

Item No. 13

APPLICATION NUMBER	CB/14/02717/FULL
LOCATION	Land to the West of Barton Road, Silsoe
PROPOSAL	Mixed use development including 18 No. residential dwellings on the southern section of the site and 5no. mixed use commercial premises (use classes A1, A2, A3, B1(a)) with 5no.apartments above together with associated parking and access.
PARISH	Silsoe
WARD	Silsoe & Shillington
WARD COUNCILLORS	Cllr Ms Graham
CASE OFFICER	Samantha Boyd
DATE REGISTERED	29 July 2014
EXPIRY DATE	28 October 2014
APPLICANT	Bloor Homes (South Midlands)
AGENT	
REASON FOR COMMITTEE TO DETERMINE	Cllr Call- in. Cllr Graham Major Development - Parish Council objection.
RECOMMENDED DECISION	Full Application - Recommendation: That Planning Permission be granted subject to the following conditions, the expiry of the advert in the local press and completion of the S106 Agreement

Reasons for Recommendation

The proposal partly falls within site allocation MA9 of the Site Allocations Document for 380 dwellings, community facilities, B1 employment uses and a conference centre. The applicant has demonstrated that there is no reasonable prospect of an end user for the B1 uses and conference centre and as such these uses are considered to be no longer viable. Therefore the proposal for housing and 5 small commercial units is considered acceptable in principle and meets the requirements of Policy CS7 for Affordable Housing provision. As such the proposal is acceptable and complies with Policy DM4 and Policy CS7 of the Core Strategy and Development Management Policies Document (adopted 2009) and the National Planning Policy Framework (2012)

Furthermore, the proposal, by virtue of its siting and scale is considered to be appropriate for this location and provides a level of parking to the Council's standards therefore accords with Policy DM3 of the Core Strategy and Development Management Policies Document (adopted 2009) and the National Planning Policy Framework (2012).

Site Location:

The application site is on the edge of the new development that once formed the former Cranfield University campus in Barton Road Silsoe. The site is currently

being developed with housing, community facilities and a school and is an allocated site with outline and reserved matters planning consents granted over recent years. The part of the site that forms this application is located to the eastern most part of the site and is within the land that was granted outline consent for B1 office development and a conference centre.

The Application:

Planning permission is sought for the erection of 18 dwellings and 5 commercial units with 5 flats above. The application site is split into two parcels of land, separated by the access road to the new development. On the southern parcel of land 18 dwellings are proposed. The dwellings comprise a mixture of detached and terraced dwellings together with a two bedroom bungalow in the centre of the site.

The northern parcel of land proposes 5 commercial units for A1, A2, A3 and B1(a) uses each with a flat above within two blocks of two storey buildings. Parking is included for both the residential and commercial units with a new access formed off the existing roundabout at the junction of Mander Farm Road and Aspen Way.

The proposal includes the provision of 8 Affordable Housing units; three are within the residential parcel and the remainder are the 5 flats above the commercial units.

There have been a number of revised plans submitted during the application process. This report relates to the latest submitted revised plans which seek to address any concerns raised by consultees.

RELEVANT POLICIES:

National Planning Policy Framework (2012)

Section 3 - Supporting a prosperous rural economy

Section 4 - Promoting sustainable transport

Section 6: Delivering a wide choice of high quality homes

Section 7: Requiring good design

Section 8: Promoting healthy communities

Core Strategy and Development Management Policies for Central Bedfordshire (North) 2009

CS1: Development Strategy

CS2: Developer Contributions

CS3: Healthy and Sustainable communities

CS14: High Quality Development

CS16: Landscape and Woodland

CS17: Green Infrastructure

CS18: Biodiversity and Geological conservation

DM3: High Quality Development

DM4: Development Within and Beyond Settlement Envelopes

DM14: Landscape and Woodland

DM16: Green Infrastructure

DM17: Accessible Greenspaces

Supplementary Planning Guidance

Design in Central Bedfordshire: A guide for development

Central Bedfordshire Council's Emerging Development Strategy 2014

Policy 38 Within and beyond settlement boundaries

Policy 43 High quality development

Policy 30 Housing Mix

Policy 34 Affordable homes

Policy 58 Landscape

Having regard to the National Planning Policy Framework, limited weight is given to the policies contained within the emerging Development Strategy for Central Bedfordshire, which is consistent with the NPPF. The draft Development Strategy was submitted to the Secretary of State on 24th October

