

<b>Item No. 19</b>
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**SCHEDULE B**

<b>APPLICATION NUMBER</b>	<b>SB/08/01217/TP</b>
<b>LOCATION</b>	<b>Fourne Hill Farm, Eastern Way, Heath And Reach, Leighton Buzzard, LU7 9LF</b>
<b>PROPOSAL</b>	<b>Change of use to land and buildings for general industry (B2) purposes.</b>
<b>PARISH</b>	<b>Heath &amp; Reach</b>
<b>WARD</b>	<b>Plantation</b>
<b>WARD COUNCILLORS</b>	<b>Cllr P Rawcliffe and Cllr A Shadbolt</b>
<b>CASE OFFICER</b>	<b>Simon Barnett</b>
<b>DATE REGISTERED</b>	<b>21 January 2009</b>
<b>EXPIRY DATE</b>	<b>22 April 2009</b>
<b>APPLICANT</b>	<b>Mr R Fox</b>
<b>AGENT</b>	<b>Clifford W &amp; R C Shrimplin</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Application advertised as a Members decision</b>
<b>RECOMMENDED DECISION</b>	<b>Grant Planning Permission</b>

That Planning Permission be **GRANTED** subject to the following conditions:

- 1 Within 30 days of the date of this permission, a scheme for the parking of vehicles on the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall comply with the standards of the Local Planning Authority and shall be fully implemented within 60 days of its approval in writing and thereafter retained for this purpose.  
REASON: To ensure provision for car parking clear of the highway.  
(Policy T10 S.B.L.P.R).
- 2 All plant, machinery and equipment (including refrigeration and air conditioning systems, and public address and other amplified sound systems) to be used by reason of this permission shall be so installed, maintained and operated as to prevent the transmission of noise and vibration into any neighbouring premises and places of public resort.  
REASON: To prevent nuisance from noise and vibration and to safeguard the amenities of the area.  
(Policy BE8 S.B.L.P.R).
- 3 No goods, waste, materials or equipment shall be deposited or stored on the site in the open other than on any area/s defined for those purposes and shown on the approved plan.  
REASON: To protect the amenities of the area and to ensure that vehicle parking, servicing and unloading areas are available for those purposes at all times.  
(Policy BE8 S.B.L.P.R).

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions to the building/s hereby permitted shall be carried out without the grant of further specific permission from the Local Planning Authority.  
REASON: To control the external appearance of the building/s in the interests of the amenities of the area and to safeguard the openness of the Green Belt.  
(Policy BE8 S.B.L.P.R).
- 5 This permission relates only to the details shown on the Site Location Plan received 21/01/09 and the Site Layout Plan received 29/12/08 or to any subsequent appropriately endorsed revised plan.  
REASON: To identify the approved plans and to avoid doubt.

### **Notes to Applicant**

1. This permission is, in part, granted under the provisions of Section 73A of the Town and Country Planning Act 1990.
2. In accordance with Article 22 of the Town & Country Planning (General Development Procedure) Order 1995 (as Amended), the Council hereby certify that the proposal as hereby approved conforms with the relevant policies of the Development Plan comprising of the Regional Spatial Strategy for the East of England (the East of England Plan and the Milton Keynes and South Midlands Sub-Regional Strategy), Bedfordshire Structure Plan 2011 and the South Bedfordshire Local Plan Review and material considerations do not indicate otherwise. The policies which refer are as follows:  
  
**South Bedfordshire Local Plan Review**  
NE12 - Re-use/Adaption of Rural Buildings  
BD8 - Design Considerations
3. In accordance with Article 22 of the Town and Country Planning (General Development Procedure) Order 1995 (as Amended), the reason for any condition above relates to the Policies as referred to in the Regional Spatial Strategy (RSS), Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).
4. 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.
5. We consider that the controlled waters at this site are of low environmental sensitivity, therefore we will not be providing detailed site-specific advice or comments with regards to land contamination issues for this site. We recommend that the requirements of PPS23 and the Environment Agency Guidance on Requirements for Land Contamination Reports/ EA 'Land Contamination: A Guide for Developers' should be followed.

6. Under the terms of the Water Resources Act 1991, the prior written consent of the Agency is normally required for any discharge of sewage or trade effluent into controlled waters, and may be required for any discharge of surface water to such controlled waters or for any discharge of sewage or trade effluent from buildings or fixed plant into or onto ground or into waters which are not controlled waters. Such consent may be withheld. (Controlled waters include rivers, streams, underground waters, reservoirs, estuaries and coastal waters).

No soakaways should be constructed in contaminated land. As part of our Groundwater Protection Policy the maximum acceptable depth for soakaways is two metres below existing ground level. We recommend that a minimum of 1 metre should be left between the base of the soakaway and the highest groundwater levels recorded as direct discharges to groundwater are unacceptable.

Any soakaways shall be designed and constructed wholly in accordance with BRE Digest 365 (or CIRIA Reports 156) and to the satisfaction of the Council's Building Control Section.

Only clean, uncontaminated water should be discharged to any soakaway.

Prior to being discharged into any surface water sewer or soakaway system, all surface water drainage from parking areas and hard standings susceptible to oil contamination shall be passed through an oil separator designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

7. If any controlled waste is to be removed off site, then site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably authorised facility. Further guidance is available on our website:  
[www.environment-agency.gov.uk/subjects/waste/](http://www.environment-agency.gov.uk/subjects/waste/)

If any waste is to be used on site, the applicant will be required to obtain the appropriate exemption or authorisation from us. We are unable to specify what exactly would be required if anything, due to the limited amount of information provided.

Waste from the development must be re-used, re-cycled or otherwise disposed of in accordance with waste management legislation and in particular the Duty of Care. This is also applicable for any off-site movements of wastes. The developer as waste producer therefore has a duty of care to ensure all materials removed go to an appropriate licensed disposal site and all relevant documentation is completed and in accordance with regulations.

Further information can be obtained from your local Environment Agency office. Responsibility for the safe development and secure occupancy of this development rests with the developer.

8. Any liquid fertilizer storage facilities must be sited in properly constructed banded areas of sufficient capacity to avoid contamination of any watercourse, surface water drains or water source in the event of spillage, and shall comply with the Fertilizer Manufacturer's Association – Code of Practice for the Prevention of Pollution from the Storage and Handling of Fluid Fertilizers.

Under the terms of the Control of Pollution (Silage, Slurry and Agricultural Fuel Oils) Regulations 1991 and as amended 1997, the person who proposes to have control over any relevant storage installation is required to serve notice on the Environment Agency specifying the type of structure to be used and its location at least 14 days before it is to be used for the keeping or storing of any relevant substance.

Any facilities, above ground, for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the banded compound should be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund.

The drainage system of the bund shall be sealed with no discharge or any watercourses, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge into the bund.

All foul sewage or trade effluent, including cooling water containing chemical additives, or vehicle washing water, including steam cleaning effluent shall be discharged to the foul sewer. No foul sewage or trade effluent, including cooling water containing chemical additives, or vehicle washing water, including steam cleaning effluent, shall be discharged to the surface water drainage system.

Foul and surface water manhole covers should be marked to enable easy recognition, convention is red for foul and blue for surface water. This is to enable water pollution incidents to be more readily traced.