

## **Item No. 08**

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| <b>APPLICATION NUMBER</b>                | <b>CB/15/04844/FULL</b>  |
| <b>LOCATION</b>                          | <b>Land Adjacent to Unit 22 Pulloxhill Business Park, Greenfield Road, Pulloxhill</b>  |
| <b>PROPOSAL</b>                          | <b>Change of Use: of grassed area to storage for machinery/plant and parking for Unit 14 Pulloxhill Business Park.</b>   |
| <b>PARISH</b>                            | <b>Pulloxhill</b>  |
| <b>WARD</b>                              | <b>Westoning, Flitton &amp; Greenfield</b>   |
| <b>WARD COUNCILLORS</b>                  | <b>Cllr Jamieson</b>   |
| <b>CASE OFFICER</b>                      | <b>Debbie Willcox</b>  |
| <b>DATE REGISTERED</b>                   | <b>16 December 2015</b>  |
| <b>EXPIRY DATE</b>                       | <b>10 February 2016</b>  |
| <b>APPLICANT</b>                         | <b>Bellcross Homes</b>   |
| <b>AGENT</b>                             | <b>CMYK (Planning and Design)</b>  |
| <b>REASON FOR COMMITTEE TO DETERMINE</b> | <b>Called in by Councillor Jamieson for the following reasons:</b> <ul style="list-style-type: none"><li>• <b>Noise and floodlight impact on nearby properties including the occupants of the other industrial units;</b></li><li>• <b>Overcrowding of the industrial site, with vehicles forced to park throughout the industrial estate;</b></li><li>• <b>The industrial estate was meant to be a village industrial estate, this is the continuation of a trend to a larger and busier estate not in keeping with a village;</b></li><li>• <b>Increased traffic through the villages of Pulloxhill and Greenfield. Particularly vans with trailers. There have already been two incidents in the village including a trailer crash by the school;</b></li><li>• <b>The activities have led to parking issues within the estate;</b></li><li>• <b>Industrial estate is designed on small industrial units with internal activity not external activity. This has created conflicts;</b></li><li>• <b>Concerns regarding adequate treatment of water run off from vehicle washing and also rain. Loss of greenspace within the industrial estate.</b></li></ul> |
| <b>RECOMMENDED DECISION</b>              | <b>Full Application - Recommended for Approval</b>   |

### **Recommendation:**

That Planning Permission be APPROVED subject to the following:

## RECOMMENDED CONDITIONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 **The use of the site for storage (B8) and ancillary maintenance of plant and equipment shall not commence until details of a 2 metre high acoustic barrier fence and gates to be erected around the boundaries of the application site have been submitted to the Local Planning Authority and approved in writing. The approved acoustic barrier fence and gates shall be erected prior to the commencement of the use and shall be maintained thereafter.**

Reason: The condition must be pre-commencement to prevent nuisance from noise from the proposed use to neighbouring occupiers. (Section 7, NPPF and Policies CS14 & DM3, CSDMP)

- 3 **The use of the site for storage (B8) and ancillary maintenance of plant and equipment shall not commence until a noise management plan, detailing the managerial practices and operations which will be implemented in order to limit and monitor noise has been submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented once the use commences and maintained thereafter while the use continues on the site.**

Reason: The condition must be pre-commencement to prevent nuisance from noise to neighbouring occupiers. (Section 7, NPPF and Policies CS14 & DM3, CSDMP)

- 4 **The use of the site for storage (B8) and ancillary maintenance of plant and equipment shall not commence until a lighting scheme has been submitted to and approved in writing by the Local Planning Authority for approval in writing. The approved scheme shall be implemented prior to the commencement of the use and shall be maintained thereafter.**

Reason: The condition must be pre-commencement to prevent nuisance from light pollution to neighbouring occupiers. (Section 7, NPPF and Policies CS14 & DM3, CSDMP)

- 5 **The use of the site for storage (B8) and ancillary maintenance of plant and equipment shall not commence until details of the surfacing and drainage of the site have been submitted to and approved in writing by the Local Planning Authority. The details shall include arrangements for surface water drainage to soak away within the site or discharge to an appropriate drainage system and into the highway. Any discharge into the main drainage system shall include appropriate oil, petrol and grit interception facilities. The surfacing materials should be stable**

**and durable. The approved scheme shall be implemented prior to the use commencing on site and maintained thereafter.**

**Reason: The condition must be pre-commencement to prevent any increase in flood risk, risk of pollution to land or water systems and the spread of mud and other deposits on the surrounding highway network.**

**(Sections 7, 10 and 11, NPPF, and Policies CS14 & DM3, CSDMP)**

- 6 The use hereby approved shall not commence until the junction of the proposed vehicular access with the access for Pulloxhill Business Park has been constructed in accordance with the approved details shown on drawing number 1550 / P / 100.

