

Item No. 7

APPLICATION NUMBER	CB/15/03078/REG3
LOCATION	Stratton Business Park, Pegasus Drive, Biggleswade
PROPOSAL	Outline: B1, B2 & B8 use employment development with associated infrastructure and ancillary works; all matters reserved except means of access
PARISH	Biggleswade
WARD	Biggleswade South
WARD COUNCILLORS	Cllrs Lawrence & Woodward
CASE OFFICER	Alex Harrison
DATE REGISTERED	17 August 2015
EXPIRY DATE	16 November 2015
APPLICANT	CBC Assets & Denison Investments Ltd
AGENT	Woods Hardwick Planning
REASON FOR COMMITTEE TO DETERMINE	Part of the application site is unallocated and in the open countryside and is therefore a departure from the development plan.
RECOMMENDED DECISION	Outline Application - Granted

Reasons for recommendation

The proposed expansion of Stratton Business Park would amount to development to secure sustainable economic growth in what is considered to be a sustainable location partly within an allocation and partly in an intended allocation. The scheme has been amended since its original submission to proactively address objections raised by Historic England over the impact on the setting of the nearby Scheduled Ancient Monument. The amended access and landscape arrangements are considered to address these objections and improve the scheme in a highways context, ensuring all traffic resultant for the scheme would flow through the existing business park, which has capacity to accommodate it. The location of existing dwellings in the area are such that there will not be harm to neighbouring amenity. The proposal is considered to incorporate sustainable drainage measures and will deliver a net gain in Green Infrastructure through new landscaping and facilitating an amended rights of way network.

Site Location:

The application site forms just under 42ha of predominantly arable farmland. It sits adjacent to the existing Stratton Business Park and is adjacent to the established settlement limits at its south-eastern extent. The site is therefore within open countryside. To the north of the site runs Dunton Lane with a Scheduled Ancient Monument beyond. A number of residential dwellings lie to the north east, beyond an existing area of open space. To the west lies the existing business park. The south and eastern boundaries abut further open countryside. To the southeast lies

Stratton Farmhouse. Landscape planting has recently taken place adjacent the southern boundary.

There are a number of public rights of way that run through and adjacent to the site and these are subject to separate consents to divert and stop up where relevant.

The Application:

Outline planning permission is sought for the development of the site as an expansion to Stratton Business Park. Development would comprise B1 (business), B2 (general industrial) and B8 (storage and distribution) employment development.

All matters are reserved aside from the access arrangement. The application has been amended since its original submission to change the access arrangements. The original submission shows access primarily gained through the existing road network within the business park (principally from Pegasus Drive, secondarily from Market Garden Way) and also through an access proposed off Dunton Lane to the north. The amended plans have removed the Dunton Lane access and the proposal now shows access solely gained through the existing business park.

The site is split into two parcels, the Council owns what is regarded as Phase 5 (approx. 16ha) and Dennison Investments, acting on behalf of their landowner client, occupy what is regarded as Phase 6 (approx. 23ha). Drainage proposals include utilising an existing balancing pond adjacent the northeast of the site and the land adjacent the eastern and southern boundaries have been subject to advanced landscaping.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Core Strategy and Development Management Policies - North 2009

CS1	Development Strategy
CS9	Providing Jobs
CS10	Location of Employment Sites
CS14	High Quality Development
CS15	Heritage
CS16	Landscape and Woodland
CS17	Green Infrastructure
CS18	Biodiversity and Geological Conservation
DM2	Sustainable Construction of New Buildings
DM3	High Quality Development
DM4	Development Within and Beyond Settlement Envelopes
DM13	Heritage in Development
DM14	Landscape and Woodland
DM15	Biodiversity
DM16	Green Infrastructure

Site Allocations 2011

EA1	Land East of Stratton Business Park, Biggleswade
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Development Strategy

At the meeting of Full Council on 19 November 2015 it was resolved to withdraw the Development Strategy. Preparation of the Central Bedfordshire Local Plan has begun. A substantial volume of evidence gathered over a number of years will help support this document. These technical papers are consistent with the spirit of the NPPF and therefore will remain on our website as material considerations which may inform further development management decisions.

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

Central Bedfordshire Sustainable Drainage Guidance (April 2014)

Biggleswade Green Wheel Masterplan

Relevant Planning History:

Application Number	CB/15/03226/REG3
Description	Infrastructure works associated with expansion of Business Park, including service roads, surface water and foul water sewers.
Decision	Under consideration
Decision Date	-

Application Number	CB/15/04111/FULL
Description	Infrastructure works associated with expansion of Business Park, including service roads, surface water and foul water sewers.
Decision	Under consideration
Decision Date	-

Consultees:

Biggleswade Town Council	Raised no objections
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Highways	As you are aware highways have been party to a number of pre-application meetings and discussions to advise and guide the content of the transport assessment. I am happy to confirm that, now the vehicle access onto Dunton Lane has been removed from the scope of the proposals scheme there is no highways reason why the overall scheme should not be considered for approval.
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I am satisfied that the Transport Assessment is a robust analysis of the likely traffic generation and distribution and am content that the level of traffic can be adequately accommodated on the surrounding highway network without detriment to highway safety or capacity. With regard to sustainable transport I am content with the level of provision for foot and cycle, particularly with the provision of the new signalized crossing of London Road

between Normandy Lane and Pegasus Drive. Within the site there will be segregated footways together with a carriageway capable of accommodating a bus service.

In addition I would expect any subsequent reserved matters application for development to be supported by individual or an overarching side wide Travel Plan to encourage travel by sustainable modes.

Highways England

No comments received to date.

Rights Of Way Officer

After pre-application discussions with the applicant and Central Bedfordshire Council Assets, Countryside Access service propose the following changes to the rights of way network in and around Stratton Business Park in relation to this planning application. The main issue is to resolve the future proposed severance of Public Footpath No.39 which runs from the Dunton Rd roundabout, west of point A, north to south through Stratton Business Park to meet the recently diverted Public Bridleway No.58 at the southern boundary of the application site.

Please refer to attached plan in relation to the Countryside Access response.

1. Footpath (Fp) 62 to be extinguished on its present line (between Fp 39 and Bridleway (Bw) 57.

-- In compensation for this extinguishment a new bridleway link between Fp39 (point A), via point E to Bw 57 (point B), along the northern boundary of the site will be created. The legal width will be 4 metres and alignment as per the attached plan. The surface will be recycled planings blinded with limestone 10mm to dust and edged with plastic edging material.

-- In addition a new footpath link will be created on the north side of the ditch from point C to the junction with the internal estate road network at point D. The legal width will be 2 metres and will be surfaced according to Countryside Access Service (CAS) specifications in a metalled or blinded gravel surface.

2. Fp 39 from point C to point G will be extinguished. In compensation for this break in the length of Fp39, a route that CAS intended to upgrade to cycleway, a new footpath (with cycleway provision) link will be created from point E, via points D, F, G, H to I. This new link will be separated from the vehicular traffic, be surfaced with a metalled finish and have a legal width of 3 metres. The status of the link will be a footpath with cycle access there over.

-- The length point H to I will be diverted from its present legal line (eastern edge of the wood shelter belt) to a

position within the shelter tree belt. The present width of the shelter belt is 20 - 25 metres. With development the shelter belt must retain a width of 12 metres and have the re-aligned length of Fp39 running through the centre. The legal width of this section of footpath will be 3 metres and the surface metalled.

3. The short length of Fp 64 to be extinguished. The hatched area to the north of Fp 64 should be retained as an existing shelter belt even if the width is reduced.

Further compensatory works regarding the surfacing of rights of way links to the public highway will also be supported by the applicant, i.e. northern length of Fp39 from point C to the Dunton Rd roundabout.

Anywhere the cycleway, footpath or bridleway crosses the estate roads will require dropped kerbs and signage reflecting cycle and pedestrian usage.

Environment Agency

The site is located above a Principal Aquifer. However, we do not consider this proposal to be High Risk. Therefore, we will not be providing detailed site-specific advice or comments with regards to land contamination issues for this site. The developer should address risks to controlled waters from contamination at the site, following the requirements of the National Planning Policy Framework and the Environment Agency Guiding Principles for Land Contamination.

