

## Item No. 5

APPLICATION NUMBER  
LOCATION

CB/18/04119/FULL

Former Goods Transport Site, 7 Bedford Road  
and 1 and 2 Salford Road Brogborough

PROPOSAL

Site clearance and erection of a warehouse and  
distribution facility (Use Class B8) with ancillary  
offices, including new vehicular and pedestrian  
access, parking, internal access roads and  
service yard, external lighting, landscaping,  
infrastructure and associated works.

PARISH

Brogborough

WARD

Cranfield & Marston Moretaine

WARD COUNCILLORS

Cllrs Morris, Matthews & Mrs Clark

CASE OFFICER

Debbie Willcox

DATE REGISTERED

06 November 2018

EXPIRY DATE

05 February 2019

APPLICANT

Prologis UK Limited

AGENT

Savills

REASON FOR

COMMITTEE TO

DETERMINE

The application is a departure from the  
Development Plan; and the application is for  
Major development and has unresolved  
objections from the Parish Council.

RECOMMENDED  
DECISION

Full Application - Recommended for Approval

### Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, 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 (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

The Council as the Local Planning Authority hereby gives notice of its decision to **GRANT PERMISSION** for the development specified above and shown on the submitted plans, subject to the following 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 development hereby approved shall only be implemented in full accordance with the following document: Written Scheme of Archaeological Resource Management on land at Marston Gate, Unit DC10, Brogborough, Bedfordshire (MOLA Northampton, Issue 3, 21/02/2019)."

Reason: In accordance with paragraph 199 of the National Planning Policy Framework to ensure that the developer records and advances of understanding of the significance of any heritage assets affected by development before they are lost (wholly or in part) and makes the results of the archaeological work (and any archive generated) publicly available.  
(CS15 & DM13, CSDMP and Section 16, NPPF)

- 3 The development shall take place strictly in accordance with the submitted Ecological Design Strategy by Middlemarch Environmental dated January 2019, Report No. RT-MME- 129970-01 (Final) and all the Future Management requirements set out within the Ecological Design Strategy shall be carried out throughout the lifetime of the development.

Reason: To ensure that all impacts from development, including ground works, are taken into account and mitigated and that the development delivers a net gain for biodiversity.  
(DM15, CSDMP and Section 15, NPPF)

- 4 **No development above slab level shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for the provision of fire hydrants at the development. Prior to the first occupation of the development the fire hydrant(s) serving that development shall be installed as approved. Thereafter the fire hydrant(s) shall be retained as approved in perpetuity.**

**Reason: In the interests of fire safety and providing safe and accessible developments.  
(Section 8, NPPF)**

- 5 Details of any external plant (to include location on the site and anticipated noise levels) shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of the plant. The plant shall thereafter be maintained such that it complies with the approved anticipated noise levels.

Reason: To ensure that the residential amenity of neighbouring occupiers is not prejudiced by excessive noise.  
(Section 15, NPPF)

- 6 The development hereby permitted shall not be occupied a verification report demonstrating that any necessary ground remediation works have been completed to manage risks to human health and the wider environment from any land contamination risks has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of human health and the environment.  
(Section 15, NPPF)

- 7 No external lighting shall be installed on the development site until the details of the lighting, including the design of the lighting unit, any supporting structure, lux levels and the extent of the area to be illuminated, have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed in accordance with the approved details and maintained as such thereafter.

Reason: To protect the visual amenity of the site and its surrounding area.  
(CS14 and DM3, CSDMP and Section 15, NPPF)

- 8 The development shall not be first occupied until the measures set out in the Flood Risk Assessment and Surface Water Management Plan (Ref: 3880 Rev A, December 2018) have been installed in full accordance with the Flood Risk Assessment and Surface Water Management Plan. No variation to the connections and controls indicated on the approved drawing which may be necessary at the time of construction shall be made without the written approval of the Local Planning Authority for written approval.

