

Item No. 8

APPLICATION NUMBER	CB/12/04484/OUT
LOCATION	Land to East of Marston Gate Distribution Park, Badgers Rise, Brogborough, Bedford, MK43 0ZA
PROPOSAL	Outline: Erection of a storage and distribution warehouse (Use Class B8) with ancillary office space, car parking, landscaping, access and associated works.
PARISH	Brogborough
WARD	Cranfield & Marston Moretaine
WARD COUNCILLORS	Cllrs Bastable, Matthews & Mrs Clark
CASE OFFICER	Annabel Gammell
DATE REGISTERED	24 December 2012
EXPIRY DATE	25 March 2013
APPLICANT	Prologis UK Ltd
AGENT	Turley Associates
REASON FOR COMMITTEE TO DETERMINE	Scale of the development and issues raised by the Parish Council.
RECOMMENDED DECISION	Outline Application - Granted

Site Location:

The site is known as land to the west of Marston Gate Distribution Park, to the east of Bedford Road (C94). The site is a trapezoid (roughly triangular), with the narrowest section funnelling into Marston Gate Distribution Park, and the longer edge backing Bedford Road. The site is to the north of Junction 13 of the M1, south of Brogborough village, east of Bedford Road, and west of the existing distribution park, which consists of some seven large buildings. The area of land is currently grassed, vacant farm land, roughly divided into three fields.

The Application:

The application is for Outline Planning Permission for the erection of a storage and distribution warehouse (Use Class B8) with ancillary office space, car parking, access, landscaping and associated works.

All matters are reserved except scale and access.

Scale of Proposal: A parameters plan has been submitted 30224-FE-028B, this shows a single building within the southern portion of the site, the parameters of scale would be -

Minimum width: 137 metres
Maximum width: 151 metres

Maximum length: 295 metres

Maximum height: 20 metres

Minimum building area: 39,600 sqm

Maximum building area: 42,000 sqm

Access of Proposal: This would be through the existing distribution park, using existing transport infrastructure, 329 car parking spaces are proposed

The application is accompanied by the following documents:

- Planning and economic statement
- Draft S106 Agreement - Heads of Terms
- Design and Access statement
- Statement of community involvement
- Phase I and II Environmental site assessment
- Tree survey
- Ecology assessment
- Landscape and visual impact assessment
- Landscape maintenance and management plan
- Noise assessment
- Air quality assessment
- Lighting assessment
- Transport statement
- Travel plan
- Flood risk assessment
- Sustainability statement.

The development was subject to a Screening opinion which determined that this is not EIA development and an Environmental Statement is not required.

The Reserved Matters would be Landscape, Design and Layout.

RELEVANT POLICIES:

National Planning Policy Framework (2012)

1. Building a strong competitive economy
4. Promoting sustainable transport
7. Requiring good design
11. Conserving and enhancing the natural environment

Development Strategy for Central Bedfordshire (2013)

1. Presumption in favour of sustainable development
2. Growth strategy
6. Employment land
7. Employment sites and uses
19. Planning obligations and the Community infrastructure levy
43. High quality development

- 44. Protection from environmental pollution
- 46. Renewable and low carbon development
- 47. Resource efficiency
- 48. Adaptation
- 49. Mitigating flood risk.

(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.)

Core Strategy and Development Management Policies (2009)

- CS2 - Developer Contributions
- CS9 - Providing Jobs
- CS10 - Location of Employment Sites
- DM1 - Renewable Energy
- DM2 - Sustainable Construction of new buildings
- DM3 - High Quality Development

Supplementary Planning Guidance

- Design in Central Bedfordshire
- CB Local Transport Plan: App.F, Parking Strategy

Planning History

- CB/11/03246/SCN EIA - Screening Opinion: Development of land to provide a distribution warehouse (use class B8) with ancillary B1 class office floorspace and service yard with car parking. - Not EIA Development
- CB/12/002620/SCN Screening Opinion: Erection of storage and distribution unit (Use Class B8) with ancillary office space, car parking and associated works. – Not EIA development.

