

## **Item No. 11**

<b>APPLICATION NUMBER</b>	<b>CB/11/03760/FULL</b>
<b>LOCATION</b>	<b>Toddington Park House, Park Road, Toddington, Dunstable, LU5 6HJ</b>
<b>PROPOSAL</b>	<b>Conversion of domestic residence to hotel with spa and conference facilities internal works and extension to main house internal works and extension to garage block construction of spa internal works and extension to stable internal works and extension to barn internal works to existing gatehouse construction of second gate house restoration of Victorian ice house construction of 4 cabins</b>
<b>PARISH</b>	<b>Toddington</b>
<b>WARD</b>	<b>Toddington</b>
<b>WARD COUNCILLORS</b>	
<b>CASE OFFICER</b>	<b>James Clements</b>
<b>DATE REGISTERED</b>	<b>29 November 2011</b>
<b>EXPIRY DATE</b>	<b>28 February 2012</b>
<b>APPLICANT</b>	<b>Mr J Cantle</b>
<b>AGENT</b>	<b>Derek Walker Associates</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Departure from the Development Plan</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Granted</b>

### **Recommendation**

To authorise the Head Director Development Management or Planning Manager to issue the grant of PERMISSION subject to no further consultation responses being received that raise new issues, and completion of an Agreement under Section 106 of the Town and Country Planning Act 1990 to secure - Contributions towards improvements and enhancements to the local Public Rights of Way network; Green Infrastructure, Open Space, Marston Vale Community Forest and Emergency Services.

- 1 The development 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 Consent is being granted in recognition that no underground services are scheduled to be routed through the identified Root Protection Areas and Construction Exclusion Zone. If any services are subsequently required to be routed through any Root Protection Area and Construction Exclusion Zone

then this work shall be carried out in strict accordance with the National Joint Utilities Group (NJUG) Volume 4 "Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees"

REASON: To safeguard the integrity of the rooting medium and rooting system of those trees identified for retention, in order to ensure the continued good health, stability, visual appearance and amenity value of the trees.

- 3 Consent is being granted in recognition that the New Lodge building shall only be built using a pile and beam foundation system, regardless of any trial hole results undertaken. The specification details of this foundation shall be designed by a suitably qualified engineer and be submitted to the Local Planning Authority for approval. The design specification of this special foundation shall be for the purpose of avoiding excavation damage to the small, fibrous feeding roots, and to protect the soil structure from compaction damage, thereby ensuring the successful retention of tree roots located within the designated Root Protection Areas, which are being encroached by the position of the New Lodge building, whilst still being able to provide a suitable foundation for the built structure.

REASON: To safeguard the integrity of the rooting medium and soil structure within the Root Protection Area of retained trees.

- 4 Prior to development, detailed planting plans and planting specifications shall be submitted to the LPA for approval and be based on the outline proposals indicated within Drawing Numbers MMX/45/L3 "Paddock Car Parking Areas - Landscape Proposals", and MMX/45/L2 "Lakeside Cabins - Landscape Proposals, Tree Protection" The approved landscape planting schemes shall be implemented during the first planting season following completion of the development, or the first occupancy of the hotel buildings, whichever is sooner. The planting shall be maintained until satisfactorily established and shall be checked each August for a period of five years following initial planting by a suitably qualified arboriculturist/horticulturist for any losses so incurred during the previous 12 months. Any losses thus identified (including those losses of any replacements) shall be replaced during the following planting season following each August check. A planting season shall mean from October to March during suitable weather conditions for planting, when the ground is not frozen or waterlogged.

REASON: To ensure the provision, planting and establishment of a satisfactory landscape scheme in the interests of providing visual amenity, screening and visual integration of the scheme into the surrounding rural landscape.

- 5 **Development shall not begin until details of a scheme showing how the junctions of the proposed vehicular accesses with the highway are proposed to be modified have been approved by the Local Planning Authority. If it is intended that a one-way scheme is to be brought into use then signs in compliance with diagrams 833/834/835/836 as set out in the Traffic Signs Regulations and General Directions 2002 shall be provided at the means of ingress and egress. No part of the development hereby permitted shall be brought into use until the junctions of the proposed vehicular accesses with the highway have**

**been modified in accordance with the approved details.**

**Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises and in the interest of road safety and traffic movement.**

- 6 The modified vehicular accesses shall be constructed and surfaced in accordance with details to be approved in writing by the Local Planning Authority for a distance of 15m into the site, measured from the highway boundary, before any part of the development is brought into use. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site into the highway so as to safeguard the interest of the highway.

