

Item No. 9

APPLICATION NUMBER	CB/12/02071/OUT
LOCATION	Retail Park at Grovebury Road, LU7 4UX
PROPOSAL	Development of the site for retail warehousing development within Class A1 (retail) to comprise 5,575sqm with 2,090sqm mezzanine floorspace and 929sqm garden centre enclosure and a restaurant/cafe/public house of 372sqm within Class A1/A3/A4/A5 use
PARISH	Leighton-Linslade
WARD	Leighton Buzzard South
WARD COUNCILLORS	Cllrs Berry, Bowater & Dodwell
CASE OFFICER	Adam Davies
DATE REGISTERED	08 June 2012
EXPIRY DATE	07 September 2012
APPLICANT	Claymore Group and CC Trading Ltd
AGENT	Blue Sky Planning
REASON FOR COMMITTEE TO DETERMINE	Town Council objection to major application
RECOMMENDED DECISION	Outline Application - Granted

Site Location:

The application site forms part of a broadly triangular-shaped parcel of undeveloped land on the eastern side of Grovebury Road, on the southern side of Leighton Buzzard. The land currently comprises rough grassland with hedges and a centrally located copse. The eastern-most corner of the land has been excluded from the 2.9ha application site. The northern-most corner of the site is traversed by 400kW overhead power lines which run in an east-west direction with the existing vehicular access from Grovebury Road positioned below the power lines, adjacent to a single electricity pylon. The site is located immediately north of Union Court and the Browns retail and trade centre which operates as an agricultural engineers and an angling centre. To the north, the land is bordered by storage and industrial units, other commercial uses and associated car parking. Further to the east of the Browns site and to the north east of the neighbouring commercial uses are land at Grovebury Farm and Brickyard Quarry which have outline planning permission for residential and associated development plus a local centre and community land. To the west of Grovebury Road are Tiddenfoot Waterside Park and the adjoining riverside meadows. The site forms part of a Main Employment Area as defined on the Proposals Map of the South Bedfordshire Local Plan Review 2004.

The Application:

Outline planning permission is sought for a retail warehouse development with a gross floor area of 8,594 square metres providing a total of 6,132 square metres of

net tradable floor space, including mezzanine levels and a garden centre enclosure.

The scheme would include an 'anchor' DIY unit with a ground floor retail area of 3,252 square metres gross (2,602 square metres net); a mezzanine floor area of 929 square metres gross (743 square metres net); and a garden centre of 929 square metres gross. Four smaller A1 retail units are proposed, two offering a floor space of 697 square metres gross (558 square metres net) with mezzanine levels of 348 square metres gross (278 square metres net); and two offering a floor space of 465 square metres gross (372 square metres net) with mezzanine levels of 232 square metres gross (186 square metres net). A restaurant/café/public house of 372 square metres gross floor area is also proposed.

It is proposed that the retail floorspace would be used for the sale of DIY goods; furniture; carpets and floor coverings; household fabrics; office equipment and stationary; motor vehicle parts and accessories; cycles and ancillary goods; electrical goods and gas appliances; pets and pet supplies.

Two vehicular accesses are proposed from Grovebury Road. One would provide access to the public parking area and the other would serve a service yard. All matters, except those relating to access, are reserved for subsequent approval. As such the precise details of the siting, design, landscaping and appearance of the development would need to be determined at the approval of reserved matters stage.

An indicative site layout plan provides shows how the retail development could be arranged. The five Use Class A1 retail units are shown positioned towards the east and north east sides of the site and fronting onto a public parking area. The restaurant/café/public house is shown as a stand-alone unit positioned within the south west corner of the site. A total of 318 parking spaces and 36 cycle parking spaces are shown. A service yard is shown at the rear of the Class A1 retail units. A new public footpath is proposed to run from the future housing development on land at Grovebury Farm, along the north east boundary of the site, to Grovebury Road to the west of the site.

RELEVANT POLICIES:

National Planning Policy Framework (March 2012)

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

Section 1: Building a strong, competitive economy

Section 2: Ensuring the vitality of town centres

Section 4: Promoting sustainable transport

Section 7: Requiring good design

Section 8: Promoting healthy communities

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

Section 11: Conserving and enhancing the natural environment

Section 12: Conserving and enhancing the historic environment

South Bedfordshire Local Plan Review Policies

SD1: Sustainability Keynote Policy

BE8: Design Considerations

T10: Controlling Parking in New Developments
E1: Providing for B1-B8 Development within Main Employment Areas
R14: Protection and Improvement of Informal Recreational Facilities in the Countryside

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 Policies BE8 and R14 are broadly consistent with the Framework and carry significant weight. Policies T10 and E1 carry less weight but are considered relevant to this application.

Development Strategy for Central Bedfordshire

Policy 1: Presumption in Favour of Sustainable Development
Policy 6: Employment Land
Policy 7: Employment Sites and Uses
Policy 11: Town Centre Uses
Policy 12: Retail Strategy
Policy 15: Leighton Buzzard Town Centre
Policy 19: Planning Obligations and the Community Infrastructure Levy
Policy 23: Public Rights of Way
Policy 24: Accessibility and Connectivity
Policy 25: Capacity of the Network
Policy 26: Travel Plans
Policy 27: Car Parking
Policy 28: Transport Assessments and Travel Plans
Policy 43: High Quality Development
Policy 44: Protection from Environmental Pollution
Policy 45: The Historic Environment
Policy 49: Mitigating Flood Risk
Policy 56: Green Infrastructure
Policy 57: Biodiversity and Geodiversity
Policy 59: Woodlands, Trees and Hedgerows

Having regard to the National Planning Policy Framework, significant weight is given to the policies contained within the emerging Development Strategy for Central Bedfordshire, which is consistent with the NPPF. The draft Development Strategy is due to be submitted to the Secretary of State in May 2013.

Supplementary Planning Guidance

Design in Central Bedfordshire - A Guide for Development - adopted by the Luton & South Bedfordshire Joint Committee on 23 July 2010

Luton and Central Bedfordshire Core Strategy - adopted for Development Management purposes by the CBC Executive on 23 August 2011

CBC Emerging Parking Strategy, Appendix F, Central Bedfordshire Local Transport Plan, endorsed for Development Management purposes by Executive October 2012

Grovebury Road Industrial Estate Enhancement Plan, August 2012

White Young Green Evidence Base Retail Study 2009

Central Bedfordshire Retail Study, 2012

Land South of High Street Development Brief, GVA, March 2012

Bridge Meadow Development Brief, GVA, March 2012

CBC Medium Term Plan, "Delivering Your Priorities" 2012-2016

Planning History

The following relevant planning history relates to the application site:

Tree Preservation Order 11/2003 Provisional woodland Tree Preservation order placed on the woodland at the application site on 29 September 2003. Tree Preservation Order not confirmed.

The following planning application relates to the land immediately north of the application site:

CB/12/03290/OUT Outline Planning: Proposed non food retail park of up to 10,775 sqm (116,000sqft) Gross retail floorspace, up to 600 sqm (6,460 sqft) storage up to 604 sqm (6,500 sqft) pub/restaurant, up to 167 sqm (1800sqft) drive thru restaurant, new vehicular access and associated highway works, associated car parking; hard and soft landscaping and associated infrastructure works. Under consideration. On the same Committee Agenda.

The following relevant planning history relates to land immediately south and south east of the application site:

SB/06/00137/FULL Erection of B1 office units (two and three storeys) with ancillary car parking and erection of B2 industrial/B8 warehouse unit (part two storey with ancillary car parking and service area. Permission granted. Not implemented.

SB/03/00340/FULL Erection of two industrial units with ancillary display area, car parking and service area. Permission granted. Implemented.

(Officer Note: This permission relates to the Browns retail and trade centre on Grovebury Road. Following the proposed residential redevelopment of the former Browns site at Mentmore Road, Browns proposed to relocate to the Grovebury Road site. Whilst this development involved an element of out of centre retail within the Main Employment Area, given the requirement for Browns to relocate and the employment generation resulting from the proposed mixed use scheme, the proposal was considered acceptable).

The following application relates to Houghton Regis North Site 1:

CB/12/03613/OUT Outline planning permission with the details of access, appearance, landscaping, layout and scale reserved for later determination. Development to comprise: up to 5,150 dwellings (Use Class C3); up to 202,500 sqm gross of

additional development in Use Classes: A1, A2, A3 (retail), A4 (public house), A5 (take away); B1, B2, B8 (offices, industrial and storage and distribution); C1 (hotel), C2 (care home), D1 and D2 (community and leisure); car showroom; data centre; petrol filling station; car parking; primary substation; energy centre; and for the laying out of the buildings; routes and open spaces within the development; and all associated works and operations including but not limited to: demolition; earthworks; engineering operations. All development, works and operations to be in accordance with the Development Parameters Schedule and Plans. Under consideration.

