

## Item No. 9

<b>APPLICATION NUMBER</b>	<b>CB/13/03494/FULL</b>
<b>LOCATION</b>	<b>Land South Of, Potton Road, Biggleswade</b>
<b>PROPOSAL</b>	<b>Erection of new mixed use local centre to include 51 residential units, approximately 1156sqm (net) of floor space for a mixture of uses (A1, A2, A3, B1 &amp; D1) a 60 bed (C2) care home, central square kiosk, community building and associated infrastructure.</b>
<b>PARISH</b>	<b>Biggleswade</b>
<b>WARD</b>	<b>Biggleswade North</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Jones &amp; Mrs Lawrence</b>
<b>CASE OFFICER</b>	<b>Nikolas Smith</b>
<b>DATE REGISTERED</b>	<b>30 October 2013</b>
<b>EXPIRY DATE</b>	<b>29 January 2014</b>
<b>APPLICANT</b>	<b>Martin Grant Homes &amp; Taylor Wimpey Homes</b>
<b>AGENT</b>	<b>Woods Hardwick Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION</b>	<b>This is a 'major' planning application and the Town Council has objected.</b>  <b>Full Application - Granted</b>

### Summary of recommendation:

The development would cause no harm to the appearance of the site or the wider development, would cause no harm to living conditions at existing or planned occupiers at neighbouring properties, would provide satisfactory living conditions for future occupiers, would cause no harm to the safe and free flow of traffic and would provide a mix of uses and facilities broadly in line with the Council's expectations for this part of the wider development site. The development would be in general conformity with the King's Reach Biggleswade Design Code (January 2008) and would be in accordance with the objectives of the National Planning Policy Framework (2012), the Central Bedfordshire Core Strategy and Development Management Policies (2009), Design in Central Bedfordshire (a guide for development) and Appendix F (Parking Strategy) of the Central Bedfordshire Local Transport Plan (2012).

### Site Location:

King's Reach, or Land East of Biggleswade was allocated for around 2200 homes. Five planning applications have been submitted for development at the site (three of which have been determined), the largest of which was for 'Site 1', where Outline Planning Permission was granted for 1450 houses (together with various infrastructure improvements and community related facilities) in 2006.

Development at the site is subject to a Design Code, which guides the type of buildings and the mix of uses that should be provided across the site. The Code divides the site in to 'areas, or phases'. A number of Reserved Matters applications have been submitted and approved for development at these phases. A s106

agreement also defines the type of development that should be provided at a number of the phases within the site.

Generally speaking, building work is moving northwards. The development includes the Eastern Relief Road, which will link Biggleswade Town Centre to Potton Road, at the North of the site. A Southern section of that road has been built with the remainder to follow.

The Design Code shows that at around the centre of the site, there will be a local centre. That centre would provide for the day to day needs of residents at the site and would be located immediately to the West of a new lower school and children's nursery. The Code shows a central square with development fronting each edge. Reserved Matters consent has been granted for a number of the phases of development around the area reserved for the local centre, and this is described in more detail elsewhere in this report.

### **The Application:**

When Outline Planning Permission was granted for development at this site in 2006, it was for a maximum of 1450 units. The Design Code and the s106 Agreement prescribed in detail the mix and amounts of uses that would be found in the local centre. This development would include residential units in excess the 1450 consented in 2006 and the mix and amounts of uses proposed to make up the local centre would be different to those set out in the Design Code and the s106 Agreement (principally, the Design Code showed a public house that is not proposed, the Design Code did not show a care home and one is proposed and more ground floor space would be given over to residential uses than was envisaged. In addition, the make up of the arrangement of the commercial floor space would be different). The fact that this proposal is different is not, in itself, problematic. It does mean, though, that this development could not benefit from the 2006 Outline Planning Permission and could not have been submitted as an application for the approval of Reserved Matters. It needed to have been submitted as an application for Full Planning Permission and should be assessed on its merits as a stand alone planning application.

