

Item No. 14**SCHEDULE B**

APPLICATION NUMBER	CB/10/04078/FULL
LOCATION	Former R K B Precision Products Ltd, New Road, Sandy, SG19 1NY
PROPOSAL	Full: Erection of Class A1 Foodstore, associated car parking, new vehicular access from New Road, upgraded existing access for service vehicles, creation of bus turning area and lay-by, realignment of drainage ditch, erection of retaining walls and other supporting infrastructure.
PARISH	Sandy
WARD	Sandy
WARD COUNCILLORS	Cllr Nigel Aldis & Cllr Peter Blaine
CASE OFFICER	Lisa Newlands
DATE REGISTERED	05 November 2010
EXPIRY DATE	04 February 2011
APPLICANT	Tesco Stores Ltd
AGENT	Contour Planning Services
REASON FOR COMMITTEE TO DETERMINE	Departure from Local Plan Policy Councillor Aldis has also requested determination by Committee due to enormous public interest.
RECOMMENDED DECISION	Full Application - Granted

Site Location:

The application site is located on the former RKB factory site at New Road in Sandy. The site is approximately 1.36 hectares, the enlarged application site including the highway and bus turning area, has an approximate site area of 1.87 hectares. It is located within the southern urban fringe of Sandy, approximately 650 metres to the south-east of Sandy town centre. The former large scale commercial/industrial buildings on the site were recently demolished and the site was cleared. The site levels are currently uneven, with the highest point being in the north east corner and the lowest point in the south of the site.

The eastern boundary of the site is defined by New Road, with a number of other commercial and industrial buildings located beyond. These commercial and industrial buildings to the east are bounded by the railway line.

To the south of the site is a drainage ditch, beyond this is open countryside (outside the defined settlement envelope of Sandy). Open countryside is also located to the west of the site, comprising of an area of wetland/ open fields extending westwards towards the village of Beeston and the A1 corridor.

To the north of the site is a former industrial site, which as with this site has since been cleared. This site has recently been refused planning permission for residential development. However, a new application has been submitted and currently being considered by the Council. The residential application is also to be considered at

this committee. Beyond this site to the north and west is a residential development. Sandy railway station is also approximately 250 metres to the north-east of the site, with regular rail services direct to London to the south and Peterborough to the north. The station also accommodates the nearest existing bus service to the site.

The site to the north and the application site have been allocated for a mixed use development (Policy MA1) within the Council's Site Allocation DPD. The DPD has been through public examination and been found sound by the Planning Inspector. There has been one minor modification to Policy MA1 in which the amount of B1 space to be provided has been reduced from 0.1 hectare to an element of B1 on the site. The DPD will now go through the Council's process of being formally adopted. But given the position of the document now, it should be given significant weight in terms of determining planning applications on sites that have been promoted for allocation.

The Application:

The proposed development involves the erection of an A1 foodstore with a gross floorspace of 3,337 sqm, a net area of 2,201 sqm. In addition to the store building, the proposal includes car parking, service yard, separate service yard, improvements to pedestrian access, bus lay-by, bus turning area and additional landscaping.

The customer access arrangements involve a new vehicular access from New Road, and would involve a priority junction. Pedestrian access would be gained further to the south of the vehicle entrance, via a ramped path to the store entrance from New Road (close to the lay-by). The proposed service yard would be located to the south west of the site. This is accessed from a separate service road (which utilises an existing access) located to the south of the store building, close to site's southern boundary.

It is proposed that buses would serve the site, with those travelling south down New Road being able to turn in a dedicated 'bus turning area' to the south of the store, and then stopping in the bus lay-by which is proposed to be positioned to the east of the store.

RELEVANT POLICIES:

National Policies (PPG & PPS)

PPS1: Delivering Sustainable Development
PPS4: Planning for Sustainable Economic Growth
PPS5: Planning for the Historic Environment
PPS9: Biodiversity & Geological Conservation
PPS10: Planning for Sustainable Waste Management
PPG13: Transport
PPS22: Renewable Energy
PPS23: Planning and Pollution Control
PPG24: Planning and Noise
PPS25: Development and Flood Risk

Regional Spatial Strategy - East of England Plan 2008

SS4: Towns other than Key Centres

SS6: City and Town Centres

T8: Local Roads

T9: Walking, Cycling and other Non-motorised Transport

ENV7: Quality in the Built Environment

Bedfordshire Structure Plan 2011

N/a

Core Strategy and Development Management Policies for Central Bedfordshire (North)

CS1: Development Strategy

CS2: Developer Contributions

CS4: Linking Communities - Accessibility and Transport

CS9: Providing Jobs

CS10: Location of Employment Sites

CS12: Town Centres and Retailing

CS13: Climate Change

CS14: High Quality Development

CS15: Heritage

CS18: Biodiversity and Geological Conservation

DM2: Sustainable Construction of New Buildings

DM3: High Quality Development

DM4: Development Within and Beyond Settlement Envelopes

DM7: Development in Town Centres

DM9: Providing a range of Transport

DM15: Biodiversity

Supplementary Planning Guidance

Design in Central Bedfordshire: A guide for Development

- Design Supplement 2: Larger Footprint Buildings

Planning History

MB/74/00769/FA	Full: Installation of 10,000 Gallon Oil Tank (Heating). Granted 19/09/1974
MB/74/00976/FA	Full: Extension. Granted. 05/12/1974
MB/74/00803/FA	Full: Warehouse. Granted. 07/01/1975
MB/74/0769B/FA	Full: Modified Site Layout. Granted. 22/04/1976
MB/74/0769C/OA	Outline: New Factory comprising engineering workshop, offices and storage. Granted. 19/10/1976
MB/77/00211/OA	Outline: Alter existing buildings and use for motor car retail sales. Refused. 17/05/1977
MB/74/0769D/RM	Reserved Matters: New Factory comprising engineering workshop, offices and store. Granted. 27/09/1977
MB/74/0769E/FA	Full: Extension to office and factory. Granted. 31/08/1978
MB/74/0769F/FA	Full: Extension. Granted. 09/11/1978
MB/74/0769G/FA	Full: Extension to factory. Granted. 22/03/1979

**Representations:
(Parish & Neighbours)**

Parish/Town Council

Sandy Town Council - Strongly supports the application for the following reasons:

- There is one small supermarket at present which is unable to meet the needs of residents. This is evidenced by the fact that 87% of residents do their main food shopping outside the town.
- Sandy has doubled in size in the last twenty to thirty years and the retail offer has not kept up with that growth.
- Residents have petitioned the Town Council to try to attract another supermarket to the town, they have attended the Annual Town meeting, meetings of the Town Council, written to the press and Council and in the public consultation carried out by Tesco 93% of attendees expressed their support, while only 4% voiced any reservations.
- The site is only 5 minutes walk from the town centre, opposite the railway station and near to the A1. No other nearer, suitable site has been identified that would be able to accommodate a store. Delivery vehicles will not have to travel through the town centre to reach the store.
- The store will provide 180 FTE jobs, many of whom are likely to be local people, a welcome addition to the employment profile of the town. No alternative use of the site would be expected to create as many jobs.
- Members thought that the fact that residents would use the Tesco store for their main food shopping would encourage them to stay in Sandy for their other needs, thus reducing the impact on the environment and also regenerating the town centre.

Neighbours

Letters of Support:

A total of 288 letters of support have been received for the application. A number of these were from areas surrounding Sandy including Beeston, Everton, Biggleswade, Moggerhanger and Potton.

Two petitions in support of the application have been received. One of 620 signatures from We Want Tesco in Sandy and one of 8 signatures from the Sandy Chamber of Trade.

Organisations

The Chamber of Trade (Sandy)

The letters of support were based on the following grounds:

- As local traders it is considered that the proposal would be beneficial to the town by bringing in more visitors, enhancing the choice of shopping and stopping residents of Sandy travelling to other towns to shop;
- Travelling to other towns for shopping due to the lack of facilities within Sandy, is time consuming, inconvenient and costly with expensive fuel prices;
- Would encourage people to stay in Sandy for their shopping needs rather than travel out;
- By encouraging people to do their weekly shop in town there is more chance that they will also spend money and support shops and businesses in town;
- New jobs would be created for local people, which would be welcome in the current difficult economic and employment market, 180 FTE jobs created;
- Will be cheaper than the current option in Sandy;
- Would not impact the town centre, these stores are predominantly services;
- Many people have to travel out of Sandy for their main food shopping as the current stores do not stock the range of goods required;
- Would be an asset to Sandy and a much needed boost;

Letters of Objection

1 letter of objection has been received from a resident within Sandy and 4 letters of objection from businesses within Sandy, including Budgens. A further letter of objection has been received from a resident outside of the district (Royston).

In addition to this 2 petitions have been received one of 13 signatures, and one of 30 signatures against the proposal has been submitted.

The letters of objection were on the following grounds:

- Concerns regarding highway safety and the width of New Road;
- The increase traffic movements at the junction of New Road with the A1 is inappropriate, the right turn of HGVs would have serious highways implications;
- Two HGVs cannot pass side by side along New Road;
- The road surface is in a state of disrepair;
- Vehicles leaving the site will be nigh on 'blind' to oncoming traffic;
- it will close many of the shops in the high street and town centre which are already finding it difficult to trade as the proposed store is too far from the town centre to

increase footfall;

- Concerned about lorries turning right from the northbound A1 into New Road;
- it will detract from the main shopping centre and result in a severe loss of footfall thereby creating a ghost town;
- Sandy has already been affected by the extension to Sainsbury's in Biggleswade and is a fragile second order centre;
- it will drain the vitality and vibrancy of the town centre;
- The distance from the Town Centre (over 1km) and from the more highly populated part of Sandy (over 2km) car transport seems largely essential causing obvious problems;
- Congestion impact at A1 junction and Station Road/ High Street junction;
- large increase in traffic through the High Street during peak shopping periods causing repercussions for pedestrians in Town Centre;
- Tesco state they attract 20% max of the existing Town Centre trade-still sufficient to cause significant harm to the town centre;
- The proposed site being so remote (over 1/2 mile away from the Centre) that linked trips are unlikely and most will be by car;
- Central Bedfordshire Policy:-
 1. talks of "limited demand" for new convenience outlets within and adjacent to a Town Centre, the store in question is 25,000 sqft and is neither limited or near the centre;
 2. Station Road Industrial Area as comprises the proposed Tesco development having been previously designated a "Key Employment Site" as well as for new houses;
 3. plan to support new retail inside town centre boundaries - maintain retail importance of town centres for local residents especially those not with access to cars;
 4. opposes any development that is likely to cause harm to the vitality and viability of any town or village centre.

