

Item No. 13**SCHEDULE B**

APPLICATION NUMBER	CB/11/01470/REN
LOCATION	The Bakery, The Square, Aspley Heath, Milton Keynes, MK17 8SY
PROPOSAL	Extension of Time: Application No. MB/08/00263/Full dated 21/04/2008. Full: Extension to the existing bakery, 2 No. self contained 1 bed flats.
PARISH	Aspley Heath
WARD	Aspley & Woburn
WARD COUNCILLORS	Cllr Wells
CASE OFFICER	Sarah Fortune
DATE REGISTERED	19 April 2011
EXPIRY DATE	14 June 2011
APPLICANT	Bushy Croft Developments
AGENT	PPS Ltd
REASON FOR COMMITTEE TO DETERMINE	Councillor Budge Wells has requested -in view of comments raised by the Parish Council.
RECOMMENDED DECISION	Full Application - Granted

Recommendation

It is recommended that planning permission be renewed subject to the following conditions:

- 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 A scheme shall be submitted for written approval by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. These details shall include the siting, design,

height and material finish of the front boundary dwarf wall as well as details of the boundary treatment to the bin storage area. The boundary treatment shall be completed in accordance with the approved scheme before the buildings are occupied

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

- 4 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:-

- materials to be used for any hard surfacing;
- 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.

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- The scheme approved in Condition 4 shall be carried out by a date which shall be not later than the end of the full planting season immediately following the completion of the development.

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

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

- 6 **Details of the method of disposal of foul and surface water drainage shall be submitted to and agreed in writing by the Local Planning Authority including any land drainage system, before the development is commenced. Thereafter no part of the development shall be brought into use until the approved drainage scheme has been implemented.**

Reason: To ensure that adequate foul and surface water drainage is provided and that existing and future land drainage needs are protected.

- 7 Notwithstanding any provision of the Town and Country Planning (General Permitted Development Order) 1995 (or any Order revoking or re-enacting that Order with or without modification) no further window or other opening

shall be formed on any elevation of either building at first floor level.

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

- 8 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 of 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 highways and of the premises.

- 9 Before the block of two flats development is first brought into use the turning space for vehicles shall be constructed in accordance with the details illustrated on the approved plan (no. 063559/2).

Reason: To enable vehicles to draw off, park and turn outside of the highways limits thereby avoiding the reversing of vehicles onto the highways.

- 10 **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.

- 11 **Prior to commencement of development the applicant shall submit details in writing for approval of the local planning authority a scheme of noise attenuation measures which will ensure that the internal noise levels from any external noise sources shall not exceed 35 dB L Aeq, 07:00 - 23:00 in any habitable room or 30dB L Aeq, 23:00 - 07.00 and 45 dB L max 23:00 - 07:00 inside any bedroom, and that external noise levels shall not exceed 55 dBL Aeq, 07:00 - 23:00 in outdoor amenity areas. Any works which form part of the scheme approved shall be completed before any permitted dwelling is occupied, unless an alternative period is approved writing by the Local Planning Authority.**

Reason: In order to provide acceptable noise improvement and level of amenity for future occupants of the development.

- 12 Equipment shall be installed to effectively suppress and disperse fumes and/or odours produced by cooking and food preparation and the equipment shall be effectively operated for so long as the commercial food use continues. Details of all odour abatement equipment shall be submitted to an approved in writing by the Local Planning Authority and the equipment shall be installed and in full working order to the satisfaction of the Local Planning Authority prior to the occupation of any dwelling hereby permitted.

Reason: In order to ensure that whilst the Council has no positive evidence to suggest that the site is contaminated, it is the developer's responsibility to ensure that final ground conditions are fit for the end use of the site.

- 13 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 063559/1 and Drawing 2

Reason: For the avoidance of doubt.

Reasons for Granting

There are no objections to the principle of this renewal since there has been very little change in circumstances around the site since the previous approval and no objections have been received from the neighbours. The car park and access arrangements are acceptable. The application complies with policies DM3, DM13 and CS15 in the Core Strategy and Development Management Policy Document dated November 2009 as well as PPG2, PPS3 and PPS5.

Notes to Applicant

1. Contaminated land

The applicant is advised that whilst the Council had no positive evidence to suggest that the site is contaminated, it is the developers responsibility to ensure that final ground conditions are fit for the end use of the site.

2. 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 Transport Division, Central Bedfordshire Council, P.O. Box 1395, Bedford, MK42 5AN.

3. The applicant is advised that photographs of the existing highway that is to be used for access and delivery of materials will be required by the Local Highway Authority. Any subsequent damage to the public highway resulting from the works as shown by the photographs, including damage caused by delivery vehicles to the works, will be made good to the satisfaction of the Local Highway Authority and at the expense of the applicant. Attention is drawn to Section 59 of the Highways Act 1980 in this respect.

4. The applicant is advised to take note of the Environment Agency letter dated 27/05/2011.

Note

The committee received representations made under the Public Participation scheme.