The water environment is potentially vulnerable and there is an increased potential for pollution from inappropriately located and/or designed infiltration Sustainable Drainage Systems (SuDS). We consider any infiltration Sustainable Drainage System (SuDS) greater than 2.0 m below ground level to be a deep system and are generally not acceptable. All infiltration SuDS require a minimum of 1.2 m clearance between the base of infiltration SuDS and peak seasonal groundwater levels. All need to meet the criteria in our Groundwater Protection: Principles and Practice (GP3) position statements G1 to G1. In addition, they must not be constructed in ground affected by contamination.

Sustainable Urban
Drainage Officer

We consider that outline planning permission could be granted to the proposed development and the final design, sizing and maintenance of the surface water system agreed at the detailed design stage; subject to an appropriate Detailed Surface Water Drainage Strategy and finalised Maintenance and Management Plan being provided to ensure compliance with the Level 1 FRA and to ensure there will be no increase to flood risk as a result

of the proposed development going ahead.

Conditions have therefore been recommended below. Without these conditions, the proposed development on this site poses an unacceptable risk to the environment and we would object to the application.

To satisfy the overall detailed design of the proposal

The capacity of the Indicative Drainage Strategy Plan has been shown to be sufficient to accommodate a 1 in 100 year (+20%) storm and it must be demonstrated that this capacity will not be adversely impacted upon by any changes to this proposed layout as per the final detailed design. Final details of flow control chambers, attenuation basin invert levels etc. will also need to be provided with the associated calculations. We therefore ask that the final detailed design of the surface water drainage system, in addition to details of its construction, implementation, maintenance and long term operation, be submitted at the detailed design stage.

To satisfy drainage provision on individual reserved matters plot

It is understood from the submitted 'Level 1 Flood Risk Assessment and Surface Water Drainage Strategy' (Woods Hardwick, August 2015) that to facilitate the proposed development, 38171m³ storage is required to accommodate surface water run off (based on the 1:100 storm event +20% for climate change). However the existing attenuation basin, originally designed to accommodate flows from the entire phased development, is insufficient given changes in climate, policy requirements etc. since the time this scheme was first put forward.

Therefore, there is a deficit of surface water run off to accommodate outside of the pre-existing basin.

The deficit is proposed to be accommodated in the individual development parcels, with a flow restriction be imposed on each plot. It is noted that plot sizes may differ in the future to those shown on the indicative layout submitted.

We therefore have significant concerns regarding the statement that *"given that the plot sizes, the site occupiers and their requirements are unknown it is also not possible at this stage to advise as to the nature of the on plot attenuation provision."*

It is therefore essential that on plot attenuation be a requirement of all of the future site occupiers, the

volumes of storage required on each plot should be assigned on a pro-rata basis and that the planning authority secure the necessary conditions to deliver this. The nature of the on-plot attenuation, treatment and conveyance must be determined in line with the approved overall drainage strategy, incorporating the principles and techniques contained within CBC's Sustainable Drainage Supplementary planning guidance document (SPD) and industry best practise.

The outfall from each of the development parcels and the attenuation basin must not exceed the allowable maximum rate of 2l/s/ha and must provide attenuation in accordance with this restriction. This rate has been stipulated by the Bedford Group of Internal Drainage Boards and provides betterment of the calculated greenfield runoff rate.

Given that on plot attenuation "*will be managed by the individual site owners unless they wish to pursue an alternative arrangement such as a management company*", we will expect a maintenance and management plan, in addition to a detailed surface water drainage strategy, to be provided prior to any development taking place on a plot. This is to the surface water drainage system serving the site will be operationally ready at all times and functions within the performance requirements outlined in the Level 1 Flood Risk Assessment and Surface Water Drainage Strategy, and that as far as possible the failure of one section of a sewer system will not adversely affect the performance of the other parts.

Incorporation of sustainable principles in the detailed design and reserved matters applications

As an aside to the above, during meetings and correspondence with Woods Hardwick on the preparation of an appropriate Flood Risk Assessment and Surface Water Drainage Strategy, it was agreed that:

"A Flood Risk Assessment and Surface Water Drainage Strategy will be prepared and submitted in support of the forthcoming outline planning application for employment on Phases 5 and 6 of Stratton Business Park. As far as is practicable at the outline stage the Surface Water Drainage Strategy will be prepared in accordance with the principles set out in the 'Central Bedfordshire Sustainable Drainage Guidance' (April 2014)."

In light of this correspondence (see email dated 21/07/20215) we dispute that the submitted scheme is in-keeping with the principles of the adopted SuDS SPD, in

that a conventional piped proposal has been presented. We therefore expect the detailed design to review policy compliance with the adopted SuDS SPD to integrate landscaped approaches to SuDS as well as the provision of interception of the first 5mm and adequate number of treatment stages for surface water based on the nature and scale of the proposed development (min. 2 stages ideally) prior to the surface water run off out falling from the site.

Green Infrastructure
Officer

The evaluation of the SuDS options discounts green roofs as an option for on plot attenuation. The claim made in the Surface Water Drainage Strategy is that they would be likely to adversely affect the scheme's viability. However, this assumption is not tested or evidenced. Given the multiple benefits that could be delivered by a green roof, and the need for on plot attenuation, green roofs should be included within the proposals unless they can be ruled out on viability evidence. They offer a range of sustainability benefits (including insulation, water treatment, attenuation, and visual benefit. All of these factors should be included in an assessment of viability.

Given that the surface water will discharge to the existing pond, which is designated as a County Wildlife Site, treatment of surface water, to ensure it does not damage the ecology of the County Wildlife Site is required. This could be addressed through conditions, requiring the satisfactory demonstration of surface water treatment measures, as well as attenuation measures.

The Surface Water Drainage Strategy also indicates that retaining the existing ditch would lead to surface water flooding, but that replacing the ditch with a sewer would avoid flooding. This assertion is counter-intuitive. Furthermore, replacing the ditch with a sewer would be contrary to the local requirements set out in CBC's Surface Water Drainage SPD, which requires surface conveyance over pipes, and that natural drainage patterns are replicated. Culverting the existing ditch would have a negative impact, as opposed to maximising multiple benefits delivered by SuDS through enhancing biodiversity and amenity. Retention of the existing ditch (while permitting any necessary modifications to increase its capacity / biodiversity / amenity value) should be required by condition.

Bedfordshire Rural
Communities Charity
(extracted as relevant to
this application)

As a lead partner in the development of the Biggleswade Green Wheel, we are pleased to see reference to the Green Wheel in the Design & Access Statement

We welcome the provision of a new 'track' parallel to

Dunton Lane; and the new 'track' to the south of the site, linking the existing Right of Way and watercourse in the east, to the A1 in the west.

To deliver maximum public (and employee) benefit, we would ask that these new routes are:

A) Designated as permanent Public Rights of Way, with rights to walk and cycle as a minimum – ideally for horse riding also.

B) Created to a specification which meets, at least, the minimum Green Wheel Standards and Specifications as detailed in the Biggleswade Green Wheel Masterplan

We are also very keen that any developments which relate to the route of the Green Wheel are future-proofed. As stated above, the proposals to provide the east-west 'track' to the south of the development site are welcomed, but we have concerns regarding the virtual 'dead end' that will be created at the western end of this track, as we are not able to encourage users to cross the A1.

Our preference, as per the Masterplan, is for a pedestrian & cycle bridge to be provided over the A1, and we would seek that this development contributes to such a crossing. Failing the provision of a bridge, there will be a need to provide a link from the western end of the track at the A1 back to the existing route of the Green Wheel where it crosses London Road to the south of the Dunton Lane / London Road/ Holmecourt Avenue roundabout. Existing routes facilitate the northern part of this link, but a link would be required in the southern area.

Landscape Officer

The development will form an abrupt change in land-use from the farmland to the east, but it is relatively well contained by the existing balancing pond environmental area, the existing spinney at the north-east corner and the road alignment and hedgerows which restrict views.

I have not found a Landscape Masterplan - but indicative proposals on the Layout Drawings indicate additional planting which would help to limit intrusion into the countryside.

The existing development has benefitted from screening provided by a now semi -mature woodland belt planted along the eastern boundary, planted to form a rural buffer and which is still subject to a Woodland Grant Scheme . This woodland effectively links with the linear wood planted to create a rural edge to the housing development to the north. The concept for a comprehensive woodland edge for Biggleswade was forward thinking in its scale. The woodland has formed a valuable visual, ecological and recreational feature, contributing to the Biggleswade Green Wheel and is likely to increase in importance as it receives further

management and matures. The woodland has the potential to provide amenity for those working on both the existing and future industrial units and should be retained wherever possible to help screen and subdivide the development.