The response received from GR Planning Consultancy on behalf of Budgens raises the following concerns:

- Absence of a supporting Household Survey - although the needs test has now been removed by PPS4, the acceptability of the proposed Tesco store should be judged in terms of its impact on the Town Centre and overall location relation to Sandy Town Centre. A pre-requisite to assessing both is the need to have a comprehensive and robust evidence base for the catchment area. They rely on the base data from the 'Mid Beds District Council retail Study - September 2007. This is contrary to PPS4 as the starting basis for the applicants retail assessment is flawed, and

therefore fails to accord with PPS4.

- There have been a number of changes in food provision within the area since the retail study in 2007 - new Aldi store in Biggleswade; new Somerfield Store on A1 in Sandy, new Morrisons (formerly Somerfield) store in Shefford; extensions to Sainsbury's store in Biggleswade. These have had a significant impact on the trading performance of the Budgens store in Sandy.
- The retail assessment submitted has underestimated the food turnover of the Tesco store, and similarly the trade draw from the food shops in the town centre. The company average for a modern category Tesco store is £13,500 per sqm, the retail assessment has adopted £10,893 per sqm. In our view there is no reason the proposed store could not achieve the company average;
- The extent of trade draw in terms of main food shopping from Biggleswade and Shefford has been overestimated and the draw from Sandy Town Centre has been underestimated;
- The retail assessment submitted underestimates the turnover of Budgens in 2010. It estimates it trades around £5.36Million, the actual sales information provided by Budgens is that Budgens is actual trading 30% below this and they have overestimated the food sales area within the Budgens store.
- Since 2004 the Budgens actual sales figures up to present show that the store has seen its total turnover fall by nearly 35% - attributed to the competition from the new stores/ extensions listed previously;
- The assessment states that the impact on Sandy Town Centre will be 20%. This high level impact is not only due to the direct overlap and competition between the proposed store and Sandy town centre but also as there is insufficient expenditure within Zone 7 to support the assessments estimated Tesco food turnover. This 20% impact is the highest level of impact that I have come across that the applicants have still felt that there will be no harm to the town centre. Most Planning Authorities would regard 10% as being a serious concern in terms of the vitality and viability of the town centre;
- The proposed store is likely to result in store closures, loss of footfall and linked trips within Sandy town centre as well as jobs, it would draw trade and footfall to a location that is an out of centre location, and there would be limited if any opportunities for 'linked trips';
- The proposed store is an out-of-centre location and a very poor location at that, it is significant walking distance from the Tesco store entrance to the Market Square; the proposed store is set back on the rearmost

part of the site and at one of the southernmost parts of the urban area, and therefore nearly falls within the PPS4 definition of 'out-of-town'; the store has no visual, physical or other links with the town centre; limited walk-in residential catchment with much of the population within Sandy being to the North.

- No corroborating evidence to support linked trips

Comments made by Budgens consultants on the Transport Assessment (TA) by the applicants:

- The proposed store is poorly located in terms of accessibility to its main catchment; accessibility to the town centre; vehicular access as it has to rely on either a low quality route from the A1 or access through the town centre. As a result the store will be a distinct retail destination, dominated by non sustainable private car movements with little customer interaction with the existing town centre retail area.
- The TA severely underestimates the congestion impact of the development especially at the A1 London Road/ New Road and Station Road/ High Street junctions;
- The impact of the development on the function of the High Street will also be severe as traffic levels passing through Market Square, but not stopping, are predicted to rise by in excess of 23% during the main shopping periods. This will severely impact congestion and pedestrian severance in the Market Square.

Consultations/Publicity responses

Public Protection
LDF Policy Officer

No objection subject to conditions

The site is allocated in the emerging Site Allocations DPD for a minimum of 50 dwellings with an element of B1 employment use. Therefore the proposed scheme and that of the adjoining site taken together represent a clear departure from the Plan due to the shortfall in housing numbers, and the absence of any B1 use on either of the sites. The proposal is an out of centre location and therefore should be assessed against Policies EC16 and EC17 of PPS4. Out of centre locations may only be appropriate in policy terms if they are well served by alternative means of transport and are acceptable in other respects including impact.

Highways

Thank you for your consultation on the application dated 15th November 2010. On behalf of the highway authority I have the following comments.

In terms of highway considerations the proposal is for the erection of a class A1 food-store, associated car parking, new vehicular access from New Road, upgrading of existing access for service vehicles and creating of a bus lay-by.

The proposal is being supported with a Transport

Assessment and its layout is shown on drawing No 6593_P101 Rev D

Transport Assessment

The assessment considered the compatibility of the proposed development in the context of current national, regional and local government planning policy documents.

Amongst the local planning policy documents which the assessment made reference to is the Bedfordshire Local Transport Plan 2006/07-2010/11 which sets out the strategy for transport in the County. One of its objectives, objective 6 aims “to make Bedfordshire one of the safest counties in the East of England in which to travel by road. The LTP2 acknowledges that the location and nature of development affects the pattern, volume and modes of travel and necessitates an integrated approach. Amongst the aims of an integrated approach are:

- The encouragement of development, especially that generating large traffic volumes, in areas highly accessible by ,means other than the car and
- The promotion of accesses and mobility for all especially more vulnerable road user groups such as motor cyclists, cyclists, pedestrians and disable people”

The assessment also makes reference to the LTP2 Walking Strategy Framework objectives amongst 1-3 are relevant to the proposal as:

- To encourage walking as part of an integrated Transport System,
- To encourage walking as a means of reducing short distance car journeys decreasing congestion and pollution and
- To improve the infrastructure, safety and security for pedestrians.

Reference has also been made to the Council cycling strategy ‘Cycling Stand’ of which objectives 1 - 3 are relevant to the proposal as:

- A higher proportion of journeys to be made by bicycle, particularly journeys to work and school,
- Create safe, direct and attractive conditions for cyclists,
- All major transport, highway schemes and significant land use development schemes will be subject to a cycle audit undertaken by the incumbent engineering consultant.

It was therefore expected the proposal to contribute in a positive way in the achievement of such objectives. The assessment fully considers the effect of the proposal’s

vehicular traffic on the highway network however not paying enough attention to pedestrian and cycling movements. Though the assessment indicates the pedestrian routes between the proposed site and Town Centre have been examined to ensure they are safe and accessible to pedestrians, no result of the examination exercise was included. It certainly did not include pedestrian or cycle audits or assessments made of the need for new and the standard of existing pedestrians and cycle links from the store to the Town Centre and residential areas.

The assessment indicates the existence of a pedestrian route on the western side off New Road to link the proposal to the residential areas and Sandy railway station to the north and from there along the High Street to the town centre or an additional route through residential streets such as Ivel View. The pedestrian facility at the front of the site is proposed to be widened.

In terms of cycling the assessment indicates the absence of National Cycle Network links along New Road and that the roads in the vicinity of the site lend them well to being conducive to cycling. No proposal for cycling improvement/enhancement have been included

Due to the lack on an audit of the pedestrian and cycling links, an assessment was carried out by the Council's pedestrian and cycling officer.

Public Transport Accessibility.

Negotiations for Public Transport provision took place which concluded the following contributions towards PT enhancement/provision were required:

- Contributions towards the diversion of services E2 and E3 for a period of 5 years.
- Contribution for the implementation of RTI and trackers within buses using services E2 and E3
- the provision of a DDA compliant shelter with RTI (This to be provided under Sect 278)
- Contribution to provide a system to enable tracking on simultaneous BRTPI systems using a single output from 1 ticket machine.

All the above with exception of bullet point 3 to be secured under a Sec 106 (Last item to be confirmed by the applicant)

Proposed Car Park: I confirm the car parking provision is in accordance with PPG 13 guidance and therefore satisfactory.

Proposed cycle infrastructure: The proposal includes the provision of covered cycle stands within the site adjacent to the building. 14 cycle parking spaces are provided for

customers which is satisfactory. In addition 20 cycle parking spaces for staff are provided which may be sufficient depending on the number of staff on the site at any one time. I am however satisfied that this provision will be monitored as part of the Travel Plan.

Proposed Public Transport Improvements: A new bus lay-by is to be provided which is satisfactory. A new bus turning area is also provided and shown on drawings No 0911-34 PL15 and SP18. The turning area as proposed is not satisfactory and needs to be amended in relation to its geometry and visibility provision. It is also required that it is of a size which accommodates the length of 11.0m long vehicles all of which to be dealt by condition/Section 278 Agreement.

A traffic Regulation order is required to be implemented in order to reduce occurrences parking in the turning area which be delivered through the Section 278 Agreement.

Proposed Vehicle Access: The proposed new access as indicated located within a 30mph speed limit. A speed survey was carried out to determine the actual speed of traffic on the road. The survey shows the 85 percentile speeds to be above 37mph therefore the application of visibility requirements as presented in Manual for Streets is incorrect. The standards of visibility to be applied are those included in the Design Manual for Roads and Bridges. The access is located within the 30mph speed limit and therefore “y” distance visibility of 90.0m needs to be provided.

With respect to the “x” distance visibility provision 2.4m is required.

Drawing No 0911-34 – PL17 shows the proposed access which is not satisfactory in respect of its geometry and visibility provision. In terms of its geometry the access should be perpendicular to New Road and its southern radius be reduced to 6.0m.

With regards to the visibility provision, discussions with the applicant’s took place as a result of which a speed reduction scheme was submitted for consideration and shown on drawing No PL25 layout 1-3.

I do believe enforcement of the 30mph speed limit from the end of the 50mph limit to the proposed speed activated sign will be difficult and will not be supported by the police. I would like the applicant to approach the police for a confirmation they will be happy to support the proposal.

I also question the need for the length of shared path from the bus stop to the store entrance, nevertheless all that area is included to be for the use of the public so it does not make any difference to what already have been proposed. Most importantly I question the effectiveness of

the carriageway markings as a speed reduction measure. However they are effective when speeds are within the speed limit and are provided to emphasize it. Therefore the most important issue is to ensure the reduction of speeds to 30mph. This issue to be dealt by a condition.

