

Item No. 7

SCHEDULE B

APPLICATION NUMBER	CB/11/01546/FULL
LOCATION	Market Garden Nurseries, 64 High Road, Beeston, Sandy, SG19 1PB
PROPOSAL	Change of use from nursery/horticultural site to commercial timber yard (Sui Generis)
PARISH	Sandy
WARD	Northill
WARD COUNCILLORS	Cllr N Aldis, Cllr C Maudlin & Cllr N Sheppard
CASE OFFICER	Clare Golden
DATE REGISTERED	21 April 2011
EXPIRY DATE	16 June 2011
APPLICANT	Bartram Properties Ltd
AGENT	Chartered Building Surveyor
REASON FOR COMMITTEE TO DETERMINE	Cllr Aldis called to Committee on grounds of industrial use out of keeping with the rural nature of the area, inadequate access and loss of amenity to neighbours
RECOMMENDED DECISION	Full Application - Granted

RECOMMENDATION

Grant Planning Permission for the application set out above 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 **Before development commences an advanced signing scheme which clearly indicates entry and access of vehicles to and from the site shall be submitted to and approved by the Local Planning authority and the approved details shall be implemented before the site is first brought into use as approved.**

Reason: In the interest of highway safety and for the avoidance of doubt in accordance with Policy DM3 of the Adopted Core Strategy Development Management Policies.

- 3 Noise resulting from the use of any plant, machinery or equipment shall not exceed a level of 5dBA below the existing background level (or 10dBA if there is a tonal/distinctive quality) when measured or calculated according to BS4142:1997, at a point one metre external to the nearest noise sensitive building.

Reason: To preserve the residential amenity of neighbouring properties in accordance with Policy DM3 of the Adopted Core Strategy Development Management Policies and guidance in PPG24: Planning and Noise (1994).

- 4 There shall be no machinery used at the site, goods moved within the site or deliveries received or dispatched outside the hours of 0730 hours and 1800 hours Monday to Friday and at no time on Saturdays, Sundays, Bank or Public Holidays, without the prior agreement in writing of the Local Planning Authority.

Reason: To preserve the residential amenity of neighbouring properties in accordance with Policy DM3 of the Adopted Core Strategy Development Management Policies.

- 5 No goods, waste or other materials shall be stored, stacked or deposited outside the building(s) to a height exceeding 4metres, unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy DM3 of the Adopted Core Strategy Development Management Policies.

- 6 **No development pursuant to planning application number CB/11/01546/FULL shall commence unless and until the developer has submitted to and approved in writing by the local planning authority in consultation with the Highways Agency, the following design details relating to the required improvements to the access off the A1. The scheme shall generally conform to the arrangements shown in outline on RPS drawing: Job No: JKK6849 - Drg No: 100 - Rev B attached hereto.**

Scheme details shall include drawings and documents showing:

- i) how the improvement interfaces with the existing highway alignment and carriage way markings including lane destinations,**
- ii) full construction details relating to the highway improvement. This should include any modification to existing structures or proposed structures, with supporting analysis,**
- iii) full signing and lighting details where applicable,**
- iv) confirmation of full compliance with Departmental Standards (DMRB) and Policies (or approved relaxations/departures from standards),**
- v) an independent stage 2 Road Safety Audit (taking account of any stage 1 Road Safety Audit recommendations) carried out in accordance with Departmental Standards (DMRB) and Advice Notes, and**

2. Development of the site using the existing access off the A1 trunk road will only be permitted on completion and approval of the access improvements.

Reason: To ensure that the A1 will continue to fulfil its purpose as part of a national system of routes for through traffic, in accordance with Section 10(2) of the Highways Act 1980, and for the safety of traffic on that road. In pursuance with this requirement, the Highways Agency must be satisfied with all the details of the proposed improvement to access off the A1 prior to the commencement of construction work.

- 7 This permission is solely for the change of use of the land and does not grant permission for any buildings indicated on the submitted plans.

Reason: For the avoidance of doubt.

- 8 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: 11/BGT/01, 11/BGT/02, Design and Access Statement - submitted 21.04.11.

Reason: For the avoidance of doubt.

Reasons for Granting

The proposed change of use to a commercial timber yard would not have a negative impact on the character of the area or an adverse impact on the residential amenity of neighbouring properties and is acceptable in terms of highway safety. Therefore, by reason of its site, use and location, the proposal is in conformity with Policies DM3 and DM12 of the Core Strategy and Management Policies, November 2009; PPS1 Delivering Sustainable Development (2005), Planning for Sustainable Economic Growth (2009), PPS7 Sustainable Development in Rural Areas (2004), PPG24: Planning and Noise (1994), Regional policies in the East of England Plan (May 2008) and the Milton Keynes and South Midlands Sub-Regional Strategy (March 2005). It is further in conformity with the technical guidance Design in Central Bedfordshire, a Guide for Development, 2010.

Notes to Applicant

1. The applicants should be aware that the Public Footpath No. 40 running adjacent to the west boundary of the site needs to be open and available for use at all times.

Please contact the Rights of Way Officer at Central Bedfordshire Council on 0300 300 8000 for further information.

2. This permission relates solely to the use of the site as a commercial timber yard (Sui Generis) and does not grant planning permission for any new buildings which shall be the subject of future full planning applications.

[Notes:-

1. In advance of consideration of the application the Committee were advised of updates on the Late Sheet which included receipt of a petition objecting to the proposed Timber Yard and 23 written objections. Details are appended to these Minutes.
2. In advance of consideration of the application the Committee received representations made under the Public Participation Scheme.]