

Item No. 9

APPLICATION NUMBER	CB/17/04986/FULL
LOCATION	Land at Roundabout at Jnct of College Chase and Mander Farm Road Silsoe, Bedford, MK45 4QP
PROPOSAL	Mixed use development including 5No mixed use commercial premises (use classes A1, A2, A3, B1(a)), 1 no commercial premises (class B1(A)) and 5 No residential apartments (use class C3), together with associated parking and access.
PARISH	Silsoe
WARD	Silsoe & Shillington
WARD COUNCILLORS	Cllr Ms Graham
CASE OFFICER	Donna Lavender
DATE REGISTERED	16 October 2017
EXPIRY DATE	15 January 2018
APPLICANT	GPS Estates Ltd
AGENT	Michael Hardiman & Associates LLP
REASON FOR COMMITTEE TO DETERMINE	Major application with parish council objection on the following grounds (in summary): <ul style="list-style-type: none">• Building footprint and heights larger;• An unacceptable relationship between the new development and public space• Elevations are uninspiring;• No proof of demand for this type of use• No solutions for the management of additional traffic• No provision for delivery vehicles• Too little parking• No external amenity space for apartment residents;• Further landscape should be provided;• Potential for increased noise and disturbance in the locality from proposed uses;• Requires condition for refurbishment and illumination of pedestrian walkway.
RECOMMENDED DECISION	Full Application - Recommended for Approval subject to the completion of a S106 agreement and following the end of consultation and no new material planning issues being raised.

Recommendation:

That Planning Permission be APPROVED subject to the completion of a s106 agreement and the following:

RECOMMENDED CONDITIONS

- 1 The development hereby permitted 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 **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 boundary treatment, particularly new planting to the eastern boundary 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: This condition is pre-commencement as planting will need to be ordered prior to construction, to ensure an acceptable standard of landscaping in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 4 **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.**

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

- 5 **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)

- 6 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)

- 7 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)

- 8 **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.

- 9 Before the premises 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.

- 10 **No development shall take place 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.

- 11 **No equipment, machinery or materials shall be brought on to the site for the purposes of development until details of substantial protective fencing for the protection of any retained tree(s), has been submitted to and approved in writing by the Local Planning Authority and the fencing has been erected in the positions indicated in the Arboricultural Method Statement Rev B. The approved fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made.**

**Reason: This condition is pre-commencement and the protection for the trees will need to be implemented prior to construction, to protect the trees so enclosed in accordance with Section 8 of BS 5837 of 2012 or as may be subsequently amended.
(Sections 7 & 11, NPPF)**

- 12 **No development shall take place until details of a scheme of biodiversity enhancement have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.**

Reason: This condition is pre-commencement as any enhancement may require the retention of certain species or habitats and to enable proper consideration of the impact of the development on the contribution of nature conservation. (Section 11, NPPF)

- 13 **The dwellings hereby approved shall not be occupied until details of the bin storage & collection areas have been submitted to and approved in writing by the Local Planning Authority and the bin storage/collection areas have been implemented in accordance with the approved details. The bin storage & collection areas shall be retained thereafter.**

**Reason: In the interest of amenity.
(Policy DM3 of the Core Strategy and Section 7, NPPF)**

- 14 **No development shall take place until wheel-cleaning facilities which prevent the deposit of mud or other extraneous material on the highway during the construction period have been installed at all vehicular site exists and made operational and the Site Developer(s) shall ensure that these are used by all vehicles exiting the site until the development has been substantially completed or until the roadworks necessary to provide adequate and clean access to and from the public highway have been completed (apart from final surfacing).**

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.

(Policy DM3 of the Core Strategy for the North and Section 7, NPPF)

- 15 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 2017/898/01A, 2017/898/02, 2017/898/03, 2017/898/04, 3177.Barton.MHS.TPP Rev B, 3177.Barton.MHA.AIP.Rev B, W01754-400 P01.

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

INFORMATIVE NOTES TO APPLICANT

1. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the National Planning Policy Framework (NPPF) and the Core Strategy for North Central Bedfordshire.
2. 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.
3. 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.
4. 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 0300 300 8049. 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.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35

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) Order 2015.