

## **Item No. 6**

<b>APPLICATION NUMBER</b>	<b>CB/16/04121/REG3</b>
<b>LOCATION</b>	<b>Silsoe Lower School, High Street, Silsoe, Bedford, MK45 4ES</b>
<b>PROPOSAL</b>	<b>Outline Planning Permission: Demolition of existing school buildings and the redevelopment to residential dwellings with details of access</b>
<b>PARISH</b>	<b>Silsoe</b>
<b>WARD</b>	<b>Silsoe &amp; Shillington</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Ms Graham</b>
<b>CASE OFFICER</b>	<b>Nikolas Smith</b>
<b>DATE REGISTERED</b>	<b>21 September 2016</b>
<b>EXPIRY DATE</b>	<b>21 December 2016</b>
<b>APPLICANT</b>	<b>Central Bedfordshire Council</b>
<b>AGENT</b>	<b>Fisher German</b>
<b>REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION</b>	<b>The Council is the applicant and there have been objections to the application</b>
	<b>Regulation 3 - approve</b>

### **Reason for recommendation**

This site will no longer be needed as a school when the new school at the former Cranfield University site are opened. Whilst the development would result in the loss of Important Open Space, that space has limited visual or functional value and new facilities would be provided at the alternative site. The site is within the Settlement Envelope where residential development is acceptable in principle. The layout, scale, appearance and landscaping of the development would be assessed at Reserved Matters stage.

### **Background:**

Planning permission was granted in 2009 for a mixed-use development at the former Cranfield University site in Silsoe. That development includes a new lower school that it is planned to open in January 2017. This school would be closed as a result and this application seeks permission for its redevelopment.

### **Site Location:**

Silsoe Lower School is on the west side of High Street and comprises the school buildings, car parking and playing fields to the rear.

To the north of the site are playing fields, separated from the site by an un-adopted path that runs west to east. To the northeast, south of the site and on the opposite side of High Street are houses.

Access is taken from High Street. There is a lay-by on the road outside of the school.

The site is within the Settlement Envelope for Silsoe and the playing fields are designated as Important Open Space.

The site abuts Silsoe Conservation Area and so this development would be in its setting.

### **The Application:**

Outline planning permission (with all matters reserved except for access) is sought for residential development at the site after the demolition of existing buildings there. The applicant does not state how many units are proposed, although an indicative layout has been provided that shows 14 units.

The existing access would be modified to meet current standards and the lay-by would be returned to verge to ensure that cars parking within it did not interrupt visibility splays.

35% of the units would be affordable.

### **Relevant Policies:**

#### National Policy and guidance

National Planning Policy Framework (NPPF) (2012)  
National Planning Practice Guidance (NPPG) (2014)

#### Local Policy and guidance

Central Bedfordshire Core Strategy and Development Management Policies - North (2009)

CS1	Development Strategy
CS2	Developer Contributions
CS3	Healthy and Sustainable Communities
CS4	Linking Communities – Accessibility and Transport
CS5	Providing Homes
CS6	Delivery and Timing of Housing Provision
CS7	Affordable Housing
CS13	Climate Change
CS14	High Quality Development
CS15	Heritage
CS16	Landscape and Woodland
CS17	Green Infrastructure
CS18	Biodiversity and Geological Conservation
DM1	Renewable Energy
DM2	Sustainable Construction of New Buildings
DM3	High Quality Development
DM4	Development Within and Beyond Settlement Envelopes
DM5	Important Open Space Within Settlement Envelopes
DM9	Providing a Range of Transport
DM10	Housing Mix
DM13	Heritage in Development
DM14	Landscape and Woodland

DM15	Biodiversity
DM16	Green Infrastructure
DM17	Accessible Green Spaces

Site Allocations (North) Development Plan Document (2011)

Central Bedfordshire Design Guide (2014)

Central Bedfordshire Sustainable Drainage Guidance SPD (2014)

Mid-Bedfordshire Landscape Character Assessment (2007)

Minerals and Waste Local Plan: Strategic Sites and Policies (2014)

### Development Strategy

At the meeting of Full Council on 19 November 2015 it was resolved to withdraw the Development Strategy. Preparation of the Central Bedfordshire Local Plan has begun. A substantial volume of evidence gathered over a number of years will help support this document. These technical papers are consistent with the spirit of the NPPF and therefore will remain on our website as material considerations which may inform further development management decisions.

