

Item No. 09

APPLICATION NUMBER	CB/15/04264/FULL
LOCATION	Deans Farm, Billington Road, Stanbridge, Leighton Buzzard, LU7 9HL
PROPOSAL	Demolition of former agricultural buildings, office/store and two bungalows and redevelopment to provide 5,270m² (GEA) warehouse, sorting shed and office for B8/B1a Use Class purposes with hardstanding, landscaping and related development including 50 car parking spaces, 40 HGV spaces and improvements to vehicular access onto Billington Road.
PARISH	Stanbridge
WARD	Heath & Reach
WARD COUNCILLORS	Cllr Versallion
CASE OFFICER	Abel Bunu
DATE REGISTERED	09 November 2015
EXPIRY DATE	08 February 2016
APPLICANT	Mr P Dean and Brickhill Properties GP Ltd
AGENT	David Lock Associates
REASON FOR COMMITTEE TO DETERMINE	Ward Member call-in for the following reasons : <ul style="list-style-type: none">• Contrary to policy• Loss of amenity• Overbearing• Impact on landscape
RECOMMENDED DECISION	Full Application - Recommended for Approval

Reasons for Recommendation:

Whilst the proposed development would be inappropriate in the Green Belt, the proposal demonstrated the very special circumstances required of such developments by reason of the following considerations:

- The site has previously been in agricultural/employment use but is now largely vacant and dilapidated.
- The site is previously developed in the context of the National Planning Policy Framework and it is such brownfield sites that should be given highest priority for re-development.
- The broad principle of re-developing the site for industrial use has been established with the grant of two planning permissions, reference, **CB/10/00630/OUT** and **CB/14/01366/FULL**. The latter permission is extant and therefore is capable of implementation.
- Whilst previous permissions have been speculative, the proposal is based on the specific business requirements of a well established local company within the Leighton Buzzard area which has traded and operated successfully since inception in 1971 and continues to expand its business.

- Whilst the proposed buildings would be taller than the existing sheds, the majority of the development would occupy an area that is already covered by concrete hardstanding two bungalows, agricultural buildings and a dog grooming building and garages. The proposed development would therefore not encroach onto an otherwise unbuilt area and as such, in this context the loss of openness to the Green Belt would be insignificant.
- Whilst substantial weight should be given to the harm to the openness of the Green Belt and any other harm, this should be weighed against the benefits to be had from approving the development. Given the potential boost to the local economy the development would, in this respect, conform to national advice which requires Local Planning Authorities to, among other things, support economic growth in rural areas in order to create jobs and prosperity. The goal of building a strong and competitive economy ranks high on the national agenda and requires that investment in business should not be overburdened by the combined requirements of planning policy expectations.
- The applicant has agreed to enter into a section 106 Agreement to secure infrastructure improvements in the form of two bus stops with real time information and the provision of linking footpaths thus improving the accessibility of an otherwise unsustainable location.
- Whilst acknowledging the harm to the openness of the Green Belt, it is considered limited in the context of this brownfield site. Given the planning history of the site which has already established the principle of industrial re-development of the site and the additional planting that would be secured by planning conditions, the harm to the open countryside would not carry substantial weight.
- The building is of a modern and attractive design appropriate to its location close to the site of a future roundabout and as such, the absence of substantial screening in this direction is considered acceptable. Government advice within the National Planning Policy Framework makes it clear that good design is a key aspect of sustainable development and is indivisible from good planning.
- The benefits of the proposal clearly outweigh any limited harm to the Green Belt and constitute very special circumstances that outweigh any potential harm to the Green Belt and any other possible harm.

Furthermore, with appropriate conditions to secure noise mitigation measures, the development would not be materially harmful to residential amenity and would not be prejudicial to highway safety. Overall, proposed development would conform to the development plan comprising Policies BE8, H7, T10 and SD1 and national advice contained in the National Planning Policy Framework and the Central Bedfordshire Design Guide (2014).

Site Location:

The application site lies at the junction of the A505 to Leighton Buzzard and Billington Road to Stanbridge and is situated in the Green Belt and open countryside. The site measures approximately 1.79 hectares and comprises two bungalows, a storage and office building currently used as a dog grooming studio and three chicken sheds, all but the bungalows, being of two storey height. The rest of the site comprises concrete hardstanding with trees and hedgerows along the boundaries except the eastern boundary.

The application seeks planning permission for

the re-development of the former agricultural site for Use Class B8/B1(a) as follows :

- Demolish the existing agricultural units
- Demolish the existing two bungalows
- Re-develop the site by constructing a warehouse/sorting shed (B8) over 2,184sqm and measuring 12 metres in height
- 2no. covered canopy areas over 975 and 1,175sqm
- Ground Floor Office (B1a) covering 346sqm
- First Floor Office covering 314sqm
- 46 car parking spaces
- 4 Disabled parking spaces
- 40 HGV parking spaces provided on hardstanding areas
- Improvements to the existing access
- New planting to screen the site along the boundaries

The application is supported by the following documents :

- Planning Statement - November 2015
- Design and Access statement - November 2015
- Transport Assessment -November 2015
- Framework Travel Plan -December 2015
- Landscape Design Statement - November 2015
- Tree Survey Report - November 2015
- Noise Impact Assessment -November 2015
- Flood Risk Assessment - November 2015
- Ecological Survey - November 2015
- Drainage Strategy - November 2015

RELEVANT POLICIES:

National Planning Policy Framework (March 2012)

The National Planning Policy Framework (NPPF) was published on 27th March 2012 and replaced most of the previous national planning policy documents, PPGs and PPSs. The following sections of the NPPF are considered relevant to this application.

Section 1 : Building a strong, competitive economy

Section 3 : Supporting a prosperous rural economy

Section 4 : Promoting Sustainable Transport

Section 7: Requiring good design.

Section 9: Protecting Green Belt Land.

Section 10: Meeting the challenge of climate change, flooding and coastal change

Section 11: Conserving and enhancing the natural environment

South Bedfordshire Local Plan Review Policies

The NPPF advises of the weight to be attached to existing local plans for plans adopted prior to the 2004 Planning and Compulsory Purchase Act, as in the case of the South Bedfordshire Local Plan Review. Due weight can be given to relevant

policies in existing plans according to their degree of consistency with the framework. It is considered that the following policies are broadly consistent with the Framework and significant weight should be attached to them except Policy T10.

SD1 Keynote Policy
 BE8 Design Considerations
 H7 Loss of Housing
 T10 Parking in New developments

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 (September 2014)

Relevant Planning History:

Application:	Planning	Number:	CB/15/03610/SCN
Validated:	21/09/2015	Type:	EIA - Screening Opinion
Status:	Decided	Date:	08/10/2015
Summary:			
Description:	EIA Screening Opinion -Redevelopment of Deans Farm, Billington Road, Stanbridge, Leighton Buzzard for circa 4,967sqm warehouse, sorting shed and office for B8/B1a purposes, including car parking and HGV spaces and access onto Billington Road		
Application:	Planning	Number:	CB/15/01848/PAPC
Validated:	12/05/2015	Type:	Pre-Application - Charging Fee
Status:	Decided	Date:	25/06/2015
Summary:			
Description:	Pre-application non householder charge - Proposed redevelopment of existing site to provide 4967m2 warehouse, sorting shed and office for B8/B1a purposes including 69 parking spaces and 40 HGV spaces		
Application:	Planning	Number:	CB/14/02796/FULL
Validated:	18/08/2014	Type:	Full Application
Status:	Decided	Date:	18/08/2014
Summary:			
Description:	Proposed redevelopment of former agricultural buildings (Units 1-4) to two new B2/B8 Class Use buildings, including hardstanding areas for HGV access and general parking. Proposed new planting for natural screening along Eastern site boundary and enhancements to South West site boundary.		
Application:	Planning	Number:	CB/14/03166/OUT
Validated:	13/08/2014	Type:	Outline Application
Status:	Decided	Date:	30/10/2014
Summary:			
Description:	Outline Planning Permission: Proposed redevelopment of former agricultural buildings (units 1-4) to two new B2/B8 class use buildings, including hardstanding areas for HGV access and general parking. Landscaping is reserved with indicative plans.		
Application:	Planning	Number:	CB/14/02449/REN
Validated:	27/06/2014	Type:	Replacement PP sub to new time limit
Status:	Withdrawn	Date:	30/09/2014
Summary:			
Description:	Renewal of Planning Permission: Application 11/00630/Full		

