

Item No. 6

APPLICATION NUMBER	CB/14/02490/OUT
LOCATION	Millbrook Proving Ground, Station Lane, Millbrook, Bedford, MK45 2JQ
PROPOSAL	Outline application with details of main access routes only for the development of four separate sites within the existing Millbrook Proving Ground site boundary for a total of up to 24,900 m² (gross) commercial floorspace (Use Class B1 a, b and c); creation of new vehicular access points at sites 2, 3 and 4 and improvements to existing main site access point to provide new access at site 1
PARISH	Millbrook
WARD	Cranfield & Marston Moretaine
WARD COUNCILLORS	Cllrs Bastable, Matthews & Mrs Clark
CASE OFFICER	James Clements
DATE REGISTERED	30 June 2014
EXPIRY DATE	29 September 2014
APPLICANT	Millbrook Proving Ground Ltd
AGENT	DLP Planning Consultants
REASON FOR COMMITTEE TO DETERMINE	Called-in by Councillor Bastable & Major Development with objection from the Parish Councils.

Loss of amenity - excessive light; overdevelopment - scale of development exceeds original concept; overbearing - site 2, 3 & 4 large obtrusive buildings close to road; highway safety grounds – continuous traffic through Millbrook Village; Design – Modern industrial buildings with flat roofs out of keeping with area; impact on landscape - protected views from Millbrook and ridge.

RECOMMENDED DECISION

Outline Application - Approve

Summary of Recommendation

The proposal is in accordance with chapters 1, 4, 7, 10, 11 & 12 of the NPPF and Core Strategy and Development Management Policies CS2, CS9, CS10, CS16, DM3, DM11, DM13 & DM16. While there would be some harm to the open countryside this would be outweighed by the economic and employment benefits of the B1 units. A robust Transport Assessment and Travel Plan have been submitted with the application and the proposal is acceptable with regard to sustainable transport and highway safety. There would be no undue harm to residential amenity or heritage assets.

Recommendation

To authorise the Group Manager of Development Infrastructure to issue the grant of Outline planning PERMISSION subject to a satisfactory FRA being submitted to the

Local Planning Authority (in consultation with the Environment Agency), planning conditions outlined in the committee report and the completion of an Agreement under Section 106 of the Town and Country Planning Act 1990 to secure highway/sustainable works to be undertaken by the applicant through a s38 or s278, a travel plan, new signage, a landscape management and maintenance plan, contributions towards traffic calming/management on Sandhills Close, contribution towards safety improvements/education to Millbrook Station crossing and Marston Crossing, contribution to off-site tree planting and all other matters outlined in the revised Heads of Terms.

RECOMMENDED CONDITIONS / REASONS

- 1 Application for the approval of the reserved matters shall be made to the Local Planning Authority within three years from the date of this permission. The development shall begin not later than two years from the final approval of the reserved matters or, if approved on different dates, the final approval of the last such matter to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 **No development shall take place within each area approved as identified on drawing no. 1459/PL02 issue E until approval of the details of the appearance, landscaping, layout and scale of the development [and any other details required i.e. the landscaping adjoining it] within that area (herein called “the reserved matters”) has been obtained in writing from the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

Reason: To comply with Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 (as amended).

- 3 No occupation of any permitted building shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:
 - As shown to be necessary by the Phase 2 Environ Report of September 2013, a further redevelopment strategy incorporating a remedial plan for asbestos and any other protection measures shown to be necessary. Any works which form part of the strategy approved by the local authority shall be completed in full before any permitted building is occupied.
 - The effectiveness of any remedial plan shall be demonstrated to the Local Planning Authority by means of a validation report (to incorporate photographs, material transport tickets and validation sampling), unless an alternative period is approved in writing by the Authority. Any such validation should include responses to any unexpected contamination discovered during works and shall be completed in full before any permitted building is occupied.

Reason: To protect human health and the environment

- 4 No development shall take place on each phase until a written scheme of archaeological resource management; that includes post excavation analysis and publication has been submitted to and approved in writing by the Local Planning Authority. The said development shall only be implemented in full accordance with the approved scheme.