### **Relevant Planning History:**

Planning history at the site relates to the school, which would be demolished as a result of the development.

### **Consultation responses:**

Neighbours were written to and press and site notices were published. The responses are summarised below:

Silsoe Parish Council

Objection for the following reasons:

- No attempt has been made to consult with the Parish Council or local residents.
- Silsoe does not need another housing development.
- The development fails to demonstrate any benefit to the village.
- More detail should have been provided. Local people do not know what they are commenting on.
- The development would not meet local housing need.
- Priority should be given to local people to live in the houses and there should be bungalows.
- The site should be treated as a rural exception scheme.
- The Parish Council would like to provide a

consulting room at the lower school. Contributions should be sought to acquire land and a building.

- There should be a 20m distance between housing and the junior football pitch at the neighbouring site.
- There should be a requirement for lighting over the nearby footpath.
- It is not clear how neighbours would be protected from demolition disruption or how the site would be protected from vandalism.
- There could be asbestos at the site.

## Neighbours

10 letters of objection were received. Comments made can be summarised as follows:

- There is already a problem with traffic, especially on High Street.
- There would be more pressure on schools and the GP surgery
- There has been an increase in anti-social behaviour
- There is a doubt over who owns the school.
- There will not be enough school places when the site is lost.
- The site should be used as a pre-school.
- There is not enough local infrastructure.
- The lay-by should not be lost and it is well used and will result in more parking on the highway and a greater risk of accidents.
- Access to the nearby flats would be interrupted.
- The traffic generation of the development has been underestimated.
- Housing for older people, or a health centre should be provided.
- Not enough detail is provided with an outline application to make an informed decision.
- The indicative layout does not comply with the Council's Design Guide.
- Construction should be carefully managed.

## Consultee responses:

### Highways

The proposal is to redevelop the old school site to form 14 dwellings. The application is outline with all matters reserved except access. There is an indicative master plan included within the application and while I am mindful that the application is only outline; I am sceptical of the layout and the parking provision and recommend that the applicant should be reminded at this point of the authority's standard.

The proposal is to include the removal of the lay-by which I would support. The junction is to be a simple priority

junction with 3.0m radius kerbs where in this location they should be 6.0m.

The applicant should be reminded that the access road should be 5.0m wide with a 2.0m footway on either side with a turning head suitable to serve the authority's design vehicle which is a refused vehicle measuring 13.5m long. In a highway context I recommend that the following conditions be included if planning approval is to be issued:

Development shall not begin until details of (the improvements to) the junction between the proposed estate road and the highway have been approved by the Local Planning Authority and no building shall be occupied until that junction has been constructed in accordance with the approved details.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the proposed estate road.

Furthermore, I should be grateful if you would arrange for the following Notes to the applicant to be appended to any Consent issued.

The applicant is advised that in order to comply with Condition 'above'... of this permission, along with the removal of the lay-by, 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 Planning and Control Group, P.O.Box 1395, Bedford, MK42 5AN,

All roads to be constructed within the site shall be designed in accordance with Central Bedfordshire Council's publication "Design in central Bedfordshire (Design Supplement 7 – Movement, Street and Places" and the Department of the Environment/Department of Transport's "Manual for Street", or any amendment thereto.

#### Trees and Landscaping

Supplied with the application is an Arboricultural Impact Assessment as requested in the pre application advice. This identifies all trees on and off site that could be affected by the proposals and their retention category. It identifies that a number of trees will need to be removed to facilitate the development, a total of 12 trees including 3 Category B trees. Normally Category B trees would be looked on for retention in any planned development, however I would suggest that their loss would be

acceptable provided that it was mitigated for with a suitable level of new planting which seems to be shown on the Indicative Masterplan.

