

Item No. 9

APPLICATION NUMBER	CB/18/03161/REG3
LOCATION	The Birches, Hitchin Road, Shefford, SG17 5JB
PROPOSAL	Change of use from Care Home to transitional accommodation for individuals and families who will be supported by the council to find future accommodation. It is proposed to convert existing layout to provide 13 self contained flats and 4 individual rooms with shared facilities. All accommodation on the ground floor will be suitable for use by disabled persons. The existing office accommodation will be retained for housing staff with an additional hot desk or 'set down' area created for other CBC staff. It is proposed to demolish the existing garage and workshop block to make way for extra parking facilities.
PARISH	Shefford
WARD	Shefford
WARD COUNCILLORS	Cllrs Liddiard & Brown
CASE OFFICER	Debbie Willcox
DATE REGISTERED	06 August 2018
EXPIRY DATE	01 October 2018
APPLICANT	Central Bedfordshire Council
AGENT	Central Bedfordshire Council Housing Services
REASON FOR COMMITTEE TO DETERMINE	The Council is the applicant and objections have been received which cannot be overcome through the imposition of planning conditions.
RECOMMENDED DECISION	Recommended for Approval

Summary of Recommendation

The site is located in a sustainable location and the change of use would bring an empty building back into a mixed use whilst meeting urgent housing needs and contributing towards a mixed and inclusive community. The management regime would ensure that the change of use would not have a harmful impact on the character of the area and conditions can be imposed to ensure that there would not be an unacceptable impact on the amenities of neighbouring residents. The proposal would not have a material impact on the highway network. The change of use is therefore considered to conform with Sections 5, 8, 9, 11, 12 and 15 of the NPPF, policy DM3 of the Core Strategy and Development Management Policies and policies H1, HQ1 and T3 of the emerging Local Plan.

Site Location:

The application site comprises a former 32 bed care home, known as The Birches, located on the south west side of Hitchin Road in Shefford. To the north west of the site are dwellings in Hitchin Road; to the south of the site is the residential street of Squires Close and to the west of the site is the Shefford Town Memorial Association Playing Fields. The surrounding area is predominantly residential.

The application site and the dwellings at Nos. 12-42 Hitchin Road are accessed from a cul-de-sac which runs parallel to the main Hitchin Road.

The former care home is a part three storey, part single storey building with a generous rear garden with high mature hedges on the boundaries. There is a small amount of parking at the front of the site and a detached double garage.

The Application:

The application seeks planning permission for the change of use of the building from a care home to a mixed use comprising 17 units of transitional accommodation and an office area for Council staff.

The 17 units of accommodation are proposed to be as follows:

- Three mobility standard self-contained family flats on the ground floor.
- Four bedrooms with shared use of mobility standard kitchen, bathroom and WC facilities situated on the ground floor.
- 8 self-contained family flats on the first and second floors comprising of bed/sitting room, bedroom, kitchen and bathroom.
- 2 single occupancy self-contained 'micro flats' situated on the first and second floor

The application includes the demolition of the detached garage and the rearrangement of the frontage parking to provide 17 allocated parking spaces, including 7 disabled standard parking spaces for the residents of the scheme.

The proposal also includes the provision of an access road down the north western side of the building to a new grasscrete car park at the rear of the site to provide 20 parking spaces associated with the office use.

RELEVANT POLICIES:**National Planning Policy Framework (NPPF) (July 2018)**

Section 2: Achieving sustainable development

Section 4: Decision-making

Section 5: Delivering a sufficient supply of homes

Section 8: Promoting healthy and safe communities

Section 9: Promoting sustainable transport

Section 11: Making effective use of land

Section 12: Achieving well-designed places

Core Strategy and Development Management Policies - North 2009

DM3 High Quality Development

DM10 Housing Mix

Central Bedfordshire Local Plan - Emerging

The Central Bedfordshire Local Plan has reached submission stage and was submitted to the Secretary of State on 30 April 2018.

The National Planning Policy Framework (paragraph 48) stipulates that from the day of publication, decision-takers may also give weight to relevant policies in emerging plans unless material considerations indicate otherwise.

The apportionment of this weight is subject to:

- the stage of preparation of the emerging plan;
- the extent to which there are unresolved objections to relevant policies;
- the degree of consistency of the relevant policies in the emerging plan to the policies in the Framework.

