

Item No. 14

APPLICATION NUMBER	CB/16/05241/FULL
LOCATION	The George, High Street, Silsoe, Bedford, MK45 4EP
PROPOSAL	Sub-division and change of use of the ground floor from public house (Use Class A4) and takeaway (Use Class A5) to two units including a public house (Use Class A4) and either retail or restaurant (Use Class A1 or A3) and the change of use of the first floor from a Manager's flat and 8 hotel bedrooms (Use Class C1) to four self-contained flats (Use Class C3) and the erection of a two-storey rear extension, together with ancillary works.
PARISH	Silsoe
WARD	Silsoe & Shillington
WARD COUNCILLORS	Cllr Ms Graham
CASE OFFICER	Donna Lavender
DATE REGISTERED	11 November 2016
EXPIRY DATE	06 January 2017
APPLICANT	J & D 2012 Ltd
AGENT	Michael Hardiman & Associates LLP
REASON FOR COMMITTEE TO DETERMINE	Call in by Ward Councillor Alison Graham on the following grounds: <ul style="list-style-type: none">• Inadequate parking provision• Amenity impact for future occupiers in terms of noise and odour• Pub area too small to be viable• ACV listed including Hotel
RECOMMENDED DECISION	Full Application - Recommended for Approval

Reason for Recommendation

The proposal for the change of use of The George, would allow the retention of community facilities including the public house, a restaurant and/or a retail element retaining suitable uses of community benefit. The proposal would have an impact on the character and appearance of the area however this impact is not considered to be significant or demonstrably harmful. The proposal is also considered to be acceptable in terms of highway safety and neighbouring amenity and therefore accords with Policy DM3 of the Core Strategy and the Council's adopted Design Guidance (2014). The scheme would contribute to the Council's 5 year housing supply as a deliverable site within the period.

Site Location:

The application site comprises The George Public House, a large prominent building fronting the High Street from the western side at the northern end of the village and includes the land to the north and west of the building. Development consisting of

the construction of four dwellinghouses with detached garages as well as works to The George Hotel and associated works has been granted under reference CB/15/00785/FULL & CB/16/04186/FULL respectfully.

The application site falls within the settlement envelope of Silsoe and a designated Conservation Area.

The Application:

Permission is sought for the sub-division of the ground floor area of The George Public House from A4 (Drinking Establishment) & A5 (takeaway) to two smaller units. 1 Unit would retain the A4 (Drinking Establishment) use and the 2nd unit would result in a flexible use of A1 (Retail) &/or A3 (Restaurant/cafe).

In addition, permission is sought for the change of use of the first floor of the George from staff & hotel accommodation (C1 use) to four self contained flats (1 x 1 bed and 3 x 2 bed flats).

The external appearance of the building would remain intact however ancillary works are proposed include an external amenity area for the flats and the ground floor uses, cycle storage, refuse storage and parking areas.

The application was accompanied by the following statements:

- Planning Statement
- Design & Access Statement
- Viability Report
- Justification Statement
- Archaeological Evaluation & Written Scheme
- Traffic Statement
- Arboricultural Implications and Method Statement
- Phase 1 Desk Top Study
- Acoustic Assessment

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Section 1: Building a strong, competitive economy

Section 3: Supporting a Prosperous Rural Economy

Section 4: Promoting sustainable transport

Section 6: Delivering a wide choice of high quality homes

Section 7: Requiring good design

Section 8: Promoting healthy communities

Section 11: Conserving and enhancing the natural environment

Section 12: Conserving and enhancing the historic environment

Core Strategy and Development Management Policies - North 2009

CS1 Development Strategy

CS3 Healthy & Sustainable Communities

CS5 Providing Homes

CS9 Providing Jobs

CS12: Town Centres & Retailing

CS14 High Quality Development

CS15 Heritage
CS16 Landscape & Woodland
CS18 Biodiversity & Geological Conservation
DM3 High Quality Development
DM4 Development Within and Beyond Settlement Envelops
DM8 Village Shops & Pubs
DM14 Landscape & Woodland
DM13 Heritage in Development
DM15 Biodiversity

Development Strategy

At the meeting of Full Council on 19 November 2015 it was resolved to withdraw the Development Strategy. Preparation of the Central Bedfordshire Local Plan has begun. A substantial volume of evidence gathered over a number of years will help support this document. These technical papers are consistent with the spirit of the NPPF and therefore will remain on our website as material considerations which may inform further development management decisions.

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

Relevant Planning History:

Application Number CB/15/00785/FULL

Description Erection of 3No. two storey dwellings with detached garages. Demolition of rear extension to The George Hotel and erection of rear two storey kitchen and toilet extension with relocated Manager's flat. External works of hard landscaping, access drive, soft landscaping, fences and walls.

Decision Full Application - Granted

Decision Date 29/05/2015

Application Number CB/12/03766/FULL

Description Alterations and additions to existing house, cottage, bungalow and flats to form 2 new dwellings and 2 single, timber clad garages. Works include: new side and rear rooflights and windows, east and west single storey side extensions to main house; alterations to existing bungalow and cottage, including new raised roof alterations to existing outbuildings to form accommodation, cycle store and refuse/recycling store: Alterations to drive and parking areas and adjustment of existing vehicle access.

Decision Full Application - Granted

Decision Date 24/12/2012

Application Number CB/10/00513/FULL

Description Full: Change of use from Class A4 (drinking establishment) to mixed Class A4 and Class A5 (hot food takeaway). (Retrospective)

Decision Full Application - Granted

Decision Date 15/04/2010

Parish Council:

Silsoe Parish Council (12/12/16) & (17/02/17) (Verbatim) - Silsoe Parish Council - In Response to CB/16/05241/FULL

Silsoe Parish Council (SPC) believe that this planning application to redevelop The George Hotel by removing the 8 Hotel bedrooms and replacing it with 4 self-contained flats should be REFUSED for the following primary reason –

Silsoe Parish Council successfully registered The George Hotel as an asset of community value (ACV) on 30/11/2015. This ACV status applies to the whole building and the remaining land associated with it, it is valid for at least 5 years. By granting permission for the four flats, the ACV status will be lost and Silsoe will lose a valuable resource. We believe that ACV status offers a material consideration as there is the existence of a viable bid – from the Silsoe Community Society - showing retention is viable, as it is supported by a feasible business plan.

In addition to this, we would also like to add the following OBJECTIONS –

Permanent Loss of Community Facility and ACV status

In the NPPF, it states “support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres”

It also states in NPPF 70 – “guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs”

The George Hotel has been providing accommodation to visitors and travellers since at least the 1830’s. Despite closure of the hotel rooms in recent years due to lack of investment, Silsoe has since grown considerably and the expansion of the village demonstrates more opportunity than ever for the use of community services. Current situation in Silsoe also has an additional 121 residences with planning permission agreed or under construction

To remove a service from the community, we will not be supporting a prosperous rural economy, as described in the National Planning Policy Framework (NPPF).

