

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



please ask for Helen Bell
direct line 0300 300 4040
date 11 April 2013

NOTICE OF MEETING

DEVELOPMENT MANAGEMENT COMMITTEE

Date & Time

Wednesday, 24 April 2013 10.00 a.m.

Venue at

Council Chamber, Priory House, Monks Walk, Shefford

Richard Carr
Chief Executive

To: All Members of the Council

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 meeting of the Development Management Committee held on 27 March 2013.

(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.

REPORT

Item	Subject	Page Nos.
5	Planning Enforcement Cases Where Formal Action Has Been Taken	5 – 8

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:

**Planning & Related Applications - to consider
the planning applications contained in the
following schedules:**

Item	Subject	Page Nos.
6	<p>Planning Application No. CB/13/00710/FULL</p> <p>Address : Dukeminster Estate (South East Corner), Church Street, Dunstable</p> <p style="padding-left: 40px;">New build care home and upgrade existing road.</p> <p>Applicant : Quantum Care Developments Ltd.</p>	9 - 26
7	<p>Planning Application No. CB/13/01069/FULL</p> <p>Address : St Christopher Lower School, Dunstable</p> <p style="padding-left: 40px;">Temporary Module Double Classroom Unit, Landscaping and additional pedestrian access</p> <p>Applicant : St Christopher's Academy</p>	27 - 42
8	<p>Planning Application No. CB/13/00867/FULL</p> <p>Address : 30 Beecroft Way, Dunstable</p> <p style="padding-left: 40px;">Single storey rear extension</p> <p>Applicant : Miss S Cochrane</p>	43 - 48
9	<p>Planning Application No. CB/13/00920/FULL</p> <p>Address : 2 Milebush, Leighton Buzzard</p> <p style="padding-left: 40px;">Two storey side extension and room over garage.</p> <p>Applicant : Mrs L Knott</p>	49 - 54
10	<p>Planning Application No. CB/12/04284/FULL</p> <p>Address : White Gables Farm, Moggerhanger</p> <p style="padding-left: 40px;">Erection of office building and change of use to mixed use – horticulture and haulage.</p> <p>Applicant : R A Andersons & Sons</p>	55 - 66

11 **Planning Application No. CB/13/00492/FULL** 67 - 84

Address : The Boot, 110 High Street, Langford

Change of use of public house to dwelling and
erection of Gospel Hall

Applicant : Norseman Construction Ltd

12 **Planning Application No. CB/13/00333/REG3** 85 - 94

Address : Land adjacent to 94 Ampthill Road, Flitwick

Change of use of land from agricultural to D2
(assembly & leisure) and associated landscaping.
It is proposed to use the land for outdoor sports
and recreation – playing fields with 1 full sized and
6 junior pitches.

Applicant : Central Bedfordshire Council

13 **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 22 May 2013 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: 24th April 2013
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.

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. 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 details of Minerals and Waste cases please contact Roy Romans on 0300 300 6039.

Appendices:

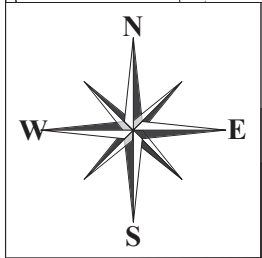
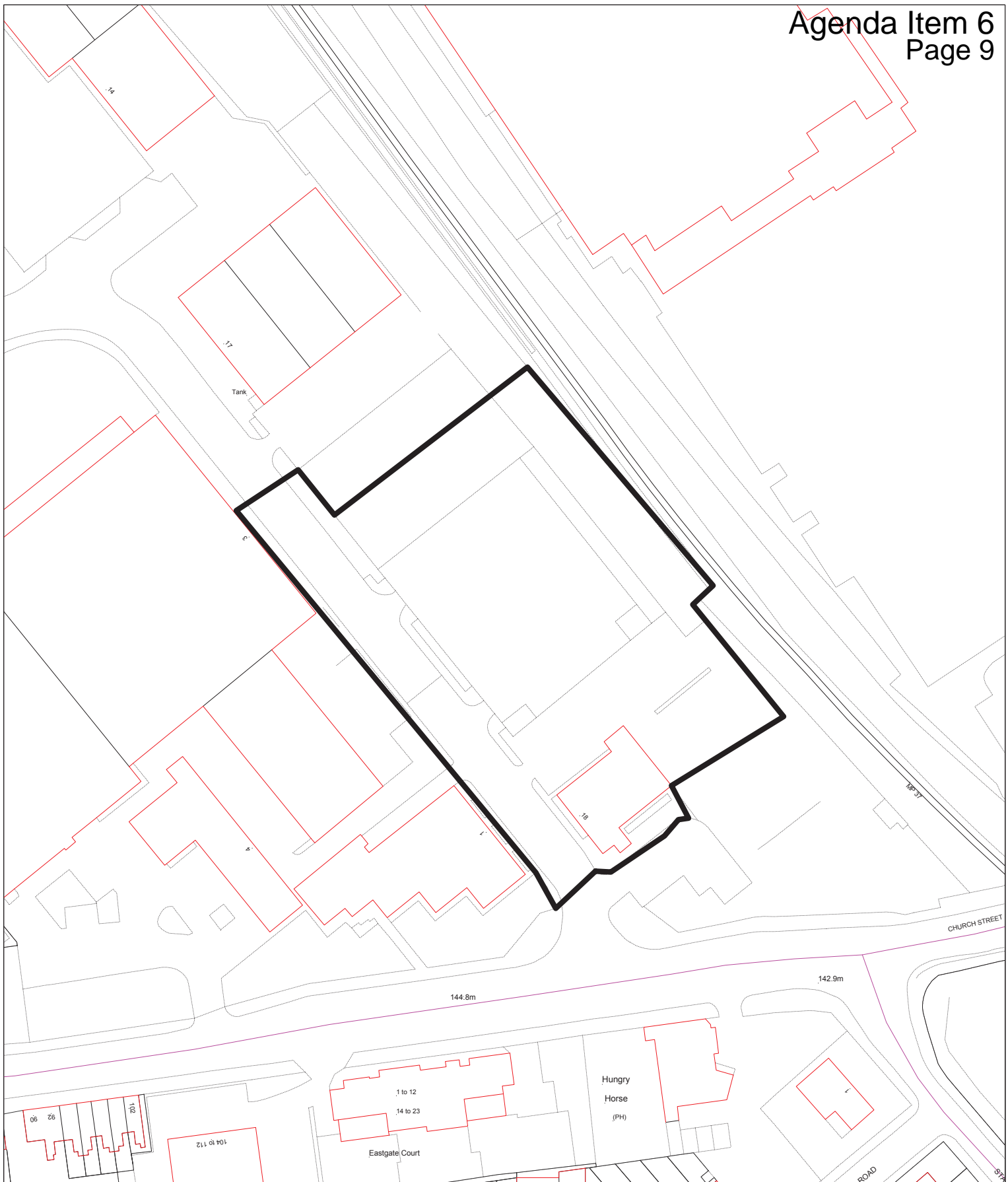
Appendix A – Planning Enforcement Formal Action Spreadsheet

