

Item No. 9

APPLICATION NUMBER	CB/15/01627/REG3
LOCATION	Land at Thorn Turn, Thorn road, Houghton Regis, Dunstable LU6 1RT
PROPOSAL	Development of a winter maintenance depot (including salt storage bar, outdoor salt mixing area & stabling for gritting vehicles), highways depot (including stores area and vehicle maintenance shed, together with storage for vehicles and spares and vehicles associated with the Council's landscaping function), office block, overnight parking for highways maintenance and transport passenger fleet vehicles, staff car/cycle parking, operational yards, lighting, fencing, drainage, landscaping and new access road from Thorn Road.
PARISH	Houghton Regis
WARD	Houghton Hall
WARD COUNCILLORS	Cllrs: S Goodchild & J Kane
CASE OFFICER	Jerry Smith
DATE REGISTERED	21.05.2015
EXPIRY DATE	10.09.2015
APPLICANT	Central Bedfordshire Council
AGENT	Atkins Global
REASON FOR Call in to Committee	Council application
COMMITTEE TO DETERMINE	
RECOMMENDED DECISION	Approval

Summary of Recommendation:

This application relates to the proposed development of a winter maintenance and highways depot on land at Thorn Turn. The site lies within the Green Belt and would be harmful to the Green Belt due to its inappropriateness and its impact on openness. In line with national planning policy, substantial weight is to be attached to Green Belt harm and any other harm identified. The application has been treated as a departure.

The site is located within an area identified for growth in successive emerging development plans and forms part of the proposed North Houghton Regis Strategic Allocation in the emerging Development Strategy for Central Bedfordshire (DSCB). It also forms part of a parcel of land allocated for development as a strategic waste management site within the adopted Minerals and Waste Local Plan. Whilst the proposal is not for such a land use, it is noted that an application reported elsewhere on this agenda has come forward for such a facility thereby giving some certainty over the remaining areas of the allocation being surplus to requirements for the delivery of that use. The allocated site can provide for waste management development in addition to the proposed winter maintenance and highways depot.

Very special circumstances as detailed in the report have been identified and are collectively considered to outweigh the harm to the Green Belt. The proposals would be of a character and scale broadly similar to the proposed waste development and benefits of co-locating these functions is acknowledged. The need for the development is accepted in order to provide a fit for purpose facility from which key statutory functions can be sustainably delivered overcoming environmental drawbacks associated with existing provision. An alternative site search has not identified a preferable location being available outside the Green Belt within the parameters of project delivery.

The scheme would give rise to the loss of 1.54 ha of best and most versatile agricultural land in conflict with Saved Policy NE10 of the South Bedfordshire Local Plan. Substantial woodland would also be lost although a broader mix of large-scale compensatory planting is proposed. Less than substantial harm has been identified to heritage assets. The harm caused by these impacts is considered to be outweighed by the identified very special circumstances in the wider public interest. Subject to suitable mitigation, no other significant environmental impacts would arise as a result of the development and, in all other respects, the proposals are considered to be in conformity with the adopted Development Plan policies, the emerging DSCB and national policy contained in the National Planning Policy Framework. Committee's resolution at its July meeting to grant planning permission, subject to Secretary of State referral, for commercial development on the northern part of the allocated site is considered to further strengthen the case for supporting the proposals.

It is recommended that, subject to referral to the Secretary of State, 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.

Recommendation

That the Development Infrastructure Group Manager be authorised to GRANT Planning Permission subject to the prior consultation of the Secretary of State, in accordance with the Town and Country Planning (Consultation) (England) Direction 2009 and subject to the following conditions:

RECOMMENDED CONDITIONS

General:

1. Planning permission shall extend to the area delineated by a solid red line on the attached plan no. CB/15/01627/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 18/05/2015;
- Planning Supporting Statement (dated May 2015);
- Addendum to Planning Statement Summary of Proposed Mitigation Measures (dated July 2015);
- Design and Access Statement (dated 8 May 2015);
- Flood Risk Assessment (dated 13 May 2015);
- Ian Farmer Associates Ground Investigation Report (dated December 2012);
- Economic Statement (dated 12 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-ATK-HD-ZZ-DR-Z-0001 Rev P2;
- Tree Protection Plan No. 5134801-ATK-HD-ZZ-DR-Z-0002 Rev P2;
- Thorn Turn Ecological Surveys Update (dated 3 July 2015);
- Outdoor Access Statement (dated 19 May 2015);
- Green Travel Plan (dated 1 May 2015);
- Statement of Conformity with the Equality Act (received 20 July 2015)
- Anticipated Vehicle Movements Plus Assumptions (received 19 July 2015);
- Thorn Turn Ecological Surveys Update (dated 3 July 2015);
- Works Information - Specification Appendices; Landscape and Ecology (dated 5 August 2015);
- Drainage Strategy (dated 24 July 2015);
- Lighting Strategy (received 29 July 2015);
- Great Crested Newt Report (dated 4 August 2015);
- Amended Noise and Vibration ES Chapter (revised August 2015).
- Thorn Turn Schedule of emails submitted during the determination period.

