

Central Bedfordshire  
Council  
Priory House  
Monks Walk  
Chicksands,  
Shefford SG17 5TQ



please ask for Miss Helen Bell  
direct line 0300 300 4040  
date 18 August 2009

## NOTICE OF MEETING

### DEVELOPMENT MANAGEMENT COMMITTEE

Date & Time

**Wednesday, 26 August 2009 2.00 p.m.\***

Venue at

**Council Chamber, Priory House, Chicksands**

Jaki Salisbury  
Interim Chief Executive

To: The Chairman and Members of the DEVELOPMENT MANAGEMENT COMMITTEE:

Cllrs P F Vickers (Chairman), A Shadbolt (Vice-Chairman), P N Aldis, A R Bastable, R D Berry, A D Brown, Mrs C F Chapman MBE, D J Gale, Mrs R B Gammons, K Janes, D Jones, H J Lockey, K C Matthews, Ms C Maudlin, A Northwood, A A J Rogers, Mrs C Turner and J N Young

[Named Substitutes:

R A Baker, D Bowater, I Dalgarno, P A Duckett, M Gibson, R W Johnstone, P Snelling, B J Spurr, J Street and G Summerfield

All other Members of the Council - on request

**MEMBERS OF THE PRESS AND PUBLIC ARE WELCOME TO ATTEND THIS MEETING**

***\*As there are no Strategic Planning or Minerals and Waste Matters to be considered the meeting will start at 2.00p.m.***

# AGENDA

1. **APOLOGIES FOR ABSENCE**

Apologies for absence and notification of substitute members

2. **CHAIRMAN'S ANNOUNCEMENTS**

If any

3. **MINUTES**

To approve as a correct record, the Minutes of the meeting of the Development Management Committee held on 22 July 2009 and 5 August 2009.

(previously circulated)

4. **MEMBERS' INTERESTS**

To receive from Members declarations and the **nature** in relation to:-

- (a) Personal Interests in any Agenda item
- (b) Personal and Prejudicial Interests in any Agenda item
- (c) Membership of Parish/Town Council consulted upon during the application process and the way in which any Member has cast his/her vote.

5. **PETITIONS**

To receive Petitions in accordance with the scheme of public participation set out in Annex 2 in Part 4 of the Constitution.

6. **DISCLOSURE OF EXEMPT INFORMATION**

To consider proposals, if any, to deal with any item likely to involve disclosure of exempt information as defined in the relevant paragraph(s) of Part I of Schedule 12A of the Local Government Act 1972 prior to the exclusion of the press and public.

## REPORT

Item	Subject	Page Nos.
7	<p><b>Planning Enforcement Cases Where Formal Action Has Been Taken</b></p> <p>To consider the report of the Director of Sustainable Communities providing a monthly update of planning enforcement cases where action has been taken covering the North, South and Minerals and Waste.</p>	1 - 4
8	<p><b>Confirmation of Tree Preservation Order No. 3/2009 land between No 80 and 100 Common Road, Kensworth</b></p> <p>That Committee consider the unresolved objection made following the making of Tree Preservation Order No.3/2009, land between No 80 and 100 Common Road, Kensworth and to confirm the Order without modification.</p>	5 - 10
9	<p><b>Confirmation of Tree Preservation Order No 2009 Land at 73 Great Northern Road, Dunstable</b></p> <p>That Committee consider the unresolved objections made following the making of Tree Preservation Order No 5/2009, Land at 73 Great Northern Road, Dunstable and to confirm the Order.</p>	11 - 16

### Planning and Related Applications

To consider the planning applications contained in the following schedules:

#### Schedule B - Applications recommended for Approval

Item	Subject	Page Nos.
10	<p><b>Planning Application No. MB/07/01987/ARM</b></p> <p>Address: Silsoe College Farm and Land at West End Road, Silsoe.</p> <p>Reserved Matters: Pursuant to conditions 1, 2, 5, 6, 7a, 7b, 7c, 9a, 9b, 9c, 9d, 9e, 9f, 9g, 9h, 9i, 9k and 19 attached to outline planning consent ref. 03/01148/OUT for the erection of 104 dwellings, along with roads sewers and all ancillary works.</p> <p>Applicant: Miller Homes Northern Home Counties</p>	17 - 38



- 16      **Planning Application No. CB/09/05421**      105 -  
**Address:** Centre Point, 2A High Street, Pulloxhill      112
- Full: 1 no dormer and 1 no velux windows to rear elevation.
- Applicant:** Mr J Le'Vien
- 17      **Planning Application No. CB/09/01015/FULL**      113 -  
**Address:** 1 Lincoln Way, Harlington, Dunstable      124
- Full: Erection of a new dwelling in the side garden and single storey rear extension to existing property.
- Applicant:** Mr T Culverhouse

<b>Schedule C - Any Other Applications</b>
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Item	Subject	Page Nos.
18	<b>Planning Application No. CB/09/05318/FULL</b> <b>Address:</b> Aspley Guise Lower School, Spinney Lane, Aspley Guise.  Full: Application for further temporary consent – renewal of existing temporary planning permission for a temporary building.  <b>Applicant:</b> Aspley Guise Pre School	125 - 130
19	<b>Planning Application No. CB/09/05330/FULL</b> <b>Address:</b> Northhill Lower School, Bedford Road, Northhill  Erection of fitness trail on school playing field  <b>Applicant:</b> Northhill Lower School	131 - 138
20	<b>Planning Application No. CB/09/00959/FULL</b> <b>Address:</b> Campton Lower School, Rectory Road, Campton.  Replacement of existing perimeter metal fence.  <b>Applicant:</b> Campton Lower School	139 - 144

21 **Planning Application No. CB/09/01198/FULL** 145 -  
**Address:** Alameda School, Station Road, Amphill. 150

Single storey side entrance. Additional works to extend existing enclosed hard surface play area.

**Applicant:** Single Storey side entrance. Additional works to extend existing enclosed hard surface play area.

22 **Planning Application No. CB/09/05223/FULL** 151 -  
**Address:** Totternhoe Lower School, Church Road, 162  
Totternhoe, Dunstable

Installation of a temporary Pre School unit and car parking spaces.

**Applicant:** Totternhoe Lower School

23 **Planning Application No. CB/09/05225/REG3** 163 -  
**Address:** Oak Bank School, Sandy Lane, Heath & Reach, 174  
Leighton Buzzard.

Erection of sports hall and construction of replacement tennis courts and new/altered footway links.

**Applicant:** Oak Bank School

24 **Site Inspection Appointment(s)**

In the event of any decision having been taken during the meeting requiring the inspection of a site or sites, the Committee is invited to appoint Members to conduct the site inspection immediately preceding the next meeting of this Committee to be held on 9 September 2009 having regard to the guidelines contained in the Code of Conduct for Planning Procedures.

In the event of there being no decision to refer any site for inspection the Committee is nevertheless requested to make a contingency appointment in the event of any Member wishing to exercise his or her right to request a site inspection under the provisions of the Members Planning Code of Good Practice.

**Agenda Item:**

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**Meeting:** Development Management Committee

**Date:** 26<sup>th</sup> August 2009

**Subject:** **Planning Enforcement cases where formal action has been taken**

**Report of:** Director of Sustainable Communities

**Summary:** The report provides a monthly update of planning enforcement cases where formal action has been taken

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Contact Officer: Sue Cawthra (Tel: 01462 611369)

Public/Exempt: Public

Wards Affected: All

Function of: Council

**RECOMMENDATIONS:**

- 1. To receive the monthly update of Planning Enforcement cases where formal action has been taken**

**Background**

- (a)** This is the update of planning enforcement cases where Enforcement Notices and other formal notices have been served and there is action outstanding. The list does not include closed cases where members have already been notified that the notices have been complied with or withdrawn.
- (b)** The list briefly describes the breach of planning control, dates of action and further action proposed.
- (c)** Members will be automatically notified by e-mail of planning enforcement cases within their Wards. For further details of particular cases please contact Sue Cawthra on 01462 611369.

**CORPORATE IMPLICATIONS**

**Council Priorities:**

This is a report for noting ongoing enforcement action.

**Financial:**

None

**Legal:**

None

**Risk Management:**

None

**Staffing (including Trades Unions):**

None

**Equalities/Human Rights:**

None

**Community Safety:**

None

**Sustainability:**

None

**Appendices:**

Appendix A – (Planning Enforcement Formal Action Spreadsheet - North)

Appendix B – (Planning Enforcement Formal Action - South)

Appendix C – (Planning Enforcement Formal Action – Minerals & Waste)

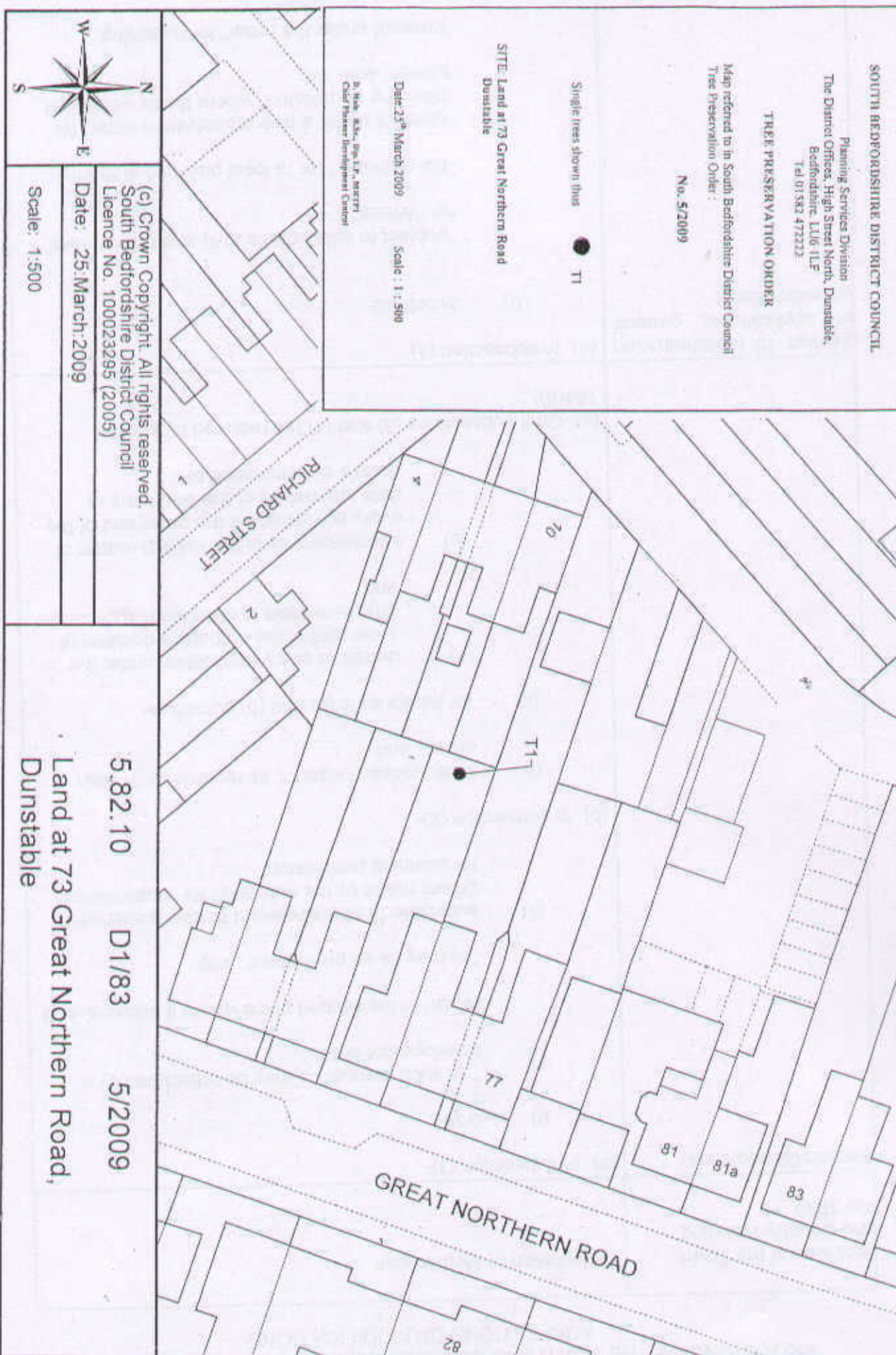


## Planning Enforcement formal action (DM Committee 26th August 2009)

NORTH	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
<b>1</b>	ENC/04/0282	Land at Etonbury Farm, A507, Arsesey	Unauthorised dwelling. Enforcement Notice hello	6-Dec-06	10-Jan-07	10-Apr-07	12-Dec-06	5-Dec-07	Appeal dismissed. High Court upheld Inspectors decision	Enforcement Notice has not been complied with. Full assessment made of alternative further action. Judicial review Council decision to decline to determine further planning application
<b>2</b>	ENC/05/0178	Land at Maulden Garden Centre, Water End, Maulden	Enforcement Notice - change of use from nursery to garden centre, café and outdoor storage, construction of 6 buildings, siting of mobile home.	9-Apr-09	9-May-09	9-Nov-09	Appeal received 7-May-09			Await outcome of Inquiry, 12-Nov-09.
<b>3</b>	ENC/06/0078	Tythe Barn, Wood End, Tingrith	Change of use of land to retail sales & 2 timber showrooms	19-May-08	19-Jun-08	20-May-09	Appeal withdrawn 3/9/08, extension agreed to compliance period		Planning permission for barn extension, 1 cabin removed, 2nd cabin to be removed when extn complete.	Check September 09 that both cabins removed
<b>4</b>	ENC/06/0244	Land at The Green Man, Broom Road, Stanford	Enforcement Notice - Kitchen extractor fan duct, & 2 masts supporting security cameras and flood lighting.	9-Dec-08	9-Jan-09		Appeal received 4/2/09	26-Nov-09	Appeal dismissed & uphold enforcement notice	Further discussions on compliance, check compliance after 26-Nov-09.
<b>5</b>	ENC/06/0313	Land at Hope Farm, Cobblers Lane, Ridgmont	Change of use to storage of vehicles and vehicle equipment & waste. Enforcement Notice	2-Jan-08	2-Feb-08	2-May-08	Appeal received. Hearing 22-Jul-08	30-Apr-09	Appeal dismissed & uphold enforcement notice	08/02063/full granted 10/2/09 for extension to storage building. Planning application 09/1116/full refused 5/8/09 for further extension to house vehicles. Vehicles to be stored only to rear where barn extension permitted, remainder to be removed from site.
<b>6</b>	ENC/07/0085	Woodview Nurseries, Shefford Rd, Meppershall	Mobile home & conservatory	21-Jan-08	19-Feb-08	19-Aug-08	Appeal received. Hearing 14-Oct-08	29-Apr-09	Appeal dismissed & uphold enforcement notice	Planning application 09/00400 declined to retain mobile home, To determine 3-Jul-09. To remove mobile home by Sep-09.

## Planning Enforcement formal action (DM Committee 26th August 2009)

NORTH	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
<b>8</b>	ENC/07/0125	Land at Chestnut Barn, Northfield Farm, Great Lane, Clophill	Enforcement Notice - Change of use of barn to use as self-contained residential dwelling.	3-Apr-09	3-May-09	3-Nov-09	Appeal received. Written reps.			Await outcome of appeal
<b>9</b>	ENC/07/0189	Land at Langford Road, Biggleswade	Breach of Condition Notice - Pre-commencement conditions relating to 07/01181/FULL not complied with.	6-Mar-09	6-Mar-09	5-Apr-09			All details submitted to comply with Breach of Condition Notice	Flood risk assessment refused, further discussions with Environment Agency.
<b>10</b>	ENC/08/0214	Land & Buildings at Lower Wood Farm, Sundon Rd, Harlington	Breach of conditions to Permissions 02/00553 & 06/00152. Enforcement Notice - outside storage & portacabins	15-Dec-08	12-Jan-09	12-Feb-09			Land now cleared of vehicles awaiting repair. Enforcement Notice complied.	Awaiting further planning application for earth bund, hard surface, unit extension, and named occupants of units
<b>11</b>	ENC/08/0373	Land at Silver Lake Farm, Stanford Lane, Clifton	Enforcement Notice-change of use to residential and change of use as self contained dwelling.	9-Feb-09	9-Mar-09	9-Sep-09	Appeal received 25-Feb-09	<b>21-Jan-10</b>	<b>Appeals dismissed, Enforcement notice upheld</b>	<b>Check compliance after 21-Jan-10</b>
<b>12</b>	ENC/08/0381	Land and Buildings on the West side of Foundry Lane, Biggleswade	Enforcement Notice - change of use to hand car wash	22-Dec-08	22-Jan-09	22-Feb-09	Late appeal not accepted by PINS			New application to be submitted with noise assessment.
<b>13</b>	ENC/08/0404	Land at Harlington Post Office, 8 Lincoln Way, Harlington	Enforcement Notice - change of use of part of the shop premises for keeping privately owned birds and pets	4-Mar-09	4-Apr-09	4-May-09	Appeal received 1-May-09			Statement not submitted to PINS by appellant. Council costs application to PINS
<b>14</b>	ENC/08/0408	Asda, Church St, Biggleswade	Breach of condition delivery hours. Breach of Cond. Notice	17-May-07	17-May-07	14-Jun-07			Further breaches, delivery to ATM	New trial date set for Sept 09



Michael Marc Roman  
Solicitor

*M. Roman*

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**Agenda Item:**

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**Meeting:** Development Management Committee  
**Date:** 26<sup>th</sup> August 2009  
**Subject:** Confirmation of Tree Preservation Order No. 3/2009 (Land between No. 80 and 100 Common Road, Kensworth)  
**Report of:** Background to Tree Preservation Order and outline of unresolved objection from Andrew Belson (Arboricultural Consultant) on behalf of Black Horse Construction  
**Summary:** To request that the Committee consider the unresolved objection made following the making of Tree Preservation Order No. 3/2009 and to confirm the Order without modification.

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Contact Officer: Andy Jones X 5161  
Public/Exempt:  
Wards Affected: South East Bedfordshire  
Function of:

**RECOMMENDATIONS:**

1. That the Committee confirms the Tree Preservation Order, which was provisionally made for 6 months, and is due to expire on the 5<sup>th</sup> September 2009.

**Background**

1. The affected trees are situated within the grounds of a disused Public House, "The Old Red Lion", in Common Road, Kensworth, which is the main road that runs through the village. The Tree Preservation Order (TPO) was made in response to concerns from nearby residents, who believed the land to be a potential development site and who valued the surrounding trees and their contribution to the setting of their village. Following a site visit on the 2<sup>nd</sup> March 2009, a TPO was made on two groups of trees and three individual specimens for the reasons that:-
  - The trees made an important contribution to a designated "Area of Outstanding Natural Beauty and their destruction would be harmful to the character and visual amenities of the area.
  - The trees made an important contribution to a designated "Area of Great Landscape Value" and their destruction would be harmful to the character and visual amenities of the area.
  - The trees are visible from the surrounding public highway and footpaths and make a positive contribution to the visual amenity and character of the area.

- The TPO comprises of some trees being grouped together to give a strong collective impact, where they form a connective link with similar groups of trees in the surrounding rural environment.
  - The TPO also comprises of individual trees having individual merit due to their location, form, stature and inherent aesthetic qualities.
2. Following the serving of the TPO, an objection was received from Andrew Belson, Arboricultural Consultant on the 30<sup>th</sup> March 2009, on behalf of clients Black Horse Construction. The grounds for objections were based on identification of the following:-
- T1 Walnut is situated very close to the property and the public amenity value of the tree is somewhat limited.
  - G1. The quality of the trees in this group is poor, with a Willow that is imbalanced due to the loss of a major limb and that the Beech were originally grown as a hedge which has now adversely affected the branch structure as the trees have got taller.
  - G2. Two of the three trees included in this group are of poor form; one Sycamore has weakly attached regrowth from previous low quality pruning. One Ash is also of poor form with co-dominant main stems with included bark.
3. The Tree & Landscape Officer's reply to these points in respect of the objection were:-
- That any undesirable features of certain trees should not be a reason to refute the TPO, but should instead form the basis of remedial work undertaken as part of the TPO application process that will allow the work to be brought under Local Planning Authority control and replacement tree conditions imposed where necessary.
  - That the TPO reaffirms the requirement for tree protection, as proposed in the Tree Protection Plan subsequently made after an application was received and approved for development of the site, that these trees should be protected from damage during development works.
  - That the site was earmarked for development where it was identified that there was a foreseeable threat posed to the trees in general.
  - That it is common practice to safeguard trees on potential development sites through TPO's where "their removal would have a significant impact on the local environment and its enjoyment by the public.
4. Following the response from the Tree & Landscape Officer, there was no further correspondence received and the objection remains unresolved.

**CORPORATE IMPLICATIONS**

**Council Priorities:**

**Financial:**

**Legal:**

**Risk Management:**

**Staffing (including Trades Unions):**

**Equalities/Human Rights:**

**Community Safety:**

**Sustainability:**

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**SOUTH BEDFORDSHIRE DISTRICT COUNCIL**

Planning Services Division  
The District Offices, High Street North, Dunstable,  
Bedfordshire LU6 1LP  
Tel: 01582 472222

**TREE PRESERVATION ORDER**

Map referred to in South Bedfordshire District Council  
Tree Preservation Order:

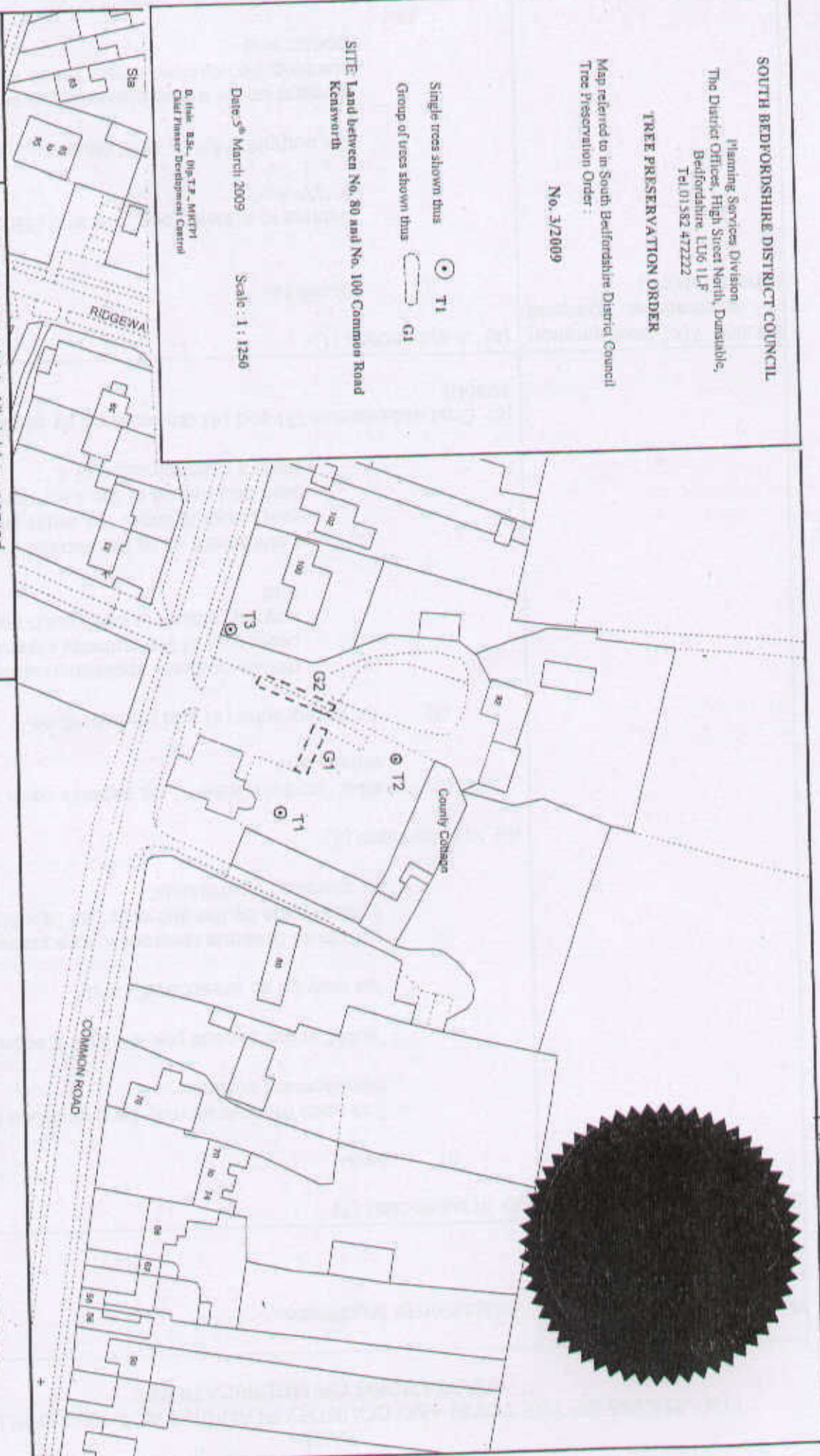
No. 3/2009


Single trees shown thus  T1  
Group of trees shown thus  G1

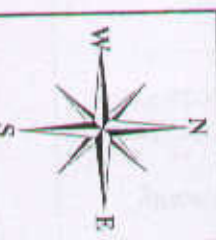
**SITE:** Land between No. 80 and No. 100 Common Road  
Kensworth

Date: 5<sup>th</sup> March 2009 Scale: 1:1250

D. (Ink: B.S., Wp/T2 - MHT1)  
Civil Engineer Development Control



*Andrew R*  




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South Bedfordshire District Council  
Licence No. 100023295 (2005)  
Date: 05:March:2009  
Scale: 1:1250

5.82.11 K/24 3/2009  
Land between No. 80 and No. 100  
Common Road, Kensworth

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**Agenda Item:**

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**Meeting:** Development Management Committee  
**Date:** 26<sup>th</sup> August 2009  
**Subject:** Confirmation of Tree Preservation Order No. 5/2009 (Land at 73 Great Northern Road, Dunstable)  
**Report of:** Background to Tree Preservation Order and outline of unresolved objections from residents.  
**Summary:** To request that the Committee consider the unresolved objections made following the making of Tree Preservation Order No. 5/2009 and to confirm the Order.

---

Contact Officer: Andy Jones X 5161

Public/Exempt:

Wards Affected: Dunstable

Function of:

**RECOMMENDATIONS:**

1. That the Committee confirms the Tree Preservation Order, which was provisionally made for 6 months, and is due to expire on the 25<sup>th</sup> September 2009.

**Background**

1. The mature Sycamore tree is situated within the rear garden of 73 Great Northern Road, Dunstable. The Tree Preservation Order (TPO) was made on the 25<sup>th</sup> March 2009 following concerns from the owner of the tree that a neighbour was being insistent that the specimen should be removed as it was becoming a nuisance. Following a site visit on the 2<sup>nd</sup> March 2009 it was found that the tree formed a fine stately specimen that was generally well balanced and of good shape, except where branches had been previously cut by a neighbour. The tree was a stand alone specimen, visible from the highway, with few other trees in the vicinity to compensate in the event of its loss. It was considered that there was no justification to fell the tree and that complaints from the neighbour were unfounded. It was therefore considered that a TPO was justified for the reasons that:-
  - The Sycamore tree makes a strong individual contribution to the visual amenity of the surrounding area, and its loss could not be mitigated by adjacent trees.
  - The Sycamore tree is visible from the surrounding public highway and footpaths and makes a positive contribution to the visual amenity and character of the area.

2. The Tree Preservation Order was served on the 25<sup>th</sup> March 2009 and two objections were made. The first of these were a letter dated 10<sup>th</sup> April 2009 from Mr A Lowes of 8 Richard Street, Dunstable whose main points of objection were:-

- Lived in Richard Street for 10 years and tree was not previously a problem as it had been cut back by neighbours.
- Tree is now very big in respect of proximity to houses.
- Tree blocks sunlight to house and gardens.
- Less able to grow a lawn.
- Must be significant that root growth could damage nearby property, water supply and drainage.
- Growth of tree could now be unchecked and lead to instability and falling branches.

3. The Tree & Landscape Officer's reply to Mr Lowes Objection were as follows:-

- A Tree Preservation Order does not remove the possibility of any tree being pruned provided it is done with the consent of the Local Planning Authority and an application is made to carry out the works.
- Trees in the urban environment are very important, and all trees to some extent will shade out lawns and plants underneath. It is considered unacceptable for mature specimens to be felled for reasons of shading garden areas, since the urban environment could not sustain tree removal on these grounds.
- Tree growth will not cause direct damage to a house foundation as the load bearing is too great. Indirect damage caused by soil desiccation, resulting in foundation movement and structural cracking, will not occur on unshrinkable chalk substrate such as that found in Dunstable.
- In respect of damage to water supply and drainage, tree roots will only enter an already defective service pipe and will not themselves create the original defect.

4. A further objection dated 16<sup>th</sup> April 2009 from a Mrs Sansone of 10 Richard Street, Dunstable, whose main points of objection were as follows:-

- Sycamore does not make a strong visual contribution to the visual amenity of the surrounding area.
- Its loss could be mitigated by adjacent trees because there are plenty of trees in the surrounding area which are beautiful.
- The Sycamore is not clearly visible from the surrounding public highway because of a high fence.
- Garden is in complete darkness.
- Sycamores are like a giant weed and grow extremely fast.
- Tree makes the house cold in summer.
- Washing gets covered in pigeon droppings.
- Tree attracts flies that swarm in the summer.
- In autumn the tree sheds dense large sticky leaves.

- Difficulty in selling house because of the tree.
- Had problems with their pond because of the tree.
- Tree has no conservation value whatsoever.
- Sooty bark disease on Sycamores can causes a type of pneumonia in humans.
- Sycamore leaves on railway lines delay their morning commute to London.
- Sycamore trees are a menace and (Mrs Sansone) does not want to sit in the garden with her newborn baby surrounded by swarming flies.

Mrs Sansone included in her letter a list of signatures from residents in respect of the Tree Preservation Order. The list of signatures was not accepted as a petition in recognition that the list was not affiliated to any statement or declaration and that the date of many of the signatures predated the letter sent with it by Mrs Sansone.

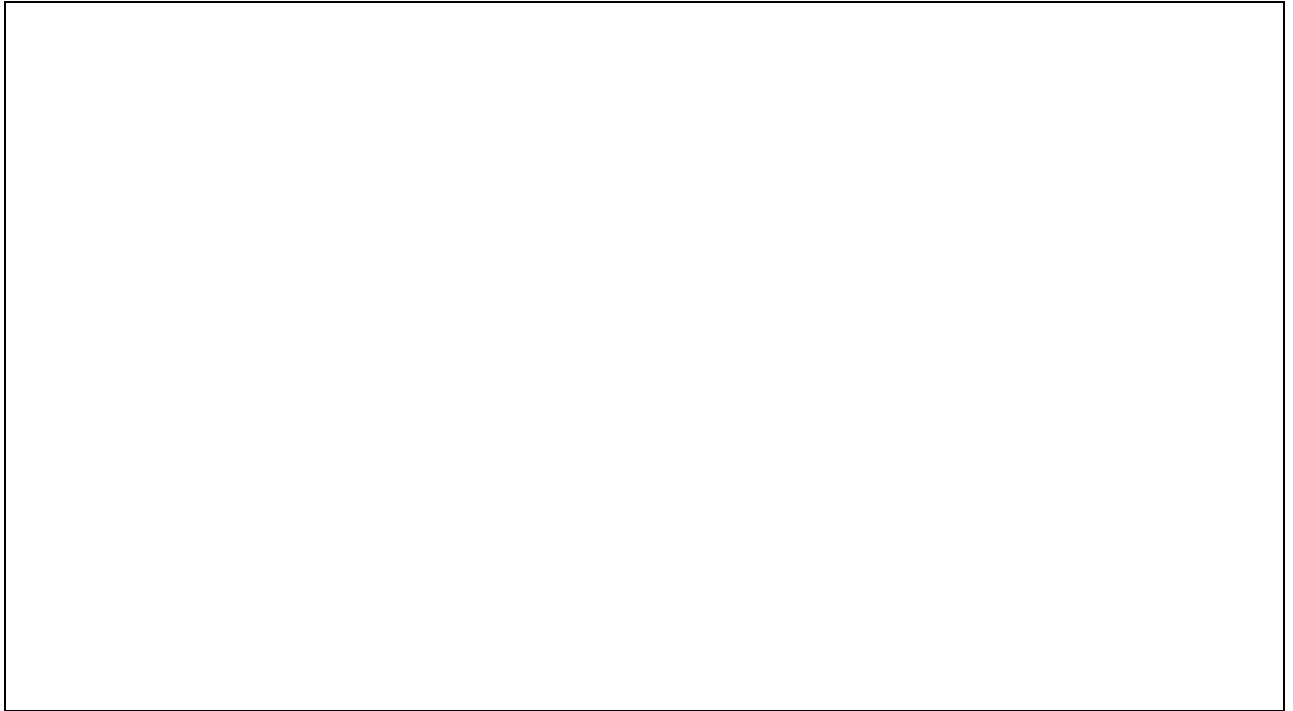
5. The Tree & Landscape Officer's reply to Mrs Sansone's objection was to defend the suitability of the Sycamore for preservation by demonstrating that the Tree Preservation Order was undertaken by way of a structured and systematic assessment system, known as TEMPO.

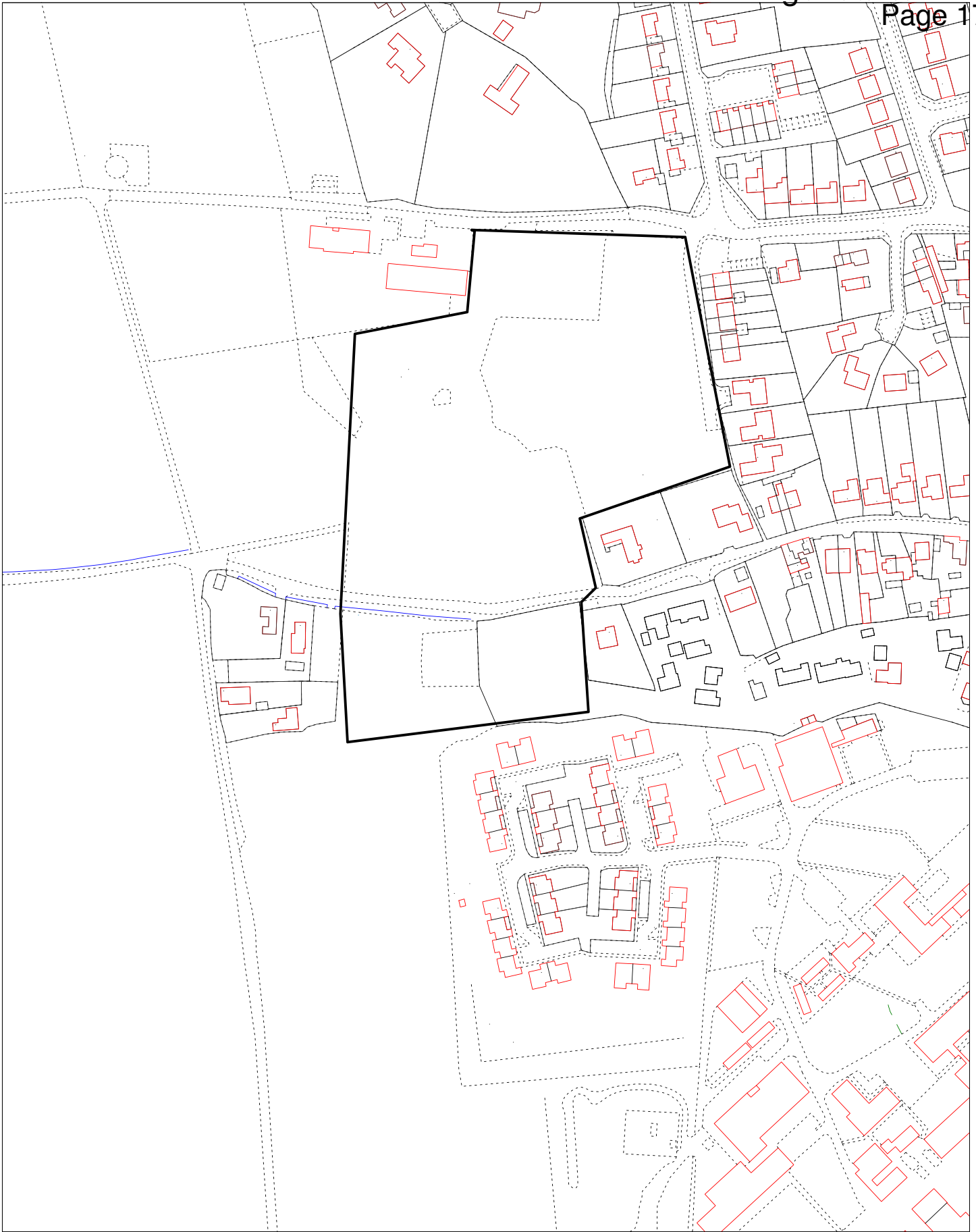
The Sycamore was assessed under TEMPO ("Tree Evaluation Method for Preservation Orders"), which is a nationally recognised system, produced by an independent arboricultural consultant, where scores are allocated towards meeting certain criteria needed required of a tree to justify a TPO. The scoring produced by the valuation method indicates that any score between 11 to 14 points merits a "*defensible TPO*" and that any score over 15 Points "*Definitely merits a TPO*" Following a survey on the 25th March 2009 it was found that the Sycamore tree had a score allocation of 16 points, based on the fact that it was

- In good condition
- Had a retention span of 40 to 100 years
- It is a large tree that has a degree of limited view from public areas
- It is of particularly good form
- There is a perceived threat to the tree

Mrs Sansone was also informed that a mature tree should not be allowed to be felled on the grounds of causing shade, dropping leaves or attracting flies and pigeons. It was also advised that the tree does not have sooty bark disease and that the medical significance of this disease to human health is yet to be quantified.

