

Item No. 10

APPLICATION NUMBER	CB/16/00578/FULL
LOCATION	Russell Farm, New Road, Maulden, Bedford, MK45 2BG
PROPOSAL	Erection of two, 2 storey office buildings. (Re-build of existing units A & B)
PARISH	Maulden
WARD	Amphill
WARD COUNCILLORS	Cllrs Duckett, Blair & Downing
CASE OFFICER	Sarah Fortune
DATE REGISTERED	15 February 2016
EXPIRY DATE	16 May 2016
APPLICANT	Mr Yahiya
AGENT	Improve It Design Ltd
REASON FOR COMMITTEE TO DETERMINE	Called in by Councillor Paul Duckett on grounds of loss of amenity to neighbours, too many large buildings in rural area, small lane, inappropriate development and potential water issues.
RECOMMENDED DECISION	Recommended for Approval

Summary of Recommendation

The site lies in a rural location and for many years was used for agricultural and horticultural purposes and more recently has been used for B1 commercial uses. Planning consent has been granted for the erection of first floor additions to buildings known as A and B on the site and this current application is for the complete rebuilding of these units to be of the virtually the same siting and design as the existing extant approval and for the same B1 use. There will be minimal adverse impact on the visual amenities of the site and wider area, no undue adverse impact on the amenities of neighbours and the access and parking provision are acceptable. The development is considered to be in accordance with planning policies DM3, CS11 and DM12 in the Core Strategy and Development Management Planning Document dated 2009 and the NPPF.

Site Location:

The site is known as Hiam Business Centre, New Road in Maulden. It was formerly part of Russell Farm. It lies in a rural location to the north of and set back from New Road in an open countryside location in an area of mixed residential development and small employment sites. The site has for a number of years supported two former agricultural buildings in predominantly B1a uses.

The Application:

This application is for the demolition of what remains of the dilapidated two low level

agricultural buildings and their replacement with two storey buildings to be used for office purposes. (These two storey buildings have been granted planning consent previously under ref: CB/15/03439/FULL and this permission is extant).

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Section 3: Supporting a prosperous rural economy.

Core Strategy and Development Management Policies - North 2009

Policy CS11 Rural Economy and Tourism
Policy DM3 High Quality Development
Policy DM12 Horticultural and redundant Agricultural sites.

Development Strategy

At the meeting of Full Council on 19 November 2015 it was resolved to withdraw the Development Strategy. Preparation of the Central Bedfordshire Local Plan has begun. A substantial volume of evidence gathered over a number of years will help support this document. These technical papers are consistent with the spirit of the NPPF and therefore will remain on our website as material considerations which may inform further development management decisions.

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

Relevant Planning History: relevant

Application Number MB/02/00403
Description Full: Retention of workshop and office B1 use (light industry) formerly an agricultural building and garage (retrospective.
Decision Granted
Decision Date 5/06/2002.

Application Number MB/08/01785
Description Full: Creation of new vehicular access and road onto existing site. Insertion of new windows to existing office building.
Decision Granted
decision date 17/11/208

Application Number CB/11/04464
Description Full: New cladding and a new higher pitched roof to building A. New pitched roof to building B to replace flat roof. New signage board.
Decision Granted

decision date	23/03/2002
Application Number	CB/12/01608
Description	Full: Change of use form B1 to D2 for offices and studio space
Decision	Granted
Decision date	19/06/2012
Application NUmber	CB/12/03439
Description	Construction of first floor and new roofs to existing buildings A and B and new parking layout
Decision	Granted
Decision date	04/12/2012
Application Number	CB/13/002244/FULL
Description	Proposed four office units
Decision	Granted
Decision date	21/08/2013
Application Number	CB/15/03990/FULL
Description	Proposed change of use from D2 to B1
Decision	Granted
Decision date	25/11/2005

Consultees:

Malden Parish Council	Objects on grounds of noise and disturbance from extra use, increased use of vehicles on a narrow lane. Impact on countryside. Concerned about the narrow lane having no safe walk way and the impact extra vehicles will have on the lane as the road is in a poor condition and subsiding in places.
Highways Officer	No objections subject to conditions.
Pollution Officer	No comment
Tree Officer	No objections. Trees to be protected throughout development using distance and detail described in BS5837 2012 Trees in relation to design, Demolition and Construction recommendations.
Archaeology Officer	No comments - the site does not lie in an area of archaeological sensitivity.
Ecology Officer	No objections
App Adv	

Other Representations:

Neighbours

24 Harrow Piece, Maulden: Objects: Excessive use of this site given its isolated location from any general facilities and the quality of the lanes that lead up to it. Any further extension is going to make matters worse. Lack of pathways make it dangerous for experienced walkers and it will be more of a problem for any children when going to school potentially leading to a tragic accident. Lack of street lights and current 60mph speed limit are not going to help on the safety front.