Proposed redevelopment of former agricultural buildings (Units 1-4) to two new B2/B8 Class Use buildings, including hardstanding areas for HGV access and general parking. Proposed new planting for natural screening along Eastern site boundary and enhancements to South West site boundary.

Application: Planning **Number:** CB/13/04405/LDCE
Validated: 07/01/2014 **Type:** Lawful Development Cert - Existing
Status: Decided **Date:** 25/02/2014
Summary:
Description: Occupation of a bungalow in breach of an agricultural occupancy Condition No. 2 attached to Planning Permission reference, SB/TP/75/01020

Application: Planning **Number:** CB/11/03078/SCO
Validated: 06/09/2011 **Type:** Full Application
Status: Decided **Date:** 03/08/2011
Summary:
Description: EIA-Screening/Scoping Opinion: The stopping up of the southern arm of the existing Billington Road/A505 staggered junction and the construction of a new four arm roundabout and the realignment of Billington Road.

Application: Planning **Number:** CB/11/00630/FULL
Validated: 28/02/2011 **Type:** Full Application
Status: Decided **Date:** 27/10/2011
Summary:
Description: Proposed redevelopment of former agricultural buildings (Units 1-4) to two new B2/B8 Class Use buildings, including hardstanding areas for HGV access and general parking. Proposed new planting for natural screening along Eastern site boundary and enhancements to South West site boundary.

Application: Planning **Number:** CB/10/04021/FULL
Validated: 26/11/2010 **Type:** Full Application
Status: Decided **Date:** 21/02/2011
Summary:
Description: Change of Use of two residential bungalows and agricultural buildings to B1, B2, B8 use.

Application: Planning **Number:** SB/84/00348/FULL
Validated: 30/03/1984 **Type:** Full Application
Status: Decided **Date:** 30/05/1984
Summary:
Description: MODIFICATIONS TO LOADING BAY

Application: Planning **Number:** SB/82/00020/FULL
Validated: 03/01/1982 **Type:** Full Application
Status: Decided **Date:** 03/03/1982
Summary:
Description: SITE FOR ONE DWELLING

Application: Planning **Number:** SB/81/01061/FULL
Validated: 06/11/1981 **Type:** Full Application
Status: Decided **Date:** 06/01/1982
Summary:
Description: ERECTION OF EGG PACKING BUILDING AND CHICKEN HOUSE AND EXTENSION TO 3 EXISTING CHICKEN HOUSES

Application: Planning **Number:** SB/75/01020
Validated: Received **Type:** Full Application
Status: Unknown **Date:** 08/10/1975
Summary:
Description: ERECTION OF FARM MANAGERS BUNGALOW

Application: Planning **Number:** SB/75/01020/A
Validated: Withdrawn **Type:** Full Application
Status: Withdrawn **Date:** 17/09/1976
Summary:
Description: ERECTION OF EGG PACKING ROOM

Application: Planning **Number:** SB/75/01020/B

Validated:		Type:	Full Application
Status:	Received	Date:	10/11/1976
Summary:	Unknown		
Description:	TEMPORARY STATIONING OF CARAVAN FOR OCCUPATION BY ASSISTANT FARM MANAGER (RENEWAL)		

Related history

CB/11/03450/FULL : Permission. Construction of New Roundabout and Link Road together with amendments to existing Highway Arrangements.

Consultees:

Parish Council

Objection

- the development is too large, especially in height, and this will impact on the openness of Green Belt which contravenes the NPPF guidelines.
- We cannot see any real evidence of very special circumstances that would outweigh the harm of openness to the Green Belt.
- Noise, as this is a 24hr operation and pollution for the area.
- Road safety, as the number of lorries using the junction with the A505 will increase and may cause stationery traffic due to lorries waiting to turn into the new depot.
- The trees used for screening are mostly deciduous and therefore during and after leaf fall will create no screening or noise barrier. Houses most likely to be impacted on Station Road Stanbridge have not been taken into account and the road stated in the documents (Tilsworth Road) faces the wrong direction and would not be impacted by a broken view or noise so should not have been used.
- The area in and around Leighton Buzzard has other more appropriate developments that have been released from Green Belt for the purpose of being able to facilitate employment opportunities that could be more beneficial to the company for access to motorways and whilst Mini Clipper may be an established company the request should not be based on what we suspect to be cost rather than suitability and at the expense of Green Belt and local residents.

Highways Officer

The proposal is for a distribution centre with a GFA of 5,270 Sq.m. with the ability to store and park 50 heavy goods vehicles along with 50 car parking spaces. The proposal is for the development to take access from Stanbridge Road by way of a simple priority junction with the drawing itself showing the future junction improvement to Stanbridge Road and the A505 being a roundabout.

The Transport Assessment states that there would be 170 employees at the site and it is not clear if this

includes the HGV drivers. In relation to the authority's parking standards the proposal should provide a maximum of 12 HGV spaces and 24 car parking spaces. While the proposal is an over provision, I am inclined to observe that this is at the specific request of the end user who should be in a better position know their requirements.

The transport statement demonstrates that there would be 255 combined trips to and from the site daily. In relation to the Technical Directive TD42//95 (Geometric Design of Major/ Minor Priority Junctions) there would not be a technical reason to stipulate that there should be a right turn lane servicing the site. Further, having looked at TRICs this would suggest that less than 2 heavy goods vehicles would arrive in any half hour period. This is also supported in the capacity calculation within the TA. Mindful of the flow of traffic along Stanbridge Road, I would not consider that this proposal would cause a hazard or congestion to the public highway.

I consider that there would be a requirement to provide a footway from the future East Leighton Buzzard link road to the proposed development. However this has been dismissed by others.

There has been an agreement that new Bus stops would be provided at the expense of the applicant and for that reason while I will not comment further there will be a need to provide a footway to these bus stops. It is noted that the proposal considers that the speed limit of Billington Road approaching the A505 Junction is 50mph. Further, it had not considered the proposed layout of the new junction between Billington Road and the A505 approved under planning permission CB/11/03450/FULL. I consider it reasonable to specify a visibility splay in association with the average speed of 50mph.

Highway conditions and informatives are recommended in respect of the following :

- the submission of details of the improvements to the junction of the proposed vehicular access with the highway.
- the provision of visibility splays at the junction of the access with the public highway before the development is brought into use.
- the construction of a 2.0m wide footway within the highway boundary between the site and the bus stops along Billington Road.
- the details of gradient of the vehicular access in the interests of the safety of persons using the access

- and users of the highway.
- the opening of any gates provided.
- the surfacing of vehicular areas.
- implementation of Travel Plans.
- the submission and approval of details of secure cycle storage for employees' and cycle parking for visitors.
- the submission of details of a method statement of preventing site debris from being deposited on the public highway.
- the submission of a scheme detailing provision for on site parking for construction workers for the duration of the construction period.