6. Following the response from the Tree & Landscape Officer, there was no further correspondence received from Mr Lowes. Mrs Sansone sent in a further letter dated 16th June 2009, refuting the Council's case in defending the making of the Tree Preservation Order and claimed that many of the issues raised were merely the opinions of the Tree & Landscape Officer and were not based on factual evidence. Therefore, the objection remains unresolved.



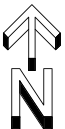


Date: 13 August 2009

ITEM NO. 10

Scale: 1:2500

APPLICATION NO. MB/07/01987/ARM



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Central Bedfordshire Council.  
100049029. 2009.

Silsoe College Farm and Land at West End Road, Silsoe

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**Item No. 10**

<b>APPLICATION NUMBER</b>	<b>MB/07/01987/ARM</b>
<b>LOCATION</b>	<b>SILSOE COLLEGE FARM LAND AT, WEST END ROAD, SILSOE</b>
<b>PROPOSAL</b>	<b>RESERVED MATTERS: PURSUANT TO CONDITIONS 1, 2, 5, 6, 7A, 7B, 7C, 9A, 9B, 9C, 9D, 9E, 9F, 9G, 9H, 9I, 9K AND 19 ATTACHED TO OUTLINE PLANNING CONSENT REF. 03/01148/OUT FOR THE ERECTION OF 104 DWELLINGS, ALONG WITH ROADS SEWERS AND ALL ANCILLARY WORKS.</b>
<b>PARISH</b>	<b>Silsoe</b>
<b>WARD</b>	<b>Silsoe &amp; Shillington</b>
<b>WARD COUNCILLORS</b>	<b>Rita Drinkwater &amp; Alison Graham</b>
<b>CASE OFFICER</b>	<b>Sarah Fortune</b>
<b>DATE REGISTERED</b>	<b>03 December 2007</b>
<b>EXPIRY DATE</b>	<b>28 January 2008</b>
<b>APPLICANT</b>	<b>Miller Homes Northern Home Counties</b>
<b>AGENT</b>	<b>Woods Hardwick Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Referred by Assistant Director Gary Worth because of Public Interest.</b>
<b>RECOMMENDED DECISION</b>	<b>APPROVE RESERVE MATTERS</b>

**Site Location:**

The site is irregular in shape and lies at the southern edge of the village of Silsoe and has a net site area of 3.415 Hectares of land that is part of a disused farm stead located to the north west of Cranfield University's Campus. Much of the site has now been cleared of the old agricultural buildings and is this a vacant site.

**The application:**

This application is for reserved matters following outline planning permission ref; 03/01148 for this site and the adjoining area of land (known as Phase 1) - in respect of residential development of 104 dwellings.

This second phase (Phase 2) of residential development comprises of the western part of the outline approval site and covers the area of the former old agricultural buildings at Silsoe College. It is proposed to erect 104 dwellings on this second phase - with a mix of Private and Affordable properties.

**PPS:**

- PPS3 Housing
- PPS7 The Countryside
- PPG13 Transport
- PPG15 Planning and the Historic Environment
- PPG22 Renewable Energy
- PPG25 Development and Flood Risk

**Policy + SPG:  
(Structure Plan + Mid Beds Local Plan)**

MBLPFR	DPS5 NC7 CHE1A DPS1 DPS2 DPS9 DPS10 DPS12 DPS16 DPS17 DPS23 PHS5 PHS6 SR4 SR5 SR6 H02 H03 H04 H05 H06 H08(26) TP1A TP1 TP5
Supplementary planning Guidance	Designing Quality Housing schemes - A residential Design Guide: Adopted June 1997 Recreational Open Space Strategy Walking and Cycle way Strategy

**Planning History - relevant**

03/01148	Outline: Residential development involving the demolition of redundant farm buildings and student residences and associated access - all matters reserved except access. Granted: 07/02/2005
07/00539	Reserved Matters : Erection of 40 dwellings together with roads, sewers and all ancillary works (pursuant to outline planning permission 03/01148 dated 07/02/2005). Granted: 10/12/2007
08/01933	Full: Erection of 13 dwellings, construction of related roads, drainage, infrastructure and associated works, including the raising of original ground levels. (Revised scheme to part of Phase 1 planning reference 07/00539/RM). Part retrospective. Granted: 09/02/2009

**Representations:  
(Parish & Neighbours)**

Silsoe Parish Council	Concerned about density of development, removal of planting in the site, level of replacement planting, the design character in parts of the site, adequacy and location of off street parking, people will park in Holly Walk, walking and cycling to the village should be encouraged, the layout of the site regarding affordable housing and parking courts and the LAP will have detrimental impact on the amenities of neighbours, the creation of a track between West End Road and West End Lane - this should be blocked off, the lack of footpath provision in some parts of the site, the need to ensure that delivery and construction traffic does not use Holly Walk or West End Road but enters from the A6 southern access. Concerned at the lack of consultation between Millers Homes and Cranfield University and concerns about flooding and the required standard of street furniture.
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There is a lack of adequate details on the anticipated foul water flows from the new developments and/or a comparison with existing capacities. No acknowledgement from Anglian Water Ltd that they have reviewed the capacities of their drainage infrastructure and that this is able to meet the demands of the Miller Homes projects, no acknowledgement from Anglian Water Ltd that they accept their obligation to upgrade their drainage infrastructure and that they will complete such works within the proposed construction programme set out by Miller Homes and there is no indication of any contribution to Anglia Water's construction costs by Miller Homes.

Consider that the selection of bound gravel to plots 131 to 137 is substandard as it has poor wear characteristics and a higher maintenance requirement.

The emergency access point is not easily identifiable and provides poor accessibility.

The design of the development is not inclusive as it does not provide independent living for those with disabilities, it is inadequate in relation to the provision of accessible homes, the design should be updated to the Lifetime Home or Housing Corporation standards and BS8300:2009.

The proportion of accessible homes in development should be in the order of 10% and the design for plot 144 does not provide an acceptable level of access in relation to the parking of a motor vehicle.

#### Neighbours

10. Object on grounds and concerns over the method to stop vehicles using West End Road as it is clear that the end of West End Road is to be widened to accommodate car parking it needs a barrier to stop vehicles using it, lack of a clear pedestrian movement strategy, a new wall of local Bedfordshire brick or sandstone should be built along the stretch of West End Road between Old Farm House and the new arterial road, lack of sufficient tree planting in the scheme, lack of details on the type of play equipment and other facilities in the LAP and LEAP, no plans of the levels of houses so not possible to judge the impact of the height of any new buildings on the existing and adjoining buildings, the new houses will be oppressive and crowd the boundaries of Old Farm House, lack of information on the maintenance of the trees proposed for the site, lack of planting generally, the footpath adjacent to boundary with Old Farm House does not link up to anything, the path should pass through the Super LAP, the design of the houses does not take into account the impact on the Grade II Listed house next door, overlooking and loss of privacy, the garages to Plots 52 - 54 are poorly designed in relation to the listed building next door, the

development around the Old Farmhouse is too crowded, lack of space in the development and lack of road width and this is generally out of keeping with the village, the previous emergency access into Holly Walk has been downgraded to a pedestrian walkway and this will lead to parking in Holly Walk causing problems, loss of planting along Holly Walk, the affordable housing should be dispersed throughout the site and not in one or two areas, the remoteness of some of the off road parking will lead to more on street parking, the LAP is adjacent to a large parking area and this could be to the detriment of child safety, the open courtyard areas are likely to become predominantly vehicle circulation areas, the treatment of Footpath 4 is not sufficient to prevent it being used to access the development, the western end of West End Road is a Conservation Area and the sandstone walls are an important feature needs sandstone or brick wall reinstated along the length of this part of the scheme, insufficient tree planting, need details to enable the levels of house to be assessed, the plans do not reflect the statement within the Design Brief Strategy and Master Plan, loss of privacy to neighbours, the affordable housing is not spread throughout the development, loss of outlook, the planting strips along Holly Walk need to be enhanced, lack of parking, build bungalows, the size of the development is not on keeping with the rest of the village, need to control the construction vehicle movements.

**Revised plans:**

1: **31 Holly Walk, Silsoe:** who will hold the key of the emergency access, pleased to see the chain link fence between Holly Walk and the north eastern edge of the development, difference in heights between houses in Holly Walk and the new development, will the water main serve the new development and will there be a decrease in water pressure, could access for refuse trucks be made to the end of Holly Walk from the new development.

2: **The Old Farmhouse, West End Road, Silsoe:** Pleased to see some changes but some concerns as in the previous letter. Also: plans showing levels are inaccurate, overlooking to the detriment of the Listed Building and the Conservation Area, inaccuracies in plans, overbearing nature of plots near to Listed house and the scale of Plot 65 needs to be reduced.

3: **1 West End Lane, Silsoe:** inaccuracies regarding the position and type of windows and garage to this cottage and would like to see a cross section showing the relationship of cottage to the new development.

**Further revised plans:**

No comments received on the revised plans showing the cross sections

**The Old Farmhouse:** Still objects; Want further changes made to plots 65, 66 and 67 to reduce impact on amenities of neighbours by way of loss of outlook, overlooking, overbearing impact and also to reduce impact on setting of Listed farmhouse.

Comments on latest revised plans to be updated to the Committee

Village Design Team      No comments received.

**Consultations**

Highways Officer      Comments on revised plans to be updated at Planning Committee

E.A.      Development should not commence until the outstanding conditions are discharged.

**Revised Plans:**

No further comments.

A.W.S.L.      No comments in respect of this application but have advised in response to concerns about the adequacy of the pumping station that although studies show that a degree of additional storage may eventually be required are confident that the flows can be accommodated without detriment to the neighbouring properties.

The Wildlife Trust      No obs received

Housing Officer      Accepts the mix.

Beds PCT      The community is under served with health access and off site contributions are sought.

CC Footpaths      No obs received

CC Archaeology      No obs received

Rights of Way      No obs received but a site meeting has been held with this officer who has raised no objections verbally.

Tree Officer      **Revised Plans:** Comments on these to be advised to the Development Management Committee. (Note: the plans have been revised following a site meeting with the tree officer and the developers tree consultant and tree planting plans were agreed by officers for the Holly Walk tree belt after this

meeting.)

County Planning No comments.  
Officer

Access Officer The Design and Access Statement does not say how much of the housing will be accessible for those with limited mobility and how much will be accessible for those in wheelchairs. A percentage of all housing should be 'accessible' - at least 8%.

**Revised plans:**

No further comments to raise.

Arch. Liaison officer Object: Levels of permeability are greater than needed and this is likely to lead to increased vulnerability to crime/disorder. Some of the parking courts have pedestrian access points in addition to the principle vehicular one, the segregated pedestrian route alongside Plot 52 is not well overlooked and this increases the above risk. Some of the dwellings have rear vehicular access and this is likely to be potential access for strangers.

The layout is diametrically opposed to the Community Safety Supplementary Planning Guide thus the Police raise objection.

**Revised plans:**

Same comments as previously made.

E.H.O. No obs received

Play and Open Comments. (many discussions have taken place between the  
Space officer play officer and the developers.)

Natural England No objection. Multi- use green spaces would have benefits to wildlife. The law regarding roosting bats and nesting birds must be complied with.

**Revised plans:**

No further comments.

Refuse Officer Waste Management Strategy must be adhered to. Storage and collection arrangements for commercial waste are acceptable.

Beds and Luton Fire No obs received  
Service

IDB No comments received.

**Determining Issues**

**The main considerations of the application are;**

1. Background and Policy

2. Layout, design in relation to visual amenities of area.
3. Impact on amenities of neighbours.
4. Access and Parking.
5. Other Considerations

## Considerations

### 1. Background and Policy

Outline planning consent has been granted for housing on this site under planning consent ref: 03/01148 for residential development of an area of land that covers 5.62 hectares of land forming part of the site known as College Farm, Silsoe. The site lies on the western edge of the village of Silsoe and mainly to the north of the Silsoe campus and until recently included a variety of farm buildings, glasshouses, as well as student accommodation, grassed open space and maintenance buildings. Access to the site is via a newly constructed road -off Barton Road - where a new roundabout has been built to serve the site.

Reserved matters consent has recently been granted for Phase 1 of the site and this was for 40 dwellings under planning ref: 07/00539. (A revised detailed consent was subsequently granted for 13 of the plots under 08/01933).

There are many conditions on the outline planning permission and condition 7 required that a detailed Master Plan, Landscape Strategy, Design Brief Strategy and Energy Strategy be approved prior to consent being granted for the reserved matters. This condition has now been discharged.

For Phase 2 it is proposed to erect 104 dwellings and these are to be a mix of both houses and flats both for private sale (79) and affordable ones (25). There are to be 2 bed flats, 2 beds houses, 3 beds houses and 4 bed houses. The density is to be 30.45 per hectare. This meets the Master Plan principle of achieving a minimum density of 30 dwellings per hectare. The application has been with the council for about two years and during this time many discussions have taken place with Miller Homes and their planning agents and this has resulted in a number of revisions to the scheme both in relation to details of layout and house designs - taking into account the potential impact on the amenities of neighbours, landscaping, levels, access and parking and numerous other matters - as detailed below.

The affordable units on this site are to comprise of one 2 beds flat over a garage, 11 no. 2 bed houses, 11 no. 3 bed houses and 2 no. 4 bed houses making a total of 25. This means that taking into account the provision of affordable housing on Phase 1 there is to be 28% affordable on the whole site - Phase 1 and Phase 2 - which meets this Council's SPG on Affordable Housing dated July 2004. These units are to be arranged so that they are in 2 groups - one near Holly Walk and the other on the other side of the site. The housing officer has advised that the distribution, number, tenure and mix of the affordable properties is acceptable. (The details of this are to be agreed under the 106 agreement on the outline planning permission for the whole site.)

In view of the fact that outline planning permission has been granted for the residential development of the site and the fact that it lies in the Settlement Envelope for Silsoe there are no objections to the development in policy terms.

What is of importance is that the details of the layout, design, impact on the amenities of neighbours etc.. is acceptable and that the proposal complies in all respects with the outline planning permission.

## **2. Layout and Design in relation to visual amenities of area.**

The layout has been devised so that it respects the Master Plan by avoiding a road dominated layout. Therefore, the principal street that runs into the heart of the site creating a new green, continues its progression from Phase 1 to form a gently winding street with a carriageway alignment that will encourage vehicles to travel slowly. At the southern eastern corner of this new green, which is centred upon a group of existing trees, a street radiates eastwards to create a pedestrian and cycle link to the southern spur of Holly Walk.

The development of the principal street in this second phase of development for the College farm site creates a defined public realm network with a mix of houses set both on the back edge of the pavement and behind well defined front gardens.

The design of Phase 2 has been structured to create a legible structure with new views framed by strong building frontages to complement Silsoe's existing character and sense of place. It creates a sequence of spaces and building groupings each with their own identity and character to promote a safe, memorable and legible development form.

In the main Phase 2 comprises of a mix of one and a half and two storey forms of development - with two no. two and a half storey building forms to mark key locations and terminate important views. This mix in storey heights creates a visually interesting development with varied roofscapes and interesting street scenes that will promote a legible townscape and a strong sense of place.

The dwellings have been designed so that they reflect the character and appearance of the Vernacular Cottages and houses that help to define much of Silsoe's historic qualities.

In view of some concerns which have been raised by officers regarding some details of the designs of some of the houses and the various other details such as boundary walls revised plans have been submitted to reflect most of the changes requested. These include larger garden areas, the slight repositioning of the sub station, additional chimney details to some plots, timber cladding to car ports for Plot 47etc..

It is felt that the development, having undergone many revisions, is now of a high quality design and will blend in and be a good continuation of the houses and flats being constructed on Phase 1 and meets Mid Beds Local Plan First Review 2005 policies as well as PPS3. Conditions are to be attached to any consent to cover details of design and material finish.

The Parish Council have raised objection to the bound gravel to the courtyard to Plots 131 - 137. This surface was requested by our urban design officer since this part of the site has an agrarian character and is to be viewed as a two converted brick barns and a farmhouse. It is appreciated that this surface has more long term maintenance problems than many surfaces but this is an



important part of the design philosophy of the development and is something which officers feel should be retained as part of the scheme. This area is to be a private one and not part of the adopted highway. In view of the fact that most of the units at this location are affordable ones it is very likely that a management company will be appointed to maintain and manage the communal areas.

### 3. Impact on amenities of neighbours

A main area of consideration is the potential impact of the development on the amenities of neighbours in particular the houses Holly Walk, Yew Tree Cottage in West End Lane, 49 West End Road and The Old Farmhouse in West End Road.

Revisions have been made to the scheme to achieve a satisfactory back to back and side to rear distances for the development and changes have been made to house types and elevations to reduce the potential for overlooking to neighbours to acceptable levels. In particular, Plot 65 has been moved a little northwards away from The Old Farmhouse and Plots 66 and 67 have been split vertically - due to ground levels and their eaves lowered.

Revised cross section plans have been submitted showing the relationship of The Old Farmhouse with Plots 65, 66 and 67 as well as The Swallows with Plot 74, 49 West End Road with plots 131 and 132 and 19 Holly Walk with Plots 91 - 96.

The owner of The Old Farmhouse has raised objections on grounds that the houses on Plots 65, 66 and 67 are still too high and too close to The Old Farmhouse. He was of the view that this will result in loss of amenity to occupiers of The Old Farmhouse by way of overlooking as well as there being an adverse impact on the setting of this listed farmhouse. In view of his concerns the applicant has made further revisions to these houses and any comments received from the owner of The Old Farmhouse will be reported to the Development Management Committee.

The eaves height of these properties has been set lower down and the ridge height reduced by 540mm. The cross section plan shows a separation distance of 18.5 metres approx between Plots 66 and 67 and The Old Farmhouse and these plots are to be built such that they are end on to the rear elevation of the Listed farmhouse and there are no windows in this side elevation of this pair of houses. The house on Plot 66 has a modest flank half hipped gable and there is also to be a landscaped belt between this plot and The Old Farmhouse of between 2 and 5 metres within which it is proposed to carry out substantial planting. This is felt to be more than adequate to provide an acceptable level of amenity to the occupiers of The Old Farmhouse by way of outlook and overbearing impact.

The neighbour in The Old Farmhouse has also raised concerns about the house to be built on Plot 65 in relation to dominance and the potential for overlooking. In view of this the applicant has changed the house type to a 1685 one which is an L shaped house but the return section is only one and half storey in height not two storeys as previously proposed. It has been designed so that there are no first floor windows in the south elevation A new cross section has been produced and this shows that there is a separation distance of 23.4 metres

between the centre of Plot 65 and the centre of The Old Farmhouse. The relationship with The Old Farmhouse is not a strictly back to back one. There is also a large Laurel tree on the shared boundary between Plot 65 and The Old Farmhouse and this is a significant boundary screen.

The revised plans are now felt to be acceptable and officers are of the view that there will not be the potential for overlooking for plot 65 in that it has no first floor windows facing The Old Farmhouse and a condition is to be attached to any consent which ensures that no windows are installed into the first floor of this south elevation. Whilst there will be some loss of outlook to the occupiers of The Old Farmhouse this will not be sufficient as to withhold planning permission. This will be no different to the other properties adjacent to the site who have previously benefitted from an open view

It is now felt that there is an acceptable relationship between the dwellings on the site and the neighbouring ones as referred to above.

The revised plans also indicate more planting around The Old Farmhouse which will help not only protect its setting but also help protect the amenity of its occupiers.

#### **4. Access and parking**

Access to the site is to be via a road which has recently been approved under the reserved matters consent for Phase 1 - off the recently erected roundabout off Barton Road to the east.

Concerns have been raised by some local residents that West End Road should not be used as an access to any part of the development since policy H08 25A of the Mid Beds local Plan stated that 'vehicular access to the site must be taken via Silsoe Campus on roads made up to adoptable standard. Vehicular access, other than to provide emergency vehicles will be provided from Holly Walk or West End Road. ...'

Access to Phase 2 of the site is to take all of its access from the new road off the roundabout and none via West End Road. However, it is essential that appropriate measures/controls are taken to ensure that West End Road remains available to those existing residents who have rights of way along it whilst not being used by those living on the new estate. Details of the measures have been shown on the accompanying plans and have been submitted for approval under a planning condition on the outline approval for the whole site. There is to be a pedestrian chicane style arrangement and a metal farm style gate by 43 West End Road beyond Plot 40 of Phase 1. Only those with a right to use West End Road/Lane will be given a key for access through this gate. This will be limited to residents with legal rights of way. No construction traffic is to use West End Road as per the outline planning permission. (A note is to be attached to any permission again advising of this)

The applicants have advised that West End Road is to be modified between the site's boundary with Phase 1 and the principle street to the west with a new winding carriageway alignment to form a three metre wide gravel track to replicate its existing size and finish. Between these two points this part of West End Road will be marked by a sign post at either end marking it as a private

road with no access for vehicles. This is in line with the outline planning permission for the whole of the site. As a result, this arrangement shall maintain the rights of access for the existing dwellings that this part of West End Road serves and continue to accommodate the existing Public Footpath. It will also serve as an access for the emergency services. It is not possible to close this track as there is a contractual requirement for Miller Homes to provide access to the properties at the end of West End Road and West End Lane.

All of the private and affordable units are to be provided with one cycle space per unit. The flats have their cycle parking in the building containing the flats to ensure secure cycle parking provision. Cycle parking for the houses is catered for within their garages or in the case of the affordable houses within sheds in the rear gardens. (These sheds are shown on the external works drawing and are submitted for approval under planning condition 9f of the outline planning permission.)

Concerns have been raised by residents in Holly Walk about indiscriminate parking that may occur along Holly Walk by residents and visitors to the site. The applicants have therefore shown on the revised plans that a 1.8m high chain link fence is to be erected along the boundary of the site where it backs onto the highways verge along Holly Walk. In order to stop the creation of openings in this fence a condition is to be attached to the permission which requires that the fence is maintained as such at all times and this will stop openings being created. There is also to be a new and substantial belt of planting along the outer edge of this boundary and this is to be maintained by a management company.

Silsoe Parish Council have objected to the position of the emergency access into the site which is adjacent to 31 Holly Walk. They are of the view that it is not easily identified in this position and provides poor accessibility. However, the position of this access was agreed as part of the detailed master plan for the site in November 2007 and an alternative location would not comply with condition 7 or 8 of the outline planning permission ref: 03/01148. (The precise details of the siting and design of this emergency access are to be dealt with under condition 29 of the outline planning permission ref; 03/0148.) This matter has been discussed with the highways officer and he is happy with the gate feature at this emergency access and signage can be erected on this gate stating "Emergency Access - keep clear"

The highways officer is of the view that the site lacks adequate external connectivity. However, such a change to the plans is not a matter which can be requested at this stage in this reserved matters application since it would not comply with the outline planning permission -which provides for one access to the site off the new road from the A6. It would also conflict with the advice of the Police Architectural Liaison Officer who in contrast is concerned that the scheme is too open.

The highways officer is also concerned that there are a number of visitor parking spaces which are contained within private parking courts and that people will not use these spaces but park on the road frontages. However, it is felt that on street parking by visitors will slow traffic down and act as a traffic calming measure. A condition is to be attached to any permission requiring that visitors parking is clearly marked.

With regard to the request from the highways officer that the pedestrian link adjacent to the Super Lap be 3 metres in width it is felt that in this case the 2 metres wide path allows for more planting to be carried out on the immediate western boundary of the Grade II Listed Old Farmhouse - and this planting will help protect the setting of this listed farmhouse. The link to the south of the LAP is 3 metre wide and will allow for maintenance vehicles.

In view of concerns raised by the highways officer to various aspects of the road, footpath layout and service strip provision the applicant has submitted revised plans.

These revisions include a 2 metres wide footway on along the main spine road on the west side starting on the bend by plot 143 heading north all the way to Plot 120. There is to be a 2 metre grass service strip around plots 118 and 119 and a 2m hardended service strip between plots 113 and 118. Crossing points are introduced south of plot 43 and west of Plot 59. The turning head between plots 123 and 126 is tracked for emergency and refuse vehicles and paring manoeuvres are tracked to plots 113, 115 and 116.

The revised plans also provide for more car parking spaces. These include 4 more spaces to plots 131 – 137, one more space to Plots 141 – 144, two more spaces to plots 86-90, two more spaced opposite plots 97 - 99 etc.. A kerb line has been introduced on the northern side of the shared surface leading up to the emergency access.

On average the site will have a minimum of two parking spaces per dwelling except within the affordable housing areas. Many of these properties are two and three bedroomed - some being rented tenures where it is very likely that car ownership will be less than for the privately owned houses.

Each individual house – where it is not reliant on any form of communal parking has at least 2 no parking spaces and some of the larger houses have more than two spaces. All except two of the communal areas have 200% parking. One of these areas has a parking ratio of 187% and the other 171%. Given these ratios together with the availability of other dedicated visitor parking spaces around the LEAP or off the spine road and taking into account that the shared surfaces are wide enough to accommodate any additional informal parking it is felt that the parking provision is acceptable. It also needs to be stressed that phase 1 of this site has a 150% provision for the 2 bed properties where they had communal parking.

The surfacing materials of the shared access leading to the emergency access have been clarified and are to be mostly block paving in brindle. An Informative is to be attached to any approval of planning permission which refers to the need for detailed highways plans to be submitted indicating the potential easements for lighting and services etc around plots 90 – 97 inclusive.

## **5. Other Considerations**

### **Landscaping**

The applicants have submitted a detailed landscaping scheme for the site and

this has been revised following comments for the arboricultural officer and the revised plans indicate more planting of trees and hedges to help 'green' the site. There is to be planting in some of the parking courts and some rear gardens.

In particular there is a detailed planting scheme for the belt of trees and shrubs along Holly Walk boundary. The tree officer met with Miller Homes at the site and it became apparent that the existing landscape boundary to Holly Walk contains little in the way of quality individual species and also has several gaps in it. It was therefore agreed with the council's tree officer that most of the planting along this boundary will be removed and new and more indigenous species planted. The best of the existing planting is to be retained.

The applicants have advised in writing that the chain link fence along Holly Walk is to be the responsibility of a Management Company.

### **Amenity and Play Space**

The Master Plan for the site indicated the general layout and provision of amenity and open spaces to be provided with the whole site - Phase 1 and Phase 2. Within the whole site there are to be four principal greens as well as one Leap (Local Equipped Area for play) and a Super Lap (Local Area for Play). The Leap is to be within this Phase 2 as is the LAP. The LEAP is in a central location where it will be well overlooked and it is to have play pieces -with retention of existing trees to reflect its village green function. Details of the play equipment in the super LAP and LEAP are to be dealt with under one of the outline planning consent conditions at a later stage.

Provision for outdoor sporting open space has been made in the form of contributions towards upgrading facilities off the site.

### **Waste Audit**

The application has been accompanied by a Waste Audit and this meets the requirements of this authority.

### **Bin Storage**

The plans show the siting of bin stores and these are acceptable..

### **Secure By Design**

The Police Officer has advised that he is of the view that the proposal is not acceptable as the levels of permeability are too great and there are rear accesses which will give the opportunity for crime. Whilst these comments are appreciated it is not something which this authority upholds since properties are being designed to provide good levels of permeability in accordance with housing layout design guidance and it is considered that in this case the right balance has been achieved between footway permeability and community safety.

### **Footpaths**

This Phase creates a new pedestrian and cycle link to the southern spur of Holly

Walk (Footpath 4).

Footpath 4 follows the line of the track at the end of the adopted part of West End Road and this is to remain in the same position and the footpaths officer has met with the Miller Homes and has agreed that no footpath diversion is necessary. Only emergency vehicles, maintenance companies and those residents with extant rights of way will be given a key for access over West End Lane. There will be lockable gates and bollards at the end of West End Lane where this becomes a cycle/footway. The details of these collapsible timber bollards is to be the subject of a condition on any planning permission.

### **Utilities**

It is the responsibility of the utility companies to ensure adequate provision of their various services. With regards to electricity, discussions are being held with EDF energy. A new sub station has been provided on Phase 1 and provision has been made for a sub station on Phase 2 if this is required. However, the new sub station on Phase 1 has double the capacity of the previous sub station which served the College Farm site. In any event, as stated above, it is the responsibility of the service providers to provide utilities and beyond the scope of this planning submission.

Discussions are on going between the applicant and Anglian Water and AWSL have the responsibility to maintain water pressure. AWSL have advised that they may upgrade the local pumping station if that is required. However, all of these matters are beyond the scope of the reserved matters application.

### **Detailed surface water drainage proposals.**

In designing levels for the whole site the developer has had to be cognisant of the drainage strategy which has been approved under condition 14 of the outline planning permission. Detailed surface water drainage details for this second phase are to be submitted for approval after any reserved matters consent for phase 2. This is part of the details required to comply with condition 27 of the outline planning permission.

Regarding the additional flows of waste water from the site Anglian Water have advised that that although a degree of additional storage may be eventually be required they are confident that the flows can be accommodated without detriment to the neighbouring properties. The Environment Agency have advised that the site is not in a Flood Zone therefore they have no comments to raise regarding the level of flooring to the development. They further comment that the minimum height of ground floor levels will be addressed under Building Regulations.

The Silsoe Parish Council have raised concerns about the drainage infrastructure (as summarised in their comments). It needs to be stressed that this is a reserved matters application and not an application for planning permission. The only matters that are being applied for in this reserved matters submission relate to siting, design, external appearance and landscaping. Drainage and foul water infrastructure are matters of principle that were considered at the outline stage and to that extent a condition attached to the outline planning permission requiring details of drainage to be submitted to and

agreed. Details were worked up for drainage proposal based on more than 180 dwellings whereas the total of dwellings in Phase 1 and this Phase 11 is 145 dwellings. Consultations were carried out with Anglian Water and the Environment Agency and the details of the drainage strategy were approved by this authority under planning condition 14 of the outline planning permission in 2007. There are details calculations behind the drainage strategy worked up by professional engineers.

Anglian Water have confirmed in writing on 22/07/2005 that " *any capacity problems in the foul sewer network are downstream of the point of connectivity and will be addressed by AWS as part of its investment infrastructure programme.*" It is therefore the responsibility of Anglian Water to upgrade their facilities as required under the Water Industry Act 1991. Anglian Water are aware of the size of the College Farm development and have been for many years.

With regard to the Parish Council's concerns about Miller Homes not making any contributions to Anglian Water's construction costs there is no legal remit under the reserved matters submission for this to happen. However, Miller Homes will have to negotiate water and sewerage connections to Anglian Water outside of the planning process.

### **Site levels**

During the implementation of Phase 1 of this development there was an issue regarding the levels at which properties were being constructed, which led to amendment needing to be made to the scheme to avoid unacceptable impacts on neighbouring residents.

Understandably there has been serious local concern that the same risks might apply to this Phase 2. In order to meet these concerns, the agents have supplied detailed levels plans for the scheme.

It has to be remembered that this is not a level site to start with. The slope is generally upwards from the south and sees a 6m change in heights from north to south. Even across the site there are considerable undulations. The scheme, in common with other sustainable developments, will re-use all excavated materials within the site. A cut and fill operation will generally level out the uneven nature of the existing land form, and the intention is to have a relatively smooth development surface. Levels of new buildings have been kept low where they border the existing built edges of the site. Cross sectional details have been supplied with the application to demonstrate potential impacts. New dwellings that sit in the outlook of existing dwellings at The Old Farmhouse, Swallows, and Holly Walk have all been located so as to minimise their impact in the views, and are generally set at a lower level than the existing ground levels around. Where the scheme borders 43 West End Road the finished floor levels of buildings adjacent to that dwelling are between 0.12 and 0.3m above existing ground levels.

Due to the undulating nature of the ground at present, increases in levels across the site are as much as 1.25m higher, but this is at a point in the core of the site where there would be no impact on any existing property. Generally the increases in levels are in order of around 0.75m across the western half of the

site, which is remote from existing built development.

Given that this information has been prepared in detail at this stage of the planning process, there should be no need for any further variation in the course of construction at the site.

### **Accessible Homes**

Silsoe Parish Council have raised concerns about the design of the houses in relation to their accessibility or those with disabilities and the provision of accessible homes. There are two areas where this matter is dealt with - one being the planning system and the other under Building Regulations.

The outline planning permission was not specific regarding the mobility housing to be provided. The submission is for all of the affordable housing (25 units) to be constructed to accessible standards. The remainder of the development will rely upon Part M of the building Regulations.

With regard to Building Regulations, the houses have been designed so that they meet the national access for the disabled standards which are specified in Part M of the Building Regulations. This is the philosophy which has been agreed for Phase 1 of the development.

In addition, the dwellings which are designed as affordable ones have to meet the HCA's (Housing Corporation) standards as if they are not it is unlikely that the housing association would take on the units. In view of this these standards have been complied with in the design of the affordable properties. (These standards are not required as a matter of Local plan policy).

### **Conclusion**

In view of the fact that the principle of developing this site has been approved under the outline planning permission, the layout and design of the development is acceptable, there will not be an unduly adverse impact on the amenities of neighbours, the access and parking arrangements are acceptable, the landscaping is acceptable as is the drainage the application is recommended for approval as being in compliance with many policies in the Mid Beds Local Plan First Review 2005 and PPS3, PPG7, PPG13, PPG15, PPG22 and PPG25

- 1 Details of the delineation of visitors parking spaces shall be submitted to and approved in writing by the Local Planning Authority and only the approved details shall be implemented before that part of the site to which they relate is occupied.

Reason : In the interest of highway safety.

- 2 Details of boundary treatment to include a wall along the front of plots 48 - 50 up to the eastern edge of the garage to Plot 54 including the west and north boundary of the Super LAP and to include a gate or gap to the super lap shall be submitted to and approved in writing by the Local planning Authority and only the approved details shall be implemented. The



treatments shall be implemented before first use of the area to which they relate.

Reason: In the interest of the visual amenities of the area.

- 3 Details of lighting to the path/cycle route alongside the Grade II listed Old Farmhouse shall be submitted to and approved in writing by the Local Planning Authority and only the approved details shall be implemented.

Reason: In the interest of pedestrian and highway safety

- 4 Detailed engineering plans shall be submitted to and approved in writing by the Local Planning Authority showing the segregation of footways in shared surfaced areas, segregation between the service margins and shared surfaces, and the defining of adoptable areas for emergency access. The development shall be implemented in accordance with the approved details before first occupation of the area to which they relate.

Reason: In the interest of pedestrian and highway safety.

- 5 Notwithstanding the details submitted in support of this application details of the siting and design of any pumping station and /or sub station to be installed at the site shall be submitted to and approved in writing by the Local Planning Authority and only the approved details shall be implemented.

Reason: To safeguard the visual amenities of the area.

- 6 Notwithstanding the details submitted with this application details of the garage doors to be used on the development shall be submitted to and approved in writing by the Local Planning Authority and these doors shall be 2.4metres in width minimum.

Reason: To ensure that the garages can be accessed and used in a satisfactory manner.

- 7 If the proposed road is not constructed to the full length and layout illustrated on the approved plan, a temporary turning space for vehicles shall be constructed within the site in a position to be approved in writing by the Local Planning Authority before any building work taking access from the road is occupied.

