

APPLICATION NUMBER	CB/11/03169/OUT
LOCATION	Former Meller Beauty Premises, Sunderland Road, Sandy, SG19 1QY
PROPOSAL	Outline: Residential development with access road and open space (all matters reserved except access)
PARISH	Sandy
WARD	Sandy
WARD COUNCILLORS	Cllrs Aldis, Maudlin & Sheppard
CASE OFFICER	Lisa Newlands
DATE REGISTERED	02 September 2011
EXPIRY DATE	02 December 2011
APPLICANT	Castletown (General Partners III)
AGENT	D H Barford
REASON FOR COMMITTEE TO DETERMINE	Called in to Committee at the request of Councillor Aldis on the grounds of concerns over noise and highway safety
RECOMMENDED DECISION	Resolve to grant planning permission subject to an acceptable S106 agreement.

Recommendation

That Planning Permission be granted subject to the completion of a Section 106 agreement as outlined above and the following conditions:

- 1 The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To comply with the provisions of Sections 92 (2) (b) and (4) of the Town and Country Planning Act 1990.

- 2 Approval of the details of:-
 - (a) the layout of the building(s);
 - (b) the scale of the building(s);
 - (c) the appearance of the building(s);
 - (d) the landscaping of the site;

(hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced. Plans and particulars of all of the reserved matters referred to above shall be submitted in writing to the Local Planning Authority and the development shall be implemented as approved.

Reason: To enable the Local Planning Authority to exercise control over the said matters which are not particularised in the application for planning permission in accordance with Section 92 of the Town and Country Planning Act 1990 and Town and Country Planning (General Development Procedure) Order 1995.

- 3 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 92 (2) (a) and (4) of the Town and Country Planning Act 1990.

- 4 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.

- 5 The indicative layout shown on plan number 10/699L/20 is not approved as part of this application.

Reason: For the avoidance of doubt.

- 6 The height of the buildings on the site shall be restricted to 2 and 2.5 storey buildings.

Reason: To ensure an acceptable development and respect the character and appearance of the surrounding area.

- 7 Development shall not begin until details of the junction between the proposed estate road and the highway have been approved by the Local Planning Authority and no building shall be occupied until that 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 of the proposed estate road.

- 8 Visibility splays as shown on drawing No 10019/3 shall be provided at the junction of the access with the public highway before the development is brought into use. The shown vision splays shall, for the duration of the development 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.

- 9 Visibility splays shall be provided at all road junctions and shared accesses within the site. The minimum dimensions to provide the required splay lines

shall be 2.4m measured along the centre line of the side road from its junction with the channel to the through road and 25.0m measured from the centre line of the side road along the channel of the through road. The vision splays required shall be provided and defined on the site by or on behalf of the developers and be entirely free of any obstruction.

Reason: To provide adequate visibility at road junction in the interest of road safety.

10 The detailed plans to be submitted for approval of reserved matters shall illustrate the provision of:

- A 3m-wide footway/cycleway on the western side of Sunderland from the intersection with footpath running along the north boundary of Stock Park recreation Ground to the intersection with the bridleway running along the north boundary of the site. The submitted details shall include the tie-in with Sunderland Road and directional signs.
- A dropped kerb on Swansholme Gardens to facilitate cycle access to Sandy Place Middle School.

The approved details shall be implemented in full before any of the units is occupied.

Reason: In the interests of the safety of pedestrian and cyclist movement.

11 Before the new access is first brought into use, any existing access within the frontage of the land to be developed, not incorporated in the access 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.

12 The details to be submitted for approval of reserved matters shall include a scheme for the parking of cycles on the site.

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.

13 This permission shall not extend to the layout and associated engineering details submitted in support of the application.

Reason: For the avoidance of doubt.

14 Development shall not be occupied until a residential travel plan has been submitted to and approved in writing by the Local Planning Authority, such a travel plan to include:

- Local policy context relating to travel planning;
- Assessment public transport infrastructure; propose sufficient measures for the promotion and management of the Travel Plan, including the

- appointment of a Travel Plan Coordinator;
- Financial incentives for the new residents to use sustainable modes of transport;
 - Commitment to ensuring welcome packs are provided to each household, prior to occupation and including sufficient incentives to promote sustainable travel;
 - Targets, a timetable for the implementation of the TP measures or mechanisms for monitoring the TP.

Reason: For the avoidance of doubt and to reduce reliance on the private car.