The Application is Outline , so that the building layout is indicative at this stage . The development will also take place over time, depending on the market. As such, I would like to make the following comments -

1.It is extremely disappointing to see the scale of clearance of the linear wood proposed. In my view this is unacceptable and is contrary to Policy 16. I accept that there may need to be a higher degree of clearance to facilitate the Liebher development in Phase 5 as this unit would be an extension of the current site. However, I still think the removal indicated is overly severe- it is important to try to retain the habitat link.

Elsewhere, and especially for Phase 6, I can see no reason why the majority of the woodland cannot be retained as an enhancement to the estate. This may mean a slight reduction in floor space but the plots could be marketed as being within a mature setting.

2. The indicative plan needs to be enhanced to show a stronger landscape framework - e.g. avenue planting, more use of shrubs and trees within car parking to create a greener estate. Hedgerow and native planting should be used to help enclose areas of storage and lorry parking, particularly on the eastern edge.

3. - SUDS - as I understand it the drainage ditch will be culverted. The eventual Masterplan should design more varied SUDS features within the landscaped areas, as this would not only help to delay flow into the balancing reservoir, but also create habitat and visual interest in the open space. The development will result in extensive roof areas - green roofs should be an integral part of the design.

4. Phased development - it is expected that many of the plots will not be built out for many years. Advanced woodland planting has been stated as an expectation, but it would also be beneficial to create natural grasslands on vacant plots to benefit ecology.

5 Topsoil - development will result in high quantities of quality topsoil. I do not want this to be used for mounding, apart from limited low mounds to help aid screening of car or lorry areas. This soil is a valuable asset and needs

to be used sustainably for land restoration or landscape projects.

6 Landscape specification and management plan - as a Condition - we need a detailed landscape and ecology management plan , which would cover a design typology for the development and proposals for long-term management. This would also include the management of vacant plots.

To Conclude - at present I consider the proposals unacceptable as it will result in extensive removal of a valuable woodland feature. There is scope to vary the proposal to moderate the losses to the woodland and create a more sustainable solution. The new mitigation proposals are welcomed, but are at the scale expected and do not compensate for the losses proposed.

The authority needs to take an holistic approach to the development , recognising the benefits of the woodland for our green infrastructure policies, green travel and recreation and ecology.

Detailed drawings need to be prepared to set a framework for the delivery of the Estate, which need to include a greater proportion of the woodland for this Application to be acceptable in landscape terms.

I would be grateful if 'access' is being considered that the character and landscape of 'access' is also considered to ensure connectivity, promoting sense of place and quality in design and layout of development.

The application refers to 'avenues' and 'park character' in the Design & Access Statement but to achieve these images and effects adequate space has to be allocated to enable a landscape setting to be established and detail in design considered at an early stage. 'Landscape' is needed to assist in integrating development including access roads / routes and be multi functional hosting visual amenity, access including footpaths and cycle ways, SuDS and habitat connectivity - but necessary space needs to be allocated. Existing landscape and planting structures can also be integrated.

Access and associated landscaping can form the setting of business developments / business parks, establish the quality of development and be an attractor for potential developers and employers.

Pollution Team

I have no objections to this out line application in principal but would advise that there are a significant number of

different types of business that potential have the ability to operate from this location. At this stage the application is for the business park area and it is unknown what business types are proposed to operate from the site. Proposed conditions which are broad in nature to ensure that they can potential cover all eventualities and therefore controlling noise, odour and light from their use are recommended.

Historic England

Summary

Thank you for the consultation with regards to the above outline application. Immediately adjacent to the North western boundary of the application boundary is the Stratton Park moated enclosure, which is designated as a scheduled monument. This is a heritage asset of national importance. We are aware of the history of this application and in particular, we (then known as English Heritage) objected to the allocation of the land for employment use (see below). The site was accepted at the planning hearing and in the subsequent report the inspector made reference to the council's policies in relation to the monument and noted that appropriate mitigation and planning controls could be used to reduce the impact of the development on the setting of the monument. We do not consider that this application has taken these points into consideration and we would therefore wish to formally object to it. We would recommend the application is withdrawn pending further discussions with regards to appropriate mitigation on the setting of the monument. Please find further advice below.

Historic England Advice

Our main interest in this application is the potential impact of the development on the medieval scheduled monument to the north of the business park, known as Stratton Park Moated Enclosure and Associated Manorial Earthworks. The monument is a well preserved example of a Bedfordshire moated enclosure, associated with a contemporary manorial out-works and building platforms. As a designated heritage asset it has the highest level of protection is of national importance. It has a high

historic evidential and communal value and the monument currently enjoys an open and rural setting to the north, south and east that helps to retain its significance and appreciation despite the expansion of Biggleswade. The new development would at its closest point be 8 metres from the edge of the scheduled monument. As discussed in our previous advice (see Hearing Statement 2010), we consider that the significance and setting of this monument would be

harm by the allocation of the land to the east for business use, in particular that the proximity, scale and permanence of the employment allocation along with the implications of noise, movement, light and other factors would bring permanent and lasting change to this area. We consider that the harm would be of a high magnitude, and this would be higher than is acknowledged in the application (see paragraph 6.41. of the Planning Supporting Statement).

In policy terms the site was allocated under the previous Planning and Policy Statements (PPS) which have now been over written by the national Planning and Policy Framework (NPPF). We would therefore recommend that this application is determined in accordance with the core planning principle observed in paragraph 14 and 17 of the National Planning Policy Framework (NPPF) which explains the presumption in favour of sustainable development, but also the need to *'conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life for this and future generations'* (para 17). Also of relevance here is NPPF paragraph 128, which requires the applicant to describe the significance of any heritage assets affected and that the level of detail should be sufficient to understand the potential impact of the proposal on their significance.

paragraph 131, also says that when determining planning applications, account should be taken of *'the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation'* and, *' the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality.* The NPPF paragraph 132 requires planning authorities to place great weight on the conservation of designated heritage assets, and states that the more important the asset the greater the weight should be.

It also recognises that significance can be harmed by development within the setting of an asset. This paragraph also recognises that *"any harm or loss should require clear and convincing justification"*. It is also recognised in the NPPF (paragraph 134) that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. The NPPF (Paragraph 137) highlights the opportunity for Local planning authorities to look for new development within the setting of heritage assets that will enhance or better reveal their significance. Proposals that

preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

We would also wish draw your attention to PolicyEA1 of the Central Bedfordshire (North): Site Allocations DPD, which was adopted in April 2011 which says that *' in addition to general policy requirements in the Core Strategy and Development Management Policies DPD and appropriate contributions to infrastructure provision in the Planning Obligations SPD, development on this site will be subject to the following...'*

and it goes on to say that this should include

'...appropriate mitigation against the impact on the Stratton Park Scheduled Ancient Monument.'

We also would draw your attention to paragraphs 84 and 85 of the Inspectors report on the examination into the Central Bedfordshire (north) site allocations development plan document (Yuille, R. 2011) and in particular paragraph 85 which says *'Policy EA1 specifies that the development of this site would depend, amongst other things, on the appropriate mitigation measures being carried out to reduce its impact on the monument. Such measures could include archaeological investigations on the proposed site and the provision of screening. While any screening would not render development invisible in views to and from the monument it could, in conjunction with careful control over the design and height of buildings, soften its impact considerably...'*

It is clear and widely acknowledged that this development would be harmful to the significance of the adjacent scheduled monument, and although we accept the inspector's decision that the land be allocated, and that the harm would not be 'significant', it is important to recognise that a development on this scale, which is 8m from a scheduled monument, would cause a high magnitude of harm. The path to ameliorating this harm was considered in the inspectors report and the need to undertake mitigation clearly signposted in the council planning policy for this allocation Although the Planning Supporting Statement (July 2015) notes the EA1 policies (See paragraph 5.26) it only pays passing reference to the setting of the schedule monument under paragraph 6.41. No mitigation is proposed. We therefore find that this application fails the council policy and has not heeded the inspector's advice in relation to the setting of monument. We also find that it fails the policy tests in the NPPF as set out above, particularly paragraphs 128, 131,

132, and 134. In fact the development also appears to contradict the developers own planning statement which notes in appendix three paragraph 121 that *'If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.'*

Although this is noted for wildlife, the same can be said for heritage assets. In order to mitigate the impact of the development on the scheduled monument our advice is that the masterplan would need to include a substantial and wide vegetation screen/planting buffer between the monument and the nearest new building. This would need to run the entire length of the north western boundary of the development and would need to be implemented at the earliest opportunity, and in the earliest phase of development. This is to ensure the maximum time for the screening to become established. We would recommend that it should consist only of native species, and would need to be in accordance with local planting guidelines. We also recommend that the planting include some semi-mature species to ensure the screen is effective at an early stage. The buffer and planting programme would need to be reinforced by condition on the planning permission.