Planning Enforcement formal action (DM Committee 24th April 2013)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
1	CB/ENC/10/0037	Land at 6 Sutton Road, Potton, SG19 2DS	Enforcement Notice - siting of mobile home for independent residential accommodation	31-Aug-12	01-Oct-12	01-Dec-12			Not complied	Proceed to further action
2	CB/ENC/10/0140	Land at 6 The Belfry, Luton. LU2 7GA	Enforcement Notices - change of use of land from amenity land to use as garden.	13-Sep-12	11-Oct-12	08-Nov-12	Appeal submitted 27/9/12			Await outcome of appeal
3	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 29/5/13
4	CB/ENC/10/0440	Land at Foxbury Stables, Woodside Road, Woodside, Luton. LU1 4DQ	Enforcement notice, change of use to mixed use for keeping horses and for residential purposes.	21-Mar-13	18-Apr-13	18-Jan-14				Check compliance after 18/1/14
5	CB/ENC/11/0402	Land adjoining Greenacres, Gypsy Lane, Little Billington, Leighton Buzzard. LU7 9BP	2 Enforcement Notices 1 - unauthorised encroachment onto field 2 - unauthorised hard standing, fence and buildings	15-Oct-12	12-Nov-12	10-Dec-12				Timber building has been sold, awaiting removal then fence to be moved back
6	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 dismissed 24/10/12	24-Nov-12 and 24-Jan-13		Appeal dismissed. Revised planning application for regrading land - CB/13/01173/FULL
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 dismissed 3/1/13	3-Mar-13		Appeal dismissed. Revised planning application granted to resite hangar - CB/13/00282/FULL. Check 21/5/13
8	CB/ENC/12/0199	Plots 1 & 2 The Stables, Gypsy Lane, Little Billington, Leighton Buzzard LU7 9BP	Breach of Condition Notice Condition 3 SB/TP/04/1372 named occupants	15-Oct-12	15-Oct-12	12-Nov-12				Occupied temporarily, await outcome of appeal for Kingswood Nursery
9	CB/ENC/12/0231	Land at 31 Applecroft, Lower Stondon, Henlow	Enforcement Notice - construction of a fence above one metre in height	15-Feb-13	18-Mar-13	15-Apr-13				Check compliance after 15/6/13

Planning Enforcement formal action (DM Committee 24th April 2013)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
10	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 for variation of condition. Await application to vary condition.
11	CB/ENC/12/0330	Land to rear of The Farmers Boy PH, 216 Common Road, Kensworth, Dunstable LU6 2PJ	Enforcement Notice - raising and leveling of the land by the importation of waste material	08-Aug-12	10-Sep-12	10-Nov-12	Appeal submitted 10/9/12			Await outcome of appeal
12	CB/ENC/12/0441	Land at 73a and 73b High Street, Stotfold. SG5 4LD	Breach of Condition Notice - Condition 12 to Planning permission CB/11/00888/FULL - brick wall	18-Mar-13	15-Apr-13	15-May-13				Check compliance after 15/5/13
13	CB/ENC/12/0633	Land at Plot 2, Greenacres, Gypsy Lane, Little Billington, Leighton Buzzard. LU7 9BP	Enforcement Notice - construction of timber building and the laying of hardstanding.	17-Jan-13	14-Feb-13	14-Mar-13				Awaiting planning application to regularise Plot 2
14	CB/ENC/12/0641	Land at Motorcycle Track South of Billington Road, Stanbridge.	Breach of Condition Notice, Condition 3 planning permission SB/TP/95/0176. Training and practice taking place outside 1st April to 30th September.	02-Jan-13	02-Jan-13	30-Jan-12	N/A		No further breaches	Monitor compliance. LDC application received
15	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. Pre-app discussions re future of site
16	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	04-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. Neighbour dispute re access



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Date: 08:April:2013
Grid Reference: 502444; 222070

Application No.
CB/13/00710/FULL

Scale: 1:1250

Dukeminster Estate (South East Corner), Church Street,
Dunstable, LU5 4HU

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Item No. 6

APPLICATION NUMBER	CB/13/00710/FULL
LOCATION	Dukeminster Estate (South East Corner) Church Street, Dunstable, LU5 4HU
PROPOSAL	Proposed new build C2 use care home facility and upgrade of existing access road.
PARISH	Dunstable
WARD	Dunstable Icknield
WARD COUNCILLORS	Cllrs McVicar & Young
CASE OFFICER	Mr J Spurgeon
DATE REGISTERED	27 February 2013
EXPIRY DATE	29 May 2013
APPLICANT	Quantum Care Developments Ltd
AGENT	RDT Design
REASON FOR COMMITTEE TO DETERMINE	Being an application for major development it is considered to be a departure from the Development Plan
RECOMMENDED DECISION	Full Application - Approval

