

Item No. 9**SCHEDULE B**

APPLICATION NUMBER	CB/11/03946/REN
LOCATION	Meat And Livestock Commission, Hitchin Road, Stotfold
PROPOSAL	Renewal of planning permission 08/02000/FULL (removal of condition 14) in respect of planning approval 08/01043/OUT (redevelopment to form a business park (B1,B2 and B8 uses) and erection of 5no. replacement dwellings (all matters reserved except access).
PARISH	Stotfold
WARD	Stotfold & Langford
WARD COUNCILLORS	Cllrs Clarke, Saunders & Saunders
CASE OFFICER	Mark Spragg
DATE REGISTERED	24 November 2011
EXPIRY DATE	23 February 2012
APPLICANT	The Agricultural & Horticultural Development Board
AGENT	Hunter Page Planning Ltd
REASON FOR COMMITTEE TO DETERMINE	Objection from Stotfold Town Council to Major application.
RECOMMENDED DECISION	Rep PP - New Time Limit - Granted

Site Location:

The site to which this development relates measures 5.7 hectares and comprises the former Pig Development Unit (otherwise known as the Meat and Livestock Commission), Hitchin Road, Stotfold. The operations on this site have now ceased and it is understood that the site is surplus to the needs of the Agriculture and Horticulture Board.

The site is situated on the east side of Hitchin Road, within a short distance of Stotfold and Letchworth, with Fairfield Park located to the west. The application site is well placed for bus links to Stotfold, Letchworth and Arlesey, which has a main railway link to the East Coast Main Line, and London.

The site lies outside the settlement envelope of Stotfold and lies and partly within the floodplain.

There is a shared footway/cycleway, which lies adjacent to the west side of Hitchin Road and provides a link to Fairfield Park and Stotfold, via an undepass.

The Application:

This application seeks a renewal of planning permission 08/02000 which was for a removal of condition 14 of planning permission 08/01043/OUT being an outline application for a redevelopment of the site to form a new business park (B1, B2 and B8 uses), accounting for 18,000 square metres (gross) of employment space, and the erection of 5 no. replacement dwellings (All Matters Reserved, except access).

The removed Condition 14 had stated that the replacement dwellings should not exceed two storeys in height and no habitable accommodation to be provided within the roofspace.

PPS:

- PPS1 Delivering Sustainable Development
- PPS3 Housing
- PPS4 Planning for Sustainable Economic Growth

Central Bedfordshire Core Strategy:

CS2, CS5, CS9,
CS10, CS14, DM3,
DM4

Relevant Planning History

83/0745B/FA	Erection of 5 bay pig unit, 2no. dry sow houses, 2 no. pig finisher houses with 1no. control room, Dutch barn and construction of flat decking (Following demolition of existing agricultural buildings). Approved 17th February 1987.
99/00515/FA	Erection of extension to form feed control building. Approved 7th June 1999.
00/00409/FA	New building to provide Feed Control Centre. Approved 3rd May 2000.
08/01043/OUT	Redevelopment to form a business park (B1, B2 and B8 uses) and erection of 5no. replacement dwellings (All Matters Reserved, except access). Approved 17 September 2008.
08/01998/FULL	Removal of condition 13 (height of B1, B2, B8 units) pursuant to permission 08/01043/OUT. Approved 11 February 2009.

08/01999/FULL Removal of condition 15 pursuant (no net increase in bedspaces) to permission 08/01043/OUT. Refused 10 February 2009.

08/02000/FULL Removal of condition 14 (height of dwellings) pursuant to permission 08/01043/OUT. Approved 11 February 2009.

**Representations:
(Parish & Neighbours)**

Stotfold Town Council Objection due to the relatively exposed nature of the sloping site in a rural setting with high visibility from several directions, buildings in excess of the limits already suggested would cause a detrimental visual effect to the amenity of the area. Sufficient screening would have to be of such a height as to be impractical. The majority of domestic dwellings in the main town of Stotfold are 20th Century construction with some older and some newer buildings interspersed. These are predominantly of two-storey in height; a minority with the roof space accommodation built originally or added at a later stage. The proposed relaxation of this condition would not conform with the predominant character of the main part of the town and would not conform with the predominant character of the main part of the town and would lead to higher occupancy rates of the dwellings with a proportional increase of traffic movements to/from the site and requirements for more off-road parking spaces would need to be provided. We do not believe this is a full application and is only a variation of the outline application 08/01043/OUT. If it were a full application, we should be in receipt of detailed plans.

