strategy for Central Bedfordshire.

Environmental Protection and monitoring of impacts:

24. No activities or operations hereby permitted shall take place except in accordance with the operational dust control measures set out in the 'Addendum to Planning Statement – Summary of Proposed Mitigation Measures' (dated July 2015).

REASON: To minimise nuisance to nearby receptors by reason of dust and to protect the amenities of surrounding land users in accordance with saved Policy GE18 of the Bedfordshire & Luton Minerals & Waste Local Plan 2005.

25. Prior to the use of the external lighting hereby permitted, a scheme for the monitoring of lighting impact from the site for a period of 1 year from the date of commencement of waste management uses hereby permitted shall be submitted for the written approval of the Local Planning Authority. Such scheme shall include details of and make provision for:
- a) a methodology for assessing light spill and glare;
  - b) presentation of assessment results to the Local Planning Authority;
  - c) a review of the effectiveness of procedures for the control of lighting use outside permitted operational hours and any additional control measures to be introduced during those times;
  - d) appropriate mitigation measures to be introduced taking account of the assessment results provided under part b) to further reduce the impact on sensitive receptors, including wildlife corridors on and surrounding the site; and
  - e) a programme for implementation of the above.

The scheme as may be approved shall be complied with at all times.

REASON: To allow lighting impacts to be assessed against predicted effects and further mitigation measures or controls to be introduced and to minimise disturbance by reason of light spill and glare in accordance with saved Policies GE13 and GE18 of the Bedfordshire & Luton Minerals & Waste Local Plan 2005 and Policy BE8 of the South Bedfordshire Local Plan Review.

26. Prior to the waste park hereby permitted coming into operation, a scheme for the monitoring of water quality for a period of 1 year shall be submitted for the written approval of the Local Planning Authority. Such scheme shall include details of and make provision for:

- a) a technical assessment to establish whether any contaminants are present in surface water run off and in the discharge from the SUDs pond;
- b) presentation of assessment results to the Local Planning Authority;
- c) identification of any remedial measures to be introduced in the light of assessment results provided under part a); and
- d) a programme for implementation of the above.

Such scheme as may be approved shall be implemented in full.

REASON: To allow water quality impacts to be assessed in accordance with saved Policies GE17 and GE20 of the MWLP and Policy 44 of the emerging Development Strategy for Central Bedfordshire.

27. Notwithstanding the details contained within the submitted Odour Management Plan (dated 20 July 2015), prior to the waste park hereby permitted coming into operation, a scheme for the monitoring of odour impacts from the site for a period of 1 year shall be submitted for the written approval of the Local Planning Authority. Such scheme shall include details of and make provision for:
- a) a methodology for assessing odour impacts;
  - b) presentation of assessment results to the Local Planning Authority;
  - c) identification of additional mitigation measures to be adopted in the light of the assessment results provided under part a); and
  - d) a programme for implementation of the above.

Such scheme as may be approved shall be implemented in full.

REASON: To assess the impacts of the development against predicted effects and further mitigation measures or controls to be introduced and to minimise nuisance to nearby receptors by reason of odour and in accordance with saved Policy GE18 of the Bedfordshire & Luton Minerals & Waste Local Plan 2005.

#### Facing Materials:

28. Prior to their use on site, and notwithstanding the details submitted with the application, samples of proposed facing materials and external finishes of the waste transfer station building, resale shop and ancillary buildings, structures and enclosures approved by this permission, and a schedule of the colour of the external finishes of the windows, doors, roofs, soffits and fascias, and gutters and rainwater goods of the buildings, shall be submitted to the Local

Planning Authority for its approval in writing. Development shall only be carried out in accordance with the approved details.

REASON: In the interests of visual amenity and to control the appearance of the buildings in accordance with Policy WSP3 of the Minerals & Waste Local Plan: Strategic Sites & Policies (2014) and Policy BE8 of the South Bedfordshire Local Plan Review.