Informatives

The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Central Bedfordshire Council's Highway Help Desk, P.O.Box 1395, Bedford, MK42 5AN quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented.

The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.

The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway.

Further details can be obtained from the Bedfordshire Highways, Streetworks Co-ordination Unit, County Hall, Cauldwell Street, Bedford MK42 9AP.

The applicant is advised that photographs of the existing highway that is to be used for access and delivery of materials will be required by the Local Highway Authority. Any subsequent damage to the public highway resulting from the works as shown by the photographs, including damage caused by delivery vehicles to the works, will be made good to the satisfaction of the Local Highway

Authority and at the expense of the applicant. Attention is drawn to Section 59 of the Highways Act 1980 in this respect.

Sustainable Transport
Officer

Financial contributions required for Public Transport Facilities - Bus stop improvements including installation of real time information. Total required = 2 stops at £17,288 per stop (**£34,576**)

Tree and Landscape
Officer

I have examined the plans and documents associated with this application, namely the "Tree Survey Report" dated November 2015, and the plans forming Appendix 3a and 3b to this report, entitled "Tree Constraints/Protection Plan". I also refer to the "Landscape Design Document" dated November 2015, and the associated plan drawing "Landscape Principles" showing the planting layout. I also refer to my previous Pre-Application, consultation response in respect of CB/15/01848/PAPC.

It is noted that there are trees being removed from within the site interior, but the majority of strategically important boundary trees are being retained and protected, as shown on the "Tree Constraints/Protection Plan". However, I have always stated at Pre-Application stage, that I am concerned regarding the pinch point created with the boundary vegetation abutting the A505 Leighton Buzzard By-Pass, where there is a distinct lack of existing trees to provide screening. Whilst recognising that the "Tree Constraints/Protection Plan" will allow sufficient clearance from existing trees, and allow for adequate tree protection requirements, it is clear from the landscape planting plan that there will be little provision for new planting around this pinch-point, and there has been no attempt to rectify or mitigate my previous concern regarding this particular issue.

Given the height of this building (now reduced to 12m from 14m but still a relevant issue), as shown on the artistic impression, the lack of effective screening at this point becomes significant, especially as it is on higher ground relative to the adjacent A505, and will therefore have high visual impact on this and the surrounding countryside. The inability to visually contain the site at this point is a major failing of this application, and I therefore request that the design layout and planting plan is adjusted accordingly.

Otherwise, I am satisfied with the tree protection measures being proposed, and if you are in a position to grant consent to this application, then the appropriate tree protection condition should be as follows, unless altered by any subsequent layout amendment;-.

Implementation of Tree Work Recommendations and Tree Protection Measures

Prior to demolition work, and to be maintained throughout the course of development, all tree work and tree protection recommendations, as stipulated in Section 6 of the "Tree Survey Report", and Tree Protection Fencing, as set out in Appendix 3b of the report "Tree Constraints/Protection Plan" shall be fully implemented in strict accordance with these recommendations.

REASON

To ensure that a satisfactory standard of tree work is undertaken in order to prevent unnecessary or poor quality tree work being carried out, and to ensure that tree protection measures are implemented in accordance with the recommendations of the "Tree Survey Report" and "Tree Constraints/Protection Plan", in order to protect retained trees in the interests of maintaining their health, anchorage and boundary screening value.

Landscape Planner

Revised comments

I am concerned photo views describing the site and wider landscape setting haven't been provided – especially winter time views. Given the rural context there needs to be some assessment provided of visual impact / change and mitigation needs. At present the mass, design of the building and landscaping cannot be assessed as acceptable within the landscape context.

I previously expressed concerns the illustrated built design and materials shown were very urban in character – I urge the building design is reviewed to relate more to the rural / agricultural landscape setting.

My concerns regarding lighting and impact at night time landscape setting and biodiversity remain.

I reiterate my disappointment that there is no green / brown roof proposed or a SuDS system to convey, filter surface water run off.

If development were to be progressed I recommend:

Retention of close board fencing to the southern site boundary with the A505 is not acceptable – landscape enhancement should be sought wherever possible; any boundary treatment needs to sit within or behind the boundary landscape mitigation to ensure a native treed elevation forms the boundary with the public realm and wider landscape.

The western site boundary requires more tree / shrub screening to mitigate views to built elevation and car

parking

The 'medium height structure planting' would benefit from native shrub species as per 'indigenous structure planting' to contribute to biodiversity interest.

I hope the above comments are of assistance – please do let me know if you would like me to add comments to Acolaid.

Original comments

The application site is within a rural location within the Eaton Bray Clay Vale (LCA 5A), an open flat landscape offering distant views across an exposed plain. More elevated landscapes provide striking backdrops to the vale; Dunstable Downs (9a) and Totternhoe Chalk escarpments (9b), Billington Clay Hills (8b) is a small local knoll west of the application site, the Toddington-Hockliffe Clay Hills (8a) rise to the north.

The South Beds LCA recommends a landscape strategy for enhancement and renewal of landscape within the vale. Development guidelines include conserving views to the chalk escarpments and clay hills and ensuring scale and form of new development responds to the flat, open landscape character.

Illustrative views of the building provided in the application documents are useful but there is a need to describe the wider landscape setting including longer distance views to assess potential visual impact of development on wider landscapes and identify mitigation needs. Photo views to the application site from key viewpoints to confirm location and setting would be appreciated - especially winter time views.

Given the rural setting of the application site, all be it adjacent to the A505, it is necessary to maintain and reinforce the rural landscape character as per the LCA guidelines.

Whilst the reduced building height to 12m is an improvement the proposed development is significantly larger in terms of mass and height than existing structures on site therefore it is necessary to mitigate the visual impact of the building:

- The proposed site layout (and as described in the site elevations views) appear to limit space for landscape mitigation especially to the south east site area associated with the office approach and car park - additional landscape screening is required especially along this elevation
- The site layout describes an existing close boarded fence - if this is to be retained such a structure must

be integrated within the landscape mitigation and not form the visual boundary along the A505 or Billington Road.

- The character of the building and materials suggested are very urban - the opportunity to reflect the rural setting of the site and employ natural materials such as timber or mix of materials needs to be considered:



- More information is required on the design and layout of the site access on Billington Road - a rural road and character needs to be maintained.

Lighting: Any lighting within a rural setting needs careful consideration due to visual impact, urbanising effect and impact on biodiversity - detail on lighting is required including any highway lighting and site operational lighting.

Drainage: It is disappointing a green / brown roof hasn't been included - this would assist in attenuating surface water run-off, temperature control of the building and contribute to biodiversity.

The attenuation and filtration of surface water run off should be improved employing the site soft landscaping as bio-retention areas and which require no maintenance but can contribute to reducing run-off rates and improving water quality.

Ecology

I have read through the submitted documents and have no objection to the proposals. I welcome the proposed planting scheme and note that precautionary species protection measures are detailed in Chapter 6, these should be referred to during construction.

Sustainable Drainage

We understand that the proposal is to replicate the existing drainage regime of the site and discharge

surface water from the developed site into the minor watercourse adjacent to the western site boundary via a restricted outfall , which in turn outfalls into the minor watercourse immediately adjacent to the western boundary of the site.

