

Item No. 9**SCHEDULE B**

APPLICATION NUMBER	CB/10/01776/FULL
LOCATION	21 - 23, Queens Road, Ampthill, Bedford
PROPOSAL	Full: Demolition of single storey building elements and garage. Replacement with two extensions one each side, partly single and partly two storey. Providing a total of 3 retail and 5 residential units. Refurbishment of existing accommodation. Associated amenity space, off street parking and landscaping provided. Re-routing of public pavement.
PARISH	Ampthill
WARD	Ampthill
WARD COUNCILLORS	Cllr P Duckett & Cllr G Summerfield
CASE OFFICER	Nicola Stevens
DATE REGISTERED	20 May 2010
EXPIRY DATE	15 July 2010
APPLICANT	VIGOR HOMES LTD
AGENT	SAUNDERS PARTNERSHIP ARCHITECTS
REASON FOR COMMITTEE TO DETERMINE	Deferred from 21.07.10 meeting to allow the applicant further time to discuss the proposal with the existing tenant. Cllr Summerfield request, concerned about overbearing impact on neighbours and highway issues.
RECOMMENDED DECISION	Full Application - Granted

Reasons for Granting

The proposal is in conformity with Policies CS1, CS2, CS3, CS4, CS14, CS17, DM3, DM4, DM14, DM16 and DM17 of the Core Strategy and Development Management Policies Adopted November 2009 as the proposal does not seriously harm the amenities of neighbours and will not have a harmful impact on the character and appearance of the locality. Appropriate and safe provision has been made for access and parking.

The proposal is in conformity with Planning Policy Statements 1 (Delivering Sustainable Development), 3 (Housing) and PPS4 Planning for sustainable economic growth, Technical Guidance: Design Guide for Central Bedfordshire & DS3 Town Centre & Infill Development, and DS6 Shopfront and signage Adopted Jan 2010, and Mid Beds District Council Planning Obligations SPD (Adopted Feb 2008).

Recommendation

That Planning Permission be APPROVED subject to the following:

- 1 The development hereby approved shall be commenced within three years of the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 which is designed to ensure that a planning permission does not continue in existence indefinitely if the development to which it relates is not carried out.

- 2 **No development shall commence until full details of both hard and soft landscaping have been submitted to and approved in writing by the Local Planning Authority. These details shall include:-**

- **materials to be used for any hard surfacing;**
- **planting plans, including schedule of size, species, positions, density and times of planting;**
- **cultivation details including operations required to establish new planting;**
- **details of existing trees and hedgerows on the site, indicating those to be retained and the method of their protection during development works.**

The development shall be carried out in accordance with the approved details.

Reason: In order to ensure that the landscaping is carried out within a reasonable period in the interest of the visual amenities of the area.

- 3 The scheme approved in Condition 2 shall be carried out by a date which shall be not later than the end of the full planting season immediately following the first occupation of the development hereby approved.

Thereafter the planting shall be adequately maintained for a period of five years from the date of planting. Any of the trees or shrubs or both which die or are removed, or which become severely damaged or seriously diseased (during the said period of five years) shall be replaced with trees or shrubs or both, as the case may be, of similar size and species to those originally required to be planted and the same shall be maintained until properly established.

Reason: In order to ensure that the planting is carried out within a reasonable period in the interest of the visual amenities of the area.

- 4 The boundary treatment including a 1.8m high brick wall around the residential bin storage area shall be erected as shown on the plans hereby approved. The boundary treatment shall be completed in accordance with the approved scheme unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality and protect residential amenity.

- 5 **No development shall commence until details of materials to be used for the external finishes of the development hereby approved to include roof, bricks, windows, doors, and porches have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance therewith.**

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match/complement the existing building(s) and the visual amenities of the locality.

- 6 Final ground and slab levels of the development hereby approved shall be implemented in full accordance with the approved plans unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that a satisfactory relationship results between the new development and adjacent buildings and public areas.

- 7 Retail unit 3 as shown on drawing 6444-P15 shall only be open to customers between the hours of 8am to 6pm Mondays to Saturdays, and not at all on Sundays and Bank Holidays.

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

- 8 Prior to the first occupation of the northern extension the first floor bathroom window in the side (northern) elevation of the development shall be fitted with obscured glass of a type to substantially restrict vision through it, and restriction on its opening to a maximum of 10 cm. These restrictions shall be retained at all times unless written authority has been given by the Local Planning Authority.