This scheme should be assessed against current policy and guidance, and the King's Reach Design Code which is a valuable resource in determining how the local centre should relate to and serve the wider development site has adopted status.

Planning Permission is sought for a mixed-use, local centre, comprising:

- 51 residential units (8 x 1 bedroom, 40 x 2 bedrooms and 3 x 3 bedrooms)
- A 60 bedroom care home
- A Community Building
- Commercial floor space in use classes A1 (retail), A2 (professional services), A3 (restaurant) and B1 (office) with the following breakdown of uses:

#### Block A

- Unit 1 - B1 (office) 48.2m<sup>2</sup>
- Unit 2 - B1 (office) 66.9m<sup>2</sup>
- Unit 11 - B1 (office) 66.8m<sup>2</sup>

- Unit 12 - B1 (office) 63.8m2

#### Block C

- Unit 1 - A1 (retail) 372m2
- Unit 2 - A3 (restaurant) 90m2
- Unit 3 - A3 (restaurant) 90m2
- Unit 4 - A1/A2 (retail/professional services) 90m2
- Unit 5 - A1/A2 (retail/professional services) 57m2
- Unit 6 - A1/A2 (retail/professional services) 46m2
  
- Central Kiosk - A3 (restaurant) 46m2

The development would take the form of four predominately three-storey blocks arranged around a central square. 'Block A would be to the West with a mix of residential and commercial uses at ground floor with residential above, Block B would be to the South, and would be residential at ground, first and second floor levels, Block C would be to the East of the square, with commercial uses at ground floor and residential above. Block D would comprise the care home. The Community Building would be the South of Block C.

Car parking would generally be provided behind the blocks, with informal customer and visitor parking provided around the square. A bus/coach loop would be provided towards the East of the site that would serve the lower school which falls beyond this application site but will be part of the wider development.

#### **Relevant Policies:**

National Planning Policy Framework (2012)

Site Allocations Development Plan Document (2011)

Planning Obligations Strategy Supplementary Planning Document (2009)

Core Strategy and Development Management Policies (2009)

DM1	Renewable Energy
DM2	Sustainable Construction of New Buildings
DM3	High Quality Development
DM4	Development Within and Beyond Settlement Envelopes
DM7	Development in Town Centres
DM9	Providing a Range of Transport
DM10	Housing Mix

Design in Central Bedfordshire (a guide for development) (2010)

Appendix F (Parking Strategy) of the Central Bedfordshire Local Transport Plan (2012)

King's Reach Biggleswade Design Code (January 2008)

#### **Planning History:**

MB/03/01205/OUT Residential development of approximately 1450 dwellings, construction of Eastern relief road, Local Centre, primary school, public open space, structural landscaping, infrastructure including surface water balancing facilities and associated works. Demolition of 128 Potton Road to facilitate vehicular access. (All matters reserved except means of access)

Approved: 13 November 2006

CB/13/01827/FULL Erection of new mixed use local centre to include, 55 residential units, 911 sq.m. (net) of retail A1, A2 & A3 floor space, 60 bed (C2) care home, central square kiosk, community building & associated infrastructure.

Withdrawn: 18<sup>th</sup> September 2013

### Representations:

Town Council Members raised concern that the plans had not changed from plans previously considered by Town Council; lack of parking for the proposed school and community hall and density of the site.

Objection for the following reasons:

- Layout
- Density
- Parking Provision

Neighbours A site and press notice were displayed and one objection was received, that set out the following concerns:

*This application makes reference to the proposed appearance of the development, such as the road surfaces, including surfaces already laid in other parts of the development. But the plans and mock-ups show a variety of surface, whereas the reality is that much of the estate was simply tarmacked - badly - in a rush to get everything finished, contrary to those plans (so this application contains false information). I fear the same thing will happen here - the finished reality will fall significantly short of the promises being made in this application, and little will be done to enforce it after the fact. So until such time as the developers can show they will actually follow their own plans, or the council actually enforce them, I must object.*