Drawings:

- Site Location Plan (Drawing No.HD_PLA_001 Rev P01);
- Planning Application Boundary (Drawing No.HD_PLA_002 Rev P01);
- Finished Levels (Drawing No.HD_PLA_004 Rev P01);
- Indicative General Arrangement (Drawing No.HD_PLA_005 Rev P04);
- Indicative Drainage Layout (Drawing No.HD_PLA_006 Rev P03);
- Landscape Plan Sheet 1 of 2 (Drawing No.HD_PLA_007 Rev P2);
- Landscape Plan Sheet 2 of 2 (Drawing No.HD_PLA_008 Rev P2);
- Landscape Planting Details and Schedule (Drawing No.HD_PLA_009 Rev P2);
- Access Road Details (Drawing No.HD_PLA_010 Rev P01);
- SuDS Attenuation Lagoon (Drawing No.HD_PLA_011 Rev P03);
- Pavement, Kerbing and Fencing Layout (Drawing No.HD_PLA_012 Rev P02);

- Earthwork Sections (Sheet 1 of 3) (Drawing No.HD_PLA_013 Rev P02);
- Earthwork Sections (Sheet 2 of 3) (Drawing No.HD_PLA_014 Rev P02);
- Earthwork Sections (Sheet 3 of 3) (Drawing No.HD_PLA_015 Rev P03);
- Road Lighting ISO-LUX South Contours (Drawing No.HD_PLA_016 Rev P03);
- Salt Barn Roof Plan (Drawing No.HD_PLA_017 Rev P01);
- Salt Barn Elevations (Drawing No.HD_PLA_018 Rev P01);
- Highways Welfare Office Plan and Elevation (Drawing No.HD_PLA_019 Rev P01);
- Highways Maintenance Depot GA Plan (Drawing No.HD_PLA_020 Rev P02);
- Highways Maintenance Roof Plan (Drawing No.HD_PLA_021 Rev P02);
- Highways Maintenance Depot Elevations (Drawing No.HD_PLA_022 Rev P03);
- Highways Maintenance Depot Internal Section Elevations (Drawing No.HD_PLA_023 Rev P03);
- Highways Maintenance Depot General Section (Drawing No.HD_PLA_024 Rev P03);
- Footpath Plan (Drawing No.HD_PLA_025 Rev P01);
- Covered Stores for Road Safety Cars & Cycle Store GA Plan & Elevations (Drawing No. HD_PLA_026 Rev P02);
- Swept Path Analysis (Drawing No. HD_PLA_027 Rev P01);
- Swept Path Analysis (Drawing No. 800516-2022-0000-03 Rev P02.2);
- SuDS Attenuation Lagoon Sections Sheet 1 of 2 (Drawing No. HD_PLA_028 Rev P01);
- SuDS Lagoon Sections Sheet 2 of 2 (Drawing No. HD_PLA_029 Rev P02);
- Highways Welfare Office Elevations (Drawing No.HD_PLA_030 Rev P01);
- Western Bridleway Section Layout (Drawing No. HD_PLA_031 Rev P01);
- Western Bridleway Sections Sheet 1 of 3 (Drawing No. HD_PLA_032 Rev P01);
- Western Bridleway Sections Sheet 2 of 3 (Drawing No. HD_PLA_033 Rev P01);
- Western Bridleway Sections Sheet 3 of 3 (Drawing No.HD_PLA_034 Rev P01);
- Highways Depot General Arrangement (Drawing No.HD_PLA_035 Rev P02);
- Highways Depot Car Park Dewatering Bay & Hot Box Plinth (Drawing No.HD_PLA_036 Rev P01);
- Highways Depot Car Park Salt Mixing Bay & Vehicle Hot Wash (Drawing No.HD_PLA_037 Rev P01);
- Highways Depot Car Park Vehicle Fuelling Area (Drawing No.HD_PLA_038 Rev P01);

- Operational Area Boundaries (Drawing No. HD_PLA_039 Rev P01);
- Indicative Combined General Arrangement (Drawing No. HD_PLA_040 Rev P01);
- Highways Depot Yard Cold Wash Elevations (Drawing No.HD_PLA_041 Rev P01);
- Highways Depot Yard Glycol Storage and Vehicle Spares Store Elevations (Drawing No.HD_PLA_042 Rev P01);
- Surface Water Drainage Exceedance Management (Drawing No.WP_PLA_042 Rev P01);

REASON: To ensure that 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 the requirements of section 91 of the Town and Country Planning Act 1990 (as amended) by section 51 of the Planning and Compulsory Purchase Act 20014 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 the 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 Policy 45 of the emerging Development Strategy for Central Bedfordshire.

