

Item No. 13**SCHEDULE B**

APPLICATION NUMBER CB/10/00391/VOC
LOCATION 17 The Russell Centre, Coniston Road, Flitwick, Bedford, MK45 1QJ
PROPOSAL Variation of condition 5 (opening hours) on planning permission CB/09/00648/FULL dated 11/6/09. To allow the premises to be open to customers between 0700 and 0000 (midnight) Monday to Sunday and open for deliveries only between 0000 (midnight) and 0300 on Saturdays and Sundays.
PARISH Flitwick
WARD Flitwick West
WARD COUNCILLORS Cllr Dennis Gale & Cllr Steve Male
CASE OFFICER Vicki Davies
DATE REGISTERED 04 February 2010
EXPIRY DATE 01 April 2010
APPLICANT DPGS Limited
AGENT
REASON FOR COMMITTEE TO DETERMINE Member request, Cllr Gale, due to Parish Council concerns.

RECOMMENDED DECISION Variation of Condition - Granted

Recommendation

That Planning Permission be granted subject to the following:

- 1 Unless otherwise agreed in writing the materials used in the shop front shall be powder coated aluminium and silver in colour.

Reason: To ensure that the visual appearance of the area is not detrimentally affected.

- 2 The approved kitchen ventilation system, together with any other external plant, machinery and equipment installed or operated in connection with this permission, shall be so enclosed, operated and/or attenuated that noise arising from such plant shall not exceed a level of 5dBA below the existing background level (or 10dBA below if there is a tonal quality) when measured or calculated according to BS4142:1997, at the boundary of any neighbouring noise sensitive premises.

Reason: To protect neighbouring residents from any adverse impact from noise arising from the kitchen extract ventilation system or other external plant on the premises.

- 3 The premises shall only be open to customers between the hours of 7am to midnight on Mondays to Sundays, and open solely for the purpose of making deliveries to customers between midnight and 3am on Saturdays and Sundays.

Reason: To safeguard the amenities which the occupiers of nearby properties might reasonably expect to enjoy.

Notes to Applicant

1. The applicant is reminded of their responsibilities under the Environmental Protection Act 1990 relating to statutory nuisance.

[Notes:

1. In advance of consideration of the application the Committee received representations made under the Public Participation Scheme.
2. In advance of consideration of the application the Committee were advised of consultation received as set out in the Late Sheet attached to these Minutes.]