### Consultee responses:

Minerals and Waste No objection subject to condition

Archaeology	No objection subject to condition
Public Protection	No objection subject to conditions
Public Protection (Contaminated Land)	No objection subject to condition
Rights of Way	No comment
Highways	Comments and conditions to follow
Trees and Landscaping	No objection subject to condition
Ecology	No comment
Disability Discrimination	No response received
Play and Open Space	No response received
Waste	No response received
Police Architectural Liaison Officer	No response received
LDF Team	No response received
Housing Development	No objection subject to AH being provided
Internal Drainage Board	Objection, for the following reason:

*The Board is concerned that the master drainage strategy originally agreed in respect of the master development has not been adhered to. Specifically, the provision of important maintenance in respect of a modified section of channel/ floodplain compensation area to the east of the development has not been put in place as was originally agreed. The Board is concerned that without the proper maintenance the drainage strategy may not be effective and therefore may result in increased flood risk to the surrounding area.*

NB. It is not considered that this is an objection on material planning grounds that should influence the determination of this planning application.

### **Determining Issues:**

The considerations in the determination of this application are:

1. The principle of the development
2. The appearance of the development
3. The quality of accommodation that would be provided

4. Traffic and parking
5. The impact living conditions at existing and future neighbours
6. Other material planning considerations
7. The impact on existing local infrastructure and affordable housing

### **Considerations:**

1. The principle of the development

The principle of a mixed-use development, comprising residential and commercial elements was established as acceptable when Outline Planning Permission was granted for the wider development at this site in 2006. The provision of a range of facilities to meet the day to day needs of the people living at this development is important in securing a successful place. It would lessen the amount of trips being taken by car and create a destination that could become the hub for the community at King's Reach.

Given that the make up of the local centre being proposed is different to that which was given Outline Planning Permission in 2006 and than was envisaged by the Design Code, it is important to assess whether the key changes between the approved and proposed schemes would be acceptable in principle.

#### Residential Units

This development would result in 51 units being built in excess of the 1450 that were given consent for Site 1 of the allocated wider site. This is a mixed-use, residential led site and the principle of additional units here would be acceptable.

#### The range and mix of uses

The applicant has explained that there was no interest from the market for the public house that was supposed to be located within the local centre because of its secluded position within the site. Instead, a care home is proposed, which would be a less active use. It would, however, provide jobs and an element of activity and given that a range of other commercial uses are proposed, the care home would not impact on the vitality of the centre to such a degree that could justify the refusal of the planning application. The introduction of a care home use would further broaden the range of people living at the development and would be acceptable in principle.

The distribution of the remaining commercial floor space would be different to that proposed but a range of units of different sizes and use classes are proposed. An 'anchor' store would likely serve the majority of local needs.

The amount of range of non-residential uses would not be as great as was envisaged when consent was granted in 2006 but the commercial climate is different now than it was then. This proposal would provide an active and useful local centre that is likely to come forward.

The principle of the proposed development would be acceptable. How the scheme would relate to other relevant policies and guidelines is described below.

## 2. The appearance of the development

The development would be well laid out, arranged in blocks around a central square that would act as an active, shared community space. The quality of hard and soft landscaping and the introduction of good quality public art at the central square would be critical in securing the success of the space and both are the subject of recommended planning conditions.

The buildings would be nicely designed, with an interesting pallet of materials, including render, brick and cladding. The quality of those materials would, again, be very important and would be the subject of a planning condition.

Variety in ridge heights and roof types would help to punctuate the buildings and the use of fenestration would create a visual rhythm. The local centre would have a design character independent of some of the existing residential development around it which would help to define it as important, and shared space within the wider development.

The buildings would be large (mostly three stories) and the character of this area would be different to the residential areas around it but the Design Code does set out that this part of the site should be the tallest and the highest density.