Employment opportunities will be lost if the Hotel is converted to flats.

There is a strong case to retain the building's class C1 hotel usage and for that accommodation to be brought back into use -

English Heritage site Wrest Park continues to grow in popularity with a £20m restoration programme to create a major visitor attraction that Central Bedfordshire can be proud of. It currently hosts a large number of weddings (40), events and conferences (30) hosted here already in 2016 – accommodation needs and facilities for visitors are essential and with the loss of C1 usage, there will be no hope of this returning to Silsoe

In 2015, English Heritage recorded over 108,761 visitors to Wrest Park and in fact, 21,000 visited Wrest Park in August alone this year. All visitors have to travel along the High Street – the historic Georgian George Hotel is an attractive building and has an unenviable position to attract business

Wrest Park Enterprise Zone has over 65 businesses registered there however Central Bedfordshire lacks hotel provision, apart from local, small B&B's

Stephen Ashworth, Dentons Solicitors, is quoted as saying "What is clear from (recent) decisions is that ...no-one can shirk their responsibility, and objectively-assessed needs will have to be addressed in Local Plans (Neighbourhood Plans) and in planning decisions. Properly, localism will then be a local choice about how needs are met – not about whether they should be met" - October 2013.

Local Views must be taken into account, but it cannot be used to frustrate development. SPC believe that development is not being ignored, however nor can we ignore the 300 plus investors that have got behind the Silsoe Community Society's project to buy The George Hotel – this is a significant proportion of the village residents, which has seen support for community services as a whole

We find it remarkable that the applicant states that "during the past two years the applicant has consulted with the community to seek to sell to them" . Silsoe Community Society did not come into existence until this year – after surveying the community to see if it was a good idea to pursue the cause. Considering the short amount of time that SCS has had, they have done an amazing job to raise adequate funding to support a

feasible business plan in such a short space of time

The applicant also states that they had given the community “fair chance” to buy this important amenity, however, as far as we understand it, the applicant has refused to engage with SCS, claiming the property was “off the market” despite public signage outside The George Hotel stating the contrary. We would question whether the applicant ever seriously considered selling to the community

Sustainable development is about change for the better - the applicant states that they will provide “much needed additional housing “ in Silsoe. This can be refuted by our Housing Needs Survey published in May 2016 therefore presumption in favour should be discounted.

The Design and Access statement concludes that it “will make valuable use of previous hotel use to add to existing housing stock and contributing to the vitality of Silsoe as well as providing the necessary finance to refurbish The George”

In the refusal of the Gladman application of 105 houses in Silsoe - CB/16/01855, CBC stated “the potential benefits to be had from the development towards the 5 year supply are acknowledged” but were not sufficient to outweigh the development

The brownfield site of Silsoe Lower School - CB/16/04121/REG3 - is likely to add additional housing to the village, therefore negating the applicants claim of “much needed additional housing”

The historic nature of the hotel will be lost when the top floor is converted to flats as the ACV status will be lost, offering no further protection to the building and associated land. The site has already been over-developed by building four houses in the Hotel garden. Current plans to subdivide the ground floor into a pub and a separate retail or restaurant unit are mere tokenism – a precursor to the next planning application to convert the ground floor into flats, when the current plans prove to be unviable.

The plans go against the emerging Central Bedfordshire Local Plan

Because the CBC Local Plan is emerging there should be more weight afforded in the Planning Process – most specifically under the headings of –

“Local Character – What we have we love. Our history, countryside and communities. We need to build with care

to enhance what we have”

To lose the ACV status on The George Hotel takes character and amenity away from Silsoe.

The applicants have not fulfilled previous planning applications - CB/15/00785 - for this historic Georgian inn and it is gradually turning into an eyesore, with acts of vandalism already committed to the property – mainly because it lies derelict.

The current state of The George Hotel implies that the applicant never intended to bring the pub back into use – copper, fixtures and fittings have been stripped, ceilings pulled down and floors destroyed. Incomplete works, parts of the site open to the elements and subject vandalism demonstrate that the applicant cares little for the historic nature of the Georgian building

“Growth and Infrastructure – Where to place homes and services. Supporting market towns, villages and new settlements. We need to plan places to grow communities”

See above for detail regarding current housing needs in Silsoe. CBC now needs to grow communities – for that we need services, not more housing.

“Homes – Homes for every stage of Life. A House is not a home until its lived in. We all need a home we ‘re proud of”

Our Housing Needs Survey states the need for low level accommodation primarily –this development does not support this, nor do the current plans conform to legal building regulations on the basis of disabled access, with no lift and no ground floor bathrooms

Unfeasible Plans

In the NPPF - 70, it states “To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;

ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the

community; and

ensure an integrated approach to considering the location of housing, economic uses and community facilities and service”

The applicant recognises the need to keep an amenity for the village however the size left and opportunity offered will make it untenable – this will mean that its future will be limited

The plans submitted do not plan positively for the use of the shared space of residential flats, pub and shop/restaurant.

Parking - The pub and restaurant/shop has only been allotted 7 parking spaces – whilst the flats will have 8. The application states that there are 5 spaces in the parking bay at the front of the pub and there is free public parking on the High Street.

The bays at the front of the pub are in fact a bus stop

The High Street already has traffic issues and is under consultation for traffic calming which will be place all along the High Street next year – this will limit places where people can park

There is a stated assumption by the applicant that most people will be walking to the pub

There is no consideration for passing trade by the large numbers of visitors to Silsoe each year (see above)

Over-development of the site will mean congested access for pub / restaurant / shop users and residents as well as the four houses squeezed in at the back of the site – an unacceptable pinchpoint which will cause stress for all people on site

Loss of manager flat will reduce the viability of the pub as there would be no on-site accommodation to offer

The submitted plans do not clearly show how the current usage are able to develop and modernise in a way that is sustainable and can be retained for the benefit of the community –

Floor Plans show a small bar on the ground floor – the applicant has already stated in previous applications that the pub could not survive on wet sales alone and gave this as the core reason to develop the site with (now) four new houses to help fund the re-establishment of the pub. The current application also states that it needs to redevelop the first floor to help fund the re-establishment

of the pub (see above). The size and constant cries for funding are not supported by the floor space and scope of the plans outlined in this application

The bar will have no opportunity to thrive – there are no kitchen facilities that would allow it to cater for visitors, unless linked to the separate restaurant

The Geotechnical survey is desk-study and is nearly 2 years out of date – it does not take into consideration the four residences built on the site since the study was conducted

The traffic statement states 2xA4 use and discusses the “existing” use of the building when it is currently derelict.