Reason: To avoid the need for vehicles to reverse into or from the highway in the interest of road safety.

- 8 Details of the colour and texture of the gravel bound finishes and the kerbing shall be submitted to and approved in writing in writing by the Local Planning Authority and only the approved details shall be implemented.

Reason: To safeguard the visual amenities of the completed development.

- 9 Prior to commencement of any works of construction on the site a sample panel of brick work and details of the render to be used on the site for the agreement of jointing, mortar, brick bond and subsequent quality control

shall be submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented on the site and the panel shall be retained during the whole of the construction phase.

Reason: To safeguard the visual amenities of the area.

- 10 Prior to first occupation of the development hereby permitted details of a lighting scheme to the communal areas of the site shall be submitted to and approved in writing by the Local Planning Authority and only the approved scheme of lighting shall be implemented. This scheme shall be provided within 3 months of the first occupation of that part of the development to which it relates

Reason: In the interest of public safety and the visual amenities of the area.

- 11 Details of the design and location of street lights and street naming plates shall be submitted to and approved in writing by the Local Planning Authority and only the approved details shall be implemented.

Reason: To safeguard the visual amenities of the area.

- 12 Details of the size and design of all gates to the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority and only the approved details shall be implemented.

Reason: In the interest of the visual amenity of the area.

- 13 The 1.8m high chain link fence as shown on the approved plans along the highways verge with Holly Walk shall be retained in its complete form and no openings or gates shall be inserted into this fence without the specific grant of planning permission.

Reason: In order that no access is created through this fence into the rear gardens of the houses approved near to Holly Walk in the interest of highway safety.

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

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

- 15 A scheme shall be submitted for written approval by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved scheme in accordance with a timescale agreed in writing with the Local Planning Authority.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.

- 16 Notwithstanding the details submitted with this application details of carriage arches showing splayed brick corners and brackets to the car ports shall be submitted to and approved in writing by the Local Planning Authority and only the approved details shall be implemented.

Reason: To safeguard the character and appearance of the completed development in the interest of the visual amenities of the area.

- 17 **Prior to commencement of the development hereby approved details of a crossing point for pedestrians - broadly between Plots 59 and 121 - shall be submitted to and agreed in writing with the Local Planning Authority; thereafter, the approved details shall be implemented in accordance with a timescale to be submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented.**

**Reason: In the interest of pedestrian and highway safety**

- 18 Notwithstanding the provisions in Schedule 2, Part 1 Class A of the Town and Country Planning (General Permitted Development Order) 1995 (or any Order revoking that Order with or without modification) no further window or opening shall be formed at first floor level in the south facing wall of the dwelling hereby approved on Plot 65.

Reason: To safeguard the amenities of occupiers of the neighbouring house to the south.

- 19 Notwithstanding the provisions in Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development Order) 1995 (or any order revoking or re-enacting that Order with or without modification) no fence, wall, gate or other means of enclosure shall be erected along the south boundary of the dwelling hereby approved on Plot 65 unless otherwise agreed in writing by the Local Planning Authority.

Reason :To enable the footpath to be surveiled in the interest of pedestrian safety.

- 20 Notwithstanding the submitted details of the type of materials to be used for the development hereby permitted full specification details of the material finishes shall be submitted to and approved in writing by the Local Planning Authority under Condition 4 of outline planning permission ref; 03/01148. Only the approved materials shall be used on this development.

Reason: To safeguard the visual amenities of the area and for the avoidance of doubt

- 21 Notwithstanding the details submitted in support of this application details of lighting to the roads, footpaths, cycle routes, play areas, open spaces and all other areas accessible to the public including car parking courts, including the height of the lighting columns and the type, colour and brightness of proposed lights, including measures to limit light pollution from the

development shall be submitted for approval in writing by the Local Planning Authority under condition 9 of the outline planning permission ref: 03/01148 and only the approved details shall be implemented.

Reason: To safeguard the character and appearance of the completed development and for avoidance of doubt.

**Notes to Applicant**

1. The applicant is advised that the waste management strategy must be adhered to.
2. The applicant is reminded that he must comply with the relevant law regarding any Protected Species at the site.
3. The applicant is reminded that all construction traffic to and from the site in association with the development hereby approved shall use the access to the site directly off the A6 and not West End Road or Holly Walk. This is required by the Outline Planning Permission.
4. The applicant is advised that all cycle parking to be provided at the site shall be designed in accordance with the Bedfordshire County Council's Cycle Parking Guidance - August 2006.
5. The applicant's attention is drawn to the potential easement for lighting and services and /or small areas taken into the adopted area to accommodate street lighting to the north of plots 90 and 97 and south of plots 91 - 96 as shown on drawing 242 22 12. The highway authority may wish these areas to be used for such services and lighting but this will need to be the subject of discussion and agreement under the Section 38 Highway Adoption process.
6. The applicant is advised that this permission does not relate to the full specification of material finishes - which are to be submitted for approval by the Local Planning Authority

**DECISION**

.....  
.....



Date: 18 August 2009

Scale: 1:6750

ITEM NO. 11

APPLICATION NO. MB/02/00242/OUT

Land South of Stotfold, Norton Road, Stotfold



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**Item No. 11**

**SCHEDULE B**

<b>APPLICATION NUMBER</b>	<b>MB/02/00242/OUT</b>
<b>LOCATION</b>	<b>Land South of Stotfold, Norton Road, Stotfold</b>
<b>PROPOSAL</b>	<b>Outline: Comprehensive development comprising up to 650 dwellings, up to 2.27 Hectares of employment land (Class B1 Business), neighbourhood centre, a shop (150 square metres), public open space including sports pitches, equipped play areas and informal open space and access. All matters reserved except access.</b>
<b>PARISH</b>	<b>Stotfold</b>
<b>WARD</b>	<b>Stotfold &amp; Arlesey</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Dalgarno, Cllr Saunders, Cllr Street &amp; Cllr Turner</b>
<b>CASE OFFICER</b>	<b>Hannah Pattinson</b>
<b>DATE REGISTERED</b>	<b>01 February 2002</b>
<b>EXPIRY DATE</b>	<b>06 June 2002</b>
<b>APPLICANT</b>	
<b>AGENT</b>	<b>Robert Turley Associates</b>
<b>REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION</b>	<b>Approval of Deed of Variation</b>

**Location**

Land South of Stotfold is a strategic housing site located off the A507 with access being taken from Norton Road and Hitchin Road, Stotfold.

**Background**

This strategic housing site was identified in the Mid Bedfordshire Local Plan (First Review) 2005. Outline planning permission was granted on 21<sup>st</sup> April 2006 (planning application ref no. MB/ 02/00242/OUT) for residential development of up to 650 dwellings, up to 2.27 Hectares of employment land (Class B1 Business), neighbourhood centre, a shop (150 square metres), public open space including sports pitches, equipped play areas and informal open space and access. All matters reserved except access.

The legal agreement attached to the outline planning permission provides the obligations and provisions on behalf of both the developers and the Council. The legal agreement was prepared in a rising market and no provisions had been included to take into consideration the market place may change as has happened through the current economic crisis.

Discussions have been held with relevant Officers within the Council to obtain their agreement for the proposed trigger alterations.

The Education team and the Developers approached the Development Management Department of the Council to request the execution of a Deed of Variation. The purpose of the Deed is to vary certain provisions and triggers within the legal agreement to enable the early provision of the School Site and to resolve some current issues that have not been able to be provided by the Developers due to the current economic situation.

The reasoning behind the Deed of Variation is because of the current global and national economic climate. The large amount of sub-prime / bad debt lending has led to a lack of confidence in the Global and UK financial sector. This has led to both the major banks, mortgage lenders and the major house builders being among the first sectors of the economy to be hit by this situation.

The overall affect of what has become known as the “credit crunch” has resulted in an increase in the number of repossessions, a number of large national house builders stopping work or cutting down to skeleton staff on many of their major development sites and a large number of redundancies.

### **The Proposal**

The following variations through a Deed of Variation are proposed to ensure that the existing legal agreement reflects the current economic situation. These are discussed individually under topic headings below.

#### **School Site**

As part of the legal agreement the developers and the Council agreed that the transfer of the School Site could not occur until the 200<sup>th</sup> Occupation. The purpose of these revisions to the Legal Agreement is to enable the transfer of the School Site to the Council prior to the end of September 2009 to ensure that the new School can be delivered in accordance with the need of Stotfold by the summer of 2011.

Clauses have also been included within the Deed of Variation to address the impact and problems associated with ensuring safe travel to school by children living both on site and off site whilst houses are still under construction through the provision of a Safe Route to School.

The Education Team have agreed that the Middle School Contribution and Upper School Contribution will now not be sought from the Developer for the following reasons:

The original intention of the S106 agreement required the Council to the pay the Developer a purchase price for an element of the Lower School Land. It was always envisaged that the purchase price would be equal to the sum of the Middle School Contribution and the Upper School Contribution. As such the Education Team have agreed to waive these contributions as the Developer has agreed to transfer the land to the Council early for £1 to enable the early provision of the new Lower School and to meet the requirements of the Education Departments Capital Programme.



It is acknowledged that as a result of varying the existing S106 Legal Agreement it could result in a financial loss to the Council due to the current economic climate and the impact that this has had on residential land values.

The Legal Agreement was initially designed so that the Developer would pay to the Council the Middle School and Upper School Contributions. In return upon the transfer of the Land for the School Site to the Council the Council would pay a consideration to the Developer to the value of 0.35 Hectares of residential development land plus £1. At the time of signature of the Legal Agreement it was anticipated that this would result in a neutral position for both parties but due to the current economic down turn in land values this may result in a deficit in monies due to the Council.

This has been discussed at length with the Director of Children, Families & Learning and she has confirmed that to do otherwise would result in a negative impact in project terms of the provision of the much needed new school for Stotfold. Therefore it is considered that the benefit of provided the school in advance of the existing trigger outweighs the potential loss to the Authority.

#### Affordable Housing

The existing affordable housing includes the provision of pepper potting through out the site. Pepper potting is the provision of Affordable Housing in small groups within the overall provision of market housing to enable integration throughout the site. The existing pepper potting levels contained in the legal agreement are below the Council existing policies.

Currently the S106 Legal Agreement states that,

*The Affordable Housing Units shall be pepper potted throughout the relevant part of the Site to be used for residential purposes and shall provide in clusters as follows:*

- (i) in the case of apartments no more than 12 units in any one cluster; and*
- (ii) for houses within 2 or more bedrooms no more than 10 units in any one cluster.*

As such it has been agreed in principle to alter the pepper potting to reflect the Council's current Affordable Housing policies and therefore to allow pepper potting of up to 15 residential houses with two or more bedrooms units per cluster.

The pepper potting numbers for clusters of apartments would not be altered as these are still considered to be appropriate for this location.

#### Community Hall Bond

The Developers were required to provide the Council with a Community Hall Bond for £1.5 million. The Community Hall Bond is a device where the Council is able to draw upon the relevant monies if the Developer was not to either build the Community Hall or complete the Community Hall Bond in accordance with the specification included in the S106 Agreement.

Due to the current economic situation the Developers have not been in a position to secure a Bond. As such it is recommended that trigger is pushed back to 200 units for the provision of the Community Hall Bond. The Developers are anticipating by the time they reach this trigger point that they will be in a financial position to be able to provide a Bond.

Currently the S106 Legal Agreement has no provision in the event that the financial provider of the bond was to become insolvent. Therefore it is proposed to add a clause to ensure that the Developers would have to provide a further Bond if the initial Bond provider falls away for any reason.

### Transport / Highways

Work is currently being undertaken by both parties to ensure that the works are undertaken in accordance with the Council's requirements. Unfortunately due to delays these works will not be complete by the existing trigger date. As such it is considered appropriate to alter the trigger to ensure that the Developer does not inadvertently become in breach of the existing S106 Legal Agreement.

As such the Highways Team have agreed the following trigger alteration has been agreed in principle.

Not to permit more than 325 Residential Units to be occupied until the Hitchin Road Pedestrian and Cycle Link and the Second Highway Works have been constructed and completed to the satisfaction of the Highway Authority.

The Highways Team have confirmed that alteration of this trigger would not prejudice Highways Safety.

### Pix Brook Works

The majority of the Pix Brook Works have already been completed on site.

The specification of the Pix Brook Works is:

- Provision of "reed" beds to encourage bio-degradation of chemical pollutants and silt traps to remove suspended solids;
- Creation of a secondary channel and flood berm on Pix Brook;
- Creation of 2 new ponds and wetlands along Pix Brook and its tributary;
- Remodelling of balancing ponds;
- Provision of Sustainable Urban Drainage (SUDs); and
- Provision of a pedestrian and cycle crossing bridge as shown on plan 1019/BR/01 Revision A (Plan 15) annexed hereto and a specification to be agreed with the District Council.

The outstanding issue in relation to the Pix Brook Works is the provision of a pedestrian and cycle crossing bridge on to Howard Close. Howard Close is a private close and the Developer currently does not have control of the land where the bridge will be located on the Howard Close side of the Pix Brook.

Currently the trigger for the completion of the Pix Brook Works is 50 residential units and the Developer has already reached this number of occupations on site. As such the Developer has requested to push back this trigger to 200 residential units.

The Owners of Howard Close are not party to the S106 Legal Agreement and as such it is considered appropriate to alter this trigger to ensure that the relevant land transfer can take place to enable the completion of the Pix Brook Works.

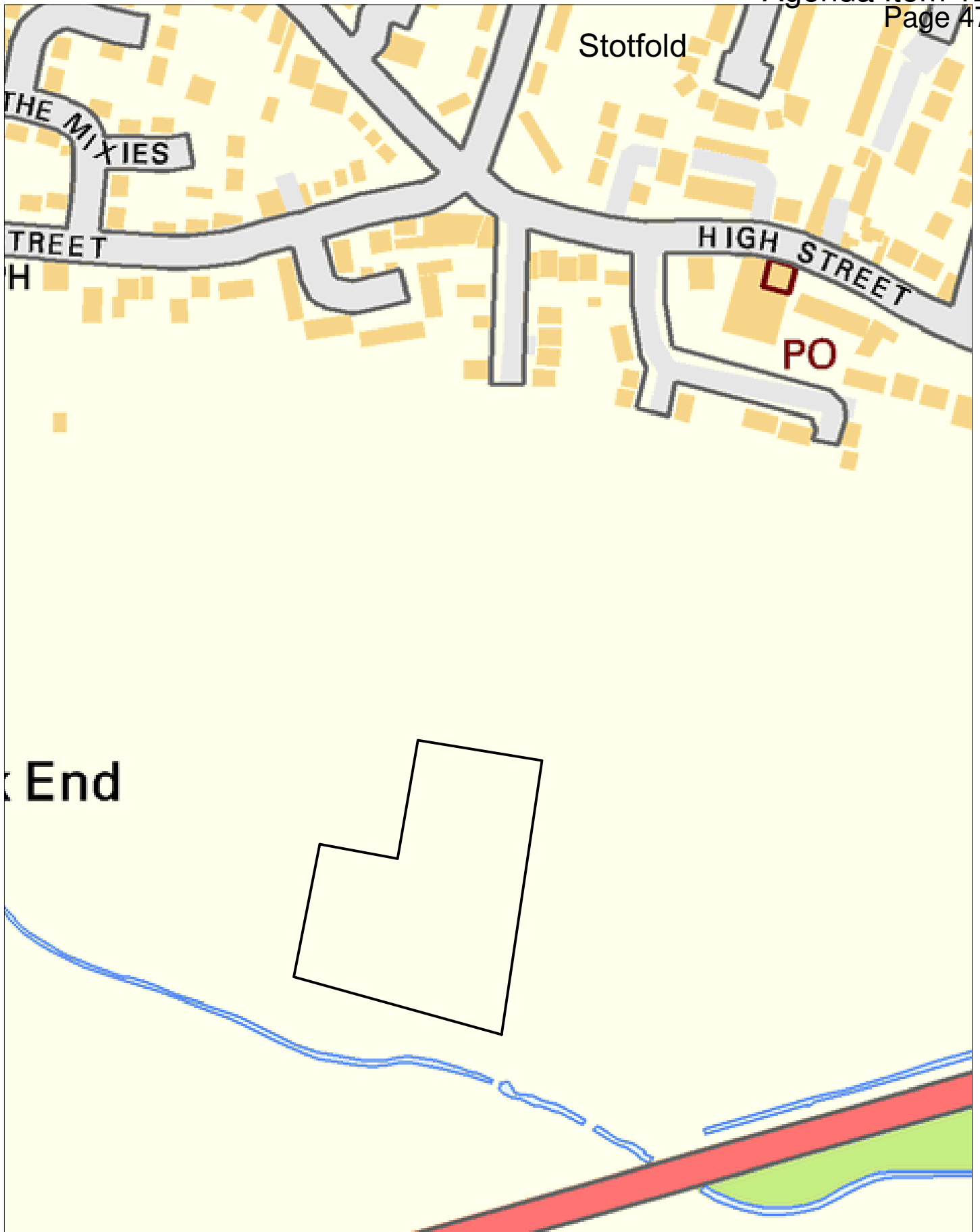
### **Conclusion**

Taking into consideration the current economic climate and the difficulty in obtaining affordable mortgages it is recommended that the above variations are accepted. The proposed variations have been designed to enable early provision of the new Lower School at Land South of Stotfold and to tidy up other provisions to reflect the current situation.

These revisions are considered to be in the best interests of delivering both Open Market and Affordable Housing on the site and do not prejudice the Council's goal of securing a successful development with the necessary infrastructure provision.

It is considered that the proposed variations are considered acceptable and as such it recommended that the principle of the proposed Deed of Variation is approved.

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End

Date: 13 August 2009

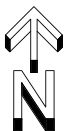
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ITEM NO. 12

APPLICATION NO. CB/09/00227/DC3

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Land South Of Stotfold, Norton Road, Stotfold



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**Item No. 12**

**APPLICATION NUMBER** CB/09/00227/DC3  
**LOCATION** SCHOOL SITE, LAND SOUTH OF STOTFOLD,  
NORTON ROAD, STOTFOLD  
**PROPOSAL** COUNCIL 3: NEW 300 PLACE LOWER SCHOOL  
AND PRE-SCHOOL FACILITY  
**PARISH** Stotfold  
**WARD** Stotfold & Arlesey  
**WARD COUNCILLORS** Cllr I Dalgarno, Cllr J Saunders, Cllr J Street and  
Cllr C Turner  
**CASE OFFICER** Annabel Gammell  
**DATE REGISTERED** 09 February 2009  
**EXPIRY DATE** 31 March 2009  
**APPLICANT** Central Bedfordshire Council  
**REASON FOR  
COMMITTEE TO  
DETERMINE** The application is made by Central Bedfordshire  
Council

**RECOMMENDED  
DECISION** FULL CONDITIONAL APPROVAL

**Site Location:**

The application site, known as the 'Lower School', is located in the central area of Land South of Stotfold with its western boundary adjacent to the location of the proposed Community Building. The application site is part of the overall area of land known as 'The Land South of Stotfold'.

'Land South of Stotfold' is an area of land, which has been allocated for residential, and mixed-use development, located to the South of Stotfold and adjacent to A507.

This planning application is for an area of land which lies within the adopted Design and Landscape Strategy Code for 'Land South of Stotfold'. The Land South of Stotfold Design and Landscape Strategy Code covers an area of land totalling 36.62 Hectares and designated the area of the provision of up to 650 new residential dwellings, 2.27 Hectares of employment land, a community building, new school, a shop and public open space.

**The Application:**

This application is a full planning application to Central Bedfordshire Council for the development of a 300 place Lower School and Pre-School facility, including associated play space and landscaping within the land known as Land South of Stotfold. This School would be a replacement facility for the existing Roecroft Lower School.

**RELEVANT POLICIES:**

**National Policies (PPG & PPS)**

PPS1	Delivering Sustainable Communities
PPS7	Sustainable Development in Rural Areas
PPS9	Biodiversity and Geological Diversification
PPS22	Renewable Energy
PPS25	Development and Flood Risk
PPG13	Transport
PPG16	Archaeology and Planning
PPG17	Planning for Open Space
PPG24	Planning and Noise

### **Regional Spatial Strategy and Other Relevant Policies**

East of England Plan (May 2008)  
Milton Keynes and South Midlands Sub-Regional Strategy (March 2005)  
Sustainable Communities Plan (ODPM)  
RPG9 Planning Guidance for the South East

### **Other Land South of Stotfold Policies**

Adopted Design and Landscape Strategy Code – Land South of Stotfold

### **Mid Bedfordshire Local Plan First Review 2005 Policies**

Policy DPS5 - The Built Environment: Mid Bedfordshire Adopted Local Plan (2005)

### **South Bedfordshire Local Plan Review Policies**

Not applicable

### **Supplementary Planning Guidance**

Not Applicable

### **Planning History**

MB/02/00242/OUT Comprehensive development comprising up to 650 dwellings, up to 2.27 Hectares of employment land (Class B1 Business), neighbourhood centre, a shop (150 square metres), public open space including sports pitches, equipped play areas and informal open space and access. All matters reserved except access.

### **Representations: (Parish & Neighbours)**

Stotfold TC

No objections:

- Concerns regarding health and safety of having balconies on a school site.
- Concern that the disabled bays are too far from the entrance.
- Wish for the public transport supporting document to be checked.

Neighbouring residents

No comments received



## Consultations/Publicity responses

10 Site Notices Posted	No comments received
Anglican Water	No objections
Environment Agency	No comments
Internal Drainage Board	No comments
Sport England	Would like sports pitches available for community use
Highways Section	Comments: Concerns regarding a School Travel Plan for the new school, including access to the site, cycling and the need for cycle parking.
Sustainable Travel Section	No objection
Environmental Health	Comments: The plant room should be well insulated to minimise detriment to residential amenity. To reduce impact upon residential amenity a condition to limit the times of use of the sports pitches.
Heritage and Environment Section	No objection

## Determining Issues

The main considerations of the application are;

1. The Principle
2. Design and Considerations
3. Impact on Residential Properties
4. Highways Safety

## Considerations

### 1. Principle

The site is located within the area of land designated Land South of Stotfold, which is designated for residential development within the Mid Bedfordshire Local Plan, First Review 2005 and is subject to outline planning permission (Planning Ref: 02/00242/OUT dated 21/04/2006) for Comprehensive development comprising up to 650 dwellings, up to 2.27 Hectares of employment land (Class B1 Business), neighbourhood centre, a shop (150 square metres), public open space including sports pitches, equipped play areas and informal open space and access. All matters reserved except access.

The outline planning permission fixed the principle of development for this area of land and as long as the Planning Application is in accordance with the approved Design and Landscape Strategy Code and other relevant Planning Policy. The current Roecroft Lower School which is undersized and no longer fit for purpose will be closed and the children transferred to the new school at the centre of this development, the school will also be of sufficient size to accommodate the additional capacity that the new development would require.

## 2. Design and Considerations

A development brief and design guide have been produced to aid the implementation of the outline planning permission and other planning application at 'Land South of Stotfold'. It is considered that this proposal is predominantly in accordance with these documents and therefore the proposal is considered to be acceptable.

The school site is of L-Shape design, there will be residential development to the north and west and playing fields and open space to the south and east. The school building will be situated at the top northern end of the school site, this is to provide a suitably sized playing field, a multi use games area, three separate hard play areas, and a wildlife corner in the larger southern end. In the original design code it was envisioned that the school building would wrap around the inner corner of the site in order to terminate important views. Due to the need for the school to be a practical educational facility it was considered appropriate to maximise the use of the northern part of the site and create a square building. In order to terminate these important views looking from the development a structurally interesting gazebo is proposed which would over look the multi use games area, and practical storage and bike shelters along the north western boundary, this will provide structure and enclosure for the school site. The sports areas are of an acceptable proportion for a school of this size, Sport England commented that they would like the pitches to be used for community use, as there are proposed community sports facilities next to the school site it may be appropriate for the school site to be used for community use but this should be arranged privately between local sporting groups and the school.

As part of the application 25 parking spaces are proposed, including 2 disabled bays, these would be located along the northern boundary, away from the pupil entrances and social areas of the school. A School Travel Plan is currently under development which would ensure that school pupils could get to the school site safely and sustainably. A minimum of 19 cycle racks would be provided to encourage a sustainable and healthy route to school. The Travel Plan will accord with the Safer Routes to School Scheme. Stotfold Town Council has concerns that the disabled bays were to be too far from the entrance to the school, in accordance with British Standard 8300:2009 (Design of buildings and their approached to meet the needs of disabled people) it is advised that disabled parking bays are located as close as practically possible from the entrance of the building, there should be resting places at intervals of not more than 50 metres apart. The disabled bays are some 60 metres from the entrance of the school building therefore it is recommended that a condition be attached to any permission hereby granted that a bench would be provided between the car park and the main entrance to the school building.

The school building is of modern design which is considered appropriate on a new development like the Land South of Stotfold, it is a two storey building, which has been designed to be accessible with the inclusion of a central lift. Part of the two storey design is the first floor balconies which would be accessed off classrooms, these features are a common design aspect of modern two storey schools and provide invaluable out door

learning space. Children would not be left unsupervised, the glass and railings would be 1.6 metres high and strengthened to a suitable standard to benefit this use. The balconies would be in compliance with the requirement of the Government's "Every Child Matters Agenda" for children to learn outside. As part of the approved design code for the whole development there is a palette of materials agreed, the materials suggested as part of this application are not in accordance with this agreed palette and therefore details would be required as a condition. The school is designed so it can be expanded to suit the needs of the local educational authority and provide practical replacement accommodation from Roecroft Lower School.

In summary, the development would provide a well designed Lower School and Pre- School facility and it is considered to be in accordance with the adopted Design and Landscape Strategy Code for Land South of Stotfold. There are no objections to the school site and it accords with all relevant policies and therefore it is considered appropriate to grant full conditional approval.

### **3. Impact on Residential Properties**

The outline application envisioned some 650 new dwellings, the school would be central within the site and be enclosed by residential properties on two sides. It is important to ensure that the school would not significantly impact upon these dwellings. To minimise noise and disturbance the playing fields and hard standing areas are to the south of the site and therefore as far away as would be practically possible within the site. There would be some screening in the form of fencing and trees between the school site and the residential sides. In order to further screen noise from the outside areas the school will have brick built form along the north western boundary. It is not considered that the residential amenity would be affected by the school in the future.

### **4. Highway Safety**

The Highways Section were consulted and concerns were largely related to the lack of an up to date School Travel Plan, a plan was submitted in July 2009 which addresses issues such as walking to the site, cycle parking and Safer Routes to School. It was considered to be satisfactory as an interim Travel Plan by the Sustainable Transport Section providing once the school was open a revised plan could be submitted to the Local Planning Authority. It is judged that there is adequate car parking on the school site for the staff the school will need, and therefore cars will not cause a highways nuisance. The school site is located on a bend in the road, there is an area of hard standing forming "School Square" which can be used for parents waiting to collect children. The Highways Section did not raise concerns regarding the safety of the school site, but specified that there should be markings outside the school site restricting parking. There is a contribution within the Section 106 that is identified for this work. Therefore it is considered that the school would be satisfactory in highway safety terms.

## Reason for Granting

The proposed 300 place Lower School and Pre-School facility and associated landscaping by reason of its site, design and location is in conformity with Planning Policy Statement 1 (2005), Planning Policy Statement 7 (2006), Planning Policy Statement 9, Planning Policy Statement 22, Planning Policy Statement 25, Planning Policy Guidance 13, Planning Policy Guidance 16, Planning Policy Guidance 17, Planning Policy Guidance 24, East of England Plan (May 2008), Milton Keynes and South Midlands Sub-Regional Strategy (March 2005) and Policy DPS5 of the Mid Bedfordshire Local Plan First Review (2005).

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

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

- 2 **A scheme shall be submitted for written approval by the Local Planning Authority setting out the details of the materials to be used for the external walls and roof. The development shall be carried out in accordance with the approved scheme.**

Reason: To protect the visual amenities of the building and of the area generally.

- 3 **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:-**

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

The development shall not be implemented until these details have been submitted and approved by the Local Planning Authority.

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.

- 4 **No flood lighting or illumination of the grounds, buildings or car park shall be installed except in accordance with the scheme to be submitted to and approved in writing by the Local Planning Authority prior to development taking place.**

**Reason: To safeguard visual amenity.**

- 5 **Details of the method of disposal of foul and surface water drainage shall be submitted to and agreed in writing by the Local Planning Authority including any land drainage system, before the development is commenced. Thereafter no part of the development shall be brought into use until the approved drainage scheme has been implemented.**

**Reason: To ensure that adequate foul and surface water drainage is provided and that existing and future land drainage needs are protected.**

- 6 The School Travel Plan submitted in July 2009 that forms part of this application should be implemented prior to the occupation of the School, the measures to ensure safe travel outlined within the Plan onto the school site should be monitored and reviewed at three monthly periods and submitted in writing to the Local Planning Authority until such a time that the development of the Land South of Stotfold is completed.

Reason: To ensure safe travel to and from the school.

- 7 Within 6 months of occupation, The July 2009 School Travel Plan shall be reviewed, updated by the school. It should then be submitted for approval by the Local Planning Authority. The plan shall contain details of:

- plans for the establishment of a working group involving the School, the Pre-School, parents and representatives of the local community
- pupil travel patterns and barriers to sustainable travel
- measures to promote and support sustainable transport modes and reduce car use
- an action plan detailing targets and a timetable for implementing appropriate measures
- plans for annual monitoring and review

All measures agreed therein shall be undertaken in accordance with the approved Plan. There shall be an annual review of the Travel Plan (from the date of approval of the Plan) to monitor progress in meeting the targets for reducing car journeys generated by the proposal and this shall be submitted to and approved by the Local Planning Authority.

Reason: In the interests of highway safety, to reduce congestion and to promote the use of sustainable modes of transport

- 8 External loud speakers or amplifying equipment shall not be used without prior approval of the Local Planning Authority.

Reason: To safeguard residential amenity.

- 9 Prior to the first occupation of the School a bench with back support shall be installed to the front of the main school building to act as a resting place between the parking area and the main entrance to the building, details of which shall first be submitted to and approved by the Local Planning Authority. The bench shall be sited in accordance with the details approved.

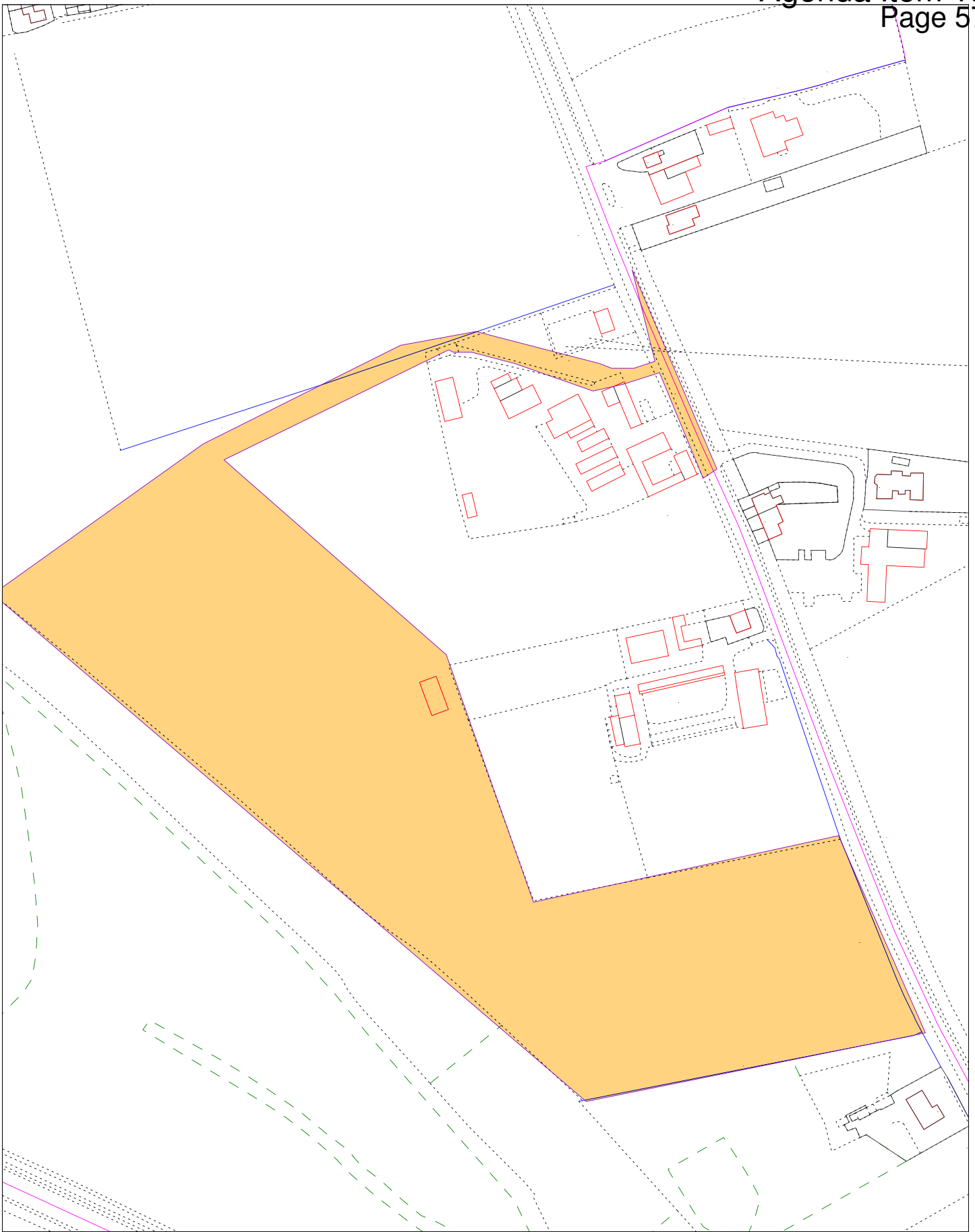
Reason: In accordance with guidance within British Standard 8300:2009 (Design of buildings and their approached to meet the needs of disabled people).

- 10 Noise resulting from the plant shall be so installed, maintained and operated so as to prevent the transmission of noise and vibration into any neighbouring premises.

Reason: To protect residential amenity.

**DECISION**

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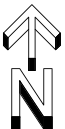
Date: 12 August 2009

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ITEM NO. 13

APPLICATION NO. CB/09/00907FULL

Land At Hillfoot Farm, Hitchin Road, Shefford



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100049029. 2009.

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**Item No. 13**

<b>APPLICATION NUMBER</b>	<b>CB/09/00907/FULL</b>
<b>LOCATION</b>	<b>LAND AT HILLFOOT FARM, HITCHIN ROAD, SHEFFORD</b>
<b>PROPOSAL</b>	<b>FULL: PROPOSED AMALGAMATION OF PLANNING PERMISSION 07/00873/FUL AND 08/01439/FUL TO PROVIDE ONE NEW AND COMPREHENSIVE SPORTS PITCH FACILITY WITH ASSOCIATED CLUBHOUSE, CHANGING FACILITIES, CAR PARK AND SITE ACCESS.</b>
<b>PARISH</b>	<b>Shefford</b>
<b>WARD</b>	<b>Shefford</b>
<b>WARD COUNCILLORS</b>	<b>Cllr L.Birt &amp; Cllr T Brown</b>
<b>CASE OFFICER</b>	<b>Sarah Fortune</b>
<b>DATE REGISTERED</b>	<b>14 May 2009</b>
<b>EXPIRY DATE</b>	<b>13 August 2009</b>
<b>APPLICANT</b>	<b>Samuel Beadie (Investments) LTD</b>
<b>AGENT</b>	<b>Phillips Planning Services Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>MAJOR DEVELOPMENT AND A DEPARTURE FROM THE LOCAL PLAN</b>
<b>RECOMMENDED DECISION</b>	<b>Full Conditional Approval</b>

**Site Location:**

The site comprises of 10.66 hectares of land which is partly occupied by Hillfoot depot - the northern section and also includes Hill Farm - the southern section. The site is bounded on its south west side by a mature hedge and the disused former railway line whilst the southern boundary adjoins Hill farm and Maize and is screened by leylandii trees. To the north of the site the land is in agricultural use and this adjoins the southern edge of the settlement of Shefford.

**The Application:**

This planning application seeks to amalgamate two previous planning permissions on the northern and southern parts of the site in order to provide two new senior and one junior football pitch, a club house and changing facilities with associated parking and a new improved junction access on land adjacent to Hill Farm and Hillfoot Farm, West of Hitchin Road in Shefford.

