

Item No. 9

APPLICATION NUMBER	CB/13/02102/FULL
LOCATION	81 Ampthill Road, Maulden, Bedford, MK45 2DH
PROPOSAL	Minor demolition of existing stairway and access. Alterations and extensions to provide a new single storey (A1 Use) shop.
PARISH	Maulden
WARD	Ampthill
WARD COUNCILLORS	Cllrs Duckett, Blair & Smith
CASE OFFICER	Sarah Fortune
DATE REGISTERED	13 June 2013
EXPIRY DATE	08 August 2013
APPLICANT	Mr Malkiat Khinda
AGENT	Wentworth Building Design
REASON FOR COMMITTEE TO DETERMINE	Called in to Committee by Councillor Paul Duckett on grounds of overdevelopment of the site.
RECOMMENDED DECISION	Full Application - Approval

Summary of recommendation

There are no objections in principle to the erection of a small shop unit in this central location within the village in accordance with policies CS11, CS12 and DM8 in the Core Strategy and Development Management Planning Document dated 2009 and policies 13 and 43 in the emerging Development Strategy for Central Bedfordshire dated 2013 which seek to encourage proposals for retail uses in villages to support a rural economy as long as various criteria are satisfied. In this case, the highways officer is not raising any objections and there will not be significant impact on the amenities of neighbours by way of the use of these small, new premises as a retail unit.

Recommendation

That Planning Permission be granted.

RECOMMENDED CONDITIONS / REASONS

- 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 All external works hereby permitted shall be carried out in materials to match as closely as possible in colour, type and texture, those of the existing building.

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.

- 3 A scheme shall be submitted for written approval by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved scheme before the building hereby permitted is commenced

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

- 4 Before the use commences 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 abatements 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.

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

- 5 The kitchen ventilation system approved in accordance with condition 4 above, together with any other external plant, machinery and equipment installed or operated in connection with this permission, 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 there is a tonal quality) when measured or calculated according to BS4142:1997, at the boundary of any neighbouring residential dwelling. The applicant shall clearly demonstrate that noise from the installed plant achieves the required noise standard, prior to the use hereby permitted commencing.

Reason: To protect neighbouring residents from any adverse impact from noise arising from the kitchen extract ventilation system or other external plant on the premises.

- 6 The premises shall not be open to the public except between 07.00 hours and 17.30 hours Monday - Saturday and at no time on Sundays, Bank or Public Holidays, without the prior agreement in writing of the Local Planning Authority.

Reason: To protect the amenities of occupiers of the neighbouring residential properties.

- 7 Deliveries by commercial vehicles shall only be made to and from the site between 08.00 hours and 17.30 hours Monday-Friday, 08.00 hours and 17.30 hours on Saturdays, and at no time on Sundays, Bank or Public Holidays without the prior agreement in writing of the Local Planning Authority.

Reason: To safeguard the amenities of occupiers of the neighbouring residential properties.

- 8 The extension hereby permitted shall not be occupied or used any time other than for an A1 (retail) use.

Reason: To safeguard the amenity of occupiers of the neighbouring residential properties, for the avoidance of doubt and to define the permission hereby granted.

- 9 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers PL100, PI101, PL102, PL103, PI104, PL105/A, PL106/A, PI107, PL108, PI109/A, PL106/A/B.

Reason: For the avoidance of doubt.

- 10 Before the development commences details of the brick screen wall, frontage gate and the paved area behind these shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented prior to the commencement of the use of the retail unit hereby permitted.

Reason: To safeguard the safety of pedestrians to the retail unit, flats and hairdressers.

Notes to Applicant

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

The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. 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.

Notes:

- (1) In advance of the consideration of the application the Committee were advised of a revised layout plan and accompanying letter. The Highway Officer did not raise any further objections to the application.

In addition the Committee were advised of additional and amended conditions.

- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation scheme.