

Proposal:	Change of use of agricultural land to a Sustainable Urban Drainage System with formal playing fields, equipped play areas, ancillary landscaping, footpaths, vehicular access and safeguarded land for a canal at Broughton Brook Linear Park and adjacent land to the north, Brooklands, Eastern Expansion Area.
Application Number:	09/01848/MKPC
Application Type:	Full Application
Applicant:	Places for People Developments Ltd
Expiry Date:	13 January 2009
Parish:	Broughton and Milton Keynes
Purpose:	The purpose of this report is to seek the Planning Sub-Committee's approval of the full planning application
Responsible officer:	Gerri Smith, Development Control Manager, Milton Keynes Partnership
Prepared by:	Jennie Cook, Planner, Milton Keynes Partnership

ADDENDUM

Wavendon Parish Council comments

1. MKP Officers attended a meeting of Wavendon Parish Council on 15th February 2010 when the proposals were explained. The following comments were raised:
 - Are 3 tables enough for the cricket pitch? Could an artificial strip be introduced?
 - The leisure provision is too football focussed. What about other sports such as hockey and archery?
 - Could alternative pitch management arrangements be found which involve the community such as a community trust?
2. Officers have responded to the Parish Council that 3 tables for the cricket pitch were deemed sufficient by MKC Leisure Facilities and MK Parks Trust. MKC Leisure Facilities advised that they will provide facilities for which there is demand to ensure that as much use is gained as possible. At the moment the greatest demand is for football but the facilities proposed are flexible enough to be used for alternative sports in future, should the demand arise.
3. Whilst pitch management arrangements have yet to be confirmed, MK Parks Trust have advised that the most sensible arrangement should be implemented. As bookings for the pitches are taken through the pavilion building by MKC it may be sensible for MKC to manage the pitches. Officers have also put Wavendon PC in touch with the developer so that they can discuss alternative ideas for management.

Update on MK Waterway issue

4. At paragraph 64 of the report to committee MKP Officers advised that the applicants have questioned the Waterway Trusts estimates of the amount of material that the canal excavation could provide for the Brooklands Ridge. The Trust estimated this to be around 100,000m³ whilst the applicants estimated it to be around 20,000m³, a figure which Officers consider to be more realistic.
5. The Waterway Trust have now undertaken further investigation work and have revised their figure to around 60,000m³. The difference in figures appears to be that the Trust have not taken account of the fact that some of the material may not be suitable for the Ridge, whilst the applicants have been more cautious to allow for this in their calculations. All material used for the Ridge undergoes a rigorous testing procedure to ensure that it is not contaminated and is suitable for stability purposes. In any case Officers still maintain that the material that could be generated from the canal is not sufficient justification to require the developers to excavate the canal.

MKC Archaeology additional comments

6. Following consideration of an additional report submitted by the applicants to address the impact of the playing pitch excavation on significant archaeological remains, the MKC Archaeologist is now satisfied with the proposals subject to a condition requiring the applicants to secure a mitigation scheme in accordance with the submitted report prior to any construction work on site.

Amended Recommendation and suggested conditions

7. As archaeology related concerns can now be satisfactorily be dealt with by condition the recommendation is amended to read:

It is recommended that the Broughton Brook Linear Park application (09/01848/MKPC) be APPROVED subject to the following conditions:

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

Reason: To comply with section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out fully in accordance with the plans hereby approved and listed in the attached plan schedule unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the Local Planning Authority can exercise proper authority over and assure quality in the development in accordance with PPS1 Delivering Sustainable Development.

3. With the exception of the installation of the foul sewer and drainage pipe work and associated structures the development shall not begin until full construction details of all public highways, footways and watercourse crossings have been submitted to and approved in writing by the Local Planning Authority. All development shall be undertaken in accordance with the approved details.

Reason: In the interests of highway safety in accordance with the advice contained in PPG13 Transport and in accordance with Policy T10 of the Milton Keynes Local Plan 2001-2011.

4. Full details of the disposal of surface water from all public highways shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be fully implemented concurrently with the development hereby approved.

Reason: To minimise danger and inconvenience to highway users in accordance with the advice contained in PPG13 Transport and in accordance with Policy T10 of the Milton Keynes Local Plan 2001-2011.

5. The linear park shall not be brought into use until such time as the park edge car parking has been laid out and constructed in accordance with the approved details.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the linear park users in accordance with the advice contained in PPG13 Transport and in accordance with Policy T10 of the Milton Keynes Local Plan 2001-2011.

6. A hard and soft landscaping scheme, which shall include provision for the planting of trees and shrubs and replacement planting for gaps in the existing hedgerow shall be submitted to and approved by the Local Planning Authority. The scheme shall show the numbers, types and sizes of trees and shrubs to be planted and their location in relation to the proposed roads, footpaths and drains shall be submitted for approval by the Local Planning Authority. With the exception of the installation of the foul sewer and drainage pipe work and associated structures all planting in accordance with the approved scheme shall be carried out within twelve months of commencement of the development. Any trees or shrubs removed, dying, severely damaged or diseased within two years of planting shall be replaced in the next planting season with trees or shrubs of such size and species as may be agreed by the Local Planning Authority.

Reason: In the interests of the visual amenities of the locality in accordance with Policy D2 of the Milton Keynes Local Plan 2001-2011.