Recommended Reasons for Granting

Although this site is located within a Main Employment Area on the South Bedfordshire Local Plan Review (Policy E1) the emerging Development Strategy for Central Bedfordshire recognises that this status has been considerably influenced by a previous appeal decision whereby there was no justification to reserve the land for employment purposes. Nevertheless, this proposal provides a form of employment use while also providing necessary accommodation for elderly people in accordance with the Policy 31 of the Development Strategy. Access and parking would be provided while encouraging modal choice by staff and visitors, especially through the location being highly accessible to public transport, a future cycleway and the town centre. Design takes into account proposed and existing neighbouring developments and would integrate well with the local diverse character (Policies BE8 of the Local Plan and 43 of the Development Strategy).

Site Location:

This 0.66 ha site comprises the south-east corner of the 6.5ha Dukeminster Estate, until recently a commercial enclave on a rectangle of land half a mile east of Dunstable Town Centre with a long history of commercial use. The site was until recently mainly occupied by a 6-storey office block with car parking; this has now been cleared above ground leaving large areas of slab or tarmac with a small landscaped strip within it. To the west the site includes the first part of the internal estate road, and there is an eastern boundary with the Luton-Dunstable Busway (at an advanced stage of construction) with a Sainsburys superstore beyond. To the south, and parallel with Church Street, is a new bus slip road splitting from Church Street to the busway. Original perimeter chain link fencing remains and this has

been replaced by hoardings on the public and busway frontages. The former parking areas extend beyond the northern boundary, with an unoccupied block of commercial units beyond.

The Application:

It is proposed to build a care home catering for people with dementia and needing respite and other specialist care for the elderly. The building would be in the form of a main 3-storey block facing south towards the bus slip road and Church Street, a linked 2/half-storey block at right angles centrally to the rear which then splays west and east further north as a linked 'V' shaped 2-storey block. The irregular plan building would be roughly in the centre of the site and the remainder would be landscaped for residents' use and parking/access from the estate road. A total of 75 resident suites would be provided (each comprising bedroom with en-suite). These would be divided among 5 wings on each floor with pairs of wings having a common open plan dining and living space. Service rooms and a cafe/foyer would be located just behind the frontage block, where the main entrance would be.

The following documents have been submitted:

- Design and Access Statement
- Planning statement
- Landscape strategy plan
- Noise impact assessment
- Energy efficiency statement
- Public consultation statement
- Ecological appraisal
- Contamination assessment
- Transport Assessment

There would be 2 accesses to the site - a main approach to the front door with 4 accessible parking spaces and the main car park to the north, having 29 spaces in total. These accesses would be from a modified estate road which is also part of this application. The remainder of the frontage would be hedged with an avenue of trees; tree planting would feature extensively around the site perimeter and around the car parks. Being a relatively closed environment there are extensive pleasure grounds incorporating lawns, beds and paving. The site would be bounded by an acoustic fence towards the Busway and weldmesh fencing/hedging elsewhere.

Surface water drainage would be to soakaway and foul water to mains. Although the site is fairly level there is a slight increase from south to north of 1m. The finished floor level of the proposed building would be constant throughout and at a level appropriate for the topography. It is confirmed that there would be no increase in the level of the land from topsoil deposit after remediation.

Outline planning permission (see below) has been resolved to be granted for the whole Dukeminster Estate for a mixed scheme of residential, care home and commercial development, but the legal agreement remains to be signed. In that application the indicative layout shows the land to the north of the site for residential development and the current site for care home use.

RELEVANT POLICIES:

National Planning Policy Framework (March 2012)

- 4 - Promoting sustainable transport
- 7 - Requiring good design
- 10 - Meeting the challenge of climate change, flooding and coastal change
- 11 - Conserving and enhancing the natural environment

South Bedfordshire Local Plan Review Policies

- BE8 Design Considerations
- E1 Main Employment Areas
- T4 Translink Project

Development Strategy for Central Bedfordshire (pre-submission version Jan 2013)

- Policy 1 Presumption in favour of sustainable development
- Policy 7 Employment sites and uses
- Policy 26 Travel plans
- Policy 27 Car parking
- Policy 28 Transport assessments and travel plans
- Policy 31 Supporting an ageing population
- Policy 43 High quality development
- Policy 44 Protection from environmental pollution
- Policy 47 Resource efficiency
- Policy 48 Adaptation
- Policy 49 Mitigating flood risk

(Having regard to the NPPF, significant weight is given to the policies contained within the emerging Development Strategy for Central Bedfordshire, which is consistent with the NPPF. The draft Development Strategy is due to be submitted to the Secretary of State in May 2013).

Supplementary Planning Guidance

- Design in Central Bedfordshire
- Central Bedfordshire Local Transport Plan: App. F, Parking Strategy
- Dunstable Town Centre Masterplan

Planning History

(key decisions, whole Dukeminster Estate)

- SB/OUT/06/0884 Appeal permission expired – Residential development for up to a maximum of 458 dwellings (85 dwellings per hectare maximum) with associated parking and open space and up to a maximum of 300m² of Class A1 floorspace and up to a maximum of 520m² of Class D1 floorspace.
- CB/11/02380/FULL [Dukeminster Estate excluding this site] Resolved to Grant - Demolition of all existing buildings and redevelopment for up to 172 residential dwellings together with 300m² (gfa) of Class A1 retail space and 513m² (gfa) of

and frontage to Church Street] Class D1 accommodation. Section 106 Agreement not signed.