Representations: (Town & Neighbours)

Brogborough
PC

Comments received

We were pleased that the developers had taken into account some of the Parish Council's comments made in response to their initial plans shown at the public exhibition in the Village Hall in June 2012, and included them in the above outline planning application, which included:

- Moving the warehouse, along with the loading yard, further south in the development site, and moving one of the attenuation ponds to the north of the warehouse, which means that the six houses on Bedford Road are not as

overpowered by the development, and it takes the development that bit further south away from the houses in Highfield Crescent.

- That the developers supported the need to restrict the use by HGV's leaving Marston Gate Distribution Park, off Bedford Road to travel north and access the new A421 at Marston Moretaine (and presumably vehicles leaving the new A421 at Marston Moretaine to travel south along Bedford Road to Marston Gate Distribution Park).
- The construction of bunds to the north and west of the site to reduce visual and noise pollution to houses in the vicinity of the village (but more about this in the body of our response below)
- That the Parish Council be involved in a tripartite discussion with Prologis and Central Bedfordshire Council with respect to negotiating some of the Section 106 money for local/village/community use, particularly the funding of improvements to the infrastructure of the community.
- The need for additional signage along Bedford Road from the north directing HGV and other traffic destined to the distribution centre to carry on along Bedford Road to stop vehicles erroneously turning into the small local roads of the village (and often getting stuck and churning up the grass verges) and also other practical measures which would improve local transport such as traffic calming measures.
- That the Parish Council be allowed to send a representative to Prologis' management meetings also attended by the tenants of the distribution park when the impact on the local community is discussed

However, there are still aspects of the outline planning application that the Parish Council is concerned about. These are detailed below and are in no particular order of priority.

1. The planting proposed for the landscaping on, around and away from the bunds is not specifically detailed, mentioning only native species, from which we surmise that it is unlikely that evergreen species will feature to any extent.
2. Landscaping maintenance. Any landscaping that is provided on the development site and its boundaries should be maintained by Prologis or subsequent owners of the site.
3. Although Prologis have done a Transport Assessment on the impact that the extension would have on local roads, which concluded that there would be "no unacceptable impact" (page 18 of Statement of Community Involvement), and indeed, traffic surveys were carried out, we feel that

there are several points to be made here

- What is 'an acceptable impact' as the wording implies that there will be some impact.
- The traffic surveys did not survey HGV movement travelling south down Bedford Road turning left at the traffic lights from Bedford Road into the A507, nor HGV traffic turning right at the traffic lights from the A507 northwards up Bedford Road. Although some of this HGV movement may not be destined for the distribution park or coming from it, no surveys were done in any way to try to ascertain any HGV movement through the village attributable to the distribution park.
- The fact that the surface of the road at the junction from Bedford Road into the A507 has massive ruts developed in it, shows the amount of heavy traffic that must take this route (a fact reported to Central Beds Highways on Wednesday 16th January by Miss Jo Green, Chair Brogborough Parish Council).

4. The impact of such a large warehouse and the HGV traffic generated from it will cause considerable impact on the flow of traffic off the M1 both from the north and south, to access the distribution warehouse along the A507.
5. We are not in agreement with the analysis carried out on the risk assessment of flooding.
6. Noise impact.
7. Noise and light pollution.
8. Flanking hedge condition.
9. Boundaries to community areas.
10. Travel plans.

Neighbours **No comments received**

Consultations/Publicity responses

Accessibility **No comments received**
Officer

Strategic **No objections**
Landscape Officer

Information received however this relates to more detailed matters which would be included within subsequent Reserved Matters applications. The comments have been sent to the

agent for consideration.

Highways Officer

No objections - Recommends Conditions

Access and scale are issues to be determined at this stage and are not being reserved for subsequent approval. I make the following observations on behalf of the highway authority and apologise for the delay responding.

As you will be aware from our discussions and meetings the principle of this proposal is acceptable in a highway context.

The application is supported by a robust Travel Assessment which has identified that, despite the size of the proposal there will not be a significant impact on the surrounding highway during the normal network morning and evening peak hours in view of the working patterns associated with a development of this nature.

The proposal is accessed from the existing privately maintained estate roads in a manner appropriate for the number and type of vehicle associated with the use. Car parking provision is compliant with the CBC parking strategy and has been considered and agreed in principle with our Travel Plan colleagues.

