

ITEM 6(b)

Application Number: 19/01758/FUL

Description Erection of a substation and electrical transformer housing - Retrospective

At Blakelands 1, Yeomans Drive, Blakelands, Milton Keynes, MK14 5AN

For GUPI 6 Limited

Statutory Target: 2 September 2019

Extension of Time: No

Ward: Newport Pagnell South

Parish: Great Linford Parish

Report Author/Case Officer: Paul Keen
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1.0 RECOMMENDATION

1.1 It is recommended that permission is granted subject to conditions set out in this report.

2.0 INTRODUCTION

Background

2.1 The details of the proposed substation were refused as a non-material amendment (under 19/00425/NMA) under application 16/03023/FUL. It was considered that an assessment on the character of the local area and impact on neighbouring residents would be required. That particular proposal would therefore constitute a material change and could not be considered a non-material amendment.

2.2 Application 18/02341/FUL has since been approved which supersedes 16/03023/FUL. For the avoidance of doubt, the development is being carried out in accordance with planning permission 18/02341/FUL. The substation and electrical transformer housing did not form part of the development approved under planning permission 18/02341/FUL. Subsequently, this application for planning permission has been submitted to the Council.

The Site

- 2.3 The application site is situated on the northern boundary of one of the employment areas of Blakelands. The former warehouse building has been demolished in accordance with the extant permission 18/02341/FUL. The former warehouse contained ancillary offices, loading/unloading areas and parking areas for HGVs and cars.
- 2.4 The surrounding area is largely characterised by light industrial, warehouse and office uses occupying buildings of various sizes. Abutting the northern boundary of the site, however, are residential properties, in particular, a row of bungalows in Bessemer Court. A substation and electrical transformer housing have been erected.

The Proposal

- 2.5 The application seeks permission for the erection of an electrical substation and electrical transformer housing. The application proposal is retrospective.
- 2.6 The units are located to the southern boundary of the site, approximately 16 metres from the access to the site located off Yeomans Drive.
- 2.7 The application follows the approval of full planning permission for 'demolition of existing B8 storage and distribution warehouse, and erection of a new B8 storage and distribution warehouse with ancillary B1 floorspace and associated works' under application 18/02341/FUL.
- 2.8 To reiterate, the proposed substation and electrical transformer housing did not form part of the development approved under planning permission 18/02341/FUL. It should therefore be considered on its own planning merits as an independent planning application.

Reason for referral to committee

- 2.9 The application has been referred to Development Control Committee due to the controversial nature and amount of public interest relating to the wider development to redevelop the site under planning permission 18/02341/FUL.

Scope of debate/decision

- 2.10 This application proposal is a full planning application and so all relevant matters are to be considered.

3.0 RELEVANT POLICIES

National Policy

- 3.1 National Planning Policy Framework (February 2019)

Section 12 - Achieving well-designed places

In addition, the Planning Practice Guidance is also a material consideration

The Development Plan

3.2 Neighbourhood Plan

The Great Linford North Neighbourhood Plan was made by Full Council on 23 March 2016 and forms part of the Development Plan and should be used when considering this application. Relevant policies include:

N9 – Trees, hedgerows and planting – new developments are required to retain important trees and hedgerows and provide additional planting where appropriate.

N13 – Proposals for larger scale employment and enterprise – where new floorspace to be provided exceeds 1000sqm, developments must ensure they are integrated with existing clusters of activity, protect residential amenity, achieve high standards of design, provide adequate drainage and are appropriately landscaped.

3.3 Plan: MK (March 2019)

Plan: MK was adopted at Council on 20 March 2019. It forms part of the statutory development plan for Milton Keynes and includes the Policies Map that indicates land use in the Borough.

Policy D1 - Designing a High Quality Place

Policy D2 - Creating a Positive Character

Policy D8 - Mains and Telecommunication Services

Policy NE6 - Environmental Pollution

Policy ER1 – Employment Sites Within the Borough of Milton Keynes

Policy ER2 – Protection of Existing Employment Land and Premises

3.4 Human Rights Act 1998

There may be implications under Article 8 and Article 1 of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions. However, these potential issues are in this case amply covered by consideration of the environmental impact of the application under the policies of the development plan and other relevant policy guidance.

4.0 RELEVANT PLANNING HISTORY

4.1 Relevant Pre-application Advice

None.