(Officer note: It is envisioned that this development would provide a maximum of 30,000 square metres of retail uses. This application therefore represents a material consideration for the Grovebury Road retail proposals in relation to matters of retail demand and viability.)

The following planning history relates to the existing Tesco and Homebase stores at Vimy Road, Leighton Buzzard:

CB/10/04238/FULL Demolition of existing Class A1 retail warehouse (Homebase) and construction of extension (2,850 sqm) to existing Class A1 foodstore (Tesco) with additional car parking and landscaping. Construction of freestanding canalside Class A3 restaurant/cafe unit with public realm enhancements on Leighton Road frontage. Permission. Not implemented. Expires 28 May 2015.

(Officer note: If implemented, this development would involve the demolition of the existing Homebase store at Vimy Road. Importantly however Homebase are not identified as named operators as part of the current application. It is presently unknown whether the Tesco extension will be implemented or whether Homebase would be required, or seek, to relocate. Whilst the Tesco permission remains extant until 28 May 2015, it should be noted that Tesco have most recently submitted a planning application for a customer collection canopy to serve internet customers [detailed below]. This recent application does not appear to reflect the intention to extend the Tesco store in line with the previous planning permission).

CB/13/00241/FULL Proposed Customer Collection Canopy. Under consideration.

Representations:

Town Council Recommend refusal. Inappropriate use of a green field site, potential historic nature of the site (ancient Theedway route), a development of this size and nature in this location would have a detrimental impact on the town centre. The Committee asked that if Central Bedfordshire

Council was minded to approve the application, that consideration be given to adding restrictions on the four retail units to lessen the potential impact on the town centre.

Billington Parish Council Concerns are raised regarding the potential for additional litter as a result of food takeaway units in the area.

Neighbours 23 objections have been received which can be summarised as follows:

- The proposal would reduce spending in the town centre and affect its viability, leading to shops closing and jobs lost.
- The development would jeopardise the plans to develop the land south of the High Street for retail which should be progressed as soon as possible as an enhancement to the town centre.
- The mix of retailers for this type of retail park is not appropriate for an out of centre location and would duplicate goods sold in existing furniture shops, pet shops and takeaways within the town.
- The proposal would reduce pedestrian traffic in the town centre.
- The Town Council and CBC have signed up to the Portas Pilot scheme. The Mary Portas review highlighted the importance of High Street centres as a social and community hub and the harm which retail parks can have on town centres.
- The development would not be accessible for non-car users. The town centre is the only major shopping area which is accessible for non-car users.
- The land should be developed for employment purposes, particularly given the increased requirement for jobs due to the significant increase in the number of homes within the town.
- The town centre is not as healthy as it may appear. The proposal would have a very harmful impact on the retail and night time economies.
- It is questioned whether the figures provided within the application, including the anticipated number of jobs to be created are correct. Local retailers are unable to enlist professional companies to challenge the assumptions set out within the application.
- Permission should not be granted because of concerns regarding the costs of appeal.

- Local people and retailers did not support the expansion of the Vimy Road Tesco store as it was considered that this would be detrimental to smaller retailers. The relocation of the Homebase store to Grovebury Road would be to the further detriment of the town centre and mean it will be inaccessible to non-car users.
- Neighbouring towns with out of centre retail parks have a high percentage of empty shop units in the town centre. The proposal would have a similar impact in Leighton Buzzard.
- Given the economic climate, retail parks are not automatically viable. There is a growing movement away from large format, out of centre retail towards smaller format, town centre stores where there is greater variety and choice.
- Traditional town centre retailers are more robust than larger, discount based retailers likely to occupy a retail park.
- The Tesco expansion is uncertain and it is not guaranteed Homebase would wish to relocate.
- There are other suitable sites within the town for a DIY type store.
- The application does not adequately address any archaeological implications arising from the proposal.
- The development would increase vehicle movement and congestion increasing harmful emissions.
- The design of the development is generic and would not reflect its location.
- Companies such as Harvester, Starbucks, Costa, KFC and Burger King would prefer town centre locations.
- The proposal would result in the loss of wildlife habitats.
- Given the forthcoming A5-M1 link road, it would make more strategic sense to protect employment land and direct new businesses to this site.

A petition with 72 signatures of those wishing to object to the proposal has been received.

A total of 144 third party representation forms, headed "Help Save Your High Street", have been submitted. A number of those who had completed forms have also commented by way of objection, as summarised above. A number of those who had completed did not provide full

addresses. The forms state that there are two retail development options within Leighton Buzzard; Option 1, an extension to the existing retail centre on land south of the High Street or Option 2, a retail development on Grovebury Road. Of the 144 forms received;

- 136 indicated a preference for development on land south of the High Street.
- 4 indicated a preference for neither development
- 3 indicated a preference for the proposed retail park development.
- 1 indicated a preference for both developments.

Two letters/emails of support have been received from local residents/businesses which can be summarised as follows:

- Given its accessible location, the proposal would not increase traffic congestion in the town and may reduce traffic in the town centre.
- A greater mix of shops are needed in Leighton Buzzard.
- The site would provide employment.
- The proposed restaurants/food uses would provide a service to neighbouring businesses and their staff.
- The retail park would attract shoppers normally using retail parks in other towns.
- Empty warehouse units would not be attractive at the entrance to the town.
- The majority of local objection to development outside of the High Street is from vocal retailers and is not representative of the views of others in the town.
- A refusal would send an anti-business message.

A petition with 115 signatures of those wishing to support to the proposal has been received.

Buzzcycles

The development should be linked with the Grovebury Farm Bridleway in order to fulfil the aims of the Ouzel Valley Park development of Cycle Infrastructure. As Grovebury Road is a major entry artery for the town, there must be a 3 metre wide pedestrian and cycle path along the site frontage and provision for a safe crossing to the Tiddenfoot Narrows Bridge and Waterside Park. Additional employee cycle parking with security measures to protect cyclists from machinery is required.

Voluntary and Community Action

No reference is made to Section 106 contributions. If permission is granted a contribution should be made to

Group the running of a community house as part of the housing development on Site 17.

Consultations/Publicity responses

Council's independent retail consultant (GVA Grimley) GVA Grimley has been instructed by the Council to carry out an independent assessment of the retail planning issues raised by the two retail proposals. GVA Grimley's Retail Review of the proposals is attached as an appendix to this report.

Highways There are no convenient bus services serving the site. The report states that the applicant is in discussions with local bus companies regarding opportunities to divert a local bus service closer to the site, but no information or evidence is provided and no new bus stops are proposed. Clarification of these proposals is required.

The opportunity should be taken to provide a half bus lay-by somewhere on Grovebury Road along the frontage of the application site. This can be dealt with by way of a condition.

In terms of HGV access, the surrounding area is commercial and Grovebury Road is the main vehicular corridor from the south for Leighton Buzzard. I am therefore content that these junctions are suitable to serve the site.

In terms of Council parking standards, 398 parking spaces are required. At 318 spaces, proposed parking is therefore approx. 80% of that permitted by the parking standard. A parking accumulation study has been undertaken. Maximum parking demand is 144 spaces.

The capacity assessments are not considered to be robust for the following reasons:

- No account has been taken for re-routing of traffic along Grovebury Road due to the Billington Road Transport Corridor scheme;
- No committed development traffic has been taken into consideration (e.g. Southern Leighton development Sites 15C, 15D & 17, Brickyard Quarry);
- No analysis of the Stanbridge Road/Grovebury Road/Lake Street junction has been included;
- Assessments have been undertaken for 2017 flows only.

In Highway terms; without these matters being addressed I would be unable to recommend that this application be approved.

Sustainable Transport

A framework travel plan (FTP) has been submitted aimed at influencing staff travel to and from the site. As a travel plan, the submission falls short of the information that we would require to be presented and various improvements are required.

It is stated that there are currently no easily accessible bus or rail facilities from the site and presently no direct footways or cycleway to the site. The TA states that this is not a critical issue as the bulky non retail nature of the proposals lends itself to customers using private car/van anyway. However part of the proposals for the site are for a restaurant for which sustainable modes of transport may well provide an option. It is proposed to extend the footway along Grovebury Road to the site. I would support this proposal and clarify that I would expect the footway along Grovebury to be continuous from the town to that towards the Browns site and this to be delivered through a S278 agreement alongside the access proposals for the site. This path should be suitable for cyclists and needs to connect to the Black Bridge cycle route that runs between Grovebury Road and Mentmore Gardens such that this would provide a safe cycle route away from main road from the Linslade area to Grovebury Road and beyond. A financial contribution would also be need to be secured to upgrade the length of existing footway to the toucan crossing at junction of Chartmoor and Grovebury Roads to provide a continuous shared use facility. It is expected that as part of the highways proposals this cycle route will be signed in accordance with the cycle town signage that utilises times rather than distances for pedestrians and cyclists.

The existing 30mph speed limit on Grovebury Road needs to be extended beyond the site boundary.

