

Item No. 13**SCHEDULE B**

APPLICATION NUMBER	CB/09/06288/FULL
LOCATION	Land R/O The Bedford Arms Station Road Ridgmont
PROPOSAL	Full: Erection of 2 no. workshops and use of land for commercial vehicle sales, repairs and haulage depot. Resubmission 04/00646/FULL.
PARISH	Ridgmont
WARD	Woburn and Harlington
WARD COUNCILLORS	Cllr F Chapman, Cllr B Wells
CASE OFFICER	Nicola Stevens
DATE REGISTERED	15 October 2009
EXPIRY DATE	14 January 2010
APPLICANT	Newton Trailers Ltd
AGENT	CMI Consulting
REASON FOR COMMITTEE TO DETERMINE	Major Development and a Departure from the Development Plan.
RECOMMENDED DECISION	Full Application - Granted

Recommendation

That Planning Permission be APPROVED subject to the variation of the Section 106 Agreement to 04/00646/FULL and to the following:

- 1 The development hereby approved shall be commenced within three years of the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 which is designed to ensure that a planning permission does not continue in existence indefinitely if the development to which it relates is not carried out.

- 2 Materials for the external finishes of building A shall be implemented in accordance with the details shown on drawings P09-099-GA03, P09-099-GA04, P09-099-GA05, P09-099-GA19, P09-099-GA21, P09-099-GA22, and P06-147-GA20 unless otherwise agreed in writing with the Local Planning Authority. Materials for the external finishes of building B shall be submitted to and approved by the Local Planning Authority within two months of the date of this decision. Development shall be implemented in accordance with the approved details.

Reason: To protect the visual amenities of the buildings and of the area generally.

- 3 Level details shall be implemented in accordance with the details shown on drawing no P09-099-L01 unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that a satisfactory relationship results between the new development and adjacent buildings and public areas.

- 4 Hard and soft landscape works shall be implemented in accordance with the details shown on drawings NTL01 and P09-099-L01 unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure that the landscaping is carried out within a reasonable period in the interest of the visual amenities of the area.

- 5 The planting which shall have been approved consequent to Condition 4 above shall be carried out by a date which shall be not later than the end of the full planting season immediately following the first occupation of the building(s) hereby approved.

Thereafter the planting shall be adequately maintained for a period of five years from the date of planting. Any of the trees or shrubs or both which die or are removed, or which become severely damaged or seriously diseased (during the said period of five years) shall be replaced with trees or shrubs or both, as the case may be, of similar size and species to those originally required to be planted and the same shall be maintained until properly established.

Reason: In order to ensure that the planting is carried out within a reasonable period in the interest of the visual amenities of the area.

- 7 The temporary tree protection measures and areas prohibited from use by contractors and such other measures to be taken in the interests of existing tree and hedgerow protection shall be implemented in accordance with drawing P06-147-TP01 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the existing trees and hedgerow on and adjacent to the site in the interests of visual amenity.

- 8 **No development shall take place until details of earthworks have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform. Development shall be carried out in accordance with the approved details.**

Reason: To ensure that a satisfactory relationship results between the new development and adjacent buildings and public areas.

- 9 Details of external lighting to be installed on the site relating to design of the lighting unit and supporting structures shall be implemented in accordance with the details approved under planning permission ref: 04/646/Full unless otherwise agreed in writing by the Local Planning Authority. The position of the lighting units and the extent of the area to be illuminated shall be submitted to and approved in writing by the Local Planning Authority within two months of the date of this decision. Only the details thereby approved shall be implemented.

Reason: To protect the visual amenities of the site and its surrounding area.

- 10 Details of the design of building B foundations and the layout, with positions, dimensions and levels, of service trenches, ditches, drains and other excavations on site, insofar as they may affect trees and hedgerows on or adjoining the site, shall be implemented in accordance with drawing no P09-099-P08 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the protection of trees and hedgerows to be retained, and in particular to avoid unnecessary damage to their root systems.

