

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



please ask for Martha Clampitt
direct line 0300 300 4032
date 2 July 2012

NOTICE OF MEETING

DEVELOPMENT MANAGEMENT COMMITTEE

Date & Time

Wednesday, 15 August 2012 10.00 a.m.

Venue at

Council Chamber, Priory House, Monks Walk, Shefford

Richard Carr
Chief Executive

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

Cllrs A Shadbolt (Chairman), K C Matthews (Vice-Chairman), P N Aldis,
A R Bastable, R D Berry, M C Blair, D Bowater, Mrs C F Chapman MBE,
Mrs S Clark, I Dalgarno, Mrs R J Drinkwater, Mrs R B Gammons, D Jones,
Ms C Maudlin, T Nicols, I Shingler, P F Vickers and J N Young

[Named Substitutes:

L Birt, A D Brown, P A Duckett, C C Gomm, Mrs D B Gurney, R W Johnstone,
J Murray, B J Spurr, N Warren and P Williams]

All other Members of the Council - on request

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

N.B. The running order of this agenda can change at the Chairman's discretion. Items may not, therefore, be considered in the order listed.

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 meetings of the Development Management Committee held on 27 June 2012 and 18 July 2012.

(previously circulated)

4. **Members' Interests**

To receive from Members any declarations of interest including 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.

REPORT

Item	Subject	Page Nos.
6	Planning Enforcement Cases Where Formal Action Has Been Taken	* 5 - 10

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.

Planning and Related Applications (To consider the planning applications contained in the following schedules)

Item	Subject	Page Nos.
7	<p>Planning Application No. CB/12/0220/FULL</p> <p>Address : Greenfield Lower School, Pulloxhill Road, Greenfield, Bedford MK45 5ES</p> <p>Demolition of temporary classrooms. Erection of new single storey building for classrooms and hall.</p> <p>Applicant : Greenfield & Pulloxhill Academy</p>	* 11 - 20
8	<p>Planning Application No. CB/12/01938/LB</p> <p>Address : The Swiss Garden, Old Warden Park, Old Warden, Biggleswade SG18 9EL</p> <p>Dismantling of wrought iron gates + screen, repair and restoration of ironwork, painting and re-erection on new footings with stone base blocks. Reduction of ground levels and reinstatement of natural stone rockwork abutment.</p> <p>Applicant : The Shuttleworth Trust</p>	* 21 - 28
9	<p>Planning Application No. CB/12/01861/FULL</p> <p>Address : Fairfield Park Lower School, Dickens Boulevard, Stotfold, Hitchin, SG5 4FD</p> <p>Extensions and alterations to the existing accommodation to cater for fluctuations and future increases in pupil intake.</p> <p>Applicant : Central Bedfordshire Council</p>	* 29 - 40
10	<p>Planning Application No. CB/12/02192/FULL</p> <p>Address : 1 Carlisle Close, Dunstable LU6 3PH</p> <p>Ground floor front wrap around roof & raise roof to form loft accommodation</p> <p>Applicant : Mr Hollick</p>	* 41 - 46

11 **Planning Application No. CB/12/02254/FULL**

* 47 - 54

Address : 4 New Road, Clifton, Shefford SG17 5JH

New conservatory to the rear

Applicant : Mr S Joynes

12 **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 19 September 2012 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.

Meeting: Development Management Committee
Date: 18th July 2012
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.

Advising Officer: Director of Sustainable Communities
Contact Officer: Sue Cawthra Planning Enforcement and Appeals Team Leader
(Tel: 0300 300 4369)
Public/Exempt: Public
Wards Affected: All
Function of: Council

CORPORATE IMPLICATIONS

Council Priorities:

This is a report for noting ongoing planning enforcement action.

Financial:

1. None

Legal:

2. None.

Risk Management:

3. None

Staffing (including Trades Unions):

4. Not Applicable.

Equalities/Human Rights:

5. None

Public Health

6. None

Community Safety:

7. Not Applicable.

Sustainability:

8. Not Applicable.

Procurement:

9. Not applicable.

RECOMMENDATION(S):

The Committee is asked to:

1. **To receive the monthly update of Planning Enforcement cases where formal action has been taken at Appendix A**
2. **To receive an update of Minerals and Waste Planning Enforcement cases where formal action has been taken at Appendix B**

Background

10. 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.
11. The list at Appendix A briefly describes the breach of planning control, dates of action and further action proposed.
12. The list at Appendix B briefly describes the breach of planning control for Minerals and Waste cases, dates of action and further action proposed.
13. Members will be automatically notified by e-mail of planning enforcement cases within their Wards. For further details of particular cases in Appendix A please contact Sue Cawthra on 0300 300 4369. For further details of Minerals and Waste cases in Appendix B please contact Roy Romans on 0300 300 6039.

Appendices:

Appendix A – Planning Enforcement Formal Action Spreadsheet – North & South

Appendix B – Minerals and Waste Planning Enforcement Formal Action Spreadsheet

Planning Enforcement formal action (DM Committee 15th August 2012)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
1	CB/ENC/10/0189	Land adjacent to 17 The Causeway, Clophill Bedfordshire MK45 4RA	2 Enforcement Notices material change of use of the land to a caravan site and construction of hardstanding	10-Aug-11	08-Sep-11	07-Nov-11 and 08-Mar-12	Appeal dismissed, compliance extended	29-May-13		Check compliance after 29/3/13
2	CB/ENC/11/0405	Land adjacent to 35 Ickwell Road, Upper Caldecote. SG18 9BS	Enforcement Notice Construction of a wooden building	14-Mar-12	13-Apr-12	13-Jun-12	Appeal received 13/4/12			Await outcome of appeal. New planning application received.
3	CB/ENC/11/0606	Land at 70-74 Common Road, Kensworth, Dunstable. LU6 3RG	Enforcement Notice - the use of an outbuilding as an independent dwelling	2-Dec-11	3-Jan-12	3-Jul-12			Notified that use has ceased	Appeal against refusal of planning permission not accepted by PINS. Full compliance to be checked 3/8/12
4	CB/ENC/12/0054	Woodside Caravan Park, Thorncote Road, Northill	Injunction - Change of use of land to gypsy site	3-Feb-12	3-Feb-12	3-Feb-12				Caravans removed. Permanent Injunction granted 10-Feb-12. Monitor site, 1 caravan stored, not inhabited.
5	CB/ENC/12/0057	Land at The Drovers, Flitwick Road, Steppingley	Enforcement Notice - Terracing of land and installation of timber retaining walls	30-May-12	30-Jun-12	30-July-12 30-Aug-12	Appeal received 26/6/12			Await outcome of appeal
6	CB/ENC/12/0162	The Grade II Listed building at 24 Market Square, Toddington, Dunstable LU5 6BS	Listed Building Enforcement Notice - removal of ceilings and wall plaster.	14-Jun-12	12-Jul-12	12-Oct-12				Check compliance after 12/10/12
7	CB/ENC/12/0173	Land at London Gliding Club, Tring Road, Dunstable LU6 2JP	Enforcement Notice. The construction of a T Hangar.	17-Apr-12	15-May-12	15-Jul-12	Appeal received 10/5/12			Await outcome of appeal
8	CB/ENC/12/0257	Unit H Kensworth Industrial Estate, Common Rd Kensworth	Breach of Condition Notice. Condition 1 SB/TP/87/0748 height of storage	19-Jun-12	19-Jun-12	19-Jul-12				Pre-app received 19/7/12 for variation of condition. Await decision on variation.
9	MB/ENC/05/0178	Land at Maulden Garden Centre, Water End, Maulden	Enforcement Notice - change of use from nursery to garden centre, construction of 6 buildings, siting of mobile home.	9-Apr-09	9-May-09	9-Nov-09	Appeal part allowed			Enforcement Notice varied & part upheld on appeal and Planning permission granted. Site cleared, revised planning application received CB/12/01929/full 20/6/12 await outcome

