

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).

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).

- 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)

- 6
- 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 I, 455.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, BIKA02.e REV D, BIKB01.e REV C, BIKB02.e REV C, BIKA01.e REV C, BIKB.p REV A, BIKA.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.

Notes

- (1) In advance of the consideration of the application the Committee were advised of an additional response from the Local Development Framework Team who had no objections to make.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.