

Item No. 10

APPLICATION NUMBER	CB/12/02838/FULL
LOCATION	Kingdom Hall, 5 Shortmead Street, Biggleswade, SG18 0AT
PROPOSAL	Brownfield development seeking demolition of existing outdated building and upgrade with a new building.
PARISH	Biggleswade
WARD	Biggleswade North
WARD COUNCILLORS	Cllrs Jones & Mrs Lawrence
CASE OFFICER	Amy Lack
DATE REGISTERED	14 September 2012
EXPIRY DATE	09 November 2012
APPLICANT	Biggleswade Congregation of Jehovah's Witnesses
AGENT	RBC (London & Home Counties)
REASON FOR COMMITTEE TO DETERMINE	Called to Committee by Cllr Jane Lawrence who has been asked to do so by the Town Council who wishes to refuse permission on the same grounds as before e.g. a historic building within the Conservation Area paid for by public subscription as a memorial to the fallen in the 1914-1918 war.
RECOMMENDED DECISION	Full Application - Granted

Site Location:

The application site, fronting Shortmead Street to the east, is located on a corner plot with Ivel Gardens to the south, comprising a single storey building and associated car parking to the rear. Built in 1923/24 as the St. Andrews Church Memorial Hall to commemorate the fallen of Biggleswade in the First World War, the building, black and white mock Tudor in design was renamed the Kingdom Hall in 1978 and used as a place of worship (Use Class D1 - Non-residential institutions.) occupied by a Jehovah's Witnesses.

The site falls within the Biggleswade Conservation Area and on this corner plot is prominently sited within the streetscene. The building is not listed. The development along Shortmead Street and wider surrounding area is varied in nature and is characterised by a mix of uses, mainly commercial.

The existing building was bought in the 1970s when it was extensively refurbished to serve as a place of worship. Whilst it has been well maintained to date the building does not provide inclusive access for all, suffers from damp and is energy inefficient.

The Application:

This application seeks planning permission for the wholesale redevelopment of the

site, demolishing the existing building and erecting a new purpose-built hall for religious purposes.

Located in a similar position to the existing building, fronting onto Shortmead Street, the proposed building, single storey in height has a footprint with a maximum length of 21 metres and depth of 13.4 metres. With a dual-pitched roof, which is hipped to its half way height at roof level, the building will rise to a maximum ridge height of approximately 7 metres, falling to an eaves height of 3 metres.

On site car parking and vehicular access remains as existing, off Ivel Gardens to the rear of the building. A total of 22no. car parking spaces are proposed, inclusive of 2no. disabled car parking spaces.

Two Sheffield style hoops are proposed on the hard landscaped area between the car parking and the entrance into the building making provision for the parking of 4no. cycles.

No on site refuse and recycling storage provision is proposed.

The accommodation will comprise an auditorium to the north of the building. Two smaller meeting/store rooms, a chair store and toilet facilities are located to the south of the building, adjacent to the main entrance.

This application is submitted in conjunction with an application for Conservation Area Consent, application reference CB/12/02837/CA which proposes the demolition of the existing building.

RELEVANT POLICIES:

National Guidance

National Planning Policy Framework (March 2012)
Circular 11/95 - The use of Conditions in Planning Permissions

Regional Spatial Strategy East of England Plan (May 2008)

SS1: Achieving Sustainable Development
ENV6: The Historic Environment.
ENV7: Quality in the Built Environment

Core Strategy and Development Management Policies (November 2009)

CS15 Heritage
CS14 High Quality Development
DM3 High Quality Development
DM4 Development Within and Beyond Settlement Envelopes
DM13 Heritage in Development

Supplementary Planning Guidance

Design in Central Bedfordshire. A Guide for Development (2010) - Design Supplement 5 - The Historic Environment.

Planning History

CB/11/01495/FULL	Demolition of existing building and erection of replacement single storey building (place of worship). W/D
CB/11/01496/CA	Conservation Area Consent: Demolition of building. W/D
CB/12/02837/CA	Brownfield development seeking demolition of existing outdated building and upgrade with a new building. Pending.

Representations: (Parish & Neighbours)

Biggleswade Town Council Objects to the proposal as it would be a loss of a building with an important historical connection to Biggleswade and it is situated in the Conservation Area.

If the application is approved a History Society plaque should be installed to commemorate Kingdom Hall.

