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Ref: NSO/SP/BE732/3
Date: 14 September 2015

Cllr Ken C Matthews,
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ken.matthews@centralbedfordshire.gov.uk

Dear Cllr Matthews

Re: Fen End Industrial Estate – Demolition of the existing industrial unit and construction of 10 no.2 bed flats with associated parking and landscaping (Ref CB/15/01897/FULL)

I write with respect to the above application, submitted to your Council in May, which is intended to bring about a productive reuse of an outworn industrial building and facilitate much needed housing as well as acknowledged improvements to the local environment. Upon receipt of the Committee report, there are a number of matters which I would like you to be aware and take into consideration.

Throughout the course of this application, our clients have consistently sought to address any issues raised in order to demonstrate that this is an acceptable scheme. The proposed layout has been altered to address the concerns of the Highways Officer and we are pleased to inform that any such objections have been removed.

The Committee report cites four reasons for the recommendation of refusal, on which we have the following comments

1. **The site is allocated for employment which should be safeguarded**

Firstly the site is, and has been, vacant for a considerable amount of time. The site has been advertised for sale or rent since 2006 and, despite several attempts to bring the site back into a viable use, planning applications to vary the types of employment use have either not been supported by the Council or have been subject to limits on such things as the hours of operation, which has made the premises unattractive to potential users.

Whilst Officers appear to want to retain the site for employment, realistically this is unlikely give the limits that have been imposed. As such, this application represents an opportunity to bring the site back into an acceptable use that would not only improve the visual amenity and has widespread local support from neighbours and the Town Council, but also will contribute much needed housing and make efficient use of redundant land.

Fen End Industrial Estate is identified as a Key Employment Site with the Site Allocations Development Plan, for which Policies E1 and CS10 seek to safeguard. The Council's Local Plan is out of date and is contrary to the National Planning Policy Framework (NPPF), which takes precedence in this instance. The NPPF is clear in that it states, at Paragraph 22:

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'Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities'

It has been established over many years that the site is available and it can only be concluded that there is no reasonable prospect of it being used for employment in the future given that the building is unsuitable for reuse and with no clear demand it is unlikely ever to be redeveloped.

This application responds to current market signals in that it is capable of utilising redundant employment space to deliver much needed housing. The site is sustainable and, in the absence of a demonstrable five year housing land supply, this application should be approved.

2. **The proposed development would result in a harmful visual impact on the character and appearance of the surrounding area**

The proposed scheme has been influenced by discussions with the Council during previous applications. The proposal for flats, rather than houses, is considered the most appropriate given the location and also given the need for more small dwellings in the town.

The existing site is vacant, overgrown and dilapidated. The proposed development would improve the visual amenity of the site and surrounding area by redeveloping an unsightly building.

The proposed scheme would not be unduly prominent, rather it is a substantial improvement to the development in situ and it would act as a statement of good design in this location. Again I refer to local support for the scheme.

3. **The proposal would result in a significant impact from noise from the adjacent industrial units**

Acoustics consultants Cass Allen have revisited site in order to carry out further detailed surveys as per the Officer's request, to establish a "worst case" position in terms of alleged noise intrusion.

In line with a 2011 survey, it was found that the site corner adjacent to Meadowcroft and Fen End itself is the point where the proposed façade is exposed to the highest potential noise levels from adjoining business uses. The consultants have now demonstrated that appropriate internal noise levels that meet WHO standards can be achieved in this "worst case" location; it stands to reason that if this is the case then the rest of the site can be developed using similar or lower performance acoustic treatments.

The survey found that average and maximum noise levels have not changed significantly over the last 4 years, since the initial survey was undertaken. In general, average noise levels at the site are relatively low with the occasional high level maximum noise event. In any event the design of the development has largely be dictated by these individual noise events (such

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as delivery lorries arriving). Analysis of the survey data suggests that it will be necessary to provide acoustically upgraded glazing systems for the "worst case" units as well as some form of mechanical ventilation system. Meeting the appropriate standards can be governed by planning condition and we would expect such conditions to be added as a matter of course.

This is not an exceptional solution for such flats and there are no fundamental reasons for which to refuse the application on noise grounds; any such impacts can and will be mitigated in order to protect the amenity of future occupants of the properties.

4. **It has not been demonstrated that surface water management can be properly maintained for the lifetime of the development**

Following comments from the Council, our client has commissioned further work to address the matters raised. Anglian Water has confirmed that there are no records for any adoptable surface water sewers near the site and the need to construct a new sewer, and possible requisition of a sewer through third party land, may be required in order to drain the site.

However, on-site attenuation can be provided in the form of underground crates, whilst numerous tests have been undertaken and the proposed design allows for porous, paved car parking spaces, connecting to the surface water system. This constitutes the best form of sustainable drainage solution for this site and is a workable solution. As such, there are no fundamental issues with regards to drainage that cannot be overcome – such works would also be required if the site were ever to be redeveloped for employment uses, however the cost of such work would again be likely to mean that such redevelopment would never take place.

With reference to the above, we invite you to consider that there are in fact no fundamental reasons to refuse this planning application. The site is deliverable, developable and available for redevelopment now. The proposed scheme would deliver much needed housing whilst making the most efficient use of redundant employment land that is not likely to be used for employment in the foreseeable future. It is a sustainable site, has local support from neighbours who have indicated that they would prefer to see the site redeveloped – and who have never raised complaints about noise from the rest of the industrial estate – and, in any area where there is a need for further housing and a shortfall in the five year housing land supply.

It is for these reasons we respectfully request the application be approved or, at the very least, the decision be deferred to allow your Officers time to consider the further information which we have submitted.

Yours sincerely

Struan Power BSc(Hons) MA MRTPI
Senior Planner