

## Item No. 9

<b>APPLICATION NUMBER</b>	<b>CB/17/04479/FULL</b>
<b>LOCATION</b>	<b>61 Hitchin Street, Biggleswade, SG18 8BE</b>
<b>PROPOSAL</b>	<b>Change of use of ground floor restaurant (No. 61) and vacant (former) undertaker (No 63) into residential dwellings. 2No. existing first floor apartments to remain as existing. Associated elevational alterations.</b>
<b>PARISH</b>	<b>Biggleswade</b>
<b>WARD</b>	<b>Biggleswade South</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Lawrence &amp; Woodward</b>
<b>CASE OFFICER</b>	<b>Julia Ward</b>
<b>DATE REGISTERED</b>	<b>27 September 2017</b>
<b>EXPIRY DATE</b>	<b>22 November 2017</b>
<b>APPLICANT</b>	<b>Baystrait Properties Ltd</b>
<b>AGENT</b>	<b>J&amp;JACS Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Application called in by Councillor Watkins on the basis that the proposal will result in the loss of an eating establishment in a growing town, lack of on-street and off-street parking in the vicinity and loss of privacy for neighbouring dwellings</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Recommended for approval</b>

### **Recommendation:**

That Planning permission is GRANTED subject to the following conditions:

### **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.

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.  
(Section 7, NPPF)

- 3 The cycle parking scheme as indicated on the approved drawing no. JJ17-6163F shall be fully implemented before the development is first occupied or

brought into use and thereafter retained for this purpose.

Reason: To ensure the provision of adequate cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport.

- 4 Details of a refuse collection point located at the site frontage and outside of the public highway and any visibility splays shall be submitted to and approved by the Local Planning Authority prior to the occupation of any dwelling. The scheme shall be fully implemented prior to occupation of any dwelling and shall be retained thereafter.

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

- 5 Development shall not begin until a scheme for protecting the proposed dwellings from commercial noise sources in the vicinity of the proposed development has been submitted and approved by the local planning authority. None of the dwellings shall be occupied until the approved scheme has been implemented in full accordance with the approved details, and retained in accordance with those details thereafter.

Reason: To ensure a satisfactory level of amenity for future occupiers of the property, in accordance with policy DM3 of the adopted Core Strategy and Development Management Policies (2009) and Section 7 of the NPPF (2012).

- 6 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 001/ rev F; 002/ rev B.

Reason: To identify the approved plans 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 applicant is advised that, under the provisions of the Highways Act 1980, no part of the structure, shall be erected or installed in, under or overhanging the public highway and no window, door or gate shall be fixed so as to open outwards into the highway. The Highway Authority has the

power under Section 143 of the Highways Act 1980, to remove any structure erected on a highway

4. 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 by 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
5. The applicant is advised that the storage of materials associated with this development should take place within the site and not extend into within the public highway without authorisation from the highway authority. If necessary 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. Under the provisions of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of demolition/construction of the development hereby approved.
6. The contractor and / or client are to ensure that any mud or building material debris such as sand, cement or concrete that is left on the public highway, or any mud arising from construction/demolition vehicular movement, shall be removed immediately and in the case of concrete, cement, mud or mortar not allowed to dry on the highway.

**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.