The proposal to preserve the right of access along the northeast side of the site is to be welcomed as this links to the proposed south Leighton development at Grovebury Farm. However the proposed diversion around the site is not supported as the alignment of the route in its current form offers real potential to link to the southern Leighton development and then on towards the canal towpath and the Tiddenfoot meadows. The highway works to develop the site access also needs to support a crossing such that this link connects to the canal towpath across the Tiddenfoot Bridge. *(Officer Note: The alignment of the right of access from the Grovebury Farm development has now been revised in response to the comments of Sustainable Transport and Countryside Access. A new public footpath/cycle path is now proposed along the*

north east boundary of the site, to Grovebury Road to the west of the site. The applicants have expressed a willingness to provide for appropriate crossing works linking the site to public pedestrian/cycle routes to the west as part of Section 278 works associated with the development.)

The Public Transport Technical Note details the proposal to link the development site to the public transport service financed through the south Leighton exemplar site.

Option 1 utilises a future public transport proposal that would access south Leighton Buzzard via Grovebury Lane, however, it is not know when that facility will be implemented as the extension to Grovebury Road via Grovebury Lane is dependent upon future build out rates for the south Leighton development.

Option 2 suggest that the site could be connected to southern Leighton in the vicinity of BW37, again the timescales of the development at Grovebury Farm would potentially preclude this from being a workable possibility in the short term.

It is therefore suggested that the only feasible option would be to secure a public transport contribution that is directed to meeting the needs of this site specifically rather than tying it in with a development proposal over which it has no control. I would therefore propose that a contribution is secured that covers the costs of a service for a 3 year period.

Should the appropriate linkages from south Leighton Buzzard be developed within this timeframe it will then be used to extend the Dash Direct service to the site if appropriate.

Highways Agency	Various changes are required to improve the Framework Travel Plan. This can be dealt with by planning condition.
Environment Agency	No objection subject to conditions to deal with the potential risk to controlled waters on site from historical and current land use.
Urban Design	Out of centre retail developments do not satisfy many of the accepted urban design objectives. However, I accept that in planning policy terms these types of development may be appropriate. This proposal needs to be considered in the context of the adjoining site to the north. If both proposals were to be allowed, then they should be designed comprehensively and the layouts would need to relate better to each other, e.g. access

between the two sites, location of servicing. Landscaping (both soft and hard) will be important to reduce the impact of the buildings and the car parking to the front. Tree planting and landscaping should be provided within the car park to reduce the dominance of parked vehicles. The use of different paving materials would help to break up the large area of black tarmac. The existing hedgerow should be retained and extended along the Grovebury Road frontage to help define the edge of the road and visually contain the site. The Design and Access statement states that the nearest bus route is 10 minutes walking distance to the north of the site. It is not sustainable for shoppers to have to walk 10 minutes to the nearest bus route. The re-routed 'strategic link footpath' involves quite a detour which is unlikely to be attractive to users of the existing route. The footpath doesn't appear to be a public right of way, but if the route is to be accommodated, it would be better directed through the application site rather than around the edge. The side elevation of Unit E provides a poor frontage to Grovebury Road. Given the nature of the building, it will be difficult to create a more active and interesting elevation. Consequently, substantial planting should be provided to screen this elevation. Units B to E would read better if there was greater symmetry in the elevations, i.e. units E & D placed at each end of the block. It is not clear from the Design and Access Statement why the existing road to the south of the site, which forms part of the immediate context, has not been utilised.

Public Art

Recommends provision is made on site for public art integrated into the development itself. Examples of this could be treatments to streetscapes, floors, panels to buildings, glasswork, windows, lighting and so on. A condition is recommended to secure written details of how public art would be integrated and commissioned. It would be expected that the developer appoints artists at the detailed design stage so the artistic feature can be integrated into the development. In this vein, the art should aim to link the site with the town itself and the history, culture and materials of Leighton Buzzard thinking about how the site links with the rest of the town/area and flow from the retail park to the town centre. *(Officer Note: It is proposed to set aside funds of up to £10,000 towards the cost of a public art strategy to provide for public art element(s) as part of the development).*

Public Protection

No objection.

Building Control

There is inadequate amount of disabled car parking. Numbers of bays and sizes should be provided in

accordance with BS 8300: 2009 para. 4.2.1.3.

Buckingham and River
Ouzel Internal Drainage
Board

It is intended to dispose of storm water runoff by means of a sustainable drainage system. The applicant should note that any discharge of storm water to adjacent watercourse and/or the IDB statutory district must be limited to the appropriate Greenfield rate and any direct discharge will require the Board's statutory consent. If the method of storm water disposal is to be by way of soakaways then it is essential that the ground conditions be investigated and if found satisfactory the soakaways constructed in accordance with the latest BRE Digest 365.

Bedfordshire Police
Architectural Liason
Officer

No objection in principle. Raises concern that the Design and Access Statement does not adequately address community safety.

Countryside Access

The site sits at the heart of an area where a number of access and greenspace proposals come together including Tiddenfoot Waterside Park and the proposed Grovebury Quarry open space. The development should provide an off road link through the site. The development should allow for the public to safely cross Grovebury Road to access Tiddenfoot Waterside Park, the National Cycle Route, the middle and lower schools and the Linslade area. (Officer Note: The alignment of the right of access from the Grovebury Farm development has now been revised in response to the comments of Sustainable Transport and Countryside Access. A new public footpath/cycle path is now proposed along the north east boundary of the site, to Grovebury Road to the west of the site. The applicants have expressed a willingness to provide for appropriate crossing works linking the site to public pedestrian/cycle routes to the west as part of Section 278 works associated with the development).

Trees and Landscaping

I am in general agreement with the findings and conclusions of the submitted Arboricultural Report.

The Sycamore, Ash and Field Maple trees, which mostly make up the copse, were provisionally protected by a woodland Tree Preservation Order some years ago, but after severe rabbit damage incurred during the following winter, the members decided not to confirm the TPO at the subsequent tree panel sub-committee meeting. This meeting was convened following objections from the site owners after the TPO was served.

I understand that the trees have deteriorated since then, and there would be no further justification to seek the protection and retention of these trees in the

circumstances.

I therefore have no objection to the outline application, and would welcome the commitment to landscaping, as indicated in Section 4.10 and 4.11 of the Design and Access Statement supporting the application, as prepared by AJA Architects, dated 6th June 2012.

Ecology

I am satisfied that the proposals will not result in harm to a protected species. However the site does provide a habitat resource to the local area, not least in the form of a rookery. The ecological appraisal makes a number of recommendations to ensure no net loss of biodiversity and I think that these are reasonable and could easily be achieved. As such I would hope that the proposed enhancement measures form a condition to any planning permission granted. In addition I would also request that informatives are included to cover aspects identified in the appraisal, including mammal ramps in open trenches and avoidance of the bird nesting season when clearing trees / hedgerows.

Archaeology

The proposed development is located within rich archaeological landscape containing evidence of occupation from earliest times onwards. Immediately to the south finds of Roman burials and other finds were made during quarrying (HER 10727). The line of the Thiodweg, a Saxon and medieval long distance routeway associated with the salt trade (HER 10843), with possible earlier origins, runs close to the southern boundary of the site. In the wider surrounding area there have been finds of Palaeolithic artefacts and evidence of Mesolithic occupation. To the south there is the major site of Grovebury with occupation from the Saxon to post-medieval periods occupation, including a royal manor (HER 1870). These are all heritage assets with archaeological interest as defined by the *National Planning Policy Framework*.

The proposed development site has the potential to contain archaeological remains, in particular relating to the finds of Roman burials and the Thiodweg. However, extensive quarrying of the site in the mid 20th century will have probably already destroyed any archaeological deposits the site may have contained. Therefore, the proposed development is unlikely to have any affect on archaeological remains or on the significance of the heritage assets with archaeological interest the represent. Consequently, I have no objection to this application on archaeological grounds.

English Heritage	Application should be determined in accordance with national and local policy and on the basis of specialist conservation advice.
Landscape	Fully support the landscape principle to enhance the landscape frontage of Grovebury Road as part of the development. It is suggested that photo views / wire frames could be provided describing the building height and mass from views within the Ouzel Valley, Grand Union Canal and Tiddenfoot Country Park the valley / Park to gauge if there is likely to be visual impact. There are opportunities for appropriate landscaping at the reserved matters stage. Lighting needs to be considered in terms of design, layout and lighting levels especially as the site is within the context of a Country Park and wider countryside which is an important habitat area - and remarkably dark at night.