**RELEVANT POLICIES:**

**National Policies (PPG & PPS)**

PPS1 Delivering Sustainable development

PPS9 Biodiversity and Geological Conservation  
PPG13 Transport  
PPG17 Recreation and Open Space

### **Regional Spatial Strategy**

East of England Plan (May 2008)  
Milton Keynes and South Midlands Sub-Regional Strategy (March 2005)

### **Mid Bedfordshire Local Plan First Review 2005 Policies**

LPS1 Selected Settlements  
LPS4 Settlement Envelopes  
CS19 Development in the Countryside  
DPS10 Highways provision for new Developments  
DPS11 Landscaping for new developments  
SR2 Sport and Leisure facilities  
SR8 Sport and Leisure facilities in the countryside  
TP1 Access for cyclists and pedestrians  
TP1A Travel Assessments.

### **Supplementary Planning Guidance**

Planning recreation Open Space Strategy to the Local Plan

### **Supplementary Planning Guidance**

W5 and Bedfordshire and Luton Waste Local Plan 2005  
W6

### **Planning History of application site - relevant**

07/00873 (Hill farm and Hoo Hill Maze).	Full: use of land as sports ground and erection of changing pavilion. Granted: 16/11/2007
08/01439 (Hillfoot Farm)	Full: provision of new sports pitch (one senior or two junior), changing facilities, car park, roundabout access junction and associated landscaping. Granted: 13/11/2008
07/01082	Access roundabout. (Renewal of 01/01600) Granted: 2/07/2002.

### **Land adjacent to application site.**

01/01601/LDC	Certificate of Lawful Use. Commercial engineering haulage and hydraulic platform depot with ancillary offices, storage and parking.
--------------	--

Granted: January 2003

**Land off Stanford  
Road, Shefford**

08/01635 Full: Change of use of land from agricultural to football pitches, associated works and provision of new sports ground and construction of associated facilities.  
Granted: 12/12/2008

**Representations:  
(Parish & Neighbours)**

Shefford Town Council Objects; Inadequate parking, sited on a hill with poor access, changing for 6 teams but provision for 4 teams, the ground was always for the benefit of the town as a whole and not exclusively for the benefit of the Shefford Saints, it was always intended that the pitch would be administered by Shefford Sports Trust, the site is not 'relatively flat' as stated, the Town Council has always maintained that there are too many junior pitches, By linking this dual application with Shefford Saints it breaches the covenant that is held by Shefford Sports Trust i.e. a benefit for the whole town and not Shefford Saints FC.

Clifton Parish Council No objection.

Neighbours Shefford Saints Juniors FC: Supports the application. It would provide a much needed increase in available spaces for pitches. To be consistent previous matters need to be taken into account in the Section 106.

App Adv

**Consultations/Publicity responses**

Highways No objection subject to conditions

E.A. No objection subject to condition and comments.

Archaeological officer No objections

Waste and refuse officer No objection subject to condition.

IDB Comments regarding the design of soakaways.

Access officer There should be changing rooms with facilities for disabled people.

Play officer	No comments.
EHO	No objection subject to conditions
Leisure and Tourism	No comments received
Sport England	No objection. Advice given over possible linkages to development on Ivel Road
Community Officer	Safety Concerns about provisions being proposed for the security of the pavilion and parking area. There will be a need to alarm the building, to look at CCTV to cover the car park - as well as some lighting.
Luton Fire and Rescue Service.	No objections
Police Liaison Officer	Architectural The Design and Access Statement makes no reference to community safety. Crime prevention measures must be considered. Would expect to see proposals for carpark lighting and CCTV as well as perimeter treatment/gating.

## Determining Issues

### The main considerations of the application are;

1. Background and principle of development in policy terms.
2. Visual Impact
3. Impact on amenities of neighbours
4. Other planning considerations including access and parking

## Considerations

### 1. Background and principle of development in policy terms.

The former Shefford Town Football Club site is located on Ivel Road and is allocated for housing in the Mid Beds Local Plan First Review 2005. A requirement of the planning policy is that prior to the football club being developed a replacement facility of at least equal size and quality must be provided.

Within the last eighteen months three potential options for this football ground have emerged with planning permissions being granted for each of them. The first was at Hill farm (07/00783), the second at Hillfoot Farm (08/01439) and the third was at Stanford Road (08/01635).

Shefford Town Football Club no longer exists and it is Shefford Saints Football Club who are likely to be the beneficiaries of the new facility. To date, the permission given for the various football facilities have been largely based on the Local Plan requirement to provide a replacement facility comparable to that

which existed at Ivel Road and was used by Shefford Town not Shefford Saints.

The applicant has had discussions with Shefford Saints Club regarding its needs and requirements and whilst they are happy with the existing permission they would prefer a larger site which is better equipped.

The club presently utilises a number of different sports pitches including Robert Bloomfield School and the memorial Sports Ground in Shefford. It has approximately 300 members ranging in age from 6 to 18. The aim of this application is to secure a new home for the club with a purpose built club house and modern changing facilities.

This proposal is thus for two senior pitches and one junior pitch -or through alterations to the way the pitches are marked out one senior and two junior pitches - or finally four junior pitches. There is to be a new club house comprising of four team changing rooms, referee changing rooms, a meeting/club room and a kitchen with ancillary facilities. There is also to be a car park with 54 spaces and space for two coaches. Cycle parking is also provided.

The Policy considerations have not changed from those for the recent planning permissions for the football pitches at the site.

The site lies outside of the Settlement Envelope for Shefford in the open countryside. Policy SR2 encourages the provision of formal multi purpose sports facilities within the built up area of the Selected Settlements so that they are in sustainable locations. Edge of settlement/fringe locations will only be permitted where it can be shown that no suitable site exists in the built up area. It is appreciated that this proposal is not the same scale of development that policy SR2 is intended to address but there is no other policy directly relevant to the provision of a formal pitch facility such as this. Policy SR8 considers sporting facilities in the open countryside but is aimed at developments such as water sports and golf and is not therefore directly relevant.

Policy CS19 states that development will only be permitted exceptionally in the countryside unless provided for in the Local Plan. In this instance, there is no policy to directly support this proposal and therefore the application is being considered as a departure from the Local Plan and has been advertised as a departure (being also a site in excess of 1 Hectare.) It is felt that it does not need referral to the Government office as it neither meets specific triggers for (housing and retail) nor is it considered to be of a scale or nature that would significantly prejudice the implementation of the development plan's policies and proposals.

Previous planning permissions were granted for the sites in Hitchin Road on grounds that although they lay outside of the Settlement Envelope for Shefford they were within close proximity of the edge of the town and also contained within the line of the by pass. It was felt that to grant planning permission gave a way forward in achieving the redevelopment of Ivel Road for housing and justified the use of farm land for such development. The site is also accessible by means of a footpath from the town centre.

In addition, much of the land in the town centre is not able to be developed as it is prone to flooding and there is also an identified shortfall in local sports

provision and this is another factor which justifies taking agricultural land for such development.

## **2. Visual Impact**

The site is located on the western side of Hitchin Road and its northern boundary is approx 300 metres from the defined edge of the settlement of Shefford and is within open countryside. Access to the site is to be via an improved junction and then through Hillfoot Depot. The main bulk of the site - on which the pitch, changing facilities and car park are to be created - is on agricultural land and the site is on a bit of a plateau.

This scheme is for the same overall site area as the two previous planning consents combined but, as stated above, there is to be only one access and one car park to the site instead of the two accesses and two car parks granted under the two previous planning permissions. The club house and car park are to be located close to the northern boundary and the access, car park and pavilion previously approved to the south of Hill Farm are no longer required.

The club house/changing facility building is to be 30 metres in length with a max width of 15.6 metres and a height of 6.5 metres. It has been designed to try and minimise its bulk whilst meeting current standards and requirements. It is to provide for disabled access facilities and disabled parking provision

The applicant has advised that he intends to implement a landscape scheme to soften the impact of the changing facilities and the access road when viewed from the main settlement looking to the south. (This was a condition on a previous approval for the site and is to be attached to any consent for this latest scheme.)

## **3. Impact on amenities of neighbours**

Given the location of the site in open countryside there are only a small number of neighbours who are near to the site. One is Hill Farm, the other Hillfoot Farm and then there is the house at 114 Hitchin Road and the Maze to the south as well as a few properties on the other side of Hitchin Road.

Nuisance from this type of development can be caused by lighting, hours of use and amplified equipment including the use of tannoys. The applicant has advised that it is not intended for there to be any floodlighting at the site so it is very unlikely that activities taking place on the pitches would continue late into the evening. Also, there are to be no tannoys.

Also, the industrial site at Hillfoot Farm operates into the evening and does not have any controls over the hours of working.

## **4. Other Planning Considerations including access and parking**

Vehicular access to the site is to be via Hillfoot depot off Hitchin Road and the formation of new roundabout which has previously been granted planning permission. The access is at present a track serving the industrial site at Hillfoot depot. The highways officer is not raising any objections to the use of the

roundabout and access road as long as conditions are attached to any consent including one which requires that the footpath along the east side of Hitchin Road is improved.

The applicant has advised that he is willing to commit to habitat improvement to the site.

In view of the fact that there will be a need for some earth works and levelling to take place at the site in respect of its northernmost part the applicant is happy for a condition to be attached requiring details of levels.

There are no drainage objections but the Environment Agency is requesting that a condition be attached requiring details of surface water drainage to be submitted and has further advised that in view of the fact that the site lies within 250 metres of a former waste disposal site the applicant needs to be advised that the responsibility for the safe development and secure occupancy of the site rests with the applicant.

The Environmental Health Officer is not raising any objections as long as conditions are attached to any consent to cover lighting to the car parking area, and playing area, control over the hours of use of the site and controls over the levels of sound produced at the site. It is also required that a contamination study be carried out

The community safety officer is of the view that there should be CCTV coverage of the car park and lighting and alarms for the building in the interest of the security of the site. The Police Officer is of the same opinion - and these matters are to be conditioned.

The archaeological officer is not raising any objections and the waste and refuse officer is of the view that a Site Waste Management Plan is required to be submitted and this needs to be by way of a condition attached to any consent.

The access officer has commented that the design internally needs to be changed so that there is provision for changing areas for the disabled. This matter is to be dealt with by way of an advisory note.

Sport England have raised no objections to the principle of the proposal as long as various matters are addressed and this may be through the attachment of conditions to this consent or through the provisions made in the Section 106 agreement for the related Ivel Road planning permission for housing development. As for the previous planning consent - for part of this site under ref 08/01439 - a condition is to be attached requiring a survey of the site to be undertaken and then, if necessary, mitigation measures to measure the quality of the pitches to ensure that they meet relevant standards. They also want there to be controls over the future management, tenure and maintenance of the facility and who will use it. The applicants advised in respect of the recent planning permission that they are happy for a condition being attached requiring a detailed management plan.

## Conclusions

Given the level of support from the sporting bodies to this proposal officers are willing to recommend planning permission for this scheme as it is generally acceptable in policy terms, has limited impact on the amenities of neighbours and the access arrangements are acceptable to the highways authority the application is recommended for approval as being in compliance with Policies LPS1, LPS4, CS19, DPS10, DPS11, SR2, SR8, TP1 and TP1A of the Mid Beds Local Plan First Review 2005.

- 1 **A scheme shall be submitted for written approval by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected including any gating to the site. The boundary treatment shall be completed in accordance with the approved scheme before the use hereby permitted is commenced.**

**Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.**

- 2 **Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be subsequently implemented in accordance with the approved details before the development is commenced.**

**Reason: To ensure that adequate surface water drainage is provided to prevent water pollution and flooding.**

- 3 **Prior to commencement of the development hereby approved a Site Waste Management Plan shall be submitted to the local planning Authority for written approval. Implementation of the development shall follow the principles established in the plan.**

**Reason: To ensure that waste is adequately stored and removed for the site.**

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

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

- 5 **Development shall not commence until a scheme detailing provision for on site parking for construction workers 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.

6 **Prior to the commencement of any phase of development approved by this planning permission the developer shall submit to the Local Planning Authority, in both paper and electronic form where possible:**

**a) A Phase 1 Desk Study incorporating a site walkover, site history, maps and all further features of industry best practice relating to potential contamination.**

**b) Where shown necessary by the Phase 1 Desk Study a Phase 2 Site investigation report further documenting the ground conditions of the site with regard to potential contamination, incorporating appropriate soils and gas sampling.**

**c) Where shown necessary by the Phase 2 investigation, a Phase 3 detailed scheme for remedial works and measures to be taken to mitigate any risks to human health, groundwater and the wider environment.**

**d) On completion of the development, the developer shall provide written confirmation that any and all works have been completed in accordance with the agreed remediation scheme in the form of a Phase 4 Validation report to incorporate photographs, material transport tickets and sampling.**

**Any remediation scheme shall be agreed in writing by the Local Planning Authority prior to the commencement of works.**

**Reason:** To protect human health and the environment.

7 **Development shall not begin until details of the junction between the proposed access 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.

8 **No development shall commence on site until a scheme has been submitted to and approved in writing by the Local Planning Authority considering the following:**

**1) A detailed assessment of ground conditions of the land proposed for the sports facility shall be undertaken by a Sport and Play Construction Association registered consultant, to include consideration of drainage and topography, and to identify constraints which could affect playing field quality; and**

**2) Based on the results of the assessment to be carried out pursuant to 1) above of this condition, a detailed scheme to ensure that the playing fields will be provided to an acceptable quality shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England.**

**The approved scheme shall be implemented in full prior to first occupation of the site.**

**Reason: To ensure that site surveys are undertaken for this replacement playing field and that any ground condition constraints can be and are mitigated to ensure provision of an appropriate quality playing field to accord with Mid Beds Local Plan First Review Policy SR2.**

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

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

10 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;
- planting plans, including schedule of size, species, positions, density and times of planting including native hedge planting along the north east boundary of the site where it abuts the car and coach parking areas
- 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.

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

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

- 12 Details of materials to be used for the external finishes of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance therewith.

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match/complement the existing building(s) and the visual amenities of the locality.

- 13 Development shall not begin until a scheme for lighting the car parking area, to include appearance, lighting and hours of operation, has been submitted to and approved in writing by the Local Planning Authority. Only the approved scheme shall be implemented.

Reason: In order to protect the amenities of local residents and to avoid the unnecessary lighting in this rural area.

- 14 No floodlighting of the playing areas shall be installed without the prior grant of planning permission by the Local Planning Authority.

Reason: In order to protect the amenities of nearby residents and to avoid the use of unnecessary lighting in this rural setting.

- 15 No sound reproduction or amplification equipment (including public address systems, loudspeakers, tannoys etc..) which is audible at the site boundary shall be installed without the prior written consent of the Local Planning Authority.

Reason: In order to protect the amenities of nearby residents.

- 16 The premises shall not be used except between the hours of 0900 to 2100 Monday to Saturday and 0900 to 2000 Sundays, Bank or Public Holidays, without the prior agreement in writing of the Local Planning Authority.

Reason: In order to protect the amenities of nearby residents.

- 17 The development hereby permitted shall be undertaken in accordance with the approved Waste Audit report dated 14/05/2009

Reason: To ensure that the development conforms with the Waste Audit requirements in accordance with policies W5 and W6 of the Bedfordshire and Luton Waste Local Plan 2005.

- 18 Before the premises are occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

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

- 19 Details of cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority and the development shall be completed in accordance with the approved details prior to the first occupation of the building[s]/(extension) hereby approved.

Reason: In the interests of the amenity of cyclists using the development.

- 20 Development shall not be occupied until a 2m wide footway has been constructed on the eastern side of Hitchin Road between point opposite the site entrance and the southern boundary of No 71 Hitchin Road in accordance with details of the approved drawing/or scheme to be submitted to and approved in writing by the Local planning Authority. Any Statutory Undertakers equipment or street furniture shall be resited to provide an unobstructed footway.

Reason: In the interests of road safety and pedestrian movement.

- 21 The proposed vehicle access shall be constructed and surfaced in accordance with details to be approved in writing by the Local Planning Authority for a distance of 10m into the site, measured from the highway boundary, before the premises are occupied. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: To avoid the carriage of mud or other extraneous material surface water from the site into the highway so as to safeguard the interest of highway safety.

- 22 If the proposed access road is not constructed to the full length and layout illustrated on the approved plans, a temporary turning spaces for vehicles shall be constructed within the site in a position to be approved in writing by the Local Planning Authority before any building taking access from the road is occupied. The building shall not be occupied until the access road has been fully implemented.

Reason: To avoid the need for vehicles to reverse into or from the highway in the interest of road safety.

- 23 Development shall not be brought into use until on site parking and turning areas have been provided as shown on P.P.S. drawing No 03.

Reason: To minimise the potential for on street parking and thereby safeguard the interest of the safety and convenience of road users.

- 24 Details of CCTV for the site shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be brought into operation prior to the development hereby permitted being brought into use.

Reason: In the interest of creating a safe environment.

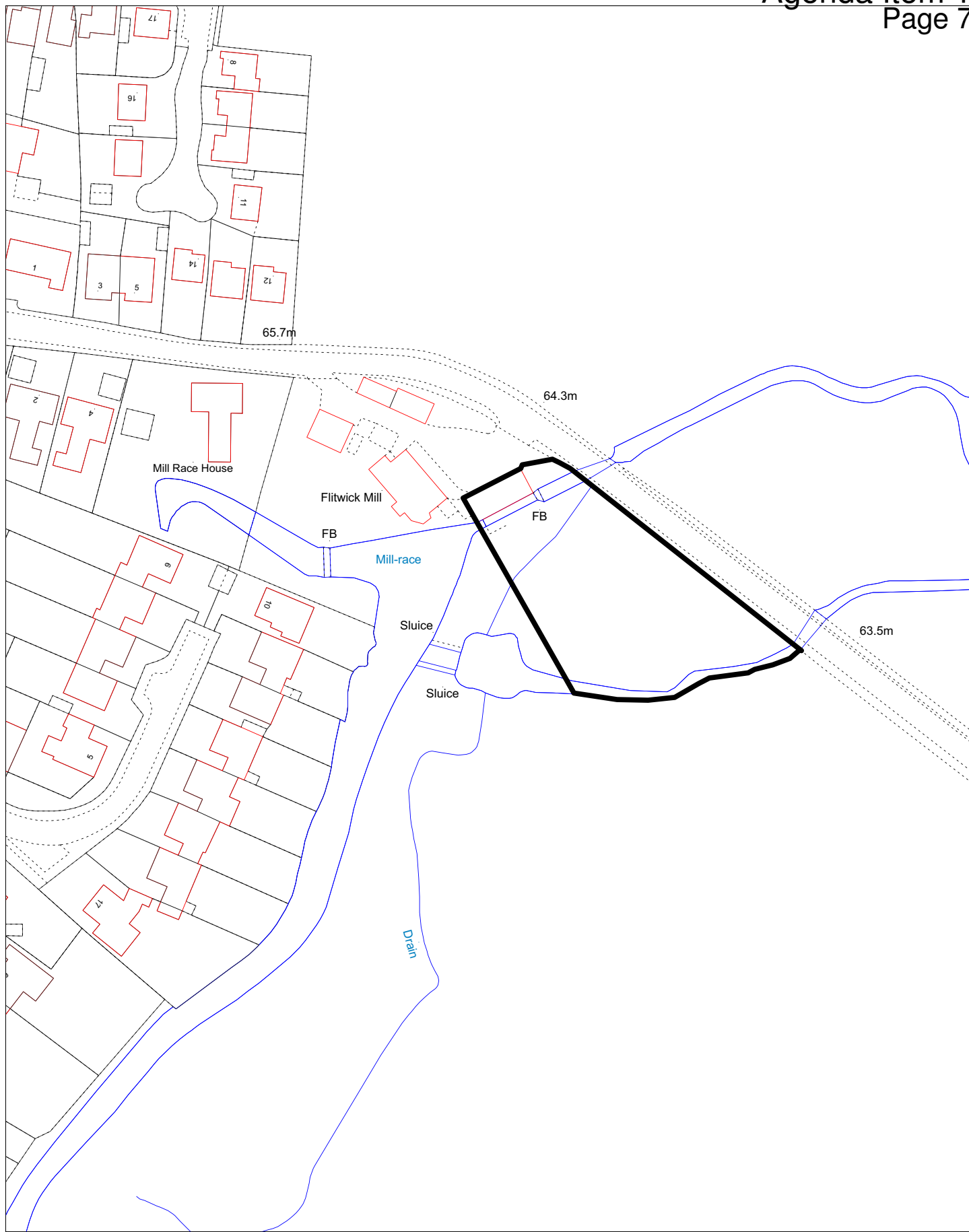
## Notes to Applicant

1. The applicant is advised that changing facilities need to be provided for disabled people in the changing rooms. Sports England's booklet Access for disabled people gives appropriate advice on the provision of such facilities.
2. The applicant is advised to take note of the comments in the letter for the Environment Agency dated 3/07/2009.
3. The applicant is advised that in order to comply with conditions 17 and 23 of this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as highways 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 Highways Development Control Group, Development Management Division, Central Bedfordshire, P.O. Box 1395, Bedford, MK42 5AN
4. The applicant is advised that no highways surface water drainage system designed as part of the new development will be allowed to enter any existing highway surface water drainage system without the applicant providing evidence that the existing system has sufficient capacity to account for any highways runoff generated by that development. existing highways water drainage systems may be improved at the developers expense to account for extra surface water generated. Any improvement must be approved by the Highways Development Control Group, Development Management Division, Central Bedfordshire Council. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, P.O. Box 1395, Bedford, MK42 5AN
5. The applicant is advised that the requirements of the New Road and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highways. Further details can be obtained from the Traffic Management Group, Highways and Transport Division, Central Bedfordshire Council, P0 Box 1395 Bedford , MK42 5AN.
6. The British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoils that are moved or traded and should be adhered to.

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

**DECISION**

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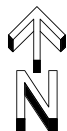
Date: 12 August 2009

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ITEM NO. 14

APPLICATION NO. CB/09/05342/FULL

Flitwick Mill, Greenfield Road, Flitwick



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Central Bedfordshire Council.  
100049029. 2009.

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**Item No. 14**

**SCHEDULE B**

<b>APPLICATION NUMBER</b>	<b>CB/09/05342/FULL</b>
<b>LOCATION</b>	<b>Flitwick Mill, Greenfield Road, Flitwick, Bedford, MK45 5BE</b>
<b>PROPOSAL</b>	<b>Full: Conversion of existing mill to dwelling.</b>
<b>PARISH</b>	<b>Flitwick</b>
<b>WARD</b>	<b>Flitwick West</b>
<b>WARD COUNCILLORS</b>	<b>Cllr D Gale &amp; Cllr S Male</b>
<b>CASE OFFICER</b>	<b>Mary Collins</b>
<b>DATE REGISTERED</b>	<b>08 July 2009</b>
<b>EXPIRY DATE</b>	<b>02 September 2009</b>
<b>APPLICANT</b>	<b>Mr &amp; Mrs D Whelan</b>
<b>AGENT</b>	<b>C W &amp; R C Shrimplin, Architects and Town Planners</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Assistant Director, Development Management consider it prudent to refer the application to committee</b>
<b>RECOMMENDED DECISION</b>	<b>Full Conditional Approval</b>

**Site Location:**

Flitwick Mill is a redundant water powered corn mill with attached mill house which dated from the late eighteenth/early nineteenth century and has been subsequently extended. It is listed Grade II as a rare surviving example of the complete milling process, demonstrating the continuing process of expansion and development of mills in the nineteenth century. The complete water system remains as does the attached Mill House (miller's house) which is Grade II listed and associated outbuildings.

The watermill is a timber framed structure, clad with horizontal weatherboarding. The timber superstructure stands on a brick base and has a timber framed and boarded pitched roof covered with slates. The brickwork extends from the ground floor to the first floor. Above this are three further levels which are weather boarded. The waterwheel is cast iron "overshot" design. The mill pond is located to the south of the building and is fed from the River Flit. The lucam (the timber framed housing for the sack loading hoist for the delivery of corn) to the north elevation projects out over the mill yard.

The Mill building itself lies within the Flitwick Settlement Envelope on its far eastern tip off Greenfield Road. The remainder of the site is outside the Settlement Envelope in the Green Belt.

**The Application:**

Planning Permission is sought for the conversion of the mill to one residential dwelling and for the creation of a new vehicular access.

An application for listed building consent has also been received ref. CB/09/05343/LB.

**RELEVANT POLICIES:**

**National Policies (PPG & PPS)**

PPS 1	Delivering Sustainable Development
PPG 2	Green Belt
PPS 3	Housing
PPS 9	Biodiversity and Geological Conservation
PPG 15	Planning and the Historic Environment
PPG 16	Archaeology and Planning
PPS 23	Planning and Pollution Control

**Regional Spatial Strategy**

East of England Plan (May 2008)

Milton Keynes and South Midlands Sub-Regional Strategy (March 2005)

**Mid Bedfordshire Local Plan First Review 2005 Policies**

DPS6 - Criteria for extensions

NC3 - County Wildlife Sites and Local Nature Reserves

**Planning History**

MB/07/01836/LB	Listed Building Consent: Conversion of existing mill into residential dwelling. Refused: 21/01/09. Appeal pending.
MB/07/01837	Full Conversion of existing Mill into one residential dwelling and the creation of a new vehicular access. Refused: 21/01/09. Appeal pending.
CB/09/01137/LB	Listed Building: Alteration of curtilage listed outbuilding. Including the insertion of external doors and skylights. (Part retrospective). Approved: 03/08/09

**Representations:  
(Parish & Neighbours)**

Flitwick TC

Members object to this application on the grounds of loss of heritage, concerns regarding vehicular access/egress and change of use from a Mill to a dwelling. The Town Council would like to see the building retained as a heritage site with the Mill being refurbished to its original state and understand that a charitable trust is being set up by an outside Group.

Flitwick Preservation Group (Friends of Flitwick Mill)

Reaffirm views as set out in the written submission to the planning committee of January 2009.

Maintain that the proposal does not represent the best or most cost-effective way to preserve and safeguard its long term future.

Since the resubmitted applications are identical to the original rejected proposals and there has been no change in legislation submit that the proposal to convert the mill to a domestic residence does not satisfy planning guidance PPG15

A formal meeting was held on 16th May with the owner of the mill to explore the possibility of working together to achieve an outcome that would preserve the mill and respond to the interests of Flitwick and the wider area. Unfortunately it was not possible to reached a shared view of the future of the mill. Whilst respect the rights of the owner to pursue his proposals, remain convinced the best way of safeguarding the future of the mill is as a working mill and heritage centre. No response received

Adjoining Occupiers

### Consultations/Publicity responses

The Wildlife Trust	Awaiting response
Natural England	Awaiting response
English Heritage	Awaiting response
Society of Protection of Ancient Buildings (Mills Section)	Awaiting response

Flitwick Local History Society	Support the application in view of what may occur should the whole project be further deferred. Would like to emphasise the importance of retaining the machinery and if possible the display of the machinery so that it can be seen by future generations. In an ideal world the restoration of the mill to its former working life would be admirable but suspect that funding and expertise needed to carry this out
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Ampthill and District Preservation Society	This historic building should be preserved and the proposed change of use with alterations may be the most expedient and cost effective way of achieving this. Consider it highly desirable that the milling machinery should be preserved and maintained.
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Archaeology	Dating to the 18 <sup>th</sup> century Flitwick Mill (HER 1061) represents one of the best surviving examples of a watermill
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complex of this type within Bedfordshire and it is likely that it lies at a site of an earlier mill, probably dating at least to the medieval period.

No objection in principle to the conversion of the building, given its local and regional significance, recommend that adequate recording of the structure take place prior to conversion. In addition the associated works including the creation of new access and parking have the potential to have an impact on any buried archaeological deposits present at the site. Therefore these remains would need to be satisfactorily investigated and recorded should the proposed development take place. Recommend conditions are imposed.

Environmental Health As it is proposed to change the existing use to residential, it is essential that any land contamination is identified and remediated to a satisfactory standard to ensure that the land and buildings are suitable for their proposed end residential use. Recommend remediation condition is attached to any planning consent granted for residential change of use for this site.

Highways	Awaiting response
Beds IDB	Awaiting response
Env. Agency	Awaiting response
Application advertised 17/07/09	No response received
Site Notice posted 16/07/09	No response received

**Determining Issues**

**The main considerations of the application are;**

1. Background
2. Principle of conversion to dwelling
3. Visual impact upon the character and appearance of the Grade II listed building, the setting of the listed building and appearance of the surrounding area generally
4. Amenity issues
5. Contamination issues
6. Impact upon neighbouring residential amenity
7. Wildlife implications
8. Archaeological remains
9. Unilateral Undertaking

**Considerations**

**1. Background**

Applications for Planning permission and Listed Building Consent for the conversion of the Mill to residential use were refused at the Development Control Committee of the Mid Bedfordshire District Council held on 14th

January 2009.

The Members resolved that the applications should be refused as the proposed change of use of the mill into a single dwelling was considered to be detrimental to this statutorily Grade II Listed Building by way of its impact on the character of the building. As such the proposal was considered to be an insensitive reuse of the building and contrary to the guidance given in paragraph 3.13 of PPG 15: Planning and the Historic Environment 1993.

It was considered that the restoration of the Mill to working order would be a more appropriate use for the mill. The Friends of Flitwick Mill presented ideas for an alternative scheme for the use of the mill as a heritage centre and visitor attraction encompassing demonstrations of milling and renewable energy technology, educational activities for local schools and adults, an information centre for visitors to Flitwick and Flitton Moors, local community facilities with meeting rooms, exhibition/gallery space, office space and a tea room.

However since that time, the Friends of Flitwick Mill have met formally with the owner of the mill to explore the possibility of working together but have been unable to achieve a shared view of the future of the Mill. As such it appears that there are no plans to form a charitable trust to purchase and preserve the mill and that no progress has been made in bringing forward any alternative scheme for renovation and repair.

This application is identical to that previously refused and an application for Listed Building Consent has also been resubmitted for reconsideration.

Officers remain of the opinion that in order to achieve a realistic and timely repair and renovation of the Mill, its conversion to a dwelling and the reintroduction of an active use should be supported as a mechanism to ensure the renovation and upkeep of this important historic building which is highly distinctive structure on the edge of the urban area of Flitwick. These resubmitted applications are therefore supported by officers.

## **2. Principle of development**

The Mill building itself lies within the Flitwick Settlement Envelope and the conversion of the premises to residential use is acceptable in principle in this location. The mill meadow to the south of the mill is considered to be garden land in association with The Mill House and therefore a change of use of the land to residential use is not required.

Planning Policy Guidance 15 paragraph 2.18 advises that the principle of change of use of listed buildings is acceptable in principle : *New uses may often be the key to a building's or area's preservation, and controls over land use, density, plot ratio, daylighting and other planning matters should be exercised sympathetically where this would enable a historic building or area to be given a new lease of life. The same provisions on change of use should apply to historic buildings as to all others. Patterns of economic activity inevitably change over time, and it would be unrealistic to seek to prevent*

*such change by the use of planning controls.*

**3. Visual impact upon the character and appearance of the Grade II listed building, the setting of the listed building and appearance of the surrounding area generally**

There are a number of external changes that are proposed to the building to enable its renovation and then conversion to a single residential unit.

**External works:**

Replacement of all existing windows and new weatherboarding.

**Ground floor:**

- Insertion of door in east elevation.
- Remove existing window to south elevation and replace with door and construction of new additional footbridge from new door.
- Replace stable door to north elevation with new window above timber panel.
- Lower head and cill of existing window opening and replace with larger window

**First floor:**

- Insertion of new window to north, south and east elevation.
- Remove high level window in east elevation

**Second floor:**

Insertion of two windows to north elevation, two windows to south elevation and two windows to east elevation

**Attic**

The existing window in the gable to the north elevation is to be replaced for a smaller window

The requirements of modern day residential use are very different from that of a traditional working mill. The building was never intended to be lived in but to house milling machinery and carry out an industrial process. As such the change of use to residential use will inevitably impact on the character of the mill building.

The external appearance of the Mill will be changed, to some extent by the insertion of new windows and openings. The new openings are to be of a similar size and design to the existing windows and due to the scale of the building the openings are not considered to give the mill an overly domestic appearance. The addition of a new footbridge to the south elevation is not considered to be an intrusive feature to a water mill. Due to its low level in relation to the building, it will have only a minimal visual impact.

The scheme proposed would slightly alter the external appearance of the building but it would still read as a Mill. To maintain the setting of the listed building and the public views across the water meadow, permitted development rights will be removed for the erection of washing lines and other domestic paraphernalia.

The creation of a new access with a shorter driveway and area of hardstanding within the application site is considered to reduce the visual impact that the conversion to residential use would have on the setting of the listed building and subject to the sensitive use of materials will not have a detrimental impact on the setting of the listed building.

**4. Amenity issues.**

Private amenity space has not been identified on the submitted site plan. However, it is considered that there is sufficient area within the site.

The area to the front of the building which is currently grassed should remain open so not to detract detrimentally from the setting of the listed building. This area is outside the Settlement Envelope and within the Green belt. Fences and other means of enclosure would not be visually appropriate in this location. Other garden equipment such as children's play equipment and clothes lines in this location would also be incongruous on the edge of open countryside and would impact detrimentally on the setting of the listed building. A condition will be imposed to ensure the control of domestic paraphernalia

**5. Contamination issues**

The mill is a redundant industrial building and there is potential for land contamination to have arisen, both internally and externally. The site is identified on the Council's database of potentially contaminated sites due to its industrial use. As it is proposed to change the existing use to residential, it is essential that any land contamination is identified and remediated to a satisfactory standard to ensure that the land and buildings are suitable for their proposed end residential use.

**6. Impact upon neighbouring residential amenity**

The Mill House adjoins the mill premises and is situated at right angles. New windows are to be inserted to the eastern end of the mill. Due to the oblique angle between the windows proposed in the Mill and the existing ones in The Mill House it is considered that there will not be a detrimental loss of privacy to the occupiers of either dwelling.

There will be some overlooking across the driveway to the front of The Mill House. This area is not considered to be private amenity space and a degree of overlooking to the front of the property is inevitable.

**7. Wildlife implications**

As the mill is a pre 1914 building within 400 m of water and woodland, there is a likelihood of roosting bats. It is essential that the presence or otherwise of protected species, and the extent to which they may be affected by the proposed development, is established before the planning permission is granted, otherwise all material considerations may not have been addressed in making the decision (*Paragraph 99 of Circular 99 which accompanies*

This resubmitted planning application was accompanied by a bat survey which was carried out in September 2008 and which was accompanied the previous refusal of permission.

The bat and owl survey carried out concluded that there was no evidence of the presence of barn owls. The report finds a "medium" probability that the building has been used as a feeding roost by bats, on the evidence of four old droppings and scattered lepidoptera (moth and butterfly) wings. To compensate for the loss of a feeding perch a mitigation strategy is recommended and the report recommends that three bat boxes are erected once work on the mill has been completed.

No further surveys have been carried out since. Although response has not been received from Natural England at the time of writing this report, it is considered that conditions regarding mitigation should be imposed as previously recommended.

The Mill building is less than 40 metres from Flitwick Moor SSSI and the application site adjoins Flitwick Moor. Flitwick Moor is the largest area of wetland in Bedfordshire and is prominent for its botanical and invertebrate interest, as well as being important for mosses, liverworts and breeding birds. It is considered that the proposal will not have a damaging impact on features of wildlife value as the development relates mostly to the conversion of the Mill and no other buildings or operations are proposed within the curtilage of the Mill which adjoin the SSSI and County Wildlife Site.

Although response has not been received from the Wildlife Trust, their response to the previous application was to recommend that a condition to ensure that no damage is caused to Flitwick Moor by any discharge or storage of materials or waste, or by direct disturbance is imposed if planning permission is granted.

## **8. Archaeological remains**

There is a strong possibility that earlier mills existed at the site, probably back to the medieval period. Buried archaeological deposits are likely to survive from earlier uses of the site. The new access and conversion will have an impact on any archaeological deposits below ground and it is important that they are properly investigated and recorded. Conditions regarding investigation and recording will be imposed.

## **9. Unilateral Undertaking**

The Planning Obligations Strategy, wherein the construction or creation of one dwelling or more is required to make a financial contribution towards the costs of local infrastructure and services, was adopted by Mid Bedfordshire District Council on 20th February 2008 and has been operative since 1st May 2008. The Draft Supplementary Planning Document was subject to a six week public



consultation period between 6th July and 17th August 2007.