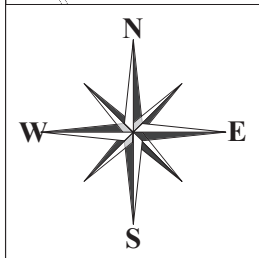
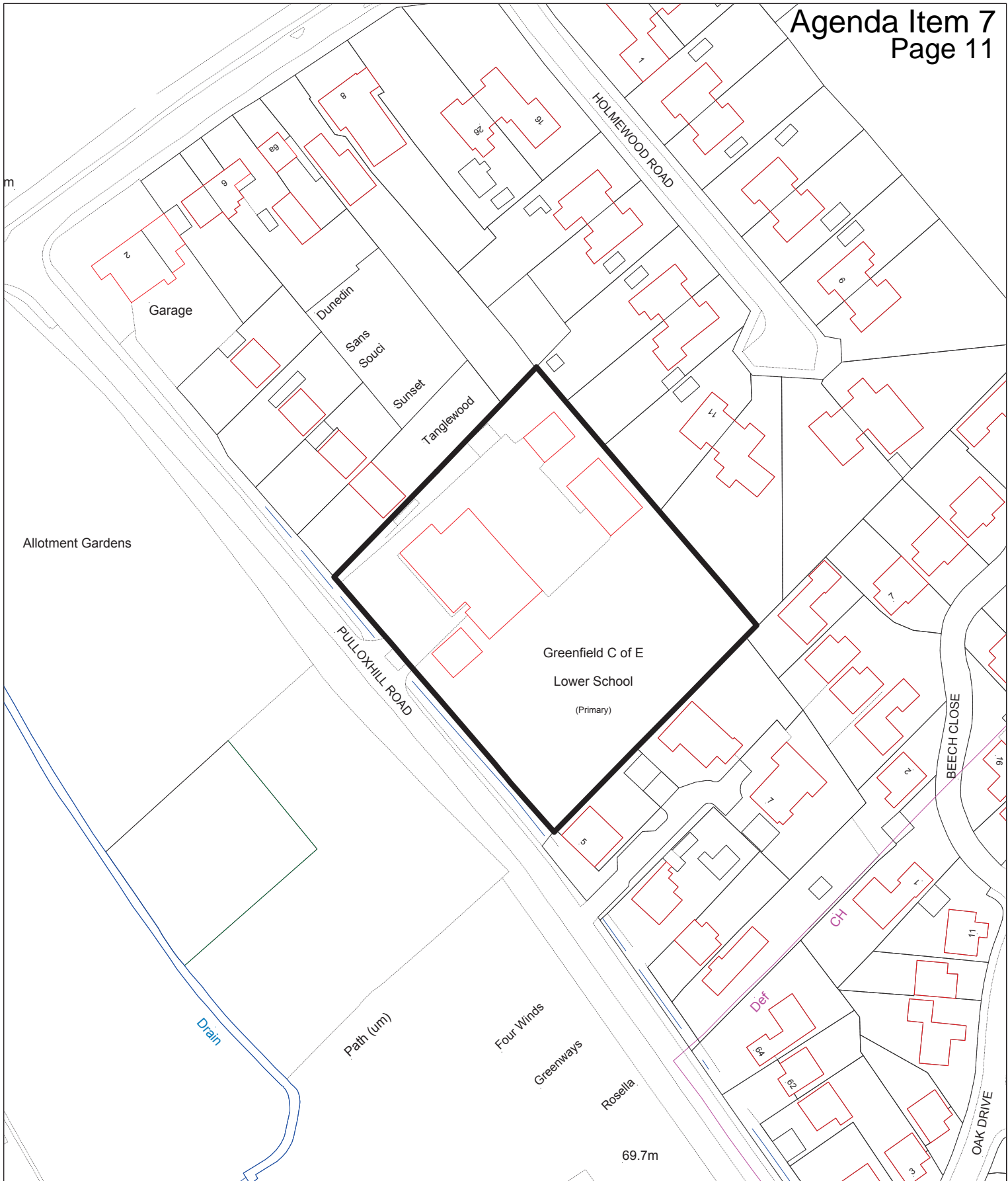
Planning Enforcement formal action (DM Committee 15th August 2012)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
10	MB/ENC/07/0085	Woodview Nurseries, Shefford Rd, Meppershall	Enforcement Notice - Mobile home & conservatory	21-Jan-08	19-Feb-08	19-Aug-08	Appeal dismissed, Notice upheld	3-May-10	Not complied. Court Hearing March 2011 - prosecution and fine	Further direct action to be taken to secure compliance with Notice.
11	MB/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			Part complied Planning application CB/11/04219/full received 14/12/11	Await outcome of application
12	SB/ENF/05/0005	215 Common Road, Kensworth	Enforcement Notice - Erection of a double garage and storeroom	16-Mar-05	18-Apr-05	18-Jul-05	6-May-05	6-Aug-05	Appeal dismissed & enforcement notice upheld. Not complied	Under new ownership, further evidence for prosecution sent to Legal. Court Hearing August 2012
13	SB/ENF/07/0006 SB/ENF/07/0007 SB/ENF/07/0008	Dunedin, Harlington Road, Toddington	Change of use to bedsit accommodation, erection of building & extensions, non compliance with Condition 2 of SB/TP/98/0838	10-Aug-07	12-Sep-07	4-Dec-07	Appeal dismissed.	9-Jan-09	Part complied - (use of buildings and land)	Prosecuted and fined September 2011. Monitor site and action on completion of M1 roadworks if there is a breach of planning control.
14	SB/ENF/08/0009	21 Emu Close, Heath & Reach	Construction of single storey front and side extensions and loft conversion	14-Apr-08	14-May-08	14-Aug-08	20-Jun-08	4-Sep-09	LDC proposed granted 22/3/12. Part complied with LDC proposed	Prosecuted and fined October 2011. In process of altering to comply with proposed LDC.

Minerals Waste Enforcement formal action (DM Committee 15 August 2012)

Minerals & waste	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	RESULT	NEW COMPLIANCE DATE	NOTES/FURTHER ACTION
	11/0360	Former BR Goods Yard, Chiltern Green Road, East Hyde	Enforcement Notice - Creation of large concrete slab (33m x 40m) on part of area that should be landscaped	3-Oct-11	9-Nov-11	Depends on requirements Varies 3 - 4 months	YES - Hearing 28 Feb 2012	Part Allowed (Grounds f & g) Part Dismissed	13-Dec-12	PINS appeal decision gave the operator the option to either remove the slab; or retain 80% of slab and provide boundary landscaping. Operator yet to confirm his forthcoming actions
	11/0360	Former BR Goods Yard, Chiltern Green Road, East Hyde	Breach of Condition Notice - Non compliance with landscaping provision in CB/10/00457/MW	3-Oct-11	3-Oct-11	Depends on requirements Varies 3 - 6 months	N/A			Compliance requirements varied by outcome of Enforcement Notice appeal re retention of 80% of concrete slab.
	11/0374	Plot 2 Station Road Industrial Estate, Ampthill	Breach of Condition Notice - Non compliance with height of stockpiled materials - Cond no.12 of perm 18/2005	14-Nov-11	14-Nov-11	14-Dec-11	N/A	Summons served re non compliance of stockpile height		Waste materials continued to exceed the 3m height restriction in 2012. Prosecution action in progress in liaison with Legal.
	11/0360	Former BR Goods Yard, Chiltern Green Road, East Hyde	Breach of Condition Notice - Non compliance with access improvement works: Cond no.3 of perm CB/10/00457/MW	3-Jul-12	3-Jul-12	14-Sep-12	N/A			Revised kerb alignment needed to ensure HGVs leaving the site do not encroach onto on-coming traffic.
	11/0374	Plot 2+ 2bc Station Road Industrial Estate, Ampthill	Enforcement Notice - Change of use of land to waste transfer and material recycling facility which constitutes unauthorised EIA development	19-Jul-12	23-Aug-12	Depends on requirements Varies 1-2 months				The operator has expanded the Waste business on Plot2 onto adjacent site. No planning application made and no LPA approved mitigation scheme. Operation has been the subject of local complaints

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Central Bedfordshire Council
Licence No. 100049029 (2009)
Date: 30:July:2012
Grid Reference: 505537; 234860

Application No.
CB/12/02220/FULL

Scale: 1:1250

Greenfield Lower School, Pulloxhill Road, Greenfield, Bedford, MK45 5ES

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Item No. 7

APPLICATION NUMBER	CB/12/02220/FULL
LOCATION	Greenfield Lower School, Pulloxhill Road, Greenfield, Bedford, MK45 5ES
PROPOSAL	Demolition of temporary classrooms. Erection of new single storey building for classrooms and hall.
PARISH	Flitton/Greenfield
WARD	Westoning, Flitton & Greenfield
WARD COUNCILLORS	Cllr Jamieson
CASE OFFICER	Annabel Gammell
DATE REGISTERED	15 June 2012
EXPIRY DATE	10 August 2012
APPLICANT	Greenfield & Pulloxhill Academy
AGENT	Wastell & Porter Architects
REASON FOR COMMITTEE TO DETERMINE	The site is on land owned by Central Bedfordshire Council and objections have been received.
RECOMMENDED DECISION	Full Application - Granted

Site Location:

Greenfield Lower School is situated on the north east side of Pulloxhill Road. The school is single storey and predominately flat roofed with a shallow pitched roof section and gable to the front elevation. The playing field is situated alongside the school, this is visible from the road. Currently on the site are three temporary classroom units, a double and single to the rear, and a single to the front.

Pulloxhill Road is characterised by ribbon development of residential development of a mixture of styles, ages and sizes on the north east side of Pulloxhill Road and residential estates adjoining the school to the south east. Opposite the site is open countryside.

The Application:

Planning permission is sought for a two phase development, resulting in a new single storey building which would form a new hall and three additional classrooms, the existing two temporary classrooms on to the rear of the site would be demolished.

The building would be constructed in two phases:

Phase 1 would be used as a hall, it would measure 19 metres in length, 10.5 metres in depth, and have a maximum height of 5.8 metres, it would be 2.8 metres to the eaves.

Phase 2 would be used as three classrooms and ancillary facilities, it would measure 22.5 metres in length, 10.5 metres in depth and have a maximum height of 4.5 metres, it would be 2.8 metres to the eaves.

Phase 1 would be completed with a hipped roof, and phase two would be a later addition pending funding. This would also have a lower level hipped roof. The building would be located at the back of the school site, some 3 metres from the rear boundary which is demarcated with a mature hedge. The building would be partly clad in timber shiplap boarding, and partly in brick work. Proposed as part of this application is additional 1.8 metre high timber fencing in the locations to the rear of the site where there is no mature hedgerow, to replace weld mesh fencing.

When the application was originally submitted the building and one continual roof of 6.2 metres in height, it was proposed that the building would be totally clad in wood shiplap boarding, shown at 2 metres from the rear boundary. Following revised plans, a further consultation period was undertaken. The consultation period will end on the 20th August 2012.

National Planning Policy:

The National Planning Policy Framework

Core Strategy and Development Management Policies, November 2009

Policy DM3 - High Quality Development

Planning History

77/01086/CC	County Council: Classroom and toilet extension (No objection 24/11/77).
98/00474/CC	County Council: Temporary Classroom (No objection 20/05/98).
03/00437/FULL	Siting of double temporary classroom (approved 24/04/03).
04/01092/FULL	Erection of additional classroom (approved 03/08/04).
06/00916/FULL	Erection of single storey front extension and internal alterations (approved 26/07/06).
08/02357/FULL	Full: Installation of 30 no. Photovoltaic Panels on the roof of the school and 20 no. Photovoltaic Panels on new Pergola in playing fields (approved 27/02/09).

Representations: (Parish & Neighbours)

Flitton and Greenfield PC
Adjacent Occupiers

No objections
Two letters of objection received to the first consultation numbers 11 and 12 Holmewood Road:

Height of building
Concerns over privacy from windows in the rear of the building

Consultations

Site notice posted 5.7.12	No response received
Highways	Comments will be expressed on the late sheet
Public Protection	No objections
Education Officer	Support the applications its part of the school suitability programme.
Building Control	No comment to make
Sport England	No comments received

Determining Issues

The main considerations of the application are;

1. Visual impact upon the character and appearance of the area
2. Impact upon neighbouring residential amenity
3. Other Considerations

Considerations

1. Visual impact upon the character and appearance of the area

The existing school building is predominately flat roofed with a shallow gable to the front. The building is visible from the road.

