

Item No. 12

APPLICATION NUMBER	CB/15/03253/FULL
LOCATION	Church Of Saint Mary Magdalen, Church Road, Westoning
PROPOSAL	Erection of single storey building for Parish Room with support facilities and associated landscaping in the church yard.
PARISH	Westoning
WARD	Westoning, Flitton & Greenfield
WARD COUNCILLORS	Cllr Jamieson
CASE OFFICER	Sarah Fortune
DATE REGISTERED	15 September 2015
EXPIRY DATE	10 November 2015
APPLICANT	Mr P Little
AGENT	Nigel Burgess Associates
REASON FOR COMMITTEE TO DETERMINE	Called in by Councillor Jamieson due to parking concerns
RECOMMENDED DECISION	Full Application - Approval

Summary of Recommendations

The site lies in the village of Westoning and in the Green Belt. Planning consent has previously been granted for the hall in 2010 and this expired in 2013. There are no objections in policy terms to the principle of the erection of the proposed hall since the relevant planning policies have not changed in the last few years and there have been few physical changes around the site that would justify taking a different decision on this application. The design and siting has been agreed with English Heritage provided that conditions are attached to any permission to cover materials finishes. Likewise, the highways officer, tree officer, archaeology officer and ecology officer are not raising any objections provided that conditions are attached to any permission. There will be no undue adverse impact on the amenities of neighbours and potential noise issues can be addressed by conditions.

Site Location:

The Church of Mary Magdalene is a Grade II* listed building set in a churchyard situated on the corner of Church Road and The Grove in Westoning. It has its origins in the 12th Century, with most of the surviving medieval features dating to 14th and 15th centuries. It is constructed in coursed rubble in a mixture of ironstone, limestone and cobbles with ashlar dressings with clay tile roofs.

Church Road is characterised by dwellings of varying styles and ages. The Old Vicarage next to the church is Grade II listed. The site is within the South Beds Green Belt.

The Application:

Planning permission is sought for the erection of a single storey building for the use as a Parish Room directly associated with the existing community use of the Church. It is effectively a renewal of a previous application for the same development that was granted under planning ref: 09/06757 which expired on 3/03/2013.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Core Strategy and Development Management Policies - North 2009

DM3 High Quality Development
DM13 Heritage in development
DM14 Landscape and woodland
CS16 Landscape and Woodland
CS18 Biodiversity and geological Conservation
DM6 Development in Green Belt boundaries

Development Strategy for Central Bedfordshire (June 2014)

At the meeting of full council on 19th November it was resolved to withdraw the Development Strategy. Preparation has begun on the CB Local Plan. A substantial volume of evidence studies gathered over a number of years will help to support this document. These technical papers are consistent with the spirit of the NPPF and therefore remain on our web site as material considerations which may inform further development management decisions.

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

Supp 3: The Historic Environment

Relevant Planning History:

Application Number	CB/09/06757/FULL
Description	Erection of single storey building for the use as a parish Room
Decision	Granted 3/03/2010
Decision Date	3/03/2010

Consultees:

Westoning Council	Parish	Objects: The site lies in the South Beds Green Belt, it is outside of the Westoning Settlement Envelope, the design and materials are out of keeping with the adjacent Church, no provision for off street parking, Westoning
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does not need another large meeting room as the Recreation Club has recently opened a large extension with ample off street parking and the village hall has recently unveiled plans for refurbishment. Would result in increased parking on Church Road which is very narrow, poorly lit at night and has no footpath beyond the cemetery considerably increasing the danger to pedestrians particularly during the intended evening meetings. The development would involve the loss of several mature trees in an area covered by a blanket Tree Preservation Order. The development is close to neighbouring residential properties at the Old Vicarage, The Grange, Church Close and Manor Gardens. Loss of amenity to these properties by way of noise generated by the Parish Room.

The PC recognise the need for some additional facilities to support the activities of the Church and would be supportive of a much smaller, more sympathetic development that provided for toilets, a kitchen and an office with capacity for small groups to meet and some additional storage. A development of that scale would not exacerbate the existing parking problems in Church Road and would meet the most pressing needs of the Church.