Third Party Representations The owner/occupiers of the following addresses have made representations in objection to the proposal:

- 8 Broadmead
- 3 Ivel Gardens
- 4 Ivel Gardens

These can be summarised as follows:

- Built as a memorial hall to commemorate those of Biggleswade who fell in the First World War and part of the town's heritage this building should not be demolished;
- The construction period is likely to cause noise and disturbance which should be restricted and the site kept tidy.
- Additional traffic during the construction period will be inconvenient.
- Potential privacy issue for No.4 Ivel Gardens by introduction of windows on rear elevation.

The above is a summary of concerns raised by the third party representations that have been received. Full copies of these responses can be viewed on the application file.

Consultations/Publicity responses

English Heritage	No objection subject to planning permission for a replacement building and a contract has been
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signed for the construction of the replacement building.

The proposed replacement building has been subject to pre-application discussions which have significantly improved the design of the building, particularly the material palette. However, further improvements could be made, particularly to the Shortmead Street elevation. Vertical emphasis to reflect the style of the existing building would benefit the design. Subject to addressing this concern there is no objection and no further consultation with English Heritage is required.

Conservation

No objection. It is accepted that the Kingdom Hall is an undesignated heritage asset and part of the historic development of Shortmead Street but it is not eligible for listing or identified in the 2005 Conservation Area Appraisal.

Demolition is considered acceptable subject to a suitable replacement. Further to amended plans which have addressed the concerns raised by English Heritage and historic discussions about the redevelopment of this site the proposed replacement is considered acceptable.

Biggleswade History society

The existing building is of great historic importance for the Town of Biggleswade. The modernisation and refurbishment of the existing building would be a better use of funds than total demolition and re-build and retain this important building.

The replacement building proposed by this application is considered an improvement on the previous proposal, but it is still considered of little architectural merit and not sympathetic to the character of its surroundings.

The untimely manner of the proposal in light of the centenary of the beginning of WW1 in 2014 is insensitive.

The society wishes to disassociate itself with any decision to destroy the existing building.

Archaeology

No objection. Given the nature and location of the proposed development it is unlikely that any serious harm will be caused to any surviving archaeological deposits within the application

area. Therefore a Heritage Asset Assessment is not required.

Highways

No objection as the proposal is for a replacement building and the gates and parking area already exist.

Trees and Landscape

No objection.

A comprehensive tree report was submitted as part of the application and subject to a condition to ensure that the recommendations, methods and working practices as detailed in the Tree Report are adhered to in full the proposal is acceptable.

Disability Discrimination

No comments to make. It is requested that the applicant be advised by informative the need to serve a Section 80 notice to Building Control not more than 28 days before the intended date of demolition.

Public Protection.

No objection. Any operational noise or construction noise can be dealt with through existing legislation.

Determining Issues

From the consultation responses, representations received and an inspection of the site and surroundings the main considerations of the application are;

1. Principle of development
2. Character, context, design of external spaces and impact upon the surrounding Conservation Area
3. Impact upon the neighbouring residential amenity.
4. Car parking and highway safety
5. Refuse and Recycling
6. Inclusive access
7. Third party representations
8. Conclusion

Considerations

1. Principle of development

The existing building and its curtilage is currently considered to be in a non-residential institutional use, falling within Class D1 of the Town and Country Use Classes Order 1987 (as amended).

There is no policy basis that resists the loss of a facility for the local community in the Local Plan, nor the National Planning Policy Framework

(2012) with respect to such a facility within a town or larger settlement.

Notwithstanding this it should be noted that the application proposes the wholesale redevelopment of the site and will provide a purpose-built building for occupation as a place of worship to replace the hall to be demolished. The site will remain in community use and will provide better quality facilities than the existing building in a sustainable location which is established in the town.

Accordingly, there is no 'in principle' policy objection to the redevelopment of the site for purposes similar to its existing D1 use. This is subject to the proposed development being assessed against the other issues and policies within the development plan addressed below.

2. Character, context, design of external spaces and impact upon the surrounding Conservation Area

The existing building was erected as the Church Memorial Hall in 1924 to commemorate the town's soldiers who were killed in the First World War. It is sited within the Biggleswade Conservation Area and within close proximity to the listed buildings of St. Andrew's Church and No.s 36, 38 and 40 Shortmead Street. Notwithstanding this the building itself is not listed and has not been identified as being of local interest in the Conservation Area Appraisal (2005).