The additional building would be located at the rear of the site and therefore in views directly in front of the school the additional building would not be prominent. However when viewed from the south east of the main school building on Pulloxhill Road, in front of the playing field the building would be visible at a distance of approximately 60 metres. It is considered that the design of the building is an improvement on the temporary classroom units which are currently on the site. The building would have a hipped roof, and the phased element would be appropriate as the building could be read in two parts, due to the change in roof height, the second phase of the building would be subservient to the hall.

Although neither the Central Bedfordshire design guide nor local plan policies specifically have guidance on educational buildings, it seems appropriate for the new building to relate well to the setting and the existing building on the site. The building would be functional, for its purposes, the hall section is at a required height for sporting needs at a Lower School level. The original school building is predominantly timber boarding, and has a flat roof, this is not a

desirable design to emulate, and therefore a pitched roof is proposed, as well as a mixture of brick and boarding. It is considered that although the building is relatively large within the setting, the building design is of an appropriate standard, in accordance with Policy DM3 of the Core Strategy and Development Management Policies, and the Central Bedfordshire design guide.

2. Impact upon neighbouring residential amenity

The building would be to the rear of the site, set in 3 metres from the south east boundary of the school. There are residential properties which back on to the school site on Holmewood Road, numbers 10-14 would be adjacent.

It is considered that although the building once completed would be substantial it would not cause significant harm to the residential properties adjacent:

Impact upon privacy

Concerns were received from adjacent neighbouring properties with regard to an impact upon their privacy, this is because there are 9 windows within the rear elevation of the building (three for the hall, and two to serve each classroom). Currently there is a mature hedge on this back boundary. At the sections of the boundary where there is currently mesh wire fencing, close board fencing some 1.8 metres in height is proposed. It is considered that it is unlikely that there would be a significant impact upon residential privacy. There are currently two temporary classroom units on the site, in a similar location to the proposed building. The double unit, currently used as classroom accommodation has a number of windows within the rear facing elevation, these are 3 metres from ground level to the top of the window. The proposed buildings are some 2.6 metres from ground level to the top of the window. It is considered that the proposed building would maintain a similar level of privacy to that currently enjoyed by the residents of Holmewood Road. It is unlikely a ground floor window would significantly impact upon privacy, as no points of vantage would be possible. Although some neighbouring comments suggest that the windows should be removed from the building, it is not considered appropriate to have a learning environment without means of natural light or ventilation and it is judged that significant levels of overlooking would not be possible from the building. The building is far enough from the hedge to ensure that damage would not be caused to the roots during construction, however it is considered appropriate to attach a condition requiring the hedge to be fenced to avoid direct damage from construction workers.

Impact upon light amenity

The building has got a hipped roof, having a pitch is more desirable than a flat roof, the current temporary classroom units are approximately 4 metres in height, and have a flat roof. It is considered that the building at a maximum height of 5.8 metres would not cause a significant impact upon the light amenity to the rear gardens or the rear elevations of the adjacent properties. It is noted that many properties on Holmewood Road have been extended to the rear, and some of the garden areas are small. However, the increase in height is mitigated by the receding pitched roof and therefore, it considered

appropriate and in accordance with Policy DM3 of the Core Strategy and Development Management Policies.

Loss of outlook

The building would be visible from private amenity areas but it is considered that due to the design of the building, and because the bulk of the roof would be broken up, that the finished development would not cause a significant loss of outlook.

The causing of an overbearing impact

There would be a maximum increase of 1.8 metres from the height of the existing temporary classroom units and this would be visible, but it is considered that it would not cause an overbearing impact upon any adjacent properties. The roof of the building has been designed to slope away from neighbouring properties and it is considered that due to the scale of the proposed building and the distance from the adjacent residential properties that the bulk of the building would be acceptable.

Noise

Having regard to the location of the existing portacabins the proposed replacement building, should improve the sound barrier between the school playground and the neighbouring properties. However there are windows shown within the rear elevation of the building, it is considered that the classroom areas would be relatively quiet. However the hall area could be noisy if used for sports, concerts or assemblies. Therefore as there are other windows/doors which could be used as openings for the hall, it is appropriate to require these back windows to be fixed shut.

Comments from neighbouring properties:

Two letters of objection were received from numbers 11 and 12 Holmewood Road after the 1st consultation period, the areas of concern were the height of the building, and the potential impact upon the rear amenity space of adjacent properties, and impact upon privacy from the rear elevation of the building. Impact upon the hedgerow to the rear. These matters are addressed above.

At the time of this report no further comments have been received in relation to the second or third consultation periods with the building shown at the reduced height, set 3 metres away from the boundary and the additional fencing.

3. Other Considerations:

Impact upon playing field and important open space:

The playing field and the area where the double temporary classroom is currently situated is defined as "important open space" in accordance with saved policy DPS15 of the Mid Bedfordshire Local Plan. It is considered that the additional permanent teaching accommodation is necessary for the functioning of the Lower School. The area was not defined as open space in

accordance with CS3 or DM17 in the Core Strategy and Development Management Policies, however it is considered important to retain adequate play and open space facilities associated with the school. It is considered that there would be suitable space remaining, after the development was constructed.

A small part of the 2nd phase of the building would be on the playing field. It is considered that it is unlikely that this part of the playing field would be used for formal laid out playing pitches. It is therefore considered that the building would not cause a significant reduction in the formalised play provision for the school. Sport England have been consulted, at the time of this report no comments have been received.

Recommendation

To authorise the Head of Development Management or Planning Manager to issue the grant of PERMISSION subject to no further consultation responses being received that raise new issues and subject to the following conditions:

- 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 works shall be started on site until a scheme is 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 The rear (north east) facing windows in phase 1 of the development shown on plans as the hall for the school, hereby permitted shall be fitted with fixed type glass, and be completely non opening. No further windows or other openings shall be formed in the rear elevation of the hall section of the building, unless permitted in writing by the Local Planning Authority.

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

- 4 The existing hedgerow shall be retained and protected during construction. A heras or similar style fence of 1.8 metre in height shall be erected 1 metre from the mature hedge on the north eastern boundary of the site, and remain in place during the all construction work of both phases of the building.

Reason: To comply with Section 197 of the Town and Country Planning Act 1990 and to safeguard existing hedge on site.

- 5 A fencing scheme shall be submitted to the Local Planning Authority for its approval in writing and the approved scheme shall be implemented before the building is first brought into use.

Reason: To protect the residential amenity of adjacent properties in accordance with DM3 of the Core Strategy and Development Management Policies.

- 6 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers PL01D rev roof, PL02A.

Reason: For the avoidance of doubt.

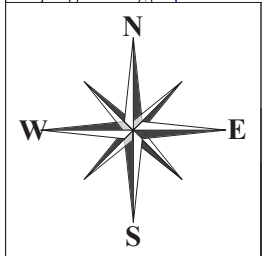
Reasons for granting planning permission

The removal of the temporary classroom units and the erection of a single storey two phase building would not significantly impact upon the character or appearance of the area, it would not seriously harm the residential amenity of neighbouring properties, and would be acceptable in terms of highway safety, it is therefore considered that the proposal is in conformity with the National Planning Policy Framework (2012), Policy DM3 of the Core Strategy and Development Management Policies (2009), saved Policy DPS15 of the Mid Bedfordshire Local Plan (2004) and the Central Bedfordshire Design Guide (2010).

DECISION

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Central Bedfordshire Council
Licence No. 100049029 (2009)
Date: 30:July:2012
Map Sheet No

Application No
CB/12/01938/LB

Scale: 1:2500

The Swiss garden, Old Warden Park, Old Warden, Biggleswade

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Item No. 8

APPLICATION NUMBER	CB/12/01938/LB
LOCATION	The Swiss Garden, Old Warden Park, Old Warden, Biggleswade, SG18 9EL
PROPOSAL	Dismantling of wrought iron gates + screen, repair and restoration of ironwork, painting and re-erection on new footings with stone base blocks. Reduction of ground levels and reinstatement of natural stone rockwork abutment.
PARISH	Old Warden
WARD	Northill
WARD COUNCILLORS	Cllr Mrs Turner
CASE OFFICER	Samantha Boyd
DATE REGISTERED	25 May 2012
EXPIRY DATE	20 July 2012
APPLICANT	The Shuttleworth Trust
AGENT	Christopher Garrard Consultancy
REASON FOR COMMITTEE TO DETERMINE	Call in by Head of Development Management due to the significant conflict in advice between Council Officers and English Heritage regarding the loss of an important mature Oak tree.
RECOMMENDED DECISION	Listed Building - Granted

Site Location:

The Swiss Garden, located within Old Warden Park estate, is a late regency garden created in the 1820's. Old Warden Park is a Grade II* Registered Park and Garden of Historic Interest. The Swiss Garden itself contains 12 listed structures, six which are Grade II* (the Swiss Cottage, Indian Kiosk, Grotto and Fernery, the North Bridge, Moat Bridge and Cascade Bridge) and six which are Grade II listed (the Privy and Rose Bowers, the Woodland Gate and Screen, the Night and Morning Vase, the Well Head and the Memorial Tablet. All other buildings and fixed structures are considered to be curtilage listed by virtue of their location within the curtilage of Old Warden Park and the above listed buildings. The garden is beautifully landscaped with mature trees and shrubs, lakes, bridges and footpaths together with a woodland walk area. The Garden is also within the Old Warden Conservation Area.

As part of the Old Warden Park Estate, the Swiss Garden is one of the tourist attractions associated with the Shuttleworth Trust. A number of enhancements to the Garden are proposed as part of the Trust's Conservation Management Plan for the whole estate and funded by the Heritage Lottery Fund.