Supplementary Planning Guidance

Design in Central Bedfordshire (Revised March 2014)

Planning Obligation Strategy (updated 2009)

Planning History

MB/08/02402/OUT	Mixed use development including residential, Class B1 Business, Lower School, Community Sports Hall, Outdoor Sports facilities and pitches, open space and means of access.
CB/12/02404/RM	Approved October 2009 Reserved Matters of Appearance, Landscaping, Layout & Scale for development including residential, Class B1 Business, Lower School, Community Sports Hall, outdoor Sports Facilities & Pitches, Open Space & means of access (pursuant to outline planning permission MB/08/02402/OUT dated 08/10/2009) (commercial development only) - Withdrawn
CB/14/03844/RM	Reserved Matters: Revision to plots 13, 15, 16, 17, 20, 22, 27, 28, 76, 81 & 83 of the permitted reserved matters approval CB/11/02639/RM including an additional plot 28A,

CB/12/00894/RM	<p>following outline consent MB/08/02402/OUT dated 08/10/2009 for the Mixed use development including residential, Class B1 Business, Lower School, Community Sports Hall, Outdoor Sports facilities and pitches, Open Space and means of access. Granted 23/12/14</p> <p>Reserved Matters: Appearance, Landscape, layout and scale for community building (pursuant to outline permission MB/08/02402/OUT dated 08.10.2009. Granted 27/4/12</p>
CB/11/02639/RM	<p>Reserved Matters: Erection of 344 dwellings pursuant to outline planning permission MB/08/02402 dated 8 October 2009. Granted</p>

**Representations:
(Parish & Neighbours)**

Silsoe Parish Council	<p>Object to planning application - Supersedes a previous application for 18 commercial and business units. The original planning consent for these units required that they be marketed for a period of 3 years after which the developer would make alternative proposals. The Parish Council have been aware that there was little or no interest in these units. Subsequent conversations with the CBC Planning Department discussed the possible options. Its was evident that CBC was keen to maintain opportunities for employment. The Parish Council put forward a proposal to :-</p> <ul style="list-style-type: none"> • relocate the existing village shop, • to limit the possibility of larger retail development, • the provision for a residential/nursing home accommodation with some sheltered housing. <p>Having considered the above application Silsoe Parish Council wishes to object to the granting of planning permission.</p> <p>Objections summarised -</p> <ul style="list-style-type: none"> • 2 and a half storey properties no in keeping, • barrier should be in place at junction of shared surface, • not enough visitor parking, • village already has commerical premises available in Wrest Park, concerned premises would exceed need, • increase in volume of traffic through village, • lack of customer and business parking in commercial section, • no provision for turning larger vehicles, • impact from traffic on Cherry Blossom Close, • no amenity space for residents of flats, • design prevents public access to Orchard, • additional landscaping to reduce overlooking,
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- increase in noise from commercial units,
- pedestrian walkway and street lights in poor condition,
- no provision for accessible dwellings.

The detailed response from the Parish Council dated 15 August 2014 will be set out in full in the Late Sheet.

Parish Council comments on revised plans dated 22/01/15.

We are satisfied the points raised in discussion have been actioned.

Neighbours

58 letters received from neighbours objecting strongly to the development. Comments are summarised below -

- green space is at the heart of the development
- provides place for children to play
- additional traffic close to existing properties
- overlooking from new houses
- purchased house as it overlooks the green
- purchased house as it is a no through road
- noise from building work
- over provision of houses in Silsoe
- no need for 5 commercial premises in Silsoe
- object to commercial development for reasons of noise, lack of parking, additional traffic
- will lose privacy from front of houses
- this development has overloaded Silsoe
- there should be plans for health care in this development
- who will fund and operate the new community building
- no consultation with the majority of village
- no involvement of Parish Council
- increased pressure on High Street
- negative impact on village
- the Orchard and wildlife will be affected
- residents were made to believe the area would be undeveloped
- disproportionate development for Silsoe village

Site notices displayed	07/08/14
Application advertised as Departure	30/01/15

Consultations/Publicity responses

Tree and Landscape Officer	I have looked at the proposed development application and although it would still seem to take away from the original intention to keep a good separation from Barton
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Road by providing a decent buffer of landscaping I guess inevitably proposals would be made to infill in particular the south site. As such with suitable landscape and boundary treatment detail there would be no objections.

With regards to the north site that incorporates the business units and flats I do have a number of concerns.