- 11 Boundary treatment shall be implemented in accordance with the details shown on drawing no P09-099-L01 unless otherwise agreed in writing with the Local Planning Authority. The boundary treatment shall be completed before the buildings are occupied

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.

- 12 Noise resulting from the use of the plant, machinery or equipment shall not exceed background levels during the day of 60dB LA90 and at night 54dB LA90 at the boundary of the nearest noise sensitive premises.

Reason: To protect the amenities of occupiers of neighbouring properties

- 13 Repair and maintenance of vehicles, plant, machinery or (and) equipment hereby approved shall not operate except between the hours of 07:00am and 19:00pm on Mondays to Saturdays, and not at all on Sundays and Bank Holidays, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the amenities which occupiers of neighbouring properties might reasonably expect to enjoy

- 14 No deliveries shall be taken at or dispatched from the site outside the hours of 8.00am and 18.30pm on Mondays to Saturdays, and not at all on Sundays and Bank Holidays unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the amenities which occupiers of neighbouring properties might reasonably expect to enjoy

- 15 No paint spraying shall be carried on except in a purpose-built part of the building to which extraction and filtration equipment has been fitted. Details of the equipment shall be submitted to and approved by the Local Planning Authority in writing within two months of the date of this decision. The equipment shall be effectively operated and maintained in accordance with the manufacturers instructions. Equipment shall be installed and in full working order to the satisfaction of the Local Planning Authority prior to the commencement of use.

Reason: To protect the amenities of occupiers of neighbouring properties.

- 16 Between the hours of 23:00pm and 08:00am no more than two vehicles may be moved on site, or taken at or dispatched from the site and vehicles may be parked only in the out of working hours recovery parking area identified on dwg no P09-099-L01 unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect the amenities of occupiers of neighbouring properties.

- 17 No ventilation and extraction equipment shall be installed on site without prior approval in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To protect the amenities of occupiers of neighbouring properties

- 18 No equipment, goods, waste or other materials shall be deposited or stored in the open outside the buildings on the site.

Reason: To safeguard the character and appearance of the site and the surrounding area.

- 19 The premises shall be used for commercial vehicle sales, repairs and haulage depot and no other purpose.

Reason: To ensure the Local Planning Authority retains full control of the future use of the land/buildings in view of the special circumstances of the case.

- 20 Disposal of foul and surface water drainage on all land within the applicants control including that outlined in blue shall be implemented in accordance with the details approved under ref: 04/646/Full unless otherwise agreed in writing with the Local Planning Authority. No part of the development shall be 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.

- 21 Finished floor levels that demonstrate that there will be no unreasonable flood risk in accordance with the advice given in PPS25 shall be implemented in accordance with the details approved under planning permission ref: 04/646/Full unless otherwise agreed in writing with the Local Planning Authority. No part of the development shall be brought into use until the approved details have been implemented.

Reason: To minimise flood risk in accordance with Policy DPS17 of the Mid Bedfordshire Local Plan First Review Adopted 2005 and PPS25.

- 22 The scheme for the provision and implementation of pollution control to the water environment on all land within the applicants control including that outlined in blue shall be implemented in accordance with the details approved under ref: 04/646/Full unless otherwise agreed in writing with the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification.

Reason: to prevent the increased risk of pollution to the water environment

- 23 Details of the treatment of the public footpath which runs through the site shall be implemented in accordance with the details shown on drawing no P09-099-L01 unless otherwise agreed in writing by the Local Planning Authority. These approved works shall be carried out in full before construction of the workshops is commenced.

Reason: To ensure the footpath is safe and convenient to use.

- 24 Details of the speed restraint measures to be introduced along the access road, especially where it crosses the public footpath shall be implemented in accordance with the details approved under planning permission ref: 04/646/Full unless otherwise agreed in writing by the Local Planning Authority. These approved works shall be carried out in full before the development is first brought into use.

Reason: In the interests of pedestrians within the site

- 25 Details of cycle parking facilities shall be implemented in accordance with drawing no P09-099-L01 unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenity of cyclists using the development.