The Application:

This application proposes the dismantling of the iron Woodland Gate and Screen and its repair and restoration. The works would require the removal of a mature Oak tree in which the iron railings have become embedded. The tree is causing

damage to the Screen.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF)

Regional Spatial Strategy

East of England Plan (May 2008)

Central Bedfordshire Core Strategy and Development Management Policies

CS15, DM13 Heritage

Supplementary Planning Guidance

Design in Central Bedfordshire

Recent Planning History

CB/12/01228	Restoration and alterations of historic landscape within Swiss Garden - Approved
CB/12/01256	New metal handrail to existing terrace - Approved
CB/12/01419	Demolition of Tea Kiosk and erection of education building - Approved
CB/12/01965/LB	Repair and refurbishment of Swiss Cottage - Approved

**Representations:
(Parish & Neighbours)**

Old Warden Parish Council	No comments received
Neighbours	No comments received

Consultations/Publicity responses

Site notice displayed	6/6/12
Application advertised	15/6/12
Archaeology	No objection on archaeological grounds
English Heritage support	The screen is of greater significance than the tree and proposal to remove tree and reinstate structure on its historic line.
Conservation and Design	No objection to works
Tree and Landscape Oak.	The application involves the felling of a large mature Oak.

landscaped This tree should be retained as it is within the garden. There is scope to retain the tree and move the line of the fence. Objection to tree being felled.

NATS No objection

Determining Issues

The main considerations of the application are;

1. The effect upon the listed building and its setting

Considerations

1. The effect upon the listed building and its setting

Para. 132 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.

The Woodland Gate and Screen is an integral part of the original 1830 landscape on an embanked boundary that marks the western edge of the Garden.

The decorative screen and carriage gates lie on the western boundary of the site as you approach from the historic underpass. The screen is grade II listed and forms part of the historic grade II* listed registered landscape. It is a highly decorative piece of ironwork and a significant component of the landscape of the Swiss Garden and may well be the most important piece of surviving ironwork in the garden.

It is proposed to fell the Oak tree that has grown into the railings causing damage to the structure. The tree is not covered by a TPO however as the site is within a conservation area, notice is required by the applicant to undertake any work to the tree. The felling of the tree would allow the screen to be reinstated on its original line with a new section added to replace the section embedded in the tree.

Concerns relating to the loss of the tree

This Oak is what is described as a veteran tree. It is showing early veteran features typical of an Oak aged 150+ years and is entering a most valuable stage for its biodiversity. The removal of the tree has caused significant concern to the Council's Tree and Landscape Officer who considers that the tree is important within the garden and should be protected and maintained for future generations to enjoy. It is therefore necessary to balance the retention of the tree against the reinstatement of the screen.

The girth measurement taken on 23/07/2012 at 1.5m height was 3.44m. Using the Forestry Commission guidelines on ageing veteran trees and giving it the

classification of a tree which has been open grown (with a full canopy space of its life) and "good" growing conditions, the tree is estimated to have originated in 1854. Other dated trees in the area do not suggest growth is anything better than this. The tree is not specifically shown on the First Edition Ordnance Survey map c.1890 which suggests the tree was not mature or of timber value 80-120yrs old at that time. Without coring the tree a reasonable estimated range for dating the tree is 1840-1870.

The tree was therefore; either a young semi-mature self grown tree, or planted deliberately as part of the garden design, or when the fence was erected. Certainly the tree could have been removed if it was considered inappropriately placed. The tree would have held a prominent position throughout the most prolific period of the garden. A very distinctive flat spot on its trunk on the north-east (garden) side, suggests something was placed up to and against it for many years.

Despite it now having grown naturally beyond the boundary fence line, the tree is an important feature within the garden. It's canopy fills a significant part of the treescape when viewed from several strategic parts of the garden. The recent loss of the mature Copper Beech nearby has highlighted the Oak's stature even more. As well as having high amenity value it also has high habitat value. The tree potentially has an expected lifespan of at least another 100 years. This is not an unreasonable supposition as there are many Oak trees on the Old Warden estate of 250+ years old, as well as a couple within the garden, notably one in the north east corner. During the next one hundred years, with good management, the tree will only increase in its value as a veteran and later ancient tree.

This tree makes up part of a unique heritage of veteran trees in Britain that can not be matched by any other country in northern Europe. Trees of this size and age are given Nature Reserve status in some other countries. The Council's Tree and Landscape Officer considers it is imperative that the tree is incorporated into the restored fence line and not removed because of it.

Reasons to remove the tree

In order to retain the tree, the screen would need to be re-aligned. However, English Heritage have commented that this would change the historic boundary line to the western boundary of the Swiss Garden. English Heritage consider that the screen is of greater significance than the tree.

The location of the gate and screen is a crucial part of its historic significance; to move the line of the screen would change the historic boundary and harm the significance of the garden. If the Screen was relocated, judged by the applicant's agent to be around 850mm to accommodate the oak, the boundary line would be displaced, as would the location of the gates and piers, which would mean that the historic footpath within the garden would also need to be moved.

The applicant's agent states that the Woodland Gate and Screen is an integral part of the original 1830 embanked boundary which demarcates the western edge of the designated landscape. It was originally framed in rockwork abutments of natural stone, a key element of the historic Ongley Landscape. The southern rockwork abutment survives and it is proposed to reinstate the northern section. Moving the line of the Screen to the extent necessary would disconnect it from the historic banked setting which is considered to be crucial to

its special historic interest and the garden in general.

Whilst the loss of the tree is very regrettable, Policy CS15 and DM13 both support the preservation of listed buildings and their settings. The issues in this case are finely balanced, but given that English Heritage supports the proposal and as the tree is not protected in its own right, greater weight is afforded to the repair and restoration of the Woodland Gate and Screen than the retention of the tree. For these reasons it is considered that the proposal is acceptable and listed building consent should be granted.

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 consent.

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 Following the carrying out or completion of the building operations or alterations for which consent is hereby granted, all *making good* of the existing structure shall be carried out in materials & finishes which closely match, like-for-like, those historic materials & finishing details used in the existing structure- to accord with usual conservation good practice & 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 & finishes should be submitted to & agreed in writing by the Local Planning Authority.

Reason: To ensure that the special architectural & historic interest, character & appearance of the building is properly maintained, in accordance with standard conservation good practice.

- 3 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1104/M01B, 1104/M02B, 1104/110-08, 1104-S10-08.

Reason: For the avoidance of doubt.

Reasons for Granting

The proposal would result in the felling of a mature Oak tree, but given that English Heritage supports the application and as the tree is not protected in its own right, greater weight is afforded to the repair and restoration of the Woodland Gate and Screen than the retention of the tree. The works would not have a negative impact on the listed building or its setting therefore the proposal is in conformity with Policies

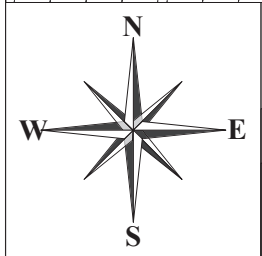
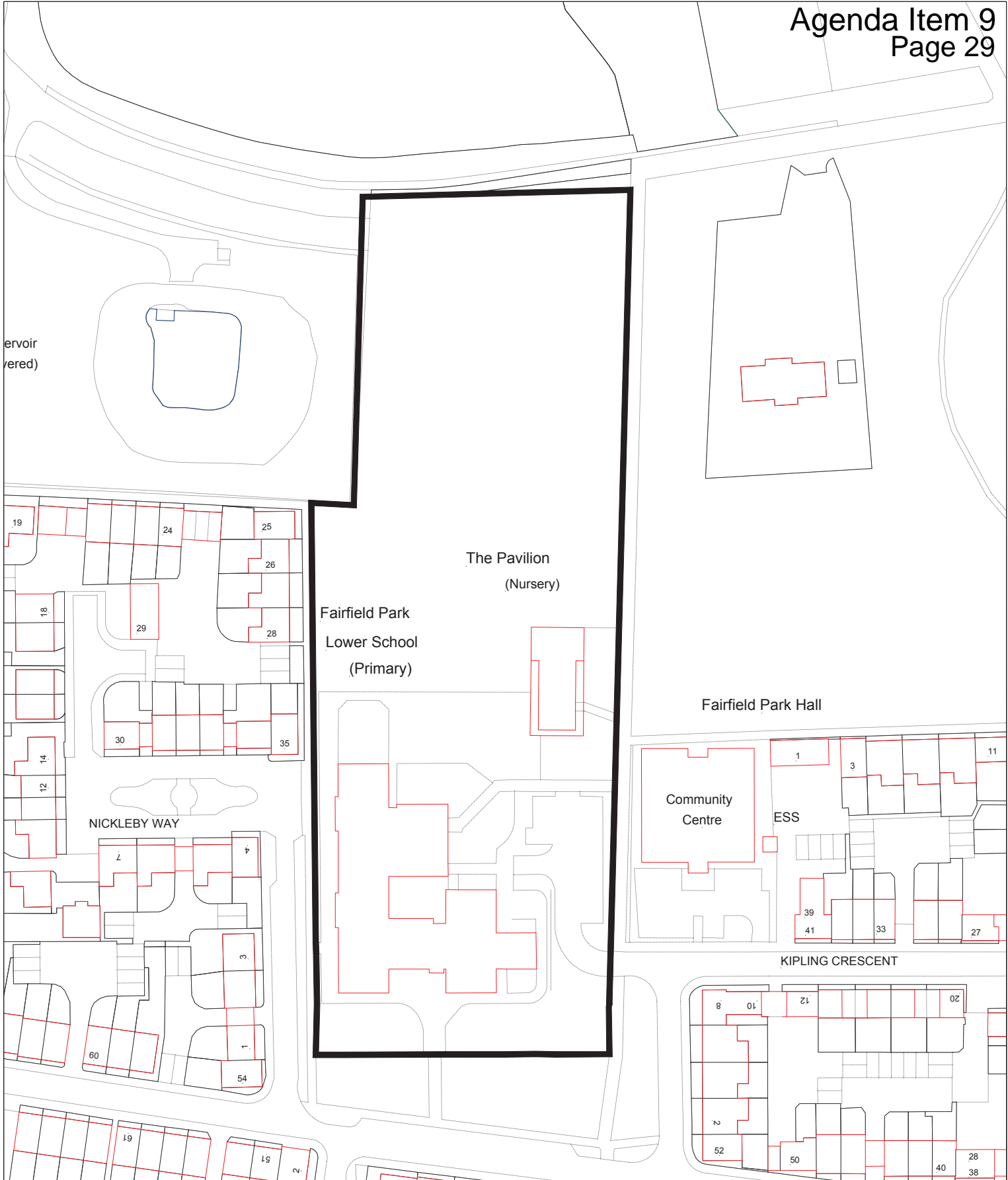
Notes to Applicant

1. Please note you must give the council 6 weeks notice, in writing, of your intention to do any work to trees in a Conservation Area. You must not carry out any work during the six week period, which starts from the date of receipt of your notification by the council, unless you receive written permission to do so.