Meadow View, 2 The Barns, New Road, Maulden. Objects: Increase in traffic travelling down the road. The road is not wide enough for a continuous flow of traffic and could mean small lorries and vans as well as cars. The road is not wide enough to support two large vehicles passing each other on a road that is not protected by a 30mph speed limit. There is no slip road or waiting area for traffic coming onto New Road for the A507 so this would result in an increase in waiting traffic on that junction which is between two bends on a very busy road. Cars will overlook gardens and there will be additional noise pollution for the increase in traffic. The hours of use are unacceptable in a quiet residential area.

1 pumping Station, New Road, Maulden. Objects: Road is not suitable, no current employees on the site, the opening times are excessive, one septic tank does not seem adequate for the amount of people, fibre optic broadband is not available in this area and therefore the download speeds are not suitable for business use and the site is very visible from New Road and a public footpath to the rear.

New Road Farm, New Road, Maulden. Objects: This large business development will completely change the character and appearance of the area. The site will be more visible once the temporary fence to its frontage has been removed. Concerned about kingfishers nesting nearby and much local wildlife. Trees and planting have been removed giving uninterrupted views of Russell Farm and the building the subject of this application. Any new buildings should be black timber clad and brick. There must be no lights facing our property. Extra traffic is not appropriate along New Road. The road is too narrow, poor surface of road, part of road is sinking, more damage will occur to culverts, no pavements no street lighting, no 30 mph speed limit, the site is at the fastest section of New Road, will result in flooding, New Road has a weight

restriction, many couriers use HGV's as their usual vehicles. Want assurance the land is not contaminated as asbestos has been removed. Noise and traffic will be worse for neighbours. Unimpeded view of the site now that trees have been removed, working hours are excessive, walking and cycling along New Road will be dangerous, any new development should match New Road farm, the development should be single storey, lack of amenities for the workers at the site. The site is not 356 hectares as stated on the form, sewerage is not sufficient, near to the site is an important archaeological area of Ruxox Farm. A full archaeology survey should be carried out. The site is close to a natural flood plain.

1 The Barns, New Road, Maulden. Support: the conversion of the derelict units on land originally linked to Russell Farm to office buildings as this appears to be an appropriate recycling of the original uses. Do not support conversion to 2 storey office buildings. This is a disproportionate extension to the original scale of the two buildings in question relative to the rural location, overlooking undeveloped farm land and additional traffic in New Road. New Road is not suitable for the increase in traffic as is narrow with no footpaths, no street lighting and is used by jogging and horse riders. The additional offices will overwhelm the safe capacity of New Road. There must be no direct overlooking of properties near to the site and no late evening and week end use of the site.

Meadow View, 2 The Barns, New Road, Maulden. Objects: Increase in traffic down the road, road not wide enough, could mean small lorries, vans and cars - will prove dangerous as not protected by 30mph speed limit. No slip road on the A507, hours of business is not acceptable - leading to noise pollution and increase in traffic.

Willow Barn, 3 The Barns, New Road, Maulden. Objects: Increase in traffic, change the view along the road, will not be able to be used by dog walkers, noise pollution adjacent to their garden, the plans are to keep the hedgerow along the side of the site and plans additional hedgerow, the hours of working are excessive, light pollution will adversely affect this rural area, the roads are not suitable for this large development, no footpaths making it dangerous for children using the roads, no mains sewage, no public transport, no facilities for lunch breaks so will have to go off site for these, only the National speed limit along the road, no details of how hazardous waste is to be removed from the site.

