

Item No. 19

APPLICATION NUMBER	CB/12/04446/FULL
LOCATION	Touchwood, Plantation Road, Leighton Buzzard, LU7 3JE
PROPOSAL	Retention and use of detached timber outbuilding as beauty therapy business
PARISH	Leighton-Linslade
WARD	Leighton Buzzard North
WARD COUNCILLORS	Cllrs Johnstone, Shadbolt & Spurr
CASE OFFICER	Adam Davies
DATE REGISTERED	19 December 2012
EXPIRY DATE	13 February 2013
APPLICANT	Mrs P Goodwin
AGENT	D J Harnett & Associates
REASON FOR COMMITTEE TO DETERMINE	Councillor Spurr has requested that the application be referred to Committee if Officers are minded to approve due to concerns regarding the parking and access arrangements for the property.
RECOMMENDED DECISION	Full Application - Granted

**Recommendation – ADAM PLEASE ADVISE OF WORDING FOR ADDITIONAL
CONDITION.**

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 **Prior to the initial use of the outbuilding in connection with the beauty therapy use hereby permitted, details of a turning space for vehicles shall be submitted to and approved in writing by the Local Planning Authority and shall be laid out within the curtilage of the site in accordance with the approved drawing.**

Reason: To enable vehicles to park and turn within the site and exit the site in forward gear.

- 3 The beauty business shall only operate between the hours of 9am and 5pm Monday to Friday and between the hours of 9am and 12noon on Saturdays. The beauty business shall not operate on Sundays or public holidays.

Reason: To protect the character of the area and the amenities of the neighbouring properties.

(Policies BE6 and BE8 S.B.L.P.R and Policy 43 D.S.C.B).

- 4 Notwithstanding the provisions of Schedule 2, Part 2, Class A of to the Town and Country (General Permitted Development) Order 1995 as amended (or any order revoking and re-enacting that Order with or without modification), no gate, fence, wall or other means of enclosure shall be erected or constructed within the curtilage of the property without the grant of further specific permission from the Local Planning Authority.

Reason: In order to prevent the formal subdivision of the larger site into distinct areas associated with the business use and the residential occupation of the property and thereby protect the character of the area.

(Policies BE 6 and BE8 S.B.L.P.R and Policy 43 D.S.C.B).

- 5 The use of the outbuilding in connection with the beauty therapy use hereby permitted shall be limited to the applicant Ms Olivia Goodwin and her customers only. The outbuilding shall otherwise only be used for purposes incidental to the enjoyment of the main dwellinghouse as such.

Reason: In order to prevent the establishment of an overly intensive business use unrelated to occupation of the main dwelling and thereby protect the character of the area and the amenities of the neighbouring properties.

(Policies BE6 and BE8 S.B.L.P.R and Policy 43 D.S.C.B).

- 6 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 18366, 18367 and 2012/1005/01.

Reason: For the avoidance of doubt.

Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

Reasons for Granting

Subject to appropriate conditions, the level of activity resulting from the proposed use would be sufficiently low key that it would not be harmful to the character of the Area of Special Character or the amenities of the neighbouring residents and is acceptable in terms of parking provision and highways considerations. Therefore an objection in relation to Policies BE6, BE8 and T10 of the South Bedfordshire Local Plan Review or Policies 1, 24, 25, 27 and 43 could not be sustained in this instance, having regard to the core planning principles set out within the National Planning Policy Framework.

Notes to Applicant

1. 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.
2. 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 South Bedfordshire Local Plan Review (SBLPR) and the emerging Development Strategy for Central Bedfordshire (DSCB).
3. The applicant is advised that some beauty treatments require registration with the Council; the applicant is advised to contact either Richard Johns on 0300 300 4422 or Ben Salvatierra on 0300 300 4492 to discuss these matters further.
4. Notwithstanding the grant of this planning permission, the applicant is advised that the Council has received third-party representations in response to the application which raise concerns that the applicant does not have suitable rights for non-residential traffic to access the site via the shared driveway serving the property. It is indicated that the shared driveway is subject to a legal covenant which states that it shall only be used for residential purposes. The applicant is advised that the grant of planning permission does not infer a right to access land outside the ownership of the applicant or to access the site in a manner which may conflict with a separate legal covenant. Separate to the grant of any planning permission, the applicant should ensure that they benefit from suitable rights to access the site as proposed.
5. The applicants attention is drawn to their responsibility under The Equality Act 2010 and with particular regard to access arrangements for the disabled.

The Equality Act 2010 requires that service providers must think ahead and make reasonable adjustments to address barriers that impede disabled people.

These requirements are as follows:

- Where a provision, criterion or practice puts disabled people at a

substantial disadvantage to take reasonable steps to avoid that disadvantage;

- Where a physical feature puts disabled people at a substantial disadvantage to avoid that disadvantage or adopt a reasonable alternative method of providing the service or exercising the function;
- Where not providing an auxiliary aid puts disabled people at a substantial disadvantage to provide that auxiliary aid.

In doing this, it is a good idea to consider the range of disabilities that your actual or potential service users might have. You should not wait until a disabled person experiences difficulties using a service, as this may make it too late to make the necessary adjustment.

For further information on disability access contact:

The Centre for Accessible Environments (www.cae.org.uk)

Central Bedfordshire Access Group (www.centralbedsaccessgroup.co.uk)

NOTE

In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.