A tree protection plan is also supplied showing position of trees to be retained and position of tree protection fencing. All tree protection fencing is to be in place prior to any works including demolition works are undertaken and will remain in place throughout development.

Full and detailed landscape and boundary treatment details will be required to include species, sizes and densities of planting and we will expect it to include substantial tree planting as indicated.

All new service lines and soakaways for the development are to avoid root protection areas of trees to be retained.

#### Housing Development

I support this application as it provides for 5 affordable homes which reflects the 35% affordable housing policy requirement. The application also complies with the required tenure split as identified through the Strategic Housing Market Assessment (SHMA) providing 73% affordable rent (4 units) and 27% shared ownership (1 unit).

I would like to see the affordable units dispersed throughout the site and integrated with the market housing to promote community cohesion & tenure blindness. I would also expect the units to meet all nationally prescribed space standards. We expect the affordable housing to be let in accordance with the Council's allocation scheme and enforced through an agreed nominations agreement with the Council.

#### Ecology

I do not object to the proposal and having read through the Ecological Report I am satisfied that the site was found to have negligible value to roosting bats. Three trees, which are currently proposed to be retained within the Illustrative Masterplan, offer low potential to be used by roosting bats and should therefore be subject to a precautionary soft felling methodology if they are to be removed.

A nearby pond was found to have evidence of GCN but the proposed works are not expected to have an impact.

A number of enhancement measures are proposed which are welcomed and I would ask that, given the consideration required for protected species and to ensure the development delivers a net gain for biodiversity in line with the NPPF, a Biodiversity Method Statement be conditioned as follows;

No development shall take place (including any demolition, ground works, site clearance) until a method statement for activities related to construction has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:

- a) purpose and objectives for the proposed works, see part 4, recommendations of Extended Phase 1 and Bat Assessment 2016;
- b) detailed design(s) and/or working method(s) necessary to achieve stated objectives ;
- c) extent and location of proposed works shown on appropriate scale maps and plans;
- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) persons responsible for implementing the works;
- f) initial aftercare and long-term maintenance (where relevant);
- g) disposal of any wastes arising from works.

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

#### Sustainable Growth

It is disappointing that the issues raised in pre-application advice have not been addressed in the outline submission. Should the planning permission be granted for this development, to ensure that sustainability requirements of policy DM1 and DM2 are met I request the following conditions to be attached:

- 10% energy demand of the development to be delivered from renewable or low carbon sources;
- Water efficiency to achieve water standard of 110 litres per person per day;
- Development to include climate change adaptation measures to minimise risk of overheating.

#### Public Protection

Whilst we have no record of any previous contaminative uses for this site, it would be prudent to check the site for any potentially contaminative operations (e.g. fuel tanks, made ground etc). As it is the responsibility of the developer to make the site safe and suitable for use, I recommend the following conditions to be attached to any granted permission

No development approved by this permission shall take place until a Phase 1 Desk Study report documenting the ground conditions of the site with regard to potential contamination has been submitted to and approved in

writing by the Local Planning Authority. This report shall adhere to BS10175:2011.

Where shown to be necessary by the Phase 1 Desk Study, a Phase 2 Site Investigation adhering to BS 10175:2011 shall be submitted to and approved in writing by the Local Planning Authority.

Where shown to be necessary by the Phase 2 Site Investigation a detailed Phase 3 remediation scheme shall be submitted for approval in writing by the Local Planning Authority. This scheme shall detail measures to be taken to mitigate any risks to human health, groundwater and the wider environment. Any works which form part of the Phase 3 scheme approved by the local authority shall be completed in full before any permitted building is occupied.

The effectiveness of any scheme shall be demonstrated to the Local Planning Authority by means of a validation report (to incorporate photographs, material transport tickets and validation sampling), unless an alternative period is approved in writing by the Authority. Any such validation should include responses to any unexpected contamination discovered during works.

Reason: To protect human health and the environment

Informatives:

The British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoils that are moved or traded and should be adhered to. The British Standard for Subsoil, BS 8601 Specification for subsoil and requirements for use, should also be adhered to.