We also consider that that it is imperative that access/egress to the development from Dunton Lane is removed from the master plan. In our view there should be no access to the development from this side. We are concerned about the impact of a new road junction on the setting of the scheduled monument, as well as the impact of road improvements and likely need for new lighting in this area. The use of new lighting would have a harmful impact upon the monument in its own right. Strict policies also need to be developed on the size, scale mass and design of the building nearest to the monument. In particular we suggest that these should be single story with a height restriction which is clearly defined in any design code and again this should be enforced by condition on the planning permission.

There is little or no information about non-designated heritage assets within the outline application. This will need to be clarified prior to any new outline application being brought forward and a heritage statement will need to be produced before the application is re-submitted.

Recommendation

We therefore have no choice but to object to this outline application in principle. We would recommend that the application is withdrawn pending revisions of the masterplan that would satisfy the NPPF, the councils own development policies for the site and the points that we have raised above. We are looking to ensure that the applicant has given due regard to setting of the scheduled monument. We would also expect to see the submission of a full heritage statement that sets out the response to non-designated heritage assets within the development area, provides full justification for the harm caused and explains the extent of the mitigation and how the development will seek to comply with the inspector report, the NPPF and the councils polices.

Conservation Officer

The designated heritage asset setting that would be affected by the proposed large scale B1, B2 & B8 use employment development is the Scheduled Ancient Monument. I assume that our Archaeologists will advise & comment in detail concerning any impacts or possible harm to the SAM context. Therefore, no other impact on designated heritage assets.

Archaeology

The proposed development site is known to contain a ring ditch, the remains of a Bronze Age funerary monument, (HER 16159) at the northern end of the site and a evidence of Iron Age settlement at its southern end (HER 16157); these are heritage assets with archaeological interest as defined by the *National Planning Policy Framework (NPPF)*. Immediately to the north of Dunton Lane is Stratton Park Moat and associated earthworks (HER 520). This site is a Scheduled Monument (Heritage List Number 1012161) and a designated heritage asset of the highest significance (*NPPF*). The setting of a designated heritage asset forms part of its significance and any development within that setting will have an impact on the asset.

The site is also located in an extensive archaeological landscape containing sites and features dating from the prehistoric to post-medieval periods. This landscape includes evidence of later prehistoric and Roman settlement and field systems (HERs 13956, 15327, 16158, 16823, 16824 and 18284), remains of Saxon and medieval settlement (HERs 518 and 17738) and field systems (HER 17786) and post-medieval activity (HER 16162). The proposed development site has the potential to contain previously unidentified archaeological remains relating to the identified in the surrounding area.

The development will have an impact the archaeological remains within the site and on the setting of the Stratton

Park Scheduled Monument. The application includes a *Heritage Statement* (Albion Archaeology Document 2015/26, Version 1.1, 5th August 2015) which comprises the results of an archaeological field evaluation of the application site and a consideration of the impact of the proposal on the setting of the Stratton Park Moat designated heritage asset. On the basis of the information contained in the *Heritage Statement* it is clear that the site contains extensive buried archaeological remains dating from the prehistoric to medieval periods. Development of the site will have a negative and irreversible impact on buried archaeological remains and on the significance of the heritage assets with archaeological interest they represent. It is more difficult to assess the impact of development on the setting of the Scheduled Monument as this is an outline application with all matters reserved. While the application contains indicative plans of the proposed development these cannot not represent what the final form and scale development will be. Therefore, it is only possible to consider the impact of the development on the Scheduled Monument in general terms and whether, within certain parameters, the principle of developing the site could be acceptable within the context of paragraphs 132 and 133 of the *NPPF*. In order to do this I will need to undertake further analysis of the proposed development and its impact on heritage assets in particular the setting of the Scheduled Monument. When I have done this I will send you further more detailed comments.

Ecology

Having read through the submitted documentation I have the following comments;

- Stratton Park Balancing Pond CWS lies adjacent to the site and is designated for rare breeding birds but also valuable for habitat mosaic of district importance for birds with 43 species recorded breeding on site, given its sensitive nature to fluctuations in water levels the flood mitigation proposals for the development need to be carefully considered. Of particular importance, is the swamp vegetation – Phase 1 Habitat; F2.2, which supports many species of dragonflies and damselflies, breeding migrant warblers, Water Rail, Common Snipe and Jack Snipe during the winter. The potential for the site to support breeding waders – Lapwing, Ringed Plover and Little Ringed Plover – would also be lost.
- The future design and management of the balancing pond is critical in delivering this. Key issues that need to be addressed include; rise in water levels (cm) in the balancing pond, for each month of the year, how

to store the increased water levels without drowning the existing WS habitats, how to create suitable habitats for winter Snipe species that would not be inundated with flood water during the winter months, the creation of a raised island for summer breeding plovers; Lapwing, Ringed and Little Ringed Plover.

- Models have been proposed to ensure discharge rates are kept to allowable levels leaving the balancing pond but there will be an impact on the water levels experienced by the pond and hence potentially an impact to breeding birds using it. In order to ensure water storage capacity additional attenuation is to be accommodated within Phases 5 and 6, the form this attenuation takes would ideally reflect SUDs objectives as detailed in the CBC SUDS Guide, the use of green roofs would also be welcomed.
- The existing shelterbelt to the west of new development *has now developed into an important feature and substantial wildlife corridor* and greater consideration should be given to its retention where possible. It is accepted that there will be a necessity to breach this at access points but the aim should be to retain it rather than blanket clearance. 2.4.2 of D&A states 'The existing hedgerows and trees that form the field boundaries are to be retained where possible and enhanced with further planting subject to separate reserved matters applications'. *The removal indicated is overly severe, it is important to try to retain the habitat link. My pre-application comments recommended retention of this feature.*
- The existing open ditch which crosses the site towards the balancing pond represents wildlife habitat and serves as a multifunctional drainage resource which should be retained in its current state rather than become a piped culvert devoid of wildlife.
- The site needs to demonstrate net gain for biodiversity in line with the NPPF, considerable additional planting proposed which is welcomed and there is a need to ensure the appropriate continued management of this resource. Given the associated wetland site opportunity for other wetland habitats should be explored, for example wet woodland in north eastern corner of the site.
- From the arboricultural drawings it is not completely clear which trees are to be retained in the central E/W hedgerow as it is too hard to read, this existing hedge

in centre of site is known to have bat interest and a Kestrel nest in an oak tree. 4.4.2 of the Ecological Impact Assessment, (EIA), states EW tree line to be retained but I note the tree officers' concerns that *'Looking at the plans it would appear that the intention is to remove a large part of this and the remainder is it would appear going to be hard to retain without encroachment into the root protection areas of these trees'*. I of course would echo his concerns and support the proposal *'to improve the layout to improve the chances of these trees being retained into the future in good order.'*

- The overall development of the site as a whole needs to be on a phase basis, therefore no need for blanket clearance. A **conditioned** site wide LEMP would look at habitat opportunities and the incorporation of SUDs and their multi-functional benefit, then individual method statements for phases as they come forward should feed into the overall scheme masterplan. This should include elements identified in the EIA including, in 4.3.6 15m of buffer planting between the business park and CWS boundary. 4.3.7 discusses the attenuation basis to be lined with stone, a very basic plan demonstrates this but specifications are needed against changes in water levels, I couldn't find further reference to stone lining in documents. I agree with the landscape officers' comments regarding taking a *holistic approach to the development , recognising the benefits of the woodland for our green infrastructure policies, green travel and recreation and ecology.*
- The Ecological Impact Assessment provides the principles for ecology avoidance, mitigation and enhancement at a strategic level. The assessment concludes that mitigation and enhancement measures are secured by using standard a condition used previously by the Council 'for schemes of a similar scale and nature'. BS42020 contains model conditions for which one requiring a method statement
- It should be noted that ecological mitigation has been included within the 'proposed Site Layout Drawing No 17377-SK1010E but this does not appear with the documents so I am unable to comment on it.
- Whilst extensive surveys have been undertaken to inform the outline application any RM decision should be informed by updated surveys should applications arrive more than 2 years post survey date. A condition would take account of this

- Due to the presence of grass snakes on site a detailed reptile mitigation strategy should be required via condition, this would then inform the LEMP.