We support the proposal that, in accordance with the NPPF and current good practice, the surface water run-off generated by new development should be carefully managed to prevent flooding from this source and to prevent any increase in flood risk off-site; and that SUDS should be incorporated with source control techniques being utilised where site conditions allow. Permeable paving is proposed to be incorporated into the parking areas of the site to provide the attenuation of surface water on site needed to restrict the rate of discharge to the greenfield rate.

Development must not be allowed to take place until a detailed ground assessment of permeability and the ground water conditions has been undertaken and the final detailed design of the individual components of the surface water system, their structural integrity, construction and proposed long term maintenance and management body has been submitted and approved in writing based upon this evidence.

We therefore recommend the planning conditions below. Without these conditions we would find the proposal unacceptable.

We ask to be consulted on the details submitted for approval to the Authority to discharge this condition/s and on any subsequent amendments/alterations.

Reason for position and additional advice to applicant/planner

- **Betterment to be shown by the rate of discharge:** In addition to the above point, to reduce flood risk associated with the relieving watercourse and mitigate impact on downstream capacities. As the site is brownfield, **the rate of discharge must demonstrate at least 20% betterment of the existing, or matching of the pre-developed greenfield rate** (see CBC Surface Water Advice Note and Ciria SuDS Manual). It is not apparent from the details submitted whether the rate of 12l/s is the greenfield rate of the undeveloped site, or the existing discharge rate of the brownfield site. This must therefore be clarified with the detailed design. This requirement is under

Standard 3 of the Non-statutory technical standards for sustainable drainage systems (March 2015):

S3: For developments which were previously developed, the peak runoff rate from the development to any drain, sewer or surface water body for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event must be as close as reasonably practicable to the greenfield runoff rate from the development for the same rainfall event, but should never exceed the rate of discharge from the development prior to redevelopment for that event.

- **Lack of detail regarding infiltration:** On site percolation testing and ground water modelling is required and must be undertaken, and details submitted to the local planning authority prior to any development taking place on site, to establish the potential capacity of infiltration systems to accommodate the required additional surface water volume. Ground water assessment should also be considered for the detailed design of underground drainage and attenuation systems.

It must also be determined how surface water unable to infiltrate, due to limited effectiveness; will be safely routed via overflows into the on-site drainage network/discharge into the watercourse. This is integral to the drainage of the site.

The information supplied with the submission suggests the underlying soils are likely to be relatively impermeable. However BGS data on the drainage potential of the site indicates opportunities for bespoke infiltration, and therefore further ground testing should be undertaken to assess the feasibility for disposal of surface water from the development; such as swales or permeable paving where possible.

Where infiltration methods are shown not to be reasonably practicable, discharge to the watercourse should be pursued (under The Building Regulations 2000: Approved Document H 'Drainage and Waste Disposal').

- **Management of exceedance flows to be shown:** Appendix J of the submitted, demonstrates

exceedance of the system ('FLOOD') for the 1 in 100 event, details of the management of the exceedance are therefore **required with the detailed design** to demonstrate that any exceedance will be contained within the site boundaries external to the buildings, whilst maintaining a permanent dry access route to them, and shall drain down through the normal surface water drainage system for the site. This should demonstrate compliance with Standards 7, 8 and 9 of the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015).

- **Details of the proposed outfall and works adjacent to the watercourse:** Details of the proposed Hydro-brake **must be provided prior to any development going ahead**, and it should be demonstrated during construction that this has been implemented correctly **prior to the completion of the development**.

Land Drainage Consent under the Land Drainage Act 1991 **must be in place prior to any development taking place on site**. It is therefore strongly recommended that correspondence with the IDB be demonstrated with the detailed design. This is to verify what has been approved under the planning approval process is acceptable with regards to Land Drainage Consent under the Land drainage Act. Additionally, an easement of 7-9m must be provided on the bank of any watercourse, and vegetation or structures (such as lighting) proposed within this area must be approved by the IDB. This is to ensure adequate access to the watercourse and to allow for future maintenance requirements to take place

Prior to any development going ahead, it must be made clear how permeable paving will communicate with the cellular crate attenuation system and downstream drainage network to adequately remove pollutants and silt at source, this will be vital to the longevity of the design and minimised maintenance liabilities and requirements of below ground storage. Where permeable paving does not provide upstream storage for the crates, alternative or proprietary treatment should be provided prior to discharge to the proposed outfall, locations and details of these **must also be provided**. This is not apparent on

the submitted Appendix H, and therefore the preliminary design should be amended. We support and expect that an additional 10% will be included in the storage capacity of the tanks to allow for potential long-term siltation.

Whilst we support that the combination of permeable paving and rainwater harvesting to assist with mitigating the increase in peak surface water run-off volume, any storage provided by rain water harvesting **should be demonstrated but must not be included in the final detailed design of the network in order to restrict rates to greenfield run off.**

We advise that **the EA be consulted** on the appropriateness and location of any treatment components such as separators.

- **Structural integrity:** Details **must be provided with the detailed design** to satisfy Standard 10 and 11, and 13 and 14 of the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). The drainage system, and in particular underground crates and permeable paving, **must be** designed to ensure structural integrity of the drainage system and any adjacent structures or infrastructure under anticipated loading conditions over the design life of the development taking into account the requirement for reasonable levels of maintenance. The materials, including products, components, fittings or naturally occurring materials, which are specified by the designer, **must be shown** to be of a suitable nature and quality for their intended use.
- **Provision of long term management and future maintenance:** We support the statement that a drainage management and maintenance plan will be produced prior to commencement of development once the detailed design of the drainage system has been completed. **This must be provided prior to any development going ahead.** This should be based upon the preliminary requirements already identified in the submission. It is also assumed that maintenance responsibilities for surface water drainage will be on the land owner, and that confirmation of this will be provided with the detailed design. Leaf fall from any vegetation adjacent to the permeable paving should not cause clogging and mitigation

measures taken to actively reduce the likelihood of this.

Recommended conditions

Condition 1:

No development shall commence until a detailed surface water drainage scheme for the site based on the agreed Drainage Strategy (Prepared by Broughton Beatty Wearing on behalf of Mr Peter Dean & Brickhill Properties GP Limited. November 2015.) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include provision of attenuation and a restriction in run-off rates to provide at least 20% betterment of the existing rate, as outlined in the Drainage Strategy. Details of inlets, outlets, hydro-brakes and propriety products, exceedance management, structural integrity, construction and long term management and maintenance of the entire drainage system will be provided as part of the scheme. It must be based on site specific ground-testing and water quality assessment. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance.

Condition 2:

No building/dwelling shall be occupied until the developer has formally submitted in writing to the Local Planning Authority that the approved scheme has been checked by them and has been correctly and fully installed as per the approved details. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure that the implementation and long term operation of a sustainable drainage system (SuDS) is in line with what has been approved.

Public Protection	To be reported at the meeting.
Waste Officer	No comments.
Environment Agency	No objection.

We have studied the revised plans submitted by the applicants, together with their accompanying letter dated 8th December 2015.