Reason: To record and advance understanding of the heritage assets with archaeological interest which will be unavoidably affected as a consequence of the development and to secure the protection and management of archaeological remains which may be preserved in situ within the development site.

- 5 No development shall commence on each phase until a waste audit has been submitted to and confirmed in writing by the Local Planning Authority. The agreed details shall thereafter be carried out in full. The details to be submitted shall include:

- information on the anticipated nature and volumes of waste that the development will generate;
- where appropriate, the steps to be taken to ensure the maximum amount of waste arising from development on previously developed land is incorporated within the new development;
- the steps to be taken to ensure effective segregation of wastes at source including, as appropriate, the provision of waste sorting, storage, recovery and recycling facilities;
- any other steps to be taken to manage the waste that cannot be incorporated within the new development or that arises once development is complete.

Reason: To ensure the development is in accordance with policy W5 (MWLP 2005)

- 6 **Prior to any reserved matters being submitted to the Local Planning Authority, a design code shall be submitted to and agreed in writing by the Local Planning Authority. The design code shall include:**

- **External materials and facing finishes for roofing and walls including opportunities for using locally sourced, recycled construction materials and green roofs;**
- **Sustainable design and construction, in order to achieve a minimum 'Excellent' BREEAM rating maximizing where appropriate passive solar gains, natural ventilation, water efficiency measures.**

Landscaping and Ecology:

- **Hard and soft landscaping strategy to include the protection where possible of the existing tree belts/screen;**
- **Landscape Character and Visual Impact Assessment;**
- **Minor artefacts and structures including floodlighting and boundary treatments;**
- **Design of the public realm;**

- Conservation of flora and fauna interests;
- SUDS design.

Highways and Transport:

- Alignment, width, gradient and type of construction and materials proposed for all footways, cycleways, bridleways, roads and vehicular accesses to and within the site (where relevant) and individual properties;
- Cycle parking and storage;
- Landscaping and highway design to ensure the footway/cycle/bridleway mitigates an urbanising effect.

Reason: To ensure satisfactory comprehensive development and proper planning of the area.

- 7 **Notwithstanding the details submitted on plan 1459/PL03 Issue H, development shall not commence until a detailed design and alignment of the roundabout at the main access has been submitted to and agreed in writing by the Local Planning Authority.**

Reason: In the interests of highway safety.

- 8 The development hereby approved shall only be used for a use within Use Class B1 a,b or c and for no other purpose.

Reason: In the interests of residential amenity and to ensure the development is in accordance with policy DM11 and DM3 of the Core Strategy.

- 9 The buildings shall not exceed a maximum height of 12m.

Reason: For the avoidance of doubt and to ensure the development does not harm the open countryside.

- 10 **Notwithstanding the details shown on the submitted plans, development shall not begin on any phase until full engineering details of the vehicle access arrangements onto the public highway have been submitted to and approved by the Local Planning Authority and no development shall commence until the appropriate Highways Act agreement has been entered into.**

Reason: To ensure the provision of an appropriate highway arrangement in the interests of highway safety.

- 11 **No development shall begin on any phase until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The CTMP shall include proposals for construction traffic routes, the scheduling and timing of movements, any traffic control, signage within the highway inclusive of temporary warning signs, the management of junctions to, and**

crossing of, the public highway and other public rights of way. The CTMP shall be implemented in accordance with the approved details for the duration of the construction period.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the site.

- 12 No reserved matters development shall begin until details of pedestrian and cycle linkages between the sites and Millbrook village, Millbrook Station and Lidlington village have been submitted to and approved by the Local Planning Authority and no occupation shall take place until the approved works have been implemented in accordance with a timescale to be agreed.

Reason: To ensure the provision of appropriate facilities for sustainable modes of transport.