## 3. The quality of accommodation that would be provided

All but three of the residential units would be flats and would not have private garden spaces (the three, three-bedroom houses in the centre of Block A would have small rear gardens of between 45 and 50m<sup>2</sup>). They would, though, be very near to a number of formal and informal areas of open space within the wider development site. Flats would be of a generally good, rational layout with good access to sunlight, daylight and outlook (a small number of units would be poorly stacked and a condition would seek to address that). The central square and kiosk with the landscaping and public art that would be secured should act as a positive environment within which to live.

The close proximity of residential and commercial uses would require careful management and a series of planning conditions would seek to ensure that noise and smells associated with that relationship were not unduly problematic, but the environment at this part of the site would naturally be different than that at other, lower density areas of the wider development.

Residential units would be sufficiently far away from one another and existing houses and flats around this site to be acceptably private. Cycle and refuse storage would be designed in to the development.

Overall, and subject to planning conditions, the quality of the accommodation proposed would be good.

## 4. Traffic and parking

The roads within the site would be safe and would for the most part constitute a shared surface (materials would be controlled by planning condition). Deliveries

for the commercial units, a bus stop and a bus loop would all be accommodated. The applicant has submitted bus, car and refuse truck tracking details.

Car parking would be provided in accordance with the Council's current standards, rather than those set out in the Design Code, which were significantly lower than is now the case.

Parking areas would be provided for each block behind and would be in line with the Council's standard of one space per bedroom, with one visitor space for every four units. Some visitor and retail parking provision would be in flexible spaces around the square, to respond to the fact that there are pressures on different types of parking at different times of the day and week.

24 spaces would be provided for shoppers visiting the retail units to the rear of Block C. Shoppers could also use the flexible spaces around the square.

20 spaces would be provided for the care home and 13 spaces would be provided for the Community Building (although, in practice, these could also be used flexibly at peak times for other uses at the centre).

It is clear that a small number of the spaces provided would be less likely to be convenient to use than others (particularly some to the rear of Block A) but when looking at the development overall, it would be well provided for and maximising opportunities for flexible visitor and shopper parking would help to create an active and vibrant local centre.

In order that the parking spaces around the square were properly flexible and useful, they would need to be properly managed. A planning condition would require details of a management plan for parking in the central area of the site.

Some additional highways and parking conditions will be report in the late sheet.

#### 5. The impact living conditions at existing and future neighbours

Reserved Matters Consent has been issued for residential development to the South and to the West of this site. Because the Design Code is so prescriptive, occupiers or future occupiers there would have been able to ascertain the type of the development that was likely to be built at this site (the Code prescribed relatively high density, two and three-storey buildings).

To the South, consent has been issued for development at Area 32. Neighbours there would look northwards, across a road towards the South elevation of the Community Building, which would be two-storeys tall, parking serving Block B and the rear of the Block. The nearest three-storey element of Block B to the southern boundary of the application site would be over 25m away.

To the Southwest and West, consent has been issued for residential development at Areas 29, 30, 34 and 36. Units there would look from the rear, eastwards towards the rear of Block A and the parking area serving it. No first floor, West facing windows are proposed in the wings of that Block, and the main rear wall of the building (where there would be first and second floor West facing windows) would be at least 20m (and generally significantly more) from the site



boundary and at least 21m from the nearest building. A consented, three-storey block nearest to the western boundary of the site would have habitable room windows facing eastwards, but these would be small, secondary openings serving lounge/dining rooms which are also served by a much larger, main window. Consented houses to the South of that block would have rear gardens that would be at least 32m away from proposed West facing first and second floor windows.

Consented housing to the Southwest of the proposed care home would be separated from it by a road and whilst at three-storeys, the care home might appear somewhat dominating when viewed from front facing windows at the nearest consented houses, given that there would be a distance of around 16m, that the relationship would be front to front, where less quality outlook or privacy would normally be expected and that the Design Code does reference some three-storey development in this area, that relationship should not justify the refusal of the planning application.

Development to the North and East has yet to be consented but will likely come forward. At that stage, the relationship between it and this development can be assessed and managed.