A number of issues immediately arise:-

- The case of 'Very Special Circumstances' originally argued by the applicants very much revolved around the specific needs of their prospective tenant, Miniclipper Logistics, for whom it was stated a height of 14.7m to ridge was 'essential' to meet his operational needs (see their **Planning Statement, Para. 5.16** and their **D & A Statement, Para. 9.5**).
- It would now appear that this height was not so 'essential' after all. In the circumstances, we would have expected to see, at the very least, evidence from Miniclipper that it is still interested in taking up occupancy of the proposed building, notwithstanding the proposed reduction in its height.
- There is in any event a lack of absolute clarity provided by the applicants – either in the revised plans or in their covering letter – as to whether the proposed height of 12m is to ridge or to eaves. Given the difference this would make to the profile of the structure it is particularly important that this be unequivocally defined.
- The height of '12 metres' now proposed is stated by the applicants to conform with advice given in your Pre-Application letter of 25th June 2015 that a building of this height would be acceptable. There is no such indication given in that letter. On the contrary, the only reference to such a figure in that letter is one by your Landscape Officer, who is recorded as stating that a building of 12m height or higher would be a cause for considerable concern in landscape and visual impact terms.
- We find it very surprising that the applicants should mis-quote your 25th June letter in this manner, leading us to question how their assertion as to the apparent 'acceptability' of 12m has come about. We now understand that this figure was in fact indicated by you in the course of more recent discussions which have taken place with the applicants.
- Given that the grant of Outline Consent for redevelopment of the Dean's Farm site was for a structure of only 8.5m height to ridge, we find it deeply concerning that this radical change of position by the

Council, which must surely have been the subject of letter or email confirmation to the applicants, has not been publicly posted on its Planning website as part of the Case Documentation .

- At the building height now proposed, the incremental harm caused to the openness of the Green Belt, and the visual impacts within the surrounding landscape, will remain substantial. As to the 'very special circumstances' required to justify this, we repeat our comment on the original submission, namely that Miniclipper have only – so far as we are aware - referred to 'difficulties' in finding a site suitable for their needs. Actual evidence as to the extent of their search, and the nature of the 'difficulties' encountered, does not seem to have been presented. In particular, we have suggested that the firm's reasons for discounting the existing areas of undeveloped employment land in Leighton Buzzard's Chartmoor Road employment zone require to be established.
- We would also draw attention to the employment zone land at Thorn Turn, where the Council now holds Outline consent for two substantial B8 structures built to 13m at eaves – surely better suited to Miniclipper's needs than 12m at Dean's Farm. Given that much of the 'very special circumstances' case for the consent at Thorn Turn was stated as 'urgency' in progressing employment opportunities in association with the area's housing growth, we do not see why Miniclipper need be too adversely affected by timing issues were they to be directed to this site. We would emphasise, moreover, that the Thorn Turn site is within an area which is to be taken out of the Green Belt – surely, therefore, a more appropriate location than Dean's Farm, where Green Belt considerations will remain. Surely, too, these considerations should be especially rigorously applied given the major Green Belt shrinkages now scheduled across South Bedfordshire as a whole.
- Against this background, therefore, we maintain that a sufficient case of 'very special circumstances' for a building at Dean's Farm on the scale proposed has not been made out, and the application should accordingly be refused.

Original comments

Strong objections for the following reasons :

- Whilst no objection was raised to the principle of re-

development of the site when Outline permission was sought, this was done on the basis that the scale of the development would have had a fairly neutral impact on the openness of the Green Belt having regard to the reduction in the footprint of the existing buildings.

- The current application involves a larger footprint and taller buildings.
- Design incorporates features of high quality but the building remains incongruous and intrusive in the Green Belt and countryside.
- Selected viewpoints do not include Totternhoe Knolls which is the most frequently visited public viewpoint in the locality. Even with additional mitigation planting, the roof tops of the proposed buildings would still be clearly visible from Totternhoe Knolls.
- The very special circumstances case put forward revolves around the needs of Miniclipper Logistics, a company which is understandably an important and well established employer in the Leighton Buzzard area.
- Miniclipper has not supplied evidence to demonstrate that their needs can only be met by this Green Belt site.
- No evidence has been given regarding why other alternative sites are unsuitable for example, the undeveloped site on Chartmoor on Road. The recent outline permission for the Clipstone Park area of the East Leighton Linslade Urban Extension contains 11.3 hectares of Employment land Although timing might be an issue, this site is being released from the Green Belt precisely to facilitate employment opportunities.
- The very special circumstances case is therefore not sufficiently made and the application should be refused.

Other Representations:

Neighbours None received

Determining Issues:

The main considerations of the application are;

1. Whether or not the proposal is acceptable in principle
2. Impact on the openness of the Green Belt
3. Impact on the character and appearance of the open countryside
4. Impact on employment creation
5. Neighbouring Amenity
6. Impact on traffic generation, accessibility and highway safety
7. Other Considerations

Considerations

1.0 Principle of the development

1.1 The principle of re-developing the site for industrial use has broadly been established by the grant of previous planning permissions, the latest one being an Outline permission granted in respect of a proposed re-development of former agricultural buildings (units 1-4) to two new B2/B8 class use buildings, including hardstanding areas for HGV access and general parking reference, **CB/14/01366**. However, in approving the previous full planning application reference **CB/11/00630/FULL** the Local Planning Authority gave substantial weight to the impact of the development on the openness of the Green Belt. This was resolved by keeping the height of the buildings to 8.5 metres and reducing the footprint of buildings by about 36%. Taking into account the very special circumstances case and the proposed mitigation measures in the form of new planting, the harm by reason of inappropriateness and any other harm was considered to be outweighed by the benefits to be had from the development. It should be noted that the application was considered under the criteria set out in Planning Policy Guidance 2,(PPG2) which has now been superseded by national advice within the National Planning Policy Framework (NPPF). This national advice states that local planning authorities should regard the construction of new buildings as inappropriate in the Green Belt except those listed in paragraphs 89 and 90 of the NPPF. The partial or complete re-development of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development is not inappropriate. However, in this case, the proposed two storey buildings would not only be taller than the existing buildings, but would also exceed the height of the previously approved development and would be built over a larger footprint. Because of these considerations, the proposed development would have a greater impact on the openness of the Green Belt than the existing buildings hence, would, by definition, be inappropriate. The applicant has sought to demonstrate the existence of very special circumstances as follows:

- The site has previously been in employment use but is now largely vacant and dilapidated.
- The site is previously developed in the context of the NPPF, paragraph 89.
- The site has been the subject of previous approvals for similar B8 industrial/employment development, most recently in 2014.
- The proposal is based on the requirements and economic growth of a local company within the Leighton Buzzard area where they have traded and operated successfully since inception in 1971 and who need new premises to meet demand, grow their business and employ more local people.
- Whilst substantial weight should be given to any harm to the Green belt, the planning system must do everything it can to support sustainable economic growth.
- The potential economic, social and environmental benefits associated with this proposal combine to constitute the type of sustainable economic growth that warrants support.
- The benefits of the proposal clearly outweigh any limited harm to the Green Belt and constitute very special circumstances that outweigh any potential harm to the Green Belt and any other possible harm.

- The proposal would not have a significant impact on the openness of the Green Belt.
- There is an opportunity to enhance the character and appearance of the countryside by the removal of dilapidated buildings and replacement with well-designed, attractive buildings set in good quality, well-maintained landscaping, which satisfies NPPF and local planning policies.
- There are local employment benefits with both retained and a variety of additional jobs that would support the local economy.
- There are no significant highway, access, travel, travel or safety impacts and a Travel Plan can assist with sustainable travel.
- The loss of two bungalows is a potential benefit with the comprehensive re-development of the entire site and a negligible loss of housing stock.
- There would be ecological/biodiversity benefits.

1.2 Employment creation

It is accepted that the proposal would support employment retention and generation and as such, is supported in this respect.