Your proposal will be entered in the 'Register of Proposed Work to Trees in a Conservation Areas', and we may write to local amenity groups or parish councils to inform them of the proposal. We will acknowledge receipt of your notification and may carry out a site visit to consider the proposed work. The council has six weeks from the date of your Notice to consider your proposal, and decide whether it wishes to serve a Tree Preservation Order to control the proposed work.

DECISION

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Central Bedfordshire Council
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Date: 30:July:2012
Map Sheet No

Application No
CB/12/01861/FULL

Scale: 1:1250

Fairfield Park Lower School, Dickens Boulevard, Stotfold

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Item No. 9

APPLICATION NUMBER	CB/12/01861/FULL
LOCATION	Fairfield Park Lower School, Dickens Boulevard, Stotfold, Hitchin, SG5 4FD
PROPOSAL	Extensions and alterations to the existing accommodation to cater for fluctuations and future increases in pupil intake.
PARISH	Stotfold
WARD	Stotfold & Langford
WARD COUNCILLORS	Cllrs Saunders & Saunders
CASE OFFICER	Amy Lack
DATE REGISTERED	30 May 2012
EXPIRY DATE	25 July 2012
APPLICANT	Central Bedfordshire Council
AGENT	QMP
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	Central Bedfordshire Council application with a third party representation received in objection to the proposal.
	Full Application - Granted

Site Location:

Fairfield Park Lower School, a single storey purpose built building, occupies a site approximately 1.21 hectares in area. The main school building is finished in a buff brick with a slate roof. To the north east is a detached single storey building occupied by a pre-school. The north of the site is a designated playing field area, currently subject to an archaeological investigative dig.

The surrounding area is predominantly residential, comprising two storey residential dwellinghouses. To the north is the re-developed Fairfield Hospital grounds; to the east is a community centre and Kipling Crescent, from which the school takes vehicular access; to the south is open green space and Dickens Boulevard; and to the west is the residential development along Nickleby Way.

The site is located within the Settlement Envelope, it is not within a Conservation Area. No mature trees will be compromised by the proposal.

The Application:

The application seeks planning permission for extensions and associated alterations to the existing school in order to accommodate future increase in pupil numbers.

The proposed works include:

- An extension to the front (south) of the eastern element of the school of 2.3 metres in depth to extend a hall;
- A 2.3 metre wide and 5 metres deep extension to the south of the eastern elevation to provide a store;
- An extension to the existing bin store on the eastern elevation by 1.2 metres

- in depth;
- A 42 metre long extension from the rear of the eastern element of the school (Kipling Crescent side) into the existing playground area to accommodate three classrooms and staff room;
 - A 14.3 metre extension from the rear of the western element of the school (Nickleby Way side) into the playground area to accommodate an additional classroom.

All extensions are a tall single storey height, rising no higher than the existing building, maintaining ridge heights, eaves heights, roof slopes and detailing consistent with the part of the main building they extend.

Poppyfields Nursery

To the north east of the main school building a smaller single storey detached building, known as the 'Pavillion Bungalow' is occupied by the Poppyfield's Nursery. The following alterations are proposed to this building;

- The introduction of a double opening door to the southern elevation and replacement of a door with a window on the west elevation;
- A freestanding 'sail' canopy is to be erected between the existing Pavillion Bungalow and the extended school. This will measure approximately 3.3 metres in height, spanning 9 metres diagonally across from the southwest to northeast corner and 6.7 metres from the northwest to southeast corner.

Parking

Additional on site car parking provision is proposed. This designates eight spaces, inclusive of a designated disabled bay to the southeast corner of the site, south of the entrance into the site of Kipling Way and adjacent to the front of the school. An additional single space is proposed immediately east of the main school building, opposite the main car park area, in a space which currently serves as a turning bay.

The extensions to the building will result in a net footprint increase from 1248 metres² to 2037.78 metres².

RELEVANT POLICIES:

National Guidance

National Planning Policy Framework (March 2012)
Circular 11/95 - The use of Conditions in Planning Permissions

Regional Spatial Strategy East of England Plan (May 2008)

SS1: Achieving Sustainable Development
ENV7: Quality in the Built Environment

Core Strategy and Development Management Policies (November 2009)

CS3 Healthy and Sustainable Communities

CS14	High Quality Development
CS15	Heritage
DM3	High Quality Development
DM4	Development Within and Beyond Settlement Envelopes
DM13	Heritage in Development

Supplementary Planning Guidance

Central Bedfordshire Council's Technical Guidance (January 2010)
- Design Supplement 2: Larger Footprint Buildings.

Planning History

MB/06/00024/REG3	New 150 place Lower School, incorporating a nursery unit with associated ancillary facilities. Approve 07.02.06
MB/08/02210/FULL	Erection of single storey pre-school building. Approved 15.01.09
CB/10/03760/FULL	Modular single storey classroom. Approved 09.12.10
CB/11/01693/FULL	Erection of canopies for hard play area. Approved 15.09.11
CB/12/01391/FULL	Classroom extensions and alterations. Approved 19.07.12

Representations: (Parish & Neighbours)

Stotfold Town Council No objection.

Neighbours A third party representation has been received in objection to the proposal from the owner/occupiers of the following address:

- 35, Nickleby Way

The representation can be summarised as follows:

Noise

- As the number of pupils have increased at this school noise levels have risen from: vehicles dropping off and collecting; children using the playfield /playground, on the surrounding streets and being dropped off/collected from school;
- the potential use of the school in the evenings and at the weekends will increase disturbance; and
- There will also be disturbance from construction vehicles if approved.

Parking

- Car parking along Nickleby Way will be exacerbated.

Privacy

- 35 Nickleby Way is possibly the closest dwelling to the

school's western boundary. In 2011 school children, trying to attract the attention of a cat threw stones at a window of the property. There was no damage and an apology was received but the increase in students will have a significant impact upon privacy.

The full copy of the representation response that was received can be viewed on the application file.

Consultations/Publicity responses

Arboriculture and landscape The existing buildings and landscaping are relatively new. The additional works are quite substantial but will not affect the more mature trees around the site boundary.

Details of additional new landscaping should be supplied to include species, sizes, densities and soil preparation.

Sustainable Transport The School's travel plan should be updated to reflect the new development on the site. An appropriate amount of cycle/scooter parking should also be installed for the development as per the CBC Cycle Parking Standards.

Archaeological The proposed development site lies within a known prehistoric and Roman archaeological landscape and partially within an area of Late Bronze Age, Iron Age and Roman settlement and funerary activity (HER 16801). Under the terms of the NPPF these are all heritage assets with archaeological interest.

A number of archaeological investigations have taken place at Fairfield Park and initiated as part of the re-development of Fairfield Hospital. The investigations demonstrated that Fairfield Park formed part of an extensive prehistoric settlement landscape, predominantly early Iron Age, but with an occupation sequence that dates from the Late Bronze Age through to the medieval/post medieval periods.

The Fairfield Lower School playing fields overlie one of the archaeological areas. Conditions 13 and 14 of the planning permission for the erection of the school (MBDC 06/00024/CC) deal specifically with the need to protect the archaeological remains in perpetuity.

The *Heritage Asset Assessment* submitted with this application outlines proposals to investigate and record the surviving archaeological resource. Archaeological investigation works are ongoing, so to ensure the archaeological remains are investigated,

recorded and the significance of the heritage assets is not lost a condition should be attached.

Building control

The Design and Access Statement makes reference to the Equalities Act but the submitted plans so not show disabled WC provisions to the classrooms.

Determining Issues

The main considerations of the application are;

1. Principle of development
2. Character, context and design of external spaces
3. Nearby residential amenity
4. Highway safety, car and cycle parking
5. Archaeology
6. Third Party Representations

Considerations

1. Principle of development

The principal of residential use for the whole Fairfield site, to include a School, was agreed under the provisions of the outline planning consent granted in 2002. The development of a 150 place Lower School was granted planning permission in 2006.

Core Strategy policy CS3 states that the Council will, in principle, support the upgrading of education facilities. Core Strategy policy DM4 also states that within settlement envelopes the Council will support schemes for educational uses. The school site is within the settlement envelope for Fairfield Park.

The use of this site by a non-residential school is established and as such extensions to the school building are acceptable in principle. This is subject to the proposal conforming to the relevant policies of the development plan which are considered below within the main body of the report.

2. Character, context and design of external spaces

The extensions to the principle building are of an appearance, scale and mass that is sympathetic to the building they extend, their design responds well to the constraints of the school site.

The canopy structure, additional on site car parking provision and other minor alterations are all forms of development that are expected and in keeping with the character of a school use.

As such, the proposed extensions are considered acceptable with respect to

their visual amenity, subject to a standard condition to ensure that the materials used in the external finish of the extensions match the existing host building (condition 2). The proposal complies with policy DM3 of the Core Strategy and Development Management Policies (2009) and Central Government Guidance contained within the National Planning Policy Framework (2012).

3. Nearby Residential Amenity

The third party representation received from the owner/occupiers on Nickleby Way, the road running immediately adjacent to the west boundary of the school site, expresses concern at the potential increase in noise and disturbance from an increased number of pupils on and around the site, and increased vehicular movement and issues of privacy.

Noise and disturbance

It has not been confirmed how many additional pupils the extended accommodation will make provision for in order to assess the potential impact from noise and disturbance. Notwithstanding this, it is anticipated that up to an additional four full time employees and two part time employees will be required to cater for the increase in the number of pupils that the extended school will be able to accommodate. Given the size of the school site this increase of staff and pupils is considered to fit within the constraints of the site. It is envisaged that given the location of the school, surrounded by a residential estate, that a significant majority of pupils and staff will walk to school and not travel by car, mitigating the potential increase of noise and disturbance from vehicular noise and implications for on street car parking.