Reason: To ensure the approved system will be implemented in full to prevent the increased risk of flooding both on and off site, in accordance with Section 14 of the NPPF.  
(Section 14, NPPF)

- 9 The development shall not be first occupied until a Management and Maintenance Plan for the Surface Water Management system has been submitted to and approved in writing by the Local Planning Authority. The Surface Water Management System shall thereafter be maintained in full accordance with the Management and Maintenance Plan.

Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with Section 14 of the NPPF.  
(Section 14, NPPF)

- 10 The development hereby permitted shall not be occupied until details of the following proposed off-site highway works and landscaping works, along with a timetable for their completion, have been submitted to and approved by the Local Planning Authority:

- a) The provision of new HGV and car park accesses from the application site onto Salford Road, together with improvements to Salford Road and introduction of a pedestrian / cycle phase, Toucan Crossing into the existing signalised Bedford Road crossing and, subject to the successful implementation of a TRO, no waiting (double yellow) lines will be introduced on Salford Road to prevent lorry parking;
- b) Provision of a new 3m wide footway / cycleway connecting from Bedford Road in the west to the existing footway on Badgers Rise in the east;
- c) The removal or restriction of use of existing laybys, kerbs and disused bus stop as identified in the approved drawings, the provision of new kerbs along Bedford Road channel line and topsoil / seed remaining verge area behind;
- d) Provision of landscaping works to each side of Bedford Road to create a 'village entrance' feature, which landscaping shall subsequently be maintained by Prologis as part of the wider Marston Gate development;
- e) Provision of "keep clear" markings on the junction of Bedford Road/Salford Road/A507; and
- f) Provision of "no left turn for HGVs" signage on Salford Road.

The off-site highway works shall be in general accordance with the following approved drawings: 248/P/001 Rev F, 248/P/003 Rev B, 248/P/005 Rev B, and 248/P/006 and the landscape works shall be in general accordance with drawings 1817/18 01 Rev I and 1817/18 05 Rev C.

The works shall be completed in accordance with the approved details and the approved timetable; and signed off as complete by, or on behalf of, the Local Planning Authority.

Reason: To ensure the delivery of the off-site works which are necessary to the acceptability of the scheme in terms of mitigation and the delivery of identified benefits of the scheme).

(Policies CS4, CS14 and DM3, CSDMP Sections 9 and 12, NPPF)

- 11 The development shall not be first occupied until an updated Travel Plan has been submitted to and approved in writing by the Council, in consultation with Highways England, such a Travel Plan to include details of:
- Joint working with other local employers and shared travel plan activities across the local industrial area
  - Predicted travel to and from the site and targets to reduce car use for both visitors and staff
  - Details of existing and proposed transport links, to include links to both pedestrian, cycle and public transport networks
  - Proposals and measures to minimise private car use and facilitate walking, cycling and use of public transport
  - Timetable for implementation of measures designed to promote travel choice
  - Plans for monitoring and review within 6 months of occupation and then annually for a period of 5 years at which time the obligation will be reviewed by the planning authority
  - Details of provision of cycle parking in accordance with Central Bedfordshire guidelines
  - Details of site-specific marketing and publicity information, to include:
    - Site specific travel and transport information
    - Incentives for sustainable travel
    - Details of relevant pedestrian, cycle and public transport routes to, from and within the site
    - Copies of relevant bus and rail timetables
  - Details of the appointment of a Travel Plan Co-ordinator
  - An Action Plan listing the measures to be implemented and timescales for this
  - Details of the transfer of the travel plan obligation to the future occupier

No part of the development shall be occupied prior to implementation of those parts identified within the Travel Plan as capable of being implemented prior to occupation. Those parts of the approved Travel Plan that are identified as being capable of implementation after occupation shall be implemented in accordance with an agreed timetable and shall continue to be implemented as long as any part of the development is occupied.

Reason: To promote sustainable modes of travel and to reduce the potential traffic impact of the development on the local highway network. (Section 9, NPPF)

- 12 The on-site planting and landscaping scheme shown on approved Drawing No. 1817-18-01 Rev I dated 31-01-18 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 shall mean the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the

Soft Landscape Works Maintenance and Management Proposals - 10 Years dated 14/01/2019, reference 1817-18-RP03 Rev D.