CB/11/04497/OUT Resolved to Grant – Demolition of all buildings on the site and redevelopment for a mixed use scheme for up to: 203 residential dwellings together with a 75 bed care home; 568m² (GFA) of class A1 retail space; 505m² (GFA) of class A2 financial and professional services or class 3 restaurants and café space; 555m² (GFA) of class D1 non residential institutions space; 783m² (GFA) of B1 business space together with associated vehicular parking and landscaped areas. Section 106 Agreement not signed.

**Representations:
(Parish & Neighbours)**

Town Council (20/3/13) No objection.

Neighbours No response.

Consultations/Publicity responses

Highways Officer (22/3/13, 27/3/13) Notes that it is proposed to adopt access road under S.38 of the Highways Act. Although the modelled refuse vehicle is shorter than used by CBC, as this will be privately serviced the internal arrangements are satisfactory. Recommends conditions.

Highways Agency (12/3/13) This site is part of a larger site where planning permission is resolved to be granted. To be consistent with that 'permission' the same Travel Plan condition should be attached here.

Tree and Landscape Officer (21/3/13) No objection to framework plan but asks for condition to secure a scheme which is accurately assessable, quantifiable and enforceable.

Ecological Officer (14/3/13) No objection to proposals and agrees with Ecological Report recommendation for a condition requiring a reptile survey at an appropriate time of year and, if reptiles are found, suitable mitigation.

Public Protection - contamination (19/3/13) Requests condition.

Environmental Health Officer (27/3/13) No objections. An earlier Environmental Noise Assessment recognised the commercial nature of surrounding land and a busway but a condition is recommended for sound insulation in the new building. Another condition is proposed to ensure that noise from fixed plant does not affect future residential use of adjacent land. Asks for informatives on working hours

and site preparation/construction best practice.

Environment Agency (25/3/13, 26/3/13)	No objection in principle. Most of the contaminants found breached the acceptability threshold and proposed source removal is considered acceptable. Conditions are recommended.
Anglian Water	Comments will be reported on the Late Sheet.
Adult Social Care (18/3/13)	Seeks explanation of garden design for people with dementia, security, use of corridor ends, noise attenuation and design implications of nursing practice.

Determining Issues

The main considerations of the application are;

1. Planning history and policy
2. Access and design
3. Other considerations

Consideration

1. Planning history and policy

Together with the rest of Dukeminster Estate, the site is allocated in the South Bedfordshire Local Plan as a Main Employment Area; relevant Policy E1 is still saved. The site is shown on the Policies Map for the pre-submission Development Strategy for Central Bedfordshire as 'Main employment area (category 1) lost to residential development'. In a pivotal appeal decision on the Estate, the Secretary of State, in allowing an appeal for 458 dwellings (and 300m² retail/520m² Class D1) in 2007 noted that the proposal would provide new and additional housing in a sustainable location including a good quantity of affordable housing, and that there was evidence of sufficient employment land elsewhere. Subsequent applications have been determined which relied on the steer given by the Secretary of State in respect of the employment land and which is still relevant. The most recent (11/04497) application covering Dukeminster Estate was resolved to be granted permission by Development Management Committee on 23rd May 2012 but the S106 Agreement remains to be drawn up and signed. In this application, the current site was indicated as the location for a care home of up to 75 beds. The instant proposal therefore accords with an application which has been approved in principle subject to securing developer contributions and affordable housing provision.

While discussions are ongoing in respect of the remainder of the 11/04497 application proposal, to include an Extra-care facility promoted by this Council, separate discussions have taken place on this site to ensure a scheme which would relate well to the scale and character of its likely neighbours and which could be delivered early.

The Dunstable Town Centre Masterplan coverage extends to this site, being part of the Dukeminster Estate. Reference is made to the 11/02380 'planning

permission' (see history above) because the 11/04497 submission was still being considered. The Masterplan states "There is an opportunity to consider the site for comprehensive redevelopment. However, an element of the sites original employment function would need to be retained in some form." It is now generally accepted that employment uses can extend to care homes and this aspiration can be met in the proposal.

The Luton to Dunstable Guided Busway adjoins the site to the east and is at an advanced stage of construction. The proposal does not prejudice its implementation and operation and the access to the site does not rely on crossing the bus slip road.

The 11/04497 application was subject to a comprehensive public consultation exercise which remains relevant as the current application comprises a component of that proposal.

The applicant refers to *Central Bedfordshire Together - Sustainable Community Strategy 2010-2031* in which is set out a priority for supporting and caring for an aging population and those who are most vulnerable. An increasing demand for care provision would be addressed by integrating care and support to people with dementia and their carers...'. *Delivering your priorities - Our plan for Central Bedfordshire 2012-2016* reflects this in the priority 'Promoting health and wellbeing and protecting the vulnerable'. An expanded social care market that provides choice is envisaged and dementia care is a focus for support. Policy 31 of the emerging Development Strategy directly supports this proposal as it not only provides appropriate accommodation for an ageing population but is in a very sustainable location and has a flexible range of services.

We have screened this proposal under the Town and Country Planning (Environment Impact Assessment) Regulations 2011 and concluded that, having regard also to the proposed developments elsewhere on Dukeminster Estate, the proposal does not constitute EIA Development.

2. Access and design

The 2011 application retained the southern part of the estate road to serve the redeveloped Dukeminster site. However, the extensive road works associated with the Busway form a comprehensive highway layout in the vicinity which re-works this junction. It is therefore acceptable, indeed preferable, for the proposal to take access from the estate road. Pedestrian and cycle access would be from the same place. After using his experience in his 26 other developments, the operator has provided a total of 29 parking spaces in this scheme. Four of these are located in front of the main entrance to the block, and these would accommodate ambulances and disabled-user vehicles. The main car park is accessed further up the estate road. This figure equates to the basic requirement according to the new parking strategy after applying the discounting for accessibility.

The estate road would be slightly reduced in width at this point and, being delivered by this scheme, would then be available to serve the remainder of the redeveloped Dukeminster Estate.