Determining Issues

The main considerations of the application are;

1. Planning policy and background
2. Employment land allocation
3. Retail impact
4. Pedestrian and cycle links, public transport and highways matters
5. Landscape, biodiversity and archaeology
6. Design concept
7. Other matters
8. Conclusions

Considerations

1. Planning policy and background

The application site is located on the southern edge of Leighton Linlade and forms part of a designated Main Employment Area. In line with South Bedfordshire Local Plan Review Policies E1 and E2, and Policies 6, 7 and 8 of the emerging Development Strategy for Central Bedfordshire, the Council seeks to maintain an appropriate portfolio of employment land within Central Bedfordshire. Accordingly the Council would not wish to see current employment land lost to non-employment uses. However, in order to provide flexibility, choice and the delivery of a range of employment opportunities, proposals for employment generating non-B uses on employment sites will also be considered on a site-by site basis in relation to detailed considerations as set out in Development Strategy Policies 7 and 8.

In line with the 'town centres first' approach advocated by the National Planning Policy Framework (NPPF), the Council seeks to support the role and function of the town centres. Policy 11 of the emerging Development Strategy sets out that proposals for retailing outside of town centre boundaries should be considered against a sequential test. The sequential test should take account of available and suitable sites located in town centres, edge of centre locations and then out

of centre locations. Only if suitable sites are not available should out of centre sites be considered. For proposals over 500 square metres gross external floorspace that are outside a designated town centre boundary, the development should be considered against a retail impact test. The retail impact test should consider the impact on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal. The impact on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made will also be considered. For major schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made.

It is therefore necessary to consider whether the proposal is acceptable in terms of the employment land allocation and retail impact, having regard to the sequential and impact tests. These assessments take account of the Retail Review undertaken by the Council's independent retail consultant and the advice of internal and external consultees. Whilst the application is made in outline and points of detail relating to siting, design, landscaping and appearance will be dealt with at reserved matters stage, regard should also be had to various detailed considerations at the outline stage.

This application has been made shortly before the submission of a similar retail warehouse proposal on the adjoining site to the north. These schemes should be regarded as separate proposals and each application must be considered on its own planning merit. However regard should be had to the potential for combined impacts in the event of both sites coming forward for similar retail developments. As such these applications have been considered in parallel and are included on the same Committee agenda.

These proposals have emerged following the grant of planning permission for the erection of an extension to the existing Tesco store at Vimy Road, Leighton Buzzard which, if implemented, would involve the demolition of the adjacent Homebase store. Importantly however, Homebase are not identified as named operators as part of either proposal. Additionally it is presently unknown whether the Tesco extension will be implemented or whether Homebase would be required, or seek, to relocate. Whilst the Tesco permission remains extant until 28 May 2015, it should be noted that Tesco have most recently submitted a planning application for a customer collection canopy to serve internet customers. However this recent application does not appear to reflect the intention to extend the Tesco store in line with the previous planning permission. The applicants have identified a number of retailers likely to be targeted as potential occupiers, based on the range of goods which would be sold as part of the development and have submitted copies of correspondence from retailers who would consider locations within the area. However at present none of the identified operators have publically expressed a commitment to the proposals.

2. Employment land allocation

The Council's 2012 Employment Land Review identifies a significant amount of vacant (employment) land in Central Bedfordshire. There is presently an oversupply of between 75 and 100 hectares of industrial land, although office land supply is broadly in balance. The level of industrial land supply is currently in excess of demand. It is important to note however that a high proportion of

vacant employment land is identified to include poor sites which may affect the attractiveness of the employment land market across the area. A number of allocated and unallocated employment sites are not necessarily prime employment sites and are not considered sufficient in scale and quality to be the strategic employment locations needed in order to achieve the Council's job growth aspirations. These types of sites are better suited to service local needs and whilst they have historic employment uses, the likelihood of future strategic employment is questionable given the lack of strategic and market drivers.

Leighton Buzzard has a mixture of large and small industrial estates, located predominantly around Stanbridge Road and Grovebury Road. The application sites are located within an employment allocation concluded as being in adequate condition for B Class employment with some potential for redevelopment taking account of factors including the quality of stock, access to amenities, the adequacy of site servicing, strategic road access and public transport provision. Whilst the review concludes that the quality of the employment land in the area where the application sites are located is 'good', the Council must balance the current supply of industrial land, with future land requirements, the encouragement of inward investment and the need for employment growth.

In connection with this, it should be noted that approximately 16 hectares of new employment land, creating up to 2,400 new jobs, is expected to come forward as part of the East Leighton Buzzard Urban Extension allocation of the emerging Development Strategy.

In relation to existing allocated employment sites, the Council therefore seeks to provide flexibility, choice and the delivery of a range of employment opportunities, in line with national guidance contained within the NPPF and will therefore consider proposals for employment generating non-B uses on employment sites on a site-by site basis.

It is noted that part of the land to the south of the application sites has previously been developed as the Browns retail and trade centre site at the junction with the A505/A4146. Following the proposed residential redevelopment of the former Browns site at Mentmore Road, Browns proposed to relocate to the Grovebury Road site. Whilst this development involved an element of out of centre retail within the Main Employment Area, given the requirement for Browns to relocate and the employment generation resulting from the proposed mixed use scheme, the proposal was considered acceptable.

In terms of the detailed considerations to be applied to non-B uses on employment sites, emerging Development Strategy Policy 7 sets out that proposals should have regard to marketing and viability appraisals of the B class uses; the suitability and impact of the proposal in relation to the location and neighbouring land uses; any increase in the number of jobs that can be delivered; and the potential to strengthen existing clusters through the delivery of complementary employment generating uses.

In this case the application site has been allocated for employment development since the adoption of the South Bedfordshire Local Plan in 1995, yet has remained undeveloped. The application was accompanied by a supporting

statement by Smiths Gore which sets out the history of employment use marketing initiatives for the application site and the adjoining employment land to the south which was previously within the same ownership, part of which has been developed as the Browns retail and trade centre.

In 2002 there was an enquiry from a Dunstable based business but the site was deemed to be unsuitable and the interest was withdrawn. Further collaboration with Saxon Developments culminated in the Browns development on the southern part of the site. Saxons subsequently maintained marketing initiatives for the development of the smaller site to the east of the Browns development (to the south of the application site).

At this time Saxon instructed Lambert Smith Hampton to market the property to identify potential occupiers. The marketing effort continued throughout 2006. In 2007, Saxon sought to acquire the land from CC Trading subject to obtaining planning permission for identified prelets or presales occupiers. Saxon and Lambert Smith Hampton continued to market the property but was unable to continue to operate as developer and promoter of the land beyond the end of 2007.

In 2008 the smaller area of land adjacent to the Browns development was acquired by Chartmoor who also entered into negotiations regarding the application site. Chartmoor marketed the smaller area adjacent to the Brown site through the agents Brown and Lee during 2008. Having offered the site for development through Saxon and Chartmoor and given the changing economic climate, CC Trading took the decision not to commit further resources towards development initiatives during 2009 and 2010.

CC Trading were approached by the applicants in early 2011 with a proposal to promote a DIY and 'bulky goods' retail development.

The applicant has also provided an Employment Land Use/Market Assessment Report by Lambert Smith Hampton which again sets out the marketing history of the site over the preceding ten years.

The Report states that the Leighton Buzzard commercial market is characterised by a largely local demand with take-up and supply being concentrated in the sub 6,000 square metre size range. It is suggested that the current supply of vacant sites within Leighton Buzzard comprises approximately 69,799 square metres of floor space which represents approximately 5.5 years supply of employment floor space based on present demand. Additional pipeline development is likely to add to the overall supply within the area. As such, Lambert Smith Hampton consider there are very limited opportunities for speculative employment development within Leighton Buzzard. It is indicated that, given current rental values, it is very difficult for developers to justify high costs of development on a prelet basis. With no significant opportunity for prelet development within the town in the past ten years, any speculative industrial/storage development is not considered to be viable.

This suggests that the development of the application site for employment uses is not viable at the current time and indicates that there is limited prospect of a future use for the site which would provide a B-Class use.

The proposed retail warehouse would generate a significant element of employment on the principle parcel of this remaining employment land. Additionally, the eastern-most corner of this land has been excluded from the application site as the applicant has proposed that the development would secure the funding of servicing, access arrangements and marketing for the retained employment site in order to encourage the delivery small business/industrial units on the adjacent site (estimated costs of £53,000).

Taking account of the current supply of employment land within the area, the site's history of employment development initiatives and the opportunities for employment creation which would result from the proposal, the proposed non-B Class development is considered acceptable in terms of the employment land allocation and Policy 7 of the emerging Development Strategy.

