

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

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

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

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

- 19 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.
2. The applicant is asked to consider using unobtrusive, non reflective surfacing / roofing materials when the details are submitted at Reserved Matters stage.

NOTES

- (1) In advance of the consideration of the application the Committee were advised of a revision to Condition 7 at the request of the applicant.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.