

Item No. 15

APPLICATION NUMBER	CB/17/05740/FULL
LOCATION	65 Mill Road, Leighton Buzzard, LU7 1AX
PROPOSAL	Resubmission of Application No: CB/17/03798/FULL for change of use of dwelling to two flats and erection of two flats
PARISH	Leighton-Linslade
WARD	Leighton Buzzard North
WARD COUNCILLORS	Cllrs Johnstone, Spurr & Ferguson
CASE OFFICER	Debbie Willcox
DATE REGISTERED	30 November 2017
EXPIRY DATE	25 January 2018
APPLICANT	Mr & Mrs M Blair
AGENT	DLP Planning Ltd
REASON FOR COMMITTEE TO DETERMINE	Called in by Cllr Brian Spurr for the following reasons: <ul style="list-style-type: none">• Loss of street parking• Out of character
RECOMMENDED DECISION	Full Application - Recommended for Approval

Recommendation:

That Planning Permission be APPROVED 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 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 at No. 65 Mill Road.

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match the existing building in the interests of the visual amenities of the locality.

(Policies BE8, H2 and H8 & Section 7, NPPF)

- 3 The two first floor windows in the rear elevation of the development hereby permitted shall be permanently fitted with obscured glass of a type to substantially restrict vision through them at all times and shall be non-opening, unless the parts of the windows which can be opened are more than 1.7m above the finished floor of the rooms in which the windows are installed. The rooflights in the rear elevation shall also be a minimum of 1.7m above the finished floor of the rooms in which the windows are installed.

Reason: To safeguard the privacy of the occupiers of 2a Doggett Street.
(Policies BE8, H2, H8 and H9, SBLPR & Section 7, NPPF)

- 4 The existing hedge along the Doggett Street boundary shall be retained as shown on the approved drawing W/12/040/E for a period of five years following the completion of the development hereby approved. Should the hedge die or be destroyed during that period then it shall be replaced during the next planting season with alternative planting which shall first be agreed in writing by the Local Planning Authority.

Reason: To ensure an acceptable standard of boundary treatment.
(Policy BE8, SBLPR and Sections 7 & 11, NPPF).

- 5 None of the dwellings hereby permitted shall be first occupied until details of the junctions of the proposed vehicular accesses with the highway have been approved by the Local Planning Authority and the junctions have been constructed in accordance with the approved details.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises.

- 6 Before the development hereby permitted is first occupied or brought into use, the scheme for parking shown on Drawing No W12/040 E shall be laid out, drained and surfaced in accordance with details previously submitted to and approved in writing by the Local Planning Authority and those areas shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off and park clear of the highway to minimise conditions of danger, obstruction and inconvenience to users of the adjoining highway and to ensure that no increase of surface water run-off results from the development.
(Section 4 and 10, NPPF)

- 7 None of the dwellings hereby permitted shall be first occupied until a scheme for the parking of cycles on the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before any of the dwellings are first occupied and shall be thereafter retained for this purpose.

Reason: To ensure the provision of cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport.
(Section 4, NPPF)

- 8 The dwellings hereby approved shall not be first occupied until details of the bin store have been submitted to and approved in writing by the Local Planning Authority and the bin store has been implemented in accordance with the approved details. The bin store shall be retained thereafter.

Reason: In the interests of the visual amenities of the area.
(Policy BE8, SBLPR and Section 7, NPPF)

- 9 Prior to the occupation of any dwelling on the site, a scheme for the provision of waste receptacles for each dwelling shall be submitted to and agreed in writing by the Local Planning Authority. The receptacles shall be provided before occupation takes place.

Reason: In the interest of residential amenity and to reduce waste generation in accordance with the Councils's Minerals and Waste Local Plan 2014, Policy WSP5 and the adopted SPD "Managing Waste in New Developments" (2006).

- 10 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers W12/020, W12/040E, W12/050, W12/060C and CBC/001.

Reason: To identify the approved plans and to avoid doubt.

- 11 Before the access is first brought into use a triangular vision splay shall be provided on the southern boundary of the new vehicle access on to Doggett Street and shall measure 1.8m along the back edge of the footway in a southerly direction from the boundary fence and 1.8m measured into the site at right angles to the same line, along the southern boundary fence adjacent to the new parking space. The vision splay so described and on land under the applicant's control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

Reason: To provide adequate visibility between the existing highway and the proposed access and to make the access safe and convenient for the traffic which is likely to use it.

(Policy BE8, SBLPR and Section 4, NPPF)

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 South Bedfordshire Local Plan Review (SBLPR) and the National Planning Policy Framework (NPPF).
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 applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with Central Bedfordshire Council's "Cycle Parking Guidance - 2010".
4. The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council

Highways Department. Upon receipt of this Notice of Planning Approval, the applicant is advised to seek approval from the Local Planning Authority for details of the proposed vehicular access junction in accordance with condition 5. Upon formal approval of details, the applicant is advised to follow this link on the Council website

<http://www.centralbedfordshire.gov.uk/transport/request/dropped-kerb.aspx>

or contact Central Bedfordshire Council, Tel: 0300 300 8301 quoting the Planning Application number. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration. To fully discharge condition 5 the applicant should provide evidence to the Local Planning Authority that the Highway Authority have undertaken the construction in accordance with the approved plan, before the development is brought into use.

5. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from The Street Works Co-ordinator, Bedfordshire Highways, by contacting the Highways Helpdesk 0300 300 8049.
6. The applicant is advised that the storage of materials associated with this development should take place within the site and not extend into the public highway without authorisation from the highway authority. If necessary further details can be obtained from The Street Works Co-ordinator, Central Bedfordshire Highways, by contacting the Highways Helpdesk 0300 300 8049.

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 at the pre-application stage and 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.