In terms of S106 matters I understand that a contribution toward improvements to part of the existing footway (FP4) linkage to the C94 and Brogborough Village to allow use by cyclists has been agreed. In addition the applicant has agreed to fund works and Traffic Regulation Orders to enable changes to the speed limit along the C94 (former A421) through Brogborough together with the introduction of HGV restrictions to ensure that vehicles associated with the development remain on the principle highway network rather than utilise the former trunk road through Brogborough and beyond.

In the event that planning approval is considered the following conditions and advice notes are recommended for inclusion.

1. The detailed plans to be submitted for approval of reserved matters shall indicate the following:

- appropriate space for staff and visitor car parking,
- operational space for parking, loading/unloading and manoeuvring of heavy goods vehicles
- the safe and secure provision of cycle parking
- an informally surfaced cycle route through the grassland north of the building to provide an alternative cycle link to the premises from the C94 to supplement the improvements to FP4.

Development shall not begin until the detailed plans have been approved by the Local Planning Authority and no building shall be occupied until approved works have been constructed in accordance with the approved details.

Reason: To ensure adequate provision of on-site vehicle and cycle areas in the interests of highway safety.

2. The proposed development shall be carried out and completed in all respects in accordance with the access siting and layout illustrated on the approved plan and defined by this permission and, notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995, (or any Order revoking or re-enacting that Order) there shall be no variation without the prior approval in writing of the Local Planning Authority.

Reason: To ensure that the development of the site is completed insofar as its various parts are interrelated and dependent one upon another and to provide adequate and appropriate access arrangements at all times.

3. Reserved matters development shall not commence until a scheme detailing access provision to and from the site for construction traffic, which details shall show what arrangements will be made for restricting such vehicles to approved points of access and egress has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be operated throughout the period of construction work.

Reason: To ensure the safe operation of the surrounding road network in the interests of road safety.

4. Reserved matters development shall not commence until a scheme detailing provision for on site parking for construction workers and deliveries for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.

Reason: To ensure adequate off street parking during construction in the interests of road safety.

5. The development shall not be commenced until a site wide travel plan has been submitted to and approved in writing by the council, such a travel plan to include details of:

- Baseline survey of site occupants in relation to these current/proposed travel patterns;
- Predicted travel to and from the site and targets to

- reduce car use;
- Details of existing and proposed transport links, to include links to both pedestrian, cycle and public transport networks;
- Proposals and measures to minimise private car use and facilitate walking, cycling and use of public transport;
- Detailed 'Action Plan' to include specific timetabled measures designed to promote travel choice and who will be responsible
- Plans for monitoring and review, annually for a period of 5 years at which time the resulting revised action plan shall be submitted to and approved in writing by the planning authority.
- Details of provision of cycle parking in accordance with Central Bedfordshire Council guidelines.
- Details of site specific marketing and publicity information, to include:
 - Site specific travel and transport information,
 - Incentives for sustainable travel
 - Details of relevant pedestrian, cycle and public transport routes to/ from and within the site.
 - Copies of relevant bus and rail timetables.
 - Details of the appointment of a travel plan co-ordinator.

No part of the reserved matters development shall be occupied prior to implementation of those parts identified in the travel plan. Those parts of the approved travel plan that are identified therein as being capable of implementation after occupation [including submission of a full travel plan within 6 months of occupation to be approved in writing by the Local Planning Authority] shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.

Reason: To promote sustainable modes of travel and to reduce the potential traffic impact of the development on the local highway network

Sustainable
Transport Officer

No objections

Comments on Travel Plan in respect of excessive parking provision and destination for infrastructure contributions. However this matter was resolved with further information provided by the applicant regarding amount of floor space for office.

Site located just south of Brogborough within the existing Prologis distribution centre, adjacent to M1 junction 13 and within close proximity to Milton Keynes (6 miles), Bedford (9 miles) and Luton (12 miles).

514 full time staff estimated.

Car parking provision – 329 car parking spaces proposed. This is considered acceptable, and in accordance with Annex F of Parking Standard.

Tree and
Landscape Officer

No objection – Recommended Conditions

A comprehensive tree survey has been supplied with the application identifying all trees and hedge lines on or off site that could be affected by the proposal. It is identified that approximately 200 metres of hedge that lies across the development site will be removed.

Full ecological and landscape use should be made of the attenuation pond close to the car park area.

We will require full hard and soft landscaping details including species, sizes, densities and soil preparation along with a management plan and full details as to the management and financing of the Community Orchard area.

