

Item No. 10

APPLICATION NUMBER	CB/14/04605/MW
LOCATION	Kiln Farm, Steppingley Road, Flitwick, Bedford, MK45 1AH
PROPOSAL	Removal of condition 6 and variation of condition 4 of permission CB/09/06977/MW to retain the access to the site as built.
PARISH	Steppingley
WARD	Flitwick
WARD COUNCILLORS	Cllrs Chapman, Gomm & Turner
CASE OFFICER	Natalie Chillcott
DATE REGISTERED	28 November 2014
EXPIRY DATE	27 February 2015
APPLICANT	Mr McAtavey
AGENT	Broughton Beatty Ltd
REASON FOR COMMITTEE TO DETERMINE	Contrary to policy (intrusion in the Green Belt) and there is no need for the entrance, other than for farm use.
RECOMMENDED DECISION	Granted

Recommendation

That Planning Permission be **Granted** subject to the following:

RECOMMENDED CONDITIONS / REASONS

1. Planning permission shall extend to the area edged with a thick black line on the attached Plan No. CB/09/06977/MW-1 and the development shall be carried out in accordance with the planning application dated 5/01/10 and the accompanying information, except where modified by other conditions of this permission.

Reason: To define the permission and allow for minor amendments.

2. The development shall be carried out in accordance with details shown on Drawing Nos. 7768/EW21 Rev. A and 7768/EW22 (received on 5/01/10) and shall be completed within 6 months from the date of commencement, which shall include spreading of the indigenous topsoils, ripping and grass seeding (but excluding aftercare requirements).

Reason: To ensure that a good standard of restoration is achieved within an acceptable timescale (Policies GE5 and GE26 of the MWLP)

3. The access to the site shall have a minimum width of 5.0 metres and radius of 6 metres.

Reason: In the interest of road safety and for the avoidance of doubt (Policy GE23 of the MWLP)

4. The scheme for the surfacing of the vehicular access no. CB/10/01931/MWS as approved by letter of approval dated 7th September 2010 shall be maintained for the life of the development.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site onto the highway in the interest of highway safety. (Policy GE18 of the MWLP)

5. Vehicular access to the site shall only be gained via the existing access on Flitwick Road, shown on Drawing No. 7768/EW21 Rev A received 5/01/10.

Reason: In the interests of highway safety and for the avoidance of doubt (Policy GE23 of the MWLP)

6. Adequate precautions shall be taken at all times to prevent the deposit of mud and debris onto the highway.

Reason: In the interests of highway safety. (Policy GE18 of the MWLP)

7. Only inert waste materials comprising soils and subsoils and which are free from contamination shall be imported to the site.

Reason: To protect the quality of controlled waters. (Policy GE20 of the MWLP)

8. No HGVs associated with this development shall access the site at any time.

Reason: To safeguard local amenity (Policies GE5 & GE18 of the MWLP)

9. In order to avoid damage to soil structure, topsoil handling shall only be carried out under suitable conditions when the material is in a dry and friable (non-plastic) condition.

Reason: To ensure a satisfactory restoration of the site (Policy GE26 of the MWLP)

10. Upon completion of importation of inert soil materials pursuant to this permission, all of the indigenous stripped soils stockpiled on site shall be spread to an even depth over the landraised area.

Reason: To ensure the satisfactory restoration of the site to a condition suitable for agricultural use (Policies GE6 & GE26 of the MWLP)

11. Upon completion of importation of soil materials pursuant to this permission, the landraised area and the whole of the means of access to the highway shall be ripped to a depth of 300mm at 300mm centres and all arisings comprising non soil, stone or vegetable matter and all stone arisings measuring in excess of 150mm in any direction shall be removed.

Reason: To ensure satisfactory restoration of the site (MWLP Policies GE5 & GE26) 12 The landraised area and the whole of the means of access to the highway shall be grass seeded using the following "Horse & Pony Paddock" seed mix comprising:

- Respect Perennial Ryegrass 44%
- Foxtrot Perennial Ryegrass 24%
- Herald Creeping Red Fescue 16%
- Scots Timothy 8%
- Rossa Meadow Fescue 8%

Reason: To ensure a satisfactory restoration of the site (MWLP Policy GE26)

13. The scheme for aftercare no. CB/10/02040/MWS as approved by letter from the Council dated 2nd December 2010 which:

- Provides an outline strategy, in accordance with Annex B of MPG7, for the 2-year aftercare period specifying the steps to be taken and the period during which they are to be taken, and including provision for treatment of the surface, any remedial drainage/ underdrainage, filling of any depressions and an annual progress meeting.
- Provides for a detailed annual programme, in accordance with Annex B of MPG7, to be submitted to the Local Planning Authority not later than 1 month prior to the annual aftercare meeting.

shall be implemented for a period of 2 years at the end of completion of restoration.

Reason: To provide for the satisfactory management of the site (Policy GE27 of the MWLP)

14. Within 6 months from the date of this permission three hedgerow trees made up of the following species: Field maple, oak, wild cherry or hornbeam shall be planted along the site frontage- within 2 metres from the hedge planting. These trees shall not obscure the view of the road sign.

Reason: Landscape benefit. MWLP policy GE9 Landscape protection and Landscaping.

Notes to Applicant

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

Planning permission has been recommended for approval for this proposal. The Council acted pro-actively through positive engagement with the applicant and representatives of the parish councils and Ward member 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.

Notes

- (1) In advance of the consideration of the application the Committee were advised of amended conditions.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.