In accordance with The Town and Country Planning (Consultation) (England) Direction 2009, Local Planning Authorities in England are required to consult the Secretary of State before granting planning permission for certain types of development. This Direction applies in relation to any application, received by a planning authority on or after 20 April 2009, for "development outside town centres" which is not in accordance with one or more provisions of the development plan in force and where the floor space to be created by the development is 5,000 square metres or more. The purpose of the direction is to give the Secretary of State an opportunity to consider whether to exercise call-in powers under Section 77 of the Town and Country Planning Act 1990. The Town and Country Planning (Development Management Procedure) (England) Order 2010 gives the Secretary of State power to issue directions restricting the grant of planning permission by a Local Planning Authority, either indefinitely or during such a period as may be specified in the directions. Notwithstanding the above conclusions in relation to emerging Development Strategy Policy 7 and the NPPF, the proposals are in conflict with Policy E1 of the South Bedfordshire Local Plan Review 2004. Irrespective of the weight to be attached to the employment policies contained with the Local Plan Review Policy 2004, given this conflict, the proposal constitutes "development outside town centres" for the purposes of the 2009 Direction. Therefore the Local Planning Authority is required to consult the Secretary of State, prior to granting planning permission.

3. Retail impact

Sequential test

In line with the Council's broad objective to support the role and function of the town centres, proposals for retailing outside of town centre boundaries will be considered against a sequential test as required under Policy 11 of the emerging Development Strategy and NPPF guidance. The sequential test should take account of available and suitable sites located in town centres, edge of centre locations and then out of centre locations. Only if suitable sites are not available should out of centre sites be considered favourably.

Both applications acknowledge need for a sequential approach, due to their out of centre location, and the applicants have undertaken an assessment of the availability and suitability of other sites within Leighton Buzzard. These include the planned developments at land south of the High Street and the Bridge Meadow site, for which the Council has endorsed Planning and Development

Briefs. The briefs set planning frameworks to guide the future regeneration of the two sites and set down appropriate land uses and development principles.

Land south of the High Street is identified as providing an opportunity to extend the town centre to improve facilities for the town's current and future population. Development on this site is an objective within the council's Medium Term Plan, "Delivering Your Priorities 2012-2016". Accordingly the Council are committing substantial resources and have commenced, and in some cases concluded, the assembly of key land parcels for land south of the High Street. As such this site should be considered available within the plan period.

This site is located within the historic core of the town, adjacent to the Leighton Buzzard Conservation Area which incorporates a large number of listed properties. Notwithstanding the potential scope for a single larger anchor store in line with the Council's Development Brief, the scale, detailed design and format of new commercial units provided as part of the town centre extension scheme would need to be compatible with properties along the historic High Street which is largely characterised by smaller retail units. In terms of their format scale and design, the warehouse retail developments proposed would not be appropriate within this context taking account of the historic pattern of the development within the town centre. Due to the aspirations of the Development Brief and the complexity of wider planning considerations within the town centre, this site is considered to be unsuitable and unviable for bulky goods retailing as proposed under the terms of the sequential test as set out within the NPP.

As with the land south of the High Street, any future scheme for the Bridge Meadow site would need to be in line with the objectives of the Development Brief. The Brief identifies opportunities for development which could incorporate a mix of uses including further education, health, recreation and residential. The Bridge Meadow Development Brief envisages a limited amount of retail in restricted unit sizes as part of a wider mixed use scheme. Given this, and the complex land assembly and tenancy issues, the Bridge Meadow site should be regarded as unavailable, unsuitable and unviable for the proposals being put forward.

The Council has received details of a "third retail park" proposal as referred to within the recent local press. This relates to a proposal, made on behalf of EDS (Holdings) Ltd, concerning land west and north west of Grovebury Road known as the "Camden site", which falls within the Main Employment Area and the adjacent Green Belt field. The proposal sets out two options for development; a mixed use scheme comprising retail and employment development, or an extension of the existing employment area at the "Camden Site" to include the adjacent Green Belt field. In connection with this, it would be proposed to dedicate a parcel of the land for use as recreational open space. Following a public presentation to the Town Council, the details of the proposal were submitted to Central Bedfordshire Council through its Call for Sites consultation, undertaken towards the beginning of last year. This process directly informed the preparation of the Development Strategy. This proposal has not been advanced as part of the Development Plan process and has not been put forward by the Council as a site allocation identified within the emerging Development Strategy. It is not currently subject to a planning application and is lacking in sufficient detail to carry significant weight for the purposes of this application.

The proposal would be in conflict with current and foreseeable planning policy and, like the current Grovebury Road application proposals, would involve out of centre retail development in the Grovebury Road area. In relation to the sequential test, this site cannot therefore be considered preferable to the application sites.

In sequential terms, the two application sites should be regarded as equal and one should not be regarded as preferable to the other purely on retail grounds.

Therefore, in terms of retail impact, neither application fails the sequential test under the terms of the NPPF.

Impact test

In accordance with NPPF guidance and Policy 11 of the emerging Development Strategy, the proposals should be also considered against a retail impact test which examines the impact on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal and the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made.

In particular, due consideration must be given to retail proposals on land south of the High Street and the Bridge Meadow site. The proposed retail developments must demonstrate that the proposals will not compromise either of these planned schemes from coming forwards over the plan period.

In general terms the Retail Impact Assessments submitted in support of the applications indicate that Leighton Buzzard continues to perform well, and overall is a vibrant and healthy centre. It is suggested that the health of Leighton Buzzard town centre is not substantially reliant on DIY and 'bulky goods' trade. These conclusions are in line with the Council's own retail studies and the advice of the Council's retail consultant.

On the basis of the aspirations for the Bridge Meadow site (a limited amount of retail in restricted unit sizes as part of a wider mixed use scheme) and the timescales of this development, the Council is advised that neither proposal would impact upon the deliverability of the Bridge Meadow development.

Additionally both proposals are considered complementary to the aspirations for the development at land south of the High Street, which is likely to be focused on higher order specialist/niche operators, fashion retailers and eating/drinking destinations. Given the different aspirations of the application proposals and those for the town centre expansion site, the developments are unlikely to impact on the marketability of the land south of the High Street. The Council's retail consultant notes that both proposals include A3/A4/A5 units and has considered the potential impact of this element of the proposals on the future aspirations for the town centre. The proposals, on their own or together, would be unlikely to impact on planned town centre investment given that they have different target markets.

The Council's 2012 Retail Study shows there is a substantial amount of comparison goods leakage (65%) from Zone 8, the area in which Leighton

Buzzard is located and the Study does highlight opportunities to 'clawback' some of this trade to increase market share through new retail development. The Retail Study has identified a need for only 2,521 square metres of net comparison in Leighton Buzzard by 2016, even when incorporating a 3% market share uplift. This figure grows to 5,775 square metres net by 2021, 7,043 square metres net by 2026 and 8,643 square metres net by 2031.

The development at land south of the High Street is intended to provide around 2000 square metres of comparison floor space. In combination with an expansion to the Vimy Road Tesco store, this planned development would fulfil all of the identified need over the next five years, and 3,014 square metres net of identified need by 2021, leaving a residual need of 2,761 square metres net by 2021. This would not be sufficient to support one of the Grovebury Road application proposals.

It is envisioned that the North Houghton Regis 1 development would provide a significant element of retail development. Whilst the appropriateness and impact of this should be considered separately, this development clearly also has the potential to impact upon retail need within the wider area. Overall, there is a clear lack of baseline need for the comparison goods floorspace sought.

Under the terms of local planning policy and the NPPF need cannot any longer be cited as a reason for refusal. However deficiencies can lead to greater levels of impact and this is therefore a relevant consideration under the impact test. Both proposals would be reliant on trade diversion, both from Leighton Buzzard town centre and elsewhere. It is necessary to consider whether the proposals would give rise to acceptable levels of trade diversion, without leading to any unacceptable impact upon the vitality and viability of the town centre. It is important to consider whether the town centre could withstand the levels of trade diversion being suggested; either individually or in parallel if both schemes came forward. In some circumstances the loss of one or two key retailers in a town centre could commence the process of gradual and continued decline, either through national economic trends, or new development and a consequent significant impact. Recent rises in national town centre vacancy rates and the loss of several important national multiple retailers should be noted. At this stage, the Council's retail consultant does not suggest Leighton Buzzard town centre is vulnerable to this.

The current leakage of comparison goods trade from Leighton Buzzard and opportunities for 'clawback' trade within Leighton Buzzard are identified within the applications. In light of the Council's 2012 Retail Study, the Council's retail consultant concludes there is little 'bulky goods' trade opportunity within Leighton Buzzard above that being leaked to Milton Keynes retail parks. Any trade diversion from elsewhere in the Study area would more likely result in the creation of unsustainable shopping patterns and this would not be in line with the broad objectives of the NPPF. The applications are therefore reliant on 'clawback' trade from the four Milton Keynes retail parks. Whilst the Council's retail consultant anticipates there would be sufficient 'clawback', this would be marginal and is dependent upon both schemes being subject to appropriate restrictions as 'bulky goods' developments. If both schemes were to proceed on this basis, there would be an element of 'mutual impact' whereby the retail warehouse schemes would impact upon each other, and would be less reliant

on 'clawback' from other areas. The Council's is advised that the impact identified is material, but not, in itself, significant in NPPF terms. The Council's retail consultant is comfortable that the type of scheme being proposed is largely complementary to the existing town centre offer and planned town centre investment. Again, this is in the context of appropriate restrictions being placed on any consent restricting the sale of goods as a greater level of flexibility in the range of goods is unlikely to be unacceptable in impact terms.