Natural England

No objections – recommended conditions

This proposal does not appear to affect any statutorily protected sites or landscapes, or have significant impacts on the conservation of soils, nor is the proposal EIA development.

We used the flowchart on page 8 of our Standing Advice Species Sheet: Great crested newts beginning at box (i). Working through the flowchart we reached Box (xiii). We looked at the survey report and determined that permission may be granted subject to a condition requiring and detailing mitigation and monitoring strategy for Great Crested Newts.

Environment
Agency

No objection – recommended conditions

We consider that planning permission could be granted to the proposed development as submitted if the following (2) planning conditions are included as set out below. Without these conditions, the proposed development on this site poses an unacceptable risk to the environment and we would object to the application.

Groundwater and Contaminated Land

CONDITION

Infiltration systems should only be used where it can be demonstrated that they will not pose a risk to groundwater quality. A scheme for surface water disposal needs to be

submitted to and approved by the Local Planning Authority. The scheme shall be implemented as approved.

Reason

To protect and prevent the pollution of controlled waters (particularly the secondary A aquifer to the south of the site, the unnamed tributary of Broughton Brook River and the unnamed drainage ditches on the perimeter of the site) in line with National Planning Policy Framework (NPPF; paragraphs 109, 121), EU Water Framework Directive, Anglian River Basin Management Plan and Environment Agency Groundwater Protection (GP3:2012) position statements G1 to G13, N7 and N10. The water environment is potentially vulnerable and there is an increased potential for pollution from inappropriately located and/or designed infiltration Sustainable Drainage Systems (SuDS) such as soakaways, unsealed porous pavement systems or infiltration basins.

Pollution Prevention

CONDITION

The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul drainage has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved.

Reason

See Reason 1.

- | | |
|-------------------|---------------------------|
| Highways Agency | No objection |
| Building Control | No comment to make |
| Public Protection | Concerns |

Concerns received with regard to noise, there are on going discussions relating to this matter, between the Councils Environmental Health Officer and Prologis. Conditions have been recommended to overcome concerns:

Noise Scheme

Prior to the approval of the first of the reserved matters a Noise and Vibration Assessment shall be carried out in accordance with a methodology submitted to and agreed in writing by the Local Planning Authority.

This Assessment and, if it proves necessary as a result, a scheme for protecting neighbouring land uses from noise shall be submitted to and approved in writing by the local Planning Authority prior to the commencement of the development. Any

works which form part of the scheme approved by the local Planning Authority shall be completed, and shown to be effective before any permitted use is brought into use or occupied unless alternative approval is provided in writing by the Local Planning Authority.

Reason: To protect the amenity of neighbouring land users in terms of noise and vibration.

Noise from Fixed Plant and Equipment

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

Reason: To protect the amenity of neighbouring land users in terms of noise and vibration.

Light Pollution

Before the development commences the applicant shall submit a suitable lighting design scheme and impact assessment devised to eliminate any detrimental effect caused by obtrusive light from the development on neighbouring land uses. The scheme shall be prepared by a suitably qualified lighting engineer in accordance with relevant publications and standards. Only the details thereby approved shall be implemented.

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

Reason: To protect the amenity of neighbouring land users in terms light.

Public Protection -
Contaminated
Land

No objection – Recommended Conditions

Conditions relating to:

Phased Site Investigation

Remediation scheme

And informative's relating to:

Topsoil movement

And Surface/Ground water at risk of contamination – See EA

Drainage

No comments received

Engineer

Economic Growth Department **No comments received**

Sustainable Growth/ Climate change **Comments received – Further information requested**

On going discussion between officer and Prologis, comments to be on the late sheet

Forest of Marston Vale **No objection – Requested planting on/off site**

Rights of Way **No objection**

Application site is not effected by Public Rights of Way, other than at the entrance. The existing pedestrian crossing is to be maintained with no proposals for diversion, therefore I have no comments to make.

Architectural Liaison **No comments received**

Beds Waterway **No comments received**

Internal Drainage Board **Object – holding objection received**

On going discussion, regarding legal agreement, further information to be on late sheet.

Green Infrastructure Co-Ordinator **No objection**

Ecology **No objection**

Extensive surveys have been undertaken and the proposed recommendations address habitat and species issues. Considerable environmental enhancement has been included in the proposals with particular focus on habitat provision for Great Crested Newts but which will also benefit other fauna using the site.