- 13 Any subsequent reserved matters application shall include the following;

- Vehicle and Cycle parking and storage in accordance with the council's standards applicable at the time of submission.
- Provision for service vehicles to park and turn within the land parcels.
- A Construction Traffic Management Plan detailing access arrangements for construction vehicles, routing of construction vehicles, on-site parking and loading and unloading areas.
- Materials Storage Areas.
- Wheel cleaning arrangements.
- HGV routing agreement.
- Travel Plan.

Reason: To ensure that the development of the site is completed to provide adequate and appropriate highway arrangements at all times.

- 14 Reptile, dormice, bat and badger surveys shall be undertaken and submitted with each reserved matters application to inform the site layout and landscaping.

Reason: In the interests of protected species.

- 15 No development shall commence until a woodland management plan for the Millbrook Proving Ground Site has been submitted to and confirmed in writing by the Local Planning Authority. The woodland management plan should identify those areas which are suitable for biomass/biofuel use and those in need of preservation for ecological purposes. The agreed details shall thereafter be carried out in full.

Reason: To ensure the existing and proposed woodland is appropriately managed in accordance with Policy CS16 and DM14 of the core strategy and the Forest of Marston Vale Plan.

- 16 **No development shall begin on any phase until a scheme for external**

lighting has been submitted to and confirmed in writing by the Local Planning Authority.

Reason: To restrict light spill and protect the amenity of local residents and the character of the countryside

17 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1459/PL01 Issue D, 1459/PL02 issue D, 1459/PL01.01, 1459/PL01.02, 1459/PL01.03, 1459/PL01.04, 1459/PL03 Issue J, 1459/PL04 issue F, 1459/PL05 issue F & 1459/PL06 issue E.
Reason: To identify the approved plan/s and to avoid doubt.

18 Development shall not begin until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment (FRA) Addendum 23 September 2014 by EAS has been submitted to and approved in writing by the Local Planning Authority. Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality.

The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include a restriction in run-off and surface water storage on site as outlined in the FRA.

Reason: (a) To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity.

(b) To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3).

19 No development approved by this planning permission shall take place until a remediation strategy 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 (PRA) including a Conceptual Site Model (CSM) of the site indicating potential sources, pathways and receptors, including those off site.
2. The results of a site investigation based on (1) and a detailed risk assessment, including a revised CSM.
3. Based on the risk assessment in (2) an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions. The plan shall also detail a long term monitoring and maintenance plan as necessary.
4. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the remediation strategy in (3). The long term monitoring and maintenance plan in (3) shall be updated and be implemented as approved.

Reason: (a) To prevent the increased risk of flooding, to improve and protect

water quality, and improve habitat and amenity.

(b) To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3).

- 20 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 detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: (a) To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity.

(b) To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3).

- 21 Piling or any other foundation designs and investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: (a) To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity.

(b) To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3).

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 British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoils that are moved or traded and should be adhered to. There is a duty to assess for Asbestos Containing Materials (ACM) during development and measures undertaken during removal and disposal should protect site workers and future users, while meeting the requirements of the HSE.

Applicants are reminded that, should groundwater or surface water courses be at risk of contamination before, during or after development, the Environment Agency should be approached for approval of measures to protect water resources separately, unless an Agency condition already

forms part of this permission.

3. The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.

The applicant is advised that parking for contractor's vehicles and the storage of materials associated with this development should take place within the site and not extend into within the public highway without authorisation from the highway authority. If necessary the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk on 03003008049. Under the provisions of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of construction of the development hereby approved.

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.

NOTES

(1) In advance of the consideration of the application the Committee were advised of comments from the Strategic Landscape Officer, Network Rail, Forest of Marston Vale, Letter from the Environment Agency, neighbours and a letter from O & H Properties, revised Head of Term and amendments to the report as set out in the Late Sheet appended to these minutes.

(2) In advance of the consideration of the application the consideration of the application the Committee received representations made under the public participation scheme.

(3) During the debate concerns were raised by members about the impact on the road infrastructure, in particular the impact of HGV's on the surrounding villages. The Executive Member for Community Services gave assurance that these matters would be considered and dealt with appropriately at the relevant stages of the development process.