1.3 Conclusion on the principle of the development

The broad principle of re-developing the site for industrial purposes has already been established with the previous grant of planning permissions although the scale of the current proposal would be greater. The majority of the site has not been in use for many years. In such situations, national advice, whilst seeking to protect Green Belt land and the open countryside, also encourages the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value, (paragraph 17). In this case, the site is not designated. National advice is quite clear that building a strong and competitive economy ranks high on the Government's agenda and as such, requires that significant weight should be placed on the need to support economic growth through the planning system, (paragraph 18). Further advice at paragraph 28 states that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. Whilst there appears to be a conflict between the policies that seek to protect the Green Belt and the open countryside and policies that seek to promote economic growth in the countryside, the possible harm from approving the development has to be weighed against the benefits to be had. In this case, having taken regard of the established principle of re-developing the site for industrial use and the economic benefits to be had from the proposed development weighed against the harm to the Green Belt and the open countryside, it is considered that on balance, the current proposal is acceptable in principle subject to any identified harm being capable of mitigation through planning conditions and/or planning obligations under a section 106 Agreement. These matters will be explored in subsequent sections of this report.

2.0 Impact on the openness of the Green Belt

2.1 The NPPF advises, at paragraph 79 that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and the essential characteristics of Green Belts are their openness and permanence.

The proposal is for a development that would occupy a larger footprint than the existing buildings and would be taller. However, the majority of the development would be accommodated on previously built up land comprising existing sheds, a dog grooming building and large areas of concrete hardstanding. The

proposed demolition of the existing two bungalows and garages would assist to improve the openness of the site. It is therefore considered that in the context of the site and taking into account its planning history, the loss of openness to the Green Belt would not be significant.

3.0 Impact on the character and appearance of the open countryside

3.1 The principle of industrial development on the application site has already been established through previous permissions and as such, while noting that the site lies within the open countryside, the character and appearance of this site cannot remain rural. The approval of the construction of a roundabout at the junction of the A505 and Billington Road underlines the inevitable change in the character and appearance of this part of the countryside. The proposed mitigation planting around the site to be secured by planning conditions are considered appropriate to reduce the visual impact of the development in the open countryside. Furthermore, it is considered that the design of the buildings on this prominent site close to the A505 and future roundabout is aesthetically pleasing and as such, would stand as an appropriate gateway feature to Leighton Buzzard and Stanbridge Village. Overall, the design reflects an appreciation of the prominence of the site. The recommendation by the Landscape Officer to clad the building in timber is noted but is not considered determinant in view of the industrial use of the site and national advice within the NPPF which makes it clear at paragraph 60, that Local Planning Authorities should not attempt to impose architectural styles or particular tastes through unsubstantiated requirements to conform to certain development forms or styles. The suggested mitigation measures are however considered reasonable and as such would be secured by planning conditions.

4.0 Impact on residential amenity

4.1 The application is supported by a noise statement which concludes that with appropriate mitigation measures to include the erection of a noise barrier in the form of a 3 metre high timber fence along the northern boundary of the site and the use of banksmen in place of reversing alarms during the night time, the development would not result in detrimental harm to residential amenity. It is therefore considered that subject to the CBC Public Protection Officer not raising objections to this proposition, the impact of the development would be acceptable in this respect.

5.0 Impact on traffic generation, accessibility and highway safety

5.1 The proposed development would make use of an existing access which would be improved to achieve adequate visibility at its intersection with Billington Road. Access to the site would also benefit from the construction of the approved roundabout in the future. With appropriate conditions as recommended by the Highways Officer, the development would not result in highway safety hazards. Furthermore, it is considered that whilst the parking provision exceeds the CBC guidance, it would nevertheless be acceptable given the commitment of the applicant to grow the business on this site. It is also considered that whilst the site lies outside the main settlement envelopes and as such, is not a sustainable location, the applicant has agreed to enter into a section 106 Agreement to provide two bus stops and a linking footpath to improve accessibility by public means of transport.

6.0 Loss of housing

6.1 The proposed development would result in the loss of two dwellings contrary to

Policy H7 of the SBLPR which states that,
Planning permission will not be given for development which would result in the loss of residential land or buildings or for redevelopment or change of use of residential accommodation for non-residential purposes where this would represent an unacceptable loss to housing stock.

However, the Council's Annual Monitoring Reports, (2012-13 & 2013-14) demonstrate that in this period, whilst there has been loss of dwellings due to re-development these have been small when compared to the completions. Furthermore, given the location of the bungalows at the site entrance, residential amenity of the occupiers of these units would be severely compromised and would place an unnecessary constraint on the future industrial use of the site. The demolition of the bungalows is therefore justifiable.

7.0 Other Considerations

7.1 Applicant's response to the representations received

Height of the building

We have significantly reduced the height of the proposed building from 14.7m to 12m at the request of the Council's planning officer. He recommended the height should be kept at the scale discussed and given in-principle support by the Council at the pre-application stage, who had regard to the potential impact on the openness of the Green Belt before giving this advice. In the previous planning permission (CB/14/03166/OUT) it was accepted by the Council that although taller than existing buildings, the proposed buildings would not be materially intrusive in the surrounding area due to existing and proposed landscaping around the site. It was also accepted that the height increase was necessary to make the buildings more functional than the existing former chicken sheds and ancillary buildings. The proposal includes greater landscaping along the site boundaries, especially to the south and east, and the finished floor level is lower than what was previously approved.

The original submission sought the optimum solution or height for the building but following the expression of concerns about the visual impact of this, further consideration took place along with discussions with the client and Miniclipper and it was decided to reduce the height to a total of 12m, which is not ideal but acceptable to Miniclipper/our client.

Footprint

The footprint of the proposed warehouse (2,184 sqm) is broadly similar to the previously approved development (2,365 sqm) and the existing agricultural buildings (2,280 sqm). Other elements (covered loading areas) have been included to screen loading/unloading activities, which also assists in terms of limiting noise and the visual impact of such activities.

Evidence of very special circumstances that would outweigh harm of openness to the Green Belt

We have outlined a detailed "very special circumstances" case in the Planning Statement addressing the issues raised by the Council, as local planning authority. This "very special circumstances" case was supported by the Council's planning case officer at the pre-application stage. It is also based upon an actual proposed requirement rather than an unknown speculative development as in the case of the two previous permissions on the site, which have also sought to demonstrate "very special circumstances", which have also been accepted by the Council. These permissions represent clear precedents

for the current proposal, which as indicated is backed by an important local business and employer searching for new premises to expand.

The fundamental issue is that Miniclipper have been unable to find suitable premises in the Central Bedfordshire area for their current and future requirements. They have carried out an extensive site search and have been engaged with the Council in this search. However, this has only led them to consider Deans Farm as the only available and economically viable site that meets the current and future requirements of the business.

Noise pollution from 24 hour operation of building

The Noise Impact Assessment confirms that the nearest sensitive residential receptor is the farm to the north-west of Deans Farm on Billington Road. Therefore there will be minimal if any impact upon other nearby residential areas, indeed this is one of the advantages of the site. Discussions are taking place between the applicant's noise consultants and the Council's Environmental Health Officer over conditions on any permission to control/mitigate any potential noise impact. The A505 is already used by a large number of HGV vehicles. In the daytime, the noise from the increased amount of HGV movements to and from the site will be similar to the levels emitted from existing road traffic. Activity levels are expected to be significantly lower during the night time. Miniclipper will be able to reduce the noise impact of reversing vehicles by using banksmen and potentially only using some of the loading bays and certain times at night, where noise mitigation is greatest. The Noise Impact Assessment concludes the maximum noise levels from the site are acceptable. Noise will be further mitigated with a noise barrier along the northern boundary of the site.