Despite this conclusion, the range of goods proposed for retail sale includes items which are not 'bulky goods'. In this respect the proposals are not consistent with the emerging Development Strategy Policy DS7 which states that, as an exception to employment land policy, proposals for 'bulky goods' and other forms of specialist retailing less suited to a town centre location will be considered. However, given the clear conclusion regarding the impact of the proposals, it is not considered that an objection purely upon retail policy grounds could be sustained. Nevertheless, it is inevitable that there will be some product overlap with the town centre, including some businesses that would be directly affected such as those primarily focused around the furniture, floor coverings and home interiors and soft furnishings sectors and there are a few operators selling sports goods and toys. This may in time reduce town centre turnover, the range of operators within the main retail area and impact more generally upon the health of the centre. The applicants will therefore need to satisfy that appropriate Section 106 contributions would be forthcoming to support the attractiveness of the town centre, in order mitigate against this impact.

As it is unlikely that there would be sufficient 'bulky goods' demand to let both schemes in the present market or the foreseeable future, the grant of planning permission for both schemes might leave one site vacant and unimplemented creating a retail value (higher than B Class use value) that cannot be realised. This could lead to undermine the value of the vacant land for future B Class uses and pressures to relax restrictions in the future. However this is not in itself a reason to refuse the specific schemes subject of these applications. Any future proposals for retail developments seeking an alternative or broader range of retail goods should be assessed on their own merits.

Town centre contributions

In order to mitigate against the town centre impact identified, appropriate Section 106 contributions are required to support the ongoing vitality and viability of the main shopping area and assist in the delivery of the land south of the High Street for redevelopment as a direct extension to the main shopping area. This is in line with Policy 15 of the emerging Development Strategy.

Through its 2011 Portas Pilot Bid, Leighton Linlade Town Council has identified a number of priority initiatives, developed to enhance the attractiveness of the town centre as the main retail quarter, that require financial investment. The Town Council has allocated some funding to meet these objectives and identified that a further £100-150,000 is required for the following:

- Summer Sundays Programme – funding to support the employment of an event manager to coordinate a programme of summer events held on Sundays and fund the provision of barriers, pop-up stalls, staging and other important items of infrastructure.
- Street Screen Project – funding to developing a “24 hour High Street”

concept allowing smart phones and near field communication technology to interact with retail stores, expanding retail hours and creating more dynamic window displays.

- Twice Weekly Market traffic management and infrastructure - traffic management and infrastructure-related costs associated with relocating the twice weekly market, bringing it into the centre of the High Street
- Town Centre Hub Celebrations – funding to develop the concept of the town centre as a hub for the celebration of the town’s local history, where trails, time-lines and mobile and web technologies are used draw people into and augment their experience of exploring the High Street and its offer.

In connection with these, there is a need to reinforce public links between land south of the High Street and the Main Shopping Area through environmental improvements to courts and alleyways and signage.

In order to inform decisions relating to land assembly and assist in the development of site-specific proposals for the land south of the High Street, architectural and feasibility work relating to the potential relocation of the fire station is needed. This would need to take account of the practical requirements of the Fire Service and other existing land owners in terms of the service and interface requirements as well as public safety issues. It would need to examine various parking and access configurations. A contribution towards these costs would assist the Council in bringing forward land south of the High Street for redevelopment involving retail more quickly and support the development of the town centre as the primary retail area.

A contribution of £245,000 is proposed to support these and other related town centre initiatives. This is considered appropriate and proportionate to the retail impact identified.

Sections 106 controls

In relation to the above considerations it is also necessary to control range of goods sold from the proposed retail park and, as far as possible, ensure that it is complimentary to the town centre. The Council’s retail consultant has given consideration to control of development by way of planning condition or by Section 106 Agreement as appropriate. It is considered that the development should be subject to Section 106 controls as any Legal Agreement would offer greater control over the specific detail of retail offering and the manner in which the site would operate. The development would be subject to similar Section 106 restrictions to those imposed at White Lion Retail Park, Dunstable.

Having regard to the proposed range of goods to be sold as part of both schemes, the advice of the Council’s retail consultant and the above conclusions regarding retail impact, it is considered appropriate that both developments be restricted to the retail sale of DIY goods; plants, garden products and outdoor furniture; furniture and home furnishings; housewares; fabrics and floor coverings; seasonal goods such as Christmas decorations; motor vehicle parts and accessories; leisure and sports goods; arts, crafts and stationary; toys; home technology and electrical goods; cycles and cycling accessories; and camping goods. The ancillary A3/A4/A5 elements would provide for the ancillary sale of hot and cold beverages and food confectionary for consumption in or

outside the floorspace.

It is considered appropriate to impose additional restrictions to control, for example, the number of units selling specific type of goods and ensure any sports 'clothing' sold remains ancillary to a sports equipment operator. This would assist in the protection of the town centre now and in the future as a possible consequence of changing economic circumstances, market demand and operator formats etc. The Council's retail consultant have advised that the unit sizes proposed as part of the application are broadly in accordance with the expectations of retailers looking to acquire space in bulky goods categories. The size of retail units would also need to be controlled with size restriction for each individual retail unit along with suitable restrictions on sub-division, the merging of units, and the extent of eating/drinking facilities. This would enable control over any future aspirations at the developments if planning permission were granted, allowing the Council to consider changes on a case by case basis.

4. Pedestrian and cycle links, public transport and highways matters

In terms of the Council's current parking standards, 398 parking spaces are required as part of the development. A total of 318 spaces are proposed and this represents approximately 80% of the parking standard. In line with the emerging Parking Strategy, a parking accumulation study has been undertaken which demonstrates maximum parking demand would be 144 spaces. No objections are therefore raised in relation to parking.

Highways do not consider that the submitted capacity assessments are sufficiently robust and it will be necessary for the applicants to provide additional information to support the highway network capacity assessments.

Notwithstanding the lack of identified demand for two retail warehouse schemes as proposed, in terms of highway capacity, the potential for combined impacts should also be considered, in the event of both retail developments coming forward. As the capacity assessments submitted in support of the proposals do not address this Officers have requested that additional information to examine highway capacity in relation to a potential combined impact. The combined impact of the proposals should be considered in relation to the capacity of the road network itself but also the combined impact of the established use on the brownfield site and an alternative employment generating development on the greenfield site.

There is currently no public footpath/cycleway linking the site to the existing footpaths/cycleways along Grovebury Road. The development would need to meet the costs of providing these connections. This can be secured by Section 106 Agreement.

The Council's Grovebury Road Industrial Estate Enhancement Plan is presently at a final draft stage and includes suggested enhancement measures for this location as well as the wider estate. The Plan sets out a range of objectives for various environmental and public access improvements including a potential public route running through the application site and the land to the east which is also within the control of the application. This 'strategic' link is an important off road route that could provide a direct, safe link between the Southern Leighton Buzzard housing developments and community development with the proposed

Grovebury Quarry open space to the south and Tiddenfoot Waterside Park and National Cycle Route No 6 to the west. The proposal represents an opportunity to secure an important public pedestrian and cycle link across the site. Following discussion with Council Officers, the application has been revised to incorporate this public right of way as part of the development.

The applicants has expressed a willingness to provide for appropriate crossing works linking the site to public pedestrian/cycle routes to the west as part of Section 278 works associated with the development.

A new bus stop would be required to serve the southern end of Grovebury Road. The applicants have identified scope to include a bus stop within the proposed retail park utilising the car park as a terminus. This would be delivered as part of the development and it would be appropriate for this to be secured by way of legal agreement.

Sustainable Transport and the Highways Agency have identified that various changes are required to improve the Framework Travel Plan which has been submitted in support of the application. This can be dealt with by planning condition.

Sustainable Transport advise that due to uncertainty over the timing of the adjacent housing development at Grovebury Farm and a second route being added to the existing Dash Direct bus service, it would be appropriate for the development to fund a dedicated bus service from the retail park to the town centre.

The applicants consider that the level of patronage generated by a retail warehouse development on Grovebury Road is unlikely to be sufficient to support a dedicated service in its own right. It is also suggested by the applicants that the introduction of a competing service may affect the viability of the existing Dash Direct service. A one-off contribution to support the planned second Dash Direct route (D2) is therefore proposed as an alternative. It is suggested that the purchase of a new bus would be a key factor leading to the implementation of D2 and this would have an estimated cost of £99,000. The applicants have confirmed their client's willingness to enter into a planning obligation to meet this cost.