This response is in addition to our previous objections, which still stand, and encompass the updated documents of –

- Justification Report dated 11.01.17
- Noise Assessment dated 07.02.17
- Revised Plans 204413 & 388773 - Tree Protection

Summary

Silsoe Parish Council (SPC) state that the justification for change of use to residential units and mixed use commercial on the site of the landmark building in the centre of Silsoe, The George Hotel, cannot be supported –

By granting permission for Change of Use for The George Hotel, this will result in the immediate loss of the ACV status for a valuable and historic inn in the centre of the village of Silsoe. This would result in –

- **Providing no material gain to the village of Silsoe**
- **Go against the local support and community interest, leaving it open to further, predictable development**
- **Agreement to a cynical and arrogant strategy on behalf of the applicants**

Silsoe is an historic village with conservation areas and numerous listed buildings. The George has been located in the heart of the village since Georgian times, operating as an Inn with letting rooms for thirsty travellers to stage their journey between north and south. This landmark building sits in the centre of the conservation area, in the middle of the High Street, and is passed by large

numbers of visitors visiting Wrest Park every year.

struggled to pay its way, not helped by the lack of investment by recent tenants and their “no kids” rules that ultimately drove away many people. It closed in 2015 and was immediately snapped up by the applicants, without going on the open market.

Silsoe Parish Council applied for the ACV status for The George on 30/11/2015, as it was becoming clear that the applicants had plans to convert the inn into further housing and we felt that its ability to provide services and its location in the heart of the village were critical to keep for the long term benefit of Silsoe residents.

We are extremely concerned subsequently to see the applicant disputing the ACV status as only applying to the pub, as this is clearly nonsense and was never our intention.

- 1.9 *“The George was therefore listed due to its public house use and not because of the presence of the letting rooms, which would clearly not be eligible for listing in their own right, and are therefore considered to be ancillary to the principle public house use”*

The ACV listing applies to the **whole building** as well as the lands associated with it including the gardens. The rooms to let are historic and have always been integral to the pub, providing a rest stop along the A6 from when it was constructed around 1838 as a pub, up until 2011, when Greene King was unwilling to invest to keep the rooms to the required standards.

The George is still signposted as a hotel from the A6 and there are regular searches for accommodation in Silsoe due to the businesses located at Wrest Park, as well as the weddings, conferences and events taking place in the historic Grade One listed Manor House.

In the last five years, Silsoe has also grown exponentially – with nearly double the residences from 2001 to 2016. Silsoe Parish Council recognises the need for services for this expanded community and expresses deep concerns for –

- An historic, landmark commercial building in the centre of Silsoe being carved up for more residences that our recent Housing Survey (May 2016) states that we have no need for
- The cynical nod towards services by the applicant

for a pub that, by their own description, “is intended to operate as a quiet community pub and will not host live music performances, or events” and Class A1/Class A3 uses that the plans show no viability nor commercial opportunity to a potential buyer

We believe that to grant Approval at this stage will result in the ACV protection for The George being lost and will open it up for ultimate conversion to 100% residential.

That is not a result we want for our village which desperately needs to hold on to its services. In support of this, Paragraph 28 of the NPPF it states that council’s should “..include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres;...” - we believe that losing the ACV status will go against this point and will be to the detriment of the Silsoe community.

Key Points

Providing no material gain to the village of Silsoe

The applicant pays lip service to the village by keeping a commercial element to satisfy the need for services in Silsoe, however the poorly planned renovation only serves to show a commercial operation that could never work in the long term, with poor prospects for residential tenants as well –

- Removal of the 8 letting rooms and replacing them with 4 self-contained flats to “fund” the renovation of the downstairs bar and shop / restaurant will not work for the following reasons –
 - There is no demonstration of how the ventilation would work on the plans submitted – one would expect this to be a key element for a bar and restaurant proposition, particularly as this would directly impact the residential units
 - Lack of further considered detail on how noise, servicing, parking and two businesses living alongside 4 residences will result in strict planning conditions, if agreed, which will not make the businesses a tempting commercial opportunity
 - The current plans do not show on the plans how they intend to comply with Part M of the Building Regulations. Change of use

may not be physically possible if there no space to install a lift, a disabled WC on the ground floor and disabled WC/shower facilities on the upper floor

- New residents may be surprised – and potentially not welcome – the annual Boxing Day celebrations and other village events that take place outside The George and we are concerned that the village tradition for The George to be a focal point will be lost.
- The residential properties will struggle to get a mortgage as they are situated above a commercial enterprise and bar
- The residential properties will also struggle to sell because they are directly over a bar and possibly restaurant – this will cause a fear of noise and environmental nuisance to prospective buyers
- The plans for the commercial services in The George are poorly designed and lack commercial viability, which we believe demonstrate the fact that the developer has no intention of implementing it – as with the two previous incarnations of the development of this site.

For example -

- The plans for two commercial units and a bar are over-crowded and too intensive for the site to be workable – already squeezed by the building of four houses in The George gardens
- It is stated in the Noise report that “We are advised by the client that the proposed pub is intended to operate as a quiet community pub and will not host live music performances, or events” – this is disappointing to say the least – with 12000 visitors to Wrest Park in August, over 108,000 every year, **all** going down the High Street, the applicant is missing the opportunity for a thriving venue, at the expense of yet more residential housing in Silsoe
- The bar is too small to be a proper working pub – in previous applications to develop The George, the applicants themselves have stated that a pub could not be sustained by wet sales alone
- There is no clear explanation as to how kitchen facilities can be fitted into the plans for either the bar or the potential restaurant – this means

that the “quiet community pub” will be just one room with no ability to extend its profits by providing food, and a “restaurant / takeaway” will not see this as a viable opportunity to move in, particularly if there are a lot of conditions to adhere to because of the residential units upstairs

- The gardens of The George have already been largely built over and will disappear for the bar completely with this latest application. A pub without a garden, in one of the largest and most historic buildings in Silsoe seems ridiculous and an opportunity lost
- Parking is inadequate for the commercial premises and does not demonstrate any inclination to serve large numbers in any of the commercial ventures located there – not just the bar – this means that business profitability will be limited and will make it unattractive to commercial buyers

Go against the local support and community interest, leaving it open to further, predictable development

As a Parish Council we cannot ignore the strong support within the village for the Silsoe Community Society and its plans to buy The George. Indeed, a short walk around the village will show an observer a wealth of “I’m Saving The George” stickers on cars and in windows to demonstrate this.

