

## LATE SHEET

### DEVELOPMENT MANAGEMENT COMMITTEE – 3<sup>rd</sup> February 2016

#### ***Item 07 (Pages -) – CB/15/02482/FULL – Paradise Farm, The Causeway, Clophill, MK45 4BA***

##### **Additional Consultation/Publicity Responses**

Comments were sent to all Councillors on the 27<sup>th</sup> January from an adjacent land owner. The landowner has raised concerns that the summary of consultation responses does not adequately summarise the comments they submitted. Copies of the original representations were attached to the email sent.

They do not agree with the methods used in attempting to gain planning permission, particularly in relation to the importation of material, and definition and evidence of existing development. However, they do not oppose the application. Whilst they agree that all planning applications made should be considered on an individual basis, they do not feel that the issue of flood plain and suitability for development can be viewed in isolation, as the edge of the flood plain does not lie naturally on a field boundary. Although the water volume compensation scheme proposed may satisfy the Environment Agency and Internal Drainage Board (IDB), ultimately this will not affect the overall water level on the site or in the surrounding area.

They state that by granting planning permission you are effectively agreeing that:

- The flood risk assessment provided by the applicant is a true reflection of water levels and likely flood risk. You accept that the Environment Agency map is incorrect in this area, and that the applicant's report combined with an approved development will effectively set a new water reference level as a guide future development.
- You agree that raising ground levels through importation of new material and/or movement of material within the site is acceptable and can take place prior to and during the planning application and decision process.

##### **Additional Comments**

###### Flood Compensation Scheme

As stated in the report, the IDB have not objected to the application and have agreed the flood compensation measures. The scheme that has been agreed has shown flood volumes to be balanced on a level for level balance and a direct route for the flood waters to flow.

1025sqm of land will be raised from 48.60m AOD to 48.80m AOD and 1425sqm of land will be raised from 48.80m AOD to 49.00 AOD. In terms of excavated land 1450sqm of land elsewhere on the farm would be lowered from 49.00m or above to 48.80m and 1150sqm of land would be lowered from 48.80m AOD to 48.60m AOD.

### Land north of the proposed site

During the Committee Site Visit Members raised a query regarding the siting of the proposal and what was happening to the land immediately north of the access road (opposite the proposed site – adjacent to the stable area). Prior to the application being submitted this land was owned by a third party and not under the ownership of the applicant, and therefore the proposed scheme was drawn up on the southern side of the access road. The land to the north of the access road is now under the ownership of the applicant; however, given the IDB access requirements, the width of this piece of land would not be sufficient to accommodate the proposed pitches.

### **Additional/Amended Conditions/Reasons**

None

### ***Item 8 (Pages 33-47) – CB/15/04884/FULL – Land adjacent to Unit 22 Pulloxhill Business Park, Greenfield Road, Pulloxhill***

### **Additional Consultation/Publicity Responses**

Pulloxhill Parish Council has responded to the reconsultation as follows:

“Further to our response to the original application, we would like to additionally comment as follows.

We welcome the withdrawal of the application related to the site adjacent to Unit 14. This will mitigate some, but by no means all of the nuisance caused to nearby residents. We are also concerned at the amount of mud and debris being carried onto the highway from the site.

All our other previous comments remain valid as concerns relating to the revised application.”

Objections to the revised application have also been received from Unit 17 and Units 21, 15 & 16 Pulloxhill Business Park, 12 & 24 Maple Close and 33 High Street as follows:

- The revisions to the proposal has not changed our opinions on the proposal;
- The proposal would lessen noise impacts to some residents but increase it for others;
- Lorries coming through the High Street both day and night causes noise pollution and results in congestion and danger to users of the highway;
- The business park was designed for light industry and warehousing in a covered environment, not for open storage;
- The proposed site is larger than the original site and this will result in larger equipment being brought on site;
- The noise levels have increased significantly since the open storage started on the land adjacent to Unit 14 and the condition of the business park has deteriorated. Relocating the open storage will not help with these problems;
- Machinery is often loaded onto transporters which block the road;

In response to these comments, it should be noted that the usable site area of the proposed site is actually slightly smaller than the usable site area of the existing site.