- 7 Any gates provided shall open away from the highway and be set back a distance of at least 11.0 metres from the nearside edge of the carriageway of the adjoining highway.

Reason: To enable service/delivery vehicles to draw off the highway before the gates are opened.

- 8 **Before the development hereby permitted is commenced and notwithstanding the details submitted as part of the planning application, details of a scheme showing the provision of 220 interlinked off-street parking spaces to serve the new development shall be submitted to and approved by the Local Planning Authority. The details to be approved shall include the proposed materials for construction and the approved scheme shall be implemented and made available for use before the development hereby permitted is brought into use and that area shall not be used for any other purpose.**

**Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.**

- 9 Prior to the opening of the Hotel and Spa complex hereby approved, a Sustainable Travel Plan shall be prepared and submitted to and approved by the Planning Authority prior to occupancy. The plan shall contain details of:

- plans for the establishment of a working group involving the staff and Hotel management;
- staff travel patterns and barriers to sustainable travel;
- measures to reduce car use
- an action plan detailing targets and a timetable for implementing appropriate measures and plans for annual monitoring and review for 5 years

All measures agreed therein shall be undertaken in accordance with the approved Plan. There shall be an annual review of the Travel Plan (for a period of 5 years from the date of approval of the Plan) to monitor progress in meeting the targets for reducing car journeys generated by the proposal and this shall be submitted to and approved by the Local Planning Authority.

Reason: In the interests of highway safety, to reduce congestion and to promote the use of sustainable modes of transport

- 10 **Development shall not commence until a scheme detailing access provision to and from the site for construction traffic, which details shall show what arrangements will be made for restricting such vehicles to approved points of access and egress has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be operated throughout the period of construction work.**

**Reason: To ensure the safe operation of the surrounding road network in the interests of road safety.**

- 11 **Development shall not commence until a scheme detailing provision for on-site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.**

**Reason: To ensure adequate off street parking during construction in the interests of road safety.**

- 12 Before the relevant building and repair work is begun, details in respect of the following shall be submitted to and approved in writing by the Local Planning Authority and shall be carried out in full accordance with such approved details:

- Detailed drawings of all proposed **external joinery** including doors and windows to a scale of 1:10/20, together with a detailed specification of the materials, construction & finishes. Details shall include a section of the glazing bars, frame mouldings, the position of the door or window frame in relation to the face of the wall.
- **Details and samples of materials** to be used in the construction of all external finishes including sample panels of brickwork, details of the brick bond, mortar mix, weatherboarding and finish profile.

Reason: To protect the significance of the heritage asset, the AGLV and openness of the Gren Belt

- 13 **All rainwater goods shall be cast iron.** As an alternative, cast aluminium may be acceptable, in certain circumstances, though this is to be specifically justified & agreed in writing by the Local Planning Authority if it is proposed to specify cast aluminium. Plastic or uPVC rainwater goods are **not**

acceptable.

Reason: To protect the significance of the heritage asset, the character of the AGLV and openness of the Green Belt.

- 14 **Before development begins, certification from an approved assessor demonstrating that the scheme has been designed to achieve a minimum of BRE Environmental Research Methods (BREEAM) Excellent standard for the new residential buildings, spa, staff block and meeting room building, unless otherwise agreed in writing with the Local Planning Authority.**  
**REASON: To ensure that the development minimises waste, water, and energy consumption during demolition and operation phases.**

- 15 **Before the development begins and notwithstanding the information submitted with the application, a landscaping scheme to include any hard surfaces and earth mounding shall be 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 completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season and maintained until satisfactorily established.**

**Reason: To ensure a satisfactory standard of landscaping.  
(Policy BE8, S.B.L.P.R).**

- 16 **Before development begins, details of any proposed alterations in existing ground levels, to include all new buildings and landscaped areas, shall be submitted to and approved in writing by the Local Planning Authority, and development shall thereafter be implemented accordingly.**