Determining Issues:

The main considerations of the application are;

1. Background and Principle
2. Design and Affect on the Character and Appearance of the Area
3. Neighbouring Amenity
4. Highway Considerations
5. Other Considerations

Considerations

1. Background and Principle

- 1.1 The site is located in the open countryside and is relatively well screened from the roadside boundary by mature trees/hedging.
- 1.2 The site was for many years used for the storage and distribution of vegetables. In more recent times it has been used for office purposes with a small area granted planning permission for D2 use which has subsequently been granted B1 use. Planning consent has also been granted for the relocation of the access road to the other side of the site away from Russell Farm House and for four office units to be built on land to the immediate west of the site under ref: CB/13/02244.
- 1.3 Planning consent has been granted under ref: CB/12/03439/Full for the construction of a first floor and new roofs to buildings known as A and B on the original part of the site. These additions were to accommodate office use. The applicant wishes to implement this permission but in view of the fact that the existing structures for these buildings are not capable of taking the additional loading of the approved scheme in respect of the first floor the applicant has submitted this application which is for the complete rebuild of the ground floor with the approved first floor above. This latest scheme is virtually the same as that which has previously been approved apart from some minor changes to the elevational appearance and internal layout. If planning consent is not granted for this latest application the previous permission is still extant for the new roofs to buildings A and B and can be implemented.
- 1.4 Policy CS11 of the Core Strategy and Development Management Planning Document states that the council will support the rural economy by safeguarding rural employment sites and supporting the diversification of the rural economy and the conversion of redundant properties to commercial, industrial, tourism and supporting diversification of redundant farm buildings in settlements or in the countryside for employment uses.
- 1.5 Policy DM12 Horticultural and Redundant Agricultural Site states that proposals for commercial development on horticultural or redundant agricultural sites in the countryside will be approved if they are considered acceptable in terms of their

scale, layout and design in relation to, their setting, assimilation into the rural setting and impact on the surrounding countryside, relationship with the road network and neighbouring rural settlements and the provision of suitable vehicular and pedestrian access arrangements. Proposals will be approved if they are considered acceptable against the above criteria. It is considered that the proposed development meets these criteria.

- 1.6 The NPPF states that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. Local plan should promote the development and diversification of agricultural and other land based rural businesses.
- 1.7 It clear in this case that the site has a long history of employment uses having been originally used for the storage and distribution of vegetables and in more recent years planning consent having been granted for B1 uses with part of the site having been used for B1 purposes. The site presently supports the remains of former buildings on the site with no business uses actually taking place but is has authorised use for B1 purposes.

2. Design and Affect on the Character and Appearance of the area

- 2.1 The existing building known as Building A is sited towards the southern boundary of the site being closest to New Road. It is single storey in height. This application is for the erection of a two storey building having a total height of 9.8 metres which is the same as that approved under ref: CB/12/03439. It is to be finished in ship lap timber cladding with a brick plinth using Bristol orange blend bricks by lbstock. The roof tiles are to be Manley Eternit Thrutone Fibre cement slate in blue black. Black upvc rainwater goods are to be used and windows and doors in white upvc.
- 2.2 Building B is sited very close to the northern rear and east boundary of the site. It is single storey in height and the proposed development will increase its height so that it is 7.13 metres to the ridge. It is to be built in the same materials as those on building A.
- 2.3 There is a detached farmhouse close by to the east known as Russell Farm and to the west beyond the site of the approved four new office units is New Road farm house and some barn style dwellings in the former grounds of this property. To the rear of this site is open countryside.
- 2.4 The proposed buildings would be taller than that which has existed at the site for many years. Planning permissions have been granted for first floor additions to the buildings of a similar height. The site is set back from New Road where there is existing and proposed landscaping in the form of shrubs and hedging around the site. It is considered that there will be no significant harm to the character and appearance of the area. The development is in compliance with planning policies DM3 and CS11.

3. Neighbouring Amenity

- 3.1 There are properties on both sides of the site but the one that is the closest is

Russell Farm to the east. Russell Farm has building B abutting its shared boundary. The scheme involves the creation of first floor windows that will be adjacent to this property and are to face the car park - with no windows in the side elevation facing this property. There will be some degree of overlooking at an angle into the rear garden of Russell Farm. The internal layout of the first floor offices has been designed in a way that the windows nearest to the property can be obscurely glazed with restrictive opening to lessen if not remove any potential loss of privacy.