Reference should be made to the Central Bedfordshire Submission Local Plan which should be given limited weight having regard to the above. The following policies are relevant to the consideration of this application:

LP SP2: NPPF - Sustainable Development

LP H1 Housing Mix

LP HQ1: High Quality Development

LP T3: Parking

Relevant Planning History:

Application Number MB/98/01179/CC

Description COUNTY COUNCIL: EXTENSION OF BEDROOMS BY THE ADDITION OF PROJECTING BAYS TO THREE FLOORS.

Decision Regulation 3 application Granted

Decision Date 25/09/1998

Consultees:

Shefford Town Council We are resolved to object to this application with the comment: As a Town Council, we are elected to serve and look after the interests of the residents of Shefford as a whole, listening to the concerns of those most affected, and making an appropriate response which in this instance is an objection to planning application CB/18/03161/FULL. Following a public meeting held by Shefford Town Council and attended by residents affected by this development,

the overwhelming feedback we have received is opposition to this development and the change of use based on their very reasonable concerns, particularly relating to safety and security. The benefits to the residents of Shefford will be minimal at best and will more likely lead to an influx of people who have no affinity or connection to the town; this will only put additional pressure on already strained resources such as school places and the health centre.

Ward Councillor Brown

I have some reservations concerning the change of use from elderly residents who would normally be confined to the building to a set of residents who could include children who will be much more mobile.

In view of this I believe that some form of vehicle speed reduction is required in Hitchin Road in addition to the 2 proposed cameras.

Highways Officer

The proposed development seeks a change of use from care home to transitional accommodation. Access would be via the existing Hitchin Road cul-de-sac (runs parallel with Hitchin Road the C207) that connects on to Hitchin Road (C207) which is subject to a 30mph speed limit. This access is acceptable for the proposed new use of the building and there have been no recorded collisions in the vicinity of the junction of Hitchin Road/Hitchin Road/Peartree Close.

There is a mix of 1 and 2 bedroom units, 6 x 1 bedroom units and 11 x 2 bedrooms units. There isn't a specified parking requirement for transitional homes but the level of parking provision is shown at 1 space per unit which could be seen as being below the requirements as per the 2014 Design Guide at 1 per bedroom for apartment. There is also a requirement of 5 visitor spaces, but that said there are also 20 staff spaces to the rear of the building but this is to be controlled via a gate. Could this area be made available as an overflow area for residents. No tracking drawings have been provided to show how an 11.5m long refuse collection vehicle would turn within the proposed development as the reversing distance from the T junction on the cul de sac would exceed 12m. Details are therefore required to demonstrate how collection will be made or an explanation as to waste will be dealt with.

Housing Development
Officer

Strategic Housing are fully supportive of the application with the provision for 100% affordable housing through to provision of 17 transitional accommodation units, providing transitional accommodation for families and individuals. The proposal includes the provision of all ground floor dwellings being suitable for disabled persons through the provision of 3 mobility standard flats.

Transitional housing schemes provides an individual with short to medium term accommodation while they search for and prepare to transition into longer term housing. The proposed scheme will provide for much needed temporary accommodation in Central Bedfordshire, with the Council continuing to see increased pressures for the requirement for temporary accommodation. Strategic Housing are fully supportive.

Police Architectural
Liaison Officer

No objections.

Trees & Landscape
Officer

No response received at time of writing

Local Plans Team

No comments.

Pollution Team

No comments.

Other Representations:
Neighbours

23 individual responses objecting on the following grounds:

- Concerns in regards to the nature of the proposed housing and the lack of on-site staffing outside of normal working hours;
- The residents of Shefford should have the same protection as that afforded to the residents in Dunstable adjacent to Franklin House, i.e. a 24/7 security presence. This omission is contrary to Section 8 of the NPPF. A telephone number is insufficient as it may take too long for people to respond and there are no police in Shefford to respond quickly to disturbances;
- This type of housing could give rise to noise, disturbance, anti-social behaviour, increased crime risk and litter;
- The surrounding area has a lot of elderly and vulnerable residents;