Landscaping:

29. Planting and landscaping of the site shall be undertaken in accordance with the details and specifications shown on drawing nos. WP\_PLA\_007 Rev P03 and WP\_PLA\_008 Rev P03) and contained within the document entitled 'Works Information – Specification Appendices Series 3000: Landscape and Ecology (Amendment 2 dated 3 August 2015) All works shall be completed no later than the end of the first full planting and seeding seasons immediately following the completion of construction activities hereby approved. The trees, shrubs, hedgerow plants and grassland areas shall be maintained for a period of 5 years from the date of planting in accordance with the 'Works Information – Specification Appendices Series 3000: Landscape and Ecology' (Amendment 2 dated 3 August 2015). Any failed, damaged or missing plants during this period shall be replaced with others of a similar size and species and maintained until satisfactorily established.

REASON: In the interests of visual amenity and to provide suitable compensatory planting for that impacted by the development in accordance with saved Policies GE9 and GE10 of the Bedfordshire & Luton Minerals & Waste Local Plan 2005.

30. Prior to the waste park hereby permitted coming into operation, a scheme for the phased establishment of supplementary hedge, tree and shrub planting to the east of the access road between the Ouzel Brook and Thorn Road shall be submitted for the written approval of the Local Planning Authority. Such a scheme shall include a programme for its implementation, having regard to development that may come forward for employment uses on surrounding land in the event of any forthcoming reserved matter approvals pursuant to outline planning permission (ref CB/15/01928/REG3), and its maintenance for a period of 5 years from the date of planting. Any failed, damaged or missing plants during this period shall be replaced with others of a similar size and species and maintained until satisfactorily established. The planting shall be carried out in accordance with the approved scheme and phasing programme

REASON: In the interests of visual amenity and to provide suitable compensatory planting for that impacted by the development in accordance



with saved Policies GE9 and GE10 of the Bedfordshire & Luton Minerals & Waste Local Plan 2005.

#### Habitat Management:

31. Prior to the waste park hereby permitted coming into operation, a habitat and biodiversity enhancement and management plan for the site shall have been submitted to and approved in writing by the Local Planning Authority. Such plan shall be fully informed by the findings of the species surveys and complement the species mitigation / compensation strategies approved pursuant to conditions 9 and 10 respectively of this permission and also include provision of bird boxes. The plan as may be approved shall be implemented in full and complied with at all times.

REASON: To secure ecological improvements in accordance with saved Policy GE13 of the Bedfordshire & Luton Minerals & Waste Local Plan 2005.

#### Highway Design

32. No part of the development shall be brought into use unless and until a scheme of highways improvement works has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall include construction details of approved access arrangements and crossing facilities at Thorn Road and footway / cycleway provision along the site frontage. The scheme as may be approved in writing shall be implemented in full prior to the waste park hereby permitted coming into operation.

REASON: To ensure that the proposed highway works are constructed to adequate standard, are appropriate and proportionate to the mitigation required to serve the development and that public rights of way are protected, enhanced and promoted as part of the development in accordance with the saved Policies GE23 and GE21 of the Bedfordshire & Luton Minerals & Waste Local Plan 2005 and the NPPF.

#### **Notes to Applicant**

##### Informatives:

1. <sup>1</sup>With reference to condition 20, Heavy Goods Vehicle (HGV) means a vehicle above a gross weight of 7.5 tonnes.
2. <sup>2</sup>For the purposes of condition 20, a single Heavy Goods Vehicle entering and leaving the site, whether loaded or empty, shall count as 2 movements).

3. With reference to Condition 25, the lighting scheme shall be designed to comply with the Institute of Lighting Engineers Guidance Notes for the reduction of Obtrusive Light.
4. The applicant is advised to ensure that the public bridleway remains available at all times during construction and safe for the public to continue to use with appropriate signage. Should it become apparent that the public bridleway needs to be temporarily closed or diverted on public safety grounds, the Rights of Way Team will need to be contacted so that a temporary closure order can be processed. The lead in time for a temporary closure is a minimum of 6 weeks – i.e. 6 weeks notice before the proposed closure date is required for the team to process and advertise the closure.
5. The applicant's attention is drawn to the content of the letters from the Environment Agency dated 14 July 2015 and Anglian Water dated 9 June 2015.
6. Pre-commencement conditions are shown in bold text.

[Notes:

1. In advance of consideration of the application the Committee was advised of an additional re-consultation response from Dunstable Town Council, a request by the Highways Development Control Officer for a condition relating to detailed highway design plus wording for the proposed condition and objections from a Chalk Hill resident as detailed in the Late Sheet.
2. In advance of consideration of the application the Committee received representations made in accordance with the Public Participation Scheme.]