Tree Protection:

4. **Notwithstanding the details contained within the submitted Arboricultural Impact Assessment and accompanying Tree Protection Plan Nos. 5134801-ATK-HD-ZZ-DR-Z-0001 Rev P2 and 5134801-ATK-HD-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 the 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 saved Policy BE8 of the South Bedfordshire Local Plan Review.

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 for the control of 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;**
 - **measures to manage and contain 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 top bank 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 the 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 Policy BE8 of the South Bedfordshire Local Plan Review.

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 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 the 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 Policy 49 of the emerging Development Strategy for Central Bedfordshire.

7. Prior to its construction, and notwithstanding the details in the submitted Drainage Strategy (dated 24 July 2015), final details of the design 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/15/01626/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

and Policy 49 of the emerging Development Strategy for Central Bedfordshire.

8. Prior to the highways and winter maintenance depot 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 the commencement of the development in order to safeguard any protected or rare species and to provide appropriate mitigation / compensation in compliance with Natural England Standing Advice for Protected Species and the NPPF.

10. **No development shall take place unless and until the outlier sett, and any other additional sett(s) which may be identified on the site following a further walkover survey immediately prior to the commencement of the development, are closed and removed in accordance with a licence granted by Natural England.**

REASON: A walkover is required prior to the commencement of the development in order to safeguard species protected by law.

11. 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 licensed 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 safeguard any protected or rare species and to provide appropriate mitigation / compensation in compliance with Natural England Standing Advice for Protected Species.

12. 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.

Pollution:

13. 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 Policy 44 of the emerging Development Strategy for Central Bedfordshire.

14. 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 Policy 44 of the emerging Development Strategy for Central Bedfordshire.

Noise (day-time 07:00 -23:00 hrs):

15. In accordance with the results of the BS:4142 day-time in the Noise and Vibration chapter of the revised Environmental Statement (dated August 2015), as set out in Table 8.22 of that document, the rating level from the noise sources on the operational site shall not exceed those specified between 07:00 and 23:00 hrs.

REASON: To minimise nuisance to nearby residents by reason of noise in accordance with saved Policy BE8 of the South Bedfordshire Local Plan Review.

Noise (night-time 23:00 -07:00 hrs):

16. Prior to the use hereby permitted coming into operation, a scheme for the control and monitoring of noise from the operational site between 23:00 and 07:00 hrs 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:

- a) The operations associated with the use of the highways depot and winter maintenance/gritting lorries;
- b) Noise monitoring and recording procedures;
- c) Presentation of monitoring results to the Local Planning Authority;
- d) Measures for the suppression and mitigation of noise, including but not limited to the use of broadband reversing alarms; and
- e) Procedures to be adopted in the event of complaints.

Thereafter the scheme as may be approved shall be implemented in full and complied with at night-time for the life of the development.

REASON: To minimise nuisance to nearby residents by reason of noise in accordance with saved Policy BE8 of the South Bedfordshire Local Plan Review.

Construction and Operational Hours:

17. No construction works associated with the development hereby permitted shall take place except between the following times:

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 BE8 of the South Bedfordshire Local Plan Review.

18. No operations or activities authorised by this permission shall take place within the area shaded blue on Drawing No. HD_PLA_039 Rev P01 (Operational Area Boundaries) except between 0700 to 1800 hours daily unless in connection with essential winter maintenance and/or emergency highway maintenance operations, including the washing down of returning vehicles, which shall also be permitted to be undertaken between 1800 and 0700 hours daily.

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 BE8 of the South Bedfordshire Local Plan Review.

HGV Traffic:

19. There shall not be more than 218 Heavy Goods Vehicle¹ movements² entering and exiting the operational area of the site (as shown shaded blue on Drawing No. HD_PLA_039 Rev P01) on any working day.
REASON: In the interests of highway safety and in accordance with Policy 25 of the emerging Development Strategy for Central Bedfordshire.

Travel Plan:

20. 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 HGV¹ freight management plan, incorporating measures to co-ordinate deliveries and collections of materials/equipment, 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, cycle 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:

21. 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.

Highway Safety Scheme:

22. Prior to the commencement of the highways and winter maintenance depot use hereby permitted, 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 Policy 25 of the emerging Development Strategy for Central Bedfordshire.