- This location is a quiet, residential area which is inappropriate for temporary housing;
- Homeless accommodation should not be sited in residential areas;
- The proposal would have a harmful impact on the character of the area;
- Short-term accommodation could lead to residents taking their frustrations out on nearby affluent housing;
- Loss of privacy to neighbouring occupiers because upper floor windows face Squires Close and gardens of dwellings in Hitchin Road. Former residents of the care home never looked out of the windows as they were bed bound or within the communal rooms;
- Frosted glass and window opening restrictors should be included in the windows closest to residents;
- Changing bedrooms into kitchens will increase pollution because residents will open their kitchen windows;
- The infrastructure in Shefford is insufficient, particularly in regards to healthcare and school places;
- The parking is likely to be insufficient for residents, visitors, office staff and tradespeople. This would lead to parking on Hitchin Road, which would increase danger and block emergency service and refuse vehicle access, or the grass verges, which would ruin the character and appearance of the area;
- Shefford does not have sufficient public transport links to be appropriate for transitional accommodation;
- Grasscrete is very noisy when driven on and the new access to the new parking area in the rear garden will cause unacceptable disturbance, noise and toxic fumes to neighbouring occupiers and will disturb wildlife;
- Homeless people need proper social housing, not transitional housing;
- Residents of this type of housing are from dysfunctional, vulnerable families and attract criminals who prey on them with drugs, alcohol and prostitution;
- The existing access is insufficient for the likely level of traffic that will be generated by the development, leading to congestion, pollution and danger to other road users, particularly those within the cul-de-sac;
- Shefford already suffers from anti-social behaviour as there is no police hub in the town;
- The Birches should be used as a police hub;
- The demolition of the smoking shelter will mean that smokers have nowhere to go;

- The proposal has led to house sales falling through and will reduce property values;
- No provision is shown for reuse bins, which could lead to untidiness, nuisance and smells;
- How will construction traffic be dealt with and where will construction workers park? If permission is granted, this should be controlled by way of planning condition, and construction hours should be limited to 9am - 5pm Monday to Friday;
- Shefford is inappropriate for this type of accommodation as there is no DHSS in Shefford and the only leisure facilities are pubs;
- The proposal is contrary to policies within the emerging Local Plan and NPPF as it fails to respond to the character of the area, would not deliver high quality development and would lead to increased risk of crime and increased traffic congestion and would have a harmful impact on neighbouring amenity.
- The proposal is contrary to the Central Bedfordshire Homelessness Strategy 2015-2020: Priority 2 seeks to increase housing supply to meet the accommodation and support needs of homeless people, which would not be achieved by the proposal and Priority 3 seeks to reduce the amount of temporary accommodation.
- The proposal includes the installation of a timber acoustic fence on the northern boundary but does not provide details of what it would like or what the height would be or how much protection it would give. No information is provided on weed control between the fence and the boundary with the neighbouring occupier;

Determining Issues:

The main considerations of the application are;

1. Principle
2. Affect on the Character and Appearance of the Area
3. Neighbouring Amenity
4. Highway Considerations
5. Other Considerations

Considerations

1. Principle

- 1.1 The application site is located within a built-up, predominantly residential area in Shefford, which is identified as a Minor Service Centre within the Core

Strategy and Development Management Policies document. The Town Centre, with its facilities and services, is located approximately 0.8km (half a mile) walk from the site. Shefford has hourly bus routes linking to Bedford and Hitchin and services which run four times a day to Luton and Biggleswade, as well as less frequent services to Milton Keynes and Welwyn Garden City. The site is therefore considered to be in a sustainable location.

- 1.2 Section 5 of the NPPF requires the delivery of affordable housing where a need has been demonstrated. Section 8 of the NPPF requires planning policies and decisions to promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other.
- 1.3 Section 11 of the NPPF requires planning decisions to:
 - encourage multiple benefits from both urban and rural land, including through mixed use schemes;
 - give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs;
 - promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing.
- 1.4 Policy H1 of the emerging Local Plan also seeks to meet the needs of all sections of the community and to encourage sustainable, inclusive and mixed communities.
- 1.5 The proposed change of use would result in a vacant building in a sustainable location being brought back into use for a mixed used scheme that would provide accommodation which would meet identified housing needs, including those of disabled individuals. It is therefore considered that the proposal is in accordance with policies contained within the NPPF and policy H1 of the emerging Local Plan and is thus acceptable in principle.

2. Affect on the Character and Appearance of the Area

- 2.1 Very little external alterations are being proposed to the building itself and the demolition of the detached garage and its replacement with additional parking would not have a material impact on the character of the area. The provision of an additional access road and parking in the rear garden of the facility would also have only a limited impact on the character and appearance of the area.
- 2.2 The change of use may result in some level of change to the character of the area by introducing a different demographic to the site than the previous care home occupants. This is likely to lead to a more mixed community in the area, as sought by Section 8 of the NPPF, Policy DM10 of the Core Strategy and Development Management Policies and Policy H1 of the emerging Local Plan.

