

## **Item No. 10**

<b>APPLICATION NUMBER</b>	<b>CB/17/01827/FULL</b>
<b>LOCATION</b>	<b>The Old Maltings, Church Street, Biggleswade, SG18 0JS</b>
<b>PROPOSAL</b>	<b>Change of use from former bar/ restaurant and single dwelling to form 10no. New dwellings and B1 office and the demolition of the timber outbuilding and its reconstruction as a gatehouse.</b>
<b>PARISH</b>	<b>Biggleswade</b>
<b>WARD</b>	<b>Biggleswade North</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Jones &amp; Mrs Lawrence</b>
<b>CASE OFFICER</b>	<b>Michael Huntington</b>
<b>DATE REGISTERED</b>	<b>15 May 2017</b>
<b>EXPIRY DATE</b>	<b>14 August 2017</b>
<b>APPLICANT</b>	<b>Mr J McCann</b>
<b>AGENT</b>	<b>Gary Johns Architects</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Town Council objection to a major development</b>
<b>RECOMMENDED DECISION</b>	<b>Approval</b>

### **Recommendation:**

That Planning Permission be APPROVED subject to the following:

### **RECOMMENDED CONDITIONS / REASONS**

- 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, numbers  
16-345 G001 Site plan  
16-345 G011 Block Plan  
16-345 G020B Proposed ground floor (01 of 02)  
16-345 G021C Proposed ground floor (02 of 02)  
16-345 G022C Proposed first floor (01 of 02)  
16-345 G023C Proposed first floor (02 of 02)  
16-345 G024C Proposed second floor (01 of 02)  
16-345 G025C Proposed second floor (02 of 02)  
16-345 G030C Proposed elevations  
16-345 G031 Proposed alterations  
16-345 G040 GA Sections

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

- 3 **No development shall take place, notwithstanding the details submitted with the application, until details of the materials to be used for the external walls, roofs, eaves, windows, doors and rainwater goods of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**

**Reason:** To control the appearance of the building in the interests of the visual amenities of the locality and to ensure that the development is carried out in a manner that safeguards the historic character and appearance of the Conservation Area. This is a pre-commencement condition as it is important to agree materials before development begins.  
(Section 7 and 12, NPPF)

- 4 Prior to the occupation of any dwelling on the site, a scheme for the provision of waste receptacles storage for each dwelling shall be submitted to and agreed in writing by the Local Planning Authority. The receptacles shall be provided before occupation takes place and retained thereafter.

**Reason:** In the interest of residential amenity and to reduce waste generation in accordance with the Council's Minerals and Waste Local Plan 2014, Policy WSP5 and the adopted SPD "Managing Waste in New Developments" (2006).

- 5 Notwithstanding the provisions of Part 1, Class A of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions to the building(s) hereby permitted shall be carried out without the grant of further specific planning permission from the Local Planning Authority.

**Reason:** To control the external appearance of the building/s in the interests of the amenities of the area.  
(Section 7, NPPF)

- 6 The development shall not be occupied until a noise attenuation scheme including fixed bedroom windows for protection of the proposed dwellings from noise associated with the nearby Licensed Premises has been submitted and approved in writing by the local planning authority. None of the approved new dwellings shall be occupied until such a scheme has been implemented in accordance with the approved details. The scheme shall be retained in accordance with those details thereafter.

**Reason:** To ensure that suitable levels of amenity are provided for future residents.  
(Policy DM3 Core Strategy Development Management Policies)

- 7 The development shall not be occupied until a scheme for ecological enhancement of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

**Reason:** To ensure that the development provides for a net increase in biodiversity.  
(Section 11, NPPF)

- 8 Notwithstanding the submitted details no development shall take place above base course level until a landscaping scheme to include all hard and soft landscaping, boundary treatment, public art, and a scheme for landscape maintenance for a

period of five years following the implementation of the landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. 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.  
(Sections 7 & 11, NPPF)

- 9 **No development shall commence until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of how the scheme shall be maintained and managed after completion. The scheme shall include provision of attenuation and a restriction in run-off rates as outlined in the FRA. 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 NPPF. This is a pre-commencement condition as the detailed design of the drainage systems needs to be approved prior to construction of the dwellings and then installed accordingly.**

- 10 **No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of:**

- a) Construction traffic routes and points of access/egress to be used by construction vehicles;**
- b) Details of site compounds, offices and areas to be used for the storage of materials;**
- c) Contact details for site managers and details of management lines of reporting to be updated as different phases come forward;**

**Construction working hours shall be 8am to 6pm Monday to Friday and 8am to 1pm on Saturdays, with no working on Sundays or Bank Holidays. There shall be no burning on site.**

**The development hereby permitted shall be carried out only in accordance with the approved CEMP.**

**Reason: To safeguard the amenity of existing and future residents. This is a pre-commencement condition as this detail needs to be agreed before the start of construction. (Section 7, NPPF)**

- 11 **No development shall take place until a written scheme of archaeological investigation; that includes provision for post excavation analysis and publication, has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall only be implemented in full accordance with the approved archaeological scheme.**

**Reason:** To record and advance understanding of the heritage assets with archaeological interest which will be unavoidably affected as a consequence of the development. This condition is pre-commencement as a failure to secure appropriate archaeological investigation in advance of development would be contrary to paragraph 141 of the *National Planning Policy Framework* that requires developers to record and advance of understanding of the significance of any heritage assets to be lost (wholly or in part) as a consequence of the development. (Section 12, NPPF)

- 12 **No development or demolition of any buildings or shall take place until a written scheme of historic building recording; that includes post recording analysis and publication has been submitted to and approved in writing by the Local Planning Authority. The said development shall only be implemented in full accordance with the approved historic building recording scheme.**

**Reason:** To record and advance understanding of the archaeological and historic resource which will be unavoidably destroyed as a consequence of the development. This condition is pre-commencement as a failure to secure appropriate archaeological investigation in advance of development would be contrary to paragraph 141 of the *National Planning Policy Framework* that requires developers to record and advance of understanding of the significance of any heritage assets to be lost (wholly or in part) as a consequence of the development. (Section 12, NPPF)

- 13 **The scheme for parking and manoeuvring indicated on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and that shall not thereafter be used for any other purpose.**

**Reason:** To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway. (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 the vehicular site exit 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. This is a pre-commencement condition as this detail needs to be agreed before the start of construction. (Section 7, NPPF)

## **INFORMATIVE 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 in order to comply with conditions within 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 footway improvements. Further details can be obtained from the Highways Agreements Officer, Highways Contracts 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 Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
  - The applicant is advised that parking for contractors 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 Councils 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.

### **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.