Neighbours No comments received.

Consultations

Highways No objection.

Environment Agency No objections to the removal of condition 14.

Internal Drainage Board (IDB) No comments received.

Environmental Health No objection.

Campaign to Protect Rural England (CPRE) No comments received.

Tree Officer No objection.

Minerals and waste No objection.

Determining Issues

The main considerations of the application are:

1. Principle of Development
2. Impact of Development on Character and Appearance of the Area
3. Impact of Development on Neighbouring Properties
4. Other Issues

Considerations

1. Principle of Development

Planning approval reference 08/01043/OUT established the principle of developing this site with five replacement dwellings, and for the associated commercial development. Furthermore the site has recently been allocated for mixed use development in the Site Allocations DPD (April 2011) based on the description of development permitted by the 2008 outline consent.

Planning permission 08/02000 subsequently agreed removal of condition 14 of the original outline consent which had sought to restrict the height of the replacement dwellings. Another application, 08/01998, was approved at the same time for the removal of condition 13 (building height of the B1,B2 and B8 uses to not exceed 8m in height).

Condition 2 of approval 08/01043 required the developer to obtain the Council's approval of the layout, scale, appearance and landscaping of the development. As such, it is considered as before that the Council would retain adequate control of the height of the dwellings and buildings and a renewal of the planning permission is acceptable.

Condition 15 of the original outline consent, which restricted any further bedspaces as part of the development was not included in either of the above decisions. However, an application (08/01999) submitted at the same time as the other two applications, seeking to remove condition 15 was refused. It is however necessary to ensure that any increase in bedspaces shown in any subsequent reserved matters application generates a requirement for contributions towards the additional impact on infrastructure, as was intended by the original consent.

A condition is attached to this consent stating that there shall be no net increase in the number of bedrooms.

2. Impact of Development on Character and Appearance of the Area

The site can be viewed in the landscape and as such careful consideration must be given to the impact of the development on the character of the area. However, as previously considered, the submission of a reserved matters application, with full details of the design layout and elevations would enable the Council to give due consideration to such matters.

3. Impact of Development on Neighbouring Properties

As previously considered to be the case, the Council would have the opportunity to consider the impact of the application on nearby dwellings in detail during the consideration of a reserved matters' application.

4. Other Issues

The Environment Agency have raised no objection to the application in respect of any impact on the floodplain. Further consultation with the Environment Agency would be done as part of any subsequent reserved matters application.

Planning approval 08/02000 was the subject of a deed of variation Section 106 agreement and in order to ensure that its requirements can be enforced, there is a need for the applicant to complete a further deed of variation in association with this application and this has already been drafted.

Conclusion

In conclusion, it is considered that planning permission should be granted for a renewal of planning permission 08/02000, subject to completion of a 'Deed of Variation' to ensure that the requirements of the legal agreement associated with the original outline approval are carried through to this permission.

- 1 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 92 (2) (a) and (4) of the Town and Country Planning Act 1990.

- 2 **Approval of the details of:-**

- (a) the layout of the building(s);**
- (b) the scale of the building(s);**
- (c) the appearance of the building(s);**
- (d) the landscaping of the site;**

(hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced. Plans and particulars of all of the reserved matters referred to above shall be submitted in writing to the Local Planning Authority and the development shall be implemented as approved.

Reason: To enable the Local Planning Authority to exercise control over the said matters which are not particularised in the application for planning permission in accordance with Section 92 of the Town and Country Planning Act 1990 and Town and Country Planning (General Development Procedure) Order 1995.

- 3 The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To comply with the provisions of Sections 92 (2) (b) and (4) of the Town and Country Planning Act 1990.

- 4 **Development shall not begin until a noise impact assessment detailing the likely noise impact of the B1/B2/B8 employment area on the proposed C3 residential dwellings and existing residential dwellings on Hitchin Road has been submitted to and approved in writing by the Local Planning Authority. The assessment shall be in accordance with PPG 24 and BS4142 and shall identify appropriate noise mitigation measures to protect the amenity of the proposed residential dwellings as appropriate. Any works which form part of the scheme shall be completed before any dwelling is occupied unless an alternative period for completion is agreed by the Local Planning Authority.**

Reason: In order to safeguard the amenity and interests of immediate surroundings.