Road safety due to increased lorries using the junction of A505 and increase in stationary traffic for lorry turning

The Council's pre-application advice required confirmation of the number of lorry movements to be able to conclude that a right turn lane to avoid traffic backing up to the junction was not required. The Transport Assessment confirms that after modelling traffic generated and a simple priority junction with a 'no right turn lane', virtually no queuing occurs and thus there is no need for a right turn lane.

No screening for visual and noise in autumn and winter

The Noise Impact Assessment confirms that a noise barrier will reduce the noise impact of the development along the northern boundary of the site. Other conditions will also be agreed that control noise and any disturbance to an acceptable level.

There is existing landscaping and planting on the boundaries of the site, which is proposed to be retained wherever possible and enhanced with additional planting, which can include deciduous and evergreen species where necessary. Once established this will ensure that the site is adequately screened in an acceptable, natural way that is in-keeping with its rural surroundings. In any event, the building has a high quality design and is attractive to views into the site when compared to the existing dilapidated buildings and the previously proposed standard building designs.

Impact on the housing on Station Road, Stanbridge not taken into account

The Stanbridge area will not be affected by any noise generated by the proposed development. HGVs will not pass through the village. Movements generated by the traffic to and from the site will be similar to the noise levels emitted by existing road traffic along the A505 as there will be no significant increase and activities within the site will be controlled, screened, enclosed and mitigated in an acceptable manner. The Landscape Design Statement confirms that at the southern end of Station Road there are limited views of the site, and from the northern end there are no views of the site at all.

Tilsworth Road faces the wrong direction and would not be impacted by a broken view or noise so should not have been used

Tilsworth Road is included because the topography to the north rises gradually towards this road and the village.

There are better locations in the Green Belt near to Leighton Buzzard that would be more appropriate

This has been addressed in the response on Issue 2.

The decision should not be based on cost rather than suitability and at the expense of the Green Belt and local residents.

This has been addressed in the response on Issue 2. The Deans Farm site is the subject of this proposal, is suitable for employment use as demonstrated by the previous planning permissions for similar development, is available now and is economically viable. It meets the current and future requirements of MiniClipper and we consider "very special circumstances" apply and support the proposed development on this site.

Additional information from the applicant's commercial agent

Further information as to why this site forms the best solution to the requirement of MiniClipper and why an alternative site cannot be found, specifically, one that is not located in the Green Belt.

MiniClipper's requirements/criteria

I have acted for MiniClipper in sourcing a site to house their requirement. The physical parameters of that requirement were very clear - between 100,000-170,000 sq ft of industrial/warehousing floorspace, within a unit with a minimum eaves height above 10m. The location was to be as close as possible to Leighton Buzzard where their existing Billington Rd, Cherrycourt Way and Hi Bay facilities, already are. The building also had to ideally be within Central Bedfordshire District Council's (CBC) administrative area.

Availability

Of course, you will be aware that the availability of suitable land within Leighton Buzzard and indeed, of buildings fitting the description above, is nil and has been so for some time. This is due in the main to the limited ownership of any vacant land within the confines of the town and those particular owners' propensity to retain such land as they own, for their own long and short term purposes and at levels of quoting that are unsupportable for mortgage or lending purposes.

Proposal

MiniClipper had two separate operations which they wished to house in any new facility, which would become their new headquarters and sole facility locally. The two operations were Palletline (where pallet delivery and palletised distribution would take place on a 24 hour basis), and also a warehouse and main office function.

Discussions and Investigations

We had extensive discussions with James Cushing, Head of Economic Policy at CBC, trying to source sites and James did suggest that Thorn Turn could be a solution to the problem. We progressed the idea at Thorn Turn for some time until the timeframes concerned with gaining planning permission and getting the premises built, became too extended and the overall cost of a 'single unit fits all scheme', became unfeasible financially. This was mainly due to existing commitments to rent and the requirement to part finance through disposal and the issues that might cause for the existing business operation. At this point, alternatives were sought.

I despatched a circular to agents in Milton Keynes, Luton, Dunstable and along the M1 corridor in the hope that somebody would have a clever idea about what could be ideally bought (possibly rented), to match Miniclipper's requirements and we were in receipt of various options as far away as Birmingham and down to Watford. These were considered based on the criteria described above and always in regard to the operational location objective, close to the M1 for access to the North and South via the M1. Of course, existing buildings provided an opportunity to occupy immediately and to house a newly won contract for MHRA product.

Alternative Options Considered

We viewed various options in Milton Keynes (MK80, Hoo Hing, Ceva and Mercers Drive). In Central Bedfordshire, we looked at Eastern Avenue, Woodside and Houghton Regis and agreed to purchase the former Boots facility on Townsend Industrial Estate, which completed at the beginning of 2015. This is now being extended by a further 13,000 sq ft to provide a total 66,000 sq ft of storage in Houghton Regis, albeit at a lower eaves than ideal. This solved the immediate warehousing issue for the time being and meant we could concentrate on finding a facility in which to provide the pallet division with an efficient home/base. One of the drivers for choosing what was not an ideal building in Houghton Regis, was that it would demonstrate to Central Beds DC that MiniClipper were determined and committed in their desire to remain in the County and to keep their existing staff, by locating as close as possible to the existing operational facilities.

The palletised delivery and freight business is currently operating from the Billington Road site in Leighton Buzzard, but the site is an historic one into which MiniClipper have expanded over the years. Therefore, on frequent occasions, they have to move vehicles around within the minimal yard space provided, in order to get the right vehicle to the front of the queue without disrupting other vehicles loading/unloading in the same area. This leads to congestion, frequent vehicle movements and delays and as the business continues to expand, the site is becoming more and more obsolete. The site also causes the vehicles leaving and arriving to travel along the more and more restricted Billington Road, which has seen restrictions on width and an increase in residential development, across the last seven years.

Deans Farm

In the absence of any alternative buildings which could potentially suit the occupier's specific needs in this instance, I introduced MiniClipper to The Crossing site at Deans Farm and with the assistance of Woods Hardwick and Brickhill Properties, the scheme which is the subject of the current planning application was drafted by DLA, after very positive pre-application advice from CBDC. This is a purpose built building for incoming and despatching pallets, with covered loading and a central storage/transit area for short term warehousing between transfers.

The site is strategically located close to the existing network of facilities owned or rented by the business, logistically will be hugely improved by the A5-M1 link which completes Spring 2017 and keeps MiniClipper within the bounds not only of Leighton Buzzard, but also Central Bedfordshire, which is clearly a massive advantage to the local economy and job market. It will enable the business to expand in the county and in so doing, to employ more people locally.

Conclusion

The alternative for MiniClipper is to move away from Central Bedfordshire to possibly Milton Keynes (MK), where sites for commercial development are available, especially with an end user in tow. Of course, MK has already benefitted from Millennium Mats and Franklin Products relocation from Leighton Buzzard, due to their inability to find a suitable alternative locally. To lose MiniClipper to MK would I am sure you agree, be a massive blow to the local community, economy and image of the district as a place to live, work, develop, grow, invest and do business.

7.2 Planning Obligations

The applicant has agreed in principle to enter into a section 106 Agreement to secure the provision of infrastructure that would improve the accessibility of the site as follows :

Bus stop improvements including installation of real time information. Total required = 2 stops at £17,288 per stop (**£34,576**)

7.3 Human Rights issues:

The application does not result in any human rights concerns.

7.4 Equality Act 2010:

An informative will be included with the planning permission to draw the applicant's attention to their statutory responsibility under the Equality Act.

Recommendation:

That Planning Permission be **GRANTED** subject to the following conditions and completing a section 106 Agreement to secure infrastructure improvement:

RECOMMENDED CONDITIONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development shall be carried out in accordance with the material schedule shown on Drawing Number 17372-SK11B.

