

Item No. 24

APPLICATION NUMBER	CB/12/01510/FULL
LOCATION	2 - 6 High Street, Biggleswade, SG18 0JA
PROPOSAL	Part demolition rear outbuilding, reconstruction of outbuilding including pitched roof, construction of external staircase within courtyard, change of use to part first floor and ground floor to holistic health centre, change of use part ground floor from residential to commercial cafe kitchen use, change of use from hairdressing salon to hot food cafe and refurbishment various elements of building
PARISH	Biggleswade
WARD	Biggleswade North
WARD COUNCILLORS	Cllrs Jones & Mrs Lawrence
CASE OFFICER	Nikolas Smith
DATE REGISTERED	25 April 2012
EXPIRY DATE	20 June 2012
APPLICANT	Ms Kenny
AGENT	Triad Planning & Design Ltd
REASON FOR COMMITTEE TO DETERMINE	The corresponding application for Listed Building Consent was called to Committee by Cllr J Lawrence because of the sites location, heritage status and because of local interest
RECOMMENDED DECISION	Full Application - Granted

Recommendation:

That Planning Permission be granted subject to the following conditions:

- 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 No extraction vents shall be installed in to any external wall unless otherwise agreed in writing beforehand by the Local Planning Authority.

Reason: To protect the appearance of the site and to control noise and odours.

- 3 The bin storage area shown on drawing number 12-752-P-05 shall be provided before the commencement of the A3 use at the site and shall be permanently retained thereafter.

Reason: To ensure that waste and recycling is properly stored and collected.

4 The uses hereby approved shall not operate except between the hours of 0730 to 2100 on Mondays to Saturdays and 0830 to 1800 on Sundays and Bank Holidays.

Reason: To safeguard the amenities of neighbouring buildings and uses.

5 **No development shall take place until the applicant or developer has secured the implementation of a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority. The said development shall only be implemented in accordance with the scheme thereby approved.**

Reason: To record and advance understanding of the significance of the heritage assets with archaeological interest in accordance with Policy 141 of the *National Planning Policy Framework*.

6 **A scheme for sound insulation shall be submitted to and approved by the Local Planning Authority to ensure that noise & vibration from the hereby permitted commercial uses is not to the detriment of future occupiers of the residential units in the building. The scheme approved by the Local Planning Authority in writing shall be fully implemented in accordance with the approved details before the uses, the subject of this consent, commence. The works and scheme shall thereafter be maintained in accordance with the approved details.**

Reason: To protect the amenity of future occupiers of the development.

7 Noise resulting from the use of the plant, machinery or equipment 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 a point one metre external to the nearest noise sensitive building.

Reason: To protect neighbouring amenity.

8 **Equipment shall be installed to effectively suppress and disperse fumes and/or odours produced by cooking and food preparation, and the equipment shall be effectively operated for so long as the commercial food use continues. Full details of the method of odour abatement and all odour abatement equipment to be used, including predicted noise levels of the equipment in operation, shall be submitted to and approved by the Local Planning Authority prior to the installation of the equipment. The approved equipment shall be installed as approved prior to the use hereby permitted commencing.**

Reason: In order to prevent the adverse impact of odours arising from cooking activities on the amenity of residents.

9 **The kitchen ventilation system approved in accordance with condition 8 above, 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 it has distinguishable**

characteristics or there is a tonal quality) when measured or calculated according to BS4142:1997, at the boundary of any neighbouring residential dwelling.

Reason: To protect residents from any adverse impact from noise arising from the kitchen extract ventilation system.

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Notwithstanding the provisions of the Town and Country Planning Act (Use Classes Order) the building shall not be used in any other way than as:

A holistic health/yoga centre;

A hot food café

A Hairdressing salon; and/or

Residential units

In accordance with the approved floor plans without the prior written consent of the local planning authority.

Reason: To protect amenity at neighbouring sites.

Reason for approval:

The development would cause no harm to the appearance of the site or to the special architectural or historic character of the listed building, would preserve the character and appearance of the Conservation Area, would cause no harm to living conditions at neighbouring buildings and would not result in harm to highway safety. Further, the uses would promote the continued use of the building and would be appropriate in this town centre location. The development would be in accordance with the objectives of the National Planning Policy Framework (2012), Policies DM3 (High Quality Development), DM7 (Development in Town Centres) and DM13 (Heritage in Development) of the Central Bedfordshire Core Strategy and Development Management Policies (2009) and Design Supplements 3 (Town Centre and Infill Development) and 5 (the Historic Environment) of Design in Central Bedfordshire (a Guide to Development) (2010).

INFORMATIVE

The applicant is advised to make contact with representatives of St Andrews Church to explore methods of ensuring that the site operates in such a way as is sensitive to the needs of the Church and its visitors.

NOTES

- (1) In advance of the application the Committee were advised of additional Consultation including a petition containing 589 signatures. Comments from St Andrews Church and an additional letter that had been circulated to Members from the Church reinforcing their objection. In response to the objection recommended conditions were suggested.
- (2) In advance of the consideration the application the Committee received representations made under the Public Participation Scheme.