- 3.2 New Road Farm and some barn conversion style dwellings lie to the south west of the site beyond the land for which planning consent has been granted for four office units. Building B is at a distance of over 120 metres from the nearest part of any of these properties so the potential for overlooking will be very minimal and there will be minimal loss of outlook.
- 3.3 With regards to building A this is to be sited close to the south boundary of the site and at a distance of 25 metres from the shared boundary with Russell Farm house to the east. There are to be no windows in the east side elevation of this building facing towards this far house so loss of amenity by way of overlooking will not be sufficient to refuse and loss of outlook will be not be significant as to withhold planning permission.
- 3.4 The properties to the west of the site are at a distance of over 80 metres at their closest to the west facing side elevation of Building A and there are to be no first floor windows in the side elevation facing these properties so there will be minimal loss of light or outlook or overlooking.
- 3.5 The concerns raised by Maulden Parish Council have been given careful consideration. It is considered that no undue noise would arise from the proposed B1 office development and the highways officer is not raising an objection to the scheme. The site has a history of employment use and the development is not so significant in scale as to be considered as unsuitable or unsustainable.

4. Highway Considerations

- 4.1 The highways officer has advised that the existing buildings have planning consent for B1 use. No changes to the area of the buildings is proposed but there is a change of the previously approved warehouse area to offices. The additional office area has the potential to generate 27 additional trips per day, of which one will be an Ordinary Goods Vehicle. However, it is considered that this additional traffic can be satisfactorily accommodated on the local road network and the proposal is unlikely to have any adverse highway impact once completed.
- 4.2 The geometry of the access serving the site is satisfactory however its surfacing needs to be extended further into the site to avoid the carriage of mud or loose materials onto the highway and this can be dealt with by condition.
- 4.3 The proposed parking layout shows the provision of 55 car parking spaces that include two spaces for disabled users which is in accordance with the Councils

requirements, including those required by the additional office use in building A.

- 4.4 In view of the rural location of the site the majority of trips are expected to be by vehicles, never the less bicycle trips should be encouraged and therefore it is important to secure on site safe cycle parking. This can also be dealt with by condition.
- 4.5 The highway layout in terms of the road and the number and siting of car parking spaces meets highway standards. No objections are raised provided that conditions are attached to any permission.

5. Other Considerations

5.1 Human Rights issues:

There are no relevant issues under the Human Rights Act

5.2 Equality Act 2010:

There are no relevant issues under the Equality Act

- 5.3 With regards to disabled access the scheme provides for disabled parking spaces
- 5.4 The Public Protection officer has raised no objections.
- 5.5 The tree officer has advised that he has no objections to raise subject to a condition.
- 5.6 The archaeology officer has advised that the site lies adjacent to an area of cropmarks (HER 578) which probably represents an enclosure of later prehistoric or Roman date. It is also within a landscape that contains a known high status Roman occupation site (HER 518). Under the terms of the National Planning Policy Framework these are heritage assets with archaeological interest. However, the nature of the proposals are such that there is unlikely to be a serious impact on any surviving archaeological remains and as a consequence the archeology officer is not raising any objections.
- 5.7 The site is not in a flood plain. In view of the concerns raised by local residents a drainage condition is to be attached to any permission.

Recommendation:

That Planning Permission be granted subject to the following:

RECOMMENDED CONDITIONS / REASONS

- 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 **No development shall take place until details of the method of disposal of foul and surface water drainage have been submitted to and agreed in writing by the Local Planning Authority, including any land drainage system. Thereafter no part of the development shall be occupied or brought into use until the approved drainage scheme has been implemented.**

Reason: To ensure that adequate foul and surface water drainage is provided and that existing and future land drainage needs are protected.

(Section 10, NPPF)

- 3 **No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**

Reason: To control the appearance of the building in the interests of the visual amenities of the locality.

(Section 7, NPPF)

- 4 **No development shall 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.

(Sections 7 & 11, NPPF)

- 5 Before the development is first brought into use the existing vehicular driveway shall be reconstructed and surfaced in a durable material bound - to be first approved in writing by the Local Planning Authority for a distance of 10m into the site, measured from the highway boundary. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: To avoid the carriage of mud, gravel or other extraneous materials or surface water from the site into the highway so as to safeguard the interest of the highway.

- 6 Prior to occupation of the development details of a scheme for the secure and covered parking of cycles on the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.

Reason: To ensure the provision of adequate cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport.

- 7 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers Location Plan CBC01, landscaping plan (21534/C), material sample (20612/14), 22116/01, 22116/04, 22116/08, 22116/12, 21116/01, 21116/02, 21116/03, 21116/04, 21116/05, 21116/06, 21116/07, 21116/08, 21116/09, 21116/10, 21116/11, 21116/12, 21116/13 and 21116/14

Reason: To identify the approved plan/s and to avoid doubt.

INFORMATIVE NOTES TO APPLICANT

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 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.

DECISION

.....
.....
.....
.....