- 26 Before the premises are occupied all on site vehicular areas shall be surfaced in accordance with the details shown on drawing P09-099-L01 so as to ensure satisfactory parking of vehicles outside highway limits unless otherwise agreed in writing with the Local Planning Authority. Arrangements made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway shall be implemented as shown on drawing S7595/500 Rev C4 unless otherwise agreed in writing with the Local Planning Authority.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the premises.

- 27 The construction of the junction of the proposed temporary access with the highway shall be implemented in accordance with the details shown on drawing S7595-504/P2 unless otherwise agreed in writing by the Local Planning Authority and no building shall be occupied until the junction has been constructed in accordance with the approved details.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises.

- 28 An area of land within the applicants control across the whole of the site frontage measuring at least 4.5m from and parallel to the nearside edge of the adjacent road carriageway including land outlined in blue shall be provided and thereafter be kept free of all obstruction to visibility over a height of 1.05m above the adjoining road channel level.

To provide adequate visibility between the existing highway and the proposed access, and to make the access safe and convenient for the traffic that is likely to use it.

- 29 Any gates provided shall open away from the highway and be set back a distance of at least 15.0 metres from the nearside edge of the carriageway of the adjoining highway.

To enable vehicles to draw off the highway before the gates are opened.

- 30 A wheel cleaning facility shall be implemented in accordance with details previously approved under ref: 04/646/Full unless otherwise agreed in writing by the Local Planning Authority. The wheel cleaner(s) shall be removed from the site once the roadworks necessary to provide adequate access from the public highway have been completed (apart from final surfacing) to the satisfaction of the Local Planning Authority.

Reason: In the interests of the amenity and to prevent the deposit of mud or other extraneous material on the highway during the construction period.

- 31 The permanent vehicular access to be constructed shall not be brought into use until such time that visibility splays have been provided at its junction with the public highway in accordance with details shown on drawing no S7595-504/P2 unless otherwise agreed in writing by the Local Planning Authority. No amendment shall be made to the detail of the access unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety.

- 32 Before the premises are occupied any existing access within the frontage of the land to be developed including the temporary access, which is within the applicants control including land outlined in blue, shall be closed in a manner to the Local Planning Authority's written approval.

Reason: In the interests of road safety and to reduce the number of points which traffic will enter and leave the public highway.

- 33 Details of pedestrian access to the railway station shall be implemented as approved under ref: 04/646/Full unless otherwise agreed in writing by the Local Planning Authority. The development shall not be brought into use until the approved works are completed.

Reason: To protect pedestrian safety and encourage other means of accessing the development other than the car.

- 34 Details of the location and construction of a temporary access to serve the development shall be implemented in accordance with the details approved under planning permission ref: 04/646/Full unless otherwise agreed in writing by the Local Planning Authority, such access to be used only until redundant signage has been removed. The development shall not be brought into use until the approved works under this condition are completed.

Reason: In the interests of pedestrian and highway safety.

Notes to Applicant

1. You are advised to note the comments of the Environment Agency as set out in the enclosed letter.
2. The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Central Bedfordshire Council's Customer Contact Centre, 6th Floor, County Hall, Bedford, MK42 9AP quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or required 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.
3. The applicant is advised that no highway surface water drainage system designed as part of a new development will be allowed to enter any existing highway surface water drainage system without the applicant providing evidence that the existing system has sufficient capacity to account for any highway run off generated by that development. Existing highway surface water drainage systems may be improved at the developers expense to account for extra surface water generated. Any improvements must be approved by the development Planning and Control Group, Central Bedfordshire Council. Further details can be obtained from the Engineering Policy and Planning Group, Central Bedfordshire Council, Borough Hall, Bedford, MK42 9AP.
4. 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 Central Bedfordshire Council Consultants, The Babbie Group, PO Box 272, The Merton Centre, 45 St Peter's Street, Bedford, MK40 2ZY.

[Note: In advance of the consideration of the application the Committee were advised of consultation as set out in the Late sheet attached to these Minutes.]