

**Item No. 15****SCHEDULE B**

<b>APPLICATION NUMBER</b>	<b>CB/10/01474/FULL</b>
<b>LOCATION</b>	<b>The Five Bells, 2 Market Square, Eaton Bray, Dunstable, LU6 2DG</b>
<b>PROPOSAL</b>	<b>Demolition of store and yard and conversion of Public House into a dwelling with garage (revised application CB/09/06434/FULL)</b>
<b>PARISH</b>	<b>Eaton Bray</b>
<b>WARD</b>	<b>South West Bedfordshire</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Ken Janes &amp; Cllr Marion Mustoe</b>
<b>CASE OFFICER</b>	<b>Mr A D Robertson</b>
<b>DATE REGISTERED</b>	<b>26 April 2010</b>
<b>EXPIRY DATE</b>	<b>21 June 2010</b>
<b>APPLICANT</b>	<b>Miah Properties Ltd</b>
<b>AGENT</b>	<b>Hinton Cook Architects</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	
<b>RECOMMENDED DECISION</b>	<b>Full Application - Granted</b>

**Reasons for Granting**

The proposed conversion of the former public house to provide a dwelling is considered to be acceptable and in accordance with national guidance and policies within the South Bedfordshire Local Plan Review. There would appear to be no prospect of the public house use being re-established, there would be no adverse impact on residential amenity and there are no highway or parking issues.

**Recommendation**

That Planning Permission be GRANTED subject to the following:

- 1 The development 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 **Before development begins, a landscaping scheme to include any hard surfaces and earth mounding shall be 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 for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season and maintained until satisfactorily established.**

REASON: To ensure a satisfactory standard of landscaping.  
(Policy BE8, S.B.L.P.R).

- 3 Before the development is first occupied or brought into use, the parking scheme shown on Drawing No. 09-21-APP2-002A shall be completed and thereafter retained for this purpose.

REASON: To ensure provision for car parking clear of the highway.  
(Policy T10 S.B.L.P.R).

- 4 Notwithstanding any details submitted with the application, the proposed vehicular access shall be constructed and surfaced in accordance with details which shall previously be approved in writing by the Local Planning Authority for a distance of 5m into the site, measured from the highway boundary, before the premises are first occupied. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

REASON: To avoid the carriage of mud or other extraneous material or surface water from the site into the highway so as to safeguard the interest of highway safety.

- 5 Any gates provided shall open away from the highway and be set back a distance of at least 5.0m from the nearside edge of the carriageway of the adjoining highway.

REASON: To enable vehicles to draw off the highway before the gates are opened.

- 6 **Before development begins, a scheme for the parking of cycles on the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.**

**REASON: To ensure the provision of adequate cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport.**

- 7 **Before development begins, details of a bin storage/collection point shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be implemented before the first occupation of the dwelling.**

**REASON: To avoid the long term storage of refuse containers on the highway so as to safeguard the interests of highway safety.**

- 8 This permission relates only to the details shown on the Site Location Plan and Drawing Nos. 09-21-APP2-007, 09-21-APP2-008 and 09-21-APP2-009 received 26/04/10 and Drawing Nos. 09-21-APP2-002A and 09-21-APP2-010 received 14/07/10 or to any subsequent appropriately endorsed revised plan.

REASON: To identify the approved plans and to avoid doubt.

## Notes to Applicant

1. In accordance with Article 22 of the Town & Country Planning (General Development Procedure) Order 1995 (as Amended), the Council hereby certify that the proposal as hereby approved conforms with the relevant policies of the Development Plan comprising of the Bedfordshire Structure Plan 2011 and the South Bedfordshire Local Plan Review and material considerations do not indicate otherwise. The policies which refer are as follows:

### **South Bedfordshire Local Plan Review**

BE8 - Design and Environmental Considerations.

H2 - Provision of Housing via 'Fall-in' Sites.

H9 - Conversion of Property to form Dwellings.

T10 - Parking in New Developments.

2. In accordance with Article 22 of the Town and Country Planning (General Development Procedure) Order 1995 (as Amended), the reason for any condition above relates to the Policies as referred to in the Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).
3. 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.
4. The applicant/developer is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Central Bedfordshire Council's Customer Contact Centre, quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.
5. The applicant/developer 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 Central Bedfordshire Highways, Streetworks Co-ordination Unit.
6. The applicant/developer is advised that photographs of the existing highway that is to be used for access and delivery of materials will be required by the Local Highway Authority. Any subsequent damage to the public highway resulting from the works as shown by the photographs, including damage caused by delivery vehicles to the works, will be made good to the satisfaction of the Local Highway Authority and at the expense of the applicant. Attention is drawn to Section 59 of the Highways Act 1980 in this

respect.

7. The applicant/developer is advised that, whilst the Council has no reason to believe that this site is contaminated and is not aware of any potentially contaminative past use, it is the developer's responsibility to ensure that final ground conditions are fit for the end use of the site. Any staining, odours or other indications of contamination discovered during development should be described to Central Bedfordshire Council's Public Protection Service. Any imported material for gardens and landscaping must be of a quality that adheres to British Standard for Topsoil BS 3882:2007, as expected by the NHBC and other bodies.

[Notes:

1. In advance of consideration of the application the Committee received representations made in accordance with 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.]