Since the expired consent for the same development in 2009 there have been a number of material changes of circumstances that have a direct impact on this application:

1. Considerable intensification of the use of the Macintyre Care Home in The Grove, adjacent to the Church. This intensification of use has resulted largely from numerous planning approvals granted by CBC in recent years with a consequential increase in the number of staff working from or visiting the site and a loss of on site parking. As a result, Macintyre staff regularly park their vehicles outside of the Church and as the Care Homes are staffed 24/7 vehicles are left parked on Church Road at night as well as during the day.
2. There have been several applications in recent years at Manor Farm which has resulted in the generation of more traffic on Church Road.
3. Parking by members of the Church congregation regularly cause problems on Church Road which is barely wide enough for two cars to pass in places. Horse boxes use Church Road regularly to gain access to the equestrian facilities at Manor Farm as do CBC transport taking residents to and from the Macintyre Care Homes.
4. When vehicles are parked on Church Road it is often impossible for emergency services to gain access to over 40 dwellings in Church Road, Manor Farm, The Grove, Westoning Manor, Manor Court and Manor Gardens.
5. The volume of delivery vehicles using Church Road

has increased significantly particularly on a Sunday, with far more supermarket home delivery lorries for Tesco and Waitrose struggling to get past the congregation cars in Church Road.

The Church's focus has moved from simply serving Westoning to serving "the surrounding villages and Westoning" so far more of the congregation come by car further adding to the problems in Church Road.

It is appreciated that the principle of the development has already been granted but the above material changes in circumstances allow this application to be considered again. Consider that if this application is allowed it would be detrimental to road safety in the area for vehicles, wheelchair users, cyclists and pedestrians.

A meeting held by the Parish Council was attended by 23 parishioners and 16 of these were opposed to approval and three were in favour. (four abstained). All of these had close connections with the church and none live in Church Road.

If planning permission is granted then recommend that the following conditions be applied:

A condition for parking restrictions to be introduced in the following locations on Church Road:

A 24/7 No parking zone from the Church down to the turning into Manor Park Drive on the south side.

A 24/7 No parking zone for the entrance to Mulberry House to Manor Park Drive on the north side.

A 2 hour stay limit including one Disabled bay outside the Church and

A 24/7 No parking zone from Church Road into Westoning Manor.

That no use be allowed between 10.00 pm and 9.00 am.

That automatic ventilation be installed and no opening windows be allowed on any elevation, with effective sound insulation materials used in the construction

That the external materials to both the roof and wall are in keeping with its environment.

At least one of the groups named as future users of the Parish Rooms no longer operates in the village (i.e. the Cubs) and others (e.g. the WI) have not been consulted on the move of venue detailed in the Design and Access Statement.

Westoning Parish Council hopes that the application will be refused on the grounds set out above. In view of the strength of the opposition to this application the Parish

Council requests that if it is recommended for approval by officers that it be sent to the Planning Committee for determination so that the Parish Council has the opportunity to make representations to the Committee prior to determination.

Other Representations:

Neighbours

2 Support: on grounds that the Church does not have appropriate facilities for many events and meeting connected with the Church so they are held elsewhere. The Church itself does not have facilities such as a kitchen, storage areas, suitable space for meetings, toilets etc.. heating of such a large building is very expensive . The new building would provide modern and convenient facilities and would in the longer term enable savings to be made both in terms of hire charges for alternative accommodation and heating and lighting costs. The new building would enable the work of the Church to be enhanced by allowing the Sunday School to be held in part outside of main service by providing a more appropriate meeting space for the Youth Club, choir, prayer groups, Alpha courses and a meeting room for the Vicar to see parishioners to discuss arrangements for wedding, christening's, funerals etc.. The use of the building would not generate significantly more traffic than is currently associated with the use of the Church as the majority of activities which are intended to take place are already held within the church. It is appreciated that there are parking problems in Church Road (not only outside of the church) cars parked outside and in the vicinity of the church are not necessarily associated with activities within the Church as the area is also used for parking by staff at the nearby McIntyre premises, by dog walkers and by ramblers walking the Bunyan Trail. Whilst it is true that there are parking problems when the church is used for weddings and funerals, the construction of the new building would not change this situation in an way; it is important to note that when such events do take place, parking is managed as best it can with parking cones placed to ensure that inconvenience is minimised and car parking is provided on the forecourt of The Vicarage which can accommodate up to twenty cars; this area is also available for parking when church services are held and would continue to be available should it be required by users of the new building although such a requirement is unlikely. It should be noted that there are other events which generate large volumes of traffic in Church Road namely horse shows at Church Farm and 'Open Gardens' at The Old Vicarage which adjoins the Church and has only limited off street parking. The design of the proposed building has previously been accepted and consider that such a new building should be designed so that it does not

