

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

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/sk/100, 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)

- 19 Before the building is first brought into use, a Parking Management Strategy Plan shall be prepared and submitted to and be approved by the Local Planning Authority. The plans shall contain details of:

- a. promotion of sustainable travel to the site for all users of the premises
- b. measures to encourage sustainable travel to and from the premises
- c. identification of available parking spaces in the surrounding area
- d. an action plan detailing the management of car parking during the time of operation
- e. promotion of any necessary Traffic Regulation Order the Highway Authority may require to mitigate against indiscriminate parking and ensure that the flow of through traffic on Church Road can be

maintained.

All measures agreed therein shall be undertaken in accordance with the approved plan.

Reason: In order to avoid inconsiderate parking on the surrounding public highway network and to promote the use of sustainable modes of transport in the interests of highway safety.

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. 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.
4. 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.
5. 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.

6. 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.

7. 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.
8. 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.
9. This permission relates only to that required under the Town and Country Planning Act and does not include any consent or approval under any other enactment or under Building Regulations. Any other consent or approval which is necessary must be contained from the appropriate authority.
10. The applicant is advised that parking for contractor's vehicles and the storage of materials associated with this development should take place within the site and not extend into within the public highway without authorisation from the highway authority. If necessary the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk on 0300 300 8049. Under the provisions of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of construction of the development hereby approved.
11. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

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.

[Notes:

1. In advance of consideration of the application the Committee received representations made under the Public Participation Scheme.
2. In advance of consideration of the application the Committee were advised of additional consultation / publicity responses and additional comments from the applicant as detailed in the Late Sheet appended to these Minutes from:
 - a. Letter of support from the Westoning Lower School
 - b. Three letters of support from local residents
 - c. Additional comments from the applicant
 - d. There is an additional informatives at 10 and 11 above.]