In accordance with national planning policy contained in PPS1, Local Planning Authorities are required to ensure that new development is planned to be sustainable. Where communities continue to grow, many require additional infrastructure, in the form of services and health care, for example.

This involves all new residential proposals having to enter into either a Section 106 Legal Agreement or a Unilateral Undertaking to provide contributions towards the impact of new developments within the Mid Beds area.

A Unilateral Undertaking was not required for the original application as it was received in November 2007 prior to the adoption of the strategy. In this instance as the proposal relates to the repair and renovation of a Building at Risk, a Unilateral Undertaking is likely to make the scheme unviable and as the building already needs considerable funds to renovate it and bring it back into an active use to ensure its long term preservation, a Unilateral Undertaking is not considered to be appropriate.

## **Conclusion**

In light of the above considerations application is recommended for approval.

## **Reasons for granting**

The proposal is in conformity with PPG 15 as the external and internal alterations and additions to the listed building would not have an unacceptably adverse effect on its architectural or historic interest, as the development does not unacceptably adversely affect the setting of a listed building and the change of use would not have an unacceptability detrimental effect on the architectural or historic interest of the building, its setting and the long term preservation of the building. The proposal is in accordance with the provisions of PPG16 Archaeology and Planning, paragraph 30 as any material of archaeological interest which exists on the site is safeguarded. The proposal is in conformity with PPG 2 as it does not impact on the openness of the Green Belt.

The proposal is in conformity with Policy DPS6 as the proposal does not seriously harm the amenities of neighbours and there is no unacceptable impact upon the character and appearance of the street scene or general locality. It is in conformity with policy NC3 as the development is not likely to have an adverse impact upon the nature conservation interests of a SSSI or County Wildlife Site. It is also in accordance with Planning Policy Guidance: PPS1: Delivering Sustainable Development, PPS3: Housing, PPS 9: Biodiversity and Geological Conservation PPG 15: Planning and Historic Environment and PPS 23: Planning and Planning and Pollution Control.

## Recommendation

That Planning Permission be granted subject to the following:

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

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

- 2 **No site works / development shall be undertaken until the full implementation of an appropriate programme of building recording and analysis has been agreed in writing with the Local Planning Authority, and undertaken by a specialist acceptable to the Local Planning Authority and in accordance with an agreed written brief and specification.**

**Reason: To enable a proper record of the building to be made and in accordance with PPG15 (Planning and the Historic Environment 1994).**

- 3 **Details of a scheme of archaeological investigation of the site shall be submitted to and approved in writing by the Local Planning Authority before the development hereby approved is commenced. The said development shall only be implemented in accordance with the scheme thereby approved.**

**Reason: To safeguard any material of archaeological interest which exists on the site in accordance with PPG16 Archaeology and Planning.**

- 4 **Prior to the commencement of any phase of development approved by this planning permission, with the exception of works undertaken in order to allow intrusive testing, which must only be undertaken with the supervision of the Conservation Officer to the Local Planning Authority, the developer shall submit to the Planning Authority, in duplicate and electronic form where possible;**

**a) A Phase 1 Desk Study incorporating a site walkover, site history, maps and all further features of industry best practice relating to potential contamination.**

**b) Where shown to be necessary by the Phase 1 Desk Study, a Phase 2 Site Investigation report further documenting the ground conditions of the site with regard to potential contamination, incorporating appropriate soils, gas and groundwater sampling; the latter copied to the Environment Agency for comment.**

**c) Where shown necessary by the Phase 2 investigation, a Phase 3 detailed scheme for remedial works and measures to be taken to mitigate any risks to human health, groundwater and the wider environment.**

**c) On completion of the development, the developer shall provide**

written confirmation that all works have been completed in accordance with the agreed remediation scheme in the form of a Phase 4 validation report incorporating photographs and soil transport receipts where applicable.

Any remediation scheme shall be agreed in writing by the local planning authority prior to the commencement of works.

Any remediation scheme, as agreed in writing shall be fully implemented before the development hereby permitted is first occupied.

All variations to any remediation scheme shall be agreed in writing with the Local Planning Authority and any unexpected discoveries of contamination during development reported to the Local Planning Authority.

Reason: To ensure that any potential land contamination is identified and appropriate remedial measures taken to produce a site that is free from harm to humans and suitable for its proposed end use.

- 5 No development shall take place until full details of materials to be used for any hard surfacing including kerbs and edging have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.

Reason: To safeguard the special architectural and historic interest of this statutorily Listed Building, its setting and the character and appearance of the area generally in accordance with PPG15 (Planning and the Historic Environment) 1994.

- 6 Details of the construction, design, materials and external finish to the footbridge hereby permitted shall be submitted to and agreed in writing prior to the commencement of the development hereby permitted. The footbridge shall be implemented only in accordance with the approved details.

Reason: To safeguard the special architectural and historic interest of this statutorily Listed Building, its setting and the character and appearance of the area generally in accordance with PPG15 (Planning and the Historic Environment) 1994.

- 7 Prior to any development, an updated bat survey (comprising an internal/external inspection and activity surveys as necessary) will be undertaken during the optimum survey period of May to August inclusive, to confirm the use of the site by bats, the level of mitigation works required and whether the development requires a European Protected Species license under the Conservation (Natural Habitats etc) Regulations 1994 (as amended). Regardless of the findings of the bat survey, the development shall retain an open roof void with dimensions of no less than 2.5m (height) by 5m (width and depth), including sufficient roosting areas and access points to provide enhanced roosting opportunities for bats in the Flitwick Mill area.

Reason: To mitigate against the possible loss of bat habitat.

- 8 The access shall have a minimum width of 2.75m and shall be located as shown on drawing no. 5041/26A.

Reason: In the interest of road safety and for the avoidance of doubt.

- 9 Visibility splays shall be provided at the junction of the vehicular access with the public highway. The splays shall extend to the limits of the site's highway frontage on each side of the access from a point on the centre line of the access measured 2m back from the road channel. The vision splays so described shall be maintained free of any obstruction.

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

- 10 The proposed vehicular access shall be surfaced in a durable material as may be approved in writing by the Local Planning Authority for a distance of 5m into the site, measured from the highway boundary, before the premises are occupied. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site into the highway so as to safeguard the interest of highway safety.

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

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

- 12 The new vehicular access shall enter the public highway at the boundary at such a level as shall be agreed in writing by the Local Planning Authority. Any necessary gradient shall be constructed on the application site entirely outside highway limits.

Reason: To secure a satisfactory access appropriate to the development, in the interest of public safety and convenience.

- 13 Before the premises are occupied any existing access within the frontage of the land to be developed, not incorporated in the access hereby approved shall be closed in a manner to the Local Planning Authority's written approval.

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

- 14 Before the premises are occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits.

Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

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

- 15 The turning space for vehicles illustrated on the approved Plan (No 5041/26A) shall be constructed before development is first brought into use.

Reason: To enable vehicles to draw off, park and turn outside of the highway limits thereby avoiding the reversing of vehicles onto the highway.

- 16 Details of bin storage/collection point shall be submitted to and approved by the Local Planning Authority. The bin storage/collection point shall be implemented in accordance with the approved details prior to the occupation of the dwelling.

Reason: In the interest of highway safety.

- 17 Notwithstanding the details shown on approved site plan no. 5041:26A, this permission does not extend to the carport, boundary fence and entrance gates.

Reason: To define this permission.

- 18 A scheme shall be submitted for written approval by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved scheme before the use hereby permitted is commenced

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.

- 19 Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters and that only clean, uncontaminated surface water, is discharged to any soakaway, watercourse or surface water sewer. No damage shall be caused to Flitwick Moor by any discharge from the development hereby approved, by the storage of materials or waste, or by direct disturbance.

Reason: To ensure that the features of wildlife value on the adjoining Flitwick Moor SSSI are not damaged as a result of the development in accordance with Policies NC3 of the Mid Bedfordshire Local Plan First Review 2005.

- 20 Details of a scheme to provide three bat boxes as recommended in the Bat Survey by Hillier Ecological Associates dated September 2008 shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the dwelling and the boxes shall be erected in accordance with the approved details prior to the first residential occupation of the building.

Reason: To mitigate against the loss of a feeding perch.

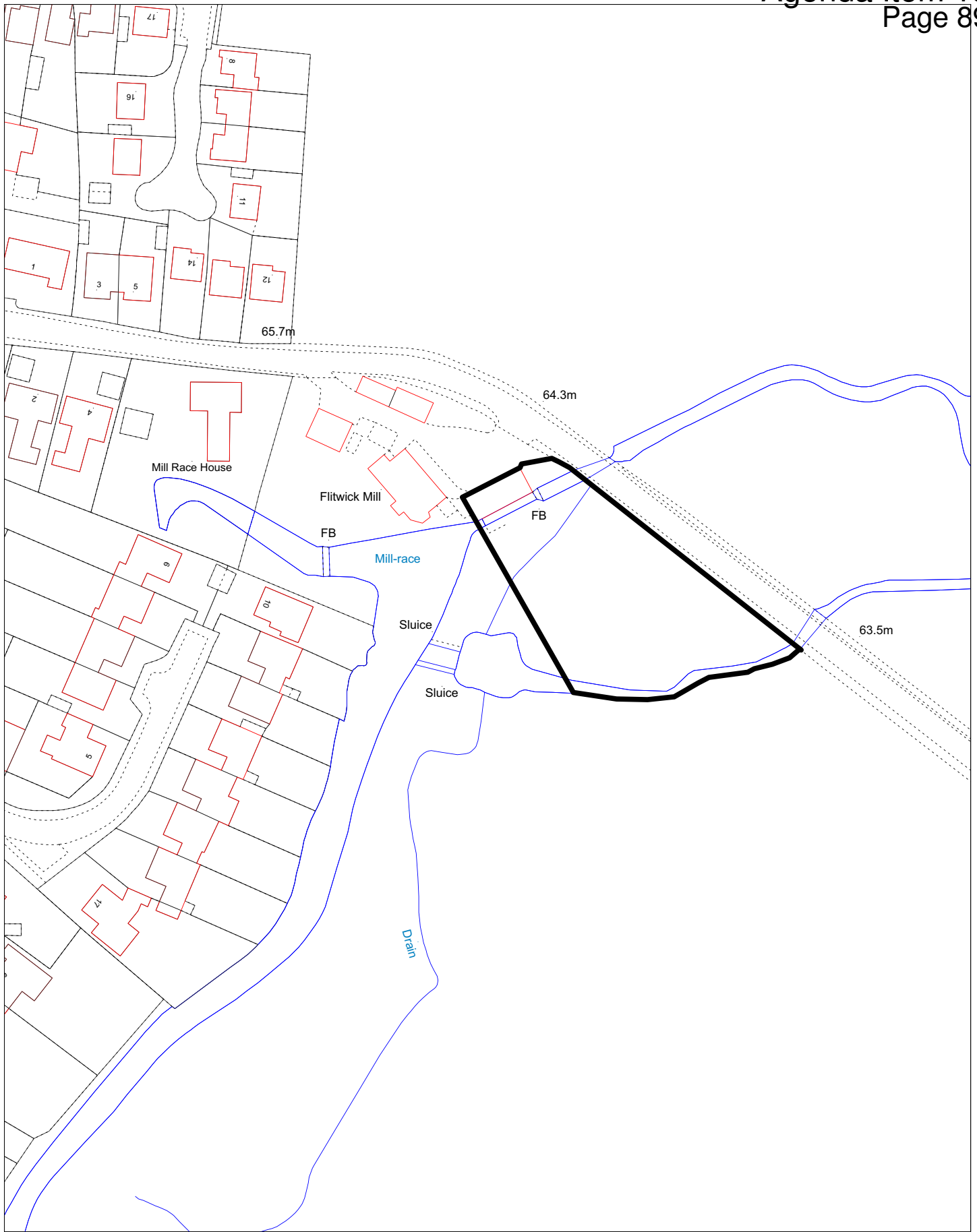
- 21 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 1995, (or any Order revoking or re-enacting that Order with or without modification) no fence, wall, structure, equipment or domestic paraphernalia shall be erected unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the setting of this Grade II Listed Building and the character and appearance of the area.

**Notes to Applicant**

**DECISION**

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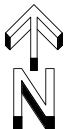
Date: 12 August 2009

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ITEM NO. 15

APPLICATION NO. CB/09/05343/LB

Flitwick Mill, Greenfield Road, Flitwick



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Central Bedfordshire Council.  
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**Item No. 15**

**SCHEDULE B**

<b>APPLICATION NUMBER</b>	<b>CB/09/05343/LB</b>
<b>LOCATION</b>	<b>Flitwick Mill, Greenfield Road, Flitwick, Bedford, MK45 5BE</b>
<b>PROPOSAL</b>	<b>Listed Building Consent: Conversion of existing Mill to Dwelling.</b>
<b>PARISH</b>	<b>Flitwick</b>
<b>WARD</b>	<b>Flitwick West</b>
<b>WARD COUNCILLORS</b>	<b>Cllr D Gale &amp; Cllr S Male</b>
<b>CASE OFFICER</b>	<b>Mary Collins</b>
<b>DATE REGISTERED</b>	<b>08 July 2009</b>
<b>EXPIRY DATE</b>	<b>02 September 2009</b>
<b>APPLICANT</b>	<b>Mr &amp; Mrs D Whelan</b>
<b>AGENT</b>	<b>C W &amp; R C Shrimplin, Architects and Town Planners</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Assistant Director, Development Management considers it prudent to refer the application to committee</b>
<b>RECOMMENDED DECISION</b>	<b>Listed Building Consent</b>

**Site Location:**

Flitwick Mill is a redundant water powered corn mill with attached mill house which dated from the late eighteenth/early nineteenth century and has been subsequently extended. It is listed Grade II as a rare surviving example of the complete milling process, demonstrating the continuing process of expansion and development of mills in the nineteenth century. The complete water system remains as does the attached Mill House (miller's house) which is Grade II listed and associated outbuildings.

The watermill is a timber framed structure, clad with horizontal weatherboarding. The timber superstructure stands on a brick base and has a timber framed and boarded pitched roof covered with slates. The brickwork extends from the ground floor to the first floor. Above this are three further levels which are weather boarded. The waterwheel is cast iron "overshot" design. The mill pond is located to the south of the building and is fed from the River Flit. The lucam (the timber framed housing for the sack loading hoist for the delivery of corn) to the north elevation projects out over the mill yard.

The Mill building itself lies within the Flitwick Settlement Envelope on its far eastern tip off Greenfield Road. The remainder of the site is outside the Settlement Envelope in the Green Belt.

**The Application:**

Listed Building Consent is sought for the conversion of existing Mill to one residential dwelling.

An application for planning permission has also been received ref. CB/09/05342.

**RELEVANT POLICIES:**

**National Policies (PPG & PPS)**

PPG 15                      Planning and the Historic Environment  
PPG 16                      Archaeology and Planning

**Regional Spatial Strategy**

East of England Plan (May 2008)

Milton Keynes and South Midlands Sub-Regional Strategy (March 2005)

**Mid Bedfordshire Local Plan First Review 2005 Policies**

None

**Planning History**

MB/07/01836/LB	Listed Building Consent: Conversion of existing mill into residential dwelling. Refused: 21/01/09. Appeal pending.
MB/07/01837	Full Conversion of existing Mill into one residential dwelling and the creation of a new vehicular access. Refused: 21/01/09. Appeal pending.
CB/09/01137/LB	Listed Building: Alteration of curtilage listed outbuilding. Including the insertion of external doors and skylights. (Part retrospective). Approved: 03/08/09

**Representations:  
(Parish & Neighbours)**

Flitwick TC	Members object to this application on the grounds of loss of heritage, concerns regarding vehicular access/egress and change of use from a Mill to a dwelling. The Town Council would like to see the building retained as a heritage site with the Mill being refurbished to its original state and understand that a charitable trust is being set up by an outside Group.
Flitwick Preservation Group (Friends of Flitwick Mill)	Reaffirm views as set out in the written submission to the planning committee of January 2009. Maintain that the proposal does not represent the best or most cost-effective way to preserve and safeguard its long term future.

Since the resubmitted applications are identical to the original rejected proposals and there has been no change in legislation submit that the proposal to convert the mill to a domestic residence does not satisfy planning guidance PPG15

A formal meeting was held on 16th May with the owner of the mill to explore the possibility of working together to achieve an outcome that would preserve the mill and respond to the interests of Flitwick and the wider area. Unfortunately it was not possible to reached a shared view of the future of the mill. Whilst respect the rights of the owner to pursue his proposals, remain convinced the best way of safeguarding the future of the mill is as a working mill and heritage centre.

No response received

Adjoining Occupiers

### Consultations/Publicity responses

English Heritage	Awaiting response
Society of Protection of Ancient Buildings (Mills Section)	Awaiting response
Flitwick Local History Society	Support the application in view of what may occur should the whole project be further deferred. Would like to emphasise the importance of retaining the machinery and if possible the display of the machinery so that it can be seen by future generations. In an ideal world the restoration of the mill to its former working life would be admirable but suspect that funding and expertise needed to carry this out
Ampt Hill and District Preservation Society	This historic building should be preserved and the proposed change of use with alterations may be the most expedient and cost effective way of achieving this. Consider it highly desirable that the milling machinery should be preserved and maintained.
Archaeology	Dating to the 18 <sup>th</sup> century Flitwick Mill (HER 1061) represents one of the best surviving examples of a watermill complex of this type within Bedfordshire and it is likely that it lies at a site of an earlier mill, probably dating at least to the medieval period.
	No objection in principle to the conversion of the building, given its local and regional significance, recommend that adequate recording of the structure take place prior to conversion. In addition the associated works including the creation of new access and parking have the potential to

have an impact on any buried archaeological deposits present at the site. Therefore these remains would need to be satisfactorily investigated and recorded should the proposed development take place. Recommend conditions are imposed.

Application advertised 17/07/09 No response received  
Site Notice posted 16/07/09 No response received

## Determining Issues

**The main considerations of the application are;**

1. Background
2. Principle of conversion to a dwelling
3. Other alternative possible uses
4. Impact upon the historic structure and fabric and the special architectural interest of this Grade II listed building

## Considerations

### 1. Background

Applications for Planning permission and Listed Building Consent for the conversion of the Mill to residential use were refused at the Development Control Committee of the Mid Bedfordshire District Council held on 14th January 2009.

The Members resolved that the applications should be refused as the proposed change of use of the mill into a single dwelling was considered to be detrimental to this statutorily Grade II Listed Building by way of its impact on the character of the building. As such the proposal was considered to be an insensitive reuse of the building and contrary to the guidance given in paragraph 3.13 of PPG 15: Planning and the Historic Environment 1993.

It was considered that the restoration of the Mill to working order would be a more appropriate use for the mill. The Friends of Flitwick Mill presented ideas for an alternative scheme for the use of the mill as a heritage centre and visitor attraction encompassing demonstrations of milling and renewable energy technology, educational activities for local schools and adults, an information centre for visitors to Flitwick and Flitton Moors, local community facilities with meeting rooms, exhibition/gallery space, office space and a tea room.

However since that time, the Friends of Flitwick Mill have met formally with the owner of the mill to explore the possibility of working together but have been unable to achieve a shared view of the future of the Mill. As such it appears that there are no plans to form a charitable trust to purchase and preserve the mill and that no progress has been made in bringing forward any alternative scheme for renovation and repair.

This application is identical to that previously refused and an application for planning permission has also been resubmitted for reconsideration.

Officers remain of the opinion that in order to achieve a realistic and timely repair and renovation of the Mill, its conversion to a dwelling and the reintroduction of an active use should be supported as a mechanism to ensure the renovation and upkeep of this important historic building which is highly distinctive structure on the edge of the urban area of Flitwick. These resubmitted applications are therefore supported by officers.

## 2. Principle of conversion to a dwelling

The Mill building itself lies within the Flitwick Settlement Envelope and the conversion of the premises to residential use is acceptable in principle in this location. The mill meadow to the south of the mill is considered to be garden land in association with The Mill House and therefore a change of use of the land to residential use is not required.

Planning Policy Guidance 15 paragraph 2.18 advises that the principle of change of use of listed buildings is acceptable in principle : New uses may often be the key to a building's or area's preservation, and controls over land use, density, plot ratio, daylighting and other planning matters should be exercised sympathetically where this would enable a historic building or area to be given a new lease of life. The same provisions on change of use should apply to historic buildings as to all others. Patterns of economic activity inevitably change over time, and it would be unrealistic to seek to prevent such change by the use of planning controls.

Planning Policy Guidance 15 paragraph 3.8 states: *Generally the best way of securing the upkeep of historic buildings and areas is to keep them in active use. For the great majority this must mean economically viable uses if they are to survive, and new, and even continuing, uses will often necessitate some degree of adaptation. The range and acceptability of possible uses must therefore usually be a major consideration when the future of listed buildings or buildings in conservation areas is in question.*

Planning Policy Guidance 15 paragraph 3.9 states: *Judging the best use is one of the most important and sensitive assessments that local planning authorities and other bodies involved in conservation have to make. It requires balancing the economic viability of possible uses against the effect of any changes they entail in the special architectural and historic interest of the building or area in question. In principle the aim should be to identify the optimum viable use that is compatible with the fabric, interior, and setting of the historic building. This may not necessarily be the most profitable use if that would entail more destructive alterations than other viable uses. Where a particular compatible use is to be preferred but restoration for that use is unlikely to be economically viable, grant assistance from the authority, English Heritage or other sources may need to be considered.*

Planning Policy Guidance 15 paragraph 3.10 states: *The best use will very often be the use for which the building was originally designed, and the*

*continuation or reinstatement of that use should certainly be the first option when the future of a building is considered.*

The building is on the Mid Bedfordshire Buildings at Risk Register which is published to draw attention to these buildings in the hope that prompt action by the Local Authority and owners or other interested parties will make their future more secure. The building has been assessed in terms of its condition and is allocated a risk grade based on the English Heritage Risk Scale. It has been given a risk grade of 3 (at risk) and is described as being in Fair condition but deteriorating in the June 2004 publication. The Buildings at Risk Register has not been reviewed since and the building is now considered to be in a Poor condition. If historic buildings are not cared for, and repaired when necessary, then decay, failure and collapse will soon follow.

This application has been put forward as an active way to secure the future of the building.

### **3. Other alternative possible uses**

The building was specifically constructed for its use as a water mill and has been adapted many times since including twentieth century alterations to accommodate new machinery and practices. As the building has been built for a specific purpose, it is considered any reuse of the building will require further adaption and changes to both its internal and external appearance.

The agent has considered and discounted other uses in terms of their economic viability and likely potential impact on the building.

Commercial uses have been considered. However, substantial works would need to be carried out to make the building useable for any commercial purposes. The existing floors are uneven and of relatively low loadbearing quality. Ceiling heights are relatively low and the building is not naturally well lit. The provision of modern amenities and insulation would additionally be required. More importantly, an internal staircase would need to be constructed and means of escape would also need to be provided. Cumulatively, it is considered that the alterations required for commercial use would result in a detrimental loss of historic fabric and adverse visual impact on the character and appearance of the listed building. It is also considered that the use of the premises for commercial purposes would also affect the setting of the listed building due to the potential needs for car parking spaces, commercial signage, cctv etc .

SPAB (Mills Section) previously commented that they would like to see the building restored to working use. This would be the best use for the building in accordance with the guidance in PPG15, however this use should also be a viable use. Restoration of the mill will require significant funding and long term management. The mill has been on the Buildings At Risk register since 2004 but no approach has been made to restore the mill by any restoration group. Even if the mill is restored back to working use, this use may not be viable in terms of long term running costs and funding and with this insecurity, this use may not provide viable long term survival for the building.

Enabling development has been considered whereby the mill is restored and funding for the restoration is raised through the granting of planning permission for a residential dwelling within its curtilage. However, it is considered that in this case there is insufficient land within the curtilage of the mill for one residential property without such enabling work detrimentally impacting upon the setting of this listed building and the appearance of this rural edge of settlement location. As such enabling work has been discounted.

The use of the building as a single residential dwelling is considered by the applicant to be minimal intervention into the historic fabric of this building.

#### **4. Impact upon the historic structure and fabric and the special architectural interest of this Grade II listed building**

There are a number of other changes that are proposed to the building to enable its renovation and then conversion to a single residential unit.

##### **External works:**

Replacement of all existing windows and new weatherboarding.

##### **Ground floor:**

- Insertion of door in east elevation.
- Remove existing window to south elevation and replace with door and construction of new additional footbridge from new door.
- Replace stable door to north elevation with new window above timber panel.
- Lower head and cill of existing window opening and replace with larger window

##### **First floor:**

- Insertion of new window to north, south and east elevation.
- Remove high level window in east elevation

##### **Second floor:**

Insertion of two windows to north elevation, two windows to south elevation and two windows to east elevation

##### **Attic**

The existing window in the gable to the north elevation is to be replaced for a smaller window

##### **Internal works:**

- Removal of parts of the floors and floor structure
- Removal of some partitions and timber beams
- Removal of ladders between the ground and first floor and first and second floors
- Removal of partitions forming the grain bins at the upper level.
- Insertion of new insulated ceiling to third floor

- Construction of new staircase
- Subdivision of space and addition of new partition walls.

The Listing description of the building states “The Mill is a rare surviving example of the complete milling process. While the building is not architecturally of a piece, since it has been extended and reclad, it demonstrates the continuing process of expansion and development of the C19 mill”. It retains its complete water system, with clay lined pond, waterways, sluices and hatches.

In this instance it may be argued that the core part of the mill is the machinery and that the internal spaces are there to accommodate working machinery within the building. It can also be argued that the building is not of architectural importance due to the extent of alteration already undertaken. However the interior and exterior of the building are of equal importance to the determination of this application. The building itself is highly distinctive and makes an important contribution to the character of this part of Flitwick and especially to the setting of the listed Mill House to which it is attached.

The internal machinery is concentrated in the western two bays of the structure. The part of the building which is to undergo most changes is the later section to the eastern end of the building. This later section has a raised floor level (formerly housing an auxiliary steam engine) and this is to be removed to allow for level floors throughout. The drive shaft/wheels and associated machinery is situated in the western end of the building and this equipment is to be retained in situ.

The removal of existing floors is mostly to the eastern end of the building. The loss of historic fabric and the new additions would substantially change the internal plan form and character of the Mill and will result in the loss of the unencumbered space which was essential for the purposes for which the building was designed. However the internal space although rearranged and subdivided will still retain the original four floors of the mill.

The core part of the mill may be argued to be the machinery. This proposal includes the retention of the machinery within the mill building in its original location and context and the building will keep its intrinsic historic interest. If permission is recommended, a condition will be imposed to ensure that the items identified in the SPAB (Mills Section) report by Luke Bonwick dated March 2008 are retained within the building. These would then be enclosed within a glazed screen so that they would internally remain fully visible.

The mill is considered to be of special interest and is Grade II listed but is not considered to be of national importance. The building is on the Mid Bedfordshire Buildings at Risk Register. As such it is the Council's duty to intervene in the future of the building and not delay unduly without another viable use having become apparent.

The requirements of modern day residential use are very different from that of a traditional working mill. The building was never intended to be lived in but to house milling machinery and carry out an industrial process. As such the change of use to residential use will inevitably impact on the character of the mill building.

The external appearance of the Mill will be changed, to some extent by the insertion of new windows and openings. The new openings are to be of a



similar size and design to the existing windows and due to the scale of the building the openings are not considered to give the mill an overly domestic appearance. The addition of a new footbridge to the south elevation is not considered to be an intrusive feature to a water mill. Due to its low level in relation to the building, it will have only a minimal visual impact.

The scheme proposed would slightly alter the external appearance of the building but it would still read as a Mill and the external setting would be preserved. To maintain the setting of the listed building and the public views across the water meadow, permitted development rights will be removed for the erection of washing lines and other domestic paraphernalia.

The new use is not considered to pose a threat to the machinery and the Mill which houses it. The proposal seeks to retain as much as practicable of the milling machinery and create living accommodation around the constraints of the mill. The retention of the milling equipment in its original position but within the context of a residential conversion will enable the building to retain its integrity whilst the active use of the building as a dwelling will enable the long term preservation of the building and the machinery it houses.

## **Conclusion**

In light of the above considerations application is recommended for approval.

## **Reasons for granting**

The proposal is in conformity with PPG 15 as the external and internal alterations and additions to the listed building would not have an unacceptably adverse effect on its architectural or historic interest, the development does not unacceptably adversely affect the setting of a listed building and the change of use would not have an unacceptability detrimental effect on the architectural or historic interest of the building, its setting and the long term preservation of the building. The proposal is in accordance with the provisions of PPG16 Archaeology and Planning, paragraph 30 as any material of archaeological interest which exists on the site is safeguarded.

## **Recommendation**

That Listed Building Consent be granted subject to the following:

- 1 The works hereby consented shall be begun within three years of the date of this permission.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, to ensure that this consent does not continue in existence indefinitely if the development to which it relates is not carried out.

- 2 **No site works / development shall be undertaken until the full implementation of an appropriate programme of building recording and analysis of the equipment and machinery in the mill and has been agreed in writing with the Local Planning Authority and undertaken by a specialist acceptable to the Local Planning Authority and in accordance with an agreed written brief and specification.**

**Reason: To enable a proper record of the building to be made and in accordance with PPG15 Planning and the Historic Environment) 1994.**

- 3 Details of a scheme of archaeological investigation of the site shall be submitted to and approved in writing by the Local Planning Authority before the development hereby approved is commenced. The said development shall only be implemented in accordance with the scheme thereby approved.**

**Reason: To safeguard any material of archaeological interest which exists on the site in accordance with PPG16 Archaeology and Planning.**

- 4 Details of a scheme for the retention in situ and protection of the milling machinery as identified in the Society for the Protection of Ancient Buildings (Mills Section) report by Luke Bonwick dated March 2008 shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works. The said feature(s) shall be protected during the execution of the permitted works, in accordance with the approved scheme.**

**Reason: To ensure that the special architectural or historic interest of the building or structure, its character and appearance is properly preserved, maintained and enhanced, in accordance with PPG15 (Planning and the Historic Environment) 1994.**

- 5 Prior to any building works or repairs being first commenced, a full and detailed, precise specification of all proposed internal and external materials (e.g. type & origin/ manufacturer and mix of lime & sand/ aggregate for mortars or plasterwork/ render, wood lath, brick, stone, tile, slate, thatch, timber or wood);**

**method statement, clearly explaining the sequence of the proposed works and how the approach accords with usual conservation good practice; and**

**an itemised schedule of works (describing fully all repairs, reinstatements and replacement works) and agreed making good,**

**shall be submitted to, and approved in writing by the local planning authority. The works shall be implemented only in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.**

**Reason: To ensure that the special architectural or historic interest of the building or structure, its character and appearance is properly preserved, maintained and enhanced, in accordance with PPG15 (Planning and the Historic Environment) 1994.**

- 6 Details of the repair and reinstatement of the existing water wheel, mill race, leat, sluice gates and associated retaining walls and abutments**

shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the development hereby permitted. The works shall be completed before first residential occupation of the converted mill.

**Reason:** To ensure that the special architectural or historic interest of the building or structure, its character and appearance is properly preserved, maintained and enhanced, in accordance with PPG15 (Planning and the Historic Environment) 1994.

- 8 The existing weatherboarding shall be reused where possible. New weatherboarding shall match in size and type that of the existing weatherboarding. Details of dimensions and profile of the weatherboarding and a description of its paint finish shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted.

The works shall be implemented solely in accordance with the agreed details.

**Reason:** To safeguard the special architectural and historic interest of this statutorily Listed Building in accordance with PPG15 (Planning and the Historic Environment) 1994.

- 9 Samples of any new slate or ridge tiles required to be used for the roof shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted.

The works shall be implemented solely in accordance with the agreed details.

**Reason:** To safeguard the special architectural and historic interest of this statutorily Listed Building in accordance with PPG15 (Planning and the Historic Environment) 1994.

- 10 Prior to any brickwork repair or new brickwork being first commenced, a detailed description and precise specification of the nature, bond and extent of the works, together with the lime-based mortar mix and sand/aggregate to be used, shall be submitted to and approved in writing by the Local Planning Authority. Additionally, a sample panel or area of the brickwork, in the agreed bond and providing a representative range of the bricks to be used throughout the repairs, in terms of colour and texture, and the mortar jointing or pointing profile and finish shall be provided and retained during building works as a reference and agreed standard to maintain consistency in workmanship for the duration of the repair works.

**Reason:** To ensure that the special architectural and historic interest of this statutorily Listed Building is properly preserved, maintained and enhanced in accordance with PPG15 (Planning and the Historic Environment) 1994.

- 11 Detailed drawings including sections, showing the new doors which it is proposed to install, drawn to a scale of 1:10, together with a detailed description or specification, including the external finish and the pattern of the proposed external door including the door furniture, specifically the hinges, door handle(s) and any external locks and bolts shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby approved.

Development shall be implemented in full accordance with the approved details.

Reason: To safeguard the special architectural and historic interest of this statutorily Listed Building in accordance with PPG15 (Planning and the Historic Environment) 1994.

- 12 The existing windows shall be set aside and inspected for reuse where possible. If beyond reasonable repair, the windows should be used as a model for replacement windows. Plans of the new windows and glazing bars drawn to a scale of 1:5 and 1:2 respectively must be submitted and approved in writing by the Local Planning Authority before the removal of the old windows.

The works shall be implemented solely in accordance with the agreed details.

Reason: To safeguard the special architectural and historic interest of this statutorily Listed Building in accordance with PPG15 (Planning and the Historic Environment) 1994.

- 13 Prior to any building works being first commenced, detailed drawings of all proposed new and replacement doors and windows, together with a detailed specification of the materials, construction and finishes, shall be submitted to and approved in writing by the Local Planning Authority. Details shall be provided which clearly show (as appropriate)- 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, depth of reveal, arch and sill detail.

Reason: To ensure that the special architectural or historic interest of the building or structure, its character and appearance is properly preserved, maintained and enhanced, in accordance with PPG15 (Planning and the Historic Environment) 1994.

- 14 Details of the means of support to the new floors independent of the existing timber structure must be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the development hereby approved.

Development shall be implemented in full accordance with the approved details.

Reason: To safeguard the special architectural and historic interest of

**this statutorily Listed Building in accordance with PPG15 (Planning and the Historic Environment) 1994.**

- 15 **Details of the construction, design, materials and external finish to the footbridge hereby permitted shall be submitted to and agreed in writing prior to the commencement of the development hereby permitted.**

**Reason: To safeguard the special architectural and historic interest of this statutorily Listed Building in accordance with PPG15 (Planning and the Historic Environment) 1994.**

- 16 Notwithstanding the approved plans, all rainwater goods shall be of cast iron and painted black.

Reason: To safeguard the special architectural and historic interest of this statutorily Listed Building in accordance with PPG15 (Planning and the Historic Environment) 1994.