Sustainable Transport have raised concerns that this offer would not support the running costs associated with an extension to the Dash Direct service and these costs can not currently be met by adjacent housing development as this is dependant upon future residential build-out rates. As noted the timing of this is presently uncertain and is unrelated to the retail development now proposed. Concerns are also raised that an extension to the Dash Direct service would be harmful to attractiveness of existing service which is focused on providing a short 25 min trips to the town centre. Sustainable Transport have advised that the requested contribution is intended to provide a dedicated service connecting the Grovebury Road sites and southern edge of Leighton Buzzard with Linslade and the town centre. The proposed Dash Direct extension would not fulfil this requirement as it would not provide a service for staff and customers on western side of the Leighton Linslade. If directed towards the running of a dedicated service between the western side of Leighton Linslade and the town centre, rather than towards

an extension to the Dash direct service as proposed, the £99,000 contribution offered would not be sufficient to support anything more than very sporadic service which would not be attractive to users. This type of service is therefore unlikely to be viable unless supported by sufficient funding as requested. Given its edge of town location, the development would be considered unsustainable unless it was served by a suitable bus service.

In light of the above, Officers are presently engaged in discussions with the applicants with regard to appropriate transport contributions. Notwithstanding this, as addressed below, the proposed transport contribution should be considered as part of an overall package of planning obligations which are required and those which are offered as part of the development.

5. Landscape and biodiversity

Due to the location of the site at the southern edge of Leighton Linlade and its close proximity to key public open spaces, the potential impact of lighting on the wider landscape would represent a key consideration at the reserved matters stage. Reserved matters proposals would need to provide suitable detail by way of light spill plans and lux level drawings. Taking account of its location between the existing Browns development to the south, and existing commercial development to the north east, and the long term objective for this site developed for employment purposes, it is considered that an acceptable lighting scheme could be achieved if carefully designed at the reserved matters stage.

The Tree and Landscape Officer notes that the existing copse of trees on this site was previously protected by a provisional woodland Tree Preservation Order which was not confirmed. Given present condition of trees their protection is now not considered to be justified. A detailed scheme of hard and soft landscaping would be required by condition. The detailed landscaping proposals would need to be developed, having regard to the importance of suitable soft planting along site frontage and within public parking areas in light of the comments of the Urban Design Officer and the Council's Grovebury Road Industrial Estate Enhancement Plan.

Notwithstanding the comments of the Tree and Landscape Officer, this undeveloped site provides a habitat resource to the local area. The application was accompanied by an Ecological Appraisal which sets out a range of recommendations to ensure that the development would not result in a net loss to biodiversity. The Council's Ecological Officer is satisfied that the appraisal sets out appropriate protection for existing and creation of replacement wildlife and supporting habitats opportunities and that these could be secured by condition.

6. Design concept

The indicative site layout plan shows how the retail development could be arranged. Five Use Class A1 retail units would be positioned towards the east and north east sides of the site and fronting onto a public parking area. The restaurant/café/public house is shown as a stand-alone unit positioned within the south west corner of the site. A service yard is shown at the rear of the Class A1 retail units. A new public footpath is proposed to run from the future housing development on land at Grovebury Farm, along the north east boundary of the site, to Grovebury Road to the west of the site.

The site is located north of the Browns retail and trade centre and south of storage and industrial units, other commercial uses and associated car parking. To the east of the Browns site and the north east of the neighbouring commercial uses, are land at Grovebury Farm and Brickyard Quarry which have outline planning permission for residential and associated development plus a local centre and community land. Within this context it is considered that an acceptable scheme could be achieved in terms of amenity and the impact upon the character and appearance of the locality. The comments of the Urban Design Officer are noted including the importance of suitable landscaping and the need to create active and interesting elevation to Grovebury Road. However the application is made in outline only and points of detail relating to siting, design, landscaping and appearance will be dealt with at reserved matters stage.

Reserved matters applications would also need to adequately address community safety. All buildings and public spaces will need to incorporate measures to reduce crime opportunities. Design of car parking areas will need to be carefully addressed at the reserved matters stage.

As noted, it is proposed to set aside funds of up to £10,000 towards the cost of a public art strategy to provide for public art element(s) as part of the development. A framework public art strategy would need to be agreed with the Council prior to the reserved matters applications and should inform the detailed design of the proposal. This can be secured by condition.

7. Other matters

As the application is made in outline, full details of disabled facilities for staff and customers have not been provided. Suitable arrangements for disabled users including adequate disabled parking provision, WCs and disabled lifts for internal mezzanine levels would need to be demonstrated at reserved matters stage in line with guidance of Building Control regarding disability requirements under Building Regulations.

8. Conclusions

Taking account of the current supply of employment land within the area, the site's history of employment use marketing and development initiatives and the opportunities for employment creation which would result from the proposal, the proposed non-B Class development is considered acceptable in terms of the employment land allocation and Policy 7 of the emerging Development Strategy. In relation to retail impact, both retail warehouse proposals are considered to pass the sequential test, having regard to the availability and suitability of other sites within Leighton Buzzard. The identified retail impact would be marginal but not significant in NPPF terms.

Prior to Development Management Committee, it will be necessary for the applicants to provide additional information to support the highway network capacity assessments. Subject to this, it is considered that an acceptable scheme could be achieved at the reserved matters stage, having regard to the relevant detailed considerations for this outline proposal.

In terms of the individual merits of the two proposals, the brownfield scheme

would involve the redevelopment of the existing Use Class B8 site. This would be in line with Local Plan Review Policy SD1 and the core planning principles within the NPPF which seeks to encourage the effective use of land by reusing land that has been previously developed (brownfield land) (paragraph 17). Whilst one of the proposals would involve the development of a previously undeveloped site, this does not render the greenfield scheme unacceptable in planning terms, particularly given the longstanding objective for this site to be developed for employment purposes. Similarly any associated benefits which could only be secured through greenfield development (funding for retained employment land, public access across north eastern boundary etc.) do not render the brownfield scheme unacceptable.

Although the brownfield scheme would not be able to deliver these benefits, it would not be appropriate for the Council to seek larger Section 106 contributions towards other areas from the brownfield scheme to offset these benefits. The schemes should be determined on their individual planning merits rather than on the basis of a bidding competition.

In connection with the greenfield scheme, excluding those specific benefits which could only be achieved as part of the development, a contribution of £399,000 is proposed towards the town centre and transport requirements. This compares with a proposed contribution of £489,088 towards town centre and transport requirements for the brownfield scheme. Having regard to their relative scale and likely individual impacts, it is considered that the proposed town centre/transport contributions for the two schemes are broadly proportionate to each other. On the basis of the current Section 106 proposals, the transport contribution offered as part of the greenfield development is inadequate, whereas the town centre contribution offered as part of the brownfield scheme is insufficient. The suitability of the proposed transport/town centre contributions, and the manner in which these monies are apportioned will need to be determined on the basis of the package of contributions put forward by the applicants and an appropriate package of Section 106 contributions will need to be secured in discussion with the applicants.

The applicant currently proposes to enter into a Legal Agreement to secure the following:

- A total contribution of £245,000 to support the vitality and viability of the town centre comprising; (1) £150,000 towards Town Council Portas Pilot Schemes; (2) £70,000 towards improvements to courts and alleyways and signage; (3) £25,000 towards cost associated with architectural and feasibility work relating to the relocation of the fire station; and (4) £25,000 towards the costs of providing temporary car parking at land south of the High Street.
- A contribution of £99,000 to fund the delivery of a public bus service to serve the site and other sites along Grovebury Road.
- A contribution of £55,000 to meet the costs of providing public foot/cycle path connections linking the site to the existing public foot/cycle path along Grovebury Road/Grovebury Lane.
- The creation of a public link along north eastern boundary in line with the Grovebury Road Industrial Estate Enhancement Plan (estimated cost £29,000).
- The funding of servicing, access arrangements and marketing for the

retained employment site to encourage the delivery of small business/industrial units on the adjacent site (estimated cost £53,000).

- The funding of a public art strategy as part of the development.

The Legal Agreement would also need to secure the following:

- Appropriate controls over goods sold. The developments should be restricted to the retail sale of DIY goods; plants, garden products and outdoor furniture; furniture and home furnishings; housewares; fabrics and floor coverings; seasonal goods such as Christmas decorations; motor vehicle parts and accessories; leisure and sports goods; arts, crafts and stationary; toys; home technology and electrical goods; cycles and cycling accessories; and camping goods. The ancillary A3/A4/A5 elements would provide for the ancillary sale of hot and cold beverages and food confectionary for consumption in or outside the floorspace.
- Appropriate controls over the number of units selling specific types of goods and ensure any sports 'clothing' sold remains ancillary to a sports equipment operator.
- Appropriate controls over the size of the retail units along with suitable restrictions on sub-division, the merging of units, and the extent of eating/drinking facilities.
- The creation of a bus stop and half bus lay-by on Grovebury Road as part of the development and provision of real time passenger information on site.

