

Item No. 6

APPLICATION NUMBER	CB/17/04476/OUT
LOCATION	Woodlands Nurseries, Biggleswade Road, Upper Caldecote, Biggleswade, SG18 9BJ
PROPOSAL	Outline application for new plant production unit and access road and enabling commercial development (B1/B2/B8) of up to 9,275sqm and residential development of up to 35 dwellings
PARISH	Northill
WARD	Northill
WARD COUNCILLORS	Cllr Mr Firth
CASE OFFICER	Martin Plummer
DATE REGISTERED	15 September 2017
EXPIRY DATE	15 December 2017
APPLICANT	Chessum Plants
AGENT	DLA Town Planning Ltd
REASON FOR COMMITTEE TO DETERMINE	Major application which is a departure from the Development Plan.
RECOMMENDED DECISION	Outline Application - approval recommended.

Recommendation:

That Planning Permission be **APPROVED** subject to the completion of a legal agreement securing contributions to local infrastructure and 35% affordable housing and subject to the following conditions:

RECOMMENDED CONDITIONS

- 1 Application for the approval of the reserved matters shall be made to the Local Planning Authority within three years from the date of this permission. The development shall begin not later than two years from the final approval of the reserved matters or, if approved on different dates, the final approval of the last such matter to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 01-02-003 Rev N, 01-02-004 Rev E, 01-02-005, 01-02-006, WB-TS, Landscape Strategy Plan.

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

- 3 **No development shall take place until approval of the details of the appearance, landscaping, layout and scale of the development within that area (herein called “the reserved matters”) has been obtained in writing from the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

Reason: To comply with Part 3 Article 6 of the Town and Country Planning (General Development Procedure) Order 2015.

- 4 The number of dwellings approved on the site shall be restricted to 35 as shown on the approved drawings and application form.

Reason: To ensure that adequate provision of housing is provided which is justified in viability terms having regard to the conflict with policy DM4 of the CSDMP 2009.

- 5 The approved commercial buildings shall not exceed 9,275 square metres as shown on the approved drawings and application form.

Reason: To ensure that the Council retains control in respect of the development and the impact on the character and appearance of the site and surroundings.

- 6 Within the submission of any subsequent reserved matters application, landscape design proposals based on the approved plans which sees retention of existing landscaping to the south east boundary with the A1 and provision of landscaping to the east and southern boundary of the application site shall be submitted to and approved in writing by the Local Planning Authority. The development will thereafter be carried out in accordance with the approved details.

Reason: To ensure the provision of adequate landscaping in the interests of the character and appearance of the site and surroundings.

- 7 Within the submission of any reserved matters application, any layout drawings relating to the new access road shall include details of the unaltered alignment of the public right of way (Public Footpath No.7) which runs through the site together with an temporary measures to ensure that the public right of way is maintained and made available for use by members of the public during implementation of the approved development. The development will be implemented in accordance with the approved details.

Reason: To ensure adequate access for users of the public right of way.

- 8 The development hereby approved shall be carried out in accordance with the mitigation measures within the approved Flood Risk Assessment Ref:1339 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development adequately mitigates against flood risk matters.

- 9 No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed SuDS Team response letter (Nov

2017), and Flood Risk Assessment (Sep 2017). The scheme shall also include details of how the system will be constructed, including any phasing, and how it will be managed and maintained after completion. The scheme shall be implemented in accordance with the approved final details before the development is completed, and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with para 103 of the NPPF.

- 10 No building/dwelling shall be occupied until the developer has formally submitted in writing to the Local Planning Authority a finalised 'Maintenance and Management Plan' for the entire surface water drainage system, inclusive of any adoption arrangements and/or private ownership or responsibilities, and that the approved surface water drainage scheme has been correctly and fully installed as per the final approved details.

Reason: To ensure that the implementation and long term operation of a sustainable drainage system (SuDS) is in line with what has been approved, in accordance with Written Statement HCWS161.

- 11 No above ground building works shall take place until a method statement for the creation of new wildlife features, enhancement of semi-natural habitats and tree, hedgerow, shrub and wildflower planting/establishment has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:

- a) purpose and objectives for the proposed works;
- b) detailed design(s) and/or working method(s) necessary to achieve stated objectives
- c) extent and location of proposed works shown on appropriate scale maps and plans;
- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) persons responsible for implementing the works;
- f) initial aftercare and long-term maintenance;
- g) disposal of any wastes arising from works.

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

Reason: To ensure provision of net gain in biodiversity in accordance with the National Planning Policy Framework.

- 12 No above ground building work shall commence in relation to the approved residential development until a scheme for protecting the proposed dwellings from noise and/or vibration from commercial activities including glass house activity and deliveries has been submitted and approved by the local planning authority. None of the dwellings shall be occupied until such the scheme has been implemented in accordance with the approved details, and shown to be effective. The scheme shall be retained in accordance with those details thereafter.

Reason: To ensure adequate living conditions for future residents of the development in accordance with policy DM3 of the CSDMP 2009.

- 13 In the event that contamination is found at any time when carrying out the approved development, it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall then be undertaken by a competent person, in accordance with 'Model Procedures for the Management of Land Contamination, CLR 11'. A written report of the findings shall be forwarded for approval to the Local Planning Authority. Following completion of remedial measures a verification report should be prepared that demonstrates the effectiveness of the remediation carried out. No part of the development should be occupied until any remedial and validation works are approved in writing, to ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990.

Reason: To ensure that risk to the environment and water sources is adequately controlled and mitigated in accordance with the National Planning Policy Framework.

- 14 Development shall not begin until details of the eastern (commercial) junction between the proposed road and the highway has been approved by the Local Planning Authority and no building shall be occupied until that junction has been constructed in accordance with the approved details.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the proposed estate road.

- 15 The residential development shall not begin until details of the western (residential) junction between the proposed road and the highway have been approved by the Local Planning Authority and no dwelling shall be occupied until that junction has been constructed in accordance with the approved details.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the proposed estate road.

- 16 Visibility splays shall be provided at the junction of the eastern (commercial) junction with the public highway before the development is brought into use. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 215m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall, on land in the applicant's control, be kept free of any obstruction.

Reason: To provide adequate visibility between the existing highway and the proposed access, and to make the access safe and convenient for the traffic which is likely to use it.

- 17 Visibility splays shall be provided at the junction of the western (residential) junction with the public highway before the development is brought into use. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 43m measured from the centre line of

the proposed access along the line of the channel of the public highway. The required vision splays shall, on land in the applicant's control, be kept free of any obstruction.

Reason: To provide adequate visibility between the existing highway and the proposed access, and to make the access safe and convenient for the traffic which is likely to use it.

- 18 No development shall commence until details of the closure of the existing access to commercial traffic to the site has been submitted to and approved in writing by the Local Planning Authority. The closure for commercial traffic shall be implemented within 3 months of the first use of the new approved access. The development shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority

Reason: In the interest of road safety and to reduce the number of points at which traffic will enter and leave the public highway.

- 19 Prior to the commencement of any above ground building works, details of pedestrian access between the application site and Upper Caldecote shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include a combination or provision of either 1) A new footway (to the southern side of Biggleswade Road between the new access and Upper Caldecote), 2) Provision of an informal crossing point between the application site and the northern pedestrian footway along Biggleswade Road or 3) Improvements/access between the residential element and public right of way no 7.

Reason: In the interests of road safety and pedestrian movement.

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 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.