

Item No. 11

APPLICATION NUMBER	CB/17/05250/FULL
LOCATION	Land to South West of Higham Cottages, Higham Road, Higham Gobion
PROPOSAL	Proposed grain store including new access and means of enclosure
PARISH	Shillington
WARD	Silsoe & Shillington
WARD COUNCILLORS	Cllr Ms Graham
CASE OFFICER	Thomas Mead
DATE REGISTERED	31 October 2017
EXPIRY DATE	26 December 2017
APPLICANT	Chamberlain Holdings PLC
AGENT	Tempietton Architects
REASON FOR COMMITTEE TO DETERMINE	Enormous Grain Store with 2 metre steel fence is out of proportion to the open rural site and victorian cottages opposite. 60mph road already has accident liability. 15.400m vehicles need 6 seconds to turn and 6.610m kerb to kerb turning circle. Run off water is to go into existing water course - this brook below the site has native cray fish in it which would be at risk.
RECOMMENDED DECISION	Full Application - Recommended for Approval

Recommendation:

That Planning Permission be **APPROVED**

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 **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)**

- 3 All external works hereby permitted shall be carried out in materials indicated on plan No. 1136/201A.

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match the existing building in the interests of the visual amenities of the locality.
(Section 7, NPPF)

- 4 **No development shall take place until a written scheme of archaeological investigation, that adopts a staged approach and includes the provision for post excavation analysis and publication, has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall only be implemented in full accordance with the approved archaeological scheme.**

Reason: This condition is pre-commencement as a failure to secure appropriate archaeological investigation in advance of development would be contrary to paragraph 141 of the National Planning Policy Framework (NPPF) that requires developers to record and advance of understanding of the significance of any heritage assets to be lost (wholly or in part) as a consequence of the development.

- 5 The development shall not be brought into use until the junction of the proposed vehicular access with the highway has been constructed in accordance with the approved details, and kerbs have been provided along the frontage of the far-side verge, opposite (north of the proposed access), for the full length of the junction and radii

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises and to avoid overrun of the public highway to the detriment of the highway and users of it
(Section 7, NPPF).

- 6 Before the development is brought into use visibility splays of 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 215m measured from the centre line of the proposed access along the line of the channel of the public highway shall be implemented in accordance with the approved drawing no. 1136/202. 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, and to make the access safe and convenient for the traffic which is likely to use it.
(Section 7, NPPF)

- 7 The proposed vehicular access shall be surfaced in bituminous or other similar durable material (not loose aggregate) as may be approved in writing by the Local Planning Authority for a distance of 18.0m into the site, measured from

the highway boundary, before the premises are occupied. 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 or other extraneous material or surface water from the site into the highway so as to safeguard the interest of highway safety.

(Section 7, NPPF)

- 8 The sliding gate on the approved drawing no. 1136/200B shall be constructed prior to the development being brought into use and shall open away from the highway and be set back a distance of at least 18.0m 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 and for the avoidance of doubt

(Section 7, NPPF)

- 9 The turning space for vehicles illustrated on the approved drawing no. 101 shall be constructed before the development is first brought into use and thereafter retained for this purpose

Reason: To enable vehicles to draw off, park and turn outside the highway limits thereby avoiding the reversing of vehicles on to the highway

(Section 7, NPPF)

- 10 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1136_Block Plan with Flood Zone_500_A4, 1136/199B, 1136/200C, 1136/201A, 1136/202A, 101 and the Design and Access Statement.

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

- 11 The building hereby approved shall be used only for agricultural purposes as defined in Section 336(1) of the Town and Country Planning Act 1990 and if at any time the building ceases to be used or required for such purpose it shall be removed and the site re-instated in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the building is used for agricultural purposes only since it lies within a rural area where restrictive planning policies apply and where only that development needed to meet the essential requirements of the locality is permitted.

(Section 3, NPPF)"

INFORMATIVE NOTES TO APPLICANT

1. 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.

2. **Will a new extension affect your Council Tax Charge?**

The rate of Council Tax you pay depends on which valuation band your home is placed in. This is determined by the market value of your home as at 1 April 1991.

Your property's Council Tax band may change if the property is extended. The Council Tax band will only change when a relevant transaction takes place. For example, if you sell your property after extending it, the new owner may have to pay a higher band of Council Tax.

If however you add an annexe to your property, the Valuation Office Agency may decide that the annexe should be banded separately for Council Tax. If this happens, you will have to start paying Council Tax for the annexe as soon as it is completed. If the annexe is occupied by a relative of the residents of the main dwelling, it may qualify for a Council Tax discount or exemption. Contact the Council for advice on **0300 300 8306**.

The website link is:

<http://www.centralbedfordshire.gov.uk/council-tax/bands/find.aspx>

3. The applicant is advised that in order to comply with Condition 5 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/small works of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements.

4. 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

5. 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 by this link on the Council website

<http://www.centralbedfordshire.gov.uk/transport/request/dropped-kerb.aspx>

or contact Central Bedfordshire Council Tel: 0300 300 8301.

6. The applicant is advised that parking for contractor's vehicles and the storage of materials associated with this development should take place within the site and not extend into within the public highway without authorisation from the highway authority. If necessary the applicant is advised to follow this link on the Council website <http://www.centralbedfordshire.gov.uk/transport/request/dropped-kerb.aspx> or contact Central Bedfordshire Council Tel: 0300 300 8301. Under the provisions of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of construction of the development hereby approved.

7. The applicant is advised that in order to achieve the vision splays in condition 6 of the permission it may be necessary for vegetation overhanging the public highway to be removed. Prior to the commencement of work the applicant is advised to use this link on the Council website

<http://www.centralbedfordshire.gov.uk/transport/request/dropped-kerb.aspx>

or contact Central Bedfordshire Council Tel: 0300 300 8301 to request the removal of the overhanging vegetation on the public highway.

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 before 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.