4.2 Application Site

16/03023/FUL

Demolition of existing B8 storage and distribution warehouse, and erection of a new

B8 storage and distribution warehouse with ancillary B1 floorspace and associated works

Permission Granted 17.01.2018

18/00223/FUL

Variation of condition 10 attached to application 16/03023/FUL for Demolition of existing B8 storage and distribution warehouse, and erection of a new B8 storage and distribution warehouse with ancillary B1 floorspace and associated works.

Withdrawn 05.04.2018

18/02341/FUL

Demolition of existing B8 storage and distribution warehouse, and erection of a new B8 storage and distribution warehouse with ancillary B1 floorspace and associated works

Permission Granted 11.04.2019

19/00425/NMA

Non-material amendment to application 16/03023/FUL to include sub-station and transformer; amend the layout of service yard to retain three trees; relocate waste compound; amend paving to incorporate EV charging pods and add photovoltaic panels

Refused on 05.03.2019 for the following reasons:

(a) The proposed structures to house the substation and transformer would give rise to additional consideration concerning the impact of the development on the character and appearance of the area and the visual amenity of the locality more generally. Therefore, their addition to the development is not considered to be non-material.

(b) There is a lack of information pertaining to the re-siting of the waste compound, amendments to the service yard / paving and the addition of photovoltaic panels. Without further information regarding these newly proposed features the Local Planning Authority is unable to assess whether or not these amendments to the proposed scheme would constitute non-material amendments to the development.

(c) The extant planning permission to which this non-material amendment relates was subject to a substantial and significant number of representations from third parties who, it is considered by virtue of the changes proposed within this application, would be, to at least some extent, both prejudiced and disadvantaged by the changes put forward within this application. The Local Planning Authority is not satisfied that the proposed changes would not prejudice or disadvantage, in any way, any third party or body who participated in or were informed of the original decision making process.

19/01031/DISCON

Details submitted pursuant to the discharge of conditions 5 (bicycle parking) and 19 (external lighting) pursuant to planning permission 18/02341/FUL

Details approved 26.04.2019

19/01528/NMA

Non material amendment to planning application 18/02341/FUL for proposed location of substation and electrical transformer housing.

Withdrawn 04.07.2019

19/01545/NMA

Non material amendment to application 18/02341/FUL for new photovoltaic panel array on roof of building, revised warehouse waste compound location/layout, and to modify the kerbline in the south east corner and alter the footpath adjacent to the electric vehicle charging spaces to the south of the main building.

Refused on 26.07.2019 for the following reasons:

The re-siting of the waste compound and the addition of photovoltaic panels would raise new planning considerations in terms of visual and residential amenity which would need to be assessed under a new planning application. These elements are not therefore non-material amendments to the main development. The application is refused on that basis.

The extant planning permission to which this non-material amendment application relates was subject to a substantial and significant number of representations from third parties who participated in or were informed of the original decision making process. It is considered that, by virtue of the changes proposed within this application, they would be both prejudiced and disadvantaged by the changes put forward within this application.

19/02062/NMA

Non material amendment to 18/02341/FUL (Modification to the kerbline in the south east corner of the service yard)

Pending.

5.0 CONSULTATIONS AND REPRESENTATIONS

5.1 Great Linford Parish Council

No response received.

5.2 Cllr Paul Alexander Newport Pagnell South Ward (member of DCC)

No response received.

5.3 Cllr Jane Carr Newport Pagnell South Ward

No response received.

5.4 Cllr Douglas McCall Newport Pagnell South Ward

No response received.

5.5 MKC Environmental Health

No objection.

5.6 Neighbour/ Third Party Representations

No comments received at the writing of this report.

6.0 **MAIN ISSUES**

- Principle of the development
- Impact on character of the area
- Impact on residential amenity

7.0 **CONSIDERATIONS**

Principle of the development

- 7.1 The proposed development does not conflict with the intention of Policy ER2 of Plan:MK which aims to protect employment sites. It would facilitate rather than compete with the main use of the site as an employment site.
- 7.2 Policy N9 of the Neighbourhood Plan aims to protect existing landscape features and provide additional planting where appropriate. Subject to an assessment on those matters the proposal is however considered acceptable.
- 7.3 Policy N13 of the Neighbourhood Plan sets out that proposals for larger scale employment and enterprise should protect residential amenity and achieve high standards of design, and are appropriately landscaped. Given the proposal relates to the wider development of the site, it is considered appropriate to assess the application against these policy intentions. Subject to an assessment on those matters the proposal is however considered acceptable.
- 7.4 As such, and subject to all other material planning considerations, the principle of the development is therefore considered to be acceptable.