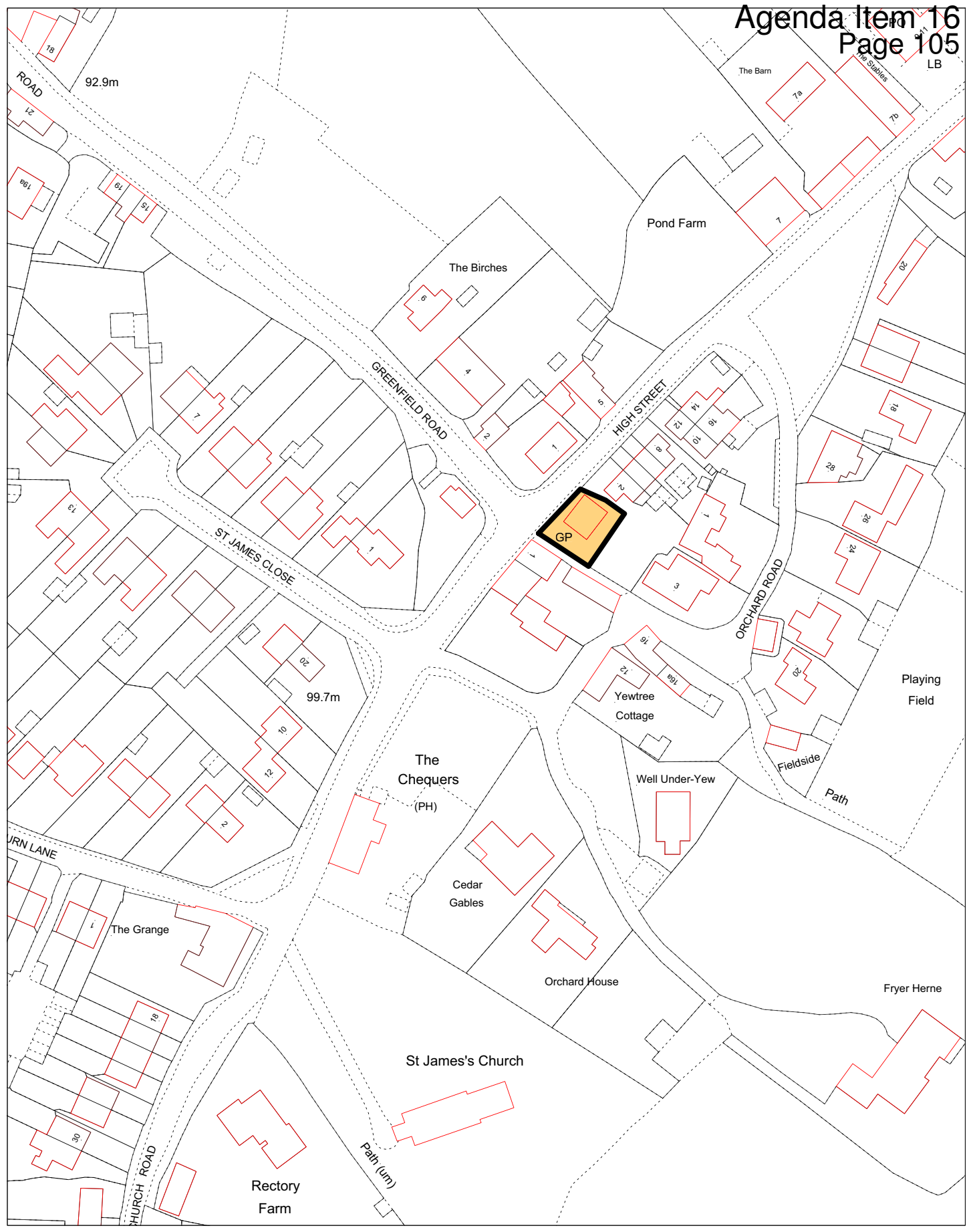
- 17 Following the carrying out or completion of the building operations or alterations for which consent is hereby granted, all *making good* of the existing building shall be carried out in materials and finishes which closely match, like-for-like, those historic materials and finishing details used in the existing building or structure- to accord with usual conservation good practice and to the satisfaction of the Local Planning Authority. If there is any doubt regarding the approach to any proposed making good, or any alternative materials are proposed, a precise specification of the materials and finishes should be submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that the special architectural and historic interest, character, appearance and integrity of the listed building or other historic building is properly maintained and to accord with PPG15 and standard conservation good practice.

**DECISION**

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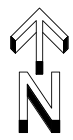
Date: 12 August 2009

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ITEM NO. 16

APPLICATION NO. CB/09/05421/FULL

Centre Point, 2A High Street, Pulloxhill



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**Item No. 16**

<b>APPLICATION NUMBER</b>	<b>CB/09/05421/FULL</b>
<b>LOCATION</b>	<b>CENTRE POINT, 2A HIGH STREET, PULLOXHILL, BEDFORD, MK45 5HA</b>
<b>PROPOSAL</b>	<b>FULL: 1 NO. DORMER AND 1 NO. VELUX WINDOWS TO REAR ELEVATION.</b>
<b>PARISH</b>	<b>Pulloxhill</b>
<b>WARD</b>	<b>Flitwick East</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Turner &amp; Cllr Jamieson</b>
<b>CASE OFFICER</b>	<b>Julia Ward</b>
<b>DATE REGISTERED</b>	<b>13 July 2009</b>
<b>EXPIRY DATE</b>	<b>07 September 2009</b>
<b>APPLICANT</b>	<b>Mr J Le'Vien</b>
<b>AGENT</b>	<b>SMB Design Services</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Cllr Turner called in application due to intrusion on neighbours' privacy.</b>
<b>RECOMMENDED DECISION</b>	<b>FULL CONDITIONAL APPROVAL</b>

**Site Location:**

This application relates to a modern two storey detached dwelling located within the village of Pulloxhill. The property is located within the conservation area on the south-east side of High Street, opposite the junction with Greenfield Road. The property is in a prominent location at this junction, elevated above road level.

A two storey side extension is currently under construction at the property, having been allowed at appeal.

**The Application:**

The applicant is seeking consent for the erection of a dormer window to the rear of the house within the roofslope of the original part of the property and a velux window within the roofslope of the two storey side extension. The dormer be set 1 metre from the eaves of the roof and would be 1.4 metres wide and 1.8 metres high. The velux window would be set 0.9 metres above the eaves of the roof and would be positioned centrally within the roofslope.

**RELEVANT POLICIES:**

**National Policies (PPG & PPS)**

PPS1 - Delivering Sustainable Development  
PPS3 - Housing  
PPG15 - Planning and the Historic Environment

## Regional Spatial Strategy

East of England Plan (May 2008)

Milton Keynes and South Midlands Sub-Regional Strategy (March 2005)

## Mid Bedfordshire Local Plan First Review 2005 Policies

DPS5 - Protection of Amenity

DPS6 - Criteria for Extensions

CHE11 - New Development in Conservation Areas

## Supplementary Planning Guidance

Extensions and Alterations: A Design Guide for Householders

Adopted 2004

## Planning History

MB/07/02052/FULL      Erection of two storey side extension - Refused 14/04/08 due to the bulk/ massing of the extension detracting from the character and appearance of the conservation area and loss of lights to windows at Stanley House (1 Church Road)

Allowed on appeal 31/12/08 - currently under construction

MB/07/01373/FULL      Erection of two storey side extension - Withdrawn 27/09/07

MB/07/00829/FULL      Erection of two storey side extension and 4 no. dormers in roofspace - Refused 06/07/07 due to overly large extension having a detrimental impact on the character and appearance of the conservation area and the house itself

## Representations: (Parish & Neighbours)

Parish/Town Council      Strongly objects to the installation of a dormer window to the rear of the building. The present rear windows already intrude upon the privacy of the rear neighbours and allowing a second, higher window will only make matters worse. A velux window would prevent a downward view into the neighbours' homes and gardens.

Neighbours      Two letters of objection have been received:

3 Orchard Road - Loss of privacy; already increase in overlooking from extension being built. The dormer window, together with the extension, would be out of keeping with the character and appearance of the conservation area.

2B High Street - Loss of privacy - already two additional upstairs windows to the house.

Loss of sunlight - already an overpowering and imposing structure.  
Construction of the two storey extension is causing loss of privacy and disruption.  
Proposal would be obtrusive

### **Consultations/Publicity responses**

No additional consultations undertaken

### **Determining Issues**

The main considerations of the application are;

1. Impact of the proposal on the character and appearance of the conservation area;
2. Impact of the proposal on the residential amenities of neighbouring occupiers;
3. Any other material planning considerations.

### **Considerations**

#### **1. Impact of the proposal on the character and appearance of the conservation area**

The erection of a rear dormer window of this size (that is having a roofspace of less than 50 cubic metres) would normally be permitted development. However, given that the property is located within a conservation area, the dormer window requires planning permission in this instance. In addition, a velux window would not normally require planning permission. However, the appeal decision for the two storey side extension to the house attached a condition withdrawing permitted development rights for any windows above ground floor level on the extension.

The windows would be located at the rear of the property and would not be visible from High Street. It is possible that there would be glimpses of the windows from Orchard Road to the south-east of the site. However, it is considered that the dormer window would be sufficiently subservient to the main roof slope and would appear in scale with the property itself. The applicant has confirmed that the dormer would be constructed in materials to match the existing dwelling. It is considered appropriate to attach conditions requiring all materials to be agreed and the velux window to be of a conservation style to ensure that the proposal does not detract from the character and appearance of the conservation area.

**2. Impact of the proposal on the residential amenities of neighbouring occupiers**

The proposed loft conversion would comprise a bedroom served by the proposed dormer window and a storage area with the proposed velux window. It is acknowledged that the dormer window would allow an element of overlooking to adjacent gardens. However, it is considered that the dormer would not create any significant increase in overlooking that already exists from the first floor bedroom windows. The closest neighbouring window to the proposal is the side window of 3 Orchard Road which is located 21 metres away. This is considered an acceptable distance given the existing first floor bedroom windows in 2A High Street.

As stated above, the submitted plans indicate that the velux window would serve a storage room. It is therefore considered appropriate that this window is obscurely glazed to minimise any element of overlooking from this window. Should the applicant wish to add any further windows into the roofslope of the extension at a future date, planning permission would be required as the permitted development rights have been removed by the appeal decision for the two storey extension.

**3. Any other material planning considerations**

It is considered that the disruption and loss of privacy associated with construction of the two storey side extension are not material planning considerations in this instance.

It is not considered that the proposal would cause any significant loss of light to adjoining properties given its subservient location within the roofslope of the house.

**Reasons for Granting**

The proposal, by reason of its location within the roofslope and subservient appearance would not detract from the character and appearance of this part of the conservation area and would not have a detrimental impact on the residential amenities of neighbouring occupiers and is therefore in conformity with policies DPS5, DPS6 and CHE11 of the Mid Bedfordshire Local plan First Review (adopted 1995), PPS1 (Delivering Sustainable Development), PPS3 (Housing), and PPG15 (Planning and the Historic Environment).

**Recommendation**

That Planning Permission be approved subject to the following:

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

Reason: To comply with Section 91 of the Town and Country Planning Act

1990 which is designed to ensure that a planning permission does not continue in existence indefinitely if the development to which it relates is not carried out.

- 2 **No development shall be undertaken until a scheme has been submitted to, and agreed in writing by, the Local Planning Authority setting out the details of the materials to be used for the external walls and roof. The development shall be carried out in accordance with the approved scheme.**

**Reason: To protect the visual amenities of the building and of the area generally.**

- 3 Notwithstanding the detail shown on the approved plans, the proposed velux rooflight shall be timber of Conservation style fitted flush to the surface of the roofing material unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect the external appearance of the buildings and the visual amenities of the area generally.

- 4 Prior to the first occupation of the building the velux window in the rear elevation of the development shall be fitted with obscured glass of a type to substantially restrict vision through it at all times, and restriction on its opening, details of which shall have been previously submitted to and agreed in writing by the Local Planning Authority.

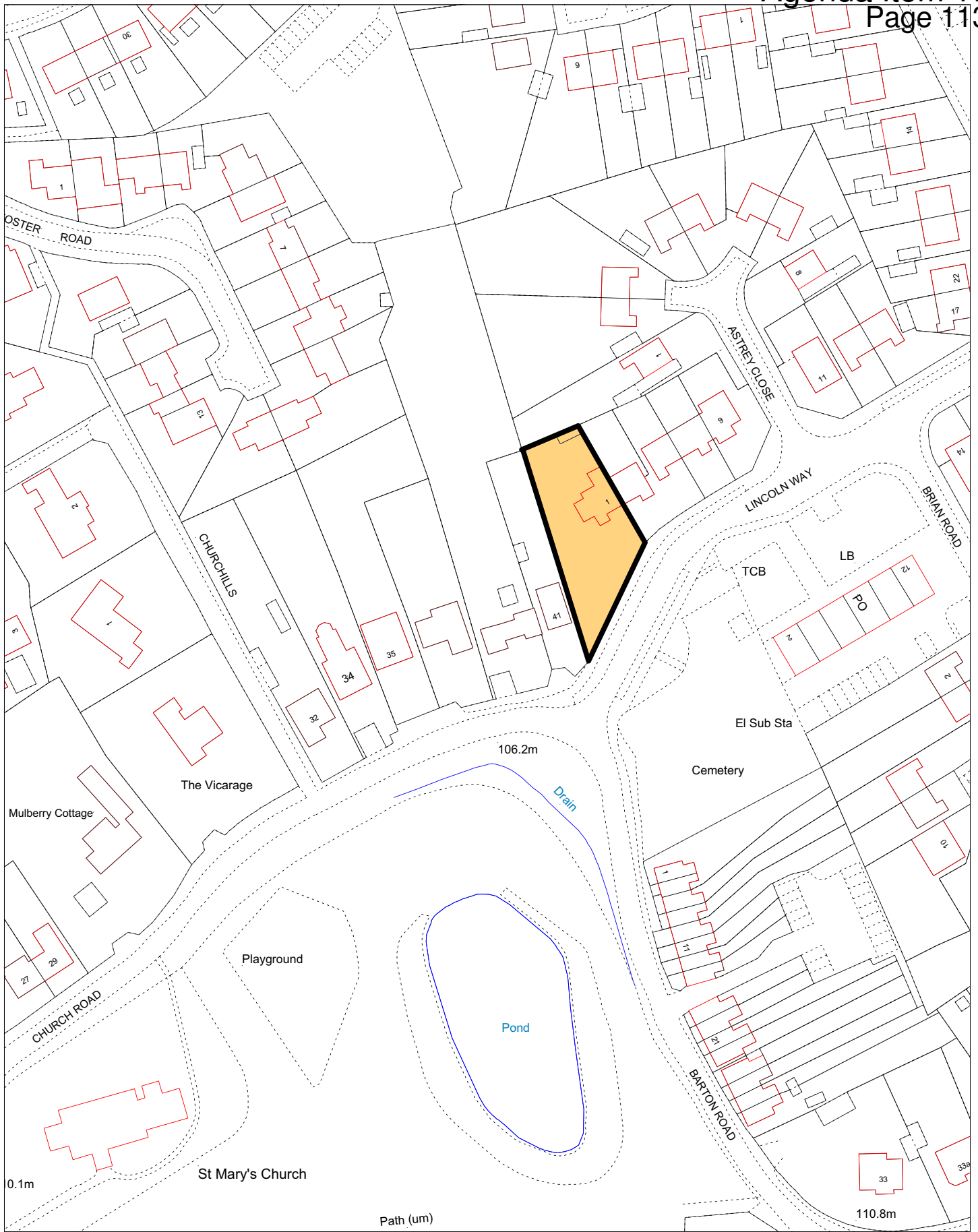
Reason: To safeguard the amenities of occupiers of adjoining properties.

**DECISION**

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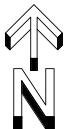
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ITEM NO. 17

APPLICATION NO. CB/09/01015/FULL

1 Lincoln Way, Harlington, Dunstable



Scale: 1:1250

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**Item No. 17**

<b>APPLICATION NUMBER</b>	<b>CB/09/01015/FULL</b>
<b>LOCATION</b>	<b>1 LINCOLN WAY, HARLINGTON, DUNSTABLE, LU5 6NB</b>
<b>PROPOSAL</b>	<b>FULL: ERECTION OF A NEW DWELLING IN THE SIDE GARDEN AND SINGLE STOREY REAR EXTENSION TO EXISTING PROPERTY.</b>
<b>PARISH</b>	<b>Harlington</b>
<b>WARD</b>	<b>Woburn &amp; Harlington</b>
<b>WARD COUNCILLORS</b>	<b>Cllr F Chapman &amp; Cllr B Wells</b>
<b>CASE OFFICER</b>	<b>Mary Collins</b>
<b>DATE REGISTERED</b>	<b>26 May 2009</b>
<b>EXPIRY DATE</b>	<b>21 July 2009</b>
<b>APPLICANT</b>	<b>Mr T Culverhouse</b>
<b>AGENT</b>	<b>Paul Lambert Associates Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>The Parish Council requested Cllr Chapman to call to committee if minded to approve as they believe that the new house would be very cramped, over- development of the site with dangerous access close to the corner.</b>
<b>RECOMMENDED DECISION</b>	<b>FULL CONDITIONAL APPROVAL</b>

**Site Location:**

The application site is at 1 Lincoln Way, Harlington. 1 Lincoln Way is a semi-detached property with a flat roofed porch to the front and flat roofed extensions to the side and rear.

The application site has a side garden situated to the west of the property and to the east of a bungalow in Church Road. Lincoln Way is characterised by residential properties of the same age and similar styles and sizes.

**The Application:**

Planning permission is sought for the erection of a new dwelling in the side garden and single storey rear extension to existing property.

**RELEVANT POLICIES:**

**National Policies (PPG & PPS)**

PPS 1                      Delivering Sustainable Development  
PPS 3                      Housing

**Regional Spatial Strategy**

East of England Plan (May 2008)  
Milton Keynes and South Midlands Sub-Regional Strategy (March 2005)

## Mid Bedfordshire Local Plan First Review 2005 Policies

LPS2 - Large Villages  
LPS4 - Settlement Envelopes  
DPS5 - Protection of Amenity  
DPS9 - Open Space for New Dwellings  
H06 - Location of new Residential Development

### Supplementary Planning Guidance

Design Guide for Residential Areas in Mid Bedfordshire Adopted 2004.  
Planning Obligations Strategy 2008

### Planning History

None

### Representations: (Parish & Neighbours)

Harlington PC

Object.

- Due to the variations in levels in the vicinity overbearing impact on neighbouring properties
- Potential loss of privacy to neighbours if mature conifers are removed
- Removal of deliberate visual transition between Church Road into the "Model Village" would have an adverse affect on the street scene.
- Overdevelopment of the site, cramming effect on immediate environment and eroding of character.
- Rear gardens too small
- Proposal would destroy street scene
- Own verge and object to removal of part of verge to enlarge and create new driveway
- Highway safety
- The site is on the edge of a spring line, blockages may cause flooding

Adj. Occupiers

Three letters of objection received:

The Occupier of No. 41 Church Road objects to the proposal on the following grounds:

- Parking area in close proximity to eastern wall of dwelling creating substantial noise, disturbance and reduced amenity
- Car parking block vision and light from within dwelling and from without will obscure view of over a third of their property

- Design out of character, too tall and large. Bedroom 4 roof light overlooks garden, patio and lounge privacy and should be obscured.
- Overdevelopment of plot

The Occupier of No. 39 Church Road objects to the proposal on the following grounds:

- Privacy is not guaranteed by the mature conifer trees which may die due to excavation near their roots or because they are too close to the dwelling
- "Cramming effect" on the immediate environment, eroding its character
- Infilling of this gap of unstable made up ground is not only inappropriate to the street scene and potentially hazardous
- Rear gardens too small
- Overdevelopment of site

The Occupier of No. 1 Astrey Close objects to the proposal on the following grounds:

- Out of keeping with surrounding properties
- Site too small, and any house built would appear to be "shoe-horned" in.

### Consultations/Publicity responses

IDB	No comment
Ramblers	No comment
Harlington Society	No response received
Highways	The proposal is for a four bedroom dwelling and a minimum of three parking spaces are required and only two are indicated. There is ample space for an additional parking space at the frontage of the proposed dwelling. Recommend conditions and notes to applicant are attached.
Application advertised 12/06/09	No response received
Site Notice Posted 16/06/09	No response received

### Determining Issues

The main considerations of the application are;

1. Principle of Development
2. Impact upon character and appearance of surrounding area
3. Impact on neighbouring amenities
4. Highway and parking issues
5. Other issues

## Considerations

### 1. Principle of Development

Harlington is classified as a large village under Policy LPS2 of the Mid Bedfordshire Local Plan First Review 2005. The principle of development is acceptable in this location.

### 2. Impact upon character and appearance of surrounding area

The application site is situated in Lincoln Way at its junction with Church Road. It is proposed to construct a dwelling between 1 Lincoln Way and 41 Church Road, Harlington.

The application site represents a transition between Church Road and what is locally known as the Model Village to the east. The application site is on higher ground to Church Road and is thought to be made up ground. As a result the application site when viewed from the rear gardens of adjoining properties is seen as a promontory of land higher than the adjoining land to the rear and to the west in Church Road.

The new dwelling is to be constructed to the west of 1 Lincoln Way, a distance of approximately two metres will be retained between the existing property and the new property and this will allow access to the rear of both properties as well as provide visual spacing between the two. A terracing effect will not occur as a result of the development.

The dwelling is set back from the bungalow at 41 Church Road and from Lincoln Way but is set marginally forward of the adjacent pair of semi-detached dwellings.

The dwelling is not considered to have a detrimental impact on the street scene. There is a graduation in height from the pair of semi-detached properties at 1 and 3 Lincoln Way to the new dwelling which is set down by approximately 0.45 metres from this property and this helps to form a graduation in the building heights from two storey to the single storey bungalow.

The proposed dwelling is 12.467 metres deep by approximately 6.4 metres wide and will present a gable that faces the street. The property will have a catslide roof to the side over a single storey section of the dwelling.

The gable design is not considered to be out of keeping with the character of the area. Although houses on this section of Lincoln Way are semi-detached pairs with pitched roofs, properties in Lincoln Way flanking either side of the entrance to Astrey Close present two storey front gable elevations to Lincoln Way and both the bungalow at 41 Church Road and its neighbour at 39 Church Road present gables to the street.

Although the application site is higher than land to the side and rear of it, the prominence of the dwelling is not considered to be detrimental to the wider surrounding area, the views of the dwelling being restricted to the rear gardens

of adjoining properties. Views of the side elevation of the dwelling from the street will be restricted and recessive and partially obscured by the line of 5 metre high conifer trees.

Parking areas will inevitably be at the front of the property. Due to the siting of the dwelling to the rear of the plot and the bungalow at 41 Church Road, the parking of cars to the front of the property are not considered to have a detrimental visual impact on the street scene.

**Amenity space:**

The proposed dwelling has a rear garden depth of 10.5 metres deep by 8.5 metres wide tapering down to 6.5 metres wide. The garden depth is considered acceptable. In addition there is ample amenity area to the front of the dwelling.

The existing property will be left after development with a garden depth of 10.5 metres and width of 8.5 metres. An existing garden shed is sited in the rear corner of the site. Although the siting of the shed will foreshorten the depth of the available rear garden, it is considered that this is acceptable given that single storey outbuildings are permitted development as long as they do not exceed more than 50% of the curtilage. This property also will have amenity space to the front.

**Extension to existing dwelling:**

A single storey extension to the rear of the existing dwelling is also proposed. The extension will project by 3.9 metres from the rear elevation of the property and will continue the existing flat roofed extension to the rear. The extension is to the rear and will not be seen in the wider area and is considered acceptable.

**3. Impact on neighbouring amenities**

**4. Highway and parking issues**

The proposal is for a four bedroom dwelling and a minimum of three parking spaces are required and only two are indicated. There is ample space for an additional parking space at the frontage of the proposed dwelling.

The proposed access for the existing dwelling is not taken from a classified road and as such a turning area is optional. Highways have recommended that the applicant extends the length of the indicated parking bays to make them of a suitable size for the transit vans that currently park at the site, and either adjust the turning area to make it a suitable size for a car to use it as a parking bay or remove the turning area and include an additional parking space adjacent to the two indicated. This can be dealt with by a condition, but since the development is intended solely for residential purposes, it would be inappropriate to encourage parking for commercial vehicles within the site. Such parking is a separate matter which may require investigation by the planning enforcement team.

**5. Other issues**

Concern has been raised that the culverted watercourse of the village pond along the westerly boundary of the application site where the level of the land changes from the Old Cemetery opposite 1 Lincoln Way down to the pond in Wingate Road. Blockages in the past have led to flooding and there is concern that the watercourse could be blocked by foundation and construction work required. The IDB have raised no objection to the proposal. This detailed drainage issue is a matter also for consideration under the Building Regulations as such concerns would not warrant refusal of this application.

## 6. Unilateral Undertaking

The Planning Obligations Strategy, wherein the construction or creation of one dwelling or more is required to make a financial contribution towards the costs of local infrastructure and services, was adopted by Mid Bedfordshire District Council on 20th February 2008 and has been operative since 1st May 2008. The Draft Supplementary Planning Document was subject to a six week public consultation period between 6th July and 17th August 2007.

In accordance with national planning policy contained in PPS1, Local Planning Authorities are required to ensure that new development is planned to be sustainable. Where communities continue to grow, many require additional infrastructure, in the form of services and health care, for example.

This involves all new residential proposals having to enter into either a Section 106 Legal Agreement or a Unilateral Undertaking to provide contributions towards the impact of new developments within the Mid Beds area.

The SPD is a material consideration in the determination of planning applications and refusal of planning permission is likely when development proposals do not comply with its requirements.

A Unilateral Undertaking has not been signed and completed at this stage.

## Conclusion

In light of the above considerations application is recommended for approval.

## Recommendation

That Planning Permission be granted subject to the following and to the completion of the Unilateral Undertaking:

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

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

- 2 **Details of materials to be used for the external finishes of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority and the development shall be**

carried out in accordance therewith.

**Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match/complement the existing building(s) and the visual amenities of the locality.**

- 3 **The foundations must be engineered and constructed in a manner that will reduce the risk of damage to the roots of the trees on the site. Details shall be submitted and approved in writing by the Local Planning Authority prior to the commencement of the development and the development shall be implemented fully in accordance with those 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.**

- 4 **Prior to the commencement of development a scheme setting out measures for protecting all trees, shrubs and other natural features during construction work and their positions 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;**

**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. If access is required within the root protection areas then details of ground protection shall be submitted to ensure that there is no soil compaction or damage to the roots of the trees.**

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

- 5 **Development shall not commence until a scheme detailing provision for on site parking for construction workers 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.**

- 6 **Development shall not begin until details of the three parking spaces for the new dwelling have been submitted to and approved by the Local Planning Authority and the new building shall not be occupied until the parking spaces have been constructed in accordance with the approved details.**

**Reason: To provide off street parking for the dwelling.**

- 7 The proposed vehicular accesses shall be constructed and surfaced in accordance with details to be approved in writing by the Local Planning Authority before the premises are occupied. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site into the highway so as to safeguard the interest of highway safety.

- 8 Before the access is first brought into use a triangular vision splay shall be provided on each side of the new access and shall measure 1.8m along the fence, wall, hedge or other means of definition of the front boundary of the site, and 1.8m measured into the site at right angles to the same line along the side of the new access drive. The vision splays so described shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level at all times.

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

- 9 Before the new dwelling is occupied any lengths of the existing access that are surplus to requirements shall be closed and reinstated in a manner to the Local Planning Authority's written approval

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

- 10 Details of bin collection point at the site frontage located outside of the highway shall be submitted to and approved by the Local Planning Authority prior to the occupation of the dwelling.

Reason: In order to minimise obstruction and inconvenience to users of the highway.

- 11 A scheme shall be submitted for written approval by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved scheme before the dwelling is occupied.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.

- 12 The existing conifer hedge on the site shall be retained at a minimum of four metres in height and shall not be removed or cut down without the prior written consent of the Local Planning Authority.

Reason: To ensure the continuity of the privacy afforded by the hedge in question.



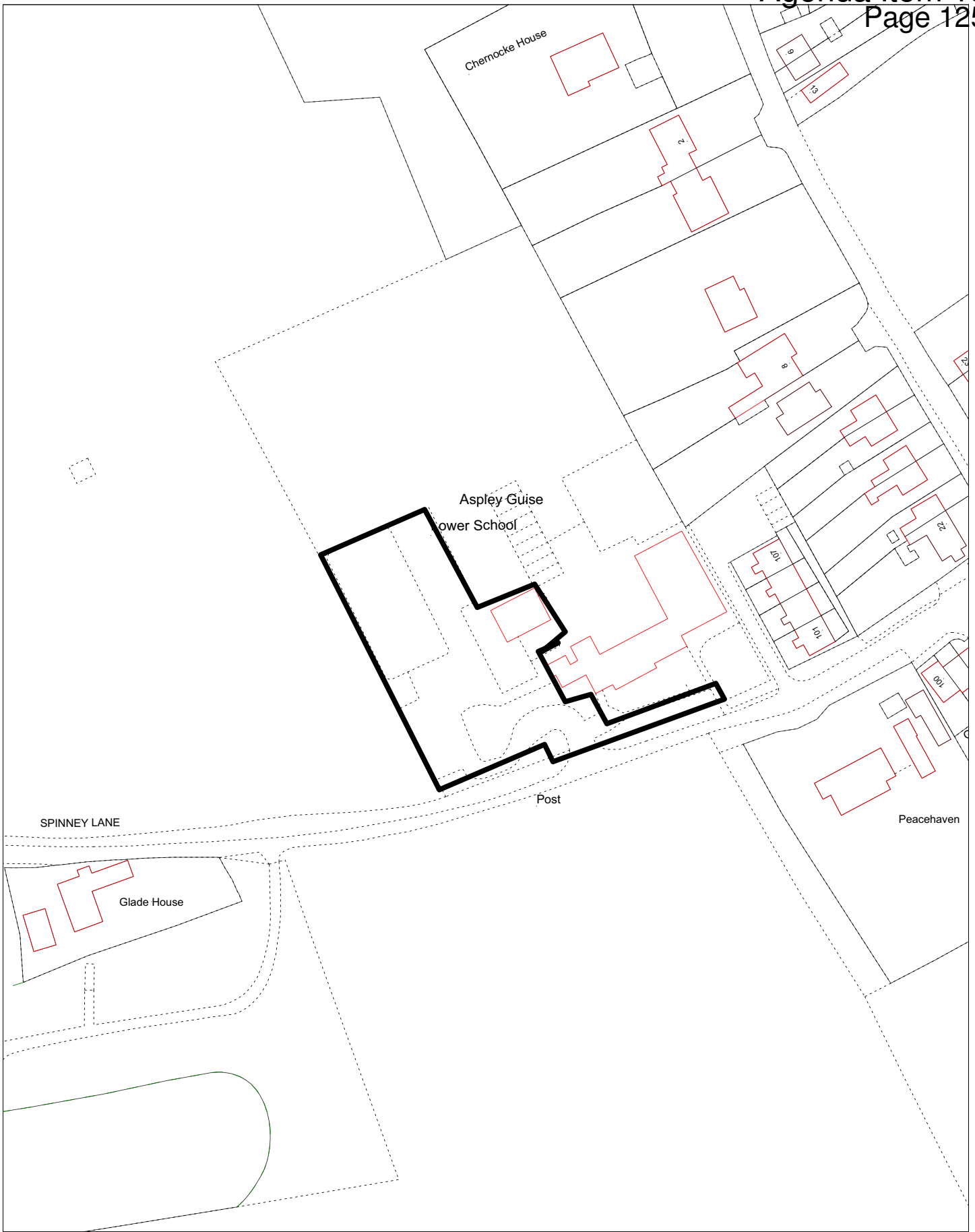
**Notes to Applicant**

1. The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to contact Central Bedfordshire Council's Customer Contact Centre, on 0300 300 8049 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.
  
2. 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 Central Bedfordshire Council helpdesk on 0300 300 8049.
  
3. The applicant is advised that photographs of the existing highway that is to be used for access and delivery of materials will be required by the Local Highway Authority. Any subsequent damage to the public highway resulting from the works as shown by the photographs, including damage caused by delivery vehicles to the works, will be made good to the satisfaction of the Local Highway Authority and at the expense of the applicant. Attention is drawn to Section 59 of the Highways Act 1980 in this respect.
  
4. The applicant is advised that the closure of any surplus lengths of the existing access shall include the reinstatement of the highway to include any footway, verge and kerbing in a manner to be agreed in writing with Bedfordshire Highways, Central Bedfordshire Council's, Customer Contact Centre, on 0300 300 8049. No work shall be carried out within the confines of the public highway without prior consent. The applicant will also be expected to bear all costs involved in closing the access.
  
5. The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Bedfordshire County Council's "Cycle Parking Guidance - August 2006".

**DECISION**

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Date: 13 August 2009

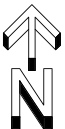
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ITEM NO. 18

APPLICATION NO. CB/09/05318/FULL

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Aspley Guise Lower School, Spinney Lane, Aspley Guise



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**Item No. 18**

<b>APPLICATION NUMBER</b>	<b>CB/09/05318/FULL</b>
<b>LOCATION</b>	<b>ASPLEY GUISE LOWER SCHOOL, SPINNEY LANE, ASPLEY GUISE, MILTON KEYNES, MK17 8JT</b>
<b>PROPOSAL</b>	<b>FULL: APPLICATION FOR FURTHER TEMPORARY CONSENT - RENEWAL OF EXISTING TEMPORARY PLANNING PERMISSION FOR A TEMPORARY BUILDING.</b>
<b>PARISH</b>	<b>Aspley Heath</b>
<b>WARD</b>	<b>Woburn &amp; Harlington</b>
<b>WARD COUNCILLORS</b>	<b>Cllr F Chapman &amp; Cllr B Wells</b>
<b>CASE OFFICER</b>	<b>Duncan Jordan</b>
<b>DATE REGISTERED</b>	<b>26 June 2009</b>
<b>EXPIRY DATE</b>	<b>21 August 2009</b>
<b>APPLICANT</b>	<b>Aspley Guise Pre-School</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Site owned in part by Central Bedfordshire Council</b>
<b>RECOMMENDED DECISION</b>	<b>FULL CONDITIONAL APPROVAL</b>

**Site Location:**

Aspley Guise Lower School lies to the north of Spinney Lane. In terms of Local Plan policy the property lies in the designated Greenbelt, Area of Great Landscape Value and Conservation Area

**The Application:**

Renewal of existing temporary planning permission for a temporary building

**RELEVANT POLICIES:**

National Policies (PPG & PPS)

PPS1: Delivering Sustainable Development

PPG2: Greenbelts

Regional Spatial Strategy

East of England Plan (May 2008)

Milton Keynes and South Midlands Sub-Regional Strategy (March 2005)

Bedfordshire Structure Plan 2011

## Mid Bedfordshire Local Plan First Review 2005 Policies

CS3: Areas of Great Landscape Value  
CHE11: New Development in Conservation Areas  
DPS26: Temporary Buildings

### Planning History

09/00508                      Application for further temporary consent - renewal of existing temporary planning permission for a temporary building. Withdrawn

### Representations: (Parish & Neighbours)

Aspley Guise Parish              No comment  
Council

Neighbours                      No response

### Consultations/Publicity responses

None

### Determining Issues

The main considerations of the application are;

1. Principle of retention of temporary building
2. Visual impact on the character /appearance of the area
3. Impact on neighbouring residential amenity

### Considerations

#### 1. Principle of retention of temporary building

The 'temporary' building already resides, this application requests the renewal of a temporary permission.

Policy DPS26 of the Adopted Local Plan, indicates that the Council will only initially permit the siting of a temporary building for a period of up to 5 years. Furthermore, that applications for the renewal of permission for temporary buildings will only be considered favourably where the building is of a satisfactory condition and appearance... and that applicants will be encouraged to secure appropriate permanent solutions to meet their accommodation needs.

A site visit revealed that this temporary building is in relatively good order and after this visual inspection would appear to be in a suitable condition to last a further period of temporary consent.

Policy DPS26 also indicates that encouragement should be given to more permanent solutions, temporary consent has already been renewed in 2006 for this building. However, the building is not in a prominent position in relation to other properties in Spinney Lane and is generally not considered to detrimentally impact the area because of its location on the school grounds. Because the exterior of the building remains in good order and because of these further reasons, a period of further temporary consent is considered justified.

**2. Visual impact on the character / appearance of the area.**

The building already exists and therefore there would be no additional impact created by granting a further temporary consent.

The existing impact on the immediate locality is largely reduced as it is set within the existing school complex.

**3. Impact on neighbouring residential amenity**

Again, the building is set well within the existing school complex and is set away from neighbouring residential properties.

**Reasons for Granting**

The temporary porta cabin is in a state of good repair and is considered to be in an appropriate condition to last a further 3 years

**Recommendation**

That Planning Permission be Granted subject to the following:

- 1 The temporary classroom building shall be retained on the site for a limited period of 3 years commencing from the date of this decision notice, at the end of which period it shall be completely removed from the site within a period of two months.

Reason: To safeguard the visual amenities of the area

**DECISION**

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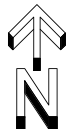


Date: 12 August 2009

ITEM NO. 19

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APPLICATION NO. CB/09/05330FULL



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Northill Lower School, Bedford Road, Northill

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**SCHEDULE C**

**Item No. 19**

<b>APPLICATION NUMBER</b>	<b>CB/09/05330/FULL</b>
<b>LOCATION</b>	<b>Northill Lower School, Bedford Road, Northill, Biggleswade, SG18 9AH</b>
<b>PROPOSAL</b>	<b>Full: Erection of fitness trail on school playing field</b>
<b>PARISH</b>	<b>Northill</b>
<b>WARD</b>	<b>Northill &amp; Blunham</b>
<b>WARD COUNCILLORS</b>	<b>Cllr C Maudlin &amp; Cllr T Turner</b>
<b>CASE OFFICER</b>	<b>Kate Phillips</b>
<b>DATE REGISTERED</b>	<b>15 July 2009</b>
<b>EXPIRY DATE</b>	<b>09 September 2009</b>
<b>APPLICANT</b>	<b>Northill Lower School</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>The land is owned by Central Bedfordshire Council</b>
<b>RECOMMENDED DECISION</b>	<b>Full Conditional Approval</b>

**Site Location:**

The application site is Northill Lower School on Bedford Road in Northill, opposite St Mary's Church on the north side of the road. The main school building is a single storey red brick building within Northill Conservation Area. There is a small car-park to the side (west) and the school playground and playing field are to the rear (north) outside the conservation area but still within Northill Settlement Envelope.