copy the appearance of the listed building as in this case.

25 Object (local residents) on grounds that the design of the new building is not sympathetic to the existing architecture of the medieval church, the ever increasing amount of traffic coming up church road will be further increased. With the increased use of the facility where will both the additional cars park? Expect that they will continue to park in the private road opposite our homes as on many occasions this happens on Sundays during Church services or at weddings and funerals et.. Drives get blocked. There has been an increase in traffic using Church Road as a result of development of the Manor Farm barns and there are regular very large horse boxes going to Manor Farm at week ends and evenings plus traditional farm yard and machinery. Over the last five years McIntyre Care has moved more staff to the site in Westoning and they now hold staff conferences which has increased traffic as carers and other staff need to regularly park along the Church Road boundary on Church Road (as they have limited parking at the Care Home site). There has also been an increase in mini buses moving residents to spend time in Westoning during the day and returning home in the evenings. Consider that the Church groups etc.. should be held in the Village hall, Recreation Club or the Cricket Club, all which have on site parking.

There is no need for this hall as Westoning already has a village hall and recreation club building. Since the previous approval of the church hall the recreation club has built an additional room. The WI and Brownies are quite happy using the village Hall. Any keep fit classes would add to the parking problems or require participants to walk along a poorly lit road with no path. This is dangerous for pedestrians. The village no longer has Cubs or Rainbows - and Rainbows met in the village hall before they folded. The village hall was given to the residents of Westoning as a Parish Room and has served this purpose for the last 75 years. The village hall has announced plans for expansion.

When there is a service at the Church parking often stretches from Manor Park Drive to Church Close causing problems for cars and larger vehicles such as emergency vehicles, horse boxes and tractors to navigate there way along this narrow road which has no footpath from the cemetery to the top of Church Road.

The availability of the church hall will generate pressure to run more groups catering for local activities. A youth club for example would generate traffic and automatically include music and related activities. It is considered that it would be preferable for there to be a modest extension to the church to provide for toilets, hot and cold water and a kitchenette- provided that it did not lead to an increase in

traffic and parking problems.

Westoning Parish Council made the previous planning application which was approved and they are now objecting to this application as a result of the further escalation in the ever increasing parking problems. Church attendances have continued to increase since 2009 due largely to the hard work and dedication of the vicar and church warden. The Church also has a number of people who attend for outside of the village which means that more and more people travel to the site by car. Car parking has in our view more than doubled in the last six years.

There are more weekday meetings at the church and these are not as well marshalled regarding parking as the week end services etc..

Consider that it would be preferable if the area for the proposed hall were to be used as a parking area and a small extension be made to the church.

Consider that some of the road frontage to the site and adjoining properties be made a no parking zone where the road is very narrow.

Vehicles often park in Church Road and block the drives of nearby residents.

There will be problems during the construction period. The removal of trees to allow the building to be constructed would permanently alter the tree scape. There is no planned restriction on wedding receptions, birthday parties and other potential noisy activities until 11pm.

English Heritage	No objections subject to conditions and comments.
Highways Officer	No objections subject to conditions being attached to any permission.
Archaeology Officer	No objections subject to conditions regarding the submission of a written scheme of Archaeological Resource Management.
Tree officer	Recommend that the conditions on the previous consent be attached to any permission.
E.H.O.	No comment.
Conservation Officer	No objections subject to conditions as this is a previously approved scheme.
Ecology Officer	No objections subject to provision of bat boxes on retained mature trees.