Reason: To ensure an acceptable standard of landscaping is planted and maintained in the interests of the visual amenities of the area.  
(CS14 & DM3, CSDMP and Sections 12 & 15, NPPF)

- 13 No equipment, machinery or materials shall be brought on to the site for the purposes of development until protective tree fencing for the protection of retained trees, has been erected in the positions shown on Drawing No. 1817-18-04. The fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made.

Reason: To protect the trees so enclosed in accordance with Section 8 of BS 5837 of 2012 or as may be subsequently amended.  
(Policies CS16 & DM 14, CSDMP and Sections 12 & 15, NPPF)

- 14 The development shall be carried out in accordance with the Sustainability Statement dated November 2018 by Turleys. Within 18 months of the first occupation of the development, the results of the 1 year BREEAM review shall be submitted to the Local Planning Authority.

Reason: To ensure that the development is of sustainable construction.  
(Policies DM1 and DM2, CSDMP and Section 14, NPPF)

- 15 The development shall not be occupied until 4 22kW electric vehicle charging pedestals have been erected within the car parking and the necessary infrastructure provided for a further 51 parking spaces to allow the installation of future pedestals as required.

Reason: To ensure that the development provides adequate electric vehicle charging infrastructure in the interests of enhancing the sustainability of the development.  
(Section 14, NPPF)

- 16 The development hereby permitted shall not be carried out in complete accordance with the details shown on the submitted plans, (except as varied by details approved as part of details submitted to discharge condition 10) numbers 1817-18-02 Rev D, 1817-18-04, 30992-PL-200 Rev A, 30992-PL-201 Rev D, 30992-PL-202 Rev A, 30992-PL-203 Rev B, 30992-PL-204 Rev B, 30992-PL-205, 30992-PL-206, 30992-PL-220 Rev B, 30992-PL-221 Rev A, 30992-PL-2030 Rev B and 30992-PL-231 Rev B, .

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

- 17 The development shall not be brought into use until the scheme for car and HGV parking shown on drawing no. 30992-PL-201D has been provided and the spaces shall thereafter be kept available for parking at all times.

Reason: To ensure that the development of the site is completed insofar as its various parts are interrelated and dependent one upon another and to provide adequate and appropriate access and parking arrangements at all times.  
(Section 9, NPPF)

- 18 No development shall take place, (excluding archaeological investigation) until a Construction Traffic Management Plan, associated with the development of the site, has been submitted and approved in writing by the Local Planning Authority which will include information on:
- (A) The parking of vehicles
  - (B) Loading and unloading of plant and materials used in the development
  - (C) Storage of plant and materials used in the development
  - (D) The erection and maintenance of security hoarding / scaffolding affecting the highway if required.
  - (E) Wheel washing facilities
  - (F) Measures on site to control the deposition of dirt / mud on surrounding roads during the development.
  - (G) Footpath/footway/cycleway or road closures needed during the development period
  - (H) Traffic management needed during the development period.
  - (I) Times, routes and means of access and egress for construction traffic and delivery vehicles (including the import of materials and the removal of waste from the site) during the development of the site.

The approved Construction Traffic Management Plan associated with the development of the site shall be adhered to throughout the development process.

Reason: In the interests of safety, protecting the amenity of local land uses, neighbouring residents and highway safety.  
(Section 9, NPPF)

- 19 The development hereby permitted shall not be occupied until a scheme for the management of the vehicular access barriers and security gates has been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of road safety and pedestrian movement.  
(Section 9, NPPF)

- 20 Visibility splays shall be provided at the junctions of the accesses with the public highway before the development is brought into use. The minimum dimensions to provide the required splay line shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 43m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall for the perpetuity of the development remain free of any obstruction to visibility.

