

**Item No. 14****SCHEDULE B**

<b>APPLICATION NUMBER</b>	<b>CB/10/04078/FULL</b>
<b>LOCATION</b>	<b>Former R K B Precision Products Ltd, New Road, Sandy, SG19 1NY</b>
<b>PROPOSAL</b>	<b>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.</b>
<b>PARISH</b>	<b>Sandy</b>
<b>WARD</b>	<b>Sandy</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Nigel Aldis &amp; Cllr Peter Blaine</b>
<b>CASE OFFICER</b>	<b>Lisa Newlands</b>
<b>DATE REGISTERED</b>	<b>05 November 2010</b>
<b>EXPIRY DATE</b>	<b>04 February 2011</b>
<b>APPLICANT</b>	<b>Tesco Stores Ltd</b>
<b>AGENT</b>	<b>Contour Planning Services</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Departure from Local Plan Policy Councillor Aldis has also requested determination by Committee due to enormous public interest.</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Granted</b>

**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](http://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 Amphill 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.

[Notes:-

1. In advance of the consideration of the application the Committee received representations made under the public participation scheme.
2. In advance of the consideration of the application, the Committee were advised of amendments to the text contained within the report as set out in the late sheet appended to these Minutes.]