Determining Issues:

1. Background, Policy and Impact on the Green Belt.
2. Siting, Size and Design and Visual impact.

3. Impact on setting of listed building
4. Impact on amenities of neighbouring properties
5. Highways Considerations
6. Trees
7. Biodiversity Issues and archaeology matters
8. Other Considerations

Considerations

1. Background, Policy and Impact on the Green Belt

- 1.1 Planning permission for this Church Parish Room has been granted under planning ref :CB/09/06757/Full on 03/03/2010. The permission expired on 03/03/2013. This application is a resubmission of the proposals and is supported by an updated ecological survey of the churchyard dated September 2014.

- 1.2 What needs to be considered in this application is whether there has been a significant change in circumstances relating to the site and its surroundings or whether there has been a change in planning policy which would justify a different decision now being made in regard to this resubmission.

- 1.3 The site lies in the Green Belt and this status has not changed since the previous approval. However, the subsequent National Planning Policy Framework 2012 refers to developments in the Green Belt that are considered in general policy terms to be acceptable as long as other criteria are satisfied. It states in Section 9 that the Green Belt serves various purposes and these include preventing the unrestricted sprawl of large built up areas by keeping them open and assisting in the safeguarding of the countryside from encroachment. The essential characteristics of Green Belts are their openness and their permanence.

- 1.4 Most forms of development are not acceptable in the Green Belt but developments that may be viewed favourably include the extensions or alterations of a building provided that it does not result in disproportionate additions over and above the size of the original building and limited or the partial or complete redevelopment of previous developed sites which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. New buildings that may be appropriate in the Green Belt are provision of appropriate facilities for outdoor sport, outdoor recreations and for cemeteries. Policies in both the Core Strategy support these Green Belt policies.

- 1.5 The Church is a Grade II* Listed Building and it would be challenging (design wise) to extend this main building. It is therefore considered that the same view be taken of this hall in that it will effectively be an extension of the use of the church and will not affect the openness of the Green Belt by reason of its location and its immediate surroundings.

- 1.6 With regards to changes that may have taken place around the site since the previous planning permission there have been no planning consents for new residential dwellings at the top of Church Road since the previous approval. It is accepted that there may be more visits to and from the Macintyre Homes sites and more on line delivery vehicles but this is not considered by the highways

officer to be sufficient for taking a different view on this application.

Siting, Size and Design and Visual Impact

2.

2.1 A detached building is proposed in the southern corner of the churchyard. It will serve as a parish room and comprise a main hall with storage, kitchen and toilets.

2.2 The building is 11.35 metres wide by 19 metres long. The walls will be rendered clay block which is plastered internally. The roof is to be coated stainless steel with a low pitch roof form with a central ridge.

2.3 The building will be sited in the rear corner of the churchyard parallel to the south eastern boundary of the churchyard. Its ridge would run parallel to the boundary and its narrower end would face Church Road and the entrance to the churchyard. The front elevation of the building will face the church.

2.4 The roof is divided up into three sections of varying heights. The front section is approximately 4 metres in height and 7 metres in length, the middle section is approximately 5 metres high and is 8 metres in length, the rear section is 4 metres high and 3 metres in length. The staggered roof heights of the building help to break up the massing of the building.

2.5 Windows are ribbon form and the strip of glazing between the eaves and the walls helps to visually separate the roof from the walls, breaking up the massing and giving the illusion that the roof is floating. The eaves and verge detail show the roof with a deep overhang and this further help to break up the shape of the building. The front (west) elevation will have three sets of composite glazed doors with the central section of the building having two sets of double doors with glazing above. This will further help to give the building a lightweight appearance.

2.6 The footprint of the building reflects the width of the main section of the church (the nave and aisles) with the roof reflecting this section of the church.