### **Additional Comments**

It is clarified that the description of the application should read: "Change of Use: of grassed area to storage for machinery/plant and parking for Unit 14 Pulloxhill Business Park" as set out in the report, rather than "Change of Use: of grassed area to storage for machinery/plant and parking for Unit 14 Pulloxhill Business Park. Temporary permission for five years" as stated on the index page of the agenda pack.

### **Additional/Amended Conditions/Reasons**

None

## ***Item 09 (Pages 49-84) – CB/15/04264/FULL – Location – Deans Farm, Billington Road, Stanbridge LU7 9HL***

### **Additional Consultation/Publicity Responses**

#### Pollution Prevention Officer

This application is for a B8/B1a class use and as such has the potential to impact on nearby residents although the nearest resident is some 15 metres or so from the boundary. The main concern for impacts on residents is noise and specifically from night time deliveries, but also from any associated plant, light and potential contamination issues.

With regards to noise, the submitted information along with discussions with the appointed acoustic consultant has resulted in some measures being proposed to mitigate noise from such activities. These measures include the erection of a barrier along the northern boundary, restrictions on parts of the site during certain hours, among others.

As a result of this, I have drafted some recommended conditions on noise for your consideration to ensure that the impact of the development does not cause loss of amenity at existing residential premises. In addition, I have recommended a condition on any lighting to be installed along with a couple of informatives for land contamination.

**Potential Impact for Central Bedfordshire:** (clearly state any potential impacts on Central Bedfordshire - i.e. if conditions not imposed)

If conditions are not imposed, then an unacceptable level of noise, and hence loss of amenity may be experienced by the nearest residential dwellings. This could also result in Public Protection receiving complaints from residents in the area with subsequent investigations and formal retrospective action where unacceptable levels of noise are witnessed.

**Conditions Required:** Without prejudice to any decision you shall make should you be mindful to grant permission against the recommendations of Public Protection I ask that the following conditions are inserted on any permission granted.

- The development site shall not be used until a noise attenuation barrier has been erected along the northern boundary in accordance with the submitted Cass Allen acoustic report dated November 2015. The barrier shall be installed prior to the use commencing and be maintained thereafter.
- No development shall commence until a Service Yard Management Plan has been submitted to and approved in writing by the Local Planning Authority. Such a management plan shall identify measures to control noise emanating from the service yard. Delivery management shall be implemented in accordance with the approved plan at all times.
- Noise resulting from the use of the plant, machinery or equipment shall not exceed a level of 5dBA below the existing background level plus any penalty for tonal, impulsive or distinctive qualities when measured or calculated according to BS4142:2014.
- Details of any external lighting to be installed on the site, including the design of the lighting unit, any supporting structure and the extent of the area to be illuminated, shall be submitted to and approved in writing by the Local Planning Authority prior to the development commencing. Only the details thereby approved shall be implemented.

Reason: To protect the amenity of nearby residential dwellings.  
(Policy BE8, SBLPR and section 7,NPPF)

### **Informatives**

During construction works, a watching brief should be undertaken including a visual and olfactory appraisal of the underlying soils. If during construction works any material is noted to show visual and/or olfactory signs of contamination, including the possible presence of asbestos within the soils, then an environmental specialist should be consulted and investigations submitted to the Local Planning Authority for the purposes of assessment with regard to Part IIa of the Environmental Protection Act 1990.

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 Health and Safety Executive.

### Tree and Landscape Officer

Response to additional information submitted by the applicant's agent :

The building is confirmed as being visible from the Leighton Buzzard A505 bypass, and that the new building would be the only new development visible along this road,

setting a precedent for further development close to the highway boundary, which could result in an eventual character change to the whole road.