- This has been further supported by a number of events where villagers have attended in very large numbers to support The George funds, including a Pancake Race (now in its second year), Family Fun Day and Christmas Tree Lighting Ceremony.
- There is vocal and strong support for The George to have not only a pub and restaurant, but also a daytime café, post office, meeting room and letting rooms. In fact nearby pubs The George in Maulden and The White Hart in Ampthill have both recently included letting rooms in their remit, as there is clearly a local need for them.

As a Parish Council , we would not be able to fathom why CBC would turn its back on such strong local feeling, in favour of allowing the applicant to squeeze even more money out of a site that has already been over-developed with the four houses in the gardens.

Further to this –

- Silsoe can clearly demonstrate that The George has a large amount of local support to justify the existing use of The Hotel – see the 147 letters of Objection to the plans
- Nearly 500 people have also signed a petition in support of this
- We highlight again, on the subject of Localism, the judgement by Justice John Mitting at the High Court on Friday 9th December 2016, who ruled in favour of East Bergholt Parish Council's claim that Babergh Council was wrong to approve the development of 10 homes and residents in Suffolk's "Constable Country" - the council was accused of not listening to local views and not taking into account the Local Plan, Housing Needs and the Neighbourhood Plan.

Agreement to a cynical and arrogant strategy on behalf of the applicants

- We believe that the developers are attempting “Planning Creep”, by asking for residential development of the site by piecemeal. We cite the creep of four houses already into the garden of The George to “fund” the development of the pub, yet still it is claimed that this is not enough to develop the commercial units represented in the current plans
- The current developers do not have a track record of supporting the local community and therefore there is a lack of trust that the current plan will be seen through and give Silsoe at least a couple of much-needed services. We cite all previous applications to redevelop this site and refer back to our belief that the developer is attempting “Planning Creep”
- This lack of trust on both sides can only be supported by the “For Sale” sign prominent outside the pub – it seems it may still be for sale, to anyone apart from the village, despite Silsoe Community Society raising enough funds to buy The George Hotel

In addition to these comments, we would specifically like to refute the following statements in the Justification –

1.10 “Therefore, in terms of an application for the change of use of the letting rooms, the main issue is whether there are any demonstrable and evidenced planning reasons requiring their retention that would

outweigh the benefits of the scheme, which would include the provision of the additional residential units and bringing unused existing floor space back into a viable use (both of which are strongly supported by the NPPF).

In the absence of planning policies that specifically restrict the change of use of visitor accommodation the planning balance would clearly sit with the benefits of the scheme.”

- The ACV cannot be set aside as the applicant suggests. In our previous reasons for refusal we demonstrated evidence for why Silsoe does not need further residential housing accommodation, and this was supported by recent planning decisions in Central Bedfordshire that the council is on or near their 5 year supply.

1.11 *“A key part of the current proposals is to retain the public house and bring it back into use, which would therefore accord with the NPPF”*

- Sadly, as mentioned previously, the plans do not demonstrate retention of a viable Public House, merely a (in the applicants words) “quiet community pub ... will not host live music performances, or events” that could only provide wet sales.

3.1 *“The George requires a significant level of investment and refurbishment and the proposed development would bring The George back into viable use and would make efficient use of the site.”*

- This is a statement that we should refute –
 - Yes – it will require significant investment and refurbishment to bring The George back into viable use - particularly as the applicant has ripped out the copper and electrics from the entire building, despite it being on the market for sale as a complete building. It is also being systematically vandalised – the applicant stopped work on the building in July 2016 – and the downstairs area is now just used as a store.
 - No – this application does not demonstrate “viable” nor “efficient use of the site” that would enable this to happen
- The applicant asks for the four flats to fund the ground floor refurbishment – add that to the four houses built in the gardens and Silsoe could potentially expect a refurbishment that Donald Trump could be proud of.

3.5 *“In considering the viability of The George,*

Paramount Investment & Development Brokerage commented that ...”

- This should be discounted as the applicant employed the company to write the report and therefore cannot be considered to be wholly neutral
- Their opinions are also purely subjective, so cannot be given any weight
- It should also be noted that whether the community can afford to run the pub or not should also be discounted as this is pure speculation – the community would love the opportunity to run the pub and have the funds and grants in place already to do so – including a grant to specifically renovate the letting rooms, however as the applicant is unwilling to entertain the community as a potential buyer, their assumptions are irrelevant

2.6 “The supporting text to the policy advises that the District is not a main destination for tourism, but does have a number of visitor attractions. There is already a reasonable variety of tourist accommodation in the district ranging from country house hotels to budget hotels and self-contained accommodation. The Tourism Growth Strategy has particularly identified the need to increase self-contained and low cost accommodation”.

- This is laughable - SPC are not quite sure how the applicant cannot recognise this as a significant factor as there could not be much more said to prove the existence of tourism in Silsoe itself -
 - The “District” may not be a main destination for tourism, but Silsoe is. Widely advertised by English Heritage, we have visitors coming from all over the UK to Silsoe – according to the previously cited Alva visitor figures (reference 1), Wrest Park was #163 in 2015, with figures rising – this is above Kenilworth Castle and Hatfield House.
 - This statement also sidesteps the fact that 1000’s of visitors travel literally right past The George Hotel every year and that hotel accommodation has already been stated as a much-needed resource specifically in Silsoe to service local businesses, as well as the large numbers of tourists visiting Wrest Park.
- There may be some accommodation locally, however it is not within Silsoe itself. To permanently take this resource away from Silsoe will be doing it a disservice and will not allow our village to sustain itself in the future.

We therefore maintain our belief that this application – despite the Justification and updated reports - should still be **REFUSED** for the following primary reason –

By granting permission for Change of Use for The George Hotel, this will result in the immediate loss of the ACV status for a valuable and historic inn in the centre of the village of Silsoe. This would result in –

- **Providing no material gain to the village of Silsoe**
- **Go against the local support and community interest, leaving it open to further, predictable development**
- **Agreement to a cynical and arrogant strategy on behalf of the applicants**

Silsoe Parish Council does not support this application. *This concludes the evidence supplied to Central Bedfordshire Council by Silsoe Parish Council for the case to REFUSE Planning Application CB/16/05241 FULL*

Consultees:

- | | | |
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| 1. CBC
(06/12/16) - | Ecology | No Objection, subject to the imposition of a condition to secure further bat surveys prior to commencement. |
| 2. CBC
(09/12/16) & (28/02/17)
- | Pollution | Objects, due to lack of information to be able to adequately assess noise impact or mitigation. Contamination matters could be controlled through condition.