2.7 The design has been agreed by both English Heritage and this authority's conservation officer. Extensive discussions took place between the applicant and English Heritage prior to the application being submitted in 2009. A contemporary solution was considered to be the most appropriate way forward.

2.8 The building will be located in the rear corner of the churchyard and will appear subservient to the main church due to its single storey nature and because the building is aligned so that the narrower section of the building is presented. There are recessive views of the building as it is set behind the chancel/sacristy of the church by approximately 16 metres. The north east gable end of the building is built approximately in line with the church porch and there is a separation of 8 metres from the eastern corner of the porch to the northern corner of the parish room. After this point the separation between the two buildings increases due to their orientation in relation to each other. As such it is considered long views of the building will become recessive and the building will not have a detrimental impact on the setting of the listed church.

2.9 Due to the position of the building only the north east gable end will be prominent when viewed from the church gate and the front boundary of the church. However this end of the building will be screened by existing trees to the boundary with The Old Vicarage and by an existing London Plane tree in front of it. This area will be also supplemented with additional planting. Views of the front of the building facing the church will be recessive. An existing Horse Chestnut tree and Cedar tree between the Church and the parish room are to be retained and will partially screen the front of the building. An existing Sycamore to the rear will also be retained and will help screen the end of the building. Supplementary planting is proposed to the perimeter of the churchyard around the building.

2.1 It is considered that the new building will have minimal impact on the visual appearance of the site by reason of it being surrounded by mature trees and being set well back from Church Road. It is in compliance with planning policies in the Core Strategy and Development Management Planning Document dated 2009 and the NPPF.

3. Impact on setting of listed building

3.1 The building is subservient to the church and, as stated previously, being single storey and set back and separated from the church is not considered to detrimentally impact upon the setting of the listed building.

3.2 The building has a contemporary design and does not detract from the appearance of the church by trying to replicate the architectural features and design of the church.

3.3 The Conservation Officer is satisfied with the design and siting of the new building given its appropriate design and that it is based on a previously approved scheme (provided that conditions are attached to any permission covering details of material finishes).

4. Impact on amenities of neighbouring properties

4.1 The building is inset from boundary with The Old Vicarage by a distance of one metre. The property at The Old Vicarage presents an outbuilding to the boundary. This outbuilding will partially screen the building from view from the main house and will prevent the new building being overbearing on the boundary with this property.

4.2 The neighbour at 1 Manor Gardens adjoins the application site to the rear. The building is inset from the rear boundary by at least three metres. The building is not considered to be overbearing on the boundary. High level windows are proposed in the end elevation of the building facing the rear garden of this property and as such there is no potential for loss of privacy through overlooking into the rear private garden.

4.3 With regards to noise issues the Environmental Health Officer has not raised any objection. He advises that the proposal is for a parish/church hall of which many exist and operate successfully in residential areas. The intended uses in the design and access statement are unlikely to give rise to disturbance and are

not dissimilar to other parish halls. The design and layout of the premises is beneficial in that there are limited windows in the facades facing residential receptors and there is not any real simple and enforceable way of controlling any activities through the use of conditions. If the use intensifies at a later date then the environmental health section can look to resolve any such issues through appropriate licensing and nuisance regimes.

5 Highway considerations

- 5.1 The proposal does not provide for any on site parking facilities. With regards to the 2009 application it was originally going to provide for two disabled parking spaces to the north of the church building. However, due to access ownership difficulties and following discussions with officers it was agreed that this could be deleted due to problems with gaining access to these spaces.
- 5.2 There are many objections to the proposed development, from local residents and the Parish Council on highway grounds regarding the lack of on site parking and the fact that there is already parking on the road when the church is being used and that this will get worse when the hall is in use. Concerns have been raised about cars blocking local residents drives, difficulty of going up and down the narrow top end of Church Road especially for larger vehicles including emergency vehicles and danger to pedestrians who have to walk on the road as there is no pavement at the top of end of Church Road in the vicinity of the church.
- 5.3 The highways officer did not raise any objections to the previous application in 2009. The reason being that the existing community/church groups that use the church already do so with no parking within the site. The new hall will provide for existing community/church groups with a community hall. It would be difficult to demonstrate that the hall would create significant additional traffic given the existing use of the Church. In view of the fact that the proposal is the same as the extant planning permission it is recommended that any planning consent be subject to conditions covering details of a refuse collection point, details of on site construction parking arrangements, a scheme detailing access provision to and from the site and a covered parking area of cycles. A number of highway notes are to be attached to the consent.
- 5.4 In view of the concerns that have been raised by the Parish Council and local residents regarding the parking problems in Church Road the highways officer is advising that it would be beneficial if the development does not commence until a Traffic Regulation Order has been designed and agreed in writing by the local Planning Authority. This TRO needs to control and manage off-site parking within the surrounding highway network and be implemented to the satisfaction of the Local Planning Authority prior to commencement the development. Discussions are taking place with the applicant regarding this condition and the matter will be updated on the Late Sheet or at the Development Management Committee

