

## Item No. 9

<b>APPLICATION NUMBER</b>	<b>CB/15/01355/OUT</b>
<b>LOCATION</b>	<b>Land East of Hitchin Road South of 159 Hitchin Road, Stotfold, Hitchin, SG5 4JH</b>
<b>PROPOSAL</b>	<b>Outline Application: new lower school (All matters reserved).</b>
<b>PARISH</b>	<b>Fairfield</b>
<b>WARD</b>	<b>Stotfold &amp; Langford</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Dixon, Saunders &amp; Saunders</b>
<b>CASE OFFICER</b>	<b>Samantha Boyd</b>
<b>DATE REGISTERED</b>	<b>17 April 2015</b>
<b>EXPIRY DATE</b>	<b>17 July 2015</b>
<b>APPLICANT</b>	<b>Lochailort Stotfold Ltd</b>
<b>AGENT</b>	<b>DLP Planning Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Major development contrary to Policy</b>
<b>RECOMMENDED DECISION</b>	<b>To grant outline consent</b>

### Reason for recommendation

The application site is located outside of any defined settlement envelope, in the open countryside where there is a presumption against new development as set out by Policy DM4 of the Core Strategy and Development Management Policies Document (2009). The proposed new Lower school would provide additional school places in an area where the existing schools are at capacity and where there is a demonstrable need for additional places. Therefore while the proposal is contrary to policy, the public benefits of the proposal are considered to outweigh the conflict with Policy DM4. The proposal is considered to be sustainable development in accordance with the NPPF and would comply with Policy 38 of the Emerging Development Strategy. The proposal is also considered to be acceptable in terms of all other planning considerations and therefore compliant with Policy DM3 of the Core Strategy and Development Management Policies Document (2009).

### Recommendation

That Outline Planning Permission be granted subject to the following:

### RECOMMENDED CONDITIONS / REASONS

- 1 Application for the approval of the reserved matters shall be made to the Local Planning Authority within three years from the date of this permission. The development shall begin not later than two years from the final approval of the reserved matters or, if approved on different dates, the final approval of the last such matter to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 **No development shall take place until approval of the details of the appearance, landscaping, layout, scale and access of the development (herein called “the reserved matters”) has been obtained in writing from the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

**Reason: To comply with Part 3 Article 6 of the Town and Country Planning (General Development Procedure) Order 2015.**

- 3 **No development shall take place until details of the existing and final ground and slab levels of the buildings hereby approved have been submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties, the location of which shall first be agreed in writing with the Local Planning Authority. Thereafter the site shall be developed in full accordance with the approved details.**

**Reason: Details are required prior to commencement of works to ensure that an acceptable relationship results between the new development and adjacent buildings and public areas.**

- 4 **No development shall take place until details of the materials to be used for the external walls and roofs of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**

**Reason: Required prior to commencement of the development to control the appearance of the building in the interests of the visual amenities of the locality.**

- 5 **No work on the construction of the building hereby approved shall commence until details of how the development will achieve 10% or more of its own energy requirements through on-site or near-site renewable or low carbon technology energy generation have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

**Reason: In the interest of sustainability.**

- 6 **The landscaping scheme approved under the Reserved Matters application shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.**

Reason: To ensure an acceptable standard of landscaping.

- 7 The building shall not be occupied until a scheme setting out the type, design, lux levels and measures to control glare and overspill light from sports and general lighting and measures to ensure sports lights are switched off when not in use has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in advance and in writing by the Local Planning Authority the sports pitches and any associated sports lighting shall not be used outside the hours of 8 a.m. and 10 p.m. on any day.

After commencement of the use the lighting shall be operated in accordance with the approved scheme.

Reason: To balance illuminating the sports pitches and school for maximum use and security with the interest of amenity and sustainability.

- 8 Noise resulting from the use of the plant, machinery or equipment shall not exceed a noise rating level of -5dBA, Leq when measured and calculated according to BS4142: 2014 at the boundary of the nearest noise sensitive property.

Reason: To protect the amenity of neighbouring properties.

- 9 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, number D01, D02, PJ0074-SK-001, ASC.15.254, Ecological Appraisal June 2015, Heritage Statement 2015/73 V 1.0, Framework School Travel Plan ref: 406.01862.00010, Transport Assessment including Technical Note, Haydens Tree Survey AIA dated 24/04/15, Flood Risk Assessment ref: 1368 FRA, Phase 1 Geoenvironmental Desk Study No. 15.05.009 May 2015, Landscape and Visual Statement dated June 2015, Design and Access Statement April 2015.

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

- 10 No development shall take place until a written scheme of archaeological investigation; that adopts a staged approach and includes post excavation analysis and publication, has been submitted to and approved in writing by the Local Planning Authority. The said development shall only be implemented in full accordance with the approved archaeological scheme.”

Reason:

- (1) To record and advance understanding of the archaeological resource which will be unavoidably destroyed as a consequence of the development in accordance with Chapter 12 of the National Planning Policy Framework and Policy 45 of the Development Strategy for Central Bedfordshire (Pre-submission version June 2014).
- (2) This condition is pre-commencement as a failure to secure appropriate archaeological investigation in advance of development would be contrary to paragraph 141 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).

- 11 No part of the development shall be occupied until details of a new signalised crossing on Hitchin Road has been submitted to and approved by the local planning authority. The crossing shall be provided as approved prior to the building being first brought into use.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises.  
(Policy 43, DSCB)

### **Notes to Applicant**

1. 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.
2. In accordance with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the adopted Core Strategy and Development Management Policies Document (North).

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

The Council acted pro-actively through positive engagement with the applicant 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) Order 2015.

### **NOTES**

- (1) In advance of the consideration of the application the Committee were advised of additional consultation received from Archaeology and the Landscape Planner and Agent. Additional conditions.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.