Reason: To safeguard the amenities of occupiers of adjoining properties.

- 9 **Development shall not begin until details of the junction of the proposed vehicular access with the highway have been approved by the Local Planning Authority and no building shall be occupied until the 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 the premises.

- 10 **No development shall take place until the developer has entered with the Council into a Section 38 Agreement of the Highways Act 1980 or similar in respect of the re-routing of the existing footway along Queens Street, to be constructed as part of the development.**

Reason: To ensure that the re-routed footway is available for the public use without any restrictions, in the interest of pedestrian movement.

- 11 No dwelling shall be occupied until the re-routing of the existing footway along Queens Road along the back of the proposed car parking area, the principles of which are as shown on Drawing No 6444 P14B, has been completed. Any Statutory Undertakers equipment or street furniture shall be resited to provide an unobstructed footway.

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

- 12 **Development shall not begin until detailed plans and sections of the proposed pedestrian and car parking areas off Dukes Road and Queens Street showing gradients and method of surface water disposal have been approved by the Local Planning Authority and no building shall be occupied until the approved details have been constructed.**

Reason: To ensure that the proposed pedestrian and car parking areas are constructed to an adequate standard in the interest of highway safety.

- 13 Before the premises are occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

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

- 14 There shall be no restriction on the use of the car parking spaces shown on drawing No 6444 P14B by occupiers of, or visitors to, any of the buildings hereby permitted.

Reason: To minimise the potential for on-street parking and thereby safeguard the interest of the safety and convenience of road users.

- 15 Cycle parking and storage on the site shall be implemented in accordance with the plans and details hereby approved. The scheme shall be fully implemented before the development hereby approved 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.

- 16 **Development shall not commence until a scheme detailing provision for on site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.**

Reason: To ensure adequate off street parking during construction in the interests of road safety.

- 17 **No development shall commence until a Site Waste Management Plan has been submitted to and approved by the Local Planning Officer. Development shall be completed in accordance with the approved details. The Site Waste Management Plan should demonstrate that in both construction and operational phases of the development, waste will be minimised as far as possible and that such waste as is generated will be managed in an appropriate manner.**

Reason: To ensure that site waste is disposed of in a safe, efficient and comprehensive manner.

- 18 The ground floor of the building shall be used for retail sale of goods to the public (Use Class A1) of the Town and Country Planning (Use Classes) Order 2006 and no other purpose, (or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To exclude the provisions of the said Use Classes Order and thereby ensure the Local Planning Authority retains full control of the future use of the land/building(s) in view of the special circumstances of the case.

- 19 **Prior to commencement of the development hereby permitted, the applicant shall submit in writing for the approval of the Local Planning Authority a scheme of noise attenuation measures which will ensure that internal noise levels for the residential units which need to be protected from the commercial use shall not exceed 35dB LAeq, 07.00-23.00 in any habitable room, or 30dB LAeq, 23.00 - 07.00 and 45dB LAmx, 23.00 - 07.00 inside any bedroom. Any works which form part of the scheme approved by the Local Authority shall be completed and the effectiveness of the scheme shall be demonstrated through validation noise monitoring with the results reported to the Local Planning Authority in writing , before any permitted dwelling is occupied, unless an alternative period is approved in writing by the authority.**

Reason : To protect neighbouring residents from any adverse impact from noise arising from the commercial use.

Notes to Applicant

1. You are advised to note that new shop signage may need separate advisement consent. You are advised to contact the planning department for further advise prior to erection of any signage.
2. You are advised to note that this permission is restricted to A1 use. Should any cooking facilities/equipment be required this is likely to require separate planning consent.
3. The applicant is advised that in order to comply with Condition 12 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 or similar of the Highways Act 1980 to ensure the satisfactory completion of the access, car parking areas and footway provision . Further

details can be obtained from the Highways Development Control Group, Development Management Division, , Central Bedfordshire Council, P.O. Box 1395, Bedford, MK42 5AN.

4. 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 Transportation Division, Central Bedfordshire Council, P.O. Box 1395 Bedford,
5. The applicant is advised that in order to comply with condition 10 of this permission details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Highways Development Control Group, Development Management Division, Central Bedfordshire Council, P.O. Box 1395 Bedford, MK42 5AN.
6. The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council's "Cycle Parking Guidance.

[Notes:

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