

Item No. 15

APPLICATION NUMBER	CB/12/03046/VOC
LOCATION	Market Garden Nurseries, 64 High Road, Beeston, Sandy, SG19 1PB
PROPOSAL	Removal of Condition No.4 on Permission CB/12/01201/FULL Dated 02/08/2012 -in relation to Highways Access from the A1
PARISH	Sandy
WARD	Sandy
WARD COUNCILLORS	Cllrs Aldis, Maudlin & Sheppard
CASE OFFICER	Amy Lack
DATE REGISTERED	23 August 2012
EXPIRY DATE	18 October 2012
APPLICANT	
AGENT	DLP Planning Ltd
REASON FOR COMMITTEE TO DETERMINE	Called in by Cllr Aldis and Cllr Maudlin due to local concerns regarding the development
RECOMMENDED DECISION	Variation of Condition - Granted

Recommendation

That removal of the condition be granted subject to the following conditions:

- 1 The development shall begin not later than three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby approved shall be carried out in materials as set out in the application form, unless otherwise agreed in writing by the Local Planning Authority.

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 **Before the development hereby permitted is commenced; details of a scheme showing the provision of 19 car parking spaces and 7 HGV parking spaces to serve the new warehouses shall be submitted to and**

approved by the Local Planning Authority. The details to be approved shall include the proposed materials for construction and 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. The approved scheme shall be implemented and made available for use before the development hereby permitted is occupied and that area shall not be used for any other purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

- 4 Within 12 months from the date of this approval the access improvements from the A1 as detailed on drawing numbers 101 P1; 100 B; and the Stage 2 Road Safety Audit reference 11119-JJF- S2RSA-B (February 2012) and approved by the local planning authority on 06.06.2012 in connection with planning application reference CB/11/01546/FULL shall be fully completed. Thereafter the new access shall be used as the sole access for all deliveries to the application site.

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; for the safety of traffic on that road; and to safeguard the residential amenity of nearby occupiers.

- 5 **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 assets with archaeological in accordance with Policy 141 of the National Planning Policy Framework (2012).

- 6 The use of the warehouse buildings hereby approved shall be solely in conjunction with the use of the site as a commercial timber yard as approved by CB/11/01546/FULL or CB/11/03341/VOC whichever permission is implemented or subsequently supersedes these permissions thereafter.

Reason: For the avoidance of doubt and to preserve the residential amenity of neighbouring properties in accordance with Policy DM3 of the Adopted Core Strategy and Development Management Policies (2009)

- 7 There shall be no machinery used at the site, outside the hours of 0730 hours to 1800 hours Monday to Friday and at no time on Saturdays, Sundays, Bank or Public Holidays, and there shall be no goods moved within the site or deliveries received or dispatched outside the hours of 0600 hours to 1800 hours Monday to Friday and at no time on Saturdays, Sundays, Bank or Public Holidays.

Reason: To preserve the residential amenity of neighbouring properties in accordance with Policy DM3 of the Adopted Core Strategy and Development Management Policies (2009).

- 8 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers [BE1316; PL01 E; PL04 B; PL05 C; 100 B].

Reason: For the avoidance of doubt.

Reasons for Granting

The proposed 2no. warehouse buildings will provide a means of acceptable covered storage in conjunction with the extant permission for use of the site as a commercial timber yard. The development will not have any significant adverse impact upon the character of the surrounding area, the residential amenity currently enjoyed by nearby occupiers, highway safety or archaeological heritage assets.

The variation condition 4 of planning application reference CB/12/01201/FULL is considered acceptable. Requiring the completion of the improvements to the access off the A1 within 12 months from the date of approval of this application will allow the construction and use of the 2no. warehouse buildings to commence in accordance with Central Government advice contained within the National Planning Policy Framework (2012) (Section 1, paragraph 19). Its variation will not have any significant adverse impact upon the character of the surrounding area, the residential amenity currently enjoyed by nearby occupiers or highway safety.

For the above reasons the variation of condition 4 of planning application reference CB/12/01201/FULL is acceptable and the development remains compliant with policies CS14; DM3; DM4 and DM12 of the Core Strategy and Management Policies (2009) and Central Government guidance contained within the National Planning Policy Framework (2012) in particular paragraph 19 with respect to supporting economic growth and paragraph 56 with respect to good design.

Notes to Applicant

[Note:

1. The Highways Agency had proposed a revised condition 4, as above, which was agreed by the Committee and is detailed in the Late Sheet.
2. In advance of consideration of the application the Committee received representations made under the Public Participation Scheme.]