The nature of a school use expects increased volumes of movement and noise prior to the start of the school day, at the end of the day and during break times. It is not anticipated that the additional users of the school, by virtue of the increased accommodation at the site, will result in a level of noise and disturbance that is significantly different to that which is currently generated by the school and experienced by neighbouring occupiers.

Enclosure and light

It is likely that the extension to the rear, north west of the school, will result in some sense of enclosure and overshadowing at the beginning of the day to No.35 Nickleby Way, the residential dwelling closest to the proposed development. At its closest point the extension will retain a separation distance of approximately 9 metres from this neighbouring building. However, this relationship is considered acceptable. The single storey height of the building, although a tall single storey, will not have an unreasonable overbearing impact upon this adjacent property to the extent that would warrant refusal of the application. It should be noted that a semi-permanent canopy structure extends from the rear of the school in a similar position as the proposed extension and despite a reduced height and footprint comparable to the proposal it does obscure views from No.35 across the school site and introduces a built form in this location.

Privacy

With respect to privacy this extension to the north west of the school proposes two windows to the north of the west elevation and two doorways to the southern end. The presence of these openings in close proximity to No.35 will undoubtedly have an impact upon the perception of privacy afforded to this property. It is recommended that a condition be imposed which ensures the glazing of both the windows and the doors on the west elevation of this extension are obscured to a height of at least 1.7 metres above finished floor level (condition 7). This will help mitigate against the impact of these windows, which will be at a distance of approximately 9 metres from the windows on the east elevation of No.35. This dwelling benefits from two windows on its east elevation at ground floor level, both serving living spaces. However, these are only considered secondary windows and serve rooms which are dual aspect, benefiting from larger windows on the south and north elevations of the building. It is considered that suitable landscaping, ensured by condition (condition 5) will also go some way to reducing the impact by acting as a buffer and partial screen to obscure views between the existing dwelling and the openings of the proposed extension.

With respect to the impact of the proposal upon neighbouring residential amenity, on balance, subject to conditions as suggested above, the proposal complies with policy DM3 of the Core Strategy and Development Management Policies (2009) and Central Government Guidance contained within the National Planning Policy Framework (2012).

4. Highway safety, car and cycle parking

Nine extra on site car parking spaces are proposed. This will result in an increase from the current provision of 16 spaces to 25 spaces. This is inclusive of an additional allocated disabled compliant space, resulting in the current provision of two disabled spaces increasing to three.

To mitigate the potential increase in trips to and from the school the Sustainable Transport Officer has recommended that the school review and update their existing travel plan. It is considered reasonable that such a condition be imposed due to the incremental impact of additional accommodation on the site and this application which will allow for an increase in pupils at the school. This is considered necessary in the interests of highway safety, to reduce congestion and to promote the use of sustainable modes of travel. It will seek to encourage sustainable transport choices and reduce car use. It is suggested the imposition of a condition requires this prior to the first use of the proposed extension (condition 4).

Further to this, it is also considered necessary to impose a standard condition requiring on site cycle parking to be agreed prior to the commencement of development in order to ensure that provision of sufficient cycle parking is made (condition 6).

Access into the site is to remain as per the current situation, taking access off Kipling Crescent. It is not anticipated that there will be any significant adverse impact upon highway safety as a result of the increased use of this access. However, comments are awaited from the Highway Authority. Once received these will be reported to Committee Members on the late sheet or verbally at the meeting.

5. Archaeology

The school site lies within a known prehistoric and Roman archaeological landscape. A number of archaeological investigations have taken place at Fairfield Park, initiated as part of the re-development of the listed Fairfield Hospital building and its grounds. The playing fields to the north of the proposed extension to the school building are currently subject to investigation as required by conditions 13 and 14 of planning application reference MB/06/00024. It is therefore considered reasonable and necessary to request that a condition be imposed to ensure that these works continue and the significance of the heritage asset with archaeological interest is not lost (condition 3). Subject to this condition the proposal is considered acceptable and to accord with East of England Plan (2008) policy ENV6, the Core Strategy policy DM13 and Central Government Advice contained within the National Planning Policy Framework (2012).

6. Third party representations

The concerns raised in the third party representation received in objection to the proposal have been addressed in the main body of the report above. Concerns with respect to noise and disturbance and privacy under the heading 'Nearby Residential Amenity', and with respect to vehicle access and parking under the heading 'Highway safety, car and cycle parking'.

Recommendation

That Planning Permission be APPROVED subject to the following:

- 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 All external works hereby permitted shall be carried out in materials to match as closely as possible in colour, type and texture, those of the existing building.

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 **No development shall commence until such time as the scheme of archaeological investigation, as outlined in the 'Written Scheme of Investigation and Heritage Asset Assessment' (Albion Archaeology, project FPS1938, document 2012/74, version 1.1) submitted to the Local Planning Authority with planning application reference CB/12/01861/FULL has been fully implemented on site to the**

satisfaction of the Local Planning Authority.

Reason: To record and advance understanding of the significance of the heritage assets with archaeological interest before they are lost and to conserve, enhance, protect and enhance the enjoyment of the historic environment.

- 4 Before the building is first brought into use, the Fairfield Lower School Travel Plan shall be reviewed and updated and then submitted, and approved in writing by the Local Planning Authority. The plan shall contain details of:
- measures to encourage sustainable travel choices for journeys to the school;
 - 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 5 years.

All measures agreed therein shall be undertaken in accordance with the approved plan. There shall be an annual review of the Travel Plan (for a period of 5 years 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 in writing by the Local Planning Authority.

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

- 5 **No development shall commence until such time as a landscaping scheme to include any hard surfaces and earth mounding has been 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.

- 6 **Notwithstanding the plans hereby approved, prior to the commencement of development a scheme for the parking of cycles on the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.**

Reason: To ensure the provision of adequate cycle parking to meet the

needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport.

- 7 **Prior to the first occupation or use of the extension hereby permitted to the north west of the existing school, windows of the extension facing the common boundary with the footpath adjacent to No.35 Nickleby Way shall be glazed with obscure glass to a height of at least 1.7 above finished floor level, the details of which shall be submitted to and agreed in writing by the Local Planning Authority prior to development commencing. Thereafter the development shall be carried out in accordance with the agreed details.**

Reason: To ensure the protection of privacy for neighbouring occupiers in the interests of residential amenity.

- 8 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers [M5313/A/201.0; M5313/A/203.0; M5313/A/204.0; M5313/A/205.0; M5313/A/206.0; M5313/A/207.0; M5313/A/208.0; M5313/A/210.0].

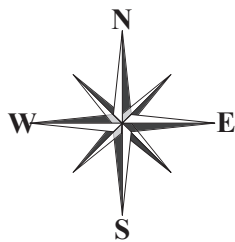
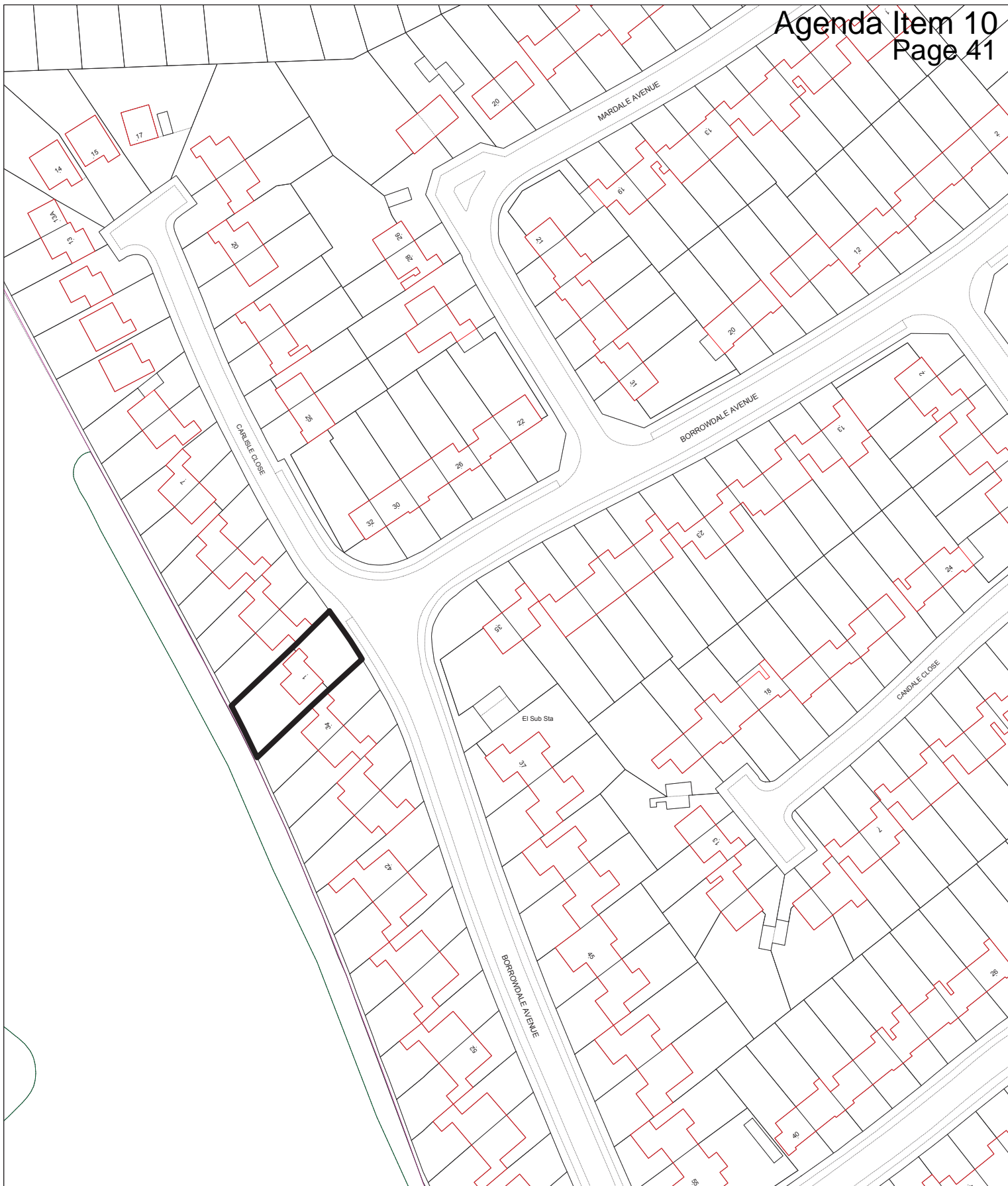
Reason: For the avoidance of doubt.