Trees

- 6.0
- 6.1 There are many trees on the site. Neither the previous application nor this one is accompanied by any BS 5837:2012 Tree Survey. The tree officer has recommended that the same conditions be attached if planning permission is granted.

7. Biodiversity issues and archaeology matters

7.1 There is a pond within 100 metres of the proposal in the rear garden of 1 Manor Gardens.

7.2 The application was accompanied by an Ecological survey carried out by a senior ecologist working for The Greensand Trust. Due to the proximity of the pond a refuge search for Great Crested Newts and other amphibians was made under any logs or other material lying on the ground. No amphibians were found.

7.3 There are mature trees with crevices that are likely to be used as roosting sites for bats. The trees were surveyed but no roosts were discovered.

7.4 It is considered that as the pond will not be directly affected by the development. It will not be filled in by the development and would not be isolated/severed by the development. As such it is considered that the proposal would not prejudice biodiversity.

7.5 The ecology officer is satisfied that the proposals could be undertaken without detrimental impact on a Protected Species provided construction and site preparation is undertaken in accordance with the recommendations set out at the end of the report.

7.6 The National Planning Policy Framework calls for development to deliver a net gain for biodiversity and given the current bat interest in the church the provision of bat boxes on retained mature trees would be welcomed. Felled timber should be retained on the site in piles where possible

7.7 The proposed development is located in the historic core of the settlement of Westoning. Under the terms of the NPPF the church is a designated heritage asset and it lies within an area considered to be a heritage asset with archaeological interest. To the west of the present village centre lies a Scheduled medieval moat and fishponds thought to have been built in the late 13th Century. The site is considered to have the potential to contain archaeological deposits relating to the Saxon, medieval and post medieval development of the village. The NPPF states that Local Planning Authorities should requires developers to record and advance understanding of the significance of heritage assets before they are lost in a manner proportionate to their importance and their impact, and to make this evidence publicly accessible. The proposed development will have a negative and irreversible impact upon any surviving archaeological deposits present at the site and therefore upon the significance of the heritage assets with archaeological interest. It may also disturb hitherto unrecorded human burials. There is conflict between the need to protect the existing trees on the site and the need to investigate and record any surviving archaeological remains at the site. The only way to achieve a compromise is by the use of foundations that will minimise the impact on both trees and the archaeological remains. Piled foundations are not acceptable from any archaeological perspective and therefore the foundation design needs to be undertaken in such a way that considers and accommodates the archaeological resource. The archeological constraints at the site do not present an over riding

constraint on the development providing that the applicant takes appropriate measures to record and advance understanding of the archaeological heritage assets or can design a foundation scheme that will not have an archaeological impact. In order to secure this a condition should be attached to any permission which requires that no development take place until a written scheme of archaeological resource Management has been submitted to and approved in writing by the Local Planning Authority.

8. Other Considerations

8.1 There are no relevant issues under the Equality Act

8.2 There are no relevant issues under the Human Rights Act

Recommendation:

That Planning Permission be granted subject to the following:

RECOMMENDED CONDITIONS / REASONS

- 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 development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1177/sk10, 1177/sk110, 1177/sk100, 1177/sk120/B, 1177/sk140, 1177/sk3/B, 1177/sk20/B, 1177/sk21/C, 1177/sk25/A, 1177/sk500/A,

Reason: To identify the approved plan/s and to avoid doubt.