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

(Section 4, NPPF)

- 7 **The use hereby permitted shall not commence until details of a turning space for vehicles within the curtilage of the site have been submitted to and approved in writing by the Local Planning Authority and the approved turning space has been constructed.**

**Reason: The condition must be pre-commencement to enable vehicles to draw off, park and turn outside of the highway limits thereby avoiding the reversing of vehicles on to the highway.**

**(Section 4, NPPF)**

- 8 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1550/P/100 Rev A, CBC/001.

Reason: To identify the approved plans and to avoid doubt.

- 9 No manoeuvring of vehicles or the operation or maintenance of machinery or equipment (including the operation of generators) shall take place on the application site except between the hours of 6am to 10pm on Mondays – Saturdays and the hours of 7am to 1pm on Sundays and Bank Holidays.

Reason: To safeguard the residential amenity which the occupiers of neighbouring properties might reasonably expect to enjoy. (Section 7, NPPF)

## **INFORMATIVE 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's attention is drawn to their responsibility under The Equality

Act 2010 and with particular regard to access arrangements for the disabled.

The Equality Act 2010 requires that service providers must think ahead and make reasonable adjustments to address barriers that impede disabled people.

These requirements are as follows:

- Where a provision, criterion or practice puts disabled people at a substantial disadvantage to take reasonable steps to avoid that disadvantage;
- Where a physical feature puts disabled people at a substantial disadvantage to avoid that disadvantage or adopt a reasonable alternative method of providing the service or exercising the function;
- Where not providing an auxiliary aid puts disabled people at a substantial disadvantage to provide that auxiliary aid.

In doing this, it is a good idea to consider the range of disabilities that your actual or potential service users might have. You should not wait until a disabled person experiences difficulties using a service, as this may make it too late to make the necessary adjustment.

For further information on disability access contact:

The Centre for Accessible Environments ([www.cae.org.uk](http://www.cae.org.uk))  
Central Bedfordshire Access Group ([www.centralbedsaccessgroup.co.uk](http://www.centralbedsaccessgroup.co.uk))

3. Please note that the unnumbered drawings submitted in connection with this application have been given unique numbers by the Local Planning Authority. The numbers can be sourced by examining the plans on the View a Planning Application pages of the Council's website [www.centralbedfordshire.gov.uk](http://www.centralbedfordshire.gov.uk).
4. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Highways Help Desk tel: 0300 300 8049.
5. 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.
6. Best practical means shall be taken at all times to ensure that all vehicles leaving the development site during construction of the development are in a condition such as not emit dust or deposit mud, slurry or other debris on the highway, in particular efficient means shall be installed prior to

commencement of the development and thereafter maintained and employed at all times during construction of the development of cleaning the wheels of all vehicles leaving the site

7. The lighting scheme which is to be submitted to discharge condition 4 should not include the use of temporary flood lights.
8. The applicant is requested to consider reducing the ground levels of the application site as part of the scheme to discharge condition 5.

**Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, Article 35**

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) Order 2015.

[Notes:

1. In advance of consideration of the application the Committee received representations made under the Public Participation Scheme.
2. In advance of consideration of the application the Committee were advised of additional consultation / publicity responses detailed in the Late Sheet from the following:
  - a. Pulloxhill Parish Council responded to the consultation
  - b. Unit 17 and Units 21, 15 and 16 Pulloxhill Business Park and 12 & 24 Maple Close and 33 High Street also responded
  - c. The description of the item was revised to read as follows: Change of Use: of grassed area to storage for machinery / plan and parking for Unit 14 Pulloxhill Business Park. Removing the reference to “temporary permission for five years”.
3. The Committee requested additional informatives relating to drainage and the height of the ground and lighting be added.
4. A condition relating to the hours of operation is delegated for discussion between officers, the Chairman and the Executive Member for Regeneration has been added as 9 above.]