The general area is residential in character. The cemetery is to the west of the school's site, to the north is open countryside and the eastern boundary of the school's site is lined with residential dwellings, some of which are listed.

**The Application:**

This application seeks permission for the erection of a fitness trail on the school playing field.

The fitness trail, which is made of wooden equipment attached to the ground, would comprise of the following 8 different sections and would be located around the edge of the school playing field, in such a way to minimise its impact both visually and upon adjacent properties:

- 1) Twin balance beam
- 2) Zig-zag stepper
- 3) Rocking log
- 4) Cross beams
- 5) Sit Ups
- 6) Chin ups

- 7) Log beam
- 8) Traversing wall

Items number 1 to 3 would be situated along the western boundary of the playing field, numbers 4 to 6 would be situated along the northern boundary and numbers 7 and 8 would be situated in the gap formed between the multi-use games area and the rear boundary of the gardens along Thorncote Road.

## **RELEVANT POLICIES:**

### **National Policies (PPG + PPS)**

PPS 1 Delivering Sustainable Development (2005)

### **Regional Spatial Strategy**

East of England Plan (May 2008)

Milton Keynes and South Midlands Sub-Regional Strategy (March 2005)

### **Bedfordshire Structure Plan 2011**

Not applicable

### **Mid Bedfordshire Local Plan First Review 2005**

Policy DPS6 - Extensions and alterations

Policy DPS15 - Important Open Space

### **South Bedfordshire Local Plan Review Policies**

Not applicable

### **Supplementary Planning Guidance**

None

### **Planning History**

MB/08/02296/FULL	Full: Replacement of existing flat-roof bay windows with new pitched-roof bay windows. - Full Conditional Approval
MB/05/01313/FULL	Full: Formation of multi use games area with mesh fencing - Full Conditional Approval
MB/05/00554/FULL	Full: Formation of all weather Surface multi-use games area with mesh fencing - Refused
MB/04/01945/FULL	Full: Formation of all weather surface multi-use games area including mesh fencing and floodlighting. - Refused
MB/04/00631/CC	County Council: Erection of double garage for storage purposes.
MB/99/00606/FA	FULL: ERECTION OF SINGLE STOREY REAR EXTENSION AND EXISTING DOORWAY BRICKED UP.EXTENSION OF EXISTING HARD PLAY AREA. - Full Conditional Approval

**Representations:  
(Parish & Neighbours)**

Northill PC	No objection
Adj. occupiers	<p>One letter of objection has been raised. The main points are summarised below:</p> <ul style="list-style-type: none"> <li>• Want the course to be used only by children and within normal school hours (no weekends)</li> <li>• Concerns with the location of the wall - the school have stated in the parish magazine that it will not be visible however it will be visible from 11 Thorncote Road</li> <li>• Children using the wall will be able to see into the garden at number 11 Thorncote Road which would be an invasion of privacy</li> <li>• The occupants will not change their lifestyles as a result of the wall and therefore it will be the school's responsibility if a child sees something unacceptable</li> <li>• The position of the wall will prevent proper supervision of it</li> <li>• If a child hurts themselves an ambulance cannot reach the field because parking in the car-park prevents access</li> </ul>

**Consultations/Publicity responses**

Site notice posted	30.7.09
Biggleswade Chronicle	24.7.09

**Determining Issues**

The main considerations of the application are;

1. The effect on the character and appearance of the surrounding area
2. The impact on the residential amenity of neighbouring properties
3. Any other implications of the proposal

**Considerations**

**1. Effect on the character and appearance of the area**

The wooden fitness trail would be located within the school grounds and would not be visible in the public realm surrounding the school. It might be visible from the area of open countryside to the north or the cemetery to the west, and an objection has been raised on the grounds that it would be visible from one of the properties on Thorncote Road, but nevertheless it is not considered that it would appear incongruous or out of keeping with its surroundings because one would expect to see play/ climbing equipment in the grounds of a school. Furthermore the 8 items of equipment have been sited to minimise their visual impact upon the surrounding area, at the edge of the playing fields along the boundaries where they would not appear

prominent against their backgrounds.

Overall therefore it is not considered that the proposal would have a detrimental impact upon the character and appearance of the surrounding area, in accordance with Policy DPS6 of the Mid Bedfordshire Local Plan First Review 2005.

**2. Impact on the residential amenity of neighbouring properties**

A letter of objection has been received from number 11 Thorncote Road on various grounds. Firstly, the owners of number 11 would like the course to be used only by children and within normal school hours. Although use of the multi-use games area is restricted to staff and pupils of the school and only between certain hours it is not considered necessary to restrict the use of the fitness trail in such a way. This is due to the fact there are no restrictions on the school playing field and it would therefore be difficult to enforce this type of condition on equipment that is freely accessible to users of the field.

The owners of number 11 also have concerns with the location of item number 8, the traversing wall (which would be 1.75 metres tall and 2.2 metres wide). They believe that although the school have stated it will not be visible, it will in fact be visible from 11 Thorncote Road. Although this might be the case, as already noted, this type of equipment is not uncommon within the grounds of a school and it would not cause any problems in terms of loss of light or overbearing impact to this property. Another concern they have with the wall is that children using it will be able to see into the garden at 11 Thorncote Road which would be an invasion of privacy. If used properly, as demonstrated on the manufacturer's literature submitted with the application, it is not thought that children would be able to see into any neighbouring gardens whilst using the wall. If the wall is 1.75 metres tall (much taller than a child) and children use it to climb along (as opposed to up) they should only look into the side of the wall as opposed to across into any gardens. Furthermore, given that the wall would mainly be used during PE classes or at school play time, even if it was possible to use the wall to gain a view into neighbouring gardens, the relatively small amount of time that children could potentially look into the gardens from the wall is considered to be acceptable.

The occupants at number 11 also believe the position of the wall will prevent proper supervision of it, and if a child hurts themselves an ambulance would not be able to reach the field because parking in the car-park prevents access. This type of equipment is designed for use by school children and therefore it is not considered very likely that accidents severe enough to require an ambulance would occur. If any type of accident was to occur within the school grounds an ambulance would presumably park outside the front and the paramedics could gain access on foot to any part of the school's site.

Overall, given the nature and scale of the proposal, it is not considered that the fitness trail would detrimentally impact upon the residential amenity of any nearby properties to such a degree as to warrant a refusal of the application on these grounds and therefore the proposal is considered to be acceptable from this perspective.

**3. Any other implications**

The school playing field is classified as Important Open Space on the Mid Bedfordshire Local Plan First Review 2005 Proposal Maps. It is not considered that the erection of the fitness trail around the outskirts of the playing field would constitute a material loss of open space and therefore the proposal is considered to be acceptable in accordance with Policy DPS15 of the Mid Bedfordshire Local Plan First Review 2005.

**Reasons for Granting**

The proposal to erect a fitness trail within the grounds of the school on the playing field would not impact detrimentally on either the character and appearance of the surrounding area or upon the residential amenity of any nearby residential dwellings. The scheme therefore, by reason of its site, design and location, is in conformity with Planning Policy Statement 1 (2005), East of England Plan (May 2008), Milton Keynes and South Midlands Sub-Regional Strategy (March 2005) and Policies DPS6 and DPS15 of the Mid Bedfordshire Local Plan First Review (2005).

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

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

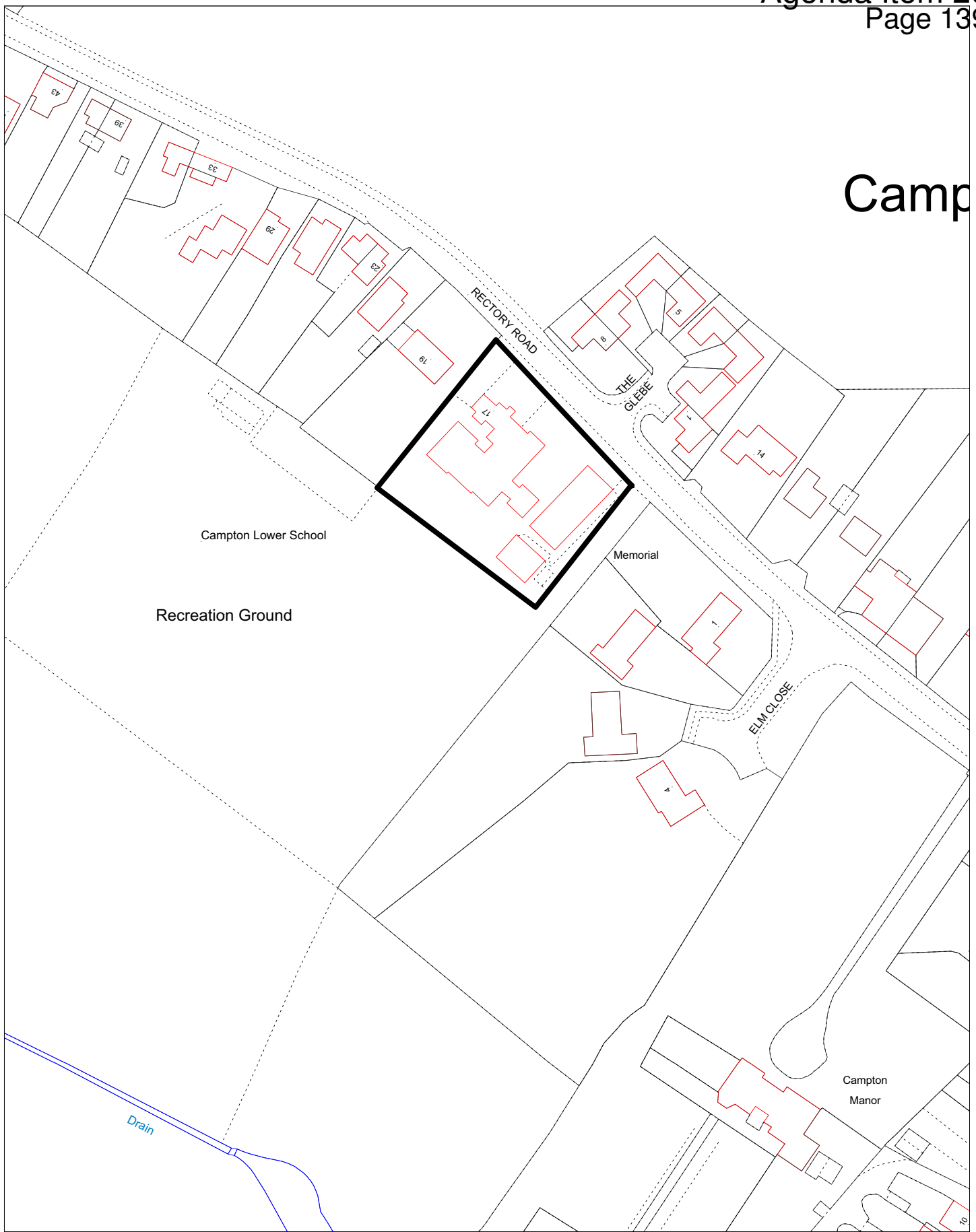
**DECISION**

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Date: 12 August 2009

ITEM NO. 20

Scale: 1:1250

APPLICATION NO. CB/09/00959/FULL



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Campton Lower School, Rectory Road, Campton

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**SCHEDULE C**

**Item No. 20**

<b>APPLICATION NUMBER</b>	<b>CB/09/00959/FULL</b>
<b>LOCATION</b>	<b>Campton Lower School, Rectory Road, Campton, Shefford, SG17 5PF</b>
<b>PROPOSAL</b>	<b>Full: Replacement of existing perimeter metal fence.</b>
<b>PARISH</b>	<b>Campton/Chicksands</b>
<b>WARD</b>	<b>Shefford</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Birt &amp; Cllr Brown</b>
<b>CASE OFFICER</b>	<b>Duncan Jordan</b>
<b>DATE REGISTERED</b>	<b>07 May 2009</b>
<b>EXPIRY DATE</b>	<b>02 July 2009</b>
<b>APPLICANT</b>	<b>Campton Lower School</b>
<b>AGENT</b>	<b>Mouchel Parkman</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Land owned by Central Bedfordshire Council</b>
<b>RECOMMENDED DECISION</b>	<b>Full Conditional Approval</b>

**Site Location:**

**Campton Lower School lies to the south side of Rectory lane, Campton, within the designated Settlement Envelope . The school site is made up of a main brick built building, which is a Listed property, and porta-cabins to the side. Housing lies opposite the school.**

**The Application:**

**For the replacement of the existing perimeter metal fence**

**RELEVANT POLICIES:**

**National Policies (PPG & PPS)**

PPS1 Delivering Sustainable Development  
PPG15 Planning and the Historic Environment

**Regional Spatial Strategy**

East of England Plan (May 2008)  
Milton Keynes and South Midlands Sub-Regional Strategy (March 2005)

**Bedfordshire Structure Plan 2011**

## Mid Bedfordshire Local Plan First Review 2005 Policies

### DPS6: Criteria for extensions

#### Supplementary Planning Guidance

#### Supplementary Planning Guidance

#### Planning History

None relevant to this application

#### Representations: (Parish & Neighbours)

Campton Parish Council	No response
Adjoining Occupiers	No response

#### Consultations/Publicity responses

#### Determining Issues

The main considerations of the application are;

1. **Impact on the Listed Building**
2. **Impact on neighbouring residential amenity**

#### Considerations

##### 1. **Impact on the Listed Building**

The replacement railings measure 1.2m tall from the ground and the design is described as 'bow top' vertical railings. The design is simple and not itself inappropriate.

The existing metal rail fence runs to the front and side boundary and also screens off an area with a pond, which lies in front of the main school building.

The council's conservation officer considers that the existing metal rail fence is an estate style which has a traditional appearance that is in keeping with the

character and appearance of the school building and is considered to make a positive contribution to the setting of the building.

Planning Policy Guidance 15 states that Section 16 and 66 of the Act require authorities considering applications for planning permission... for works which affect a listed building, to have special regard to certain matters, including the desirability of preserving the setting of the building and that the setting is often an essential part of the building's character. The character of the railings is important and old ironwork should be retained wherever possible and the existing railings appear in good order.

A site meeting was held wherein alternative approaches were considered including defensive planting and installing the new railings 'just inside' the perimeter of the older railings and keeping the existing railings in situ. Both alternative proposals were dismissed with the former considered impractical and the latter a visually unappealing solution. Furthermore, at the site meeting, the importance of a solution was emphasised with anecdotal evidence given on children 'climbing through' the existing railings onto the street. The new railings would not allow this due to their proportions.

Given the safety requirement it is considered that, in this instance there are suitable exceptional circumstances to recommend the approval of this permission on safety grounds.

## **2. Impact on neighbouring residential amenity**

The railings are well separated from neighbouring properties such there is considered to be no adverse impact on neighbouring amenity.

### **Reasons for Granting**

**Although the existing wrought iron railings are considered to contribute to the setting of the Listed Building, the replacement railings are proposed for the safety of the school children and this reason is considered sufficient to outweigh conservation arguments for retaining the existing railings.**

### **Recommendation**

**That Planning Permission be Granted subject to the following:**

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

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

- 2 The external finish of the railings hereby approved shall be black powder coated unless otherwise agreed in writing by the Local Planning Authority.

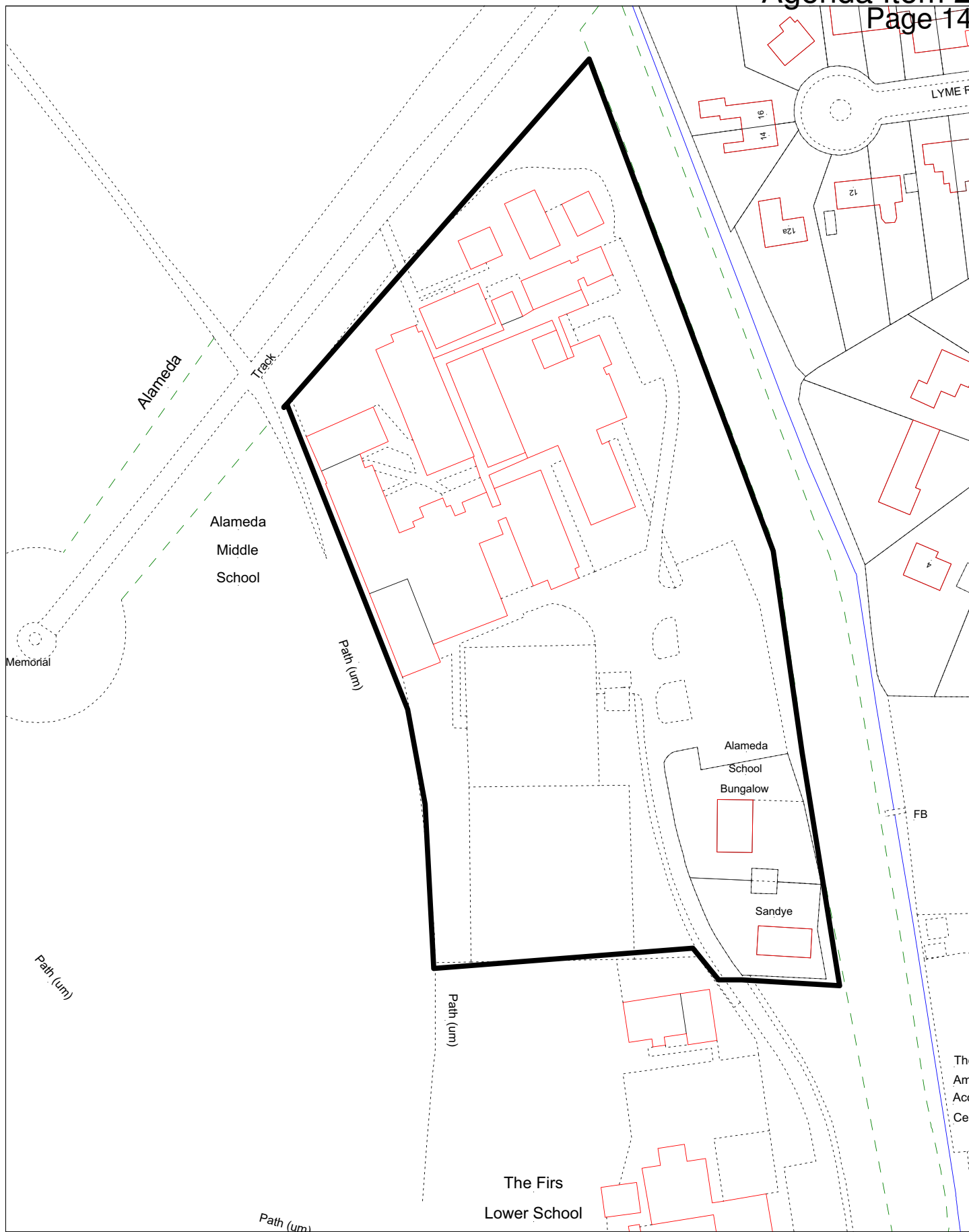
Reason: For the avoidance of doubt.

- 3 The permission shall extend only to the application as amended by plans received by the Local Planning Authority on 9/7/09 .

Reason: For the avoidance of doubt and to ensure that the development is implemented in accordance with the plans formally approved by the Local Planning Authority.

**DECISION**

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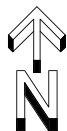
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ITEM NO. 21

APPLICATION NO. CB/09/01198/FULL

Alameda School, Station Road, Ampthill



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**SCHEDULE C**

**Item No. 21**

<b>APPLICATION NUMBER</b>	<b>CB/09/01198/FULL</b>
<b>LOCATION</b>	<b>Alameda School, Station Road, Ampthill, Bedford, MK45 2QR</b>
<b>PROPOSAL</b>	<b>Full: Single storey side entrance. Additional works to extend existing enclosed hard surface play area.</b>
<b>PARISH</b>	<b>Ampthill</b>
<b>WARD</b>	<b>Ampthill</b>
<b>WARD COUNCILLORS</b>	<b>Cllr P Duckett &amp; Cllr G Summerfield</b>
<b>CASE OFFICER</b>	<b>Clare Golden</b>
<b>DATE REGISTERED</b>	<b>26 June 2009</b>
<b>EXPIRY DATE</b>	<b>21 August 2009</b>
<b>APPLICANT</b>	<b>Alameda Middle School</b>
<b>AGENT</b>	<b>CUBE Building Consultancy</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Land owned by Central Bedfordshire Council</b>
<b>RECOMMENDED DECISION</b>	<b>Full Conditional Approval</b>

**Site Location:**

The application site lies to the north of Station Road and south of Woburn Street within the settlement envelope for Ampthill. The site comprises of a range of modern school buildings forming Alameda Middle School which is located just north of The Firs Lower School.

**The Application:**

This application seeks permission to extend the existing reception area at the front of the main school building. The extension would be single storey with a depth of 4.2metres, a width of 6.6metres and a height of 3.2metres. The extension would be constructed with a brick finish under a flat, felt covered roof. Also proposed is the extension of the existing hard surface play area to the south of the main school buildings and the erection of a new gated entrance into the play area, and new green mesh fencing to match the existing.

**RELEVANT POLICIES:**

**National Policies (PPG & PPS)**

PPS1 Delivering Sustainable Development

**Regional Spatial Strategy**

**East of England Plan (May 2008)**

**Milton Keynes and South Midlands Sub-Regional Strategy (March 2005)**

**Bedfordshire Structure Plan 2011**

**Mid Bedfordshire Local Plan First Review 2005 Policies**

DPS6: The Built Environment

**Planning History**

MB/08/00135/CM	Extension to form enlarged hall and music room and provide music practice rooms and a store.
MB/04/00913/CC	CC: Installation of two double temporary classroom units and one single temporary classroom unit on unused land immediately alongside the existing school buildings.
MB/03/01329/CC	County Council: Extensions to form hall, music room, science labs and 5 classrooms and relocate 2 temporary classrooms.
MB/03/00489/CC	County Council: Extensions to form hall, music room, science labs and 5 classrooms and relocate 2 temporary classrooms.
MB/00/00912/CC	COUNTY COUNCIL: RETENTION OF DOUBLE TEMPORARY CLASSROOM UNIT.
MB/98/01687/CC	COUNTY COUNCIL: CLASSROOM EXTENSION, DETACHED CLASSROOM BLOCK AND EIGHT ADDITIONAL CAR PARKING SPACES.
MB/97/00792/CC	COUNTY COUNCIL: SITING OF TEMPORARY CLASSROOM UNIT.
MB/96/00543/CC	COUNTY COUNCIL - REG 3: INSTALLATION OF DOUBLE TEMPORARY CLASSROOM.

**Representations:  
(Parish & Neighbours)**

**Parish/Town Council** Support the application.

**Neighbours** No comments received.

**Consultations/Publicity responses**

**Environmental Health** No objections.  
**Highways** To be reported.  
**Access Officer** To be reported.

**Determining Issues**

The main considerations of the application are;

1. **Impact on the character and appearance of the surrounding area**
2. **Impact on the neighbouring amenity of surrounding properties**

### **Considerations**

#### **1. Impact on the character and appearance of the surrounding area**

The school site is located approximately 160metres to the north of Station Road and thus is not visible within the streetscene. A belt of mature trees creates a buffer between the school and residential properties to the east. The visual impact of the proposed alterations would therefore be limited from within the site.

The proposed extension to the existing reception area is required to provide a more identifiable entrance and separate parents from the school area, according to the applicants. This would be a modestly sized extension with a design and proposed materials considered to be in-keeping with the character and appearance of the main building. However, as the external finish is to be of brick "slips" a sample will be requested for approval.

The proposed extension to the existing hard surface play area would increase the floor area by 252sqm, bringing it closer to the access drive and in line with the play area directly to the south. The erection of green metal mesh fencing along the new east side boundary would match the existing fencing throughout the site and it is not considered that this would appear overly visually prominent. This can also be controlled by condition.

#### **2. Impact on the neighbouring amenity of surrounding properties**

The nearest residential properties to the application site lie approximately 70metres to the east. Due to this distance and the good level of screening afforded to the rear of these properties, the proposals will not impact on the residential amenities of these properties.

### **Reasons for Granting**

The proposal is in conformity with Policy DPS6 of the Adopted Mid Bedfordshire Local Plan 2005; and PPS1: Delivering Sustainable Development.

### **Recommendation**

That Planning Permission be granted subject to the following:

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

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

- 2 All external works on the extension hereby permitted shall be carried out in materials to match as closely as possible in colour, type and texture, those of the existing building. A sample of the material to be used for the external walls of the extension shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted.

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match/complement the existing building(s) and the visual amenities of the locality.

- 3 The fencing to the extended play area shall be constructed of green mesh of a height, pattern and finish to match the fencing to the existing adjacent play area.

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match/complement the existing play area and the visual amenities of the locality.

**Notes to Applicant**

- 1. The applicant is reminded that planning permission will be required for the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure if:

- (a) the height of any gate, fence, wall or means of enclosure erected or constructed adjacent to a highway used by vehicular traffic would, after the carrying out of the development, exceed one metre above ground level;

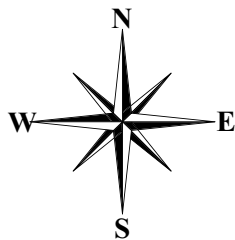
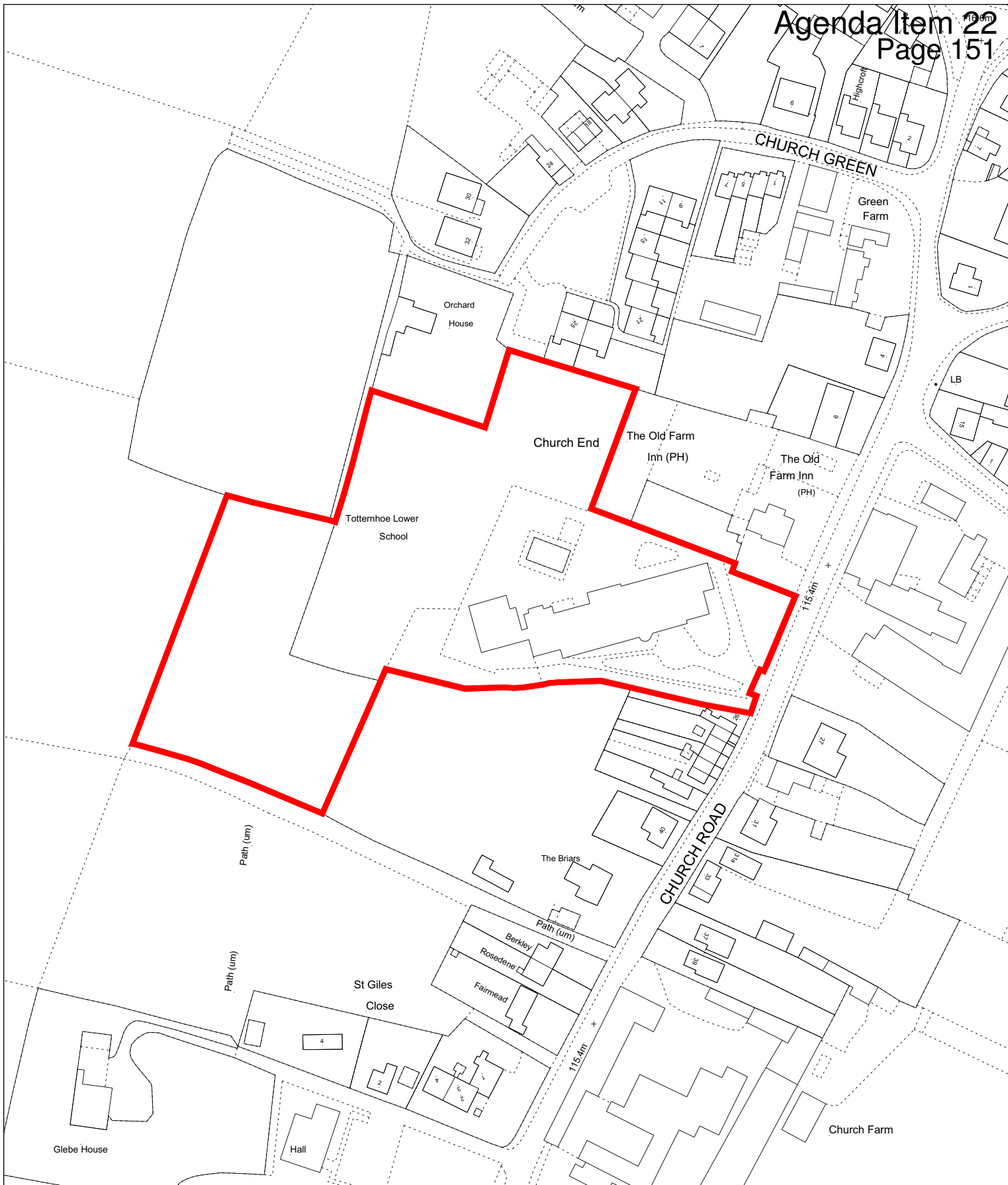
- (b) the height of any other gate, fence, wall or means of enclosure erected or constructed would exceed two metres above ground level;

- (c) the height of any gate, fence, wall or other means of enclosure maintained, improved or altered would, as a result of the development, exceed its former height or the height referred to in sub-paragraph (a) or (b) as the height appropriate to it if erected or constructed, whichever is the greater

This is in accordance with Class A, Part 2, 'Minor Operations', of the Town and Country Planning (General Permitted Development) Order 1995.

**DECISION**

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Date: 13:August:2009

Map Sheet No

Application No. CB/09/05223/FULL

Scale: 1:1750

Totternhoe Lower School, Church Road, Totternhoe

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<b>Item No.</b>
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**SCHEDULE C**

<b>APPLICATION NUMBER</b>	<b>CB/09/05223/FULL</b>
<b>LOCATION</b>	<b>Totternhoe Lower School, Church Road, Totternhoe, Dunstable, LU6 1RE</b>
<b>PROPOSAL</b>	<b>Installation of a Pre-school temporary unit and car parking spaces</b>
<b>PARISH</b>	<b>Totternhoe</b>
<b>WARD</b>	<b>South West Bedfordshire</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Ken Janes and Cllr Marion Mustoe</b>
<b>CASE OFFICER</b>	<b>Gill Claxton</b>
<b>DATE REGISTERED</b>	<b>10 July 2009</b>
<b>EXPIRY DATE</b>	<b>04 September 2009</b>
<b>APPLICANT</b>	<b>Totternhoe Lower School</b>
<b>AGENT</b>	<b>Mouchel</b>
<b>REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION</b>	<b>The land is owned by Central Bedfordshire Council    Grant Planning Permission</b>

**Site Location**

Totternhoe Lower School is located on the western side of Church Road, in the southern part of the village and occupies a large, irregular-shaped site. The school building is set back from the road on top of a small incline and comprises a long single storey structure stretching away westwards from the road frontage. It is constructed in a light red coloured facing brick with white painted weatherboarding above the windows. The building dates from the early 1950s with an extension in the late 1960s. A computer suite, library and resources room have been added since 2002.

There is a single vehicular access point which serves an informal car park, located behind the frontage hedgerow. The highway frontage comprises a low wall surmounted by an open fence with a substantial hedge behind. Beyond the school building is a surfaced playground and a large playing field. The southern boundary, is composed of a mix of hedges and fencing and adjoins private gardens. Part of the northern boundary adjoins the grounds of The Old Farm Inn public house.

The school site is bounded to the north and south by residential development. There are also dwellings on the opposite side of Church Road and to the east, the farm buildings at Lockington Farm. To the west lie open fields.

The site lies within the Green Belt and the Totternhoe Conservation Area. It is also within an area of archaeological significance.

**The Application**

The application site itself comprises four small parcels of land: two areas next to the access road, a large rectangle taken from the playing field behind the school and a

strip of land adjacent to the school's southern boundary.

Planning permission is sought for the installation of a temporary building to provide a Pre-School facility with the creation of 9 parking spaces. The building would be sited to the south west of the main school complex, adjacent to the dedicated outdoor play area for those children following the Foundation Stage curriculum. The building would measure 12m x 8.6m, giving a gross floor area of 103 square metres. It would have a shallow pitch roof to an overall height of 3.1m and would have a green coated plywood exterior. There would be a ramped access on the southern and northern sides, together with a new fence and path to allow independent access from the school's main access road. Internally it would comprise a classroom (for up to 24 children), wet-play area, kitchen, store, toilets (including an easy access toilet) and staff room/office.

The unit would accommodate a maximum of 24 pre-school children at each session, aged 2 - 4 years old and 3 full-time staff. It would operate during normal school hours from Monday to Friday. In support of the application the Design and Access Statement states:

- Totternhoe Pre-School presently operates from the Memorial Hall, Castle Hill Road - 1km away but this accommodation is not available to the extent required for children aged 2 to 4 and does not fulfil the Central Government requirements for entitlement for children aged 3 to 4 years old. Specifically at the location the Pre-School operates Monday to Thursday mornings only. This does not meet the choice of sessions recommended by Central Government. In addition, the children are unable to freely access the outdoor area which means that the Pre-School are finding difficulty in delivering the full Early Years Foundation Stage curriculum.
- No other suitable site could be found in the locality and developing this site would provide continuity for the children, as they could be on the same site from 2 - 9 years of age.
- The maximum number of pupils accommodated would be 24 at any one session. During the last school year there were 21 pupils on the Pre-School roll and sessions catered for between 15 and 19 children. From September the average number of attendees per session would be 9.
- Having this facility would also help to secure the future of the Totternhoe Lower School. The plan is for children who attend the 4+/Reception class on a part time basis in the morning to have the opportunity to attend Pre-School in the afternoon. With a lunch facility available this provides a degree of wrap-around care for working parents/carers that covers the school day. Some parents/carers have not taken up a 4+/Reception place at the Lower School due to difficulties in securing childcare for pupils finishing at lunch time. The pupil roll at the Lower School is currently 86 but the school has capacity to accommodate 145 pupils across five year groups.
- The Pre-School would help to reduce the number of journeys that parents/carers would have to make as dropping off/collection could be combined with that of older siblings.
- The position of the building on the site has been carefully chosen to make as little impact as possible on the overall scale and appearance of the site.
- It would be sited on an area of grassed open space which is not used as sports pitches.
- The design and external appearance of the unit would blend in well with the locality.



It is also proposed to increase on-site car parking facilities by adding 9 new spaces, in two locations, at the front of the school, behind the hedgerow on the Church Road. A new pedestrian path would be created along the southern boundary of the site linking in with the existing pedestrian footpath. A new fence would be provided on the northern edge of this footpath, so that the Pre-School building could be accessed independently of the main school complex.

The application includes a draft Travel Plan which comprises survey information and intentions/aspirations.

## **RELEVANT POLICIES**

### **National Policies (PPG & PPS)**

PPS1 - Delivering Sustainable Development

PPG2 - Green Belts

PPS7 - Sustainable Development in Rural Areas

PPG13 - Transport

PPG15 - Planning and the Historic Environment

PPG16 – Archaeology and Planning

PPG17 - Planning for Open Space, Sport & Recreation

### **Regional Spatial Strategy**

#### **East of England Plan (May 2008)**

ENV6 - The Historic Environment

ENV7 - Quality in the Built Environment

T2 - Changing Travel Behaviour

T8 - Local Roads

T9 - Walking, Cycling and other Non-Motorised Transport

### **Milton Keynes and South Midlands Sub-Regional Strategy**

#### **South Bedfordshire Local Plan Review**

BE8 - Design Considerations

T10 - Parking - New Development

R12 - Recreation Open Space

R13 - Rural Recreational Open Space

### **Planning History**

SB/TP/07/0577

Permission for a covered area.

SB/TP/08/0054

Permission for a timber pavilion and hard play area to replace disused swimming pool and associated buildings.

### **Representations (Parish & Neighbours)**

Totternhoe Parish  
Council

No response received.

Neighbours

The application was publicised by the direct notification of adjoining occupiers and the display of a site notice. No

responses received at the time of writing the report.