Recommendation

That, subject to the prior consultation of the Secretary of State, in accordance with The Town and Country Planning (Consultation) (England) Direction 2009, and the completion of a prior Section 106 Agreement, that the Head of Development Management be authorised to GRANT Planning Permission subject to the following:

CONDITIONS

- 1 An 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 the appearance, landscaping, layout and scale of the development (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 **Before development begins, details of the materials to be used for the external walls and roofs of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**

Reason: To protect, as far as possible the character of the locality. (Policy BE8 S.B.L.P.R and Policy 43 D.S.C.B).

- 5 **Before development begins, a landscaping scheme to include any hard surfaces and earth mounding shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of any existing trees and hedgerows to be retained as part of the development and details of protection measures for the retained trees and hedgerows. 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 new and retained trees, shrubs and grass shall subsequently be maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season and maintained until satisfactorily established.**

Reason: To ensure a satisfactory standard of landscaping. (Policy BE8 S.B.L.P.R and Policy 43 D.S.C.B).

- 6 **Before developments begins, a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:**

1) A preliminary risk assessment which has identified:

- **All previous uses,**
- **Potential contaminants associated with those uses,**
- **A conceptual model of the site indicating sources, pathways and receptors, and**
- **Potentially unacceptable risks arising from contamination at the site.**

2) A further site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to controlled waters as the Environment Agency are not confident that the initial site investigation sampling and the results of the risk assessment provides sufficient evidence to prove that there is no risk to controlled waters on

site.

3) The results of the site investigation and detailed quantitative risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall then be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters (particularly the River Ouzel and the Woburn Sands Formation (Principal aquifer) below the site which is part of the Upper Bedford Ouse Woburn Sands waterbody) from potential pollutants.

- 7 Prior to the initial public use of the development, a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall then be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters (particularly the River Ouzel and the Woburn Sands Formation (Principal aquifer) below the site which is part of the Upper Bedford Ouse Woburn Sands waterbody) from potential pollutants.

- 8 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall then be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters (particularly the River Ouzel and the Woburn Sands Formation (Principal aquifer) below the site which is part of the Upper Bedford Ouse Woburn Sands waterbody) from potential pollutants.

- 9 **Before development begins, a scheme for surface water disposal shall be submitted to and approved by the Local Planning Authority. The scheme shall then be implemented as approved. Infiltration systems should only be used where it can be demonstrated that they will not pose a risk to groundwater quality.**

Reason: To protect and prevent the pollution of controlled waters.

- 10 **Before development begins, a Foundation Works Risk Assessment Report shall be submitted to and approved by the Local Planning Authority. The report shall detail the method of foundation construction, avoiding piling, and making use non-invasive methods, such as rafts, where possible. Where there is no alternative to piling, a method should be selected that minimises the risks of groundwater pollution or gas migration. Appropriate mitigation measures and/or environmental monitoring shall be incorporated into the design. The development shall then be carried out in accordance with the approved details.**

Reason: To protect and prevent the pollution of controlled waters.

- 11 Prior to the initial public use of the development, a revised Framework Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Framework Travel Plan shall include the following:

- Targets for trip reduction and modal shift
- The methods by which these targets will be met
- The mechanisms for monitoring and review;
- The mechanisms for reporting;
- The penalties to be applied in the event that targets are not met;
- Timescales for the implementation of the travel plan;
- Mechanisms to secure variations to the travel plan following monitoring and review;
- Mechanisms for managing the travel plan and coordinating with other travel plans in the area.
- Details of Individual Travel Plans (ITPs) for site occupants
- Details of how the travel plan will be funded.
- A requirement to produce of staff induction packs containing travel information and incentives to travel by sustainable travel.
- Commitments to set up a site-wide car-share database, provide a guaranteed lift home scheme for staff, allocated staff car-share parking bays, permit scheme/bay patrol by TPC and the promotion of CBC Travel Plan Guidance and National Liftshare Week or Central Beds and Luton Lift Share.
- A commitment to provide cycle parking in compliance with CBC cycle parking guidelines, or commit to the provision of a 'cycle to work' salary sacrifice scheme or promotion of national sustainable travel events for walking and cycling.
- A commitment that the TPC will seek to negotiate a site-wide bus season ticket discount scheme for staff.

The Framework Travel Plan shall then be fully implemented in accordance with the approved details.

Reason: In the interests of highway safety, to reduce congestion and to promote the use of sustainable modes of transport.

- 12 **Before development begins, a Public Art Strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include written details of how public art would be commissioned and integrated as part of the development, setting out details of community engagement/consultation undertaken, timeframes for the creation and advertisement of an artists brief, the artist shortlisting and agreement process, and a maintenance plan for any artworks created including funding for long term maintenance. The strategy shall then be fully implement in accordance with the approved details.**

Reason: To ensure a satisfactory and appropriate artistic feature(s) or element(s) are integrated into the development itself and thereby enhance, as far as possible the character of the locality. (Policy BE8 S.B.L.P.R. and Policy 43 D.S.C.B).

- 13 The development shall be carried out in accordance with the ecological enhancement/compensation measures set out in section 5.3 of the submitted Land off Grovebury Road, Leighton Buzzard, Ecological Site Appraisal by Urban Edge Environmental Consulting, dated May 2012 and in accordance with the generic migration strategies set out in section 5.2 of this appraisal.

Reason: To ensure the appropriate protection of existing and creation of replacement wildlife and supporting habitats opportunities (Policy BE8 S.B.L.P.R and Policy 43 D.S.C.B).

- 14 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan number 5195 – 33 received by the Local Planning Authority on 21 January 2012.

Reason: For the avoidance of doubt.

Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

Planning permission has been granted for this proposal. 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) (Amendment No. 2) Order 2012.

Reasons for Granting

Having regard to the current supply of employment land within the area, the site's history of employment use marketing and development initiatives and the opportunities for employment creation which would result from the proposal, the proposed non-B Class development is considered acceptable in terms of the site's employment land allocation.

Taking account of the availability and suitability of other sites within Leighton Buzzard and the impact on existing, committed and planned public and private investment, subject to appropriate town centre contributions, the identified retail impact is considered to be marginal but not significant in NPPF terms. Subject to the delivery of a public bus service to serve the site and other sites along Grovebury Road, the proposed development is capable of achieving an acceptable scheme in terms of the impact upon the character and appearance of the locality and incorporating adequate landscaping, road, cycle and footpath links and parking areas. The proposal is therefore in conformity with Supplementary Planning Guidance contained within Central Bedfordshire Design Guide: A Guide for Development 2010, the development plan policies comprising the South Bedfordshire Local Plan Review and the emerging Development Strategy for Central Bedfordshire and national guidance contained in the National Planning Policy Framework.

Notes to Applicant

1. The development is subject to a Legal Agreement under Section 106 of the Town and Country Planning Act 1990.
2. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the reason for any condition above relates to the Policies as referred to in the South Bedfordshire Local Plan Review (SBLPR) and the emerging Development Strategy for Central Bedfordshire (DSCB).
3. 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.
4. Land contamination investigations should be carried out in accordance with BS 5930:1999-2010 'Code of Practice for site investigations' and BS 10175:2011 'Investigation of potentially contaminated sites - Code of Practice' as updated/amended. Site investigation works should be undertaken by a suitably qualified and experienced professional. Soil and water analysis should be fully MCERTS accredited. Any further site investigation, demolition, remediation or construction works on site must not create new pollutant pathways or pollutant linkages in to the underlying principal aquifer to avoid generating new contaminated land liabilities for the developer. Clean drilling techniques may be required where boreholes, piles etc penetrate through contaminated ground.
5. The CLAIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Under the Code of Practice:
 - excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution
 - treated materials can be transferred between sites as part of a hub and cluster project

- some naturally occurring clean material can be transferred directly between sites.

Contaminated soil that is, or must be disposed of, is waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2010

The Waste (England and Wales) Regulations 2011.

6. Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, including in line with British Standards BS EN 14899:2005 'Characterisation of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' for waste to be removed from site, and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays. If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12 month period the developer will need to register with us as a hazardous waste producer.
7. Soakaways and other infiltration SuDS must not be constructed in contaminated ground. The use of infiltration drainage would only be acceptable if a phased site investigation showed the presence of no significant contamination. The use of non infiltration SuDS may be acceptable subject to our agreement. The Environment Agency would need to be consulted on the results of the site investigation and on any protection measures. Please refer to the Environment Agency website at www.environment-agency.gov.uk for more information.
8. The applicant should note that any discharge of storm water to adjacent watercourse and/or the Buckingham and River Ouzel Internal Drainage Board statutory district must be limited to the appropriate Greenfield rate and any direct discharge will require the Board's statutory consent. If the method of storm water disposal is to be by way of soakaways then it is essential that the ground conditions be investigated and if found satisfactory the soakaways constructed in accordance with the latest BRE Digest 365.

DECISION

.....

.....