

## Item No. 11

<b>APPLICATION NUMBER</b>	<b>CB/13/00492/FULL</b>
<b>LOCATION</b>	<b>The Boot, 110 High Street, Langford, Biggleswade, SG18 9RY</b>
<b>PROPOSAL</b>	<b>New Gospel Hall (D1 use) and Change of Use of the Boot Public House to single Residential dwelling with new double garage</b>
<b>PARISH</b>	Langford
<b>WARD</b>	<b>Stotfold &amp; Langford</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Clarke, Saunders &amp; Saunders</b>
<b>CASE OFFICER</b>	<b>Samantha Boyd</b>
<b>DATE REGISTERED</b>	<b>12 February 2013</b>
<b>EXPIRY DATE</b>	<b>09 April 2013</b>
<b>APPLICANT</b>	<b>Norseman Construction Ltd</b>
<b>AGENT</b>	<b>Blueprint Architectural Design</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Cllr call in - Cllr Clarke, concerns from residents and Langford Parish Council.</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Approval</b>

### Recommended Reasons for Granting

The proposed change of use of the former public house to a residential dwelling would not have a negative impact on the character of the area or an adverse impact on the residential amenity of neighbouring properties and is acceptable in terms of highway safety. The proposed Gospel Hall would also not have a adverse impact upon the character and appearance of the area, the amenities of neighbouring properties and is acceptable in terms of parking, access and highway safety. Therefore by reason of its size, design and location, the proposal is in conformity with Policies CS1, CS3, DM3, DM4, DM8 and DM14 of the Core Strategy and Management Policies, November 2009; and The National Planning Policy Framework, March 2012. It is further in conformity with the Supplementary Planning Document: Design in Central Bedfordshire: A Guide for Development, 2010.

### Recommendation

That Planning Permission be granted subject to the following:

- 1 The development hereby approved shall be commenced within three years of the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 which is designed to ensure that a planning permission does not continue in existence indefinitely if the development to which it relates is not carried out.

- 2 **No development shall commence until a scheme has been submitted to the Local Planning Authority for written approval setting out the details of the materials to be used for the external walls and roof of the Gospel Hall building. The development shall be carried out in accordance with the approved scheme.**

**Reason: To protect the visual amenities of the building and of the area generally in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document 2009.**

- 3 **No development shall commence until a scheme has been submitted to the Local Planning Authority for written approval setting out the details of the materials to be used for the external walls and roof of the garage. The development shall be carried out in accordance with the approved scheme. All materials used in the external alterations to the former public house building shall match those of the existing building as closely as possible.**

**Reason: To protect the visual amenities of the building and of the area generally in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document 2009.**

- 4 **No development shall commence until full details of both hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. These details shall include:-**

- **proposed finished levels or contours;**
- **materials to be used for any hard surfacing;**
- **minor structures (e.g. furniture, play equipment, signs, etc);**
- **proposed and existing functional services above and below ground level;**
- **planting plans, including schedule of size, species, positions, density and times of planting;**
- **cultivation details including operations required to establish new planting;**
- **details of existing trees and hedgerows on the site, indicating those to be retained and the method of their protection during development works.**

**The development shall be carried out in accordance with the approved details.**

**Reason: In order to ensure that the landscaping is carried out within a reasonable period in the interest of the visual amenities of the area in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document 2009.**

- 5 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development whichever is the sooner; and any trees or plants which within a period of 5 years of completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority give written consent to any variation.

Reason: In the interests of the visual amenities of the site and the area generally.

- 6 The development shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (Scott White and Hookins, January 2013 - JD/ljh/S00957) and the following mitigation measures:

1. The provision of a flood warning system and emergency evacuation plan;
2. The raising of finished floor levels of the new Gospel Hall to a level of at least 32.0m above Ordnance Datum (AOD);
3. The provision and implementation of flood resilient/resistant construction methods;
4. The provision of compensatory flood storage as outline within Appendix E of the submitted FRA.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme or within any other period as may be subsequently agreed, in writing, by the Local Planning Authority.

Reasons:

1. To ensure adequate provision of flood warning mechanism/evacuation in order to protect life and property on and in the vicinity of the application site.
2. To reduce the risk of flooding to the proposed development and future occupants.
3. To prevent the increased risk of flooding from the proposed development to third parties.
4. To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.

In accordance with Policy DM3 of the Core Strategy and Development Management Policies Document 2009 and the NPPF.