Reasons for Granting

The proposed development at Fairfield Lower School is appropriate in its design, scale, siting and use of materials, in keeping with the existing school building and site and the character of the surrounding area, and will not have a significant adverse impact upon the amenities currently enjoyed by of adjoining residents. The proposal therefore accords with policies CS3, CS14, CS15, DM3, DM4 and DM13 of the Core Strategy and Development Management Policies (2009) and Central Government Guidance contained within the National Planning Policy Framework (2012).

DECISION

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Date: 30:July:2012

Grid Reference: 501972; 220626

Application No.
CB/12/02192/FULL

Scale: 1:1250

1 Carlisle Close, Dunstable, LU6 3PH

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Item No. 10

APPLICATION NUMBER	CB/12/02192/FULL
LOCATION	1 Carlisle Close, Dunstable, LU6 3PH
PROPOSAL	Ground floor front wrap around roof & raise roof to form loft accommodation
PARISH	Dunstable
WARD	Dunstable Watling
WARD COUNCILLORS	Cllrs Hollick & Miss Sparrow
CASE OFFICER	Donna Lavender
DATE REGISTERED	21 June 2012
EXPIRY DATE	16 August 2012
APPLICANT	Mr Hollick
AGENT	SKETCH3D Design & Drafting
REASON FOR COMMITTEE TO DETERMINE	Applicant is a Ward Councillor
RECOMMENDED DECISION	Full Application - Granted

Site Location:

The application site consists of a link-detached two storey dwellinghouse located on Carlisle Close in the town of Dunstable. The site is flanked to the north by 2 Carlisle Close and to the south by 34 Borrowdale Avenue. Dunstable Downs golf course is located to the rear of the application site.

The Application:

Permission is sought for construction of a mono-pitched roof canopy to the principal elevation and a gable roof design porch canopy, for the increase of the existing ridge height of the main dwellinghouse and installation of velux windows to the principal elevation roof slope and three dormer windows to the rear roofslope.

The proposed mono-pitched front canopy would measure approximately 5.6 metres in width, 1.4 metres in depth and would have an overall height of 3.2 metres. The proposed porch canopy would measure approximately 1 metre in depth, 2.5 metres in width and would have an overall height of 3.2 metres.

The ridge height would be increased by some 1.1 metres making an overall height of 8.1 metres from ground level. Four velux windows are proposed to the front roofslope each measuring 0.7 metres in height by 0.9 metres in width.

Three dormer windows proposed to the rear roofslope would vary in size. One larger dormer would be proposed to the mid-section of the rear roofslope measuring approximately 2.5 metres in width, 3.3 metres in depth and would have an overall height of 2.6 metres incorporating a gable roof design. Two smaller dormer windows are proposed either side of the larger dormer each measuring approximately 1.6 metres in width, 2.5 metres in depth and would have an overall height of 2 metres also incorporating gable roof designs.

RELEVANT POLICIES:

National Planning Policy Framework (March 2012)

Regional Spatial Strategy

East of England Plan (May 2008)

ENV7 (Quality in the Built Environment)

SS1 (Achieving Sustainable Development)

T14 (Parking)

Bedfordshire Structure Plan 2011

None

South Bedfordshire Local Plan Review Policies

BE8 Design Considerations

H8 Extensions to Dwellings

T10 Parking - New Development

(Having regard to the National Planning Policy Framework, the age of the plan and the general consistency with the NPPF, policies BE8 & H8 are still given significant weight. Policy T10 is afforded less weight.)

Supplementary Planning Guidance

Central Bedfordshire Design Guide: A Guide for Development 2010

Planning History

Application: Planning

Number: SB/83/00229

Validated: 15/03/1983

Type: Full Application

Status: Decided

Date: 20/04/1983

Summary:

Decision: Grant Planning Permission

Description: FIRST FLOOR AND TWO STOREY SIDE EXTENSION

Application: Planning

Number: SB/96/00853

Validated: 06/11/1996

Type: Full Application

Status: Decided

Date: 12/12/1996

Summary:

Decision: Grant Planning Permission

Description: ERECTION OF SINGLE STOREY SIDE EXTENSION AND REAR CONSERVATORY

Representations:

(Parish & Neighbours)

Town Council Dunstable Town Council (11/07/12) - No Objection

Neighbours None

Consultations/Publicity responses

1. CBC Highways Officer (16/07/12) - No Objection

Determining Issues

The main considerations of the application are;

1. **Design Considerations**
2. **Impact on the Residential Amenity**
3. **Highway Safety & Parking Considerations**

Considerations

1. Design Considerations

The proposed canopies are consistent in terms of design and scale to forward facing developments within the locality and therefore would not appear obtrusive or out of character when considered within the context of the streetscene.

The proposed increase in ridge height is considered to be modest and due to the staggered nature of properties within the locality and the application sites set back situation within the streetscene, it is considered that the proposed increased ridge height would not appear obtrusive or overbearing.

The proposed velux windows would normally be considered to be permitted development and they are of a scale that would not appear visually intrusive. The proposed dormer windows would not be largely visible within the streetscene due to their siting and scale however they are considered to be of a modest scale and sympathetic design that would seek to compliment and enhance the host dwellinghouse.

2. Impact on the Residential Amenity

Due to the siting and scale of the proposed canopies, there would be no adverse impact on the occupiers of the adjacent dwellinghouses in terms of loss of light or overshadowing.

Due to the adequate separation between the application site and any adjacent property and the staggered row siting of properties within the area, there would be no adverse impact on the local residential amenity in terms of overbearing impact or loss of light.

The proposed velux and dormers would have no resultant impact on the amenity in terms of any mutual overlooking concerns and no other windows are proposed to be installed into any elevation which would result in mutual overlooking concerns.

3. Highway Safety & Parking Considerations

The application proposes a “wrap around roof” to the existing ground floor and raising the roof level on the upper floor to enable the loft to be converted to form additional accommodation. The net effect of the proposal will be to increase the number of bedrooms from 4 to 5. No changes are proposed to the means of access and the on-site parking provision is retained at three spaces. This complies with the Council’s standards for a five bedroom property. The proposed development is therefore unlikely to have an impact on the local road network once it is completed. On this basis, the Highways Officer has raised no objection to the granting of this permission.

Recommendation

That Planning Permission be GRANTED subject to the following:

- 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 New external facing materials shall match those of the existing building as closely as possible.

Reason: To ensure that the development is in keeping with the existing building.
(Policies BE8 & H8 S.B.L.P.R).

- 3 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 12006, 12006-10 Rev A, 12006-20, 12006-30, 12006-40, 12006-41, 12006-50, 12006-60, 12006-70, 12006-80, 12006-90, 12006-91, 12006-92, 12006-93 & 12006-94..

Reason: For the avoidance of doubt.

Reasons for Granting

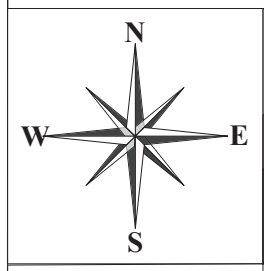
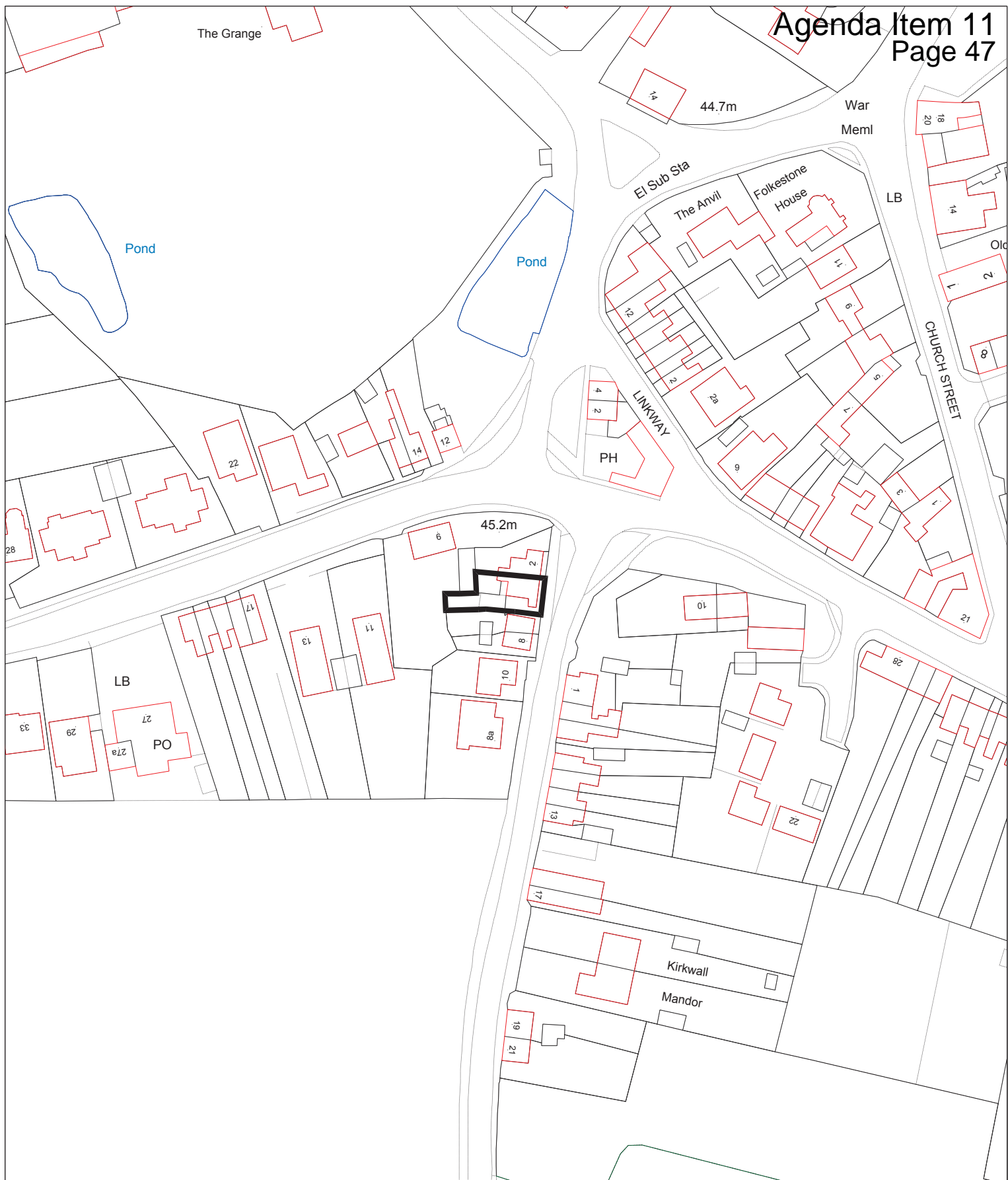
The proposed front canopies, increased ridge height and velux and dormer windows would not have a detrimental impact on the character of the area or an adverse impact on the residential amenity of neighbouring properties and would not be prejudicial to highway safety, therefore by reason of their siting, design and location, they are in conformity with Policy ENV7 of the East of England Plan (May 2008); Policies BE8 and H8 of the South Bedfordshire Local Plan Review 2004 and having regard to the National Planning Policy Framework (2012). They are further in conformity with the technical guidance Design in Central Bedfordshire, Residential Extensions 2010.