Great Crested Newts have been found in the area and as such there is a requirement for the issue of a development licence from Natural England. The appropriate surveys and associated mitigation proposed will be sufficient to allow for such a licence.

The retention of existing trees and hedgerows where possible is desirable. The illustrative Master plan shows a community orchard which is welcomed, additional tree and shrub planting is

also proposed around the site. The Community Tree Trust has fruit trees and other species of local provenance which would provide an added ecological benefit to this site.

Anglian Water **No comments received**

Husbourne **No comments received**
Crawley Parish
Council

Determining Issues

The main considerations of the application are;

1. Policy, background and Job creation
2. Design, appearance and impact on visual amenity of the area, and amenities of neighbouring residents
3. Traffic generation/Highways
4. Other issues

Considerations

1. Policy, background and Job creation

Policy EA6 within the Central Bedfordshire Site Allocations Document 2010:

Policy EA6: Land between A421 and Marston Gate Distribution Park, Brogborough

Land between the A421 and Marston Gate Distribution Park Brogborough as identified on the Proposals Map, is allocated for 8 hectares of B1, B2 and B8 uses.

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

- *An upsizing of the on- site culvert will be required to resolve the current flooding. Surface water arising from the development will be controlled by a means of a Sustainable Urban Drainage System which will only release surface water- off into surrounding water courses at least at a rate no greater than if the site was undeveloped. Measures will be agreed with the Internal Drainage Board (IDB);*
- *Preparation of a Transport Assessment to help identify the impact of the development on the highway network. This assessment should specifically include the impact on the M1 and A421 trunk roads. Further assessment is required to ensure the benefits of the A421 improvement scheme are not eroded; and*

- *Provision of satisfactory buffer landscaping to minimise the impact of development on the settlement of Brogborough, the Forest of Marston Vale and the Greensand Ridge.*

The whole site area shown with this application is not within the EA6 allocation, the 8 hectares is shown as the middle portion of the site, and excludes the two narrow sections on either side of the triangular site. The application has been made for 8 hectares of employment land, however the site has been moved to the southern portion of the site. Although it is partially on land outside the allocated portion, it is predominantly within the allocation. The reason that the building has been moved is following consultation with local residents the building is moved away from the main part of the village, towards the junction with the M1. This allows for a larger buffer zone to be created between the employment site and the village. It is proposed to create a grassed amenity area and community orchard on the northern edge. There is a cluster of properties facing on to Bedford Road and by moving the building to the southern portion of the site, it will allow these properties to overlook the green area opposed to the main bulk of the building. It is considered that although this development would be slightly outside the allocation as shown in the Site Allocations DPD, it is a more appropriate use of the site, and will result in the delivery of the same scale of employment land and relate in a more positive way to the village of Brogborough.

With regards to the emerging Development Strategy for Central Bedfordshire (Pre-Submission 2013), significant weight can be given to the policies contained within it which are consistent with the NPPF. The draft Development Strategy is due to be submitted to the Secretary of State in May 2013 and any future application for Reserved Matters is likely to be judge against these policies.

Policy 6 (Employment Land) of the emerging Development Strategy sets out that the Council will work with the development industry, landowners and local communities to deliver appropriate employment land within Central Bedfordshire. The portfolio will consist of:

- existing allocated employment sites (as identified on the Policies Map);
- established (non-allocated) sites in employment use;
- allocation from the North Site Allocations DPD; and
- up to 139ha of additional Strategic Sites.

As this site was an allocation from the North Site Allocations DPD it is compliant with this policy.

The National Planning Policy Framework states that Sustainable Development is the Golden Thread running through decision making, to create a sustainable development job creation and economic growth is fundamental. It is considered that this development would aid the objectives within the National Planning Policy Framework, creating employment for the community.

It is therefore considered that the development would deliver sustainable development that is compliant with other policies and the National Planning

Policy Framework.

This application is for Outline planning permission and currently there is no identified end user for this development. It is projected that based on the scale and use of the site, this development would result in approximately 516 full time jobs.

2. Design, appearance and impact on visual amenity and the amenity of neighbouring residents

Impact upon the character and appearance of the area:

The detailed design of the building would be agreed under subsequent Reserved Matters applications, however indicative elevations have been included within the Design and Access Statement.

