

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

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.

The Council as the Local Planning Authority hereby gives notice of its decision to **GRANT PERMISSION** for the development specified above and as shown on the submitted plans subject to the following 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 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)

- 3 Notwithstanding the submitted details, the new access road along the north-west boundary of the site shall be surfaced in tarmac from the point shown as "New gate to staff car park" on drawing no. LE17827-BIR/AP/07 Rev A to the proposed new staff car park.

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

- 4 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)

- 5 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.

- 6 **The use hereby permitted shall not commence until a landscaping scheme to include an enhancement of the hedgerow along the front boundary of the site and a scheme for the maintenance of the hedgerow have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the first use of any separate part of the development (a full planting season means the period from October to March). The hedgerow shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any plants which die or are destroyed during this period shall be replaced during the next planting season.**

**Reason: To ensure an acceptable standard of landscaping in the interests of the visual amenities of the area.
(Policy DM3, CSDMP and Sections 12 & 15, NPPF)**

- 7 The proposed new access shall not be constructed until details of a cellular confinement

system to be used for the part of the access located within the Root Protection Area of the Cedar Tree have been submitted to and approved in writing by the Local Planning Authority. The access within the Root Protection Area of the Cedar Tree shall thereafter be constructed in accordance with the approved details.

Reason: To ensure the protection of trees and hedgerows to be retained, and to avoid unnecessary damage to their root systems.

(Policy DM3, CSDMP and Sections 12 & 15, NPPF)

- 8 Notwithstanding the submitted details, no construction work shall take place on the new parking area in the rear garden until an amended parking scheme showing off-street parking for no more than 10 vehicles within the rear garden and 17 parking spaces at the front of the site has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.

Reason: To ensure provision for car parking clear of the highway, whilst preserving a garden area for the use of future residents.

(Sections 9 and 12, NPPF)

NOTES TO APPLICANT

Any conditions in bold must be discharged before the development commences. Failure to comply with this requirement could invalidate this permission and/or result in enforcement action.

The application form for approval of details reserved by a condition, guidance notes and fees (i.e. £34.00 for householder applications and £116.00 for all other applications, per submission) can be found on our website www.centralbedfordshire.gov.uk or alternatively call Customer Services on 0300 300 8307 for hard copy forms.

- 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)

Andrew Davie

Andrew Davie
Assistant Director - Development Infrastructure

Date of Issue: 08 November 2018

TOWN AND COUNTRY PLANNING ACT 1990

NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL PLANNING AUTHORITY REFUSE PLANNING PERMISSION OR GRANT IT SUBJECT TO CONDITIONS

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- As this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice [reference], if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.*
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.*
- As this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.*
- As this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.*
- As this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.*
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.*
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://acp.planninginspectorate.gov.uk>
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

* delete where inappropriate

