

## **Item No. 16**

<b>APPLICATION NUMBER</b>	<b>CB/12/03047/VOC</b>
<b>LOCATION</b>	<b>Beeston Timber Yard, 64 High Road, Beeston, Sandy, SG19 1PB</b>
<b>PROPOSAL</b>	<b>Variation of Condition No 5 on Permission CB/11/01546/FULL dated 15/09/2011 to be varied to: No goods, waste or other materials shall be stored, stacked or deposited outside the building(s) to a height exceeding 5 metres, unless otherwise agreed in writing by the local planning authority.</b>
<b>PARISH</b>	<b>Sandy</b>
<b>WARD</b>	<b>Sandy</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Aldis, Maudlin &amp; Sheppard</b>
<b>CASE OFFICER</b>	<b>Amy Lack</b>
<b>DATE REGISTERED</b>	<b>23 August 2012</b>
<b>EXPIRY DATE</b>	<b>18 October 2012</b>
<b>APPLICANT</b>	
<b>AGENT</b>	<b>DLP Planning Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>This application accompanies other applications at this site which have been called to Committee by ward Cllrs.</b>
<b>RECOMMENDED DECISION</b>	<b>Variation of Condition - Granted</b>

### **Recommendation**

That the variation of condition 5 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 Prior to the first use of the application site as a commercial timber yard the advanced signing scheme as detailed on drawing numbers BE1316T-001-02 and approved by the local planning authority on 16.04.2012 in connection with planning application reference CB/11/01546/FULL shall be fully implemented in accordance with the approved details.

Reason: In the interest of highway safety and for the avoidance of doubt in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009).

- 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 10bDA 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 Core Strategy and Development Management Policies (2009) and Central Government guidance contained within the National Planning Policy Framework (2012).

- 4 There shall be no machinery used at the site, outside the hours of 0730 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 despatched 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 Development Management Policies.

- 5 No goods, waste or other materials shall be stored, stacked or deposited outside the building(s) to a height exceeding 5 metres, 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 Core Strategy and Development Management Policies (2009).

- 6 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.

- 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 [BE1316; 11/BGT/01, 11/BGT/02, JKK6849 Rev B, Design and Access Statement - submitted 21.04.11.].

Reason: For the avoidance of doubt.

### **Reasons for Granting**

The proposed change of use from a horticultural/nursery use to a commercial timber yard 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 5 of planning application reference CB/11/01546/FULL to increase the height to which the storage of goods, waste and materials externally on the site may be stored by an additional metre, to a total of 5 metres in height would not have a significant adverse impact upon the character of the surrounding area nor the residential amenity currently enjoyed by nearby occupiers.

For the above reasons the variation of condition 5 of planning application reference CB/11/01546/FULL is acceptable and the change of use from a horticultural/nursery use to a commercial timber yard 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.

[Note:

1. The Highways Agency had proposed a revised condition 6, 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.]