To the north of this site there is an orchard area that at present is in good condition and very much a feature of this area, an area which throughout all discussions with all development of the entire estate was considered an area of importance. Orchards are very much in the public eye as regards awareness of their importance both in aesthetic terms and also their ecological value. Nowhere in the Design and Access Statement could I see any reference to what proposals with regards to maintenance, its future or management. The site shows the boundary line as including this orchard area as such I assume it would then become under the ownership of the new site owners. The site will comprise of mixed small businesses, and affordable housing. As such it is quite likely that maintenance of the grass and trees could be minimal.

There is no indication as to how this orchard area is to be sub divided, will it be incorporated into private gardens/areas or kept as one open space for the use of all living or working on the site.

I do have real concerns for the future of this area and would much prefer to see it separated from the development area by fencing, or similar and its maintenance incorporated into the maintenance of public areas for the rest of the entire estate public areas.

Orchard area is to be fenced off throughout development at a distance and detail that would be in line with BS5837 : 2012. ie Heras type fencing erected to protect the orchard from damage either by plant and material storage, root compaction or direct damage.

Can we have more detail of how this orchard area is to be retained and managed. Ideally remove it as part of the development site.

Full landscape, boundary and maintenance details will be required for both sites.

Economic Development

From an Economic Development Perspective, I can confirm that we are satisfied that the marketing requirements were complied with. Likewise, I would

support the employment generating uses proposed within the development recognising both the economic impact of housing and non B uses so would not object to the application.

The concern I would raise is that this is another example of loss of employment land to other uses, and while on a site by site basis in isolation the justifications for this are valid, I am becoming concerned as to the cumulative impact this is having on enabling local availability of employment opportunities and choice of commercial premises

LDF Team

The site is included within the larger MA9 allocation in the Site Allocations DPD for the North and has been allocated in line with the planning permission for the redevelopment of the former Cranfield University site as Silsoe, Policy MA9 allocated the site for a mixed use development including 380 dwellings, B1 office space and community facilities. The part of the allocation that makes up the proposed site was set aside for a conference centre.

The proposal includes 22 residential dwellings, of which 5 will be affordable housing. In addition, 5 retail units and residential flats are proposed. Overall, the proposed retail units would offer less employment than that previously proposed through a conference centre.

The proposal for residential and retail units is contrary to local policy, in that B1 office space would not be provided on site as detailed in the policy. However, the development of the retail and residential development would be in line with national policy, as outlined in the NPPF, and the emerging local policy contained within the Development Strategy. The NPPF states that where there is no reasonable prospect of the site being used for the allocated employment use, applications for alternative uses should be treated on their merits, having regard to market signals and the relative need for different land uses to support sustainable local communities.

The developers have briefly states in their Design and Access Statement in section 2 that they have undertaken a credible period of marketing for the commercial uses which have failed to secure any suitable interest. They also state that marketing process has indicated that a

scheme for local facilities to support the existing and new population has been more attractive.

There has been no evidence submitted with this application as to demonstrate the extent of marketing that has been undertaken and any details thereof to demonstrate that B1 uses are not viable on this site.

In conclusion, although the proposals for the site are contrary to Policy MA9, they are compliant with the NPPF and the approach taken in the emerging Development Strategy. As stated above, it does still need to be demonstrated that B1 use is not viable on this site and the proposed retail units should compliment the existing offer in Silsoe and provide new facilities.

Education Officer No objections subject to relevant contribution towards education needs

Housing Development This application provides for 5 affordable homes which is
Team not in accordance with our current policy requirement of 35%. I would expect to see 35% affordable housing or 8 affordable units. The Strategic Housing Market Assessment (SHMA) indicates a tenure split of 63% affordable rent (5 units) and 37% intermediate tenures (3 units). I would like to see the units dispersed throughout the site and integrated with the market housing to promote community cohesion & tenure blindness. I would also expect all units to meet the code for sustainable homes level 3 and meet all HCA design and quality standards. If these comments are taken on board, I would support this application.

Beds and River Ivel We have no comments to make on the application.
Drainage Board

Sustainability Officer The proposed development should comply with the requirements of the development management policies DM1: Renewable Energy and DM2: Resource Efficiency. The proposed development is over the threshold of 10 dwellings set in the policy DM1 and therefore should deliver 10% of the development energy demand from renewable sources. Policy DM2 encourages all new development to meet CfSH Level 3. The energy standard of the CfSH Level 3 is below standard required by the Part L 2013 of the Building Regulations. The proposed development should comply with the new Part L 2013 of Building Regulations and deliver 10% of its energy demand from renewable sources.