There is a duty to assess for Asbestos Containing Materials (ACM) during development and measures undertaken during removal and disposal should protect site workers and future users, while meeting the requirements of the HSE.

Applicants are reminded that, should groundwater or surface water courses be at risk of contamination before, during or after development, the Environment Agency should be approached for approval of measures to protect water resources separately, unless an Agency condition already forms part of this permission.

Sport England

Sport England –Statutory Role and Policy

It is understood that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing



field or has been used as a playing field in the last five years, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement.

Sport England has considered the application in the light of the National Planning Policy Framework (particularly Para 74) and Sport England's policy to protect playing fields, 'A Sporting Future for the Playing Fields of England' (see link below): [www.sportengland.org/playingfieldspolicy](http://www.sportengland.org/playingfieldspolicy)

Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all or any part of a playing field, unless one or more of the five exceptions stated in its policy apply.

### The Proposal and Impact on Playing Field

The proposal involves the redevelopment of Silsoe Lower School site for residential which would involve the loss of the school's playing field to the west of the site. It is proposed that this would be replaced through the provision of a new playing field that would be provided to support the new Silsoe Lower School site in another part of the village.

### Assessment against Sport England Policy

This application relates to the loss of existing playing fields and/or the provision of replacement playing fields. It therefore needs to be considered against exception E4 of the above policy, which states:

E4 – The playing field or playing fields which would be lost as a result of the proposed development would be replaced by a playing field or playing fields of an equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of development

I have therefore assessed the existing and proposed playing fields against the above policy to determine whether the proposals meet exception E4.

The background to the proposal is that planning permission has been granted for a mixed use redevelopment of Cranfield University's former Silsoe Campus nearby which included provision for a new lower school to replace the existing school. As part of the former

Silsoe Campus redevelopment, a new dual use playing field is proposed adjoining the new school, part of which would be dedicated for the lower school's use. The new lower school and playing fields are under construction and it is understood that the school will relocate to the new site in January 2017, following which the existing school site would close. In this context, it has been proposed that the new playing fields on the former Silsoe Campus would replace those that would be lost on the existing Silsoe Lower School site and therefore the principle of redeveloping the playing field would be acceptable.

Sport England is familiar with the former Silsoe Campus site and has been engaged in the redevelopment proposals for this site since the pre-application stage in 2007. Consequently, I am satisfied that the proposals within this scheme for a new lower school and dual use playing fields represent a genuine proposal for replacing the existing school site and that there is a direct relationship between the two sites. Exception E4 would therefore be applicable if the proposals for replacement playing field provision on the former Silsoe Campus site met the criteria in exception E4. I would make the following assessment of the proposals against these criteria:

**Quantity of Provision:** The area of playing fields (that could be used for marking out playing pitches) on the existing Silsoe Lower School site is estimated to be around 0.2 hectares. The new dual use playing field that the new lower school would have access to is estimated to be around 2.3 hectares in total of which it has been advised that the lower school would have access to a dedicated area of 0.75 hectares. In quantitative terms, the replacement site would appear to clearly provide a greater level of provision than the existing site therefore.

**Quality of Provision:** Sport England was consulted on the construction specifications for the new playing field earlier in 2016 as details had to be submitted and approved to meet the requirements of a planning condition imposed on the Silsoe Campus planning permission. The construction specification was considered acceptable and I therefore consider that the replacement playing field would be at least equivalent in terms of the quality of the playing field provision. Supporting facilities provided in the new school and adjoining community centre are also considered to be equivalent or better.

**Location:** As the school including the new playing fields would be relocated within Silsoe, the location would be acceptable.

Management Arrangements: While the managements arrangements for the new playing fields have not been confirmed, the school would have use of a dedicated area of the playing field which would be expected to safeguard access for meeting its needs.

It is understood that the new school would be ready to occupy in January 2017 and the playing fields are understood to be at an advanced stage of construction. Subject to the phasing arrangements being confirmed, it is therefore expected that continuity of access to playing field provision for the school would be secured by the time the school relocates.