Whilst significant concerns have been raised by the third party representations received, the Biggleswade History Society and the Town Council at the loss of the building for what it represents and the visual contribution they consider it makes to the immediate locality, no objection has been raised by the Conservation Officer or English Heritage to the demolition of the existing building provided the replacement building is acceptable. The impact of the loss of the building has been considered by the application for Conservation Area Consent, planning reference CB/12/02837/CA submitted in conjunction with this application which recommends approval of the demolition.

The existing building and the proposed building are both legible in the streetscape as community buildings. The character of a building should clearly reflect its functionality and with respect to best practice in urban design should create a place which can be easily located and understood. It would not be appropriate to try and present a building that tried to 'blend in' with the street. The existing building, occupied by a community use, has stood on this site for over 80 years and is accepted here, so a purpose built building which in its design reflects its use is considered appropriate. Associated car parking, cycle parking and hard landscaping around the external spaces of the building help to reinforce the public nature of the building, aiding its accessibility and legibility.

The key to the success of the proposed building in responding to its prominent siting and location within the Biggleswade Conservation Area will be in its detailing. An inherent constraint to designing a successful hall-type building that does not dominate a street scene where narrower widths of buildings and plots address the street is overcoming their usually large footprint and low height. A form which often results in a long, squat building with high level windows that present a lengthy unforgiving wall with little animation. Since the

application was originally submitted further advice from English Heritage has influenced the final design of the building. The result has been a greater emphasis on vertical detailing to the front facade, achieved by introducing a narrow width projecting bay (north of centre), mimicked by a similar element which is slightly smaller in scale to demarcate the entrance into the building (to the south) which has served to provide some relief from an otherwise long, deep rectangular building.

A range of materials and palette is proposed to the external finish of the building. Mock Tudor timber cladding to the gable ends at roof level is proposed, remnant of the existing building. The roof is to be slate with terracotta detailing along the ridges of the roofscape. The face of the building will be largely finished in a buff cream brick with red brick detailing and exposed mock timber rafter ends below the eaves. Subject to a condition to control the material detailing of the building to ensure the building is finished to a high standard that will enhance the character and appearance of the surrounding Conservation Area (condition 2), the proposed replacement building is considered to successfully respond to its context in terms of its design, scale and massing. It proposes a design that relates to the use of the building as a community facility and therefore is compliant with policies CS15, CS14, DM3, DM4 and DM13 and Central Government advice contained within the National Planning Policy Framework (2012).

3. Residential Amenity of Neighbouring Properties

The residential amenity of neighbouring occupiers at property Nos. 4, 6 and 8 Ivel Gardens who share a common boundary to the west of the application site and No. 7 Shortmead Street local immediately to the north is of most concern. All other properties are adequately removed and as such unlikely to be directly affected by the proposed redevelopment of the site.

No. 7 Shortmead Street benefits from a separation distance of approximately 15 metres from the existing building. The proposed building will extend marginally closer to the building at No.7, reducing this distance by approximately 2.5 metres. Notwithstanding this no harm to residential amenity with respect to overlooking, loss of light or an overbearing impact is likely to arise, given the degree of separation, the single storey height of the building, a lack of windows on the north elevation facing this neighbour and the existing use of the site which will be unchanged.

Nos. 4-8 Ivel Gardens front onto the close with the rear gardens adjoining the site to the rear. The gardens measure approximately 10 metres in depth. Whilst the concern with regard to the repositioning of windows on the west facing elevation to the rear is noted, these openings are unlikely to afford any significantly improved opportunities to overlook neighbouring properties. Further to this the degree of separation which will be retained by the largely unchanged position of the proposed building on the site means the proposal is unlikely to have any adverse impact upon the residential amenity that is currently enjoyed by neighbouring occupiers. In fact a newer, higher quality building is likely to reduce noise and disturbance generated from within the building, thereby improving the impact of the use of this site as a D1 building. As such, the proposal is considered to adequately respect the constraints of

the site and accord with policy DM3 of the Core Strategy and Development Management Policies (2009).

4. Car Parking and Highway Safety

The gated vehicular access into the site is to remain unchanged, to the rear of the building, off Ivel Gardens. The gates, although not set back from the footway of Ivel Gardens into the site already exist, as does the parking area.