In terms of water efficiency, the development should

achieve 105 litres per person per day (requirement of CfSH Level 3/4).

The commercial development is below the threshold of 1000m², and therefore there is no policy requirement for this development to be built to a specific BREEAM rating, but I would encourage delivery of higher sustainability credential than just meeting the Building Regulations requirements.

Should a planning permission be granted, the following condition should be attached:

- 10% energy demand of the development to be secured from renewable sources, this to be calculated as built;
- Water efficiency to be delivered to a Level 3 of the Code for Sustainable Homes standard (105 litres per person per day).

I would expect a Sustainability Report to be submitted in a support of condition discharge. The report should include calculations necessary to demonstrate how the above policy standards requirements will be met.

Public Protection
Contamination

- I do not have any objections to the proposed development, however if during any site investigation, excavation, engineering or construction works evidence of land contamination is identified, the applicant shall notify the Local Planning Authority without delay. Any land contamination identified, shall be remediated to the satisfaction of the Local Planning Authority to ensure that the site is made suitable for its end use.

Public Protection - Noise

In principle I have no objection to the proposal providing that the following conditions are imposed in order to mitigate any potential environmental impacts.

- No A3 use class hereby permitted shall be brought into operation until a scheme for protecting sensitive receptors from food preparation and cooking odours has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details, and shown to be effective, and it shall be retained in accordance with those details thereafter unless an alternative scheme has been approved in writing by the Local Planning Authority.
- No use class (A1, A2, A3 and/or B1) shall be brought into operation until a scheme for protecting residential dwellings from noise from fixed plant machinery and equipment has been submitted to and approved in

writing by the local planning authority. Noise resulting from the use of the plant, machinery or equipment shall not exceed a level of 5dBA below the existing background level (or 10dBA below if there is a tonal quality or distinguishable characteristics) when measured or calculated according to BS4142:1997, at a point one metre external to the nearest noise sensitive building.

- The commercial premises shall not be used except between 07.00hrs and 22.00hrs Monday to Saturday and 08.00 to 18.00hrs Sundays and Public Holidays, without the prior agreement in writing of the Local Planning Authority.
- Deliveries by commercial vehicles shall only be made to or from the site between 07.00 hours and 21.00 hours Monday – Saturday, and between 08.00 hours and 18.00hours Sundays, Bank or Public Holidays, without the prior agreement in writing of the Local Planning Authority

Play/Open Space Officer

Highways

I trust that this information is self-explanatory.

No objections - difficult to justify S106 contributions given previous requirements of outline and dwelling numbers.

I refer to the application for residential and mixed use development and to the revised plans relating to refuse vehicle tracking movements. I make the following observations on behalf of the highway authority.

Whilst I note that the front door to plot 352 remains from the main estate road I can confirm that all the other issues contained in my previous email response have been addressed.

In these circumstances I confirm that there is not any highway safety or capacity reasons why the development should not be granted planning approval. In these circumstances the following conditions and advice notes are recommended.

Condition 1/. The proposed development shall be carried out and completed in all respects in accordance with the vehicle access, parking and manoeuvring areas illustrated on the approved plan SM-N521-SL-01 rev I and defined by this permission and, notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995, (or any Order revoking or re-enacting that Order) there shall be no variation without the prior approval in writing of the Local Planning Authority.

Reason: To ensure that the development of the site is completed insofar as its various highway related elements are interrelated and dependent one upon another and to provide adequate and appropriate access arrangements at all times.

C2/. Before the premises on the Northern Parcel are occupied all on site vehicular areas shall be surfaced in a stable and durable manner in accordance with details to be approved in writing by the Local Planning Authority. Unless agreed otherwise with the Local Planning Authority arrangements shall be made for surface water drainage from the site to soak away within the site so that it does not discharge into the highway or into the main drainage system.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site so as to safeguard the interest of highway safety and reduce the risk of flooding and to minimise inconvenience to users of the premises and ensure satisfactory parking of vehicles outside highway limits

C3/. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any amendments thereto, the garage accommodation on the Southern Parcel site shall not be used for any purpose, other than as garage accommodation, unless permission has been granted by the Local Planning Authority on an application made for that purpose.