Trees and Landscape

There are a number of Rights of Way through and around this site which I understand are to be diverted and changed.

Looking at the site boundaries clockwise from the north boundary with Dunton Lane. In the far north corner and part of the east boundary and seeming to be within the site boundary there is an area of fairly recently planted native trees that are just starting to establish and mature, they should be retained within the development as an important screening feature of the future. Continuing down the east boundary to the point where the field boundary line crosses from east to west, this area has a combination of recent planting along with older mature hedgeline trees, this combined with the continuation of the east boundary contribute towards making this an important wildlife corridor. The east/west field dividing hedgeline across the site consists of a mix of old over-mature Oak with considerable ecology interest and a mix of early mature more recent planting. Looking at the plans it would appear that the intention is to remove a large part of this and the remainder is it would appear going to be hard to retain without encroachment into the root protection areas of these trees. At this stage of the proposals it would seem to be that it should be possible to improve the layout to improve the chances of these trees being retained into the future in good order, e.g. removing areas of parking from beneath the trees and repositioning the access road that run east/west in this vicinity. I understand that according to the tree survey information/method statement/AIA the intention is for no dig construction methods to be used but I am aware that in the real world of development sites the damage may well be done prior to the development reaching that point. As such I would like to see clear tree protection areas utilising the maximum of root protection area (RPA) available.

On the south west corner of the site there is an area of hybrid Poplar that is outside the red line site boundary but at some point it will be harvested.

On the west boundary of the site and running the entire length of the site is a 20 metre wide planting strip that has been established as part of the landscape scheme for the existing Business Park. This has now developed into an

important feature and substantial wildlife corridor. On site and talking to one of the business owners on the existing park, he was keen to emphasise the large number of bats that emerged from these trees in the evening. Looking at the plans supplied it would appear that the intention is to remove a large part if not all of this, although with the tree survey plans provided being so small this is not clear. Pre application advice suggested that retention of this important feature or sections of this feature would be looked for. Again looking at the plans there would appear to be ample opportunity to move building footprints to the east to allow this to work. Speaking to Rights of Way Officer the existing footpath along this boundary would be moved further to the west and would require the removal of a maximum of 4 metres strip of this woodland area.

If the intention is to remove this planting strip consisting of hundreds of maturing native trees along with their established ecology and biodiversity that forms a substantial landscape feature, then I would consider that it is not acceptable.

Looking at the plans and visiting the site it would seem to me that there is ample opportunity to retain and manage a large part of this feature. It would also appear that with a little consideration to moving the building footprints to the east, then once again there is ample opportunity and space for this.

I would ask that the site plan is reconsidered to include large parts of this established landscape feature.

Full landscape and boundary treatment detail will be required.

Sustainable Growth
Officer

The proposed development should as far as practicable comply with the requirements of the development management policies DM1: Renewable Energy and DM2: Resource Efficiency.

Policy DM1 requires all new non-domestic development with a floor space of 1000m² or above to meet the development's 10% energy demand from renewable or low carbon sources. The developer is free to choose the most suitable technology to their or their tenants' specific operation.

Policy DM2 encourages all new non-domestic development with a floor space of 1000m² or above to meet BREEAM Excellent rating.

I recognise that this is outline planning application and

there may not be sufficient design details for the scheme to consider sustainability measures in depth. However it is disappointing that proposed sustainability measures for the scheme are primarily driven by the regulatory requirements.

The proposed development is located within Stratton Business Park for which a Local Development Order is currently being consulted on. The LDO provides provision for a number of renewable and low carbon technologies to be allowed within the Park as permitted development. The LDO clearly demonstrates the Council's ambition to develop sustainable and low carbon businesses.

Government's policy on renewables makes it clear that the future intention is for national policy to encourage greater use large roofs space for PV installations as opposed to solar farm developments taking up agricultural land. Although the Council's renewable energy policy is technology neutral I will strongly encouraged that the proposed buildings are at least PV ready allowing future occupants to install PV panels. In addition, energy needs of potential occupants should be analysed to make provisions for best suited renewable technologies to be installed now by the developer or in the future by the occupants.

I strongly encourage using BREEAM or equivalent methodology to inform design choices and deliver a highly sustainable scheme. I suggest that core elements assessed under BREEAM, such as materials, energy and water are explored in greater detail with an emphasis on scoring more 'BREEAM points' in relation to these aspects.

I would expect a Sustainability Report addressing sustainability issues outlined above should to be submitted with the full planning application.

In summary:

- I would expect the scheme to deliver 10% of the energy demand from renewable or low carbon sources;
- The design of the scheme should allow for installation of roof mounted solar PV panels and/or any other technologies deemed to be best suited for future occupants
- The scheme should aspire to achieve BREEAM excellent or equivalent standard.
- A Sustainability Report to be submitted with the full planning application.

Other Representations:

Neighbours

Two letters have been received raising the following relevant comments/objections:

- Concerned over loss of greenbelt area (area is not greenbelt but is greenfield)
- Concern over the height of proposed buildings.
- Dunton Lane access would be dangerous as it is narrow with blind bends and not suitable for HGVs.
- Wildlife habitats will be lost as a result of rising water levels in the balancing pond. Development should show how water can be accommodated without causing this harm and how habitats can be created that would not be harmed by winter flooding.

Determining Issues:

The main considerations of the application are;

1. Principle
2. Affect on the Character and Appearance of the Area
3. The Historic Environment
4. Neighbouring Amenity
5. Highway Considerations
6. Impact on Public Rights of Way
7. Drainage
8. Conditions
9. Other Considerations

Considerations

1. The Principle of Development

- 1.1 The National Planning Policy Framework (NPPF) establishes a presumption in favour of sustainable development. As one of its core planning principles (NPPF para 17) it states that planning should be proactively driving and supporting sustainable economic development to deliver homes, businesses and industrial units that the country needs and that (NPPF para 19) there is a commitment to ensure the planning system supports sustainable economic growth. The national policy context is therefore broadly positive for economic development. At the edge of a Major Service Centre, adjacent the existing business park and close to the A1 trunk road, the site is considered to be a sustainable location as a matter of principle.
- 1.2 At the local policy context the site lies outside the settlement limits of Biggleswade and is therefore within the open countryside. Generally there is a presumption against development outside of settlement limits however in this instance there are additional policies to consider. Most notably is that the area identified as Phase 5 is allocated as site EA1 in the adopted Site Allocation document 2011. For completeness this policy reads:

1.3 *'In addition to general policy requirements in the Core Strategy and Development Management Policies DPD and appropriate contributions to infrastructure provision in the Planning Obligations SPD, development on this site will be subject to the following:*

- *Provision of adequate access;*
- *Satisfactory resolution of the impact of additional traffic on the A1 roundabout south of Biggleswade;*
- *Provision of a satisfactory cycleway, footpath and public transport network links to the Town Centre to be determined through a Transport Assessment;*
- *Provision of flexible employment units to meet changing future requirements;*
- *The provision of sufficient capacity at the waste water treatment works to meet the needs of the development;*
- *Appropriate mitigation against the impact on the Stratton Park Scheduled Ancient Monument; and*
- *Provision of appropriate financial contributions towards improvements to the A1 southern junction and works required to increase the capacity of London Road. Contributions may be sought towards the construction of the Biggleswade Eastern relief Road, if appropriate.'*

1.4 The Site Allocations document is part of the adopted Local Development Framework and should be given significant weight when considering the principle of development. It is therefore considered that the area of the site identified as Phase 5 is allocated for the development proposed and therefore is acceptable in principle.

1.5 The remaining area (Phase 6) of the site does not form part of this allocation. It therefore amounts to development in the open countryside. It should be noted that the area identified as Phase 6 was included for development in the Council's previous draft Development Strategy (DS). Policy 2 of the DS identified a need to deliver a total of 27,000 new jobs for the period between 2011 and 2031. The land was included as one of the areas that would accommodate new development. While the intention is clear in this policy, the status of the DS as given above means that it is considered no weight can be applied to this policy and document.