Environmental Protection and monitoring of impacts

23. Prior to the commencement of the highways and winter maintenance depot use hereby permitted, a scheme for the suppression and control of airborne dust and the monitoring of operational airborne dust impacts for a

period of 1 year shall have been submitted to and approved in writing by the Local Planning Authority. Such scheme shall include details of and provision for:

- a) suppression of dust generated by handling and storage of materials and the movement of plant and vehicles on external site areas;
- b) a protocol for the recording and management of any dust-related complaints;
- c) a methodology for assessing dust impacts, including reference to monitoring points around the site, arrangements for measurement of wind speed and identification of maximum / target dust levels;
- d) presentation of assessment results to the Local Planning Authority;
- e) a programme for implementation of the above elements.

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

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 BE8 of the South Bedfordshire Local Plan Review.

24. 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 the highway and winter maintenance use 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 impacts and further mitigation measures or controls to be introduced and to minimise disturbance by reason of light spill and glare in accordance with saved Policy BE8 of the South Bedfordshire Local Plan Review.

25. Prior to the commencement of the highway and winter maintenance use hereby permitted, 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);
- 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 Policy 44 the emerging Development Strategy for Central Bedfordshire.

Facing Materials:

26. Prior to their use on site, and notwithstanding the details submitted with the application, samples of proposed facing materials and external finishes of the highways office, salt barn, highways depot/vehicle maintenance workshop, gritter store, landscape tool shed/lawnmower store 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 saved Policy BE8 of the South Bedfordshire Local Plan Review.

Landscaping:

27. Planting and landscaping of the site shall be undertaken in accordance with the details and specifications shown on Drawing Nos. HD_PLA_007 Rev P2 and HD_PLA_008 Rev P2) and contained within the document entitled 'Works Information – Specification Appendices Series 3000: Landscape and Ecology'. 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'. 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.

28. Prior to the commencement of the highways and winter maintenance depot use hereby permitted, 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.

29. Notwithstanding the details shown on Landscape Plan Sheet 2 of 2 (Drawing No.HD_PLA_008 Rev P2), prior to the commencement of the highways and winter maintenance depot use hereby permitted, a detailed scheme for the provision of landscaping and habitat creation on pockets of land to the south of the application site shall be submitted for the written approval of the Local Planning Authority. The scheme, together with a programme for its implementation and maintenance for a period of 5 years from the date of planting/sowing, shall provide a mix of habitats including the following elements:

- a) Pockets of woodland planting to assist the integration of the development and its screening from nearby residential properties;
- b) Areas of hedgerow comprising native fruiting shrubs; and
- c) Areas of chalk grassland and bare ground.

Any failed, damaged or missing plants during the 5 year period referred to above shall be replaced with others of a similar size and species and maintained until satisfactorily established. The development shall be carried out in accordance with the approved scheme.

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

Habitat Management:

30. Prior to the commencement of the highways and winter maintenance depot use hereby permitted, 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, 10 and 11 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 the interests of nature conservation.

Highway Design

31. 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

1. The applicant's attention is drawn to the content of the letters from the Environment Agency dated 14/07/2015 and Anglian Water dated 09/06/2015.
2. With reference to condition 10 the applicant is advised that closure of the badger sett will require an application for a licence to be granted by Natural England. Closure of the sett will need to be undertaken in full accordance with the terms and conditions of any such licence which may be issued.
3. ¹ With reference to conditions 19 and 20, Heavy Goods Vehicle (HGV) means a vehicle above a gross weight of 7.5 tonnes.
4. ² With reference to condition 19, for the purposes of this condition, a single Heavy Goods Vehicle entering and leaving the site, whether loaded or empty, shall count as 2 movements).
5. With reference to Condition 24, the lighting scheme shall be designed to comply with the Institute of Lighting Engineers Guidance Notes for the reduction of Obtrusive Light.
6. With reference to condition 29, the applicant's attention is drawn to the archaeological resource of this land and the presence of overhead cables which should inform the scheme design.

7. The applicant is advised to ensure that the Bridleway No 49 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 order.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 Part 5, Article 35

The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process, forwarding consultation responses in a timely manner and providing opportunities for the applicant to resolve issues, which led to improvements to the scheme, and giving the applicant advance sight of the draft planning conditions. 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) Order 2015.

[Notes:

1. In advance of consideration of the application the Committee was advised of an additional re-consultation response from Dunstable Town Council and the Public Protection Officer, a request by the Highways Development Control Officer for a condition relating to detailed highway design plus wording for the proposed condition, amendments to proposed Condition 1 and objections from a Chalk Hill resident as detailed in the Late Sheet.
2. In advance of consideration of the application the Committee was advised that alterations would be necessary to some of the Drawing Nos. listed under Condition 1 for consistency purposes but this would not alter the content of the application before Committee.
3. In advance of consideration of the application the Committee received representations made in accordance with the Public Participation Scheme.]