- 3 **Before development/work begins and notwithstanding the details submitted with the application, details of the materials to be used for the external windows, doors, walls, roofs and rainwater goods of the proposed building shall be submitted to and approved in writing by the Local Planning Authority. The development/work shall be carried out only in accordance with the approved details.**

Reason: To ensure that the development/work is in keeping with the existing building. (Section 12, NPPF)

- 4 **No development shall take place until drawings of all windows and doors to a scale of 1:10 or 1:20, together with a specification of the materials and finishes has been submitted to and approved in writing by the Local Planning Authority. Details provided shall clearly show a section of the glazing bars, frame mouldings, door panels, the position of the door or window frame in relation to the face of the wall, the depth of the reveal and arch and sill details. The development shall be carried out only in accordance with the approved details.**

Reason: To ensure that the proposed development/work is carried out in a manner that safeguards the historic character and appearance of the area.

(Section 12, NPPF)

- 5 Notwithstanding the approved plans, all new rainwater goods shall be of black painted [cast iron/aluminium] and shall be retained thereafter.

Reason: To safeguard the special architectural and historic interest of this statutorily listed building.

(Section 12, NPPF)

- 6 **Prior to the commencement of development a scheme setting out measures for protecting all trees, shrubs and other natural features during construction work shall be submitted to and approved in writing by the Local Planning Authority. No work shall commence on site until all trees, shrubs and features to be protected are fenced with 2.3 high weldmesh fencing securely mounted on standard scaffolding poles driven firmly in the ground in accordance with BS 5837:2005;**

- **for trees and shrubs the fencing shall follow a line 1.0m outside the furthest extent of the crown spread, unless otherwise agreed in writing by the Local Planning Authority;**
- **for upright growing trees at a radius from the trunk not less than 6.0m, or two thirds of the height of the tree whichever is the greater;**
- **for other natural features along a line to be approved in writing by the Local Planning Authority.**

Where the proposed building encroaches into the root protection area then the fencing should be erected 1.5 metres from the building to allow access/scaffolding but the ground beneath should be protected in line with BS 5837, using geotextile membrane and scaffolding boards this is to avoid compaction of the roots and contamination of soil.

Such fencing shall be maintained during the course of the works on the site. No unauthorised access or placement of goods, fuels or chemicals, soil or other materials shall take place inside the fenced area.

Reason: To safeguard the existing trees on the site in the interests of visual amenity.

- 7 **Notwithstanding the approved plans, detail of the hard landscaping including samples of the stone edging and the surfacing to the paths and cycle/parking areas shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted.**

The development shall be implemented solely in accordance with these approved details.

Reason: To safeguard the setting of the Listed Building of special architectural or historic interest in accordance with the provisions of Planning Policy 15: Planning and the Historic Environment 1993.

- 8 **The foundation structure of the building hereby approved shall be of a pad-and-beam or pile-and-beam method of construction. Details shall be submitted to and agreed in writing prior to the commencement of the development to include the layout, with positions, dimensions and levels, of service trenches, ditches, drains and other excavations on site, insofar as they may affect trees and hedgerows on or adjoining the site.**

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

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

- 9 Full details of both hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:-

- materials to be used for any hard surfacing;
- 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.

- 10 The scheme approved in Condition 9 shall be carried out by a date which shall be not later than the end of the full planting season immediately following the completion of the development.

Thereafter the planting shall be adequately maintained for a period of five years from the date of planting. Any of the trees or shrubs or both which die or are removed, or which become severely damaged or seriously diseased (during the said period of five years) shall be replaced with trees or shrubs or both, as the case may be, of similar size and species to those originally required to be planted and the same shall be maintained until properly established.

Reason: In order to ensure that the planting is carried out within a reasonable period in the interest of the visual amenities of the area.

- 11 No development shall take place until a written scheme of archaeological

resource management has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall only be implemented in full accordance with the approved archaeological scheme.