1.6 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states and, in determining planning application, decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise. In considering Phase 6 the policy basis is principally the NPPF (para 1.1). As stated it can be considered that the site is in a sustainable location and this should be given weight when considering the presumption in favour of sustainable development. As a sustainable location the expansion the business park can therefore be regarded as development that would seek to contribute to sustainable economic growth by creating jobs and reducing the reliance on out-commuting. It is therefore considered as a result that the area regarded as Phase 6 can be considered acceptable as a matter of principle as there are material considerations that indicate such a decision can be reached. Regardless of the intentions of the Council this part of the site is not subject to any designation under the adopted development plan and is therefore

considered to be a departure from the plan. Given the scale of development, if Members resolve to approve the application it will need to be referred to the Secretary of State to consider whether or not to call in the application.

- 1.7 It is therefore considered that the principle of development is considered to be acceptable. However, a sustainable location does not necessarily amount to sustainable development. The NPPF requires that in determining planning applications, the benefits are balanced against the impacts which would inform the recommendation. In order to do this, assessments need to be made on subject specific considerations and the remainder of the report will consider these.

2. Affect on the Character and Appearance of the Area

- 2.1 The development will result in the loss of open countryside and the impact on the character of the area will be significant as a result. The character of the site itself is currently one that is arable in nature and this will be permanently lost. Specific impacts cannot be assessed at this outline stage as design proposal would form part of reserved matters applications however the application has been submitted and subsequently amended with proposals that consider the impact on the character of the area.
- 2.2 Areas adjacent to the southern and eastern boundaries of the site have been subject to advanced landscaping works which are currently establishing. The landscaping will partly serve to screen the visual impact of the development. The revised indicative layout has also amended the northern arrangement of the site and created a minimum 10 metre wide planting belt adjacent to Dunton Lane. This will be specifically addressed later as it relates to the impact on the setting of the nearby scheduled Ancient Monument. The proposal will seek the retention of part of the existing linear woodland landscape belt that sits on the western boundary although it is acknowledged that significant amounts are to be removed as part of the scheme. Where retained landscape works will be carried out to improve the planting in the interests of vitality of specific species.
- 2.3 A number of comments from consultees have raised concerns relating to the impact on the character and appearance of the area largely on the basis of landscape matters. A number of points appear to have been made on the basis of the submitted indicative layout for the scheme. It should be noted that landscaping is a reserved matter and not for detailed consideration at this outline application and that the indicative layout would not form a determined plan on the application. Landscape matters would form part of the conditions proposed on the application and would seek to address matters of proposed landscaping and retention of features where possible.
- 2.4 However there are some elements that have some certainty. The linear landscaped wood that currently sits on the western boundary is to be subject to large scale removal at its northern extent and maintenance at the southern extent. The full extent of works are not shown on the plans and the comments that have been made in this respect appear to place a reliance on the indicative layout which depicts almost wholesale removal. However, this is not the scheme proposed and it is possible to control these works through condition. It is understood that the applicants have no intention of removing the entire landscape area and will look to utilise the southern extent within the scheme to

help with connectivity between the existing and application sites. The loss/maintenance of some of this linear landscape is considered to be acceptable in the interests of deliverability of the expansion area. The works should also be considered in light of the wider landscape works that have already been undertaken adjacent the southern and eastern boundaries of the site and the proposed benefits of additional landscaping that will take place within the site, notably at the northern end. When considering landscape holistically it is considered that the development will result in a net gain in landscaping.

- 2.5 The concerns of technical consultees are noted however the bringing forward of the expansion area will not be possible without the removal of existing landscape specimens. It is acknowledged that there would be a significant impact on the landscape as a result of this development and the existing arable character would be permanently lost. However, the removal of landscaping contributes to the delivery of sustainable economic growth and allows for a scheme that results in landscape gains in the area. A number of these gains provide screening of the edges of the application site and as a result it is considered that, on balance, while there is a significant impact, it will be mitigated by the advanced planting already undertaken and future landscaping forming part of this proposal.
- 2.6 In terms of individual design this cannot be considered at this time as the application is in outline form with access being the matter for consideration. The approach to delivery is detailed in Section 8 of this report however it can be noted that reserved matters proposal would be considered in light of development plan policy and the Council's adopted Design Guide and future proposals would be expected to be designed taking account of the recommendations of this document.

3. The Historic Environment

- 3.1 The original scheme resulted in objection being raised by Historic England on the grounds that the indicative development at the northern extent of the site (within Phase 5) would detrimentally impact on the setting of the nearby Scheduled Ancient Monument and its significance as a designated heritage asset as a result. Historic England acknowledge that the site is allocated for the development proposed however also advised they previously objected at the time the allocation was made. At that time it was acknowledged that an application to bring forward this allocation could include appropriate mitigation within it minimise the impact on the setting of the Scheduled Ancient Monument and therefore the allocation was made.
- 3.2 In response to the objection raised the applicant has amended to scheme to remove the proposed access from Dunton Lane and establish a minimum 10 metre width planting belt at the boundary. This would run the full width of the northern boundary and create a screened enclosure. The indicative layout also suggests that the built form could be set back to a certain building line to further reduce any potential impact. This plan is only indicative but such a distance could be secured by condition. Finally, the proposed right of way that previously ran along the northern boundary is now proposed to divert within the site and run behind the screen.

- 3.3 At the time of drafting this report the revised plans are out for consultation and no comments have been received from either Historic England or the Archaeologist. Members will be updated through the late sheet once comments are received. Subject to receiving these comments it is considered that the applicant has proactively sought to address the concerns of Historic England and has amended the scheme having taken account of the conclusions previously made in the original allocation of the site. The revised details show a deep landscape belt that will serve as a screen between the proposal and the setting of the ancient monument. A minimum depth of 10 metres provides acceptable depth and it is noted that the majority of this area is significantly larger than the 10 metres set aside.
- 3.4 It is considered that this would provide for a landscape screen that would address the concerns raised by Historic England. The applicant has therefore acted pro-actively in addressing the concerns raised on what is an allocated site. In addressing the impact on the significance of the Scheduled Ancient Monument it is acknowledged that the setting will materially change. Currently the site is open and arable and even with the landscape screen the impact would be one of enclosure when making a comparison to the existing. However the change to the character itself does not result in the conclusion of a harmful impact. In this instance the development will have an impact on the setting of the Scheduled Ancient Monument. Given the response to the objection from Historic England it is considered that the impact can be concluded as having 'less than significant harm' in the eyes of the NPPF. Under paragraph 134 of the NPPF the harm should be weighed against the public benefits of the proposal. In this instance the benefits of the revised landscape proposal, the removal of the access point from Dunton Lane and the material considerations highlighted in paragraph 1.6 of this report, demonstrate that the public benefits in this instance outweigh the 'less than substantial harm' caused to the setting of the monument. As a result it is considered that the proposal can be considered acceptable in respect of this impact.
- 3.5 In terms of archaeology, comments received advised that further analysis was to be done but at the time of drafting this report, no additional comments are made. It is considered that matters of archaeological importance can be managed and recorded if necessary through condition on the decision notice and, subject to comments received and included on the late sheet, no objection is raised on the grounds of archaeological harm.

4. Neighbouring Amenity

- 4.1 The site is an expansion of an existing business park however there are a number of residential properties in the area. At the southern extent lies Stratton Farm, this would sit adjacent the site. It currently already sits adjacent the existing business park and while there would be an impact in amenity terms it would be a similar impact to that currently experienced. The impact is therefore considered to be acceptable in principle. Conditions can mitigate the impacts which will be addressed later in this section.
- 4.2 There are residential properties close by northwest of the site. They are not adjacent the site and currently sit closer to the existing business park. An existing area of open space (to be retained) acts as a buffer between these properties and Phase 5. The impact is therefore not considered to be significant

and would not cause detrimental harm.

- 4.3 Other dwellings in the locality such as Stratton Park, Park Corner Farm and those within urban Biggleswade itself are considered to be sufficient distance from the site and therefore would not be subject to harmful impacts on amenity.
- 4.4 The Pollution Team have provided comments raising no objections subject to conditions that would mitigate against amenity impacts. These conditions address noise output and external lighting and are considered to be appropriate planning considerations. The inclusion of these would ensure the development of the phases would take account of amenity impacts and as a result there is no objection on the grounds of neighbouring amenity.