Noise and disturbance issues associated with the range of uses proposed would be controlled by planning conditions but the activity associated with the use of rear parking areas is likely to impact on people living at and around the site.

Overall, the relationship between consented and proposed development at the site in terms of outlook, light, visual impact and privacy would be acceptable.

## 6. Other material planning considerations

### Archaeology

A planning condition would ensure that no harm was caused to archaeological assets at the site.

### Land Quality

A planning condition would ensure that there were no contamination risks associated with the development of the land.

### Drainage

The wider development site is the subject of a drainage strategy that was agreed with Planning Permission was issued in 2006. The IDB has objected to this application, not because of the submitted drainage details, but because of concerns relating to on going management of the drainage system at the site. This cannot influence the determination of this planning application and is a matter between the developer and the IDB. For the avoidance of doubt, a planning condition would secure drainage details.

### Public Art

This part of the wider site offers a valuable opportunity to provide public art in a common, well used space. A planning condition would secure public art provision.

### Renewable Energy

A planning condition would secure details of how low and zero carbon technologies would be used to help deliver the energy needs of the development.

### Waste and Recycling

Details of waste and recycling and site waste would be secured by planning condition.

### s106 matters

Because this development would have a different composition to that envisaged when Planning Permission was granted for the wider development site in 2006, some terms of the corresponding s106 would need to be varied and consent would not be issued before those variations had been secured. This would ensure that this permission was not being issued in conflict with an exiting legal agreement.

## 7. The impact on existing local infrastructure and affordable housing

Viability challenges at the wider site have mean that affordable housing provision is currently at 10% (with a robust review mechanism to catch future upturns). Because this development would result in residential development in excess of the 1450 units consented in 2006, 35% of the units at this site would be affordable (a tenure and unit mix would be agreed and secured through the s106 agreement) and contributions would be obtained in line with the Council's Planning Obligations Supplementary Planning document (2009).

**Recommendation:** That the planning permission is approved, subject to the completion of a s106 agreement reflecting the terms set out above, the variation of the s106 agreement relating to the wider development site and to the following planning 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 **Notwithstanding the details shown on the submitted plans and drawings, no development shall commence at the site before details of the following materials have been submitted to and approved in writing by the Local Planning Authority:**

- **Bricks**

- Render
- Cladding
- Roof tiles
- Fenestration (including cills)
- Balconies
- Rainwater goods

The development shall be carried out as approved.

**Reason:** To ensure that the appearance of the development would be acceptable.

- 3 **No development shall commence at the site before a written scheme of archaeological investigation; that includes post excavation analysis and publication, has been submitted to and approved by the Local Planning Authority. The said development shall only be implemented in full accordance with the approved archaeological scheme.**

**Reason:** To record and advance understanding of the archaeological resource which will be unavoidably affected as a consequence of the development.

- 4 **No development shall commence at the site before full details of the method of odour abatement and all odour abatement equipment to be used including predicted noise levels of equipment in operation have been submitted to and approved in writing by the Local Planning Authority. The approved equipment shall be installed and in full working order to the satisfaction of the Local Planning Authority prior to the uses hereby permitted commencing and shall be retained permanently thereafter, unless otherwise agreed beforehand in writing by the Local Planning Authority.**

**Reason:** In order to prevent the adverse impact of odours arising from cooking activities on the amenity of nearby residents.

- 5 The equipment approved pursuant to condition 4, together with any external plant, machinery and/or equipment installed or operated in connection with this development, shall be so enclosed, operated and/or attenuated so that the noise arising from it does not exceed a level of 5dBA below the existing background level (or 10dBA below if there is a tonal quality) when measured according to BS 4142: 1997, at the boundary of any neighbouring residential dwelling. The uses hereby approved shall not commence before details that clearly demonstrate that noise from the external plant, machinery and/or equipment achieves the required noise standard have been submitted to and approved in writing by the Local Planning Authority.