- 2.3 The concerns of neighbouring residents that the proposal would lead to increased crime risk and anti-social behaviour are noted and should carry weight, as the perception of crime risk is a material planning consideration. However, the scheme is specifically designed to house occupants which have been identified as low-risk, with the majority of units being for families and/or residents with disabilities. The Housing Team has stated within the application documents that all potential occupants will be subject to a risk assessment and families and individuals which are identified as other than low risk would not be offered accommodation within the scheme. Potential occupiers with dependency issues would not be offered a place within the scheme as there is more appropriate specialist housing available for people with dependency issues. The Housing Team has also stated that any individual or household causing problems at The Birches would be relocated.
- 2.4 The use of part of the ground floor as additional office space for the Housing Team would provide an on-site presence during normal working hours and allow support to be provided to residents. In addition, an out-of-hours telephone number would be provided to residents and neighbours in case of any emergencies. All internal communal areas would be monitored by CCTV, as would the front entrance. Access to the building would be controlled by an electronic door entry system. Furthermore, the Police Liaison Officer has raised no objections to the proposal. It is considered that the occupancy profile of future occupiers and the security measures which are proposed to be provided are sufficient to alleviate reasonable fears of crime and anti-social behaviour and to provide an acceptable level of reassurance to concerned local residents.
- 2.5 The introduction of an office use into the ground floor of the building is unlikely to have a material impact on the predominantly residential character of the area. The office use would be quiet and would not generate significant levels of deliveries.
- 2.6 Neighbouring residents are concerned that the proposed mixed-use of the building would increase levels of activity over and above the care home use. It is considered that the care home use would have resulted in a significant level of activity, with staff and visitors (both personal and professional) of the 32 residents regularly coming and going. Whilst the mixed-use of the proposed scheme may lead to an increased level of comings and goings, there is no evidence to suggest that this increase would be of such a level that it would have a harmful impact on the character of the area.
- 2.7 Concerns have been raised in respect of the lack of waste storage facilities on the plans and the implications this could have in respect of the character and appearance of the area. This can be controlled by planning condition and a recommended condition is included.

2.8 Subject to the imposition of the recommended condition, it is considered that the proposal would not have a harmful impact on the character and appearance of the area and therefore the proposal is considered to conform with Sections 11 and 12 of the NPPF, policy DM3 of the Core Strategy and Development Management Policies and HQ1 of the emerging Local Plan.

3. Neighbouring Amenity

3.1 The existing building is predominantly three storey, orientated so that most of its windows face the flank boundary of rear gardens to Hitchin Road to the north west and the front or side elevations of properties on Squires Close to the south east.

3.2 It is noted that the original layout for the care home meant that the majority of the upper floor flank windows served bedrooms of the occupants of the care home. These windows are open-glazed and openable. The new layout would mean that some of the windows would serve kitchens, sitting rooms, bedrooms or bed-sitting rooms.

3.3 This has led to concerns from neighbouring residents that the proposal would give rise to a loss of privacy and increased overlooking. They argue that the care home occupants would have been bed-bound or would have spent most of their time downstairs in the communal areas and therefore the existence of the windows did not compromise their privacy. Neighbouring occupants are concerned that the proposed use would result in future occupants spending more time in the rooms that would be served by the windows, resulting in an unacceptable intrusion of privacy.

3.4 This argument is not considered to be wholly valid. Bed-bound residents of care homes are often able to look out of their windows. Non bed-bound residents of care homes do not always choose to use the communal facilities and may choose to look out of their windows. Visitors of bed-bound residents, and staff caring for them will also have had views out of these windows whilst in the relevant rooms.

3.5 Examining the relationship to the south east first, the three storey building and the dwellings in Squires Close are not exactly parallel, with the separation distance increasing from west to east. At the closest point, the interlocking relationship is 27m, which is in excess of the 21m permitted by the Central Bedfordshire Design Guide for acceptable first floor back-to-back distances. Whilst this should be increased to take into account the second floor accommodation of The Birches, the 27m minimum separation distance is considered sufficient to provide acceptable levels of privacy for occupiers of dwellings in Squires Close.

3.6 Turning to the relationship to the north west, the projecting bay windows on the north west elevation of the building are located approximately 11m from the

flank boundary of No. 42 Hitchin Road, the closest property to the side. The Central Bedfordshire Design Guide seeks to ensure acceptable levels of privacy for rear gardens by seeking a minimum rear garden depth of 10m. This figure is again exceeded by the relationship between the windows and the flank boundary of the rear garden of No. 42.

