

Item No. 09

APPLICATION NUMBER	CB/15/04264/FULL
LOCATION	Deans Farm, Billington Road, Stanbridge, Leighton Buzzard, LU7 9HL
PROPOSAL	Demolition of former agricultural buildings, office/store and two bungalows and redevelopment to provide 5,270m² (GEA) warehouse, sorting shed and office for B8/B1a Use Class purposes with hardstanding, landscaping and related development including 50 car parking spaces, 40 HGV spaces and improvements to vehicular access onto Billington Road.
PARISH	Stanbridge
WARD	Heath & Reach
WARD COUNCILLORS	Cllr Versallion
CASE OFFICER	Abel Bunu
DATE REGISTERED	09 November 2015
EXPIRY DATE	08 February 2016
APPLICANT	Mr P Dean and Brickhill Properties GP Ltd
AGENT	David Lock Associates
REASON FOR COMMITTEE TO DETERMINE	Ward Member call-in for the following reasons : <ul style="list-style-type: none">• Contrary to policy• Loss of amenity• Overbearing• Impact on landscape
RECOMMENDED DECISION	Full Application - Recommended for Approval

Recommendation:

That Planning Permission be **GRANTED** subject to the following conditions and completing a section 106 Agreement to secure infrastructure improvement:

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 Notwithstanding the details of materials shown on Drawing Number 17372-SK11B, samples of roof and wall materials shall be submitted to and approved by the Local Planning Authority prior to the construction of the building hereby approved. The development shall be carried out in accordance with those approved materials and thereafter retained as such.

Reason: To control the appearance of the building in the interests of

preserving the visual amenities of the open countryside by ensuring that the development integrates with the surrounding landscape. (Policy BE8, SBLPR and Sections 7 & 11, NPPF)

- 3 Notwithstanding the details submitted, the construction of the buildings hereby approved shall not take place until a landscaping scheme to include all hard and soft landscaping and a scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.

Reason: To ensure an acceptable standard of landscaping.
(Policy BE8, SBLPR and Sections 7 & 11, NPPF)

- 4 Prior to demolition work, and to be maintained throughout the course of development, all tree work and tree protection recommendations, as stipulated in Section 6 of the "Tree Survey Report", and Tree Protection Fencing, as set out in Appendix 3b of the report "Tree Constraints/Protection Plan" shall be fully implemented in strict accordance with these recommendations.

Reason: To ensure that a satisfactory standard of tree work is undertaken in order to prevent unnecessary or poor quality tree work being carried out, and to ensure that tree protection measures are implemented in accordance with the recommendations of the "Tree Survey Report" and "Tree Constraints/Protection Plan", in order to protect retained trees in the interests of maintaining their health, anchorage and boundary screening value.

(Policy BE8, SBLPR and Sections 7 & 11, NPPF)

- 5 No construction work shall commence until a detailed surface water drainage scheme for the site based on the agreed Drainage Strategy (Prepared by Broughton Beatty Wearing on behalf of Mr Peter Dean & Brickhill Properties GP Limited. November 2015.) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include provision of attenuation and a restriction in run-off rates to provide at least 20% betterment of the existing rate, as outlined in the Drainage Strategy. Details of inlets, outlets, hydro-brakes and proprietary products, exceedance management, structural integrity, construction and long term management and maintenance of the entire drainage system will be provided as part of the scheme. It must be based on site specific ground-testing and water quality assessment. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance.

(Section 10, NPPF)

- 6 No building shall be occupied until the developer has formally submitted in writing to the Local Planning Authority that the approved scheme has been checked by them and has been correctly and fully installed as per the approved details. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure that the implementation and long term operation of a sustainable drainage system (SuDS) is in line with what has been approved.
(Section 11, NPPF)

- 7 **Development shall not begin until details of the improvements to the junction of the proposed vehicular access with the highway have been approved by the Local Planning Authority and no building shall be occupied until the junction has been constructed in accordance with the approved details.**

**Reason: To ensure that the access is safe to use by traffic associated with the site and thus minimise danger, obstruction and inconvenience to users of the highway and the premises.
(Section 4, NPPF)**

- 8 Visibility splays shall be provided at the junction of the access with the public highway before the development is brought into use. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 180m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall, on land in the applicant's control, be kept free of any obstruction.