The on site car parking provision fails to accord with the current adopted parking strategy. However, no objection has been raised by the Highway Officer consulted on the application who is mindful of the existing use of the site and that this application for the replacement building is not projected to increase the number of trips to and from the site. The proposal is therefore considered to have a neutral impact with respect to highway safety and car parking and for this reason considered acceptable.

5. Refuse and recycling provision

No details have been provided with respect to the storage of wheelie bins for recyclable or residual waste. The Design and Access Statement submitted with the application states on site provision is unnecessary because refuse is removed by the congregation members after each meeting and this arrangement will continue.

However, mindful that this building could be occupied by another D1 use without the requirement to seek consent from the local planning authority it is considered prudent to secure adequate on site provision in accordance with this Council's current waste strategy for this new building. Accordingly, a condition is recommended that requires the submission of such details prior to the commencement of the development (condition 4).

6. Disabled access

The Design and Access Statement submitted with the application confirms that the proposed building will provide level access and the drawings appear to be consistent with this and the requirements of Part M of the current building regulations. As such, the proposal is considered to make good provision of inclusive access for all which is significantly improved upon the arrangements made by the existing building, complying with policy DM3 of the Core Strategy and Development Management Policies (2009) and guidance provided in the NPPF (2012).

7. Third Party Representations

Whilst the comments are noted with respect to the potential noise and disturbance to nearby occupiers during the demolition and construction phases of the development the Environmental Health Officer has raised no objection to the proposals for the redevelopment of the site, satisfied that any operational noise or construction noise can be dealt with by existing legislation.

The request from the Town Council for a commemorative plaque, or similar, to be erected at the site or attached to the building in recognition of the existing building should it be lost by the proposed development cannot be a requirement of this planning permission should it be granted. However, the applicant has confirmed that they would be keen to come to an arrangement with the Town Council. This is acknowledged by way of a recommended informative.

8. Conclusion

The community use is acceptable on this site. The proposed replacement building is considered to be a positive asset to this part of the Conservation Area comparable to the building which currently exists which is of little architectural value and not fit for purpose. Subject to conditions to ensure a quality of detailing which is sympathetic to the importance of the character and appearance of this part of the Conservation Area approval is recommended.

Recommendation

That Planning Permission be approved for the reasons set out as follows:

- 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 **Details of materials to be used for the external finishes of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance therewith.**

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

- 3 All Arboricultural works shall be carried out by a competent tree contractor, proficient in both root-zone and aerial arboricultural work and shall follow strictly the agreed method statements and specifications set out in the 'Tree Survey, Arboricultural Implications Assessment Report and Arboricultural Method Statement' reference 1882.Biggleswade.TAG.AIA submitted with this application. The developer's arboriculturalist shall monitor, record and confirm the implementation and maintenance of tree protection measures as set out in this approved document.

Reason: To protect the health and welfare of the trees to be retained on the site.

- 4 **Prior to the first use of the building hereby approved details of a bin storage/collection point shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the agreed details and the approved arrangements for waste and recycling retained therein unless agreed otherwise in writing.**

Reason: In the interest of amenity.

- 5 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers [216/PL2/100; 216/PL2/101; 216/PL2/102; 216/PL2/103; 216/PL2/202/A; 216/PL2/300/A; 216/PL2/301/A; 216/PL2/302/A and 1882.Biggleswade.TAG.AIA].

Reason: For the avoidance of doubt.

Reasons for Granting

The proposed replacement building to be occupied by a non-residential institutional use (Use Class D1) successfully responds to the character and appearance of the surrounding Conservation Area. It will not have any significant adverse impact upon the residential amenity of nearby occupiers or jeopardise highway safety. By virtue of the siting, design, scale and mass of the proposal it is considered acceptable and in accordance with policies CS14, CS15, DM3, DM4 and DM14 of the Core Strategy and Development Management Policies (2009) and Central Government guidance contained within the National Planning Policy Framework (2012) with respect to requiring good design and conserving and enhancing the historic environment.

Notes to Applicant

1. The applicants 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)

- 2. The applicant is advised of the importance of the existing building and its role in commemorating those residents of Biggleswade who served in the First World War and died. In the interests of acknowledging this the display of a commemorative plaque or similar is requested at the application site. Accordingly, the applicant is advised to contact Biggleswade Town Council to arrange for such an installation.

DECISION

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