Reason: To control the appearance of the building in the interests of the visual amenities of the locality.
(Policy BE8, SBLPR and Section 7, NPPF)

- 3 Notwithstanding the details submitted, the construction of the buildings hereby approved shall not take place until a landscaping scheme to include all hard and soft landscaping and a scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.

Reason: To ensure an acceptable standard of landscaping.
(Policy BE8, SBLPR and Sections 7 & 11, NPPF)

- 4 Prior to demolition work, and to be maintained throughout the course of development, all tree work and tree protection recommendations, as stipulated in Section 6 of the "Tree Survey Report", and Tree Protection Fencing, as set out in Appendix 3b of the report "Tree Constraints/Protection Plan" shall be fully implemented in strict accordance with these recommendations.

Reason: To ensure that a satisfactory standard of tree work is undertaken in order to prevent unnecessary or poor quality tree work being carried out, and to ensure that tree protection measures are implemented in accordance with the recommendations of the "Tree Survey Report" and "Tree Constraints/Protection Plan", in order to protect retained trees in the interests of maintaining their health, anchorage and boundary screening value.

(Policy BE8, SBLPR and Sections 7 & 11, NPPF)

- 5 No construction work shall commence until a detailed surface water drainage scheme for the site based on the agreed Drainage Strategy (Prepared by Broughton Beatty Wearing on behalf of Mr Peter Dean & Brickhill Properties GP Limited. November 2015.) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include provision of attenuation and a restriction in run-off rates to provide at least 20% betterment of the existing rate, as outlined in the Drainage Strategy. Details of inlets, outlets, hydro-brakes and propriety products, exceedance management, structural integrity, construction and long term management and maintenance of the entire drainage system will be provided as part of the scheme. It must

be based on site specific ground-testing and water quality assessment. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance.
(Section 10, NPPF)

- 6 No building shall be occupied until the developer has formally submitted in writing to the Local Planning Authority that the approved scheme has been checked by them and has been correctly and fully installed as per the approved details. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure that the implementation and long term operation of a sustainable drainage system (SuDS) is in line with what has been approved.
(Section 11, NPPF)

- 7 **Development shall not begin until details of the improvements to the junction of the proposed vehicular access with the highway have been approved by the Local Planning Authority and no building shall be occupied until the junction has been constructed in accordance with the approved details.**

**Reason: To ensure that the access is safe to use by traffic associated with the site and thus minimise danger, obstruction and inconvenience to users of the highway and the premises.
(Section 4, NPPF)**

- 8 Visibility splays shall be provided at the junction of the access with the public highway before the development is brought into use. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 180m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splay shall, on land in the applicant's control, be kept free of any obstruction.

Reason: To provide adequate visibility between the existing highway and the proposed access, and to make the access safe and convenient for the traffic which is likely to use it.
(Section 4, NPPF)

- 9 No building shall be occupied until a 2.0m wide footway has been constructed within the highway boundary between the site and the bus stops along Billington Road in accordance with details of the approved drawing/or scheme to be submitted to and approved by the Local Planning Authority. Any Statutory Undertakers equipment or street furniture shall be resited to provide an unobstructed footway.

Reason: In the interests of road safety and pedestrian movement.
(Section 4, NPPF)

- 10 The maximum gradient of the vehicular access shall be 10% (1 in 10).

Reason: In the interests of the safety of persons using the access and users of the highway.
(Section 4, NPPF)

- 11 Any gates provided shall open away from the highway and be set back a distance of at least 8.0 metres from the nearside edge of the carriageway of the adjoining highway.

Reason: To enable vehicles to draw off the highway before the gates are opened.
(Section 4, NPPF)

- 12 Before the premises are occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises.
(Section 4, NPPF)

- 13 Before the development is brought into use, Travel Plans are to be put in place and delivered in accordance with documentation submitted to and approved by the Local Planning Authority.

Reason: To promote sustainable modes of transport.
(Section 4, NPPF)

- 14 No building shall be occupied until secure cycle storage for employees and cycle parking for visitors have been constructed in accordance with details submitted to and approved by the Local Planning Authority.

Reason: In order to promote sustainable modes of transport.
(Section 4, NPPF)

- 15 No development shall commence until a details of the method statement of preventing site debris from being deposited on the public highway have been submitted to and approved in writing by the Local Planning Authority. The approved method statement shall be implemented throughout the construction period and until the completion of the development.

Reason: In the interests of highway safety and to prevent the deposit of mud or other extraneous material on the highway during the construction period.
(Section 4, NPPF)

- 16 **Development shall not commence until a scheme detailing provision for on site parking for construction workers for the duration of the**

construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.

**Reason: To ensure adequate off street parking is provided before and during construction in the interests of road safety.
(Section 4, NPPF)**

- 17 The development shall not be occupied or brought into use until the details of external lighting have been submitted to and approved by the Local Planning Authority. External lighting on the site shall be provided in accordance with the approved details and thereafter retained as such.

Reason: To protect the visual amenity of the site and its surrounding area.
(Policy BE8, SBLPR and Sections 7,9 & 11, NPPF)

- 18 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1572-01,1572-02, 1572-03, 17372-Sk03_A, 17372-Sk04_A, 17372-Sk05_D, 17372-Sk06_A, 17372-Sk07_A, 17372-Sk08_B, 17372-Sk09_D, 17372-Sk10_D & 17372-Sk11_B, 17372-Sk14, 0733/01Rev.A and QD680_100_03B.

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

INFORMATIVE NOTES TO APPLICANT

1. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the South Bedfordshire Local Plan Review (SBLPR) and the National Planning Policy Framework (NPPF).
2. 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.
3. The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Central Bedfordshire Council's Highway Help Desk, Priory House, Monks Walk, Chicksands, Shefford, Bedfordshire, SG17 5TQ quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.

4. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, Bedfordshire, SG17 5TQ.
5. The applicant is advised that photographs of the existing highway that is to be used for access and delivery of materials will be required by the Local Highway Authority. Any subsequent damage to the public highway resulting from the works as shown by the photographs, including damage caused by delivery vehicles to the works, will be made good to the satisfaction of the Local Highway Authority and at the expense of the applicant. Attention is drawn to Section 59 of the Highways Act 1980 in this respect.
6. The applicant is advised that in order to carry out highway works, it will 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 Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
7. The applicant and the developer are advised that this permission is subject to a legal obligation under Section 106 of the Town and Country Planning Act 1990.
8. The applicants attention is drawn to their responsibility under The Equality Act 2010 and with particular regard to access arrangements for the disabled.

The Equality Act 2010 requires that service providers must think ahead and make reasonable adjustments to address barriers that impede disabled people.

These requirements are as follows:

- Where a provision, criterion or practice puts disabled people at a substantial disadvantage to take reasonable steps to avoid that disadvantage;
- Where a physical feature puts disabled people at a substantial disadvantage to avoid that disadvantage or adopt a reasonable alternative method of providing the service or exercising the function;
- Where not providing an auxiliary aid puts disabled people at a substantial disadvantage to provide that auxiliary aid.

In doing this, it is a good idea to consider the range of disabilities that your actual or potential service users might have. You should not wait until a disabled person experiences difficulties using a service, as this may make it too late to make the necessary adjustment.

For further information on disability access contact:

The Centre for Accessible Environments (www.cae.org.uk)
Central Bedfordshire Access Group (www.centralbedsaccessgroup.co.uk)

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

The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

DECISION

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