

Item No. 8

APPLICATION NUMBER	CB/12/02693/FULL
LOCATION	1 Ashton Square, Dunstable, LU6 3SN
PROPOSAL	Change of use to A2 to accommodate a CBC-funded Active Travel Office
PARISH	Dunstable
WARD	Dunstable Central
WARD COUNCILLORS	Cllr Mrs Hegley
CASE OFFICER	Adam Davies
DATE REGISTERED	30 July 2012
EXPIRY DATE	24 September 2012
APPLICANT	Central Bedfordshire Council
AGENT	
REASON FOR COMMITTEE TO DETERMINE	Outside scheme of delegation
RECOMMENDED DECISION	Full Application - Granted

Site Location:

The application property is one of a parade of commercial units fronting onto Ashton Square. The ground floor unit which is the subject of this application is currently vacant but was previously used as a dry cleaners/laundrette. The site is located within the Main Shopping Area and forms part of the Dunstable Conservation Area as defined on the Proposals Map of the South Bedfordshire Local Plan Review.

The Application:

Planning permission is sought for the change of use of the ground floor unit to provide an Active Travel Office providing a local travel advice and information service to the public. The service would also allow the public to arrange bike loans and health checks and purchase maps and bicycle accessories. The Active Travel Office would be funded by Central Bedfordshire Council. It is intended that the Active Travel Office would operate for a temporary period until March 2015.

RELEVANT POLICIES:

**National Planning Policy
National Planning Policy Framework (March 2012)**

**Regional Spatial Strategy
East of England Plan (May 2008) Policies**
SS1 - Achieving Sustainable Development
SS4 - Towns other than Key Centres and Rural Areas
SS6 - City and Town Centres
T2 - Changing Travel Behaviour

T9 - Walking, Cycling and other Non-Motorised Transport
T13 - Public Transport Accessibility
ENV6 - The Historic Environment

South Bedfordshire Local Plan Review Policies

BE8 - Design Considerations
TCS2 - Main Shopping Areas

The NPPF advises of the weight to be attached to existing local plans for plans adopted prior to the 2004 Planning and Compulsory Purchase Act, as in the case of the South Bedfordshire Local Plan Review. Due weight can be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are considered broadly consistent with the Framework and carry significant weight.

Supplementary Planning Guidance

Design in Central Bedfordshire - A Guide for Development

Luton and Central Bedfordshire Core Strategy - adopted for Development Management purposes by the CBC Executive

Dunstable Town Centre Masterplan - May 2011

Planning History

None relevant.

Representations: (Parish & Neighbours)

Town Council	No objection.
Neighbours	None received.

Consultations/Publicity responses

Conservation and Design Officer	No objection. Associated signage will need to be controlled as appropriate to a Conservation Area setting, in accordance with Central Bedfordshire design guidance.
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Determining Issues

The main considerations of the application are;

1. Principle of development and impact upon Main Shopping Area
2. Impact upon character and amenities
3. Other matters

Considerations

- 1. Principle of development and impact upon Main Shopping Area**
The application site is located in a Main Shopping Area and forms part of the

Dunstable Conservation Area. The primary function of the proposed Active Travel Office would be to provide a local travel advice and information service to the public, thereby encouraging the use of sustainable transport modes. The promotion of sustainable transport is one of the core planning principles embodied within the National Planning Policy Framework, published March 2012. Additionally, East of England Plan Policy T2 seeks to bring about a significant change in travel behaviour, through encouraging a shift towards greater use of sustainable modes, raising awareness of the benefits and availability of sustainable alternatives and raising awareness of the health benefits of travel by non-motorised modes. The Luton and Central Bedfordshire Core Strategy, adopted for Development Management purposes by the CBC Executive in August 2011, also seeks to encourage the promotion of sustainable transport modes. This broad objective is also reflected within the emerging Development Strategy for Central Bedfordshire. Accordingly favourable consideration should be given to the proposal.

Saved Policy TCS2 of the South Bedfordshire Local Plan Review states that, within Main Shopping Centres, changes of use for non-retail purposes at ground floor level will only be permitted where the Local Planning Authority is satisfied that the vitality and viability of the town centre will be sustained and enhanced. The proposed Active Travel Office would offer a number of items for sale to the public, but would not constitute a Use Class A1 use in terms of the Town and Country Planning (Use Classes) Order 1987. Nonetheless it would have a level of customer attraction comparable to a Use Class A1 retail unit. The previous use of the property as a dry cleaners/laundrette would constitute a Sui Generis Use and therefore the proposal would not result in the loss of an existing A1 use. The shopping frontage in which the property is located would remain predominantly within Class A1 as more than 50% of the frontage would still be made up of retail units. If planning permission were granted for the proposed use, and the permission were implemented, the planning legislation would allow for the use of the property as an Use Class A1 shop without the need for a new planning application. It is considered that the proposed use would be compatible with the functions of the Main Shopping Area in which it would be located and would not compromise the long term planning objectives for the shopping area. It would also positively enhance the attractiveness of the town centre by extending the range of facilities offered and would provide a new use for a vacant unit. This would be to the benefit of the vitality and viability of the town centre. The proposal is therefore in conformity with Policy TCS2 and no objections are raised in terms of the impact upon the Main Shopping Area.

The site also falls within the area subject to the Dunstable Town Centre Masterplan which sets out the Council's vision for Dunstable and how this will be achieved by regenerating the town centre over the next 10 to 15 years. The application property is located within one of the key areas of change for the town centre where a retail and residential marionette scheme along West Street and Middle Row, a new car park and improved public spaces are envisioned. The Masterplan seeks to encourage a balanced mix of shops, restaurants, cafes and other services falling within Use Classes A1-A4 where appropriate. The proposal would not compromise the specific proposals for this area or the town centre in general and is considered to be in conformity with the Masterplan.

2. Impact upon character and amenities

No physical changes are proposed to the property. Any new signage which may be required would be subject to planning control under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Given the nature of the proposed use and its location within the Main Shopping Area, it is not considered that the proposed use would be harmful to the character or appearance of the Conservation Area or adversely affect the amenities of any neighbouring residents.

3. Other matters

Whilst it is intended that the Active Travel Office would operate for a temporary period until March 2015, given that the proposal is considered acceptable in terms of the impact upon the Main Shopping Area and town centre, the Conservation Area and neighbour amenities, it is not considered that a temporary planning permission is appropriate in this instance.

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 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers CBC/001.

Reason: For the avoidance of doubt.

Reasons for Granting

The proposed use would be beneficial to the vitality and viability of the Main Shopping Area in which it would be located and would not compromise the long term objectives for the town centre, having regard to saved Policy TCS2 of the South Bedfordshire Local Plan Review and the Dunstable Town Centre Masterplan. The proposed use would also promote sustainable transport in line with the core planning principles embodied within the National Planning Policy Framework, the East of England Plan and the endorsed Luton and Central Bedfordshire Core Strategy. The proposal would not be detrimental to the character or appearance of the Dunstable Conservation Area or the amenities of any neighbouring residents and is therefore also in conformity with Policies SS1, SS4, SS6 and ENV6 of the East of England Plan (May 2008) and Policy BE8 of the South Bedfordshire Local Plan Review 2004.

Notes to Applicant

1. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the reason for any condition above relates to the Policies as referred to in the Regional Spatial Strategy (RSS), Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).
2. 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.
3. Please note that the unnumbered drawings submitted in connection with this application have been given unique numbers by the Local Planning Authority. The numbers can be sourced by examining the plans on the View a Planning Application pages of the Council's website www.centralbedfordshire.gov.uk.

DECISION

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