- 3.7 Neighbouring residents have suggested that the upper floor windows serving habitable rooms should be obscure glazed and should have restrictors fitted, limiting the amount that the windows can be opened. The applicant has confirmed that all of the upper floor windows would be fitted with window restrictors. Those windows which would serve bathrooms would be obscurely glazed. Furthermore, those upper floor windows which overlook gardens in Hitchin Road and serve habitable rooms would have strips of obscure film to partially obscure vision.
- 3.8 Having regard to the fact that the windows in question exist and previously served occupied rooms; the exceedance of the separation distances prescribed by the Central Bedfordshire Design Guide to ensure acceptable levels of privacy and the proposal to restrict the window opening and partially obscure the glazing to windows that serve habitable rooms that overlook gardens in Hitchin Road; it is considered that the impact of the proposal on the privacy of the occupiers of neighbouring dwellings would be acceptable.
- 3.9 Neighbouring occupiers are concerned that the proposal would give rise to an increased level of noise, particularly through opened windows as bedrooms are converted to kitchens. Whilst the change from a care home to a residential use may give rise to an increased level of noise, this would only be noise associated with residential uses, which would be compatible with the existing residential use of the area. It is not considered that this would have an unacceptable impact on the amenity of existing neighbouring residents.
- 3.9 Neighbouring occupiers have also raised concerns that the proposal is likely to lead to increase in cooking smells as bedrooms are to be converted into kitchens, including on the upper floors. It is noted that the care home use would have generated cooking smells and that cooking smells are a natural part of residential use. It is also noted that kitchens are proposed to be located such that they would be served by windows on the south east elevation and the separation distances of 27m and more to dwellings in Squires Close would assist in dispersing cooking smells from the development.
- 3.10 The proposal includes the provision of a new vehicular access along the flank boundary with No. 42 Hitchin Road, to a new car parking area in the rear garden. The surfacing of the access and the car park was originally proposed to be grasscrete. Neighbouring occupiers are concerned that the proposed access would cause unacceptable levels of noise and fumes.

- 3.11 It is noted that the access road is designed to service the parking area for the housing staff members and would therefore only be used during core working hours, which would reduce the impact on the neighbouring occupiers as there would be no late night or early morning traffic. An acoustic fence has been proposed by the applicant for the boundary with No. 42 Hitchin Road, which could be controlled by condition; and would further reduce the impact on neighbouring occupiers. Furthermore, the applicant has responded to the concerns of the neighbours and agreed to use a tarmac surface rather than grasscrete, which would further reduce noise pollution; this can also be controlled by condition.
- 3.12 The relationship of the neighbouring dwelling to the proposed access road is not uncommon; for example, similar relationships exist for the corner properties at Yew Tree Close. It is considered that, subject to the proposed conditions identified above, the limited level of traffic that would use the access road would not result in an unacceptable impact in terms of noise or fumes.
- 3.13 Neighbouring residents have also raised concerns about construction noise and traffic. The applicant has confirmed that the site provides sufficient parking for construction workers and that construction working hours will be restricted to Mondays - Friday 8am - 5pm. It is noted that the majority of the construction work would be internal, which would limit the impact on neighbouring occupiers and also that construction impacts are a short-term temporary impacts. Having regard to these factors; it is considered that the construction work would not give rise to an unacceptable loss of amenity to neighbouring residents.
- 3.14 Having regard to the issues considered above, subject to the imposition of the identified conditions, it is considered that the proposal would not have an unacceptable impact on the occupiers of any neighbouring property and the proposal conforms with Section 12 of the NPPF, policy DM3 of the Core Strategy and Development Management Policies, HQ1 of the emerging Local Plan and the Central Bedfordshire Design Guide.