Service Yard Access.: Service yard access is shown on drawings 0911-34/PL16 and SP19 which are satisfactory.

Travel Plan

A Travel Plan Revision A was submitted in support of the proposal. It has now been approved and therefore its implementation needs to be secured

Forecast Traffic Flows: The included figures are satisfactory.

In conclusion I confirm that the traffic generated by the proposal can satisfactorily be accommodated on the local highway network

However, drawing No 6593_P101 rev D shows, planting on part of highway land which unless a licence is obtained for such purposes needs to remain free of all obstruction. For clarity I have produced drawing No CBC 001 which illustrates the extent of highway land at the site marked by a red broken line, the area of land subject to the planting licence coloured green and the area that needs to remain free of all obstruction and not subject to any planting licence hatched blue.

Highways Agency

No objection subject to conditions requiring a revised travel plan and a service management plan restricting delivery vehicles using the A1/New Road junction to a left in/left out manoeuvre.

Environment Agency
Archaeology

No objection subject to conditions

The evaluation report submitted clearly shows that although there has been considerable ground disturbance, substantial and well preserved archaeological remains have survived within the proposed development site. The remains are the first evidence that the town extends as far west as New Road/ Station Road and also provide the first modern evidence for the cemetery associated with the town, originally identified in the 19th Century. These are regionally important archaeological remains and heritage asset. The proposed development will have a negative and irreversible impact on the Iron Age and Roman archaeological remains that exist on the site and the significance of the heritage asset that they represent. This does not represent an over-riding constraint on the development provided that the applicant takes appropriate measures to record and advance understanding of the significance of the heritage asset. Therefore, no objection is raised to the application subject to a condition securing the implementation of a written

		scheme of archaeological investigation.
Disability Discrimination Officer		No comments with regard to disabled access
Rights of Way Officer		No objection in principle, have concerns about the safe public crossing of New Road along the Kingfisher Way Walk. Have outlined concerns to Highways.
Network Rail		No objection in principle however, it should be noted that all roads, paths or ways providing access to any part of the railway undertakers land shall be kept open at all times during and after the development
Walking and Cycling Officer		Concerns regarding the width of the footpath from the proposed store to the Town Centre. To make New Road conducive to cycling the speed limit would need to be reduced and measures introduced to ensure compliance. The proposal to provide a new bus lay-by and covered waiting facility is welcomed.
IDB		No objection

Determining Issues

The main considerations of the application are;

1. The Principle of Development
2. Retail Impact Assessment
3. Impact on the Character and Appearance of the surrounding area
4. Impact on the Residential Amenities of Nearby Neighbours
5. Highway Implications
6. Sustainable Transport
7. Landscaping
8. Contamination
9. Flood Risk and Drainage
10. Other Issues
11. Conclusion

Considerations

1. The Principle of Development

The application site is predominantly within the settlement envelope of Sandy with the bus turning facility and part of the proposed car park being just outside the settlement envelope and therefore classed as being within open countryside.

Sandy is identified in Policy CS1 of the Core Strategy and Development Management Policies for Central Bedfordshire (North) as being a Major Service Centre where additional employment land will be provided, together with small-scale housing development located as close to the town centre as possible. Policy DM4 of the same document also states that within the settlement envelopes of both Major and Minor Service Centres, the Council will approve housing, employment and other settlement related development commensurate with the scale of the settlement, taking account of its role as a local service

centre.

The site the subject of this application is currently a safeguarded employment site within the saved Local Plan Policy EMP1. It also forms part of a wider site allocated for Mixed Use development within the emerging Site Allocations DPD. This document has been through public examination and has been found sound, with adoption likely in April this year. It is therefore considered that it should be given significant weight in the determination of applications on sites promoted for allocation.

In terms of the current saved Local Plan Policy EMP1, the site is safeguarded for employment use, identified specifically as B1, B2 and B8. This application is for a retail development and would therefore be classified as A1. However, this is to be superseded by Policy E1 of the emerging site allocations DPD which refers to the site as a safeguarded key employment site within a mixed-use development.

Policy MA1 of the emerging site allocations document is referred to as Land West of Station Road/ New Road, Sandy. The allocation is for a mixed-use development comprising a minimum of 50 dwellings and an element of B1 employment development. In addition to the general policy requirements in the Core Strategy and Development Management Policies DPD, the policy states that development on the site will also be subject to the following requirements:

- Preparation of a Transport Assessment to help identify the impact of the development on the highway network. This assessment should specifically include the impact on the A1/ New Road all-movements priority junction and any improvements that may be required;
- Provision of flexible employment units to meet changing future requirements;
- Onsite provision of children's play space;
- Control of surface water drainage to ensure that there is no increase in run-off into surrounding water courses; and
- the provision of sufficient capacity at the wastewater treatment works to meet the needs of the development.

The site which forms that of the allocation is under two different ownerships and effectively split in two. The area to the north is being promoted for residential development and the Council are currently considering an application for residential development on the site for up to 36 dwellings. The area to the south is the subject of this application for retail development. Whilst, the emerging site allocations DPD states that the mixed-use development should provide an element of B1 employment development, there is no B1 provision made within either scheme before the Council. However, it has been argued within the application that the proposed retail development would provide approximately 180 FTE jobs for the area and that this would exceed the number of jobs that would be provided should a B1 development be proposed. In addition to this Policy CS10 of the Core Strategy and Development Management Policies DPD states that there will be a flexible approach to safeguarded sites which have been underperforming. It expands this further by stating that the Council will support the employment generating redevelopment of these sites allowing for appropriate non B1 to B8 uses that provide for additional job creation. More efficient use and redevelopment of these sites for employment will be supported and encouraged.

The assessment of the application site within the Council's Employment Land Review found the site to be one of seven employment sites that were potentially 'fit for purpose', but required improvements in order to become fully 'fit for purpose'. The recommendation of the Employment Land Review in relation to the application site, was that *'the Council should consider working with the landowners to bring about mixed use development in order to facilitate the redevelopment of the employment units'*. The application site has been altered from a safeguarded employment site within EMP1 to a mixed use allocation under Policy MA1 of the site allocations DPD. It is also acknowledged within the Site Allocations DPD that the Core Strategy identifies 77 hectares of employment land for B1-B8 uses. This includes a 50% over-allowance to enable a range of sites to be identified, providing choice in terms of size, type and location, thereby facilitating a broad range of economic development. The Employment Land Review also recognises the important role played by Non-B Class uses in the local economy and the need for the planning system to provide the necessary land to accommodate these important jobs.

The application is for a use which is identified in PPS4 as being a main town centre use. The application site is not within the identified town centre boundary and is approximately 0.6m from the edge of the town centre boundary; as such it is considered as being in an out of town location. PPS4: Planning for Sustainable Economic Growth sets out the process for assessing applications for main town centre uses that are not in a centre and not in accordance with an up to date Development Plan.

PPS4 sets out that applications for economic development (including retail) should be assessed against considerations including whether the proposal has been planned over the lifetime of the development to provide resilience to climate change, the accessibility of the proposal by a choice of means of transport, the effect on local traffic levels, whether the proposal secures a high quality and inclusive design, the impact on economic and physical regeneration in the area and the impact on local employment. The application is out of the town centre and therefore Policy EC14 states that a sequential assessment is required. Policy EC15 expands on how this sequential assessment should be considered by local planning authorities. It states that Local Planning Authorities should:

- ensure that sites are assessed for their availability, suitability and viability;
- ensure that all in-centre options have been thoroughly assessed before less central sites are considered;
- ensure that where it has been demonstrated that there are no town centre sites to accommodate a proposed development, preference is given to edge of centre locations which are well connected to the centre by means of easy pedestrian access;
- ensure that in considering sites in or on the edge of existing centres, developers and operators have demonstrated flexibility in terms of:
 - i) scale
 - ii) format
 - iii) car parking provision
 - iv) scope for disaggregating specific parts of a retail or leisure development.

In terms of the sequential assessment the key issue identified by the applicant has been the need to provide a foodstore which is of sufficient size to meet the

main food shopping needs of Sandy residents. The applicant has submitted a sequential assessment and the Council are satisfied that there are no other alternative sites that are closer to the town centre that could accommodate a retail development sufficient to meet the main food shopping needs of Sandy.

In conclusion, the site is considered to be an out of centre location and is currently a safeguarded employment site. Moreover, within the emerging Site Allocations DPD the site has been identified within Policy MA1 as providing a Mixed Use development with the neighbouring site to the north. The Policy states that the scheme should comprise a minimum of 50 dwellings and an element of B1 employment development. On this basis it is considered that the proposal is contrary to policy. However, significant weight should be given to the fact that the proposal involves the creation of 180 FTE jobs which would be in excess of that which an element of B1 development would create and this is a powerful justification for the proposal. In addition to this the sequential assessment in line with PPS4 has identified that there are no other alternative sites that could accommodate a retail development sufficient to meet the main food shopping needs of Sandy. Furthermore, given the information provided in terms of the Employment Land Review undertaken by the Council, it has been argued that the site is underperforming and that substantial improvements were required to the site to make it fully fit for purpose. In this instance, Policy CS10 supports a flexible approach to safeguarded employment sites that are underperforming and supports employment generating redevelopment of these sites allowing for appropriate non B1 to B8 uses that provide for additional job creation.

2. Retail Impact Assessment

A Retail Assessment was submitted with the application and addresses the retail impact issues in line with the guidance given in PPS4. The assessment considers the retail implications of the proposal under four main issues as identified in PPS4. These issues are: general impacts, sequential assessment, economic impact and appropriateness of the scale of the proposed development. Each of these four issues will therefore be considered in turn.