Reason: To retain off-street parking provision and thereby minimise the potential for on-street parking which could adversely affect the convenience of road users.

C4/. Development shall not commence until a scheme detailing provision for on site parking for construction workers and deliveries for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.

Reason: To ensure adequate off street parking during construction in the interests of road safety.

C5/. No development shall commence until a wheel cleaning facility has been provided at all site exits in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the amenity and to

prevent the deposit of mud or other extraneous material on the highway during the construction period.

Determining Issues

The main considerations of the application are;

1. The principle of the development
2. The impact on the character and appearance of the area
3. Neighbouring amenity
4. Highway considerations
5. Planning Obligations
6. Any other issues

Considerations

1. The principle of the development

The application site forms part of the wider site allocation MA9 of the Site Allocations DPD for the North for the redevelopment of the former Cranfield University site. Policy MA9 allocated the site for a mixed use development including 380 dwellings, B1 office space and community facilities. In October 2009 Outline consent granted permission for a mixed use development to include residential, Class B1 business, a lower school, a community hall with outdoor sports facilities and pitches, open space and access.

Following the approval of the Reserved Matters a large number of residential properties have been constructed and occupied, and the community building is near completion.

The part of the allocation that forms this proposal was set aside for a conference centre and B1 business units. Under the terms of the S106 Agreement with the Outline application, the applicant was required to market the business units for three years and provide monthly reports of the marketing campaign.

Loss of employment land

While the proposal would result in the loss of the employment allocation at the site, given the time that has passed since the outline consent was granted, it is necessary to consider changes in the market. The proposed commercial units would result in some employment generation although an end user for the units has, at present, not been secured.

In accordance with the S106 agreement 3 year marketing timescale for the existing approved B1 use and conference centre, this time period has passed and it appears that there is no real prospect of the business units being occupied. It is worth noting that the Community building would provide a small element of employment on the development, as would the school. Paragraph 22 of the NPPF advises that the long term protection of sites allocated for employment use should be regularly reviewed and where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits.

Affordable housing

The proposal would provide 8 affordable housing units. These would take the form of two, 2 bedroom dwellings and one, 3 bedroom dwelling within the southern portion of the site and five flats above the commercial units. The proposal would therefore meet the requirements of Policy CS7 which seeks to provide 35% Affordable Housing.

The proposal includes the provision of a two bedroom bungalow for open market housing which is considered to be a positive benefit of the proposal.

While the proposal would result in the loss of employment land, the applicant has demonstrated the employment use of the site would not be viable. The proposed housing and commercial units would provide some element of employment across the site, albeit small, and meets affordable housing targets in accordance with Policy CS7 and therefore the principle of the development is considered to be acceptable.

2. The impact on the character and appearance of the area

The wider development has been subject to a Design Code in order to ensure the development reflects the local vernacular. The southern parcel of the site reflects the design of the dwellings on the adjacent development and includes a mixed palette of render and brick properties, black weatherboard to the garages and ivory painted brickwork. The frontage of the site, viewed from Barton Road, is designed to mirror the gateway buildings at the main southern entrance to the development. The existing village green area would remain and additional landscaping is proposed along this street elevation. On the roundabout, the dwellings would be set back from the road frontage with green space to the front. The remainder of this part of the site lies opposite the existing dwellings within the development.

The northern parcel comprises two blocks, two storeys in height. The buildings are designed with a hipped roofline and rendered and painted brickwork walls together with design features such as a projecting tile course and black painted railings. The roof would be red coloured pan tiles. The external appearance of the buildings are considered to be in keeping with the properties along Mander Farm Road and therefore acceptable.

There have been many objections to the proposed development. Residents have commented that Silsoe should not be subjected to more development and the green open area to the front of the development should remain. However there is outline consent to develop both parcels of land with commercial B1 business units, therefore it was always the intention that these areas would be developed as part of the wider development.

The public orchard area to the northern of the commercial units would be retained.

Overall the proposal is considered to be acceptable in terms of its impact upon the character and appearance of the existing development and Silsoe as a whole.

3. Neighbouring amenity

The proposed dwellings would be set away from the existing residential properties being opposite them and separated by the existing public highway. Given this separation no loss of light or overbearing impact would occur. There would be first and ground floor windows facing the existing dwellings, however the windows would face front elevations which are already within the public domain, as such an element of overlooking already exists.