Constraints on design for the building arise from the need to address Church Street and also the frontage building on the western part of the Estate. Using pre-submission information the form of the development on this adjacent land has effectively been finalised. Adjacent to the estate road it would present a 4 storey 'drum' feature of a modern design, although the ground floor would be double height. The frontaging building on the site is 3 storeys high with a ridge roof while the building components to the rear are 2 storey. It is likely that the rear of the site will abut 2-storey housing with minimal buffering. On the front elevation (facing Church Street) a varied composition of materials (brick and render) incorporate vertical elements to increase the apparent scale while remaining practical for the user. Central in this elevation would be paired covered balconies on the upper floors served from communal living spaces. A vertical brick feature nearest the west corner would wrap round to face the estate road and the corner itself would be 'hollowed out' to reveal generous balconies on the upper floors. These would have access from 'quiet spaces' on the upper 2 floors.

The choice of facing materials continues the interest of the elevations. Under grey roof tiles a general use of red brick for ground and first floors and painted render at second floor would be punctuated by vertical projections of horizontal boarding with Juliette balconies. Steel railings and vertical columns would also feature.

The main entrance is in the arm to the rear of the frontage block and faces west to the estate road. It would be recessed behind a symmetrical layout of planting and parking spaces yet be slightly understated. Two further wings would fan out from this point to the north. The residents would be allocated to a 'household' and each household would have its own dining/living area. Those on the ground floor would open onto a hedged 'room' outside the building. In addition, there would be a central café area which also opened onto one of the 3 external 'rooms'. The overall design would present multiple faces of buildings screened through trees and shrubs, which is a great improvement to the bleak car park and office block landscape of the previous user.

Various elements of the construction would be upgraded to exceed baseline Building Regulations to provide an inherent reduction in energy demand by reducing the load on the heating system. Service systems would include technologies such as air source heat pumps, solar thermal hot water pre-heating, and photovoltaic panels. The final selection would be made for Part L compliance. Low energy fittings and features would reduce load elsewhere.

The CBC Adult Social Care Commissioning Officer has asked how the design and services relate to each other. In response the applicant has emphasised the quality of care intended in this (as in other homes owned by the company). Specifically he explains the attention to detail in the garden layout, the security in place to prevent unintended exit from the premises, the use of corridor ends, wings intended to accommodate residents at a similar stage of dementia, noise attenuation and inclusion of end of life care.

3. Other considerations

ECOLOGY

The greater part of the ecological interest at Dukeminster resides in the other land, with the site having very poor ecological value. But the site abuts the new Busway which sits at a slightly lower level. Before construction this corridor had been designated a County Wildlife Site but much of this habitat has been compromised and the current proposal does not have an impact on the remaining banks. The Ecological Report was based on the Dukeminster Estate document and references to reptiles relate to land north of this site. Consequently, there is no need for a reptile survey on this site.

NOISE

The site is considered suitable for the proposed development subject to conditions specifying ventilation and glazing systems to achieve appropriate internal noise levels and to an imperforate fence along the north-east site boundary.

PLANNING CONDITIONS

It is instructive to examine the proposed conditions for the later 2011 application, which covered this site. Conditions relating to submission of a landscaping scheme and materials will be relevant. With no trees of any size on the site there will be no need for tree protection. The ecological submissions do not point to a need to consider protected species, especially badgers as there are no signs of activity on this largely barren site. The expected contamination conditions (CBC and EA) should be imposed. Noise conditions will be needed both to safeguard future residential development on adjacent land from fixed plant within the site, and to protect residents on the site from commercial noise on either side as well as traffic noise on Church Street. A waste audit will be required in view of the survival of substantial building platforms and car parking areas. On the subject of highway works, as well as the usual junction and wheel cleaning details, a condition should tie in the upgrading of the Estate road and ensure its completion (up to final surfacing) before occupation of the building. A Travel Plan should be sought (as proposed in the Transport Statement) together with facilities for cycle parking for staff. The Environment Agency has asked for conditions relating to drainage and the comments of Anglian Water will be reported at the meeting.

By including residential development, the 2011 application required a raft of infrastructure contributions through the calculator. In addition, the S106 Agreement would secure the travel plan and links to the Busway stop in College Drive as well as affordable housing. The contributions and affordable housing requirement fall away in respect of a care home and the site is too distant to benefit from that particular Busway stop; the travel plan is proposed as a condition in this much smaller scheme.

There is no longer a requirement to refer this proposal to the Secretary of State as a departure from the development plan.

Recommendation

That this Planning Application 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 **No development hereby approved shall commence until a detailed 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 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.
(Policies: BE8, South Bedfordshire Local Plan Review (SBLPR); 43, Development Strategy for Central Bedfordshire (DS)).

- 3 No development hereby approved shall begin until the following have been submitted to and approved in writing by the Local Planning Authority:

(a) a Phase 3 Remediation Method Statement containing a detailed scheme, including site plans, for remedial works and measures to be taken to mitigate any risks to human health, groundwater and the wider environment, as recommended by the previously submitted *Curtins Consulting Site Investigation Report* of January 2013.

(b) A Phase 4 Validation Report demonstrating the effectiveness of the Phase 3 scheme (to incorporate photographs, material transport tickets and excavation-wall chemical validation sampling), unless an alternative period is approved in writing by that Authority. Any such validation should include responses to any unexpected contamination discovered during works.

Any works which form part of the Phase 3 scheme approved by the Local Planning Authority shall be completed in full before any part of the proposed building is occupied. The British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoils that are moved or traded and shall be adhered to.

REASON: To protect human health.
(Policies: 43, 44, DS).

- 4 Prior to occupation of any part of the development hereby permitted, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long term monitoring and maintenance plan) for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to that Authority.