### Conclusions and Recommendation

Given the above assessment, Sport England does not wish to raise an objection to this application as it is considered to meet/ exception E4 of the above policy. The absence of an objection is subject to the following condition(s) being attached to the decision notice should the local planning authority be minded to approve the application:

Phasing: A planning condition requiring details of the phasing arrangements to be submitted and approved for the closure of the existing school site and the completion of the playing fields that the new school will have access to. These phasing details are required to demonstrate that Silsoe Lower School will have continuity of access to playing field provision following its relocation. A scenario where the existing school site is closed but the new school playing fields are not completed/operational should be avoided. The information submitted should confirm that the construction of the new playing fields has been completed and that they are available for the school to use. This condition is justified as no details of phasing of the closure of the existing school and the completion of the school's new playing fields have been provided in support of the planning application. If this information is satisfactorily provided before the planning application is determined it may not be necessary for this condition to be imposed. Sport England has developed a schedule of model planning conditions for local authorities to use which are on our website at [www.sportengland.org/facilities-planning/planning-for-sport/development-management/planning-applications/](http://www.sportengland.org/facilities-planning/planning-for-sport/development-management/planning-applications/).

The following condition is requested to be imposed to address this which is based on model condition 7 of the schedule:

*No development shall commence until details for the*

*phasing of the development, including the provision of the replacement school playing field have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The details shall ensure that the development hereby permitted shall not be commenced before the replacement playing field is completed and operational. The development hereby permitted shall not be carried out other than in accordance with the approved details.*

*Reason: To ensure the satisfactory quantity, quality and accessibility of compensatory provision which secures a continuity of use [phasing provision] and to accord with Development Plan Policy \*\*.*

If you wish to amend the wording of the conditions or use another mechanism in lieu of the condition, please discuss the details with the undersigned. Sport England does not object to amendments to conditions, provided they achieve the same outcome and we are involved in any amendments. Should the condition recommended above not be imposed on any planning consent, Sport England would consider the proposal to not meet exception E4 of our playing fields policy, and we would therefore object to this application and then in accordance with The Town and Country Planning (Consultation) (England) Direction 2009, the application should be referred to the National Planning Casework Unit.

#### Waste Services

The Council's waste collection pattern for Silsoe is as follows:

Week 1 – 1 x 240 litre residual waste wheelie bin, 1 x 23 litre food waste caddy

Week 2 – 1 x 240 litre recycling wheelie bin, 2 x reusable garden waste sacks, and 1 x 23 litre food waste caddy.

Please note that bins are chargeable for all properties and developers will be required to pay for all required bins prior to discharging the relevant condition. Our current costs for these are: £25 +VAT per 240l bin, and £5 +VAT per set of food waste bins.

#### SUDS Management

We consider that outline planning permission could be granted to the proposed development and the final design, sizing and maintenance of the surface water system agreed at the detailed design stage, if the following planning conditions are included:

#### Comments and recommendations

The conveyance of surface water should be considered,

there are other elements of SuDS that could be used to convey water instead of a piped system, the area of green marked "Sally's Grove" would make the use of a swale simple. Anglian Water can adopt SuDS if they are consulted early and their requirements met.

Where permeable paving is proposed we advise the design criteria is demonstrated in accordance with the 'CIRIA RP992 The SuDS Manual Update: Paper RP992/28 Design Assessment Checklists for Permeable/Porous Pavement'.

Details of the proposed construction, phasing of works, management and future maintenance requirements of the surface water drainage scheme should be provided with the final detailed design. This should fulfil the requirements set out in the "CBC Sustainable drainage supplementary planning document" and "Surface water advice note", Adequate access to the surface water system should be provided in the sizing and layout of the scheme, with details of the proposed arrangements for maintenance. The existing pond, associated with the A507 Arlesey Road, will need to be retained at the minimum with the existing capacity, it will also need to be part of the management agreement for the SuDS on site (highway drainage is the (riparian) responsibility of the land owner). No further connection should be made.