Layout would also be determined at the reserved matters stage although the indicative drawing identifies the parameter scale position of the building.

This application would set parameters in terms of scale, the maximum dimensions of the building would be 151 metres in width, by 295 metres in length, with a maximum height of 20 metres. The design would be similar to that of other buildings on Marston Gate Distribution Park.

In terms of impact upon visual amenity, the building will appear prominent, it will be substantial in scale, however it is considered that the building will complement the wider environment of the distribution park and Junction 13 of the M1. The development will be substantially softened in its setting by the level of landscaping that would surround the site.

It is considered that the structure will be seen from the wider environment, however due to the position adjacent to the M1/A421 Junction, and the existing B8 warehousing at Marston Gate, it is considered it would not have a significant impact upon any long range views across Bedfordshire.

Within the immediate area, it would appear substantial within the streetscene of Bedford Road and the footpath at the rear of Highfield Crescent, however substantial levels of landscaping are indicatively shown, and would need to be agreed through a Reserved Matters application, softening the affect of the building, from these public view points. As the building has been moved to the southern portion of the site, it is considered that this would further reduce its impact within the residential streetscene.

Impact upon neighbouring properties:

The building has been moved since the site allocations document was produced by some 20 metres to the south, this was to allow the properties on Bedford Road to face the landscaping as opposed to the building. It is considered that within this setting, the scale of the proposed development would not significantly impact upon any residential properties; this has been considered in terms of impact upon privacy, light amenity, loss of outlook, noise or the causing of an

overbearing impact. The precise position/design of the building would need further approval as a reserved matter. It is considered that the building could be satisfactorily sited on the site within the build envelope area established by the parameter plan. A sufficient buffer zone would be provided to allow for tree planting and landscaping to mature over time, this would help mitigate any significant impact of the development in the landscape, streetscene, and from the visual amenities of nearby residents.

3. Traffic generation/Highways

The development would provide an employment site for approximately 516 full time jobs (subject to end user), 329 car parking spaces are proposed. It is considered that there would be ample parking for this number of staff, as it would be largely shift work, and it is unlikely that all the employees would be on site at any one time.

It is considered that as the application is supported by a robust Travel Assessment and that has identified that, despite the size of the proposal, there will not be a significant impact on the surrounding highway during the normal network morning and evening peak hours in view of the working patterns associated with a development of this nature. The proposal is therefore acceptable in this respect. It is strategically located to be an addition to an existing distribution park with existing infrastructure capable of accommodating this level of additional movements. Car parking provision is compliant with the CBC parking strategy and has been considered and agreed in principle with both the Highway officer and the Travel Plan officer.

Five conditions have been recommended by the Highway Officer which relate to suitable parking provision being made for the site including cycle parking, further detail of access and egress from the site/construction traffic to be generated, construction worker parking, a site wide travel plan, and the siting and layout of the scheme. It is considered reasonable to attach these conditions except the site wide travel plan. A travel plan for the proposed development is recommended instead. The fixing of the layout of the proposal is also not considered necessary at this stage as the position of the building would be fixed by the parameters plan. It is considered that a condition indicating the build envelope and the condition indicating the approved outline plans would result in the same assurances and ensure the access was constructed in accordance with the approved plans.

4. Other issues

LANDSCAPED OPEN SPACE

Within the indicative plans, there is a substantial level of landscaping, this includes a community orchard, and open space, this would be privately managed by the occupiers of the building. It is considered that its relationship to the

building is important for ecology on the site, drainage, and community cohesion with the development. Access to this area would be from the footpath adjacent, and would be made available for local informal recreation use.

ECOLOGY

The Councils Ecologist and Natural England are of the opinion with conditions to protect species the wildlife on the site can be suitably accommodated.

FLOOD RISK

The IDB has a holding objection to the development, however this is largely based on a legal matter between themselves and Prologis, and update on this position will be given on the late sheet. Prologis have indicated that they are satisfied to enter into a Section 106 that would secure the required works to be carried out.

SUSTAINABILITY

The application has a corporate sustainability strategy in its developments which takes in the potential environmental impact of all the phases of the buildings' life from building materials to demolition recycling. The corporate strategy is based on 3 elements:

- BREEAM certification – Very Good Standard 2011
- reduced operational carbon emissions, and
- mitigated embodied carbon emissions.