**Reason: To produce a satisfactory relationship between the various elements of the scheme and adjacent properties.  
(Policy BE8 S.B.L.P.R)**

- 17 **Before development begins, details of any fencing and/or walling shall be 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.**  
**REASON: To protect the significance of the Heritage Asset, the character of the AGLV and the openness of the Green Belt.  
(Policy BE8, S.B.L.P.R).**

- 18 **Prior to development commencing a scheme for all external lighting shall be submitted to and approved in writing by the Local Planning Authority.**  
**Reason: In the interests of the visual amenities of the Green Belt, the character of the AGLV and in the interests of roosting bats**

- 19 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:

EX-00, EX-00A, EX-00-A1/1, EX-00-A1/4, EX-01, EX-02, EX-03, EX-04, EX-05, EX-06, EX-07, EX-08, EX-09 Revision A, EX-10, L-01PR-00-A1/1 Revision D, PR-01, PR-02, PR-03 Revision E, PR-04 Revision A, PR-05, PR-06, PR-09 Revision A, PR-10 Revision A, PR-11 Revision A, PR-12 Revision A, PR-13 Revision A, PR-14, PR-15, PR-16 Revision A, PR-17 Revision A, PR-18, PR-19, PR-20, PR-21, PR-22, PR-23, PR-24, PR-25-A1, PR-28, PR-28-A1, PR-29-A1, PR-26-A1, PR-27, PR-31, PR-33 Revision A, PR-34 Revision A, PR-35 Revision D, PR-37 & PR-38, MMX 45/L1, MMX 45/L2, MMX 45/L3 & MMX 45/L4.

Reason: For the avoidance of doubt.

- 20 No development shall begin until details of the green roofs on the lodge buildings have been submitted to and agreed in writing with the Local Planning Authority. The approved details shall thereafter be carried out in full.

Reason: To protect the significance of the heritage asset, the character of the AGLV and openness of the Green Belt.

- 21 No development shall commence on site until details showing ventilation and extraction equipment within the site (including details of siting, appearance and details of measures to prevent noise emissions) have been submitted to and approved in writing by the Local Planning Authority. The ventilation/extraction equipment shall be installed prior to the building hereby approved being first occupied and shall thereafter be maintained in accordance with the approved details.

Reason: In the interests of the amenities of the area and to protect the character, appearance and setting of the Listed Building.

## **Reasons for Granting**

The proposed hotel, spa, conference/wedding use and associated buildings has provided Very Special Circumstances for development in the Green Belt that outweigh any harm of inappropriateness. The proposal has been designed to protect the significance of the Grade II Listed Building, its character, appearance and setting; to protect the character of the Area of Great Landscape Value and to reduce the impact of the proposal on the openness and visual amenities of the Green Belt. The proposal is in accordance with South Bedfordshire Local Plan Review (2004) Policies BE8: Design and Environmental Considerations & NE3 Area of Great Landscape Value and National Planning Policy Framework sections 1. Building a Strong, competitive economy; 3. Supporting a prosperous rural economy; 7. Requiring good design; 8. Promoting healthy communities; 9. Protecting Green Belt land; 11. Conserving and enhancing the natural environment; and 12. Conserving and Enhancing the historic environment.

## Notes to Applicant

1. 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. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Central Bedfordshire Council's Highway Help Desk, Technology House, 239 Ampthill Road, Bedford MK42 9BD quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. 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.

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 Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, Technology House, 239 Ampthill Road, Bedford MK42 9BD.

The applicant is advised that further information regarding the provision of the Travel Plan is available from the Sustainable Transport Team, Central Bedfordshire Council.

## NOTES

(1) In advance of the consideration of the application the Committee were advised of additional consultation and publicity responses from Toddington Parish Path Co-ordinator, a further email received 21 April 2012 from Toddington Parish Co-ordinator. An update on the Section 106 Legal Agreement and the Tree Preservation Order were also provided. The Committee was also advised of revised wording to Conditions 8 and 16. An additional condition was also proposed.

(2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.