Discharge to a water course will require consent from the IDB.

Recommended conditions:

Condition: No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment (Report number 16-163-01A, September 2016) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of a site specific ground investigation report (in accordance with BRE 365 standards) to determine the infiltration capacity of the underlying geology and ground water level, as well as pipe sizes and inclination details, positioning and type of any control structure / device and exceedance should any item fail, it should also include details of how the scheme shall be maintained and managed after completion. The scheme shall include provision of attenuation and a restriction in run-off rates as outlined in the FRA. The scheme shall be implemented in accordance with the approved final details before the

development is completed and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with para 103 NPPF.

Condition: No building/dwelling shall be occupied until the developer has formally submitted in writing to the Local Planning Authority a management and maintenance plan for the surface water drainage and that the approved surface water drainage scheme has been checked by them, has been correctly and fully installed as per the approved details. The scheme shall be implemented in accordance with the approved final details before the development is completed and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure that the implementation and long term operation of a sustainable drainage system (SuDS) is in line with what has been approved, in accordance with Written statement - HCWS161.

## Anglian Water

### Section 1 – Assets Affected

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted.

“Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.”

### Section 2 – Wastewater Treatment

The foul drainage from this development is in the catchment of Clophill Water Recycling Centre that will

have available capacity for these flows.

### Section 3 – Foul Sewerage Network

The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

### Section 4 – Surface Water Disposal

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse.

Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented.

### Section 5 – Trade Effluent

Not applicable

NHS	No response at time of writing.
Conservation Officer	No response at the time of writing.
Historic England	No response at the time of writing.

### **Determining Issues:**

The considerations in the determination of this application are:

1. The principle of the development
2. The appearance of the site, the area and heritage assets
3. The impact on neighbours and future living conditions

4. Access to the site and other highways implications
5. Trees and hedgerows
6. Ecology and biodiversity
7. Land quality
8. Drainage
9. Energy efficiency
10. Existing local infrastructure
11. The planning balance and conclusions

## **Considerations:**

### **1. The Principle of the development and housing delivery**

#### The loss of the school

Given that replacement lower school facilities would be provided at the former Cranfield University site, the loss of the school at this site would be acceptable in principle.

#### The loss of Important Open Space

The playing fields associated with the school are designated as Important Open Space.

Policy DM5 states planning permission will be refused where the loss of Important Open Space would have an unacceptable adverse impact on its value either in visual or functional terms. Redevelopment will only be considered favourably where proposals would result in enhanced provision, where there are exceptional circumstances and where there would be no adverse effect on the visual quality of the settlement.

In this case, the open space has very limited visual value, given that it is located at the rear of the school. Its functional value is as school playing fields, which would no longer be required if the school was not located at the site.

New playing fields would be re-provided at the new school site. Sport England has raised no objection to the application, subject to a condition which ensured that these new facilities were provided before those at this site were lost. The loss of the Open Space would not harm the visual quality of the settlement.

In this case, given the circumstances that surround the relocation of the school, which are exceptional and the benefits associated with providing new housing at this sustainable site, the loss of the Important Open Space at this site would be acceptable in principle.

#### Providing housing at the site

The site is within the Settlement Envelope, where residential development is acceptable in principle. A number of residents, and the Parish Council, have suggested that the site could be better used in a community use. This application must be assessed as proposed, and a residential use in this location would be acceptable.



## **2. The appearance of the site, the area and heritage assets**

This application is in Outline only and so the scale, appearance, layout and landscaping would be reserved for subsequent approval. An indicative layout has been provided that shows that up to 14 units could be provided at the site. It is likely that a scheme could be delivered at this site that related well to the character of the area.

Silsoe Conservation Area abuts the site to the south and so this development would be within its setting. S72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention is paid to preserving the special character and appearance of Conservation Areas. That special attention has been paid here.

The layout and design of the development will need to take full and proper account of that relationship with that heritage asset but there is no reason to think that a scheme that preserved or enhanced the character and appearance of the Conservation Area could not be delivered.