Carbon off-set would take the form of investment in local education/biodiversity projects and a project managed by Cool Earth.

This sustainable approach to development is at the heart of the NPPF.

It is considered that this development would result in a sustainable form of development.

SECTION 106 AGREEMENT

- Highway Works to the C94 (£30,000)
- Brogborough Footway/Cycleway Enhancement (£10,000)
- Ridgmont Station Enhancement (£20,000)
- Village Hall Enhancement Project (£10,000)
- Leisure facilities in Brogborough (£70,000)
- Brogborough Village Enhancement/Community Cohesion (£5,000).
- An agreement to enter into an agreement which would ensure that the IDB works were carried out prior to development commencing.
- A traffic management plan, would also be required, when the needs of the end user were fully understood, so the Council could ensure that this matter was suitably addressed.
- A management plan for the Landscaped areas.

The principle of this has been agreed with the Developer, the document remains unsigned, an update of this will be on the late sheet.

NOISE

A Noise and Air Quality Assessment were received with the application. The development will involve the movement of HGVs and therefore it is likely that this development is going to generate noise, and concerns have been received from the Councils Public Protection department regarding the information submitted with the application. However no objections are received and conditions relating to additional information, noise mitigation, lighting scheme, and levels of noise from the site are recommended in order to overcome concerns. It is considered that the imposition of conditions would safeguard the residential amenities of neighbouring occupiers.

Recommendation

That subject to the satisfactory completion of a Section 106 Agreement addressing the matters set out within this report to grant Outline Planning Permission subject to the following:

- 1 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.

- 2 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.

- 3 Approval of the details of:-

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

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

Reason: To enable the Local Planning Authority to exercise control over the said matters which are not particularised in the application for planning

permission in accordance with Section 92 of the Town and Country Planning Act 1990 and Town and Country Planning (General Development Procedure) Order 1995.

- 4 The building on the site shall be restricted to a maximum of 20 metres in height, with a maximum floor area of 42,000 sqm, a maximum length of 295 metres, and a maximum width of 151 metres. The area where the building shall be located shall be within the parameters as shown on plan 30224-FE-028B.

Reason: To ensure an acceptable development and respect the character and appearance of the surrounding area and to safeguard the residential amenities of adjacent properties.

- 5 **Development shall not commence until samples of the external materials to be used for the walls and roofs of all new buildings has been 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 control the appearance of the proposed building.

- 6 **Development shall not commence until details of the levels of the proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented in accordance with the approved details.**

REASON: To produce a satisfactory relationship between the various elements of the scheme and adjacent properties.

- 7 The detailed plans to be submitted for approval of reserved matters shall indicate the following:
- appropriate space for staff and visitor car parking,
 - operational space for parking, loading/unloading and manoeuvring of heavy goods vehicles
 - the safe and secure provision of cycle parking
 - an informally surfaced cycle route through the grassland north of the building to provide an alternative cycle link to the premises from the C94 to supplement the improvements to FP4.

Development shall not begin until the detailed plans have been approved by the Local Planning Authority and no building shall be occupied until approved works have been constructed in accordance with the approved details.

Reason: To ensure adequate provision of on-site vehicle and cycle areas in the interests of highway safety.

- 8 Reserved matters development shall not commence until a scheme detailing access provision to and from the site for construction traffic, has been submitted to and approved in writing by the Local Planning Authority. The details shall show what arrangements will be made for restricting such vehicles to approved points of access and egress. The scheme shall be operated

throughout the period of construction work.

Reason: To ensure the safe operation of the surrounding road network in the interests of road safety.

- 9 There shall be no occupation of any part of the development hereby permitted until details of a scheme for all external lighting has been submitted to and approved in writing by the Local Planning Authority, the lighting scheme thereby approved shall be installed, operational and maintained in perpetuity. There shall be no departure from or variation to the approved lighting scheme without the prior approval in writing of the Local Planning Authority.

Reason: To protect the amenity of the surrounding area in terms of light spill and highway safety.

- 10 Reserved matters development shall not commence until a scheme detailing provision for on site parking for construction workers and deliveries for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.

Reason: To ensure adequate off street parking during construction in the interests of road safety.