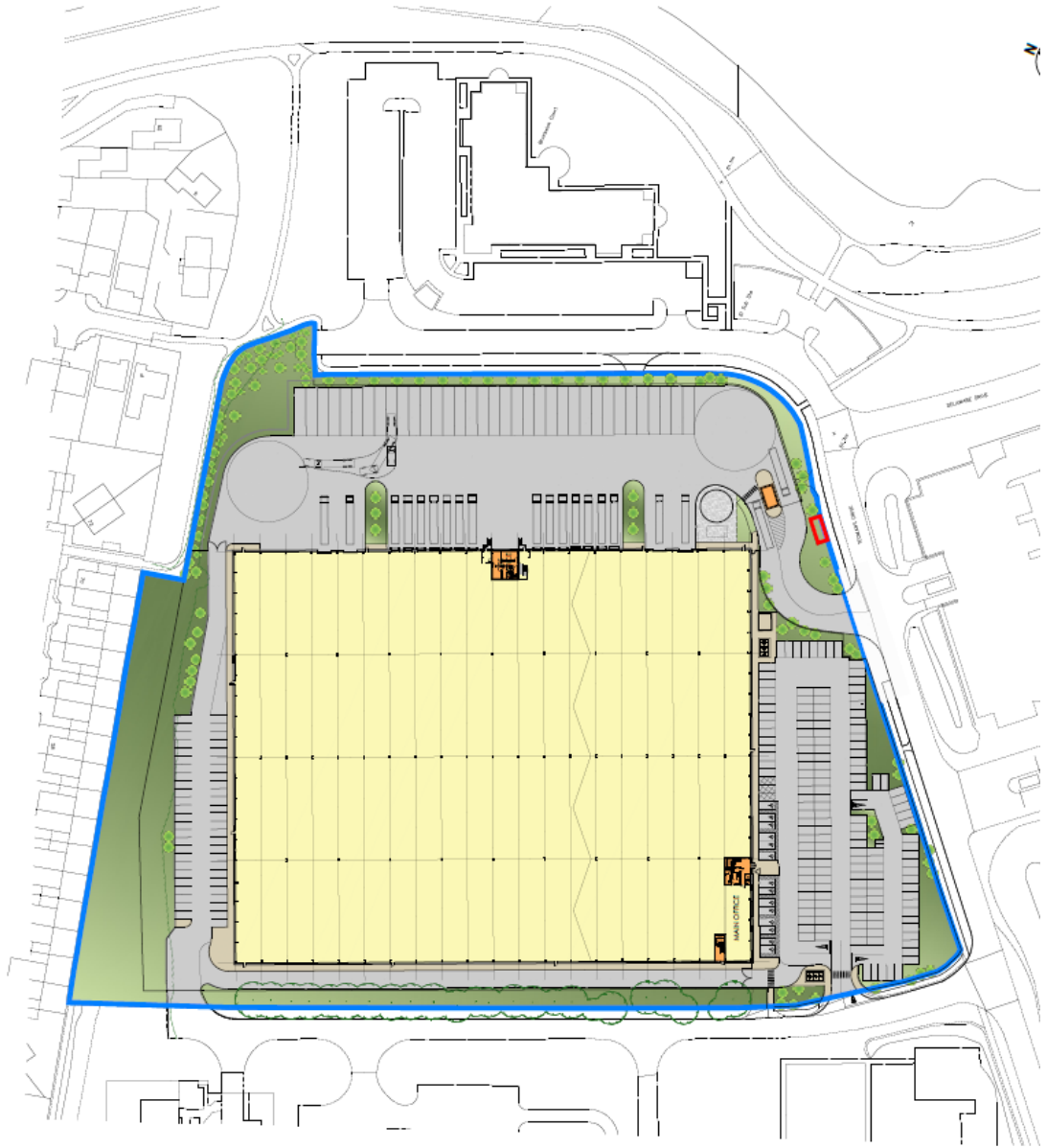
Impact on character of the area

- 7.5 Policies D1 and D2 of Plan:MK seek to ensure that development proposals contribute positively to the character of the local area. This is also reflected in Section 12 of the National Planning Policy Framework 2019. Similarly Policies N9 and N13 of the Neighbourhood Plan aim to protect the character of the area.
- 7.6 The proposed substation and transformer are located to the southern boundary of the application site. It is therefore highly visible from the public realm and views from Yeomans Drive and, as such, is in a prominent location within the context of the street scene.