- 5 Operations for which noise is audible at the nearest noise sensitive properties shall only be carried out between 08.00 hours and 18.00 hours Monday – Friday, 08.00 to 18.00hrs Saturday, and at no time on Sundays, Bank or Public Holidays, without the prior agreement in writing of the Local Planning Authority.

Reason: In order to safeguard the interest and amenity of the immediate surroundings.

- 6 Noise resulting from the use of the plant, machinery or equipment at each industrial unit shall not exceed a level of 5dBA below the existing background level (or 10dBA below if there is a tonal quality) when measured according to BS4142:1997, at a point one metre external to the nearest noise sensitive building

Reason: In order to safeguard the interest and amenity of the immediate surroundings.

- 7 **Development shall not begin until a scheme for protecting the proposed dwellings and existing dwellings on Hitchin Road from odour/fumes and light pollution from the B1/B2/B8 uses has been submitted to and approved by the local planning authority. Any works which form part of the approved scheme shall be completed before any permitted premises or dwelling is occupied unless an alternative period is agreed in writing by the Local Planning Authority.**

Reason: In order to safeguard the interest and amenity of the immediate surroundings.

- 8 **Prior to the commencement of any phase of development approved by this planning permission developer shall submit to the Planning Authority, in duplicate:**

a) A Phase 1 Desk Study incorporating a site walkover, site history, maps and all further features of industry best practice relating to contamination.

b) Where shown to be necessary by the Phase 1 Desk Study, a Phase 2 Site Investigation report further documenting the ground conditions of the site with regard to potential contamination, incorporating appropriate soils, gas and groundwater sampling.

c) Where shown necessary by the Phase 2 investigation, a Phase 3 detailed scheme for remedial works and measures to be taken to mitigate any risks to human health, groundwater and the wider environment.

d) On completion of the development, the developer shall provide written confirmation that any and all works have been completed in accordance with the agreed remediation scheme in the form of a Phase 4 validation report.

Any remediation scheme shall be agreed in writing by the local planning authority prior to the commencement of works.

Any remediation scheme, as agreed in writing shall be fully implemented before the development hereby permitted is first occupied.

All variations to any remediation scheme shall be agreed in writing with the Local Planning Authority.

Reason: To protect human health and the environment.

- 9 **Details of the method of disposal of foul and surface water drainage shall be submitted to and agreed in writing by the Local Planning Authority including any land drainage system, before the development is commenced. Thereafter no part of the development shall be brought into use until the approved drainage scheme has been implemented.**

Reason: To ensure that adequate foul and surface water drainage is provided and that existing and future land drainage needs are protected.

- 10 The scheme approved in Condition 2 shall be carried out by a date which shall be not later than the end of the full planting season immediately following the completion of the development. Thereafter the planting shall be adequately maintained for a period of five years from the date of planting. Any of the trees or shrubs or both which die or are removed, or which become severely damaged or seriously diseased (during the said period of five years) shall be replaced with trees or shrubs or both, as the case may be, of similar size and species to those originally required to be planted and the same shall be maintained until properly established.

Reason: In order to ensure that the planting is carried out within a reasonable period in the interest of the visual amenities of the area.

- 11 A scheme shall be submitted for written approval by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved scheme before the buildings are occupied in accordance with a timescale agreed in writing with the Local Planning Authority.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.

- 12 **No development shall commence until a wheel cleaning facility has been provided at all site exits in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The wheel cleaner(s) shall be removed from the site once the roadworks necessary to provide adequate access from the public highway have been completed (apart from final surfacing) to the satisfaction of the Local Planning Authority.**

Reason: In the interests of the amenity and to prevent the deposit of mud or other extraneous material on the highway during the construction period.

13 There shall be no net increase in the number of bedrooms at the site within the new dwellings hereby permitted.

Reason: In order to comply with the Council's Planning Obligations Strategy (SPD).

14 The development hereby permitted shall relate to the submitted unnumbered site plan given reference CBC01.

Reason: For the avoidance of doubt.

Reasons for Granting

The site is allocated in the Central Bedfordshire Site Allocations DPD (April 2011) for a mixed use development providing five replacement dwellings and buildings to accommodate B1,B2 and B8 uses. The proposal conforms with policies CS2, CS5, CS9, CS10, CS14, DM3 and DM4 of the Central Bedfordshire Core Strategy, Planning Policy Statement PPS1, PPS3 and PPS4 and Circular 11/95.

Notes to Applicant

DECISION

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