- 11 **Prior to the commencement of any phase of development approved by this Outline Planning Permission, the following shall be submitted to the Local Planning Authority:**

- (a) **A Phase 2 site investigation report further documenting the ground conditions of the site with regard to potential contamination, incorporating soils and gas sampling.**
- (b) **Where shown to be necessary by the Phase 2 site investigation, a Phase 3 detailed scheme for the remedial works and measures to be taken to mitigate any risks to human health, groundwater and the wider environment.**
- (c) **On completion of the development, the developer shall provide written confirmation that any and all works have been completed in accordance with the agreed remediation scheme in the form of a Phase 4 validation report.**

Reason: To protect human health and the environment.

- 12 **No works shall commence on site until the Local Planning Authority has agreed in writing the content of a Construction Environmental Management Plan for the proposed development which shall cover noise, vibration and air quality management. Construction and installation of plant and machinery shall proceed in accordance with the approved Plan.**

Reason: To minimise disturbance to the occupants of neighbouring properties during the construction phase of the development.

- 13 **No works to commence on site and notwithstanding the details submitted**

with the application, further particulars of the proposed site boundary treatments, to include details of security fencing, are submitted to and approved in writing by the Local Planning Authority. Thereafter, the proposed site boundary treatments shall be carried out in accordance with the approved particulars.

Reason: To control the appearance of the proposed development in the interests of the amenities of the surrounding area.

- 14 **No works to commence on site until a scheme for surface water disposal is submitted to and approved in writing by the Local Planning Authority. The scheme shall 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 (particularly the secondary A aquifer to the south of the site, the unnamed tributary of Broughton Brook River and the unnamed drainage ditches on the perimeter of the site) in line with National Planning Policy Framework (NPPF; paragraphs 109, 121), EU Water Framework Directive, Anglian River Basin Management Plan and Environment Agency Groundwater Protection (GP3:2012) position statements G1 to G13, N7 and N10. The water environment is potentially vulnerable and there is an increased potential for pollution from inappropriately located and/or designed infiltration Sustainable Drainage Systems (SuDS) such as soakaways, unsealed porous pavement systems or infiltration basins.

- 15 **The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul drainage has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved.**

Reason: To protect and prevent the pollution of controlled waters (particularly the secondary A aquifer to the south of the site, the unnamed tributary of Broughton Brook River and the unnamed drainage ditches on the perimeter of the site) in line with National Planning Policy Framework (NPPF; paragraphs 109, 121), EU Water Framework Directive, Anglian River Basin Management Plan and Environment Agency Groundwater Protection (GP3:2012) position statements G1 to G13, N7 and N10. The water environment is potentially vulnerable and there is an increased potential for pollution from inappropriately located and/or designed infiltration Sustainable Drainage Systems (SuDS) such as soakaways, unsealed porous pavement systems or infiltration basins.

- 16 **Prior to the approval of the first of the reserved matters a Noise and Vibration Assessment shall be carried out in accordance with a methodology submitted to and agreed in writing by the Local Planning Authority.**
A scheme for protecting neighbouring land uses from noise shall be submitted

to and approved in writing by the local Planning Authority prior to the commencement of the development. Any works which form part of the scheme approved by the local Planning Authority shall be completed, before any permitted use is brought into use unless otherwise approved in writing by the Local Planning Authority.

Reason: To protect the amenity of neighbouring land users in terms of noise and vibration.

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

Reason: To protect the amenity of neighbouring land users in terms of noise and vibration

- 18 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers TA01, 09C, 30224-FE-022B, 30224-FE-028B, 30224-FE-026B, 12, 13,10B.

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

Outline Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant 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

The principle of a maximum of 42,000 sqm of floor space comprising Class B8 warehouse use with ancillary office and associated development would be acceptable and the access to the site would be safe. As a result, the development would be in accordance with the objectives on the NPPF (2012) and Policies DM3 (High Quality Development) and DM4 (Development Within and Beyond Settlement Envelopes) of the Central Bedfordshire Core Strategy and Development Management Policies (2009), as well as EA6 of the Central Bedfordshire Site Allocations Document (2010). It is considered in further accordance with the Draft Central Bedfordshire Development Strategy (2013) Policies 1, 2, 6, 7, 19, 43, 44, 46, 47, 48, 49.

Notes to Applicant

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.