Further to receipt of a noise report, no further concerns expressed subject to the imposition of a condition to secure mitigation prior to occupation. |
| 3. CBC
(30/11/16) - | Waste | No objection, subject to conditions to secure bin storage and collection details. |
| 4. CBC Private Sector
Housing (24/11/16) - | | Concerns expressed over internal room sizes. On receipt of confirmation of room sizes no further concerns expressed. |
| 5. CBC Archaeology
(07/12/16) & (14/02/17)
- | | No Objection |
| 6. CBC Trees &
Landscape (01/12/16) & | | Recommends amendments to Arboricultural Assessment and advises that landscape and boundary treatments |

(03/02/17) -

should be conditioned.

On receipt of revised tree protection plan, no further concerns expressed subject to compliance with that protection plan and appropriate landscape and boundary treatments being still secured by condition.

7. CBC Highways
Officer (01/12/16) -

No Objection

8. Internal Drainage
Board (23/11/16) -

No Objection

9. CBC Community
Engagement Manager
(10/02/17) -

The George is listed as an asset of community value and this should be given weight in the decision making process.

10. CBC Conservation
Officer (22/12/16)-

No Objection

Other Representations:

146 Neighbour
objections from the
following addresses:

3, 13, 26 (x2) Elm Drive
3 (x2), 16 (x3)

Plantation View

1, 15 (x2), 17, 34 The
Beeches

6, 8 (x3), 9, 19, 21, 23,
25, 27, 35 (x2) Holly
Walk

1, 5, 11a, 11 (x2), 15,30
(x2), 46 Amphill Road

2 Poplar Close

17 (x2), 23 Hazel Grove
2 Mulberry End (x2)

1b, 4, 9 (x2), 16, 28, 33,
36, 41 (x2), 41B (x2),

The Old Farmhouse,
West End Road

6 (x2), 7, 9 Apple Tree
Close

The Vicarage, 6 Fir
Tree Road

1 Silbury Court

1 (x2), 5 (x2), 23, 25,
29, 30, Willow Lodge

Bedford Avenue

2 (x3), 15, 24 Obelisk
Way

2, 17 Newbury Close

Road Farm, Clophill Rd

Objections received on the following grounds in summary:

- Asset of Community Value
- Loss of hotel and restaurant
- Noise disturbance for future and existing residents
- Incompatible uses would reduce viability of business uses
- Affects viability of the public house
- Lack of community engagement
- Reduced parking facilities to serve varied uses
- Loss of local amenity facilities in need (hotel) given proximity to Wrest Park Business Enterprise
- Development leading to future prospects for entirely residential
- Out of keeping
- Contradiction of evidence since 15/00785 application (i.e. hotel accommodation needed to support public house)
- None of the value from previous dwellings used in justification for repair of public house appears to have been made
- Building left in state of disrepair
- Community bid to purchase was market valuation and was ignored
- Flats not reflective of local housing need
- Lack of disabled access facilities
- Increased traffic generation
- Lack of infrastructure to support additional housing growth
- Better uses such as post office or schools are required
- ACV listing will be revoked if permission granted
- Erosion of the village character

27 The Grove
 5 (x3), 10 Vicarage Road
 19, 23, 24, 42, 72
 Mander Farm Road
 2, 7, 10, 31, 44, 54, 59, 68, 70 (x2) High Street
 The Barnyard, Flitton
 14, 59, 63, 87 Alder Wynd
 1 Spruce Edge (x2)
 24 Ash Tree Covert
 13, 26 Hawthorn Way
 24 Water End
 16, 24 (x2), 28, 32, 52, 59, 60 (x2), 61, 64 (x2), 71, 75 Newbury Lane
 7 (x2) The Rowans
 1 Birch Grove (x4)
 8 The Coppice
 2 (x2), 5, 24 College Chase
 The Grove
 5 The Slade
 6 The Orchards
 4, 6 Lime Grove
 27, 78 Chestnut Avenue
 1, 1a Juniper Close
 7 Poplar Close
 6 Walnut Walk (x2)
 36 Aspen Way
 3 The Maples

- Recent survey depicted that 92% of residents wanted to retain The Geogre as public house and hotel
- Appeal examples of deliberate viability risk of public houses
- Non designated historic asset
- Antisocial behaviour and crime
- Cramped form of development
- Unviable due to failed business plans
- Highway safety concerns on the High Street
- Not conducive to Conservation Area Setting

Silsoe Community Society Ltd (15/12/17) & (20/02/17) including 500 signature petition -

Objects for the following reasons in summary:

- Listed as an asset of community value
- Noise and disturbance of ground floor uses on future occupiers
- Not a local housing need
- Contradicts viability report of previous application in 2015
- Residential will implicate the downstairs uses
- Lack of execution of previous planning permissions
- Lack of community engagement
- Non designated heritage asset

Survey results and planning officer report examples where supplied in evidence alongside negotiations and bids on the property from the community group.

Garden House, Fir Tree

Supports as could provide smaller accommodation for

Road

elderly residents which would free up housing for families.

Considerations

1. Principle

1.1 Change of use from A4 (Drinking Establishment) & A5 (takeaway) to A4 (Drinking Establishment) & Flexible use A1 (Retail) & or A3 (Restaurant/cafe) Use.

In summary, the application site is located within the large village of Silsoe. The site is within the defined Settlement Envelope for Silsoe (as set out within the Core Strategy and Development Management Proposals Maps) and is therefore regarded as a Sustainable location, therefore the principle of new development is appropriate provided it reflects the size and character of the settlement.

Section 38(6) of the Planning and Compulsory Purchase Act 2004, states that the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise.

1.2 Paragraph 28 of The National Planning Policy Framework (NPPF) states that support should be given to all types of business and enterprise in rural areas through conversion of existing buildings and further goes on to state that promotion should be given to the retention and development of community facilities within a village particularly in relation to retail which is iterated within local policy CS11 & CS12 of the Core Strategy for the North.

1.3 Paragraph 69 of the NPPF states that consideration should be given to proposals which allow social interactions within communities allowing opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mixed-use developments, strong neighbourhood centres and active street frontages which bring together those who work, live and play in the vicinity. Paragraph 70 of the NPPF goes further to state that the decision maker should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day need.

1.4 This is supported in local Policy DM8 of the Core Strategy of the North which states that planning permission will only be permitted for the change of use or redevelopment of shops or pubs in villages which would result in the loss of such facilities providing that there are other facilities performing the same function within easy walking distance of the village community, and the applicant provides evidence that there is no prospect of the use continuing even if permission is refused. It should be noted that there is an additional public house within Silsoe known as the Star and Garter and in any event "The George" is not the last remaining Public House.

1.5 Notwithstanding this, the proposed change of use would not see the loss of the public house. Instead it would retain the existing public house and would provide a similar subdivision as existing at the ground floor level which would provide a flexible use opportunity for either an A1 (Retail) use or a A3 (Restaurant/cafe) use. Increasing the opportunities for employment and facilities and services for the village and furthermore the subdivision of space is not significantly different from the previous planning approval under

reference CB/10/00513/FULL which allowed the subdivision of the unit to A4 & A5 purposes. As such, the proposal would be in accordance with local policy DM8 of the Core Strategy for the North and the aims and objectives of the NPPF.