**Reason:** To prevent the neighbouring residents from any adverse impact from noise arising from the kitchen extract ventilation system and other externally plant on the premises.

- 6 The cycle parking provision shown on the approved drawings shall be provided in advance of the occupation of any relevant unit and in full in

advance of the occupation of the last residential unit at the site and shall be retained and maintained permanently thereafter unless otherwise agreed beforehand in writing by the Local Planning Authority.

Reason: To ensure that adequate cycle parking is provided at the site.

- 7 No deliveries shall take place to commercial premises at the site outside of the hours of 0800 and 1800 Monday to Saturday and no deliveries shall take place outside of the hours of 1000 and 1600 on Sundays or Bank Holidays unless otherwise agreed beforehand in writing with the Local Planning Authority.

Reason: To protect the amenity of the future occupiers of the residential properties.

- 8 **No development shall commence at the site before a scheme of noise attenuation measures which to ensure that the internal noise levels from external road traffic noise sources shall not exceed 35 LAeq 07:00 – 23:00 in any habitable room or 30dB LAeq 23:00 - 07:00 inside any bedroom and 45dB LAmax 23:00 - 07:00 inside any bedroom has been submitted to and approved in writing by the Local Planning Authority. The effectiveness of any works that form part of the scheme approved by the Local Planning Authority shall be demonstrated through validation noise monitoring and the results shall be submitted to and approved in writing by the Local Planning Authority before any dwelling is occupied unless an alternative period is approved in writing by the authority.**

**Reason: To ensure that living conditions for future occupiers would be acceptable.**

- 9 **Notwithstanding the submitted plans and drawings, no development shall commence at the site before revised plans showing Plots 14, 15, 16 and 17 in Block A have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

**Reason: To ensure that stacking is designed to minimise to disturbance between neighbouring units.**

- 10 **No development shall commence at the site before a scheme for the ventilation of the main hall within the approved Community Building, to include the provision of air conditioning and fixed shut windows, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented in accordance with the approved details before the Community Building is first occupied and thereafter maintained in accordance with the approved details.**

**Reason: To protect the amenity of neighbouring residents.**

- 11 **No development shall commence at the site before details of an**

acoustic lobby to the external exit doors of the Community Building have been submitted to and approved in writing by the Local Planning Authority. The details shall be fully implemented before the Community Building is first occupied and therefore maintained in accordance with the approved details.

Reason: To protect the amenity of neighbouring residents.

- 12 No development shall commence at the site before details of a scheme for controlling noise levels from music events at the Community Building by using a limiting device have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be adhered to at all times.

Reason: To protect the amenity of neighbouring residents.

- 13 No development shall commence at the site before a scheme for sound insulation of the Community Building and a noise management and control plan have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be designed to reduce emissions of noise arising from the building's use that might affect local residents. The approved scheme shall be fully implemented in advance of the first occupation of the Community Building. The works and scheme shall thereafter be maintained in accordance with the approved details. On completion of the works forming part of the scheme no alterations to the structure, roof, doors, windows, external facades of the building or any noise control measures forming part of the scheme shall be undertaken without the prior written approval of the Local Planning Authority.

Reason: To protect the amenity of neighbouring residents.

- 14 No development shall commence at the site before the following has been submitted to and approved in writing by the Local Planning Authority:

a) A Phase 1 Desk Study incorporating a site walkover, site history, maps and all further features of industry best practice relating to potential contamination.

b) Where shown to be necessary by the Phase 1 Desk Study, a Phase 2 Site Investigation report further documenting the ground conditions of the site with regard to potential contamination, incorporating appropriate soils and gas sampling.

c) Where shown to be necessary by the Phase 2 Desk Study, a Phase 3 detailed scheme for remedial works and measures to be taken to mitigate any risks to human health, groundwater and the wider environment.