### Landscape Planner

It would have been helpful if the applicant had provided the visual analysis earlier as it is very useful. It is disappointing that views from Totternhoe Knoll haven't been included given this is a historic monument and a well known and well used viewing point – the potential visual impact of the proposed development from this view especially is a concern.

I remain concerned about the potential detrimental visual impact of the proposed built form:

- As per the visual analysis provided; local planting structures in summer time provide fair screening of the existing development but the proposed built development is of a generally higher and greater mass and visual impact in summer months remains a concern.
- Existing local planting to the site and surrounds in winter time is far less effective in screening existing development and this increases my concerns on potential negative visual impact of a large unit on local views and local landscape character.
- The proposed landscape mitigation to the site periphery is linear / narrow; I would recommend much deeper treed shelter belts would be required to assist in mitigating the height and mass of the unit but this would take time – potentially 10+ years before achieving any significant height, Andy may be able to advise further on this.

The potential impact of lighting at night time and winter evenings remains a concern.

I also reiterate close board fencing on to the public realm is not acceptable.

If the application were to be progressed please could materials / finishes and boundary treatments be conditioned along with a detailed landscape and landscape management plan.

### **Additional Information**

The applicant's agent has submitted a comparative analysis of the size of the development proposed vis-a-vis the existing and previous approval, additional landscaping details attached and an explanatory note summarised below, in response to the comments made by the Landscape Officer and the Parish Council.

As requested, the drawings show long distance winter and summer views of the site but we have also included a very useful drawing that shows the site in its local context; this includes a number of urbanising features but without the design and mitigating landscaping proposed as part of the current application at Deans Farm.

Quartet have also amended the landscape principles drawing to show additional and more mature planting to the northern boundary, incorporating a mix of evergreen and deciduous planting. The effect of this and other planting proposed will assist in satisfactorily mitigating the landscape impact of the proposal.

### **Additional Conditions and Informatives :**

#### Traffic Routeing Management Plan

The site shall not be brought into use unless and until a Freight Management Plan for vehicles associated with the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The Freight Management plan is to be implemented throughout the operational life of the site and the occupier shall use all reasonable endeavours to inform HGV drivers of the routes as may be specified in the approved Plan including within the Plan details of the following:

- Timetable for implementation of measures designed to mitigate the impact of HGV traffic on local roads.
- Recommended routes for HGV's travelling to/ from the site.
- Information to be provided to employees and visitors detailing appropriate routes.
- Plans for monitoring and review, and potential mitigation measures should drivers fail to comply with the approved plan.

The development shall thereafter be implemented in strict accordance with the approved Plan.

Reason : In the interests of preserving residential amenity within the surrounding villages and to prevent road congestion and general disturbances to the other users of the local roads which are not appropriate for use by HGV traffic. (Section 4, NPPF and the CBC adopted Local Transport Strategy)

#### Noise mitigation measures

As per the Pollution Prevention Officer's recommendation.

### **Amended Conditions**

18. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1572-01, 1572-02, 1572-03, 17372-Sk03\_A, 17372-Sk04\_A, 17372-Sk05\_D, 17372-

Sk06\_A, 17372-Sk07\_A, 17372-Sk08\_B, 17372-Sk09\_D, 17372-Sk10\_D & 17372-Sk11\_B, 17372-Sk14, 0733/01Rev.A and QD680\_100\_03C.

***Item 10 (Pages 87-92) – CB/15/04667/OUT – Location – Borderlands, Heath Park Road, LU7 3BB)***

Reasons for Call In (Page 87) :

Please note that the site is not within the Conservation Area but in an Area of Special Character.

***Item 011 (Pages 93-104) – CB/15/04821/FULL – 15 Torquay Close, Biggleswade, SG18 0FS***

Internal dimensions for clarity:

- the internal width of the existing garage is 2.75 metres wide (measured pier to pier); and
- the internal width of the proposed enlarged garage is 2.75 metres wide (measured pier to pier).