General Impacts

Policy EC10 of PPS4 emphasises that Local Planning Authorities should adopt a positive and constructive approach towards planning applications for economic development. Policy EC10.2 requires all planning applications for economic development be assessed against the following impact considerations:

- planned to limit carbon dioxide emissions, and minimise vulnerability and provide resilience to climate change - the application would provide a foodstore within Sandy reducing the need to travel outside the town for main food shopping thus reducing carbon emissions. The proposal represents one of the company's 'Eco Store' design formats which will significantly reduce CO2 emissions; measures included within the scheme are wind catchers on the roof to maximise natural ventilation, high level glazing including 'clerestory lights' to allow natural light to enter the store; wind lobby at the entrance to the store to reduce heat loss from the store, and skylights on the roof to allow for natural day light into the store. A travel plan has also been submitted to demonstrate how non-car modes would be promoted.
- Accessibility - the proposed scheme is within walking distance of the town

centre and nearby residential areas. It is also within close proximity to the railway station and an enhanced bus service is to be provided that will connect the store further with the town centre and aid link trips. There are also separate servicing arrangements. There are also a variety of car parking provision, cycle parking and disabled facilities proposed within the car parking scheme.

- Design - it is considered that the design of the store is appropriate.
- Economic and physical regeneration - The site has been vacant for a number of years, with the buildings in a poor state and not suited to modern employment uses. The site has been recently been cleared and therefore the proposed scheme would regenerate the site. It is also considered that the proposed development would retain main food shopping within the Sandy area and in turn this may bring positive impacts to the local economy and generate linked trips between the store and the existing town centre.
- Local employment - the proposal would generate approximately 180 FTE jobs for local people.

Sequential Assessment

A sequential assessment has been submitted within the Retail Assessment. The adopted Local Plan identifies one site which bridges the town centre boundary. This site, known as 'Land at Pleasant Place' was identified within the Mid Bedfordshire Local Plan First Review 2005 as a site for comprehensive redevelopment to incorporate a mix of uses (Policy TCS3). However, this site has mainly been developed for housing and there is a small area of 0.12 hectares to the rear of the site accessed through Faynes Court that remains undeveloped, however, this is too small to accommodate a retail development and is constrained as there is no road frontage and residential properties are within close proximity. Therefore, this is not considered to be a suitable alternative to the application site. There are no other allocated sites within the Town Centre.

The Town Centre car park was raised as a potential site, this is owned by Sandy Town Council and in the heart of the town centre. The site is however constrained by its ownership, its current use as a town centre car park, its limited size and close proximity to surrounding buildings. The applicant approached the Town Council in terms of whether the site would be available for development, however, the Town Council have stated that they have no intention of disposing of the land and would not want the site to be developed as it plays an important role in meeting the car parking needs for the town centre. The site is also smaller than the application site and would therefore restrict the size of store that could be provided. The site is also constrained by surrounding uses and the proximity to residential properties. It is therefore considered that this would not be an appropriate site for development and is not available for development. Overall, it is considered that there are no suitable sites within a town centre location.

In terms of edge of centre sites, there are no suitable sites that would be available for development. Sites at the southern end of Sunderland Road were raised as a possibility for development by the Council, however, these sites were

approximately 500m from the edge of the town centre boundary and are therefore considered to be out of centre locations within the definition in PPS4. A site at the southern end of Sunderland Road has been identified and a scheme was considered, however, due to the shape of the site, the scheme would be severely constrained. In addition to this, the land ownership of the site is complex and when approached by Tesco's many of the landowners/ tenants were unwilling to enter into discussions on the basis that they are satisfied with their location and unwilling to relocate.

A further site was identified during the Public Exhibition in October 2010, the former Mellor Beauty Site in Sunderland Road. This site has been allocated for residential development within the emerging Site Allocations DPD and is approximately 1.4km from the town centre. It is therefore not considered to be a suitable alternative to the proposed site sequentially.

Therefore, in terms of Policy EC15 the Council are satisfied with the sequential assessment undertaken. The assessment has taken account of all possible sites, their availability, suitability and viability. All in-centre locations have been thoroughly assessed and discounted due to the lack of availability and suitability. In addition to this any edge of centre sites have also been assessed and discounted due to their availability and suitability. The identified site is considered to be the most appropriate in terms of the sequential assessment undertaken, in terms of being available, its proximity to the centre and its suitability for the required development. The site is also accessible by a variety of modes of transport and is capable of delivering the required size of foodstore commensurate with the role and function of Sandy and the need of residents to undertake their main food shopping within the local area, therefore reducing the outflow of main food shopping expenditure.

Economic Impact

In support of the application, an impact assessment in line with Policy EC16 of PPS4 has been undertaken. An external review of the retail impact assessment was commissioned by the Council. The review and the Mid Bedfordshire District Council Retail Study undertaken in 2007 acknowledges that there is a substantial outflow of main food shopping expenditure from Sandy to areas such as Biggleswade, Bedford and St. Neots. The Mid Bedfordshire Retail Study 2007 states that *'there is a qualitative need for improved (convenience) provision as the choice and quality of current facilities is, by modern standards, poor, although the scale of that provision should be geared towards meeting locally-generating needs'*. This is estimated to be in the region of 85% trade leakage in convenience goods expenditure in 2010, with an overall leakage of 68% taking account of main food shopping and top-up shopping. It is therefore acknowledged that there is a need for a suitably sized food store within Sandy, to retain this expenditure within Sandy and reduce the need to travel out of the area for main food shopping.

Policy EC16 requires that proposals should be assessed against the following impacts on centres, impact on Town Centre Investment, impact on Town Centre vitality and viability, impact on allocated sites, impact on trade and turnover of Sandy Town Centre and scale. Each of these will be discussed in detail.

(a) Impact on Town Centre Investment

There is currently no planned investment into Sandy Town Centre; traffic calming measures have recently been completed within the town centre and the Town Council have informed the applicant that as far as they are aware there is no plans for further investment in to the Town Centre. It is therefore not considered that the proposed store would have a detrimental impact to any planned investment. Conversely, the retail assessment submitted with the application has emphasised that the retention of expenditure within the town and the potential for linked trips as a result of the proposed foodstore is likely to enhance the profile of Sandy to potential investment and have a positive impact on the town centre. The external review undertaken on the submitted assessment questions the benefits of linked trips, given the distance of the store from town centre. Additional information has been submitted by the agent in support of linked trips generation and an important summary within this information states *'the extent of linkage between a supermarket or superstore and shops and services in the town centre depends on a number of factors. They include the size and quality of the both the store and town centre, the distance between them and the quality of the route. It is not right to suggest the further a store is from the centre the less the number of linked trips there will be, and the less benefits to the centre. Put simply, linkage will be strongest if the town centre in question has a good range and depth of attractive shops that shoppers want to visit, the store compliments those facilities and the journey between the two is convenient, and preferably attractive with feelings of safety.'*

It is considered that the route from the proposed store is not particularly attractive but it does not pose significant constraints to movement, and the road is fairly direct and travelled by car relatively easy. In the exit poles submitted, the key findings show that approximately 60% of customers would visit the town centre as part of their current shopping trip. With the largest percentage of shoppers visiting the town centre for other non-food items and banks/ building societies. It is therefore considered that linked trips will assist in offsetting the direct impact of the proposed store upon the Budgens supermarket and the other shops in town.

(b) Impact on Town Centre Vitality and Viability

It has been acknowledged previously within this section that there is an identified need for a suitably sized foodstore within Sandy to reduce the current outflow of main food shopping expenditure out of Sandy to larger stores within Biggleswade and Bedford, and to meet the need of the residents of Sandy. It has been identified that in 2010, the current leakage of main food convenience goods expenditure was approximately 85%. Therefore the comparison and convenience stores within the town centre are currently trading in an environment where 85% of main food shopping expenditure is undertaken elsewhere.

The Land Use Survey submitted as part of the assessment emphasises that in October 2010 the town centre comprised 70 retail and commercial units, of which 6 were convenience shops, 14 comparison outlets and 14 other A1 units. There were 22 A2 to A5 units and 3 vacant units. The largest convenience outlet in the centre is a Budgens store with a net area of approximately 688 sqm, with the remaining convenience shops having a combined floor area of 511sqm. From the assessment submitted it is considered that the 6 convenience shops

trade would overlap the proposed foodstore and 5 of the comparison units goods range may overlap with that of Tesco. The impact on trade and turnover will be discussed in more detail in a subsequent section.

Given the leakage of convenience goods expenditure out of Sandy it is considered that the current convenience offer is not meeting the needs of the local people and that the proposed store would increase the convenience offer within Sandy and address the current outflow of main food shopping, thus reducing the number of car trips out of the area and therefore being a more sustainable option.

Furthermore, it is considered that with the retention of main food shopping within Sandy, there would be additional linked trips within the town centre that would have typically been undertaken in other towns when undertaking main food shopping for instance Biggleswade and Bedford. This would then increase trade in the town centre and arguably reduce some of the impact on the vitality and viability of the town centre as a whole.

As mentioned previously the external review that was undertaken on behalf of the Council has questioned the benefits of linked trips given the distance of the proposed store from the town centre. However, it has been acknowledged that through the retention of main food shopping trade within Sandy this would have the potential to retain shopping within the town centre that may normally have been undertaken in other centres along with the main food shopping.

The external review undertaken on behalf of the Council has stated that given the additional information provided and the poor attraction to shoppers currently offered by Sandy Town Centre that the maximum linkage which might be expected is 20%.

The review has acknowledged that there will be an impact on the convenience sector within the town centre and in particularly Budgens as the current main convenience offer, however, it is considered that the service sector would remain unchanged and in fact may benefit from increased trade. It is therefore arguably that one sector within the town centre may be affected by the proposed store, however, the applicant has argued that town centre as a whole given the number of service units may not be detrimentally affected in terms of vitality and viability given the emphasis within PPS4 on the town centre as a whole and not one particular sector.

(c) Impact on Allocated Sites

There are currently no allocated sites for retail development within Sandy and the emerging Site Allocations DPD does not allocate any other sites for retail development within or on the edge of Sandy town centre, or indeed within Sandy itself. It is therefore considered that the proposed development would not have any allocated retail sites.

(d) Impact on Trade and Turnover of Sandy Town Centre

The retail assessment provides an analysis of the trading implications of the proposed store, it is considered that the significant trading consequences of the proposal relate to the centre of Sandy and in particular the Budgens

supermarket.