- 7 **No development shall commence until a wheel cleaning facility has been provided at all site exits in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The wheel cleaner(s) shall be removed from the site once the roadworks necessary to provide adequate access from the public highway have been completed (apart from final surfacing) to the satisfaction of the Local Planning Authority.**

**Reason: In the interests of the amenity and to prevent the deposit of mud or other extraneous material on the highway during the construction period.**

- 8 **Notwithstanding the details shown, development shall not begin until details of the footway for the main entrance of the hall and the kerbing along the Common Road frontage of the proposed dwelling shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be brought into use until the footway and the kerbing have been constructed in accordance with the approved details.**

**Reason: In order to minimise danger, and inconvenience to users of the highway and the premises.**

- 9 **Notwithstanding the parking arrangements shown on the submitted plan, no development shall commence until a plan indicating three parking spaces for disabled drivers has been submitted to and approved by the Local Planning Authority. Occupation of the premises hereby approved shall not take place until the approved scheme has been provided.**

**Reason: In order to ensure on-site parking provision appropriate to the development.**

- 10 **Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any amendments thereto, the garage accommodation on the site shall not be used for any purpose, other than as garage accommodation, unless permission has been granted by the Local Planning Authority on an application made for that purpose.**

**Reason: To retain off-street parking provision and thereby minimise the potential for on-street parking which could adversely affect the convenience of road users.**

- 11 **Before the development is brought into use the on site vehicular areas shall be constructed and surfaced in a stable and durable material in accordance with details to be approved in writing by the Local Planning Authority. 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 so as to safeguard the interest of highway safety and reduce the risk of flooding and to minimise inconvenience to users of the premises and ensure satisfactory parking of vehicles outside highway limits .

- 12 Any vehicular gates provided shall open away from the highway and be set back a distance of at least 5.0m from the nearside edge of the carriageway of the adjoining highway.

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

- 13 Before the new access is first brought into use, any surplus lengths of the existing access within the frontage of the land to be developed, not incorporated in the access hereby approved shall be closed in a manner to the Local Planning Authority's written approval.

Reason: In the interest of road safety and to reduce the number of points at which traffic will enter and leave the public highway.

- 14 Visibility splays shall be provided at the junction of the proposed access with the public highway before the development is brought into use. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 43.0m measured from the centre line of the proposed access along the line of the channel of the public highway in a southerly direction and 43.0m to the centre line at the junction of Common Road/Cambridge Road in a northerly direction. The required vision splays shall for the duration of the development remain free of any obstruction to visibility.

Reason: To provide adequate visibility between the existing highway and the proposed access, and to make the access safe and convenient for the traffic which is likely to use it.

- 15 The Gospel Hall premises hereby approved shall only be used as a place of worship falling within Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification). The Gospel Hall premises shall not be used for any other purpose falling within Class D1.

Reason: To control the development in the interests of amenity.

- 16 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 11-061-11H, 11-061-14, 11-061-01, 11-061-02, 11-061-03, 11-061-04, 11-061-12G, 11-061-13H, Lighting Design dated 10.12.12, Flood Risk Assessment (ScottWhiteandHookins, dated January 2013 - D/ljh/S00957).

Reason: For the avoidance of doubt.

- 17 Noise resulting from the use of air conditioning plant shall not exceed a noise rating level of -5 dBA, Leq when measured according to BS4142: 1997 at the boundary of any adjoining or nearby residential property.

Reason: To protect the amenity of adjacent residential occupiers.

- 18 The Hall hereby permitted shall not be used for the playing of amplified music at any time without the prior approval in writing of the Local Planning Authority.

Reason: To protect the amenity of adjacent residential occupiers.

### 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 9BA 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, under the provisions of the Highways Act 1980, no part of the structure, including foundations, surface water hardware and boundary treatments 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.

- The applicant is advised that in order to comply with Condition 14 of this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.

- 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 photographs of the existing highway that is to be used for access and delivery of materials will be required by the Local Highway Authority. Any subsequent damage to the public highway resulting from the works as shown by the photographs, including damage caused by delivery vehicles to the works, will be made good to the satisfaction of the Local Highway Authority and at the expense of the applicant. Attention is drawn to Section 59 of the Highways Act 1980 in this respect.

The applicant is advised that the closure of the surplus lengths the existing access shall include the reinstatement of the highway to include any footway, verge and kerbing in a manner to be agreed in writing with Central Bedfordshire Council's Customer Contact Centre on 0300 300 8308. No work shall be carried out within the confines of the public highway without prior consent. The applicant will also be expected to bear all costs involved in closing the access.

**Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31**

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and 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) (Amendment No. 2) Order 2012.

**NOTES**

In advance of the consideration of the application the Committee were advised of consultation received from Public Protection at Central Bedfordshire Council, suggesting 2 additional Conditions.

The Tree and Landscape Officer provided a response to the Tree Survey. No comments were received from the Ecology Officer relating to Protected Species Survey.

Two additional letters of objection.

Additional Conditions were suggested.

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