Reason: To provide adequate visibility between the existing highway and the proposed access, and to make the access safe and convenient for the traffic which is likely to use it.
(Section 4, NPPF)

- 9 No building shall be occupied until a 2.0m wide footway has been constructed within the highway boundary between the site and the bus stops along Billington Road in accordance with details of the approved drawing/or scheme to be submitted to and approved by the Local Planning Authority. Any Statutory Undertakers equipment or street furniture shall be resited to provide an unobstructed footway.

Reason: In the interests of road safety and pedestrian movement.
(Section 4, NPPF)

- 10 The maximum gradient of the vehicular access shall be 10% (1 in 10).

Reason: In the interests of the safety of persons using the access and users of the highway.
(Section 4, NPPF)

- 11 Any gates provided shall open away from the highway and be set back a distance of at least 8.0 metres from the nearside edge of the carriageway of the adjoining highway.

Reason: To enable vehicles to draw off the highway before the gates are opened.
(Section 4, NPPF)

- 12 Before the premises are occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises.
(Section 4, NPPF)

- 13 Before the development is brought into use, Travel Plans are to be put in place and delivered in accordance with documentation submitted to and approved by the Local Planning Authority.

Reason: To promote sustainable modes of transport.
(Section 4, NPPF)

- 14 No building shall be occupied until secure cycle storage for employees and cycle parking for visitors have been constructed in accordance with details submitted to and approved by the Local Planning Authority.

Reason: In order to promote sustainable modes of transport.
(Section 4, NPPF)

- 15 No development shall commence until a details of the method statement of preventing site debris from being deposited on the public highway have been submitted to and approved in writing by the Local Planning Authority. The approved method statement shall be implemented throughout the construction period and until the completion of the development.

Reason: In the interests of highway safety and to prevent the deposit of mud or other extraneous material on the highway during the construction period.
(Section 4, NPPF)

- 16 **Development shall not commence until a scheme detailing provision for on site parking for construction workers 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 is provided before and during construction in the interests of road safety.
(Section 4, NPPF)**

- 17 The development shall not be occupied or brought into use until the details of external lighting have been submitted to and approved by the Local Planning Authority. External lighting on the site shall be provided in accordance with the approved details and thereafter retained as such.

Reason: To protect the visual amenity of the site and its surrounding area. (Policy BE8, SBLPR and Sections 7,9 & 11, NPPF)

- 18 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.

Reason: To protect the amenity of nearby residential dwellings. (Policy BE8, SBLPR and Sections 7, 9 & 11, NPPF)

- 19 **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.**

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

- 20 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.

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

- 21 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)

- 22 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 HGVs 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)

- 23 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.

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

INFORMATIVE NOTES TO APPLICANT

1. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the South Bedfordshire Local Plan Review (SBLPR) and the National Planning Policy Framework (NPPF).
2. 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.
3. The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Central Bedfordshire Council's Highway Help Desk, Priory House, Monks Walk, Chicksands, Shefford, Bedfordshire, SG17 5TQ quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.
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 Traffic

Management Group Highways and Transport Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, Bedfordshire, SG17 5TQ.

5. The applicant is advised that photographs of the existing highway that is to be used for access and delivery of materials will be required by the Local Highway Authority. Any subsequent damage to the public highway resulting from the works as shown by the photographs, including damage caused by delivery vehicles to the works, will be made good to the satisfaction of the Local Highway Authority and at the expense of the applicant. Attention is drawn to Section 59 of the Highways Act 1980 in this respect.
6. The applicant is advised that in order to carry out highway works, 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 Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
7. The applicant and the developer are advised that this permission is subject to a legal obligation under Section 106 of the Town and Country Planning Act 1990.
8. The applicants 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)
Central Bedfordshire Access Group (www.centralbedsaccessgroup.co.uk)

9. 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.
10. 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.

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 as detailed in the Late Sheet from the following:
 - a. Pollution Prevention Officer provided additional condition at 19 above
 - b. Additional informatives have been added at 9 and 10 above
 - c. The Tree and Landscape Officer responded to additional information from the agent
 - d. The Landscape Planner expressing concerns on the view from Totternhoe Knoll
 - e. Additional information had been submitted by the agent
 - f. The Travel Route Management Plan resulted in an additional condition being added at 20 above.
 - g. Condition 18 was revised due to a revised drawing.]