The external review of the assessment highlights that the retail assessment submitted identifies that the trade diversion from Budgens is approximately £1.53mpa, this represents a trading impact of 26.4% of pre-foodstore turnover. The local convenience shops have been forecast to experience a £0.25mpa, this represents a trading impact of 8.4%. Concerns have been raised in the external review regarding the impact exercise and in particular the Budgens estimated turnover. GR Planning on behalf of Budgens have submitted an objection to the scheme and have advised that the actual turnover of the Budgens store is in the order of £4mpa rather than the estimated £5.38mpa used in the submitted retail impact assessment. GR Planning have emphasised that the trade of the store has dropped some 35% since 2004 as a result of the competition from the new stores/ extensions outside of Sandy. The external review expands on this to note that if the GR Planning actual turnover figure is used the trading impact would be 38.5%. The external review has also raised concern regarding the combined trade diversion from the remaining convenience shops, and that the 8.4% impact as forecast in the retail impact assessment significantly underplays the likely impact.

The retail impact assessment emphasises the potential of the proposed store in attracting back main food shopping trips to Sandy and with them the associated linked trips for other goods and services from which nearby shops would benefit. It is accepted that a new foodstore would have this potential, however, the external review has emphasised a number of important constraining factors:-

- all the existing convenience shops in Sandy Town Centre and a significant proportion of the comparison outlets have a trading overlap with the proposed foodstore
- in order to secure the benefits of linked trips it is essential that those using the proposed store would be prepared to travel approximately 0.6km into the town centre.

Whilst the proposed store is considered to be in an out of town location, the proposal does include a number of improvements to links with the town centre. It is proposed that in the form of a S106 contribution that the existing E2/E3 bus service be extended down to the proposed store and this would include real time information on board the bus and in the bus stop. There are also a number of improvements to footpaths being undertaken which will be secured by condition. Whilst the store is unable to provide unlimited parking due to its proximity to the station, it will provide extended parking of up to 3 hours. This is to allow sufficient time for any customers to visit the proposed store and the town centre. The external review acknowledges that linked trips will assist in offsetting the direct impact of the foodstore upon the Budgens supermarket and the other shops in the town. However, for reasons already discussed within the report, it is considered that the ameliorating affect would be modest and it could not be envisaged that the overall trading impact would fall below 30%.

It is therefore considered that the proposed store would have a severe trading impact on the Budgens Supermarket, however, PPS4 makes it clear that it is the impact on the Town Centre as a whole that must be considered. The service sector will continue to operate as existing and there is the potential for linked trips associated with the proposal to have a compensating influence.

The retail impact assessment submitted with the application emphasises that the town will remain vital and viable should the proposed food store be granted planning permission. It states that whilst the town centre's convenience stores may experience some trade diversion, in particular Budgens, these stores perform specialist roles and have successfully operated in a climate where there has been approximately 85% of main food shopping expenditure undertaken elsewhere. In addition to this the applicant has emphasised that Sandy is an important service centre for the local community with the majority of units/floorspace in the town centre accommodating service providers. Therefore, the town's primary role would remain unchanged. The external review has concluded that the proposed development would have a severe trading impact on Budgens Supermarket and may have a significant impact on the other convenience shops that overlap with the product range offered within the proposed store.

(e) Scale

It is considered that the proposed store is of sufficient size to meet the main food shopping needs of Sandy residents, whilst also being commensurate to the role and function of the town.

The proposed store would have a net retail area of 2,201sqm and has been designed to predominantly cater for the food shopping needs of the local residents, providing a sufficient choice and range of goods to enable them to undertake main food shopping within Sandy and reduce the number of car trips to other centres and therefore provide a more sustainable option in the current climate of climate change and sustainability.

The proposed store will predominantly sell convenience (grocery) goods, but with a limited and complimentary element of ancillary comparison goods. The retail impact assessment expands on this further in stating that 89% of the stores retail sales area will be used for convenience sales and 11% for comparison sales. The comparison sales is therefore considered to be ancillary to the main use of the store for convenience sales, with the comparison offer likely to take the form of a limited range of children's clothing, underwear, homewares, greeting cards, and a limited range of entertainment products. There will not be a pharmacy or restaurant/cafe within the store. The convenience and comparison sales areas can be limited and controlled by condition.

Linked Trips

The retail assessment submitted with the application continues to emphasise that the proposed development will retain main food shopping expenditure within Sandy and will bring with it linked trips that are currently undertaken elsewhere. The external review undertaken on behalf of the Council of the submitted assessment has questioned this emphasis and queried given the distance of the proposed store from the Town Centre, whether these linked trips would occur as predicted. It is acknowledged that the proposal would retain main food shopping within Sandy and would therefore stem the outflow of expenditure from Sandy. It would also be more sustainable in that it would cut the number of car trips associated with the current pattern of expenditure and would have the potential

to bring with it associated linked trips that are currently undertaken outside of the Sandy area.

3. Impact on the Character and Appearance of the surrounding area

The site is a brownfield site within the settlement envelope of Sandy, approximately 650 metres to the south-east of Sandy Town Centre. The former large scale commercial/ industrial buildings on the site have recently been demolished and the site cleared. The site's levels are currently uneven, with the highest point being in the north east corner and the lowest point in the south of the site.

The eastern boundary is defined by New Road, beyond which are a number of other large scale commercial/ industrial buildings and the railway line. To the south of the site is a drainage ditch, beyond which is open countryside. To the west of the site is also open countryside comprising an area of wetland/ open fields extending westwards to the village of Beeston and the A1 corridor.

To the north of the site is a former industrial site which has since been cleared and an application for residential development on this site is currently being considered by the Council. Further north/ west is a residential development. Sandy station is approximately 250 metres to the north east of the site.

The proposed scheme layout has been determined by a number of factors, including site constraints. One of the main constraints has been the need to locate the store building away from the nearest residential properties to reduce the impact in terms of visual, noise and light.

The proposed store is to be located on the site of the recently demolished large industrial building to the south of the site. The proposed store has an eaves height of 6.1 metres, the previous building that occupied the site had an eaves height of 5.5 metres. The site includes a large number of existing mature trees, especially on the southern boundary where the trees are estimated to be between 5 and 12 metres in height. There will be a slight pitch on the roof of the proposed store. There are four passive wind catchers on the roof which will be approximately 2.5 metres in height. The width of the proposed store will be 91 metres, with a maximum depth of 42.4 metres. The main store entrance will incorporate a wind lobby, which will measure 12 metres in width.

It is considered that given the context of the surrounding area, that the proposed store would not be any more visually prominent than the previously located store on the site. The proposal is located within a predominantly employment area, containing other large buildings and structures, it is therefore considered that a large single use building could be accommodated within this area.

The site accommodates a number of tall trees and shrubs, there is also a landscaping scheme to provide additional planting and landscaping along the southern and western boundaries to help screen and soften the appearance of the proposal from the open countryside.

Given the position of the building at the southern end of the site, and the change in levels, it is considered that the visual impact of the proposal would be reduced

from the north and New Road. The proposed development is therefore considered to be in scale with the surrounding area and an appropriate size for the site.

The proposed appearance of the scheme incorporates a significant number of sustainable design features and has been designed to reduce the store's carbon footprint.

The northern (front) elevation comprises a glass curtain wall, designed to allow an active frontage providing views into the retail activity. A canopy along the full length signifies the main entrance and walkway and provides solar protection to the glazed elements. This elevation also incorporates an entrance/ wind lobby as detailed previously, this consists of a combined timber/ glazing finish. The purpose of the wind lobby is to reduce heat loss from the store, it also assists in breaking up the main elevation of the store.

The western part of the northern elevation is covered by 'larch wood' timber cladding, sited on a plinth of Oyster coloured composite cladding. This is used to screen the internal storage area. Above the timber cladding is high level glazing to enhance natural light into the store.

The glazing on the northern elevation wraps round the building on to the eastern elevation fronting New Road, to provide some interest to this elevation and natural light into the store. The remaining aspects of this elevation are timber clad on a plinth of oyster coloured eurobond cladding. This elevation also incorporates high level clerestory lights to allow natural light and views of the wooden frame which forms the main structure of the store and supports the roof. The southern elevation will be predominantly screened from public views by the retained tree belt and a 3 metre high timber acoustic fence. This elevation would be covered in oyster coloured composite cladding.

It is considered that the design of the proposed store would be acceptable and the proposed materials will emphasise the active frontages and provide interest where appropriate. There are no particular vernacular architectural styles within the vicinity, it is therefore considered that it would be acceptable and provide a high quality design in accordance with Policy DM3 of the Core Strategy and Development Management Policies for Central Bedfordshire (North) and the supplementary guidance - Design in Central Bedfordshire: A guide for development.

The bus turning area proposed is outside of the settlement envelope and therefore classed as being within the open countryside. The turning area will be to the south of the existing tree belt and it is considered that given the nature of this development that it would not have a material impact on the character and appearance of the surrounding area.

Given the location of the proposal and the design of the store, it is considered that the proposal would regenerate an existing brownfield site and would have a positive impact on the character and appearance of the store, it is therefore considered to be in conformity with Policy DM3 of the Core Strategy and Development Management Policies for Central Bedfordshire (North).

4. Impact on the Residential Amenities of Nearby Neighbours

The site is predominantly within an employment area in Sandy, there are a number of existing residential properties within the vicinity of the site. To the south of the site there are a small number of residential properties within close proximity to the A1 and approximately 400 metres from the application site. It is not considered that there would be any material impact on these properties in terms of loss of light or visual impact, given the separation distance and the retained tree belt. In terms of noise, it is considered that the retained tree belt, acoustic fence and separation distance would all minimise any impact of noise from the service yard and the store itself. However, it is considered that there may be an increase in traffic along New Road using the junction of New Road with the A1 that may cause some noise disturbance to these properties, in particular an increase in deliveries approaching and leaving the site at this point.

Public Protection have raised no objection to the application on noise grounds subject to a number of conditions, one of which is a service management plan that would identify measures to control noise between the hours of 11pm and 7 am. It is not considered that given the location of the properties adjacent to a main road and in close proximity to the A1 that the potential increase in traffic levels would create additional noise sufficient to warrant refusal of planning permission.