1.6 Change of use from Hotel to Flats

NPPF paragraph 49 states that 'housing applications should be considered in the context of the presumption in favour of sustainable development'. In the local context Policy DM4 supports the approval of a housing development within settlement envelopes of a large village. Silsoe is defined as a large village by Policy CS1 of the Core Strategy (2009) and accordingly considered a sustainable settlement. Such development is expected to make the best use of available land and to lead to more sustainable communities.

1.7 At the time of writing the Council cannot demonstrate a five year supply of deliverable housing land. This means that under the provisions made in paragraph 49 of the National Planning Policy Framework 2012, policies concerned with the supply of housing (including DM4, DM14, and CS16 of the North Core Strategy) must be regarded as 'out-of-date', and that permission should be granted unless the harm caused "significantly and demonstrably" outweighs the benefits.

1.8 However, recent case law informs us that these policies should not be disregarded. On the contrary, 'out of date' policies remain part of the development plan, and the weight attributed to them will vary according to the circumstances, including for example, the extent of the five year supply shortfall, and the prospect of development coming forward to make up this shortfall. At the time of writing, the Council can demonstrate a supply of 4.88 years, this equivalent to 97.5% of the five year requirement. The Council is confident that there is sufficient development coming forward in the short term to make up this shortfall. In this context it is reasonable to afford Policy DM4 a level of weight proportionate to this supply when considering the planning balance.

1.9 The George is listed as an Asset of Community Value and this is a material consideration in accordance with the Localism Act 2011 and as such must be given some weight in the determination of this application. However despite the overwhelming local support for the retention of the public house and hotel in its entirety, the application has been supported with a viability report which demonstrates that the public house and hotel together are economically unviable. Concerns have been expressed about the contradiction with the content of this viability report with the previous viability report supplied in the 2015 under reference CB/15/00785/FULL, for additional units to the rear of the public house. It is acknowledged that the report concluded that other uses such as a restaurant, entertainment and/or a hotel would be necessary to continue to make the public house viable. However the current proposal does allow for flexible uses by way of subdivision of the building to allow for restaurant, retail or cafe opportunities which could subsidise the funding of the wet led public house. Furthermore the recent viability report concluded that a financial injection would be required to refurbish the building and bring it back into use as a public house and associated uses. Concerns were expressed by many that the financial benefit of the additional units to the rear of the site

have not seen to the refurbishment of The George as seemingly hoped, however this proposal for part residential conversion is intrinsically linked being on one application and the refurbishment and revival of the building would be required in order for the apartments to appear desirable to any future occupier.

- 1.10 The asset of community value listing and the comments received indicate strong support for the retention of the public house as a valued community facility in which this application seeks to retain. Furthermore, whilst concerns have been expressed by the local residents and the Parish Council alike about the loss of a valuable and needed local facility, the proposal is for the retention of the public house, albeit without hotel accommodation, with a new retail and restaurant use.
- 1.11 There are no specific local policies which seek to retain hotel accommodation and policies specifically relate to the protection of local services such as convenience stores and public houses. Notwithstanding this however, as stated previously in this report, paragraph 70 of the NPPF goes further to state that the decision maker should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day need.
- 1.12 The parish and the community has considered that the hotel accommodation is valuable due to the only facility available in close proximity to Wrest Park which provides both employment and tourism opportunities. It is acknowledged that there are no other hotels within the village which can provide this function, however the hotel itself has not been operational since 2014. Hotel and B&B accommodation is available in surrounding villages and towns which are within a 3 mile radius of Wrest Park such as Barton, Flitwick and Ampthill which is not considered unreasonable distances of travel if visiting Silsoe for recreation.
- 1.13 NPPF para 49 states that the presumption for granting permission should be in favour of sustainable development. There are three dimensions to sustainable development which require consideration such as economic, social and environmental roles. Paragraph 9 of the NPPF states that these roles are mutually inclusive and as such in order to achieve sustainable development all three of the dimensions should be sought simultaneously.
- 1.14 There would be some economic benefits as a result of the proposal in terms of supporting a level of employment, with associated benefits to the local economy, within the local area on a temporary basis during the construction period which could be expected to last no longer than 1 year. In addition, the planning balance should take into account the social benefits which include a net increase in residential accommodation which should be given significant weight. The development site would not result in environmental implications and therefore the proposal would accord with the NPPF in this regard.
- 1.15 As such, it is considered that the proposal is for the retention of the public house with retail and restaurant uses and the proposal herein would result in the creation of 4 additional residential units towards the councils housing supply in a sustainable location, therefore the proposal is in accordance with

the objectives and aims of local policy and the NPPF.

2. Affect on the Character and Appearance of the Conservation Area

- 2.1 Local Plan Policy DM3 & CS14 seeks that proposals take full account of the need for, or opportunities to enhance or reinforce the character and local distinctiveness of the area; and that the size, scale, density, massing, orientation, materials and overall appearance of the development should complement and harmonise with the local surroundings, particularly in terms of adjoining buildings, spaces and longer views.
- 2.2 Furthermore, the building due to its age and architectural quality, is considered locally to be a non designated heritage asset. Paragraph 135 of the NPPF, states that regard should be had to the effect of an application on the significance of non designated heritage asset.
- 2.3 The extension to the building whilst is not yet completed was approved under planning reference CB/15/0785/FULL and this permission remains extant. Therefore the extensions and associated external alterations have been accepted. No other external changes are proposed to the appearance of the building and therefore there would be no adverse impact on the character and appearance of the building within its context in the historical setting and therefore it is considered there would be less than substantial harm to the non designated heritage asset.
- 2.4 Paragraph 134 of the NPPF states that where proposals would result in less than significant harm to an historical asset, the harm should be weighted against the public benefits of the proposal. The proposal would result in economic benefits with the revival of the public house and other uses with local employment opportunities and social benefits by providing additional services for the residents of Silsoe and therefore the benefits are considered to outweigh the less than substantial harm to the non designated heritage asset.
- 2.5 Furthermore, Part II, Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the Conservation area.
- 2.6 Some external amenity provisions and associated outbuildings for storage or cycles and bins are proposed, however these are proposed to be sited to the rear of the site and therefore would not be largely visible within the streetscene. Notwithstanding this, the storage facilities are considered to be of a modest scale and design and subject to appropriate sympathetic materials, no concerns have been expressed by the Councils Conservation Officer in this regard.
- 2.7 The proposed external amenity spaces would see the retention of the existing mature trees and could be reinforced within additional landscaping. No concerns have been expressed by the Councils Tree and Landscape Officer subject to the imposition of conditions to secure appropriate tree protection in accordance with the contents of the Arboricultural Method Statement supplied in support of the application and to secure additional landscaping. As such it is considered that the proposal would conform with policies CS14 & DM3 of the Core Strategy for the North of Central Bedfordshire, the Central Bedfordshire Design Guide and

Section 7 of the NPPF.

