

Item No. 8

APPLICATION NUMBER	CB/17/05480/FULL
LOCATION	Staples Wholesale Nursery, Fordfield Road, Millbrook, Bedford, MK45 2HZ
PROPOSAL	Change of use of land from garden centre, to a Sui Generis use for the storage, refurbishment and hire of temporary and portable buildings, including erection of office, workshop and formation of open storage area, parking, improvements to access and landscaping, following the demolition of existing structures.
PARISH	Millbrook
WARD	Cranfield & Marston Moretaine
WARD COUNCILLORS	Cllrs Morris, Matthews & Mrs Clark
CASE OFFICER	Matthew Heron
DATE REGISTERED	13 November 2017
EXPIRY DATE	12 February 2018
APPLICANT	Forte Developments
AGENT	Kirkby Diamond
REASON FOR COMMITTEE TO DETERMINE	Referred to Committee by Assistant Director for Development and Infrastructure
RECOMMENDED DECISION	Full Application - Recommend approval

Recommendation:

That Planning Permission be GRANTED subject to 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 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans; 1889/1 & 9910/1/001 E & 17029-LP & 17029-05 & 17029-03 & 17029-01 & details contained in Part 6 of the August 2017 Ecological Survey as already submitted with the planning application.

Reason: To identify the approved plans, to avoid doubt and in the interests of biodiversity in accordance with Policy CS18 of the Core Strategy and Development Management Policies 2009.

- 3 The development hereby approved shall not be used other than for mixed light industrial (B1(c)) and storage and distribution (B8) purposes and for no other uses.

Reason: To ensure that the Local Planning Authority can appropriately manage the uses at the site, in the interest of the principle of the development and the Green Belt, in accordance with the provisions of the Framework.

- 4 Prior to the construction of the workshop hereby permitted, as identified on drawing no. 1889/1, full specifications of the materials to be used for its external surfaces must be submitted to and approved in writing by the Local Planning Authority. Subsequently, the development shall be carried out and retained in accordance with approved details.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS14, DM3 and DM14 of the Core Strategy and Development Management Policies 2009.

- 5 The combined height of modular buildings stored within the site shall not exceed 6m.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS14, DM3 and DM14 of the Core Strategy and Development Management Policies 2009.

- 6 Prior to the first operation of the development hereby approved, a scheme for external LED lighting, including methods for the reduction of light pollution, shall be submitted to and approved in writing by the local planning authority. Subsequently, the development shall be carried out and retained in accordance with approved details.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS14, DM3 and DM14 of the Core Strategy and Development Management Policies 2009.

- 7 Prior to the first operation of the development hereby approved full details on a suitably scaled plan of both hard and soft landscape works must be submitted to and approved in writing by the Local Planning Authority. Subsequently, these works shall be in addition to those shown on the approved plans and shall be carried out and retained as approved. The landscaping details to be submitted shall include:-

- a) means of enclosure;
- b) existing and proposed finished levels and finished floor levels.
- c) planting plans, including specifications of species, sizes, planting centres, planting method and number and percentage mix;
- d) details for all external hard surface within the site, including roads, drainage detail and car parking areas.

Reason: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policy DM14 of the Core Strategy and Development Management Policies 2009.

- 8 All planting, seeding or turfing and soil preparation comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following first occupation of the building; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. All landscape works shall be carried out in accordance with the guidance contained in British Standards.

Reason: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policy DM14 of the Core Strategy and Development Management Policies 2009.

- 9 No equipment, machinery or materials shall be brought on to the site for the purposes of development hereby approved 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 accordance with approved details. 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: To protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policy DM14 of the Core Strategy and Development Management Policies 2009.

- 10 The development hereby approved shall not operate other than between 07:30 hours and 18:00 hours Monday – Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: In the interest of amenity and noise protection, in accordance with Policy DM3 of the Development Management Core Strategy 2009.

- 11 No development shall commence until the junction radii improvements, shown on drawing 1707-74 PL01, of the existing vehicular access with the highway have been constructed in accordance with the approved details.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises, in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009.

- 12 No development shall take place, including any works of demolition, until a

Construction Management Plan, associated with the development of the site, has been submitted and approved in writing by the Local Planning Authority which will include information on:

- The parking of vehicles
- Loading and unloading of plant and materials used in the development
- Storage of plant and materials used in the development
- The erection and maintenance of security hoarding / scaffolding affecting the highway if required.
- Measures on site to control the deposition of dirt / mud on surrounding roads during the development.
- Footpath/footway/cycleway or road closures needed during the development period
- Traffic management needed during the development period.
- Times, routes and means of access and egress for construction traffic and delivery vehicles (including the import of materials and the removal of waste from the site) during the development of the site.

The approved Construction Management Plan associated with the development of the site shall be adhered to throughout the development process.

Reason: In the interests of safety, protecting the amenity of local land uses, neighbouring residents and highway safety, in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009.

- 13 Any gates provided shall open away from the highway and be set back a distance of at least 18 metres from the nearside edge of the carriageway of the adjoining highway.

Reason: To enable HGV's to draw off the highway before the gates are opened, in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009.

- 14 Prior to the first operation of the development hereby approved, a scheme for internal signage illustrating the appropriate highway routes for HGV vehicles shall be submitted to and approved in writing by the Local Planning Authority. The approved signage scheme shall be implemented prior to the first HGV movement associated with the approved development and shall be retained as approved.

Reason: In the interests of highway safety and residential amenity, in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009.

INFORMATIVE NOTES TO APPLICANT

1.
 - The applicant is advised that in order to comply with some conditions of this permission it will be necessary for the developer of the site to enter

into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Highways Agreements Officer, Highways Contract Team, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ

- The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Highways Help Desk tel: 0300 300 8049.
- 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.
- The applicant is advised that HGV movements to and from the site should utilise the A507 when exiting or seeking to join the M1 or A1.

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

Discussion with the applicant to seek an acceptable solution was not necessary in this instance. 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.