To the north of the site the nearest existing residential properties are approximately 70 metres from the proposed store. The Council currently has an application in for outline consent for 36 dwellings on the site immediately north of the application site. The proposed application includes layout to be considered at the outline stage and from the information given the nearest proposed residential properties would be approximately 50 metres from the proposed store. Given the acoustic fence surrounding the service yard and existing/ proposed landscaping to the western and northern boundaries it is not considered that the proposed noise from the store and service yard would be significant enough at these nearest existing and proposed residential properties as to warrant the refusal of permission. It is also considered that given the design and location of the store at the southern end of the site that the proposed store would not have an impact on the residential amenities of these properties in terms of light, privacy or visual impact. However, the proposed car park servicing the store is in close proximity to the northern boundary of the site which adjoins the proposed residential scheme. Public Protection have raised concerns regarding the noise from the proposed car park and the proximity to the proposed residential scheme, however, they have recommended that this can be resolved should permission be granted for the residential scheme in terms of a condition requiring the proposed residential development to submit a scheme for attenuation of noise from the proposed car park, road and rail, as the noise protection measures that could be used would be best placed on the residential scheme to provide adequate protection.

It is therefore considered that the proposed development would not have a detrimental impact on the nearby residential properties and is in accordance with Policy DM3 of the Core Strategy and Development Management Policies for Central Bedfordshire (North).

5. Highway Implications

The proposed application is supported by a Transport Assessment, the assessment considered the compatibility of the proposed development in the context of the current national, regional and local government planning policy documents.

The assessment fully considers the effect of the proposal's vehicular traffic on the highway network. This has been assessed by the Council's Highway Officer and the Highways Agency.

In terms of the local highway network, the Council's Highway Officer has assessed the submitted information in terms of the capacity at nearby junctions in particular the St Neots Road/ Bedford Road/ Sunderland Road/ High Street roundabout and the High Street/ Potton Road/ Station Road mini-roundabout and the proposed site access/ New Road priority junction.

In terms of the High Street/ Sunderland Road/ Bedford Road roundabout modelling was undertaken in terms of the capacity of the roundabout and using the predicted flows with Tesco development traffic for 2016, it was determined that there would be no significant queues and even taking account of the proposed residential development adjacent to the proposed store there would be no significant queues and therefore the assessment is considered satisfactory.

In terms of the High Street/ Station Road mini roundabout the same modelling was undertaken and using the predicted flows with Tesco development for 2016, there is considered to be no significant queues in the AM peak, a queue of 6 vehicles in the PM peak and a queue with 4 vehicles on a Saturday. Whilst the proposed residential development adjacent to the proposed store has not been taken into account in the submitted Transport Assessment, it is not considered that the traffic generation from the scheme would significantly alter the results and therefore the assessment is considered satisfactory.

It is therefore considered that the traffic generated by the proposal can satisfactorily be accommodated on the local highway network.

The Highways Agency have assessed the application in terms of the impact on the A1 (trunk road) and are satisfied that the existing arrangements can accommodate the increased traffic generated by the proposal. They have requested a condition requiring a service management plan detailing the routing of delivery vehicles using the A1/ New Road junction, restricting all movements through the junction to a left in/ left out manoeuvre. The Council have expressed concern at this response, given the nature of the A1 and the ability to undertake a legal right in/ right out manoeuvre from this junction for all vehicles. However, the Highways Agency is a statutory consultee providing guidance to the Council on these matters and therefore we follow their advice. A service management plan will therefore be required as a condition on any grant of planning permission to deal with hours of delivery, delivery routing and control of noise between 11pm and 7am as requested by the Council's Environmental Health Officer.

There is an additional issue regarding the extent of the highway land at the site, the original proposal has been amended slightly to ensure that all development is on land which is within the ownership of the applicant. This has involved the layout of the access road being altered slightly and an area of the car park being

reconfigured. The amendment to the layout is considered to be acceptable and will provide a satisfactory amount of parking.

6. Sustainable Transport

The application site is in close proximity to the Sandy railway station and within walking distance of the town centre approximately 0.6 metres. PPG13 relating to Transport states that a key planning objective is to ensure that jobs, shopping, leisure facilities and services are accessible by public transport, walking, and cycling. This is important for all, but especially for those who do not have regular use of a car, and to promote social inclusion.

Walking

The application site has a significant residential catchment within the preferred walking distance of 1.6km to 2km which is the maximum distance included in PPG13. The pedestrian routes to the store are considered to be adequate and the section of pavement that runs alongside the application site will be widened to a shared footway/cycleway to improve the linkages to the town centre will be secured by condition. In addition to this pedestrian crossings will be provided at the junctions of Woolfield, Willow Rise and Ivel Road to improve the current pedestrian linkage with the town centre, this will also be secured by condition.

The pedestrian links are currently well lit and therefore considered to be secure. Therefore taking account of the current arrangements and the proposed improvements it is considered that the proposal would have good pedestrian access.

Cycling

Cycling is seen in PPG13 as an ideal mode of transport for journeys under 8km. Whilst the store is considered to be out of centre the proposal would still result in the entire population of Sandy being within 3km of the proposed store. The proposed store is therefore considered to be within easy cycling distance of a large population.

The Transport Assessment submitted with the application indicates that the existing cycle links with the proposed store are sufficient and proposes no improvement measures. However, the Council's Walking and Cycling Officer has commented on the application and emphasised that Station Road is trafficked by HGVs and whilst there is a speed limit of 30mph, this is frequently exceeded and is therefore not conducive to cycling. They have suggested that the speed limit of the road should be reduced to 20mph to make it more conducive to cycling. However, the Council's Highways Officer has stated that this is unlikely to be achievable without the introduction of heavily engineered measures which will be difficult to negotiate by heavy commercial traffic. It is therefore considered that measures for the reduction of speed to 30mph and ensure compliance with this speed limit is more appropriate. A scheme for this will be secured by condition. In addition to this the provision of an on carriageway cycle lane from Willow Rise to the High Street will be secured by condition.

The application includes secure and covered cycle stands in close proximity to

the store for both customers and staff. There are 14 cycle stands for customers and a further 6 for staff. The suitability of the provision will be monitored as part of the travel plan and can therefore be increased if required.

It is therefore considered with the proposed improvements that the proposed store would be accessible to cyclists.

Public Transport

The application site is approximately 250 metres from Sandy railway station which is well served by public transport in terms of the existing bus service within Sandy. The applicant has agreed to fund the extension of the existing bus service for services E2 and E3 from the station to the proposed store. This will be secured through the S106 legal agreement. In addition to this the proposal includes a bus turning area to the south of the store, and a DDA compliant bus shelter with Real Time Information, the provision of this will be secured by condition. Furthermore the provision of Real Time Information system within four buses and a system to enable tracking on simultaneous BRTPI systems using a single output from 1 ticket machine will be secured within the S106 legal agreement.

The proposed improvements to the existing bus services E2 and E3 will link the proposed store to the town centre and a number of outlying villages.

The railway station itself is within close proximity to the store and it is anticipated that a number of people using the railway station will then visit the proposed store before making their way home, therefore reducing the number of car trips out of Sandy on a weekly basis. In addition to this, whilst the applicant has demonstrated that many of the jobs created are to benefit local people within Sandy, there is also the prospect that some of the jobs may go to people from further afield. The proximity of the proposed store to the railway station is therefore a benefit of the site as employees could also use the train to travel to work as Sandy is on the Peterborough to London line and would link surrounding areas such as Arlesey, Biggleswade and Gamlingay which are also served by this line.

A further contribution has been secured to contribute towards improvements to the bus services to the Fallowfield area, within the north of Sandy.

Given the proposed improvements to the existing bus service and the proximity of the site to the railway station it is considered that the proposal offers a good level of accessibility by public transport and is therefore considered to be a sustainable location.

Overall, it is considered that the proposed store would retain main food shopping within Sandy and overall reduce the current high level of car trips out of Sandy to neighbouring centres for main food shopping. This would deliver a more sustainable pattern of development, by reducing the need to travel, especially by car and therefore responding to climate change, as set out in PPS4.

Furthermore, it is considered that the proposed development would conform with the objectives and principles of delivering sustainable development as set out in PPS1. It would meet the need for a main food shopping destination within Sandy

as identified within the Mid Bedfordshire Retail Study 2007, the Town Council and local residents and by retaining main food shopping within Sandy it would reduce the need to travel and would be accessible by all forms of sustainable transport.

7. Landscaping

A landscaping supporting statement has been submitted with the application, along with a landscaping masterplan and planting schedule. The landscaping masterplan and planting schedule has been revised following comments from the Council's Tree and Landscaping Officer.

The proposal retains the tree belt to the south of the site, which provides significant screening of views into the site from the south. This is to be maintained and reinforced at the south east corner. Additional landscaping is proposed along the western boundary with a mix of shrubs and proposed trees, to soften and screen the site from the open countryside to the west. Furthermore additional landscaping in the form of shrubs and trees is to take place on the northern and eastern boundaries. The landscaping on the northern boundary will assist in screening the site from the proposed residential development to the north and minimise the noise impact on the existing and proposed residential developments from the car park.

The landscaping to the eastern boundary will be fairly low level to maintain visibility splays, with occasional additional tree planting to soften the proposal from New Road.

The Tree and Landscaping Officer is satisfied with the proposed landscaping scheme, however a condition would need to be attached to any grant of planning permission requiring details of hard and soft landscaping and timing of planting.

8. Contamination

The site was previously an industrial use and therefore there is the potential for land contamination. PPS23, Planning and Pollution Control states that any consideration of the quality of land is capable of being a material planning consideration.

The Environment Agency have commented on the application and whilst they have raised no objection to the proposal they have requested a number of conditions are attached to any grant of planning permission to manage the potential for contamination.

The Council's Environmental Health Officer (EHO) has also requested a condition in relation to land contamination be attached to any grant of planning permission, however, this condition differs to the Environment Agency condition in so far that the Environment Agency is focussed predominantly on ground water protection, the EHO's conditions includes appropriate soil and gas sampling.

It is considered that any land contamination issues can be dealt with by condition and this has been agreed by the Council's Environmental Health Officer and the Environment Agency.

9. Flood Risk and Drainage

The majority of the application site is outside of the floodplain, although the southwest corner is considered to be within flood zone 2. In addition to this the site overlies a Principal aquifer (Woburn Sands). Groundwater contained in the aquifer is likely to provide base flow to the River Ivel located approximately 260 metres south of the site.

PPS25 (Planning and Flood Risk) requires that planning applications are supported by flood risk assessments where appropriate. A flood risk assessment (FRA) was submitted with the application and has been assessed by the Environment Agency. They are satisfied with the information and have recommended a number of conditions in relation to flood risk.