3. Neighbouring Amenity

3.1 Existing Occupiers

The George has an adequate separation of 15 metres or more from a number of existing residential properties and there is sufficient distances in excess of 25 metres from the more recently constructed residential properties to the rear and therefore there would be no amenity impact as a result of the development in terms of loss of light, overbearing impact or overlooking.

3.2 The use of the ground floor of the building as a public house, restaurant or retail element would have no greater impact on the existing residential properties than its last established use.

3.3 Future Occupiers

Concerns have been expressed by the parish and residents alike that the proposed flat accommodation would compromise the proposed commercial uses below. The submitted noise report dated 2 February 2017 recommends that mitigation measures are incorporated into the development and that restrictions are placed on any noise generating activities to ensure noise levels are maintained at acceptable levels inside the residential premises at first floor and for neighbouring residents. Mitigation include secondary flooring, secondary glazing with mechanical ventilation and restriction on noises and emissions from proposed plant. Other mitigation such the restriction of hours of deliveries and services can be controlled through condition however the Councils Pollution Officer has not advised that restriction of hours of operation would not be necessary based on the proposed mitigation contained within the noise report. It is considered therefore that appropriate mitigation could be incorporated so as to not compromise the proposed uses at the ground floor level and to ensure appropriate living conditions for future occupiers.

3.4 The internal room sizes conform to the acceptable internal space standards and would not constitute statutory overcrowding. An adequate external amenity provision has been provided for the flats. This has compromised the amount of external space for the public house use however a patio area has been allocated which is sufficient.

3.5 Bin storage and collection points have been identified on the submitted plans. Furthermore cycle parking provision has been accounted in accordance with the Councils Design Guidance. Therefore the proposal in this regard, would conform with policy DM3 of the Core Strategy for the North of Central Bedfordshire, the Central Bedfordshire Design Guide and section 7 of the NPPF.

4. Highway Considerations

4.1 No changes are proposed to the existing pedestrian and vehicular accesses to the highway although some reconfiguration of the retained on-site parking is proposed.

4.2 This application is the latest in a series of proposals relating to the redevelopment of The George site which closed in November 2014. Retrospective permission was granted in 2010 to use part of the ground floor as a Chinese takeaway – application CB/10/00513/FULL refers. In 2015

permission was granted for the erection of three new dwellings to the rear of the public house plus the demolition of the rear extension and the construction of a new two-storey rear extension which included a relocated Manager's flat – application CB/15/00785/FULL refers. Earlier this year permission was granted for a fourth dwelling to the rear of the public house – application CB/15/04186/FULL refers.

- 4.3 The proposed public house unit has a floorspace of some 175m² excluding its basement and the proposed A1 retail unit or A3 Restaurant unit has a gross floorspace of some 150m² excluding its basement. In order to comply with the Council's parking standards of 1 space per 25m² for the public house use and 1 space per 35m² for the retail use or 1 space per 25m² for the restaurant use, a total of 13 spaces should be provided. 7 of these are shown to be provided in the retained car park approved under CB/15/00785/FULL and 6 spaces are available in the permissible on-street parking lay-by in front of the building.
- 4.4 It is stated in the supporting documentation that the reduced scale of the public house and loss of the hotel bedrooms does not warrant the provision of a Manager's flat. Hence the floorspace previously occupied by the 8 hotel bedrooms and first floor flat will be converted into four self-contained flats comprising 3 no. two bed flats and 1 no. one bed flat.
- 4.5 Despite concerns expressed by the Parish council and residents alike, In order to comply with the Council's residential parking standards, a minimum number of 7 spaces should be provided. The proposed layout shows a total of 8 spaces located in the former public house car park.
- 4.6 A cycle store is located to the rear of the proposed retail/restaurant unit for use by occupants of the flats together with a "Sheffield" stand for use by visiting cyclists. A cycle store is also shown to be provided to the rear of the public house. Thus the proposed on-site and off-site parking provisions are considered acceptable in highway terms.
- 4.7 Refuse storage areas are provided close to the highway boundary for both the flats and the approved dwellings together with a refuse store in the car park for use by the public house.
- 4.8 Given that the proposed servicing arrangements for the flats is similar to that approved for the new dwellings and that the servicing arrangements for the proposed public house and retail/restaurant use are not materially different to the previous arrangements, these too can be considered acceptable in highway terms.
- 4.9 The proposed development is likely to give rise to some additional traffic movements above that which previously existed but these are not considered to be so severe as to give rise to a material impact on the local road network. As such it is considered that the proposal would not be prejudicial to highway safety and would conform with policy DM3 of the Core Strategy for the North of Central Bedfordshire, the Central Bedfordshire Design Guide and section 4 of the NPPF in this respect.

5. Other Considerations

5.1 Affordable Housing

The proposed development is below the threshold requirement for affordable housing provision, even when taking into account the other recent cumulative residential development within the site boundaries.

5.2 Archaeology

The proposed development site is located within the historic core of the village of Silsoe (HER 17002) and is consequently considered to have the potential to contain archaeological deposits relating to the Saxon, medieval and post medieval development of the village. The application includes a report on an archaeological field evaluation (Absolute Archaeology 2015) which was undertaken in response to an earlier planning application (CB/15/00785/FULL) for a development to the rear of The George. The field evaluation showed that archaeological deposits did not survive within the immediate vicinity of the proposed development site, consequently the site is considered to have low archaeological potential. The scale and nature of the proposed development combined with the site's low archaeological potential mean that there is unlikely to be any impact on archaeological remains or on the significance of the heritage asset with archaeological interest as a result of the proposal. Therefore, the Councils Archaeologist has raised no objection to this application on archaeological grounds. Therefore the proposal is considered to accord with policies CS18 & DM15 of the Core Strategy for the North and Section 11 of the NPPF.

5.3 Biodiversity

The earlier application, CB/15/0785 was accompanied by a Bat Survey which required further survey visits to determine the level of bat use for The George which is to be retained and converted. As such the Councils Ecologist has recommended that a planning condition be imposed requiring nocturnal bat surveys to be undertaken at an appropriate time of year in order to determine whether an EPS licence will be required. Ecological mitigation and enhancements works would also be required to be secured by condition to ensure the project delivers a net gain for biodiversity in accordance with the NPPF. Therefore the proposal is considered to accord with policies CS18 & DM15 of the Core Strategy for the North and Section 11 of the NPPF.