5. Highway Considerations

- 5.1 The amended proposal has removed the previously proposed access onto Dunton Lane. While that was done for reasons previously addressed it has also affected the nature of vehicle movements associated with the development. Now the development will be accessed solely through the existing business park, principally off Pegasus Drive with a secondary route into Phase 6 to the south. The Highways Officer has considered the details in the revised Transport Assessment and raises no objections. Initially the intention to provide access from Dunton Lane gave some cause for concern but its removal from the application addresses these. The revised information concludes that the existing road network is able to accommodate the anticipated traffic flows from the development. In principle it is considered that removing transport pressure from Dunton Lane is a positive step in highway terms and the routing of traffic through the existing park is considered acceptable. No comments have been received from either CBC's Officers or the Highways England.
- 5.2 Within the site the development will be served by a number of spine roads. The Council is currently considering two applications for the internal road layout at phase five. The scheme essentially proposed two options in how it links to Phase 6, either by priority junction or roundabout. The spine road layout in these applications would facilitate the development of the expansion area in a flexible manner and is of technical specification that it would accommodate the anticipated traffic levels. There are no specific proposals for the spine roads in Phase 6 but the indicative layout suggests how these could be proposed.
- 5.3 Specific consideration has to be given to the impact on the traffic levels anticipated with the proposal and the existing movements of both pedestrians and vehicles associated with the nearby retail units.
- 5.4 Parking provision will be assessed as part of the detailed reserved matters application. The Design guide sets out the parking standards for the use classes proposed. The standards are based on floor areas of proposed units and as the application is in outline form it is not possible to determine numbers at this stage. However the intended nature of delivery of the expansion, through detailed reserved matters proposals as demand requires, means that the Council will be able to ensure adequate parking number for each occupier. The same can be said for vehicle manoeuvring space within individual plots as well.
- 5.5 Subject to any alternative view arising from the assessment of the Transport

Assessment the access arrangement and scale of development proposed are considered to be acceptable in terms of their impact on the existing highway network. The location of the expansion area adjacent the existing business park and its close relationship to the A1 Trunk road (the junction of which has been recently upgraded) means that the development can be considered sustainable in this respect in that it secures economic growth in a well connected area in terms of transport.

6. Impact on Public Rights of Way

6.1 The application site has public rights of way that run both through and adjacent to it. The rights of way network in this area have been subject to a number of formal proposals to stop up existing routes and the creation of new routes. These have been done in part to accommodate this proposal and also Phase 4 which is currently undeveloped but will potentially come forward in the near future. The changes are specified in detail in the consultee section but are difficult to illustrate in this report. A map base will be shown at the meeting as part of the introduction. The changes can be itemised in four parts as follows:

- Currently, Footpath 62 runs across Phase 5 and there is a proposal to extinguish this. As compensation a new bridleway link is proposed at the northern part of the site which would link to existing bridleway 57 to the east. This is considered to contribute to establishing the Biggleswade Green Wheel.
- Part of Footpath 39, within Phase 5, will be extinguished with a new route proposed within the site that would join the bridleway link referred to above.
- Additionally another part of Footpath 39 (within phase 6) will be realigned to run through the linear wooded area (referred to in paragraph 2.4 of this report) before re-joining the original route.
- A short length of Footpath 64 adjacent the primary access as proposed is to be extinguished.

The proposed changes to the right of way network is proposed taking account of the aspirations of the Biggleswade Green Wheel which seeks to create a rim of paths and corridors out to the open countryside. The new route would wrap around the application site and route through the proposed landscape areas and the areas of advanced planting.

6.2 The proposed right of way network would provide a better walking environment for users when compared to a scenario of crossing the entire expansion area and would give the character of rural walking adjacent a major conurbation. The route would be better integrated and would be compatible with the aspirations of the Biggleswade Green Wheel. It is therefore acknowledged that the expansion of the business park is affected by the proposal but to the extent that it can be considered a benefit of the development.

7. Drainage

7.1 The scheme proposes a sustainable urban drainage solution. Surface water is proposed to run off to an existing balancing pond to the northeast of the application site. The pond itself is considered to be of suitable size to accommodate the impact of development. The pond itself does not form part of the surface water drainage strategy for the existing business park. The ability of

the proposal to accommodate drainage has been considered by the Sustainable Urban Drainage Officer who has raised no objections subject to conditions.

- 7.2 However the Officer is one of a number who have raised concerns over part of the proposal that shows an existing open drainage ditch replaced with a pipe installation. The use of the ditch aligns more to the principles of Sustainable Urban Drainage and therefore the view from the Officers is that the ditch should be retained. The applicant has responded and advised that from the outset the intention was to retain the ditch and enlarge it to accommodate flows. However the modelling undertaken in preparation of this application concluded that the ditch arrangement would be susceptible to flooding. As a result the pipe proposal is proposed to address this as, when modelled, did not result in these concerns. The Environment Agency and Internal Drainage Board raise no objections. The inclusion of the pipe is, in accordance with the information submitted, considered to contribute to a functional drainage scheme and in the absence of any details to contradict the concerns of flooding via the ditch arrangement, no objection is raised.
- 7.3 Sustainable Urban Drainage schemes can, in accordance with the Council's adopted guidance, take a number of forms. Consultation responses have resulted in disappointment/concerns expressed by the Green Infrastructure Officer, Ecologist and Landscape Officer due to the proposal not incorporating green roofs into the scheme. The inclusion of green roofs is part of the guidance but their lack of inclusion does not equate to a failure to provide a sustainable strategy. The agent has advised that, given that the end users of the development are not yet identified and therefore their building requirements are not known, it is not possible to advise as to whether the nature of the buildings that will be provided on the site will be conducive to the provision of green roofs, although given the likely size of the buildings it is quite possible that the weight loadings will not be feasible. It is also not possible to confirm the impact that such provision would have on the viability of the scheme, although the cost implications are inherent. This provision will however be considered at such time as reserved matters applications are prepared in relation to the site.
- 7.4 There is acknowledgement that, as the detailed design proposals come forward, they would need to include, plot-specific attenuation measures. This can be secured by condition and form part of reserved matters applications.
- 7.5 The concerns regarding the drainage proposals are acknowledged however it is considered that the proposal does provide a drainage scheme that accords with sustainable urban drainage principles and is therefore acceptable. The individual design schemes to be considered under reserved matters provide further opportunities for inclusion of sustainable schemes and there is no objection on drainage terms as a result.

8. Conditions

- 8.1 As the application is in outline form the recommendation will need to include numerous conditions. The intention for the delivery of both Phases 5 and 6 is to consider reserved matters application as and when an occupier for a site/plot comes forward and the specific requirement of that operator are confirmed. While sounding like a piecemeal approach it serves to ensure that the units that are developed on the site are done to cater for the needs of the occupier and

would therefore aid the long term vitality of interested businesses. It also gives the flexibility for the expansion areas to accommodate smaller businesses if the demand becomes apparent. The implication this has on conditions is that there needs to be a phased approach so that the necessary details apply to each plot but not across the site as a whole which could compromise the potential for a future occupier. Therefore where relevant the conditions are worded so that they are phased for as and when a requirement comes forward. This is considered to be an acceptable approach and an aid to the deliverability of the site.

9. Other Considerations

9.1 Ecology

The proposal has been considered by the Council Ecologist and no objections have been raised. There has also been a third party letter received that goes into explicit ecological detail and is summarised in the report. The latter raises concerns over the development resulting in the loss of existing habitats and affecting new habitats as well. The Council Ecologist will have considered the scheme in light of biodiversity impacts and while a number of points have been made, raised no objection on the basis that outstanding matters could be covered by conditions.

Local Development Order

Stratton Business Park benefits from a Local Development Order which gives businesses 'relaxed' permitted development rights allowing for certain development to take place without requiring planning permission where it normally would. The Order states that Phases 5 and 6 will benefit from the Order when built out. This allows the Council to regulate the initial development of the site but give the added benefit of giving new occupiers the ability to develop their enterprise under the Order. This is considered to be a further benefit towards achieving sustainable economic growth.

Human Rights issues

Based on the information submitted there are no known issues raised in the context of Human Rights/equalities Act 2010 and as such there would be no relevant implications with this proposal.