It is considered that the FRA is acceptable and is in conformity with the requirements set out in PPS25.

10. Other Issues

Biodiversity

The application site is not itself subject to any statutory or non-statutory nature conservation designation. The site is dominated by habitats considered to be of low or negligible ecological interest such as buildings and hard-standing. The habitats therefore provide limited opportunities for protected species, however, a low population of Common Lizard is present and an appropriate mitigation strategy will be implemented. In addition to this common birds may use the habitats at the site for nesting and therefore receive protection whilst nesting.

An ecological assessment was submitted in support of the application, this has been assessed by the Council's Ecologist and they are satisfied with the report and the recommendations made.

Archaeology

The application site lies within the area of a cemetery belonging to the Roman town of Sandy. This is an archaeologically sensitive area and a regionally identified heritage asset. It is in the area formerly known as Tower Hill. A 19th Century gravel working at Tower Hill produced evidence for an extensive Roman cemetery containing both cremation and inhumation burials. This suggests that it was in use throughout the Roman period. It is located immediately west of the core of the Roman town of Sandy. Although 19th century gravel extraction and the previous industrial use of the site will have caused some truncation of archaeological deposits, recent geotechnical investigations at the site indicate that archaeological deposits are likely to have survived at the site.

The proposed development will have an impact on archaeological remains and on the significance of the heritage asset they represent. Under the terms of PPS 5 *Planning for the Historic Environment* the planning application must be accompanied by a description of the significance of the heritage asset (Policy HE6.1) and an assessment of the impact of the proposed development on that significance (Policy HE6.2).

An archaeological evaluation report has been submitted in support of the

application. The report submitted clearly shows that although there has been considerable ground disturbance, substantial and well preserved archaeological remains have survived within the proposed development site. The remains are the first evidence that the town extends as far west as New Road/ Station Road and also provide the first modern evidence for the cemetery associated with the town, originally identified in the 19th Century. The proposed development will have a negative and irreversible impact on the Iron Age and Roman archaeological remains that exist on the site and the significance of the heritage asset that they represent. However, this does not represent an over-riding constraint on the development provided that the applicant takes appropriate measures to record and advance understanding of the significance of the heritage asset. The Council's Archaeologist is satisfied with the evaluation report submitted and has requested a condition be imposed on any grant of planning securing the implementation of a written scheme of archaeological investigation prior to any commencement of development on site.

S106 Legal Agreement

In accordance with the Policy CS2 of the Core Strategy and Development Management Policies for Central Bedfordshire (North) and the Adopted Planning Obligations Strategy a legal agreement securing the following contributions will be required:

- Diversion of E2/E3 bus service
- Real Time Information trackers on 4 buses
- Contribution to provide a system to enable tracking on simultaneous BRTPI systems using a single output from 1 ticket machine
- Public Art
- An additional contribute towards additional bus services to/ from Fallowfield (in the north of Sandy).

The legal agreement is in the process of being drafted and signed by all parties. An update on this will be provided to the committee by the late sheet.

11. Conclusion

The application site is in an out of centre location, on land which is currently allocated as safeguarded employment land. In addition to this it is allocated for mixed use development within the emerging Site Allocations DPD. The principle of development is therefore unacceptable and would be contrary to policy. However, the proposal does estimate to provide 180 FTE jobs which would exceed the number of jobs that an element of B1 use would provide on the site, and in terms of PPS4, the emphasis is on the creation of jobs and not the specific use class of those jobs. This is a powerful justification for the proposal and should be given significant weight in determining the application. In addition to this the proposed development has the potential to be implemented swiftly should consent be granted and the proposed jobs available in a significantly shorter timescale than any B1 development. Given that B1 development is predominantly speculative and often built and then offered for lease.

As mentioned in some detail in section two of the report the site is considered to be in an out of centre location, approximately 0.6m from the town centre

boundary. It is acknowledged that there will be an impact on the town centre and in particular the convenience sector, however, it is considered that the service sector would continue to operate as existing and may indeed benefit from linked trips associated with the proposed store. In addition to this and of upmost importance is that the proposed foodstore would retain main food shopping within Sandy and therefore stem the current convenience food shopping leakage of 85% from Sandy to the surrounding areas of Biggleswade, Bedford and St. Neots. This would in turn reduce the high level of car trips that are undertaken for main food shopping and provide a more sustainable option. The proposed development would therefore conform to requirements set out in PPS1 in terms of delivering a more sustainable pattern of development, by reducing the need to travel, especially by car and respond to climate change. Furthermore, the proposed store would meet the needs and expectations of the residents of Sandy and surrounding areas in terms of being able to undertake main food shopping within the town and offer a greater choice.

It is therefore considered that whilst the proposal may be contrary to Local Policy in terms of land designation, and may have an impact on the convenience sector of the town centre in determining the application it is necessary to weigh up all the material considerations and as such form a professional view and recommendation on the application.

In light of all the considerations discussed within the foregoing appraisal, it is considered that there is a need for a main food shopping destination within Sandy to meet the needs of the local residents and stem the current outflow of convenience expenditure. In achieving this there will be a considerable reduction in the high level of car trips that are currently made in order to undertake main food shopping in other centres. The proposed store will provide a more sustainable option and will meet the requirements set out in PPS1 in terms of reducing the need to travel, especially by car and therefore reduce CO2 emissions and in turn respond to climate change. In addition to this it will provide approximately 180 FTE jobs, which would result in significant job creation within the area.

It is important to note that should the Council be minded to approve this application as set out in the recommendation, the Government Office for the East region has requested that the application be referred to themselves, to establish whether they wish to call-in the application for determination by the Secretary of State.

Recommendation

That Planning Permission be granted subject 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 Details of materials to be used for the external finishes of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance therewith.

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match/complement the existing building(s) and the visual amenities of the locality.

- 3 The area of highway land illustrated hatched blue on drawing No CBC 001 shall in perpetuity be kept free of all obstruction.

Reason: In the interest of highway safety and for the avoidance of doubt.

- 4 **Development shall not begin until details of the junction of the proposed vehicular access with the highway showing the junction perpendicular to New Road at its point of entrance incorporating a length of straight 8.0m long on the approach of the junction and a kerb radius of 6.0m on both sides of the access have been submitted and approved 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.

- 5 Before the development is brought into use visibility splays at the access to the store shall be provided as shown on drawing No PL17 Rev B. The required vision splays shall in perpetuity be kept free of any obstruction.

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.

- 6 Visibility splays shall be provided at the junction of the access to the service yard with the public highway before the development is brought into use. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 90m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall, on land in the applicant's control, be kept free of any obstruction.

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

- 7 Visibility splays shall be provided at the junction of the bus turning area exit with New Road before the development is brought into use. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 150.0m measured from the centre line of the

proposed exit along the line of the channel of the public highway towards the southern direction and 90.0 towards the northern direction. The required vision splays shall in perpetuity, be kept free of any obstruction.

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.

- 8 **Before development commences details of the bus turning area exit showing the exit to be perpendicular to New Road shall be submitted to and approved by the Local Planning Authority and the approved details shall be implemented before the development is brought into use.**

Reason: In order for drivers exiting the facility to be able to properly see traffic approaching from both directions in the interest of highway safety.

- 9 **Before development commences details of a speed reduction scheme including provision for an on carriageway cycle lane from Willow Rise junction to the High Street shall be submitted to and approved by the Local Planning Authority and the approved scheme shall be implemented in full before the Store is first open.**

Reason: In the interest of highway safety.

- 10 **Before development commences details of:**
- **A shared footway/cycleway along the west side of Station Road/New Road from its junction with Willow Rise to the store via the north east corner of the site or along the whole frontage of the site.**
 - **Resurfacing of the footway on the west side of Station Road from the Willow Rise junction to its junction with the one on the High Street**
 - **Pedestrian courtesy crossings of Woolfield, Willow Rise, and Ivel Road**
 - **On-carriageway cycle symbols on the approach to the Station Road roundabout and on Station Road itself;**
 - **Cycle crossing at Station Road near to the junction with Woolfield;**
 - **Improvements to signage of the local cycle network**

Shall be submitted to and approved by the Local Planning Authority and the approved details shall be implemented before the development is first brought into use.

Reason: In the interest of highway safety, pedestrians and cyclist movement.

- 11 **Development shall not be occupied until the bus lay-by shown on drawing No SP20 including the provision of an RTI shelter be fully implemented.**

Reason: In the interest of highway safety.

- 12 **The maximum gradient of the vehicular accesses shall be 7% (1 in 14).**

Reason: In the interests of the safety of persons using the access and users of the highway.

- 13 Before the new accesses are first brought into use, any existing access within the frontage of the land to be developed, not incorporated in the accesses hereby approved shall be closed in a manner to the Local Planning Authority's written approval.

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

- 14 Before the premises are occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

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

- 15 **No development shall commence until a wheel cleaning facility has been provided at all site exits in accordance with a scheme to be submitted to and approved 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.

- 16 **Before development begins, a scheme for the parking of cycles for staff use shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.**

Reason: To ensure the provision of adequate cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport.

- 17 **Development shall not commence until a scheme detailing provision for on site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.**

Reason: To ensure adequate off street parking during construction in the interests of road safety

- 18 The Travel Plan Revision A shall be implemented as approved on January 2011

Reason: In order to ensure that car travel to the development is reduced in the interest of highway safety and to encourage the use of sustainable modes of transport.

- 19 **Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.**

The scheme shall also include:

- **Full details of the proposed drainage system including pipe/swale sizes, locations, dimensions and gradients; attenuation storage facilities; manhole/inspection chambers; and flow control device(s);**
- **Details of all appropriate pollution prevention measures;**
- **Full calculations of the expected surface water runoff rates for the 1, 30, and 100-year storm event post-development;**
- **Full calculations demonstrating the attenuation storage requirements based on a discharge rate restricted to no greater than 12.1 litres per second for the entire site;**
- **Details of any allowances made for future climate change in the above issues;**
- **Details of maintenance/adoption of the system in its entirety.**

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and ensure future maintenance of these.