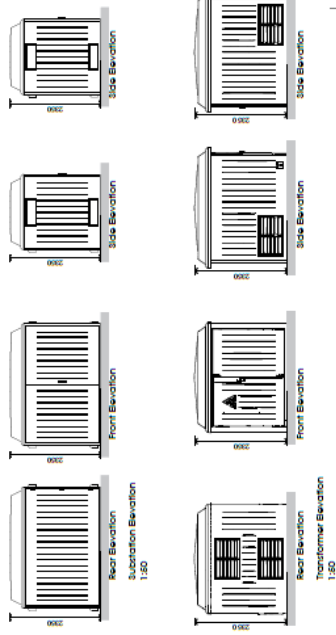
- 7.7 However, the structures are of a limited size, scale and design that is typical of an electrical substation and transformer. Consideration is also given to the industrial context of the wider local area. Whilst it is noted that the proposed structures are located adjacent to the footpath running parallel to the southern boundary of the application site, it is considered that the proposed development is located a sufficient distance back from the adopted highway and grass verge, and do not significantly impact the character of the area in this regard.
- 7.8 Due to its limited size and the industrial context of the area, the proposal does not have a detrimental impact on the character and appearance of the street scene and visual amenity of the area.
- 7.9 The proposed external material would be green painted metal, thus helping the units blend in better to adjacent landscaped areas. Officers consider this to be acceptable, and the visual impact of the proposal will lessen as the landscaping around it matures.
- 7.10 Officers therefore consider that the proposed development complies with Policies D1 and D2 of Plan:MK in this regard. Similarly due to its limited size and scale the proposals would also accord with the intentions of Policy N9 (landscape) of the Neighbourhood Plan.

Impact on residential amenity

- 7.11 Part G (1) of Policy NE6 of Plan:MK seeks to ensure that development proposals do not have an unacceptable adverse effect on human health by way of noise pollution. Although this proposal is not for a largescale development in itself, it relates to the recently approved scheme on the site and, therefore, assessing the application against Policy N13 of the Neighbourhood Plan is also deemed to be appropriate.
- 7.12 The proposed substation and transformer is to be located to the south of the site, with the nearest residential dwellings located to the north of the site, approximately 225 metres from the location of the proposed units.
- 7.13 No objections were received from the Environmental Health Officer and it is considered that given the proposed nature of the units, in combination with the separation distance between the units and nearest residential dwellings, that the proposal will not give rise to an unacceptable noise pollution. The advice from the Environmental Health Officer suggests that any noise from such plant is only audible in the near vicinity to the installation itself. The Environmental Health's Officer's full comments can be found in A1.5 at the end of this report. The case officer has no reason to disagree with this conclusion.
- 7.14 Officers therefore consider that the proposed development complies with Policy NE6 of Plan:MK and Policy N13 of the Great Linford Neighbourhood Plan in this regard.



General Notes
 All the dimensions
 are in millimeters
 unless otherwise
 specified.
 Only work to write
 the drawing in the
 scale indicated or
 without the plan or
 without the profile.



SUBSTATION LOCATION PLAN
 SCALE 1:50

Revision: 1/1
 Scale: 1:50
 Status: P
 Drawn by: J.L.
 Checked by: J.L.
 Project: GUPI 6 Ltd
 Location: Yeomans Dr
 Substation 2
 Details
 Drawing No. 1
 fletchi
 18 Clarendon Street
 1 - 44 0191 1202
 2 - 44 0191 1203
 3 - 44 0191 1204

1.0 FULL CONSULTATIONS AND REPRESENTATIONS

A1.1 Great Linford Parish Council

No response received.

A1.2 Cllr Cllr Paul Alexander Newport Pagnell South Ward (member of DCC)

No response received.

A1.3 Cllr Jane Carr Newport Pagnell South Ward

No response received.

A1.4 Cllr Douglas McCall Newport Pagnell South Ward

No response received

A1.5 Environmental Heath

No objection.

‘Any sound generated from such plant is only generally audible in the near field and only detectable as a 50Hz hum, if at all. The location of the plant is the far end of the site from abutting residential properties so it is not considered there to be an issue from this element at the nearest noise sensitive receivers.’

A1.6 Third Party/ Neighbour Comments

No responses received.