It is acknowledged that there is currently an area of open space which provides a good outlook for the surrounding dwellings, however as noted above the site already has outline consent for offices therefore the principle of developing this part of the site has already been established. On balance, residential properties of a similar scale and design to the existing are likely to have less impact on amenity than buildings constructed for B1 purposes.

The commercial units and flats would be located adjacent to the properties in Cherry Blossom Close. Nos 15 and 12 would be most affected by the proposal given the proximity of the development, to the side of these properties. The side elevation of block A includes 3 first floor windows that would face towards the rear garden and side elevation of the adjacent dwellings. Block A is located approximately 15m from the boundary shared with the adjacent properties, separated by the existing trees within the Orchard. There would be an element of overlooking towards these properties, however given the distance involved and the existing mature trees, any overlooking is unlikely to be significant.

The access and parking would be to the east of this neighbouring property and therefore some disturbance from comings and goings to the site is inevitable.

While there would be some impact on the amenities of the adjacent properties, the proposal would not result in significant harm in terms of overlooking, overbearing, loss of light and noise. The proposal is therefore acceptable in accordance with Policy DM3 of the Core Strategy.

4. Highway considerations

The proposal meets the parking requirements as set out in the Council's Design Guide for residential and visitor parking. Garages are also to be constructed to the recommended sizes.

Access to the residential part of the site is from Aspen Way with a small private access off Mander Closer serving three of the dwellings. Access to the commercial area would be from the existing roundabout.

There are no objections from a highways point of view and turning/ parking is acceptable.

5. Planning obligations

Under the outline application, S106 contributions were agreed and calculated for

up to 380 dwellings. The applicant has also constructed the community sports building to a high specification to the approval of Central Bedfordshire Council and as part of the S106 terms, will ensure that the sports pitches and lower school approved under the outline are delivered.

The approved dwellings, together with those proposed under this application are well below the 380 dwellings threshold, therefore it is not considered reasonable to seek further tariff based S106 contributions. However as the original S106 agreement was signed in November 2009, there is justification to seek additional contributions towards education given the time that has passed and the increased identified need. The applicant has agreed that a contribution towards early years, lower, middle and upper school provision is not unreasonable and therefore will be included within a new S106 agreement.

Also included with the S106 agreement will be the provisions for the affordable housing requirement. The Parish Council have suggested the inclusion of a clause within the S106 agreement which requires the commercial units to be marketed towards local businesses in the first instance, over a specified period. However it is felt that this arrangement would be too restrictive and therefore should not be included in order to ensure future occupation of the units is given the best opportunity.

6. Any other issues

In terms of landscaping, protection of trees would be required as would additional landscaping along the site boundaries which can be secured via a condition together with details on the landscaping and maintenance of the Orchard area.

Human Rights/Equalities Act

Based on the information submitted there are no known issues raised in the context of the Human Rights and the Equalities Act and as such there would be no relevant implications.

Recommendation

That Planning Permission be granted subject to the following conditions, the expiry of the advert in the local press and completion of the S106 Agreement :

RECOMMENDED CONDITIONS / REASONS

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

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 **No development shall take place until details of the existing and final ground and slab levels of all buildings hereby approved have been submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties. Thereafter the site shall be developed in full accordance with the approved details.**

Reason: To ensure that an acceptable relationship results between the new development and adjacent buildings and public areas in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 3 **No development shall take place until a detailed landscaping scheme to include all hard and soft landscaping and particularly new planting to the eastern boundary of the southern parcel of the site and the eastern boundary of the northern parcel of the site.**

A scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme will be submitted to and approved in writing by the Local Planning Authority with the proposed landscaping scheme. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.

Reason: To ensure an acceptable standard of landscaping in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

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- 5 Both the residential and commercial development hereby approved shall be constructed in the external materials as set out on the submitted plans unless otherwise agreed in writing by the Local Planning Authority. The development shall accord with the approved details.

Reason: In the interests of visual amenity in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

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- No A3 use class hereby permitted shall be brought into operation until a scheme for protecting sensitive receptors from food preparation and cooking odours has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in

accordance with the approved details, and shown to be effective, and it shall be retained in accordance with those details thereafter unless an alternative scheme has been approved in writing by the Local Planning Authority.

- 7 **No use class (A1, A2, A3 and/or B1) shall be brought into operation** until a scheme for protecting residential dwellings from noise from fixed plant machinery and equipment has been submitted to and approved in writing by the local planning authority. Noise resulting from the use of the plant, machinery or equipment shall not exceed a level of 5dBA below the existing background level (or 10dBA below if there is a tonal quality or distinguishable characteristics) when measured or calculated according to BS4142:1997, at a point one metre external to the nearest noise sensitive building.