- 15 **Development shall not begin until a scheme for protecting the proposed dwellings from noise from the industrial units adjacent to the proposed development has been submitted and approved by the Local Planning Authority. None of the dwellings shall be occupied until such time as the scheme has been implemented in accordance of the approved details, and shown to be effective, and it shall be retained in accordance with those details thereafter. Any works which form part of the scheme approved by the local authority shall be completed and the effectiveness of the scheme shall be demonstrated through validation noise monitoring, with the results reported to the Local Planning Authority in writing, before any permitted dwelling is occupied, unless an alternative period is approved in writing by the Authority.**

Reason: To protect the amenities of future occupiers of the dwellings.

- 16 **Prior to the occupation of the any development approved by this planning permission the developer shall submit to the Planning Authority and have approved, in electronic form where possible:**

- a) The results of the recommendations of the Environ Phase 1 Environmental Report previously submitted (UK 11 15832/02 - Dated August 2010) pertaining to "localised soil investigations" beyond the footprint of the ethanol tanks along with any recommendations and remedial schemes which these further works may result in.**
- b) A written confirmation that any and all remedial works identified by the above as necessary have been completed in the form of a validation report to include photographs, material transport tickets and testing of any imported material. The British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoils that are moved or traded and should be adhered to.**

All variations to any remediation scheme shall be agreed in writing with the Local Planning Authority.

Any groundwater issues shall be pursued independently through approval via the Environment Agency.

Reason: To protect human health and the environment.

- 17 **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 be based upon the principles contained within the Flood Risk Assessment dated August 2010 (additional information attached thereto August 2011), reference UK11-15832, compiled by Environ, and shall include the following details:

1. Confirmation of post-development surface water runoff rates for events up to and including the 100-year storm of critical season and duration, commensurate with a fixed and agreed site layout and therefore fixed and known impermeable areas;
2. Calculations demonstrating necessary attenuation volume;
3. Full details of the proposed surface water drainage system including location, position, gradients, dimensions, cover and invert levels, attenuation facilities, flow controls and discharge point;
4. Demonstration of ground investigations and results confirming that infiltration drainage is not achievable at the site;
5. Details of all proposed feasible methods of utilising SuDs;
6. Overland flood flow information in the event of system exceedance or failure, ensuring that flood risk from surface water does not increase from this site to sites adjacent to and downstream of it;
7. Demonstration of a suitable allowance to account for future climate change;
8. Full details of the proposed maintenance regime for all elements of the proposed drainage system.

Reason: To prevent the increased risk of flooding, and ensure future maintenance of the system for the lifetime of the development.

- 18 Details of bin storage/collection points shall be submitted to and approved by the Local Planning Authority prior to the occupation of any dwelling.

Reason: In the interest of amenity.

- 19 **No development shall commence until a Site Waste Management Plan has been submitted to and approved by the Local Planning Authority. Development shall be completed in accordance with the approved details.**

Reason: To ensure a satisfactory form of development.

- 20 **Prior to the development hereby approved commencing on site details of the final ground and slab levels of the dwellings 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.

Reasons for Granting

The proposed development is acceptable in principle and would not have a detrimental impact on the character and appearance of the surrounding area, the residential amenities of neighbouring properties or the local highway network; as such it is considered to be in conformity with national planning guidance PPS1, PPS3, PPS5, PPS9, PPS10, PPG13, PPS22, PPS23, PPG24, PPS25 and Policies CS1, CS2, CS4, CS5, CS6, CS7, CS13, CS14, CS18, DM3, DM4, DM10, DM13, DM15, DM16, and DM17 of the Core Strategy and Development Management Policies for Central Bedfordshire (North). Furthermore, the proposal is in conformity with supplementary planning guidance Design in Central Bedfordshire - A guide for development and Planning Obligations Strategy (2008).

Notes to Applicant

1. The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Central Bedfordshire Council's Highway Help Desk, Technology House, 239 Amphill Road, Bedford MK42 9BA 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.
2. The applicant is advised that in order to comply with Condition 10 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 Development Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
3. The applicant is advised that the closure of existing accesses 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 Customer Contact Centre on 0300 300 8308. 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 accesses.

4. The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council's "Cycle Parking Guidance".

NOTES

- (1) In advance of the consideration of the application the Committee were advised of additional consultation and publicity responses subsequent to the despatch of the agenda including an objection from Mono Marshalls and Agent comments as set out in the Late Sheet as appended to these Minutes.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.

The Committee requested an informative be attached to the decision notice highlighting to the applicant that the design of the development should be of high quality whilst addressing the noise concerns.