Reason: This condition is pre-commencement as a failure to secure appropriate archaeological mitigation in advance of development would be contrary to paragraph 14 of the National Planning Policy Framework (NPPF) that requires the recording and advancement of understanding of the significance of any heritage assets to be lost (wholly or in part).

- 12 Before development begins, a scheme for the secure and covered parking of cycles on the site (including internal dimensions of the parking area, cycle stands to be used and access thereto) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.

Reason: To ensure the provision of adequate cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport.

- 13 Details of a refuse collection point located at the site frontage and outside of the public highway shall be submitted to and approved by the Local Planning Authority prior to the occupation of any dwelling. The scheme shall be fully implemented prior to the development being brought into use and shall be retained thereafter.

Reason: In the interest of amenity and in order to minimise danger, obstruction and inconvenience to users of the highway and the premises.

- 14 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, after which any temporary access to the site shall be closed and re-instated.

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

- 15 Development shall not commence until a scheme detailing provision for on site parking for construction workers and deliveries 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.

- 16 The building hereby approved shall only be used between the hours of 9am to 11pm Mondays to Saturdays and 9am to 8pm on Sundays and Bank

Holidays unless otherwise prior agreement is given by the Local Planning Authority in writing.

Reason: To safeguard the amenities of neighbouring properties.

- 17 The soil levels within the root spread of the trees/hedgerows to be retained shall not be raised or lowered.

Reason: To safeguard the existing trees on the site in the interest of visual amenity.

- 18 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions or alterations to the building hereby permitted shall be carried out without the grant of further specific planning permission from the Local Planning Authority.

Reason: To control the external appearance of the building in the interests of the amenities of the area.

(Section 7, NPPF)

INFORMATIVE NOTES TO APPLICANT

1. 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, Priory House, Monks Walk, Chicksands, Shefford, Bedfordshire, SG17 5TQ.
2. The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council's "Cycle Parking Annexes – July 2010".
3. The applicant is advised that, under the provisions of the Highways Act 1980, no part of the structure, including cellars, foundations and surface water hardware 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. (HN iii)

4. To fully discharge condition 14 the applicant should provide evidence to the Local Planning Authority that Bedfordshire Highways have undertaken the construction in accordance with the approved plan, before development commences, and that any temporary access has been closed and re-instated after the construction. The applicant is advised that no works associated with the construction of any temporary 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, Priory House, Monks Walk,

Chicksands, Shefford, Bedfordshire, SG17 5TQ 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.

5. The granting of this planning permission does not absolve the applicants from complying with the relevant law protecting species including obtaining and complying with the terms of conditions of any licences required, as described in Part IV B of Circular 06/2005.
6. To safeguard the existing trees on the site in the interests of visual amenity the development shall be carried out in accordance with the relevant recommendations of BS 5837 (2005) - Trees in relation to construction.
7. Foundations construction method. Either pile and beam or pad and beam, this must occur within the root protection area of these two trees. The important point is that the beam must be above the ground and not excavated below the surface. This will mean that as the ground slopes down in a general southeast aspect then there will be a void under the building.

All service routes (water drains electric etc..) to avoid root protection area to avoid damage to roots. If it is unavoidable then these routes should be hand dug with no root severance. The plans appear to show that the toilets and kitchen are within the root protection area and therefore a solution should need to be found, possibly making use of the under floor void.

Any tree work ie crown raising to allow build and access to be approved by the Arboricultural Officer prior to work being carried out.

8. The applicant should be reminded that a premises licence may be required if events were to include the sale of alcohol and/or regulated entertainment. Whether or not such a licence is required the applicant is also reminded of their responsibilities under the Environmental Protection Act 1990 relating to statutory noise nuisance.
9. The applicant is advised that the provision of bat boxes on retained mature trees would be welcomed in accordance with the NPPF which calls for development to deliver a net gain for biodiversity. Felled timber should be retained on site in piles where possible.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, Article 35

Discussions with the applicant have taken place during the consideration of the application. 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) Order 2015.

DECISION

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