Recommendation:

That Outline Planning Permission be granted subject to referral to the Secretary of State and subject to the following:

RECOMMENDED CONDITIONS / REASONS

- 1 No development pursuant to this outline permission shall commence on any part of the site until the approval of the details of the appearance, landscaping, layout and scale of the buildings (hereinafter called the "Reserved Matters") has on that part of the site been obtained in writing from the Local Planning Authority. The**

development shall be carried out strictly in accordance with the approved details.

Reason: To comply with Article 5(1) of the Town and Country Planning (Development Management Procedure) Order 2015.

- 2 Applications for approval of reserved matters shall be made to the Local Planning Authority before the expiration of 10 years from the date of this permission. The development shall begin no later than 5 years from the approval of the final reserved matters.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 **No development pursuant to this outline permission shall commence on any part of the site until a Construction Environmental Management Plan (CEMP) for that part of the site has been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the details approved.**

Reason: To ensure that the development is constructed using methods to mitigate nuisance or potential damage associated with the construction period and in accordance with the NPPF. Details must be approved prior to the commencement of development to mitigate nuisance and potential damage which could occur in connection with the development.

- 4 **No development pursuant to this outline permission shall commence on any part of the site until a scheme of heritage asset resource management for that part of the site has been submitted to and approved in writing by the Local Planning Authority.**

The scheme of heritage asset resource management shall include the following components:

- **A method statement for investigation of any archaeological remains present at the site;**
- **An outline strategy for post-excavation assessment, analysis and publication.**

Development on any part of the site shall only be implemented in full accordance with the approved heritage asset resource management scheme for that part of the site and this condition shall only be fully discharged in respect of a part of the site when the following components have been completed to the satisfaction of the Local Planning Authority:

The completion of all elements of the archaeological fieldwork, which

shall be monitored by the Archaeology Advisors to the Local Planning Authority;

- The submission within nine months of the completion of the archaeological fieldwork (unless otherwise agreed in advance in writing by the Local Planning Authority) of a Post Excavation Assessment and an Updated Project Design, which shall be approved in writing by the Local Planning Authority.
- The completion within two years of the conclusion of the archaeological fieldwork (unless otherwise agreed in advance in writing by the Local Planning Authority) of the post-excavation analysis as specified in the approved Updated Project Design; preparation of site archive ready for deposition at a store approved by the Local Planning Authority, completion of an archive report, and submission of a publication report.

Reason: To record and advance understanding of heritage asset resource and to secure the protection and management of archaeological remains preserved within the development in accordance with the NPPF. This condition is a pre-commencement requirement as a failure to secure appropriate archaeological investigation in advance of development would be contrary to paragraph 141 of the NPPF that requires the recording and advancement of understanding of the significance of any heritage assets to be lost (wholly or in part).

- 5 Any reserved matters application submitted pursuant to this outline permission shall include a detailed surface water drainage strategy for the reserved matters development for which approval is sought. The strategy shall demonstrate how the management of water within the reserved matters application site for which approval is sought accords with the approved Flood Risk Assessment (FRA) and Drainage Strategy for this planning permission and shall maximise the use of sustainable drainage measures to control water at source as far as practicable to limit the rate and quantity of run-off, incorporating the principles and techniques contained within the CBC Sustainable Drainage Guidance, to improve the quality of any run-off before it leaves the site or joins any water body.

Reason: To prevent the increased risk of flooding, both on and off site in accordance with Policy DM2 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies DPD (2009) and the NPPF.

- 6 The development pursuant to this outline planning permission shall be carried out in accordance with the Arboricultural Impact Assessment and Arboricultural Method Statement dated July 2015 and drawing nos. 602.1, 602.2, 602.3 and 602.4 unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the successful protection the existing trees indicated for retention on these plans.

- 7 **No development pursuant to this outline planning permission shall**

commence on any part of the site until a Biodiversity Mitigation Strategy & Management Plan for that part of the site has been submitted to and approved in writing by the Local Planning Authority. The development of each part of the site shall only be carried out in accordance with the approved Mitigation Strategy & Management Strategy for that part of the site. The scheme shall include details of ecological surveys and suitable habitat mitigation and monitoring including details, extent and type of new planting and new habitat created on site.

Reason: To protect wildlife and supporting habitat and in accordance with the NPPF. Details must be approved prior to the commencement of development to protect wildlife and supporting habitat from potential impact which could occur in connection with development.

- 8 No development pursuant to this outline permission shall commence on any part of the site until a scheme has been submitted to and approved in writing by the Local Planning Authority detailing measures to control noise from all plant machinery and equipment (including fans, ducting and external openings) to be used by virtue of the development permitted for that part of the site and shall be so enclosed, installed maintained and operated as to prevent transmission of noise and vibration into any premises either attached to or in the vicinity of the premises that the application relates. Before the use commences, the above scheme shall be implemented in accordance with the approved details and shown to be effective, and it shall be retained in accordance with those details thereafter.**

Reason: To protect the future neighbouring occupiers from noise associated with the use of the development.

- 9 No external lighting shall be erected or installed on any part of the site until details of a suitable lighting design scheme and impact assessment devised to eliminate any detrimental effect caused by obtrusive light from the development on neighbouring land use for that part of the site have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be prepared by a suitably qualified lighting engineer in accordance with relevant publications and standards. Only the details thereby approved for that part of the site shall be implemented.**

If within a period of 12 months following the first use of the lighting columns the planning authority required the alignment of the light to be adjusted and or hoods or shields to be fitted, this shall be carried out in accordance with the agreed scheme within 7 days of official notification. The means of illumination shall thereafter be implemented only in accordance with the agreed scheme.

Reason: To protect the future neighbouring occupiers from light pollution associated with the use of the business park

- 10 **No development pursuant to this outline planning permission shall commence on any part of the site until a scheme for that part of the site has been submitted to and approved in writing by the Local Planning Authority detailing how odours produced by cooking and food preparation are to be controlled. The approved equipment by reason of the granting of this permission shall be so enclosed installed, maintained and operated as to prevent transmission of odours into any premises either attached to or in the vicinity of the premises that the application relates.**

Before the use commences, the above scheme shall be implemented in accordance with the approved details and shown to be effective, and it shall be retained in accordance with those details thereafter

Reason: To protect the future neighbouring occupiers from odour associated with the uses of the business park

- 11 **No development pursuant to this outline planning permission on any part of the site shall be brought into use until a detailed waste audit scheme for the development of that part of the site has been submitted to and approved in writing by the Local Planning Authority. The waste audit scheme shall include details of refuse storage and recycling facilities. The scheme shall be carried out in accordance with the approved details.**

Reason: To ensure that development is adequately provided with waste and recycling facilities in accordance with the NPPF.

- 12 **No development pursuant to this outline planning permission on any part of the site shall be brought into use until a Travel Plan relating to the development of that part of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in accordance with the approved details.**

Reason: In the interests of promoting sustainable transport and reducing the number of trips by private car, in accordance with the NPPF.

- 13 **No development shall take place until details of hard and soft strategic landscaping (including details of any amenity open space, public circulation spaces, both vehicular and pedestrian and footpaths/cycleways) together with a timetable for implementation have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved and in accordance with the approved timetable.**

The soft landscaping scheme shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes at the time of their planting, and proposed numbers/densities where appropriate; and details of a scheme of management/maintenance of the soft landscaping areas. The soft

landscaping areas shall be managed thereafter in accordance with the approved management/maintenance details.

The scheme shall also include an up to date survey of all existing trees and hedgerows on the land, with details of any to be retained (which shall include details of species and canopy spread). Notwithstanding the details contained in the Tree Survey and Constraints to BS5837 dated 20 February 2014 the measures for their protection during the course of development should also be included. Such agreed measures shall be implemented in accordance with a timetable to be agreed as part of the landscaping scheme.

Reason: To ensure that the appearance of the development would be acceptable in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009

- 14 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 17377-SK1000C, 17377-SK1001B, B15003.401 and 17073-SBP5-5-501 D (as taken from Transport Assessment Revision B, Appendix B)

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

INFORMATIVE 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 in order to comply with this permission it may be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
3. The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways within the site as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the

Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ . If applicable, no development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.

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

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

Outline permission approval is recommended for this proposal. Discussion with the applicant to seek an acceptable solution regarding heritage impacts and access concerns took place resulting in the submission of amended details. 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) Order 2015.

DECISION

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