4. Highway Considerations

- 4.1 Third party representees have raised concerns about the safety of Hitchin Road, having regard to the potential for children to be located within The Birches. However, the Highways Officer has not raised any concerns about the junction with Hitchin Road or the safety of Hitchin Road, noting that there are no recorded collisions in the vicinity of the access from the cul-de-sac onto Hitchin Road. Notwithstanding this, it is understood that the Council is exploring the possibility of speed reduction measures on Hitchin Road independent of this application.
- 4.2 The Highways Officer has raised concerns about the level of parking, suggesting that there may be a need for the rear car park to be utilised for overspill parking. However, the applicant has provided evidence from similar

schemes within the area demonstrating that transitional housing typically has low levels of car ownership. Franklin House in Dunstable has 42 units, but only 8 of the current occupiers own a car. Bedford Court in Houghton Regis has 20 transitional flats, but only 6 occupiers own a car. 77 Hockliffe Street in Leighton Buzzard has 6 units, but no allocated parking. In light of this evidence, it is considered that the proposed parking provision; at a rate of 1 space per unit is reasonable and would be unlikely to result in overspill parking on street or on the cul-de-sac.

- 4.3 The Highways Officer has also raised concerns about the ability of the refuse lorry to turn within the site, citing a reversing distance in excess of 12m. Whilst it is noted that a refuse lorry could not turn within the site, the provision of the necessary turning area would require a reduction in parking spaces on the site, which is considered to be undesirable. It is noted that the existing site layout also does not permit the turning of a refuse vehicle and therefore there would be no material impact on highway safety as a result of the proposal.
- 4.4 It is considered that the proposal would not have a material impact on the safety and capacity of the surrounding highway network and therefore the proposal is considered to accord with Section 9 of the NPPF.

5. Other Considerations

5.1 Response to other Third Party Representations

Whilst the majority of the third party representations have been addressed in the topic based sections above, others have not yet been addressed.

- 5.2 Concerns were raised about the infrastructure in Shefford being insufficient to cater for additional residents, particularly the health centre and the schools. The scheme is designed to provide transitional accommodation to existing residents of Shefford and the Ivel Valley area and it is anticipated that they will continue to use their own health centres and schools.
- 5.3 It is noted that transitional accommodation is not ideal and that more permanent social housing is needed. The Council has a long-term strategy to secure sufficient affordable housing through the delivery of the emerging Local Plan, however, this cannot be delivered instantaneously and in the short-term there is a pressing need for transitional accommodation in the area to allow the Council to meet its obligations. This scheme would provide a valuable contribution to meeting identified housing needs.
- 5.4 It is understood that the proposed demolition of the existing smoking shelter is in response to requests from neighbouring residents during a public consultation undertaken by the Housing Team. Suitable receptacles for smoking waste are proposed to be provided on the site to prevent litter.

- 5.5 Impact on property values is not a material planning consideration.
- 5.6 The comment that the site should be used as a police hub is noted, however, this is not part of the application and all applications must be judged on their own merits.
- 5.7 **Human Rights issues:**
Based on information submitted there are no known issues raised in the context of Human Rights and as such there would be no relevant implications.
- 5.8 **Equality Act 2010:**
On the basis of the proposed uses of the site, it is considered appropriate to impose an informative advising the applicant of their responsibilities under the Equality Act 2010.

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 The residential use hereby permitted shall not commence until a scheme has been submitted to and approved in writing by the Local Planning Authority for the partial obscure glazing of the first and second floor windows in the north-west elevation of the building and the agreed scheme has been implemented. The approved scheme shall be retained thereafter.

Reason: To safeguard the privacy of occupiers of adjoining properties (Policy DM3, CSDMP and Section 12, NPPF)
- 3 The new access along the north west boundary of the site shall not be brought into use until details of an acoustic barrier fence to be erected along the north-west boundary of the application site have been submitted to and approved in writing by the Local Planning Authority. The acoustic barrier fence as approved shall be erected before the access is first brought into use and shall be retained thereafter.

Reason: To prevent nuisance from noise to neighbouring occupiers. (Policy DM3, CSDMP and Section 15, NPPF)

- 4 Notwithstanding the submitted details, the new access road along the north-west boundary of the site shall be surfaced in tarmac.

Reason: To prevent nuisance from noise to neighbouring occupiers.
(Policy DM3, CSDMP and Section 15, NPPF)

- 5 The use hereby permitted shall not commence until details of the bin storage and collection areas have been submitted to and approved in writing by the Local Planning Authority and the bin storage and collection areas have been implemented in accordance with the approved details. The bin storage and collection areas shall be retained thereafter.

Reason: In the interest of amenity.
(Policy DM3, CSDMP and Section 12, NPPF)

- 6 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers LE17827-BIR-AP-03, LE17827-BIR-AP-04, LE17827-BIR-AP-05 and LE17827-BIR-AP-07.

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's 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 early engagement with the applicant at the pre-application stage. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

DECISION

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