There are listed building on High Street but that are not near enough to the site to be affected by the proposed development.

## **3. The impact on neighbours and future living conditions**

It is likely that a scheme could be provided that ensured that the proposed houses at the site had acceptable levels of outlook, light and amenity space. The layout would need to properly respond to the relationship between the open space to the north, which is used for sport and play and could result in noise or disturbance for future residents.

The layout will also need to take account of the relationships between proposed houses and existing houses to the northeast on the Fairways and to the south at the Oaks. There is no reason to think that a successful scheme in this regard could not be achieved given the size of the site and its relationship with adjoining dwellings.

## **4. Access to the site and other highways implications**

### Highways

The existing access to the site would be modified so as to ensure that it met current standards. This would include re-instating the existing lay-by outside the site as a verge. Some residents have raised concern that this lay-by would be removed but if it were not, parking cars would interrupt visibility from the access.

Traffic generated by the proposed development would be less than that generated by the use of the site as a school.

The layout would need to ensure that all houses were provided with car and cycle parking in accordance with the Council's Design Guide.

The indicative layout shows a pedestrian link between the site and the open

space to the north. This is encouraged.

## **5. Trees and hedgerows**

The development would result in the loss of 12 trees at the site, some of which are Category B but this would be acceptable providing that the proposed landscaping scheme for the site was of a high quality. This would be secured at Reserved Matters stage.

## **6. Ecology and biodiversity**

An Ecological Appraisal and Bat Survey has been submitted with the application which satisfactorily demonstrates that ecology at the site would be suitably protected, subject to compliance with the recommendations outline in that report.

## **7. Land quality**

A condition would ensure that potential contamination at the site was investigated and remedied, if appropriate.

## **8. Drainage**

Conditions would ensure that an acceptable drainage scheme at the site was provided.

## **9. Energy efficiency**

A condition would ensure that sustainability objectives were achieved at the site.

## **10. Existing local infrastructure**

A planning condition would secure the provision of affordable housing at the site in line with policy requirements. Given the link between the development of this site and the re-provision of education facilities elsewhere in Silsoe and in Central Bedfordshire generally, no education contribution would be required.

## **11. Conclusions**

This site will no longer be needed as a school when the new facilities of the former Cranfield University site are opened. Whilst the development would result in the loss of Important Open Space, that space has limited visual or functional value and new facilities would be provided at the alternative site. The site is within the Settlement Envelope where residential development is acceptable in principle. The layout, scale, appearance and landscaping of the development would be assessed at Reserved Matters stage.

## **Recommendation:**

That Planning Permission is approved subject to the following conditions:

- 1 No development shall commence at the site before details of the layout, scale, appearance and landscaping, including boundary treatments (hereinafter called "the reserved matters") relating to that Phase have been submitted to and approved in writing by the local planning authority. The development shall be carried out as approved.

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

- 2 An application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

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.

- 3 The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters 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.

- 4 **Notwithstanding the submitted details, no development shall commence at the site before details of the junction between the proposed estate road and the highway and the re-instatement of the existing lay-by on High Street have been submitted to and approved by the Local Planning Authority and no dwelling shall be occupied until that those works has been completed in accordance with the approved details.**

**Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the proposed estate road in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).**

- 5 **No development shall commence at the site before a scheme showing the provision of affordable housing at the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall show not less than:**

- **35% of the total number of units at the site as affordable housing**
- **73% of the affordable housing units as being for affordable rent**
- **27% of the affordable housing units as being for shared ownership**

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

**Reason: To ensure that the housing tenures at the site meet the identified needs of Central Bedfordshire in accordance with Policy CS7 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).**

- 6 No development shall commence at the site before a scheme showing how the development would achieve the following has been submitted to and approved in writing by the Local Planning Authority.**

- 10% energy demand of the development to be delivered from renewable or low carbon sources;**
- Water efficiency to achieve water standard of 110 litres per person per day;**
- Climate change adaptation measures to minimise risk of overheating.**

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

**Reason: To meet the sustainability objectives of Policies DM1 and DM2 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).**