5.4 Contamination

The submitted Phase 1 Desk Study Report concludes that a shallow intrusive investigation be undertaken at the site to assess the potential for any contamination risk which the Councils Pollution Officer has concluded can be secured through condition if minded to approve.

5.5 Community Consultation

Concerns were expressed that there was a lack of consultation with the Parish and local residents prior to the application however there is no direct obligation on the applicant to do so.

5.6 Future Plans

Concerns have been expressed that the proposal is one step towards a bigger plan for an entirely residential development. However any application must be considered on its own merits.

5.7 **106/Obligations**

Current advice contained within the National Planning Practice Guidance sets out the Government's position that tariff-style planning obligations and affordable housing provision should not be sought for certain small developments (10 dwellings or less or 1,000 square metres of gross floorspace).

5.8 **Human Rights issues**

The proposal raises no Human Rights issues.

5.9 **Equality Act 2010**

Appropriate level access is proposed into the ground floor of the building. Whilst concerns have been expressed about the lack of appropriate accessibility to the proposed flat accommodation this is not a reason alone to prevent planning permission and is not a surmountable issue under the Equality Act but an informative to advise of the responsibilities of the applicant could be attached to the permission if the committee resolved to grant the application.

Recommendation:

That Planning Permission be Recommended for Approval subject to the following:

RECOMMENDED CONDITIONS

- 1 The development hereby permitted 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 permission shall extend to the mixed use of the ground floor of the premises for purposes within Classes A1, A3 & A4 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, as amended (or any order revoking and re-enacting that Order with or without modification) and each use hereby approved shall be carried out in accordance with the approved floor plans. At no time shall the premises be used predominantly by one of these uses hereby permitted, other than an A4 use, without the prior express permission of the Local Planning Authority.

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 building in view of the special circumstances of the case and retains its use as a valued community facility in accordance with paragraph 69 of the NPPF. (Policy DM3 of the Core Strategy for the North and the NPPF)

- 3 Deliveries by commercial vehicles shall only be made to or from the commercial premises between 0800 to 1900 hrs on any day, and at no other time without the prior agreement in writing of the Local Planning Authority.

Reason: To protect the amenity of neighbouring residential occupiers. (Policy DM3 of the Core Strategy for the North)

- 4 **No development shall take place, notwithstanding the details submitted with the application, until details of the materials to be used for the external walls and roofs for the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**

**Reason: Materials are required to be ordered in advance of construction and to control the appearance of the building in the interests of the visual amenities of the locality.
(Policy DM3 of the Core Strategy and Section 7, NPPF)**

- 5 **No development shall take place on the building until a bat survey has been carried out and the results of such a survey have been supplied in writing to the Local Planning Authority. The appropriate mitigation shall be agreed by formal return in writing and the mitigation measures agreed shall be undertaken as approved. Furthermore these survey results should inform an EPS license which shall be applied for, prior to any activities which could result in the disturbance of identified roosting bats.**

Reason: In the interest that favourable conservation of a protected species is maintained. (Policy DM15 of the Core Strategy and Section 11 of the NPPF).

- 6 **No building shall be occupied until a scheme for biodiversity enhancement at the site and a timetable for its delivery has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved and in accordance with the approved timetable.**

Reason: To ensure that biodiversity is properly protected and enhanced at the site in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009) and the National Planning Policy Framework (2012).

- 7 **No development shall take place until a scheme for protecting the proposed dwellings at first floor from noise from the ground floor commercial use has been submitted to and approved in writing by the local planning authority. The scheme shall follow the recommendations identified in the Cass Allen report (Ref: RP01-17230) dated 2nd February 2017. None of the dwellings shall be occupied until such a scheme has been implemented in accordance with the approved details, and shown to be effective, and it shall be retained in accordance with those details thereafter.**

**Reason: To prevent nuisance from noise and to safeguard the residential amenity of neighbouring and future occupiers.
(Section 7, NPPF)**

- 9 **No development shall take place until a landscaping scheme to include details of hard and soft landscaping together with a timetable for its implementation and maintenance for a period of 5 years following implementation. The scheme shall also include an up to date survey of**

all existing trees and hedgerows on and adjacent to the land, with details of any to be retained (which shall include details of species and canopy spread); measures for their protection during the course of development should also be included. Such agreed measures shall be implemented in accordance with a timetable to be agreed as part of the landscaping scheme. The development shall be carried out as approved and in accordance with the approved timetable.

**Reason: To ensure an acceptable standard of landscaping.
(Policy DM14 of the Core Strategy for the North and Sections 7 & 11, NPPF)**

- 9 The development shall not be occupied or brought into use until the parking, cycle storage and bin storage and collection details shown on Drawing No. 2014/808/200A has been completed. The scheme shall thereafter be retained for this purpose.

Reason: To ensure provision for car parking and to provide adequate provision for storage of cycles and bins clear of the highway.
(Section 4, NPPF)

- 10 **No development shall take place until a Phase 2 investigation report, as recommended by the GPS Estates Ltd report dated January 2015 (Ref: 14.12.016), has been submitted to and approved in writing by the Local Planning Authority. Where found to be necessary by the phase 2 report a remediation strategy to deal with the risks associated with contamination of the site shall also be submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall include an options appraisal giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency action.**

The effectiveness of any remediation works scheme agreed as part of this condition shall be demonstrated to the Local Planning Authority by means of a validation report (to incorporate photographs, material transport tickets and validation sampling), unless an alternative period is approved in writing by the Authority. Any such validation should include responses to any unexpected contamination discovered during works.

**Reason: To ensure that the site is suitable for its end use and to protect human health and the water environment.
(Section 11, NPPF)**

- 11 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 2014/808/200A (Site & Block Plan), 2014/808/202 (Elevations), 2014/808/201B (Floor Plans), 2014/808/203 (Flats Cycle Store), Archaeological Evaluation (29/01/2015 & 11th Feb 2015), Traffic Statement (11th Oct 2016), Arboricultural Implications Assessment & Method Statement (13th Oct 2016) and associated plans (2958.AIP Rev A &

2918.TPP Rev B) , Phase 1 Desk Study Report (Jan 2015), Acoustic Assessment (02 Feb 2017), Planning Statements (2nd Nov 2016 & 10 Nov 2016), Justification and Visibility Statement (10 Jan 2017).

Reason: To identify the approved plan/s and to avoid doubt.

INFORMATIVE NOTES TO APPLICANT

1. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the National Planning Policy Framework (NPPF) and the Core Strategy for North Central Bedfordshire.
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. 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)

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35

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) Order 2015.

DECISION

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