Notes to Applicant

1. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, 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).
2. 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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Date: 30:July:2012

Map Sheet No

Application No
CB/12/02254/FULL

Scale: 1:1250

4 New Road, Clifton, Shefford

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Item No. 11

APPLICATION NUMBER	CB/12/02254/FULL
LOCATION	4 New Road, Clifton, Shefford, SG17 5JH
PROPOSAL	New conservatory to the rear
PARISH	Clifton
WARD	Arlesey
WARD COUNCILLORS	Cllrs Dalgarno, Drinkwater & Wenham
CASE OFFICER	Amy Lack
DATE REGISTERED	22 June 2012
EXPIRY DATE	17 August 2012
APPLICANT	Mr S Joynes
AGENT	
REASON FOR COMMITTEE TO DETERMINE	Applicant is employee of Central Bedfordshire Council

RECOMMENDED DECISION	Full Application - Granted
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Site Location:

No.4 New Road, is a two storey semi-detached dwelling, finished with red brick, apart from its southern, side elevation which is rendered and painted cream. It has wooden sash windows and a tile roof.

The dwelling is located on the west side of the road, to the south of the junction of New Road with Shefford Road and Broad Street. To the north is adjoining semi-detached dwelling No.2 New Road; to the east is New Road; to the west the rear garden of No.9 Shefford Road; and to the south is an access to the rear between the subject dwelling and neighbouring No.6 New Road, a semi-detached dwelling in a lighter buff brick but also with a white painted side elevation.

This end of New Road comprises a mix of semi-detached, bungalow and terrace dwellings. The surrounding area is generally two storey in height and with a rural village character.

The site is located within the Clifton Settlement Envelope and the Clifton Conservation Area.

This application is before the Development Management Committee for determination because the applicant is a member of staff at Central Bedfordshire Council.

The Application:

The application seeks consent for the erection of a single storey conservatory extension to the rear of the existing dwellinghouse.

Extending at ground level from an existing two storey element on the north side of the dwelling, the proposed conservatory will measure: 3.3metres in width; 2.2 metres in depth; rising to a maximum ridge height of 3.4 metres; and falling to an eaves height of 2.4 metres.

RELEVANT POLICIES:

National Guidance

National Planning Policy Framework (March 2012)
Circular 11/95 - The use of Conditions in Planning Permissions

Regional Spatial Strategy East of England Plan (May 2008)

SS1: Achieving Sustainable Development
ENV6: The Historic Environment
ENV7: Quality in the Built Environment

Core Strategy and Development Management Policies (November 2009)

CS14	High Quality Development
CS15	Heritage
DM3	High Quality Development
DM4	Development Within and Beyond Settlement Envelopes
DM13	Heritage in Development

Supplementary Planning Guidance

Central Bedfordshire Council's Technical Guidance (January 2010)
- Design Supplement 4: Residential Alterations and Extensions
- Design Supplement 5: The Historic Environment

Planning History

MB/06/00637/FULL Single storey first floor extension to rear. Approved 16.06.06

Representations: (Parish & Neighbours)

Clifton Parish Council	No objection
Neighbours	No third party representations received.

Publicity

Advertisement 06.07.12
Site Notice 05.07.12 (posted to pole outside of no. 2 New Road)

Consultations/Publicity responses

Conservation

The conservatory is relatively small and in the back garden. As noted in the well-detailed Design and Access Statement/Heritage Asset Statement, the views across the garden of no. 2 from near to the pond and the junction of Grange Street/Linkway are restricted. As such, the conservatory would not be prominent.

Plastic/upvc is not a suitable material within conservation areas but in locations such as this, where there is realistically little, if any, actual impact or *harm* (NPPF para. 134) to the heritage asset - the character, appearance and special interest of the Conservation Area, it would be unreasonable to refuse on that basis.

A condition to require the brickwork to match is suggested.

Archaeology

No objection to this application on archaeological grounds.

The proposed development is within the core of the medieval village of Clifton (HER 17110) which is a heritage asset with archaeological interest as defined by the *National Planning Policy Framework*.

The application is accompanied by a *Heritage Statement* which discusses the archaeological dimensions of the site. The application, therefore, complies with the requirement of Policy 46 of the Draft Development Strategy for Central Bedfordshire (2012) and Paragraph 128 of the *NPPF*.

The Heritage Statement correctly identifies the fact that the proposed development site lies within the historic core of Clifton. It concludes that the development is unlikely to have serious impact on archaeological remains or the significance of the heritage asset with archaeological interest. This is a reasonable conclusion.

Determining Issues

The main considerations of the application are;

1. Principle of development
2. Character, context, design of external spaces and impact upon the surrounding conservation area
3. Residential amenity of neighbouring occupiers
4. Archeology

Considerations

1. Principle of development

The application site lies within the settlement envelope of Clifton. Development Management Policy DM4 of the Core Strategy makes provision for the extension of existing residential properties. As such, the principle of the development is acceptable, subject to the proposed development being assessed against the criteria of other relevant development plan policies.

2. Character, context, design of external spaces and impact upon the surrounding conservation area

The rear garden area of the application site is constrained by a barn which cuts into its north west corner. The barn is property within the curtilage of adjoining No.2 New Road and the proposed conservatory extension is to extend from an existing two storey projection, from which both dwellings benefit (planning application reference MB/06/00637/FULL) to sit 0.2 metres off the shared boundary with this adjoining neighbour, between the rear projection of the dwelling and the eastern wall of the existing barn.

The conservatory will utilise part of the garden space that is currently enclosed by: the dwelling; the boundary with No.2; and the barn. Notwithstanding this loss of garden space, the property will still benefit from a long stretch of rear garden land that extends the southern half of the garden adjacent to the boundary with No.6.

Single storey in height the proposed extension is considered sympathetic to the host dwelling with respect to its scale and mass. It is a form of extension that is expected and in keeping with a residential setting. Located to the rear it will not be read as part of the street scene of New Road and will only be seen in obscure views from Shefford Road to the north.

Subject to the imposition of a condition, as recommended by the Conservation Officer, requiring all brickwork to match the existing dwelling (condition 2), the proposal is considered in keeping with the residential nature of the surrounding area, sympathetic to the host dwelling it will extend and will have no adverse impact upon the character or appearance of the surrounding Conservation Area. As such, the proposal is in accordance with policies DM3 and DM13 of the Core Strategy (2009) and advice contained within Central Bedfordshire Council's Technical Guidance - Design Supplement 4: Residential Alterations and Extensions (2010).

2. Residential amenity of neighbouring occupiers

The proposed conservatory will extend along the shared boundary with neighbouring no.2 by 2.2 metres from the rear of the host dwelling. Set in from this boundary by 0.2 metres and single storey in height, the proposal will not unduly impact upon the residential amenity currently enjoyed by these

neighbours.

Although positioned south of adjoining No.2, the high closed boarded fence and presence of the barn, coupled with the lightweight construction of the proposed conservatory, with a pitched roof that will slope away from the shared boundary, means the proposal is unlikely to result in any significant adverse enclosing or overbearing impact to this neighbour or result in any significant loss of light.

Therefore, with respect to neighbouring residential amenity, the proposal accords with policy DM3 of the Core Strategy (2009).

4. Archeology

As concluded by the Heritage Statement submitted with the application, the Archeologist consulted on the proposal is satisfied that despite the proposed development site lying within the historic core of Clifton the development is unlikely to have any serious impact upon archaeological remains.

Recommendation

That Planning Permission be approved subject to the following:

- 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 All external brickwork and mortar used in the construction of the development hereby approved shall match as closely as possible in colour, type and texture, that of the existing building.

Reason: To safeguard the appearance of the completed development to match/complement the existing building and to protect and enhance the character and appearance of the surrounding conservation area.

- 3 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers [NRC/SJ/01; NRC/SJ/02; NRC/SJ/03].

Reason: For the avoidance of doubt.

Reasons for Granting

The proposed single storey conservatory extension to the rear of 4 New Road, Clifton is appropriate in scale and design to the host dwelling it will extend and the character and context of the surrounding Conservation Area. It will not unduly impact upon the residential amenity currently enjoyed by neighbouring properties. By virtue of the siting, design, scale and mass of the proposal it is considered acceptable and in accordance with policies CS14, CS15, DM3 DM4 and DM13 of the Core Strategy and Development Management Policies (2009), Central Government Guidance contained within the National Planning Policy Framework (2012) in particular, with respect to Requiring good design and Conserving and enhancing the historic environment, and with supplementary planning guidance in the form of Central Bedfordshire Council's Technical Guidance - Design Supplement 4: Residential Alterations and Extensions and Design Supplement 5: The Historic Environment (2010).

Notes to Applicant

DECISION

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