Any works which form part of the Phase 3 scheme approved by the local authority shall be completed in full before any permitted building is occupied. The effectiveness of any scheme shall be demonstrated to the Local Planning Authority by means of a validation report (to incorporate photographs, material transport tickets and validation

sampling), unless an alternative period is approved in writing by the Authority. Any such validation should include responses to any unexpected contamination discovered during works.

The British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoils that are moved or traded and should be adhered to.

Applicants are reminded that, should groundwater or surface water courses be at risk of contamination before, during or after development, the Environment Agency should be approached for approval of measures to protect water resources separately, unless an Agency condition already forms part of this permission.

Reason: To protect human health and the environment.

- 15 Notwithstanding the submitted details, no development shall commence at the site before a hard and soft landscaping scheme for the site, including boundary treatment and street lighting, a timetable for its implementation and a Management Plan have been submitted to and approved in writing by the Local Planning Authority. The details shall be carried out as approved and in accordance with the timetable and the Management Plan.

Reason: To ensure that the appearance of the development would be acceptable.

- 16 No development shall commence at the site before details of a system to manage foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority, in conjunction with the Internal Drainage Board. The details shall be carried out as approved in advance of the occupation of a residential unit at the site.

Reason: To ensure that drainage provision at the site is acceptable.

- 17 No development shall commence at the site before details showing the storage and collection of residential and non-residential waste and recycling has been submitted to and approved in writing by the Local Planning Authority. The details shall be carried out as approved before any building at the site is occupied.

Reason: To ensure that waste and recycling is properly stored and collected at the site.

- 18 No development shall commence at the site before a Waste Audit showing that waste will be minimised as far as possible and will be managed in an appropriate manner in accordance with a Waste Hierarchy. The development shall be carried out in accordance with the approved Audit.

Reason: To ensure that waste for the site is properly managed.

- 19 Notwithstanding the submitted details, no development shall commence at the site before a scheme for the provision of public art together with a timetable for its provision at the site have been

**submitted to and approved in writing by the Local Planning Authority. The details shall be carried out as approved in accordance with the approved timetable.**

**Reason: To ensure that the appearance of the development would be acceptable.**

- 20 **No development shall commence at the site before details of how the development would achieve at least 10% of its own energy requirements through on-site or near-site renewable or low carbon technology energy generation. The development shall be carried out as approved.**

**Reason: To ensure that the development is achieving the Council's sustainability objectives.**

- 21 **No development shall commence at the site before a scheme for the management of car parking around the central square has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out as approved in advance of the occupation of the first residential or commercial unit at the site.**

**Reason: To ensure that car parking provision at the site is properly managed.**

- 22 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers [Design and Access Statement (October 2013), Supporting Statement (revised, May 2013), Transportation Technical Note, Drainage Technical Note (May 2013), Summary of Known Archaeological Remains Within the Immediate Vicinity of the Area of the Footprint (June 2013), 16563/106, 16563/111C, 16563/112B, 16563/113B, 16563/114B, 16563/115B, 16563/116A, 16563/117, 16563/118, 16563/1009B, 16563/1011A, 16563/1012, 16563/1013, 16563/1014, 16563/1015, 17156/201B, 17156/202B, 17156/203B, 17156/204C, 697-100A, 697-(1)-200A, 697-(2)200A, 697-(1)300, 697-(2)300 and 697-(3)200].

Reason: For the avoidance of doubt.

#### **Notes to Applicant:**

1. The applicant is advised that equipment installed pursuant to condition 4 should be installed to effectively suppress and disperse fumes and/or odours produced by cooking and food preparation and equipment should be effectively operated for so long as a commercial food use continues.
2. The applicant is advised that guidance on the design of the kitchen extract ventilation system can be found in the DEFRA Guidance Entitled 'Control of Odours and Noise from Commercial Kitchen Exhaust Systems'  
The applicant is also advised that the provision of hot food and drink after 23.00 hours are licensable activities under the provisions of the licensing Act

2003, and an appropriate premises license will be required. The applicant is advised to contact our Licensing Team for further information on licensing matters.

**Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31**

The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

**DECISION**

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