- 20 **Development shall not begin until a full assessment of the requirements for floodplain compensatory storage for the site, including the proposed highway extension and bus-turning facility associated with the site, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.**

The scheme must include:

- **Detailed plans, topographical surveys and cross-sections of the areas affected showing the extent of the modelled 100-year flood extent, agreed as being 24.03m above Ordnance Datum (AOD);**
- **Details of the existing and proposed areas affected, detailing where compensation will be gained;**
- **Full calculations demonstrating the storage volume gained, using bands of 200mm thickness, and demonstrating that compensation is being provided on a level-for-level basis;**
- **A detailed methodology stating the time and manner in which the works will be carried out, and demonstrating that all compensatory works will be carried out prior to any encroachment on to the floodplain.**

Reason: To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.

21 **Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:**

1) A preliminary risk assessment which has identified:

- all previous uses**
- potential contaminants associated with those uses**
- a conceptual model of the site indicating sources, pathways and receptors**
- potentially unacceptable risks arising from contamination at the site.**

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To protect the quality of controlled waters in accordance with Groundwater Protection, Policy and Practice (GP3) P9-6 and Planning Policy Statement 23 (PPS23).

22 **Prior to commencement of development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.**

Reason: To protect the quality of controlled waters in accordance with Groundwater Protection, Policy and Practice (GP3) P9-6 and Planning Policy Statement 23 (PPS23).

- 23 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: To protect the quality of controlled waters in accordance with Groundwater Protection, Policy and Practice (GP3) P9-6 and Planning Policy Statement 23 (PPS23). The nature of soil and groundwater contamination is such that even where comprehensive site investigation is undertaken, some unsuspected contamination may exist between sample locations. This condition allows a reactive mechanism for the control of the way in which such contamination is treated, should it be discovered.

- 24 No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reasons: To protect the quality of controlled waters in accordance with Groundwater Protection, Policy and Practice (GP3) P9-6 and P4-1 to P4-12 and Planning Policy Statement (PPS23). The infiltration of surface water through land affected by contamination can result in the pollution of controlled waters. We encourage the use of Sustainable Drainage Systems, however they must be carefully considered and controlled.

- 25 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect the quality of controlled waters in accordance with Groundwater Protection Policy and Practice (GP3) P10-3 and Planning Policy Statement (PPS23). Piling through contaminated ground can result in the pollution of controlled waters. Foundation options should be carefully considered and controlled.

- 26 **Prior to the development hereby approved commencing on site details of the final ground and slab levels of the building hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties, the location of which shall first be agreed in writing with the Local Planning Authority. Thereafter the site shall be developed in full accordance with the approved details.**

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

27 Before development commences a service management plan shall be submitted to, and approved by Local Planning Authority. Such a management plan shall include:

- **routing of delivery vehicles using the A1/New Road junction restricting all movements through the junction to a left in/left out manoeuvre**

Reason: To ensure that the A1 trunk road continues its purpose as part of the national system of routes for through traffic in accordance with Section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

28 Noise resulting from all fixed plant, machinery and equipment shall not exceed a level of 5dBA below existing background level (or 10dBA below if there is a tonal or distinctive quality) when measured calculated according to BS 4142:1997, at a point 1 metre external to the nearest noise sensitive premises.

Reason: To safeguard the amenities of the nearest residential properties.

29 No development shall commence until a delivery management plan has been submitted to, and approved in writing by the Local Planning Authority. Such a management plan shall identify measure to control noise between the hours of 11pm and 7am and include that no vehicle reversing alarms or other audible warning will be used. Delivery management shall be implemented in accordance with the approved plan at all times.

Reason: To protect the amenities of residential properties within the vicinity of the site.

30 No development shall take place until the applicant or developer has secured the implementation of a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority. The said development shall only be implemented in accordance with the scheme thereby approved.

Reason: To record and advance understanding of the significance of the heritage asset in accordance with Policy HE12 of PPS 5

31 Details of a scheme of environmental mitigation shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development and the development shall be carried out in accordance with the approved scheme.

Reason: To enable proper consideration of the impact of the development on the contribution of nature conservation interests to the amenity of the area.

32 Full details of both hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:-

- proposed finished levels or contours;
- materials to be used for any hard surfacing;
- minor structures (e.g. furniture, play equipment, signs, etc);
- proposed and existing functional services above and below ground level;
- planting plans, including schedule of size, species, positions, density and times of planting;
- cultivation details including operations required to establish new planting;
- details of existing trees and hedgerows on the site, indicating those to be retained and the method of their protection during development works.

The development shall be carried out in accordance with the approved details.

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.

33 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development whichever is the sooner; and any trees or plants which within a period of 5 years of completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority give written consent to any variation.

Reason: In the interests of the visual amenities of the site and the area generally.

34 The development shall be carried out in accordance with details of any external lighting to be installed on the site, including the design of the lighting unit, any supporting structure and the extent of the area to be illuminated, which shall have been previously submitted to and approved in writing by the Local Planning Authority.

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

35 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 6593_P101 Rev D; 6593_P102 Rev B; 6593_P103 Rev B; 6593_P104 Rev B; 6593_P106 Rev A; PL17 Rev B; 4839/ASP3 Rev F; 4839/ASP5 Rev E (1 of 2); 4839/ASP5 Rev E (2 of 2); PSK_004.

Reason: For the avoidance of doubt.

Reasons for Granting

The proposed development would meet the needs of the local residents within Sandy and would stem the significant outflow of convenience food shopping expenditure currently experienced within Sandy. Furthermore, it would provide a more sustainable option by reducing the high level of car trips for main food shopping currently being undertaken to other centres, thereby reducing CO2 emissions and responding to climate change. In terms of the sequential assessment there is no other suitable site nearer to the town centre.

The proposal would be accessible by all modes of transport and would not have a detrimental impact on the residential amenities of existing and proposed dwellings within the area, nor would it have a material impact on the character and appearance of the surrounding area.

The additional traffic generated by the proposal can be satisfactorily accommodated within the local highway network.

The proposal is therefore in conformity with National Planning Guidance PPS1, PPS4, PPS5, PPG13, PPS23, and PPS25. It is further in conformity with Policies CS1, CS2, CS4, CS9, CS13, CS14, CS15, CS18, DM2, DM4, DM9, DM13, and DM15 of the Core Strategy and Development Management Policies for Central Bedfordshire (North) and Supplementary Planning Guidance: Design in Central Bedfordshire - A guide for Development and Planning Obligations Strategy.

Notes to Applicant

1. Informative relating to conditions 21, 22 and 23

We recommend that developers should:

1) Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.

2) Refer to our Guiding Principles for Land Contamination Reports for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, e.g. human health.

3) Refer to our website at www.environment-agency.gov.uk for more information

2. Informative relating to condition 24

In accordance with our Groundwater Protection, Policy and Policy (GP3) document, we offer the following information on the design and location of sustainable drainage systems:

Direct discharges into groundwater of surface water run-off are not acceptable.

All infiltration structures (permeable pavements, infiltration trenches, soakaways, etc.) should be constructed to as shallow a depth as possible to

simulate natural infiltration.

The base of infiltration structures should be at least 1.2 metres above the highest seasonal groundwater-table as direct discharges to groundwater are unacceptable.

No infiltration structures should be constructed in contaminated land.

Prior to being discharged into any surface water sewer or soakaway system, all surface water drainage from parking areas and hard standings susceptible to oil contamination should be passed through an oil separator designed and constructed to have a capacity and details compatible with the site being drained. Roof water should not pass through the interceptor.

Only clean, uncontaminated water should be discharged to any soakaway/ infiltration structure.

Deep bore and other deep soakaway systems are not considered by the Environment Agency to be appropriate in areas where groundwater constitutes a significant resource (i.e. where aquifer yield may support or already supports abstraction).

Drainage systems should be constructed in line with guidance provided in CIRIA C697 as well as referring to the details given in C609 referred to above. C522 replacement (prior to publication, 2006, refer to CIRIA Report 609)

3. Informative in relation to condition 25

In accordance with Policy 10-3 of our Groundwater Protection, Policy and Practice (GP3) document we recommend that piling on contaminated sites underlain by aquifers is avoided where possible, and that non-invasive methods, such as rafts, should be used instead. Where there is no alternative to piling, a method should be selected that minimises the risks of groundwater pollution or gas migration. Mitigation measures and/or environmental monitoring may need to be incorporated into the design. The method selected should be presented in a " Foundation Works Risk Assessment Report" which should be submitted to and approved by the Local Planning Authority before development commences.

4. The applicant is advised that no works associated with the construction of the vehicular accesses should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Central Bedfordshire Council's, Technology House, 239 Ampthill Road, Bedford, MK42 9BD. 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 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.

5. The applicant is advised that, under the provisions of the Highway Act 1980, no part of the structure, including cellars, foundations and surface water hardware shall be erected or installed in, under or overhanging the public highway. The Highway Authority has the power under Section 143 of the Highways Act 1980, to remove any structure erected on a highway.
6. The applicant is advised that as a result of the development, new highway street lighting will be required and the applicant must contact the Highways Development Control group, Development Management Division, Central Bedfordshire Council, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford Bedfordshire SG17 5TQ, for details of the works involved, the cost of which shall be borne by the developer. No development shall commence until the works have been approved in writing and the applicant has entered into a separate legal agreement covering this point with the Highway Authority.
7. The applicant is advised that in order to comply with Conditions 8, 9, 10 and 11 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. Further details can be obtained from the Highways Development Control Group, Development Management Division, , Central Bedfordshire Council, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford Bedfordshire SG17 5TQ.
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 Traffic Management group Highways and Transportation Division, Central Bedfordshire Council, Technology House, 239 Ampthill Road, Bedford, MK42 9BD.
9. The applicant is advised that the closure of existing access(es) shall include the reinstatement of the highway to include any footway, verge and kerbing in a manner to be agreed in writing with Central Bedfordshire Council's, Highways Help Desk P.O.Box 1395, Bedford, MK425AN. No work shall be carried out within the confines of the public highway without prior consent. The applicant will also be expected to bear all costs involved in closing the access.
10. The applicant is advised that planting on the land coloured green on Drawing No CBC 001 requires a plating licence. Further details can be obtained from the Highways Help Desk Central Bedfordshire Council, Technology House, 239 Ampthill Road, Bedford, MK42 9BD.

DECISION

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