Reason: To provide adequate visibility between the existing highway and the proposed access(es), and to make the access(es) safe and convenient for the traffic which is likely to use it (them).  
(Section 9, NPPF)

- 21 The development hereby permitted shall not be first occupied until a Lorry Routing Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall detail measures to minimise the incidence of HGVs (vehicles over 7.5 tonnes) approaching the site from the Brogborough village direction

(C94 Bedford Road) and leaving the site and turning left onto C94 Bedford Road towards Brogborough village. The statement shall include a lorry routing plan, transport management measures that the site occupier(s) will be required to commit to and communicate to their transport suppliers/distributors, details of a CCTV system to monitor the movement of all HGVs (vehicles over 7.5 tonnes) entering and leaving the site, and a method of recording incidences of non-compliance within the preceding 3-month period which shall be submitted to the Local Planning Authority on request, along with details of the mitigation that has been carried out in response to any incidences that have been recorded in that time period. The approved Lorry Routing Statement shall be maintained and operated at all times that the development is in use.

Reason: To ensure that the development does not result in HGVs using Bedford Road through Brogborough Village in the interests of highway safety and amenity.  
(Section 9, NPPF)

- 22 The development hereby permitted shall not be first occupied until details of a CCTV system that monitors the movement of all HGVs (vehicles over 7.5 tonnes) entering and leaving the site using the Bedford Road/Salford road light controlled junction have been submitted to and approved in writing by the Local Planning Authority. The approved CCTV system shall be installed in full accordance with the approved details and operated at all times that the development is in use and the CCTV images recorded for monitoring purposes should be kept for a minimum of twenty-eight days from time of recording.

Reason: To ensure that the development does not result in HGVs using Bedford Road through Brogborough Village in the interests of highway safety and amenity.  
(Section 9, NPPF)

## NOTES TO APPLICANT

**Any conditions in bold must be discharged before the development commences. Failure to comply with this requirement could invalidate this permission and/or result in enforcement action.**

**The application form for approval of details reserved by a condition, guidance notes and fees (i.e. £34.00 for householder applications and £116.00 for all other applications, per submission) can be found on our website [www.centralbedfordshire.gov.uk](http://www.centralbedfordshire.gov.uk) or alternatively call Customer Services on 0300 300 8307 for hard copy forms.**

- 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 National Planning Policy Framework (NPPF) and the Core Strategy for North Central Bedfordshire.
- 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 Internal Drainage Board have provided the following advice:

As the means of storm water disposal is to be via a balancing facility it is essential that this be completed prior to the construction of any impervious areas within the site.

Please also note that the water course is on the boundary of or passing through this site is under the statutory control of the Board. In accordance with the Board's byelaws, no development should take place within 9m of the bank top, without the Board's prior consent, this includes any planting, fencing, or other landscaping.

Please note that storm water discharge will not be allowed into a watercourse under the Board's statutory control without the Board's prior consent.

4 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))

5 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.

6 The applicant is advised that in order to comply with Condition 10 of this permission 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. You are advised to contact the Highways Agreements Officer, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ. E-mail: [highwaysagreements@centralbedfordshire.gov.uk](mailto:highwaysagreements@centralbedfordshire.gov.uk). 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.

- 7 The applicant is advised that the closure of existing access and laybys shall include the reinstatement of the highway to include any footway, verge and kerbing and no works associated with the closure 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 Highways Department. Upon receipt of this Notice of Planning Approval, the applicant is advised to seek approval from the Local Planning Authority for details of the proposed vehicular access junction in accordance with condition 1. Upon formal approval of details, the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk, Tel 0300 300 8049 quoting the Planning Application number. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant will also be expected to bear all costs involved in closing the accesses.
- 8 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.

## TOWN AND COUNTRY PLANNING ACT 1990

### NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL PLANNING AUTHORITY REFUSE PLANNING PERMISSION OR GRANT IT SUBJECT TO CONDITIONS

#### Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- As this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice [reference], if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.\*
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.\*
- As this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.\*
- As this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.\*
- As this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.\*
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.\*
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://acp.planninginspectorate.gov.uk>
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

\* delete where inappropriate