Reason: In the interests of neighbouring amenity in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 8 The commercial premises shall not be used except between 07.00hrs and 22.00hrs Monday to Saturday and 08.00 to 18.00hrs Sundays and Public Holidays, without the prior agreement in writing of the Local Planning Authority.

Reason: In the interests of neighbouring amenity in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 9 Deliveries by commercial vehicles to the commercial units shall only be made to or from the site between 07.00 hours and 21.00 hours Monday – Saturday, and between 08.00 hours and 18.00hours Sundays, Bank or Public Holidays, without the prior agreement in writing of the Local Planning Authority.

Reason: In the interests of neighbouring amenity in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 10 **No development shall commence at the site before details of how the development will achieve 10% or more of its own energy requirements through on-site or near-site renewable or low carbon technology energy generation have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

Reason: In the interest of sustainability.

- 11 The proposed development shall be carried out and completed in all respects in accordance with the vehicle access, parking and manoeuvring

areas illustrated on the approved plan SM-N521-SL-01 rev I and defined by this permission and, notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995, (or any Order revoking or re-enacting that Order) there shall be no variation without the prior approval in writing of the Local Planning Authority.

Reason: To ensure that the development of the site is completed insofar as its various highway related elements are interrelated and dependent one upon another and to provide adequate and appropriate access arrangements at all times

- 12 Before the premises on the Northern Parcel are occupied all on site vehicular areas shall be surfaced in a stable and durable manner in accordance with details to be approved in writing by the Local Planning Authority. Unless agreed otherwise with the Local Planning Authority arrangements shall be made for surface water drainage from the site to soak away within the site so that it does not discharge into the highway or into the main drainage system.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site so as to safeguard the interest of highway safety and reduce the risk of flooding and to minimise inconvenience to users of the premises and ensure satisfactory parking of vehicles outside highway limits

- 13 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any amendments thereto, the garage accommodation on the Southern Parcel site shall not be used for any purpose, other than as garage accommodation, unless permission has been granted by the Local Planning Authority on an application made for that purpose.

Reason: To retain off-street parking provision and thereby minimise the potential for on-street parking which could adversely affect the convenience of road users.

- 14 **No development shall commence until a wheel cleaning facility has been provided at all site exits in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.**

Reason: In the interests of the amenity and to prevent the deposit of mud or other extraneous material on the highway during the construction period.

- 15 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers SM-N521-LP-01, SM-N521-SL-01 REV I, SM-521-MP-01 REV E, N521-204 REV A, SE02 REV A, 20137_03_101 REV I455.C_PL01 REV A, ARD-A.C_PL01 REV A, 3B5P-2B4P_PL01, 453.C_PL02 REV A, 3B5P-2B4P_PL02, 453.C_PL01 REV A, 453.C_PL03 REV A, 411.C-PL01 REV A, 450.C_PL01 REV A, XL-GAR.01.CB REV A, XL-GAR.02.CB REV A, XL-GAR.03.CB REV A, XL-GAR.04.CB, 2BB_PL01, 455.C_PL01 REV A, ARD-

FAR-BESP.C-PL04, ARD-FAR-BESP.C-PL03, ARD-FAR-BESP.C-PL02, ARD-FAR-BESP.C-PL01, B1kA02.e REV D, B1kB01.e REV C, B1kB02.e REV C, B1kA01.e REV C, B1kB.p REV A, B1kA.p REV A

Reason: To identify the approved plan/s and to avoid doubt.

Notes to Applicant

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
2. The applicant is advised that no highway surface water drainage system designed as part of a new development, will be allowed to enter any existing highway surface water drainage system without the applicant providing evidence that the existing system has sufficient capacity to account for any highway run off generated by that development. Existing highway surface water drainage systems may be improved at the developer's expense to account for extra surface water generated. Any improvements must be approved by the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
3. The applicant is advised that parking for contractor's vehicles and the storage of materials associated with this development should take place within the site and not extend into within the public highway without authorisation from the highway authority. If necessary the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk on 03003008049. Under the provisions of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of construction of the development hereby approved.
4. The applicant and the developer are advised that this permission is subject to a legal obligation under Section 106 of the Town and Country Planning Act 1990

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 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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