REASON: To confirm that remediation is completed to an acceptable standard. This is to ensure that the groundwater below the site (which is used to provide drinking water to the public) is not polluted (Environment Agency condition).
(Policy: 44, DS).

- 5 No infiltration of surface water drainage into the ground at the site is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

REASON: To protect and prevent the pollution of controlled waters (particularly the underlying Principal aquifers and protected waterbodies under the EU Water Framework Directive) from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework pars. 109, 120, 121, EU Water Framework Directive, River Basin Management Plan and Environment Agency Groundwater Protection (GP3:2012) position statements A4 to A6, D1 to D4 and D7. To ensure that the groundwater (which is used to provide drinking water to the public) below the site is not polluted. (Environment Agency condition).
(Policy: 44, DS).

- 6 The development hereby approved shall be implemented in accordance with the submitted foul and surface water scheme (as indicated on drawings 410012/SK150D and 151C).

REASON: (as 5).
(Policy: 44, DS).

- 7 **No development shall commence until samples of proposed facing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

REASON: To ensure a quality development in the context of its situation.
(Policies: BE8, SBLPR; 43, DS).

- 8 **No development shall commence until a detailed waste audit addressing issues in respect of waste generated by the site clearance,**

construction and subsequent occupation phase of the development has been submitted to and approved in writing by the Local Planning Authority. The waste audit shall include details of:

- (a) the anticipated nature and volumes of waste that the development will generate,**
- (b) measures to maximise the re-use of on-site waste arising from demolition, engineering and landscaping,**
- (c) steps to be taken to ensure effective segregation of wastes at source during demolition and subsequent construction of the development including, as appropriate, the provision of waste sorting and recovery and recycling facilities,**
- (d) any other steps to be taken to minimise the generation of waste throughout any required demolition and during the construction of the development,**
- (e) provision within the proposed development to encourage the occupier to manage waste effectively and sustainably,**
- (f) provision for monitoring the implementation of steps (a) to (e) above, and**
- (g) a timetable for implementing the above steps.**

REASON: To ensure that waste is managed sustainably during the lifetime of the development in accordance with the objectives of saved policies W5 and W6 of the Bedfordshire and Luton Waste Local Plan 2005.

- 9 To protect against intrusive externally generated noise, sound insulation and absorbent materials shall be applied to all dwellings as is necessary to achieve as a minimum standard an internal noise level of 30dB_{LAeq}, 23:00-07:00 and 45dB_{LAm}, 23:00-07:00 for bedrooms and 35dB_{LAeq}, 07:00-23:00 for habitable rooms. External noise levels from road traffic noise sources shall not exceed 55dB_{LAeq}, 1hr in outdoor amenity areas. The effectiveness of the scheme shall be demonstrated through validation noise monitoring, with the results submitted to and approved in writing by that Authority before any permitted dwelling is occupied. Furthermore, the applicant/developer shall identify any windows that need to remain closed in order for the internal noise environment to meet the required standards (other than for road traffic noise). Such windows shall be fixed closed and be non-openable with alternative means of ventilation provided for the rooms affected.

REASON: To protect occupants from externally generated noise.
(Policies: BE8, SBLPR; 44, DS).

- 10 Fixed plant associated with the proposed development must be designed to a level which is at least 5dB(A) below the existing L_{A90} background noise level as measured during the relevant time period. Any tonal, impulsive and/or irregular noise would be addressed by imposing a further 5dB penalty as per the methodology set out in BS 4142:1997. Noise limits for new plant are to apply at a position 1 metre from the closest affected window of the relevant noise sensitive property.

REASON: To prevent nuisance from noise and to safeguard the amenities of the area.

(Policies: BE8, SBLPR; 44, DS).

- 11 Before an access onto the estate road is first brought into use, a triangular vision splay shall be provided on each side of the new access drive and shall be 2.8m measured along the back edge of the highway from the centre line of the anticipated vehicle path to a point 2.0m measured from the back edge of the footway into the site along the centre line of the anticipated vehicle path. The vision splay so described and on land under the applicant's control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

REASON: To provide adequate visibility between the existing highway and the proposed accesses, and to make the accesses safe and convenient for the traffic which is likely to use them.

(Policy: 43, DS).

- 12 Visibility splays shall be provided at all private means of access onto the estate road. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the private means of access from its junction with the channel to the through road and 25m measured from the centre line of the access along the channel of the through road. The vision splays required shall be provided and defined on the site by or on behalf of the developers and be entirely free of any obstruction.

REASON: To provide adequate visibility at road junction in the interest of road safety.

(Policy: 43, DS).

- 13 **Development shall not begin until the detailed plans and sections of the proposed road(s), including gradients and method of surface water disposal have been approved by the Local Planning Authority and no building hereby permitted shall be occupied until the section of road which provides access has been constructed (apart from final surfacing) in accordance with the approved details.**

REASON: To ensure that the proposed roadworks are constructed to an adequate standard.

(Policy: NPPF, 32).

- 14 No part of the development hereby approved shall be brought into use until a Travel Plan has been approved in writing by the Local Planning Authority. The Travel Plan shall be in line with prevailing policy and best practice and shall include as a minimum:
- The identification of targets for trip reduction and modal shift
 - The methods to be employed to meet these targets
 - The mechanisms for monitoring and review
 - The mechanisms for reporting
 - The penalties to be applied in the event that targets are not met
 - The mechanisms for mitigation
 - Implementation of the Travel Plan to an agreed timescale or timetable and its operation thereafter

- Mechanisms to secure variations to the Travel Plan following monitoring and reviews.

REASON: To ensure the A5 trunk road will continue to be an effective part of the Strategic Road Network in accordance with Circular 02/07 "Planning and the Strategic Road Network".

(Policy: 26, DS)

- 15 The maximum gradient of all vehicular accesses onto the estate roads shall be 10% (1 in 10).

REASON: In the interests of the safety of persons using the access and users of the highway.