- 7 No development shall commence at the site before details of the phasing of the development, including the provision of the replacement school playing field have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The details shall ensure that the development hereby permitted shall not be commenced before the replacement playing field is completed and operational. The development hereby permitted shall not be carried out other than in accordance with the approved details.**

**Reason: To ensure the satisfactory quantity, quality and accessibility of compensatory playing field provision which secures a continuity of use.**

- 8 No development shall commence at the site before a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment (Report number 16-163-01A, September 2016) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of a site specific ground investigation report (in accordance with BRE 365 standards) to determine the infiltration capacity of the underlying geology and ground water level, as well as pipe sizes and inclination details, positioning and type of any control structure / device and exceedance should any item fail, it should also include details of how the scheme shall be maintained and managed after completion. The scheme shall include provision of attenuation and a restriction in run-off rates as outlined in the FRA. The scheme shall be implemented in accordance with the approved final**

details before the development is completed and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

**Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with para 103 NPPF.**

- 9 No dwelling shall be occupied before a management and maintenance plan for the surface water drainage scheme including provision of confirmation that the scheme has been correctly and fully installed as per the approved details has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out as approved before the development is completed and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.  
Reason: To ensure that the implementation and long term operation of a sustainable drainage system (SuDS) is in line with what has been approved

- 10 **No development shall commence at the site before a Phase 1 Desk Study report documenting the ground conditions of the site with regard to potential contamination has been submitted to and approved in writing by the Local Planning Authority. This report shall adhere to BS10175:2011.**

**Where shown to be necessary by the Phase 1 Desk Study, a Phase 2 Site Investigation adhering to BS 10175:2011 shall be submitted to and approved in writing by the Local Planning Authority.**

**Where shown to be necessary by the Phase 2 Site Investigation a detailed Phase 3 remediation scheme shall be submitted for approval in writing by the Local Planning Authority. This scheme shall detail measures to be taken to mitigate any risks to human health, groundwater and the wider environment. Any works which form part of the Phase 3 scheme approved by the local authority shall be completed in full before any permitted building is occupied.**

**The effectiveness of any scheme shall be demonstrated to the Local Planning Authority by means of a validation report (to incorporate photographs, material transport tickets and validation sampling), unless an alternative period is approved in writing by the Authority. Any such validation should include responses to any unexpected contamination discovered during works.**

**Reason: To protect human health and the environment in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).**

- 11 No more than 14 dwellings shall be constructed at the site.

Reason: To ensure that the scale of development is appropriate in this location.

- 12 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers EDP3438/01a, EDP3438/05c, 16-085-01, 16-085-01a, 001 rev B, 002 rev B, 003 rev V, Planning, Design and Access Statement dated August 2016, Heritage Assessment dated August 2016, Extended Phase 1 and Bat Assessment dated August 2016, Findings of Arboricultural Assessment dated July 2016 and Transport Statement dated September 2016.

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

**Informatives:**

1. The applicant is advised that in order to comply with conditions attached to 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 Planning and Control Group, P.O.Box 1395, Bedford, MK42 5AN,
2. All roads to be constructed within the site shall be designed in accordance with Central Bedfordshire Council's publication "Design in central Bedfordshire (Design Supplement 7 – Movement, Street and Places" and the Department of the Environment/Department of Transport's "Manual for Street", or any amendment thereto.
3. The British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoils that are moved or traded and should be adhered to. The British Standard for Subsoil, BS 8601 Specification for subsoil and requirements for use, should also be adhered to.
4. There is a duty to assess for Asbestos Containing Materials (ACM) during development and measures undertaken during removal and disposal should protect site workers and future users, while meeting the requirements of the HSE.
5. Applicants are reminded that, should groundwater or surface water courses be at risk of contamination before, during or after development, the Environment Agency should be approached for approval of measures to protect water resources separately, unless an Agency condition already forms part of this permission.
6. Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can

commence.

- 7. 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 6, Article 35**

The Council acted pro-actively through early engagement with the applicant at the pre-application stage 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.

**DECISION**

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