### Consultations/Publicity responses

Highways Officer	No objection, subject to conditions requiring the submission of a Travel Plan and a revised car parking layout to allow for a greater manoeuvring distance between the car parking spaces and the internal footpath.
Conservation & Design Officer	No objection, subject to permission being for a temporary period only.
Tree and Landscape Officer	Sycamore tree on the boundary with public house would be affected by parking spaces and path. Recommends conditions to obtain Tree Protection Plan and Method Statement.
Sport England	No objection.
Environmental Health Officer	No objection.
Environment Agency	No objection, advises consultation with the Beds and River Ouzel Internal Drainage Board.
Archaeologist	No objection.
Beds and River Ouzel Internal Drainage Board	Response awaited.

### Determining Issues

The main considerations in the determination of the application are:

1. The principle of the development with regard to the Green Belt location of the site
2. Design and visual impact on the character and appearance of the Green Belt, Conservation Area and locality generally.
3. Impact on amount of available playing field space
4. Highways, access, parking and sustainable travel considerations
5. Impact on residential amenity
6. Other matters

### Considerations

**1. The principle of the development with regard to the Green Belt location of the site**

The proposal would, by definition, be inappropriate development in the Green Belt and 'very special circumstances' (VSCs) must be demonstrated to justify the grant of planning permission.

The Supporting statement puts forward a case for VSCs, which can be

summarised as follows:

- The proposed development would have discernible benefits to the local community and would be a continuation of a facility already in the village.
- The current location of the Pre-School at the Memorial Hall and the number of sessions on offer means it is not able to deliver the full Early Years Foundation Stage curriculum required by Central Government.
- A location next to the lower school in the centre of the village has logic as it would provide continuity on site for the education of children aged 2 to 9.
- The chosen location on the site would not be visually intrusive or harmful to the openness of the Green Belt.
- It would reduce travelling requirements; and,
- Would help secure the long-term future of the lower school.

These arguments are accepted and it is considered that the benefits to the school, children, parents/carers and the wider community outweigh the potential harm to the openness of the Green Belt of allowing an additional building. It is considered that a case for very special circumstances has been made and that the scheme should not fail on Green Belt grounds.

The proposal does not need to be referred to the Government Office for the East of England under the Town and Country Planning (Green Belt) Direction 2005 (Circular 11/2005) as the floor space proposed is significantly below the 1,000 sq.m threshold and the development by reason of its scale, nature and location would not have a significant impact on the openness of the Green Belt.

**2. Design and visual impact on the character and appearance of the Conservation Area and locality generally.**

The new building is located so as not to be read with the main structure, thus disaggregating the bulk of buildings and helping reduce any harm to openness and minimise visual impact in the Green Belt.

In addition, the building would be located so as to be furthest from the public highway in Church Road and would be mainly seen either against or through trees. Its low profile and use of dark external colours would ensure that there would be no unacceptable visual impact on the character and appearance of the Conservation Area and locality generally.

At the front of the school grounds, the car parking scheme has been designed to avoid damage to the Sycamore tree on the boundary with the The Old Farm public house, by providing sufficient clearance. The recommended conditions for the submission of a Tree Protection Plan, a Root Protection Area and no-dig zones would provide appropriate protection for the Sycamore tree. The visual impact of the introduction of new hard surfaces would be minimal and would be offset by the regularisation in on-site parking provision.

It is therefore, considered that the visual character and appearance of the Green Belt, Conservation Area and locality generally would not be harmed. The proposal would thereby comply with national guidance and Policy BE8 of the South Bedfordshire Local Plan Review.

**3. Impact on the amount of available playing field space**

The area where the temporary building would be located would be on the field to the rear of the main school building, while the car parking spaces and new pedestrian footpath would be situated on incidental areas of grass to the front of the building. In total, only 0.04ha would be taken from about 0.60ha of available playing space. No dedicated playing pitches would be lost to accommodate the development.

Sport England have considered the application against their policy 'A Sporting Future for the Playing Fields of England' (1997). The aim of this policy is to ensure that there is no further reduction in the supply of conveniently located, quality playing fields to satisfy the current and likely future demand. Sport England would normally oppose development that would lead to the loss of, or prejudice the use of, all or part of a playing field, without meeting at least one of the specific exception criteria identified in the policy. Sport England consider that the site of the proposed pre-school temporary unit is not capable of being used for marking out playing pitches or part thereof. Moreover, the incidental areas of open space to be used for car parking and the pedestrian footpath are not large enough to be used for marking out playing pitches. Therefore, as all the areas affected by the application are incapable of being used for marked out sports pitches, Sport England are satisfied that the development meets one of the specific exception criteria to their policy and accordingly is raising no objections to the proposals.

Therefore, it is considered that the proposed development would have no adverse impact upon the amount of available playing field space at the lower school.

**4. Highways access, parking and sustainable travel considerations**

It is acknowledged that there is traffic congestion at school drop-off and collection times in the morning and afternoon. However, many of those attending Pre-School will be going to the site or being collected along with siblings at the Lower School, so not all Pre-School pupils will be generating additional trips at the morning and afternoon peak. The proposed location of all education facilities for children aged between 2 and 9 on one site would reduce the number of journeys made. The present situation has education being split between the lower school site and the Memorial Hall which leads to additional trip generation. Children aged 4+ would have the opportunity to attend the Reception class in the morning and Pre-School in the afternoons, which would reduce traffic movements at lunchtime. Congestion at school drop off and collection is an inevitable feature of the area surrounding schools, is of a relatively short duration and not of itself a reason to withhold planning permission.

The Highway Officer raises no objections to the proposals. There is a recommended condition for the submission of a Travel Plan as a consequence of this application. Among other things, the Travel Plan could encourage staff to cycle or car share and resurrect the walking bus, whereby a group of children are walked to and from the school from various locations in the vicinity, accompanied by parent volunteers. With a further requirement to annually monitor, review and update it, this should lead to a reduction in car-borne traffic attending the school.

There is little formal parking at present and the new parking arrangements are seeking to remedy the current ad hoc arrangements. Only staff vehicles are permitted to park on school premises. An additional 3 staff would be employed at the Pre-School facility and the new car parking layout would be used by staff and the Pre and Lower Schools. The Highway Engineer has some reservations about the practicalities of the layout, in particular the depth of the manoeuvring distance between the seven spaces close to the boundary with the Old Farm Inn. He recommends that this can be addressed by condition which will provide the appropriate manoeuvring distance and safeguard the Sycamore tree on that boundary.

**5. Impact upon residential amenity**

The main disruption to existing residents probably occurs during school drop-off and collection at the morning and afternoon peak. It is not considered that the additional Pre-School trip generation to this site would result in an unacceptable increase in car borne trip-generation giving rise to unacceptable noise and disturbance to justify a refusal of permission.

The transfer of up to an additional 24 children at any one Pre-School Session to the site would not have an adverse material impact on the amenities of local residential properties in terms of noise and disturbance. The new path would be close to garden boundaries but these are enclosed by a 3m high hedgerow which would mitigate any potential noise and disturbance.

**6. Other matters**

The comments of the Beds and River Ouzel IDB are awaited. However, a condition requiring drainage details to be submitted to and agreed in writing by the Local Planning Authority is recommended.

The Archaeologist has considered the application as the site lies within an area of archaeological significance and advised that there are no objections to the proposal.

**Reasons for Granting**

Very special circumstances have been demonstrated to justify an exception being made to the normal presumption against inappropriate development in the Green Belt. The proposed development complies with national guidance and Policy BE8 of the South Bedfordshire Local Plan Review in respect of the visual impact of the siting, design and external appearance of the development on the character and appearance of the locality generally, the setting of the Conservation Area and the openness of the Green Belt, the amenity of neighbouring occupiers and highway/parking considerations.

**Recommendation**

That Planning Permission be **GRANTED** subject to the following conditions:

- 1 The permission hereby granted shall be limited to a temporary period expiring on 31/08/2014 after which the temporary Pre-School classroom unit shall be removed from site and the land re-instated to its former condition within a period of 6 months, to the satisfaction of the Local Planning Authority.

REASON: To enable the Local Planning Authority to review the uses, buildings and structures when the permission expires.  
(Policy BE8 S.B.L.P.R).

- 2 Before development commences details of the colour to be applied to the exterior of the building shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out and completed in accordance with the approved details and retained thereafter.

REASON: To safeguard the character of the area and Totternhoe Conservation Area.  
(Policy BE8 S.B.L.P.R).

- 3 Before development commences a Tree Protection Plan and Method Statement shall be submitted to and approved in writing by the Local Planning Authority.

**Tree Protection Plan**

The Tree Protection Plan shall show the position and nature of protective fencing around the Sycamore tree located on the northern boundary of the site. The purpose of the protective fencing shall safeguard a sufficient area of rooting medium that will sustain the health of the tree known as the Root Protection Area. The fencing shall be erected before development commences and shall remain in place throughout the whole construction process of the car park until the no-dig pathway is completed. All operations potentially damaging to the tree shall be excluded from the area thus fenced (the Construction Exclusion Zone) including excavation, changes to levels, temporary access, vehicle parking, vehicle movement, fires and storage, disposal or mixing of materials and chemicals.

**The Method Statement**

The Method Statement shall describe the special pathway construction within the Construction Exclusion Zone and be based on a 'no-dig' cellular confinement system. The pathway shall be constructed only in exact conformity with the approved Statement.

The development shall thereafter be carried out and completed in accordance with the approved Tree Protection Plan and Method Statement.

REASON: To protect an important Sycamore tree in the Conservation Area.

(Policy BE8 S.B.L.P.R).

- 4 Before development begins, details of the proposed method of surface water drainage for the site shall be submitted to and approved in writing by the Local Planning Authority. The drainage works as approved shall be constructed in accordance with the approved details before the development is first occupied or brought into use.

REASON: To ensure satisfactory drainage of the site.

- 5 Notwithstanding any details submitted with the application, before development begins, a scheme for the parking of vehicles on the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall comply with the standards of the Local Planning Authority and shall be fully implemented before the development is first occupied or brought into use and thereafter

**retained for this purpose.**

**REASON: To ensure provision for car parking clear of the highway and to safeguard the Sycamore tree on the boundary of the site. (Policy T10 S.B.L.P.R).**

- 6 Before the Pre-School building is first brought into use a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be implemented in full within 6 months of the building being occupied. Thereafter, the Travel Plan shall be monitored and reviewed annually, with a written report to be submitted to and agreed in writing by the Local Planning Authority which updates the plan and monitors the progress in meeting the agreed targets for reducing car journeys  
REASON: In the interests of highway safety, to reduce congestion and to promote the use of sustainable modes of transport.
- 7 This permission relates only to the details shown on Drawing No. 3001 Rev.A received 20/07/09 or to any subsequent appropriately endorsed revised plan.  
REASON: To identify the approved drawing and to avoid doubt.

### **Notes to Applicant**

1. In accordance with Article 22 of the Town & Country Planning (General Development Procedure) Order 1995 (as Amended), the Council hereby certify that the proposal as hereby approved conforms with the relevant policies of the Development Plan comprising of the Regional Spatial Strategy for the East of England (the East of England Plan and the Milton Keynes and South Midlands Sub-Regional Strategy), Bedfordshire Structure Plan 2011 and the South Bedfordshire Local Plan Review and material considerations do not indicate otherwise. The policies which refer are as follows:

#### **Regional Spatial Strategy**

T2 - Changing travel behaviour

T8 - Local roads

T9 - Walking, cycling and other non-motorised transport

ENV6 - The Historic Environment

ENV7 - Quality in the built environment

#### **South Bedfordshire Local Plan Review**

BE8 - Design and environmental considerations

T10 - Controlling parking in new developments

R12 - Protection of recreational open space

2. In accordance with Article 22 of the Town and Country Planning (General Development Procedure) Order 1995 (as Amended), the reason for any condition above relates to the Policies as referred to in the Regional Spatial Strategy (RSS), Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).
3. 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.

4. Further to Condition 3 above, the following additional information is provided to guide the preparation of the Tree Protection Plan.
- the fencing should be positioned at a minimum distance of 6.36m from the trunk of the tree,
  - the fencing should consist of a scaffold framework comprising vertical uprights spaced at a maximum interval of 3m, driven approximately 0.6m into the ground and leaving 2.3m height above ground level. Weldmesh panels should be securely fixed with wire or scaffold clamps (Weldmesh panels on rubber or concrete feet are not resistant to impact and should not be used. Fig 2 of BS 5837:2005 shows an illustration of a suitable protective fencing layout and construction specification,
  - all material that would contaminate the soil, such as concrete mixings, diesel oil and vehicle washings, shall not be discharged within 10m of the tree stem,
  - no fire shall be lit in a position where their flames can extend to within 5m of foliage, branches or trunk of the tree,
  - notice boards, telephone cables or other services shall not be attached to any part of the tree.

In respect of the Method Statement the chosen methodology should demonstrate that the pathway will be carefully constructed after the main car park construction is complete so that the fencing can be moved back to accommodate the path without risk of damage to tree roots from other building works.

For further advice and information, please contact the Council's Tree and Landscape Officer, Development Management, Sustainable Communities, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, SG17 5QU - Tel: 0300 300 5161.

5. In connection with Condition 6 above, The Travel Plan shall contain details of some or all of the following:
- plans for the establishment of a working group involving the School, the Pre-School, parents and representatives of the local community;
  - pupil travel patterns and barriers to sustainable travel;
  - measures to reduce car use; and
  - an action plan detailing targets and a timetable for implementing appropriate measures and plans for annual monitoring and review.

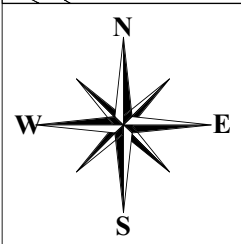
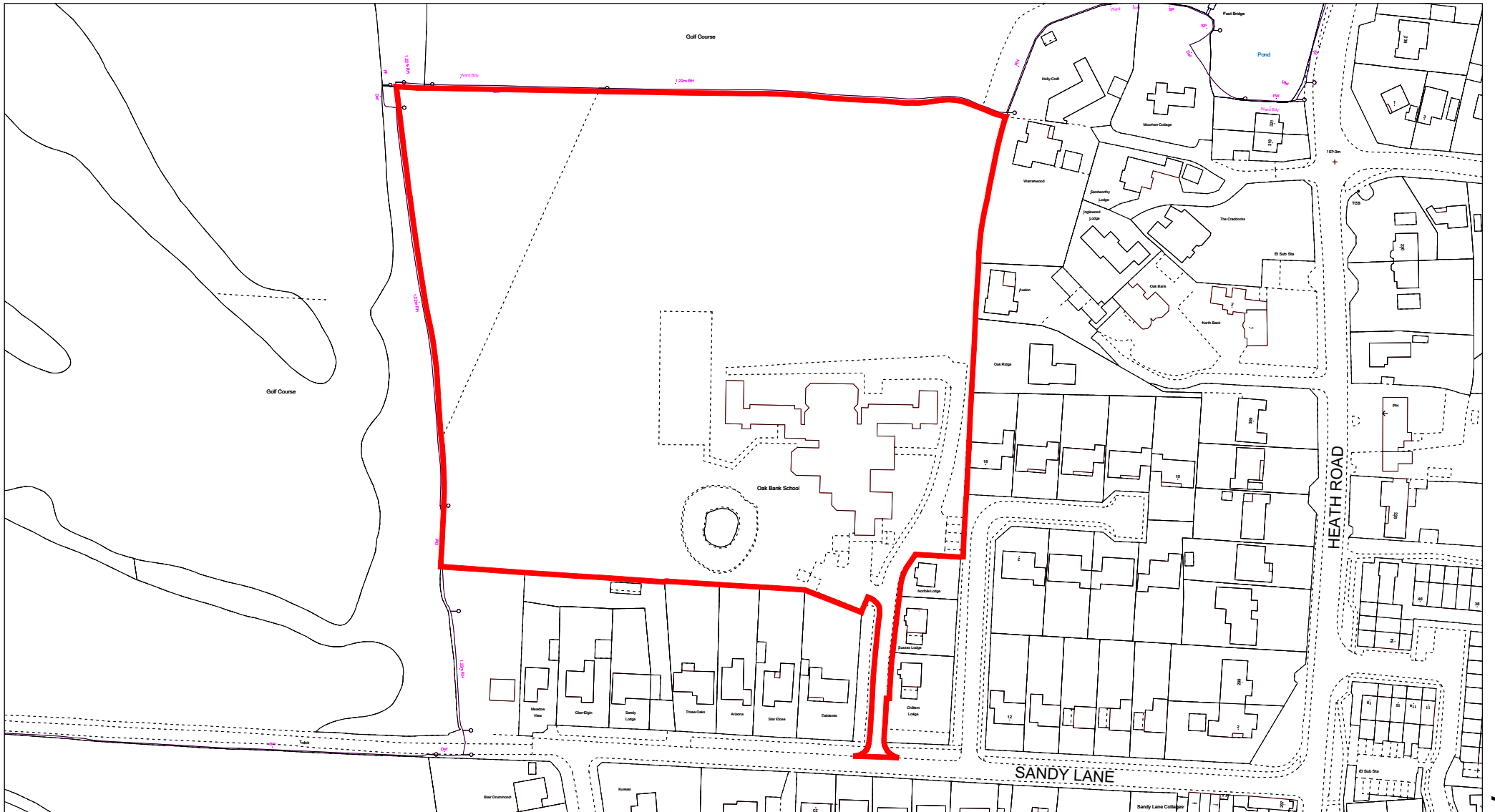
For further advice and guidance on the preparation of the Travel Plan, please contact the Sustainable Transport Team, Planning & Development Strategy, Sustainable Communities, Central Bedfordshire Council, Borough Hall, Bedford, MK42 9AP - Tel: 01234 276329.

**DECISION**

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Date: 13:August:2009

Map Sheet No \_\_\_\_\_ Scale: 1:2000

APPLICATION NO. CB/09/05225/REG3

Oak Bank School, Sandy Lane, Heath & Reach

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<b>Item No.</b>
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**SCHEDULE C**

<b>APPLICATION NUMBER</b>	<b>CB/09/05225/REG3</b>
<b>LOCATION</b>	<b>Oak Bank School, Sandy Lane, Leighton Buzzard, LU7 3BE</b>
<b>PROPOSAL</b>	<b>Erection of sports hall and construction of replacement tennis courts and new/altered footway links.</b>
<b>PARISH</b>	<b>Heath &amp; Reach</b>
<b>WARD</b>	<b>Plantation</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Peter Rawcliffe and Cllr Alan Shadbolt</b>
<b>CASE OFFICER</b>	<b>Mr C Murdoch</b>
<b>DATE REGISTERED</b>	<b>01 July 2009</b>
<b>EXPIRY DATE</b>	<b>26 August 2009</b>
<b>APPLICANT</b>	<b>The Head Teacher</b>
<b>AGENT</b>	<b>Kirkby &amp; Diamond</b>
<b>REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION</b>	<b>The land is owned by Central Bedfordshire Council  Grant Planning Permission</b>

**Site Location**

Oak Bank School is set back to the rear of dwellings on the northern side of Sandy Lane and to the west of dwellings in Carlton Grove, Oak Bank Drive and Craddocks Drive. Access is via a short driveway that joins Sandy Lane at a point some 150m west of the junction with Heath Road. The school grounds are bounded to the north and west by Leighton Buzzard Golf Course. The site of the proposal is immediately to the west of the main group of school buildings and, for the greater part, is currently used as hardsurfaced tennis courts.

The school is within the Green Belt and the school grounds abut the boundary of an Area of Great Landscape Value.

**The Application**

In April 2008, permission was granted for a new sports hall (reference SB/TP/08/0074). Constructed of matching brickwork and tiles, this approved sports hall would have incorporated a gabled roof with a maximum height of 11.3m and an internal clearance height of 7m. In July 2008, an application for an amended design in respect of the new sports hall was withdrawn (SB/TP/08/0559). Although this latter scheme would have had the same internal clearance height (7m), the gabled roof would have had a lower maximum height of 9.6m. This would have been achieved by the use of coloured profiled steel wall cladding and roofing sheets that would have given the building an unacceptable industrial/commercial appearance.

The current scheme involves a further amendment to the design of the new building. Measuring 21.6m wide by 24.6m deep, it would comprise the main sports hall with single storey ancillary office, storage areas and plant room. Constructed of brickwork and composite metal panels, the sports hall would incorporate a curved roof with a maximum height of 8.6m and a minimum internal clearance height of

6.55m. The curved roof of the office, storage areas and plant room would have a maximum height of 4.5m and would be continued over a corridor link to the main school buildings. The corridor link would be 5.7m long by 3.9m wide. The finished floor level of the sports hall would be 1.25m above the ground level of the main school buildings and the corridor link would incorporate a short flight of steps between the two levels. An intricate steel structure would brace the building externally whilst supporting the roof via an exo-skeleton. This would ensure that the structure would be revealed on the outside thereby maximising the internal area available for three badminton courts and a basketball court. The overhanging roof would be supported by pressed steel arm sections that would splay out of the main structural columns. Cross bracing on end bays would also be revealed as a continuation of the structure.

Permission is sought also to construct replacement hardsurfaced tennis courts that would be laid out in tandem immediately to the north and north west of the proposed sports hall. A new footpath to the south of the school buildings would link the front car park to the sports hall and the replacement tennis courts, whilst a new footpath/driveway to the north of the school buildings would link the rear car park and main access drive to the replacement tennis courts.

## **RELEVANT POLICIES**

### **National Policies (PPG & PPS)**

PPS1 - Delivering Sustainable Development.

PPG2 - Green Belts.

PPS9 - Biodiversity and Geological Conservation.

PPG17 - Planning for Open Space, Sport and Recreation.

### **Regional Spatial Strategy**

#### **East of England Plan (May 2008)**

Policy SS1 - Achieving Sustainable Development.

Policy SS2 - Overall Spatial Strategy.

Policy SS3 - Key Centres for Development and Change: Luton/Dunstable/Houghton Regis & Leighton-Linslade.

Policy SS7 - Green Belt.

Policy ENV3 - Biodiversity and Earth Heritage.

Policy ENV7 - Quality in Built Environment.

#### **Milton Keynes and South Midlands Sub-Regional Strategy (March 2005)**

Strategic Policy 1: The Spatial Framework - Locations for Growth: Luton/Dunstable/Houghton Regis (with Leighton-Linslade).

Strategic Policy 3: Sustainable Communities.

Bedfordshire and Luton Policies 2(a) and 2(b): Luton/Dunstable/Houghton Regis and Leighton-Linslade.

#### **Bedfordshire Structure Plan 2011**

Policy 7 - Areas of Great Landscape Value.

#### **South Bedfordshire Local Plan Review Policies**

NE3 - Control of development in Areas of Great Landscape Value.

BE8 - Design and environmental considerations.

## Planning History

SB/TP/78/0151	Permission for two stores.
SB/CC/83/0413	Permission for temporary single classroom unit.
SB/CM/96/0009	Permission for tipping of inert waste material (Class A) to level part of site for use as playing field.
SB/TP/96/0556	Permission for single storey equipment store.
SB/CM/97/0010	Permission for tipping of inert waste.
SB/CM/97/0011	Permission for variation of condition to allow longer period of time for completion of waste disposal.
SB/CM/99/0009	Permission for variation of condition concerning limitation of time for construction of hard court area.
SB/CM/99/0010	Permission for excavation of gas monitoring boreholes.
SB/CM/01/0001	Permission for variation of condition concerning limitation of time for construction of hard court area.
SB/CC/01/0007	Permission for change of use from residential school to special day school with first floor office and two new link extensions.
SB/CC/06/1019	Permission for change of use from dormitory to teaching accommodation and change of use from residential (Norfolk Lodge) to teaching accommodation.
SB/TP/07/0893	Permission for single storey classroom extension, dining room extension and additional parking for 18 cars.
SB/TP/08/0074	Permission for sports hall.
SB/TP/08/0559	Application withdrawn for sports hall (revised application SB/TP/08/0074).

## Representations (Parish & Neighbours)

Leighton-Linslade Town Council	No objection.
Star Close, Sandy Lane	<p>Concerned that sports hall should:-</p> <ul style="list-style-type: none"> <li>• Not be available for public use outside school hours.</li> <li>• Not result in increase in pupils.</li> <li>• Be moved back further to provide separation from Sandy Lane properties and reduce noise interference.</li> <li>• Be at same ground level as school, thus reducing visual impact of building that would be very tall for residential area with number of single storey bungalows.</li> <li>• Not have branding signage on elevation facing Sandy Lane properties.</li> </ul>
Arizona, Sandy Lane	<p>Whilst recognise need for facility, object to particular proposal:-</p> <ul style="list-style-type: none"> <li>• Would look like commercial premises, unacceptable in Green Belt.</li> <li>• Would dwarf school, so needs to be at same ground level.</li> <li>• Still too far forward, so needs to be behind tennis</li> </ul>

courts and moved considerably further back.

- No further classrooms should be sited in this area.
- Branding signage is unnecessary.
- Siting of footpath link to south of school is unacceptable.
- There should be no after-school or weekend use.
- Planting should commence sooner rather than later, preferably with mature trees and shrubs, as it could take years for building to be screened.

## Consultations/Publicity responses

Sport England East

Objection.

Current application is revision of earlier proposals and involves number of significant changes.

- Sports hall and replacement tennis courts would be moved 6m northwards and new footpath would be introduced to link replacement tennis courts with school access drive, which due to its alignment, would encroach onto playing field to north of school where football pitch is marked out by about 8m beyond replacement tennis courts. Existing pitch would appear to be significantly wider than is shown on site location plan and reduction in width of playing field limits size of pitch that could be accommodated. It may no longer be possible to accommodate pitches (with adequate run-off areas) suitable for under-13 to under-16 age groups which is pertinent given that school caters for pupils up to 16 years old.
- To west of proposed sports hall, new footpath linking replacement tennis courts with car park and tree planting would have significant impact on playing field here. Whilst area is not marked out at present, it has potential to be used for additional pitches in future should pupil numbers increase or further pitches be required to meet needs of different age groups. At present, area could accommodate pitches suitable for under-11 to under-16 age groups. However, with restrictions on available width, this area would only be suitable for mini-soccer pitches for under-7 to under-10 age groups. Proposals here would prejudice ability to lay out range of pitches to meet school's potential playing pitch needs.
- Reduction in clearance height to 6m may reduce range of competitive sports that sports hall could be used for if made available for community use. For example, clearance height of at least 7m is required for competitive badminton, basketball, netball and volleyball.
- Proposed dimensions of sports hall - 24m by 17m - are longer than needed for two court hall, as

dimensions of 18m by 17m are required to form two court sports hall and 27m by 18m for three court hall. Furthermore, proposed badminton courts do not meet standard dimensions which are 13.4m by 6.1m with 2m run-off at each end and 1.5m to 2m run-offs at side.

Play & Open Space Officer No comment.

Bedfordshire Police ALO No objection.

Conservation and Design Adviser Proposed sports hall is within Green Belt and in sensitive location at interface with open countryside. Building is of substantial scale and will clearly have meaningful visual impact. However, its scale and massing reflects functional requirements of proposed use and application needs to be judged against earlier extant permission for alternative sports hall design. Although there are differences in proportions and siting of two proposals, revised scheme would not result in any material increase in impact of development on openness of Green Belt or on landscape character of locality. It is also important to recognise that approved scheme is for utilitarian building of very basic visual character. In contrast, revised proposal achieves much greater level of visual interest with arboreal structural forms that directly respond to surrounding landscape and achieves much higher level of design quality.

## Determining Issues

The main considerations of the application are:

1. Impact on the Green Belt
2. Loss of potential playing field area
3. Impact on neighbouring residents and surrounding area

## Considerations

### 1. Impact on the Green Belt

The proposed sports hall constitutes inappropriate development in the Green Belt and it is necessary to identify 'very special circumstances' to justify such development.

Oak Bank School was opened in 1976 as a residential school for a maximum of 40 pupils. From the beginning the school lacked a purpose-built area for the delivery of physical education. To address this shortcoming the general hall area has been adapted as much as possible to facilitate the teaching of some physical education, however the design, height and lighting of the area greatly limits the number of young people that can participate and the type of sports that can be played.

Since the school was built the nature, needs and numbers of young people attending the school have changed greatly. Oak Bank School is now a day

school with a roll of 60 pupils. It is the only school within Central Bedfordshire and Bedford Borough that caters for pupils who have severe social, emotional and behavioural difficulties. With the creation of two new unitary authorities in Bedfordshire, Oak Bank School has remained the only special school that is shared by both authorities. The applicants advise that the importance of the school is reflected in the recent review of special educational needs undertaken by the former Bedfordshire County Council which identifies the need for further development (including the physical environment) of Oak Bank School to enhance the facilities available at the school and enable pupils to gain appropriate and satisfactory access to the full curriculum.

Staff work alongside parents to support the individual needs of pupils by offering a safe and caring environment. From time to time, the school is awarded grants/cheques by sporting charities, such as the Lords/Ladies Taverners. In the recent past, money has been used to purchase sports equipment such as mountain bikes, a multigym, pool tables and tennis and badminton sets. The applicants have found that by encouraging pupils to take up sports activities it can be beneficial to their health and enable them to channel certain of their energies away from aggressive tendencies.

Oak Bank School is clearly of county-wide importance and it is considered that the wider community benefits that would accrue from the upgrading of indoor sports facilities at the site when taken together with the applicants' significant 'fall back' position in respect of the existing planning permission for a sports hall (SB/TP/08/0074) amount to the 'very special circumstances' required to justify inappropriate development in the Green Belt.

**2. Loss of potential playing field area**

The applicants have submitted revised site location and site layout plans and have met with the planning manager at Sport England East. The latter has confirmed (by e-mail) that he is satisfied with the amendments to the scheme.

The existing football pitch is shown with the correct dimensions - 90m long by 60m wide - and the proposed footpath/driveway link between the school access drive/rear car park and the replacement tennis courts would be closer to the main school buildings and therefore not encroach onto the pitch. Again, to the west of the sports hall, the footpath link between the front car park and the replacement tennis courts and the screen planting would be much closer to the new building than originally proposed. As a result there would be ample land available here to lay out pitches for various age groups. Details of internal clearance heights within the proposed sports hall have been added to the elevational drawings. These would vary between 6.55m at the western end of the curved roof to 8.17m at its eastern end and would be adequate for a number of indoor sports.

**3. Impact on neighbouring residents and the surrounding area**

In respect of comments received from neighbours, the applicants advise that the construction of the sports hall would not affect the number of pupils at the school and therefore would not result in an increase in the traffic or footfall to/from the site. The new sports hall would provide an extension to the educational facilities available at Oak Bank School and it is not proposed that these facilities be available for public use outside of the normal school working day.

The proposal cannot be located further to the north, away from Sandy Lane properties, without encroaching on the existing football pitch. Whilst the new building would be wider than that previously approved, its maximum height,



8.6m, would be 2.7m lower. The scale and massing of the sports hall would reflect the functional requirements of the proposed use with the curvilinear roof taking on the form of the natural parabolic motion of a badminton shuttle. The composite metal panels proposed for the upper parts of the walls would have high heat and sound insulation characteristics and incorporate a gradation of varying colour bands getting lighter towards the eaves. By virtue of existing planting adjacent the boundary with Sandy Lane properties, the sports hall would be well screened during the summer months, although less so during the period of annual leaf fall.

The Conservation and Design Adviser considers that it is important to recognise that the approved scheme is for a utilitarian building of basic visual character. In contrast, the revised proposal achieves a much greater level of visual interest with arboreal structural forms that directly respond to the surrounding landscape and achieves a much higher level of design quality. It is considered that the revised proposal would not result in any material increase in the impact of development on neighbouring residents and on the landscape character of the surrounding area.

### Reasons for Granting

The proposed development would not have an unacceptable impact on the openness of the Green Belt, would not unacceptably reduce the area of school playing fields available for laying out sports pitches for various age groups and would not unacceptably harm the amenities of neighbouring residents. The proposal accords with national guidance in PPS1, PPG2 and PPG17, strategic guidance in Policies SS1, SS7 and ENV7 and Policies NE3 and BE8 of the South Bedfordshire Local Plan Review.

### Recommendation

That Planning Permission be **GRANTED** subject to the following conditions:

- 1 The development 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 **Before development begins, a landscaping scheme to include any hard surfaces and earth mounding shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme 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 for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season and maintained until satisfactorily established.**  
REASON: To ensure a satisfactory standard of landscaping.  
(Policy BE8, S.B.L.P.R.).
- 3 **Before development begins, including any ground clearance or excavation, substantial protective fencing, the precise position and details of which shall first be approved in writing by the Local Planning**

**Authority, shall be erected adjacent the proposed sports hall hereby permitted. The fencing shall be retained at full height and extent until the development is substantially completed. No materials shall be stored or deposited and no mixing of materials shall take place within the area so protected.**

**REASON: To protect the trees so enclosed in accordance with Section 8 of BS 5837 of 2005 or as may be subsequently amended.  
(Policy BE8, S.B.L.P.R.).**

- 4 **Before development begins, samples of the materials to be used for the external walls and roofs of the new sports hall and details of the materials to be used in the construction of the replacement tennis courts and new/altered footpath links shall be 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: To control the appearance of the proposed development.  
(Policy BE8, S.B.L.P.R.).**

- 5 **Before development begins, the position of the proposed sports hall hereby permitted shall be pegged out on site and its position approved in writing by the Local Planning Authority.  
REASON: To enable consideration to be given to the precise layout of the development.  
(Policy BE8, S.B.L.P.R.).**

- 6 **No external lighting shall be installed in association with the proposed sports hall and the replacement tennis courts without the prior written approval of the Local Planning Authority.  
REASON: To protect both the amenity of neighbouring properties and the setting of the Area of Great Landscape Value.  
(Policy BE8, S.B.L.P.R.).**

- 7 **The proposed sports hall hereby permitted shall only be used for indoor sports and sporting activities and for no other purpose in Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification).  
REASON: To define the extent of the permission, to enable the Local Planning Authority to exercise proper control over the development in order to prevent the establishment of a general Class D2 use of the new building and to ensure that inappropriate development in the Green Belt is not permitted without very special circumstances having been established.  
(Policy BE8, S.B.L.P.R.).**

- 8 **Before development begins, a scheme for the provision and implementation of a landfill gas site investigation and a land survey of ground stability together with any remedial measures required shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented in full before construction of the proposed sports hall hereby permitted begins.  
REASON: To ensure that any potential landfill gas and ground instability problems are investigated before building works commence on site.  
(Policy BE8, S.B.L.P.R.).**

- 9 This permission relates only to the details shown on the Site Location Plan and Drawing Nos. 09-06-004, 09-06-005 and the Topographical Survey prepared by Milton Keynes Surveys Limited received 12/06/09, Drawing No. 09-06-003 received 04/08/09 and Drawing Nos. 09-06-001B and 09-06-002A received 07/08/09 or to any subsequent appropriately endorsed revised plan. REASON: To identify the approved plans and to avoid doubt.

### Notes to Applicant

1. In accordance with Article 22 of the Town & Country Planning (General Development Procedure) Order 1995 (as Amended), the Council hereby certify that the proposal as hereby approved conforms with the relevant policies of the Development Plan comprising of the Regional Spatial Strategy for the East of England (the East of England Plan and the Milton Keynes and South Midlands Sub-Regional Strategy), Bedfordshire Structure Plan 2011 and the South Bedfordshire Local Plan Review and material considerations do not indicate otherwise. The policies which refer are as follows:

#### **East of England Plan (May 2008)**

Policy SS1 - Achieving Sustainable Development.

Policy SS2 - Overall Spatial Strategy.

Policy SS3 - Key Centres for Development and Change: Luton/Dunstable/Houghton Regis & Leighton-Linslade.

Policy SS7 - Green Belt.

Policy ENV3 - Biodiversity and Earth Heritage.

Policy ENV7 - Quality in Built Environment.

#### **Milton Keynes and South Midlands Sub-Regional Strategy (March 2005)**

Strategic Policy 1: The Spatial Framework - Locations for Growth:

Luton/Dunstable/Houghton Regis (with Leighton-Linslade).

Strategic Policy 3: Sustainable Communities.

Bedfordshire and Luton Policies 2(a) and 2(b): Luton/Dunstable/Houghton Regis and Leighton-Linslade.

#### **Bedfordshire Structure Plan 2011**

Policy 7 - Areas of Great Landscape Value.

#### **South Bedfordshire Local Plan Review**

NE3 - Control of development in Areas of Great Landscape Value.

BE8 - Design and environmental considerations.

2. In accordance with Article 22 of the Town and Country Planning (General Development Procedure) Order 1995 (as Amended), the reason for any condition above relates to the Policies as referred to in the Regional Spatial Strategy (RSS), Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).
3. 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.

**DECISION**

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