7. No demolition, site clearance or building operations shall commence on any part of the development until protective measures, including the root protection area, in accordance with BS:5837:2005 have been erected around all trees and sections of hedgerow that are identified on Drawing No. BMK6D01 Rev G as being retained within the site. The hedgerow protection measures shall be erected 2m beyond the hedge extremities. Within the protected area no change in site levels, no excavated material or trenches, spoil or other debris, parking of plant or positioning of site huts shall take place unless otherwise agreed in writing by the Local Planning Authority and the Local Planning Authority shall be notified when the protection measures have been erected.

Reason: In order to protect the retained trees and hedgerow within the site in accordance with Policy D2 of the Milton Keynes Local Plan 2001-2011.

8. With the exception of the installation of the foul sewer and drainage pipe work and associated structures the development shall not begin until details of street furniture, signage and any lighting have been submitted to and approved in writing by the Local Planning Authority. The approved street furniture shall be provided concurrently with the development.

Reason: In the interests of the amenity and safety of users of the linear park and to comply with Policy S12 of the Milton Keynes Local Plan 2001-2011.

9. With the exception of the installation of the foul sewer and drainage pipe work and associated structures the development shall not begin until details of the access and egress arrangements for maintenance vehicles into/out of the linear park have been submitted to and approved in writing by the Local Planning Authority. All approved access and egress points shall be provided concurrently with the development.

Reason: In order to ensure adequate access for maintenance vehicles into the linear park and to comply with Policy S12 of the Milton Keynes Local Plan 2001-2011.

10. With the exception of the installation of the foul sewer and drainage pipe work and associated structures the development shall not begin until full design details of all engineering structures and works within the site, including culverts, earthworks and drainage outfalls have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

Reason: For the avoidance of doubt and to adequately secure the flood capacity/drainage function of the area in accordance with the advice contained in PPS25 Development and Flood Risk.

11. With the exception of the installation of the foul sewer and drainage pipe work and associated structures the development shall not begin until details of boundary treatment of the linear park, including the means of preventing verge parking on the park edge road interface and means of preventing motor vehicle access into the linear park other than authorised maintenance vehicles, have been submitted to and approved in writing by the Local Planning Authority. The approved means of boundary treatment shall be provided concurrently with the development.

Reason: In order to ensure an adequate interface between the linear park and the surrounding residential development and to comply with Policy S12 of the Milton Keynes Local Plan 2001-2011.

12. With the exception of the installation of the foul sewer and drainage pipe work and associated structures no development shall take place within the site until a detailed mitigation scheme in accordance with the CgMs Archaeological Assessment titled 'Proposed Playing Fields, Brooklands, Milton Keynes' dated February 2010 has submitted to and agreed in writing with the Local Planning Authority. All mitigation measures shall be carried out in accordance with the approved scheme.

Reason: To ensure that archaeological matters are adequately considered pursuant to PPG16 Archaeology and Planning and PPG15 Planning and the Historic Environment.

13. No buildings, structures or other obstructions (hedges, fences etc.) of a permanent or temporary nature shall be erected or any excavated material deposited in the flood plain at any time.

Reason: To prevent flooding in accordance with the advice contained in PPS25 Development and Flood Risk.

14. The development hereby permitted shall only be carried out in accordance with the approved Flood Risk Assessment reference 13943/1104/01 dated November 2009 by Peter Brett Associates.

Reason: To ensure that flood risk from surface water and fluvial sources is managed successfully and does not increase as a result of any development on the site in accordance with the advice contained in PPS25 Development and Flood Risk.

15. With the exception of the installation of the foul sewer and drainage pipe work and associated structures no development shall take place until full construction details of the playing pitches to be provided, including details of drainage and finished site levels, has been submitted to and approved in writing by the Local Planning Authority. The playing pitches shall be laid out in accordance with the approved details.

Reason: To ensure that the playing pitches are fit for purpose and to comply with Policy S12 of the Milton Keynes Local Plan 2001-2011.

16. With the exception of the installation of the foul sewer and drainage pipe work and associated structures details of the location and design of the equipment storage building shall be submitted to and approved in writing by the Local Planning Authority and the equipment store shall be provided in accordance with the approved details prior to the first use of the playing pitches.

Reason: To ensure that adequate provision is made for the storage of sports pitch equipment and to comply with Policy S12 of the Milton Keynes Local Plan 2001-2011.

17. No development shall commence a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall set out site procedures to be adopted during the course of construction, including inter alia construction traffic routing, how dust and other emissions will be controlled, construction noise and vibration from the development in each case so as to cause minimum disturbance to residents in the surrounding area. The development shall be carried out in accordance with the agreed CEMP.

Reason: To protect the amenity of the surrounding residential areas and to comply with policy D1 of the Milton Keynes Local Plan 2001-2011.

18. No development shall take place until construction vehicle wheel cleansing facilities have been provided to the satisfaction of the Local Planning Authority. Such facilities shall be used by all construction vehicles leaving the site and shall be permanently maintained in working order throughout the construction period.

Reason: To ensure the safe and efficient use of the highway and protect the amenity of the surrounding residential areas and to comply with policy D1 of the Milton Keynes Local Plan 2001-2011.