(Policy: NPPF 32).

- 16 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.

(Policy: 43, DS).

- 17 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 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.

(Policy: 43, DS).

- 18 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.

(Policies: BE8, SBLPR; 43, DS).

- 19 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.
(Policy: 24, DS).

- 20 **Development shall not begin until the detailed plans of the proposed highway lighting, using light emitting diodes (LED) within the development has been approved by the Local Planning Authority and the building hereby approved shall not be occupied until that lighting has been installed in accordance with the approved details.**

REASON: To ensure that the proposed highways are adequately lit.
(Policy: 43, DS).

- 21 **No development shall commence until a scheme to restrict the speed of traffic on the estate road has been approved by the Local Planning Authority and the building hereby permitted shall not be occupied until that scheme has been implemented in accordance with the approved details.**

REASON: In the interests of road safety.
(Policy: 32 NPPF).

- 22 **No development shall 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.
(Policy: 32 NPPF).

- 23 This permission relates only to the details shown on drawings 847-PL-001, 010, 100, 200, 300, 400, 500, 600, 601, 602, 605, 606, 607, 620, M10026-A-100A, 410012/SK150D, 151C, 152A, 0446 1.1B received 27/2/13.

REASON: To identify the approved plans and to avoid doubt.

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 South Bedfordshire Local Plan Review (SBLPR) and the emerging Development Strategy for Central Bedfordshire (DS).
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.
3. With respect to the construction phase reference should be made to the Mayor of London's Best Practice Guidance (BPG) *The control of dust and*

emissions from construction and demolition. The impacts upon air quality are likely to be in the “High Risk” category and mitigation measures will be required, which should also include solid barriers to the site boundary.

Normal working hours should be 08:00 – 18:00 Monday to Friday, 08:00 – 13:00 Saturday and no working on Sunday, Bank Holidays and Public Holidays. Normal working hours should be 08:00-18:00 Monday to Friday, 08:00-13:00 Saturday and no working on Sunday, Bank Holidays and Public Holidays.

The Council does not specify permitted noise levels, instead contractors shall employ the “best practicable means” as defined in the Control of Pollution Act 1974 to minimise noise and vibration resulting from their operations and shall have regard to British Standard BS 5228:2009 Code of Practice for Noise Control on Construction and Open Sites.

Measures would include contractors taking all reasonable steps to minimise noise and be reasonable in the timing of any high noise level activities. These steps would include noise mitigation measures such as temporary screening or at source insulation may have to be utilised, all vehicles, plant and machinery used during the operations are fitted with effective exhaust silencers and that all parts of such vehicles, plant or machinery are maintained in good repair and in accordance with the manufacturer’s instructions and are so operated and orientated so as to minimise noise emissions. Where possible the use of generators should be avoided and mains electricity used. All compressors used shall be “noise reduced” models fitted with properly lined and sealed acoustic covers which shall be kept closed when the machines are in use. Where other alternatives are proposed these should be approved by the Local Authority. All ancillary pneumatic percussive tools should be fitted with approved mufflers or silencers of the type recommended by the manufacturers. All of these items must be kept in good repair and any machinery used intermittently should be shut down when not in use or, where this is impracticable, should be throttled back to a minimum.

4. The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Planning and Control Group, Central Bedfordshire Council's Highways Help Desk, PO Box 1395, Bedford MK42 5AN. No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place. (HN xii)

Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

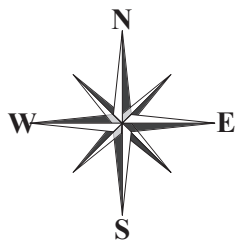
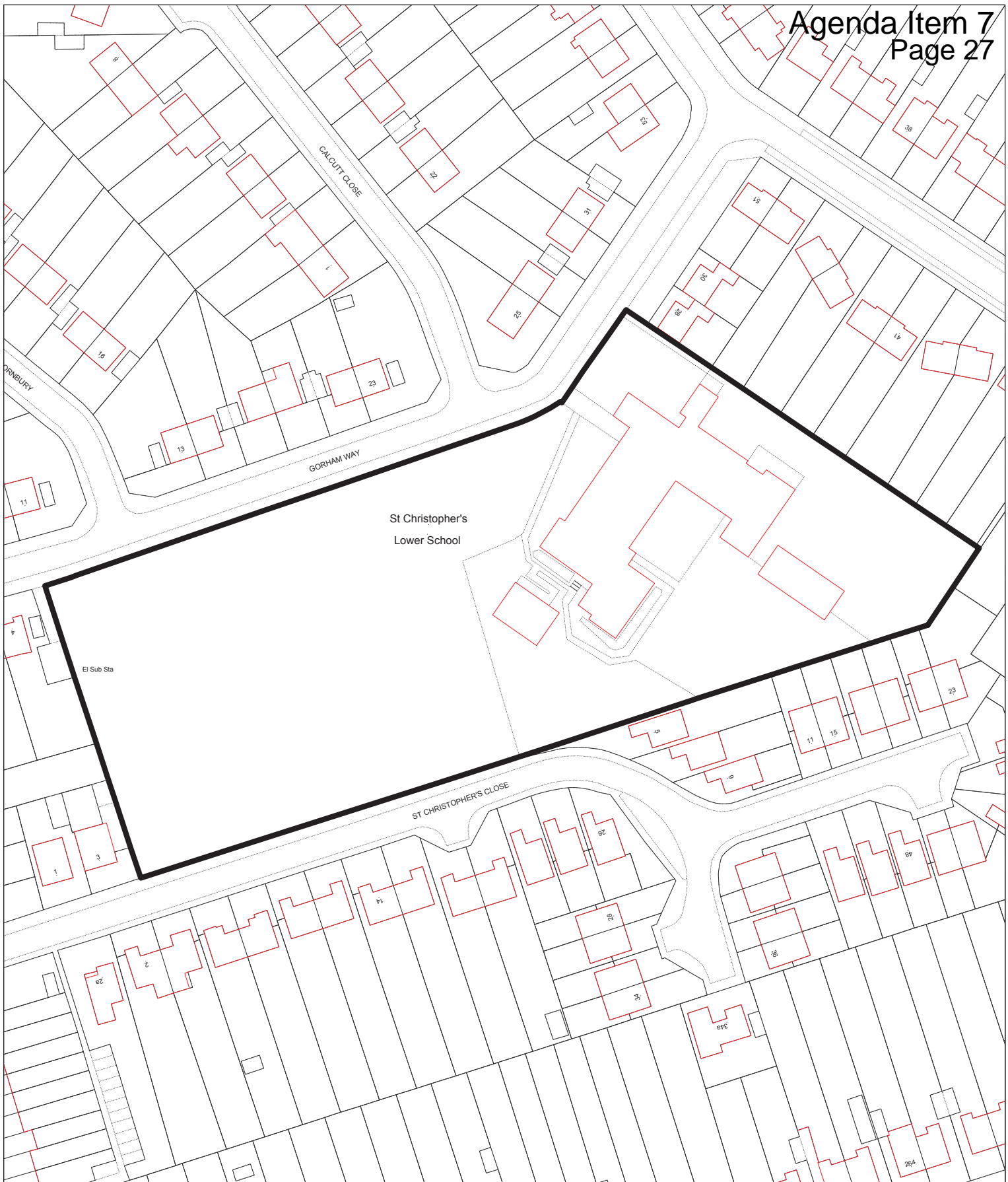
Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements

of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

DECISION

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Central Bedfordshire Council
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Date: 08:April:2013

Grid Reference: 503847; 222511

Application No.
CB/13/01069/FULL

Scale: 1:1250

St Christophers Academy, Gorham Way, Dunstable, LU5 4NJ

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Item No. 7

APPLICATION NUMBER	CB/13/01069/FULL
LOCATION	St Christophers Academy, Gorham Way, Dunstable, LU5 4NJ
PROPOSAL	Installation of a temporary modular double classroom unit & associated external landscaping and additional pedestrian access
PARISH	Dunstable
WARD	Dunstable Icknield
WARD COUNCILLORS	Cllrs McVicar & Young
CASE OFFICER	Abel Bunu
DATE REGISTERED	25 March 2013
EXPIRY DATE	20 May 2013
APPLICANT	St Christophers Academy
AGENT	Stenton OBHI Architects
REASON FOR COMMITTEE TO DETERMINE	The application site is owned by Central Bedfordshire Council
RECOMMENDED DECISION	Full Application - Approval

Recommended Reasons for Granting

The proposed development would, increase the capacity of the school to accommodate more pupils and staff members, promote sustainable means of transport, reduce traffic congestion along Gorham Way and would not be detrimental to residential amenity. Furthermore, through landscaping conditions, the development would not be detrimental to the character and appearance of the area thereby conforming to the development plan comprising Policies BE8, SD1, and T10 of the South Bedfordshire Local Plan Review, Policies 27 and 43, of the emerging Development Strategy for Central Bedfordshire and national advice contained in the National Planning Policy Framework and the supplementary planning guidance, 'Design in Central Bedfordshire, A Guide for Development', 2010.

Site Location:

St Christopher's Lower School lies on the southern side of Gorham Way, close to the junction with Evelyn Road. The main school buildings are located at the eastern end of the site. There is an existing temporary classroom unit to the south east of the main school, which is situated in close proximity to the rear garden boundaries of No's 11 – 21 (odds) St Christopher's Close. The private gardens of residential properties at No's 4 and 28 Gorham Way, Evelyn Road and Linden Road abut the school grounds.

The Application:

Seeks planning permission for installation of a modular double classroom unit for a temporary period of 7 years. The proposed building would be sited on the school field to the north west of the main school buildings. The building would be of pre-fabricated material and would sit close to the northern boundary of the site adjacent to Gorham Way. Sitting under a flat roof, the building would measure 7.2 metres deep, 21 metres wide and 3.6 metres high. Five staff car parking spaces would be provided to the south west of the building and would be accessed via an existing maintenance access off Gorham Way. A cycle shelter would be erected next to a new pedestrian access off Gorham Way and a row of trees would be planted along part of the north western site boundary to soften the appearance of the building from this direction. The application also proposes opening up a pedestrian access from St Christopher Close.

RELEVANT POLICIES:

National Planning Policy Framework (March 2012)

The National Planning Policy Framework (NPPF) was published on 27th March 2012 and replaced most of the previous national planning policy documents PPS's and PPGs. The following sections of the NPPF are considered relevant to this application.

Paragraphs 6 to 17 : Achieving Sustainable Development.

Section 4 : Promoting Sustainable Transport

Section 7: Requiring good design.

Section 8 : Promoting healthy communities.

South Bedfordshire Local Plan Review Policies

The NPPF advises of the weight to be attached to existing local plans for plans adopted prior to the 2004 Planning and Compulsory Purchase Act, as in the case of the South Bedfordshire Local Plan Review. Due weight can be given to relevant policies in existing plans according to their degree of consistency with the framework. It is considered that the following policies are broadly consistent with the framework, with the exception of policy T10, and significant weight should be attached to them.

BE8 Design Considerations

T10 Parking - New Development

SD1 Keynote Policy

Endorsed Core Strategy - South

The Pre-Submission Core Strategy for Southern Central Bedfordshire was endorsed for Development Management purposes by the Executive in August 2011 following the decision of The Luton and South Bedfordshire Joint Committee's resolution on the 29th July 2011 to seek the withdrawal of the Luton and southern Central Bedfordshire Joint Core Strategy. The following policy is a material consideration :

Development Strategy for Central Bedfordshire

Having regard to the National Planning Policy Framework, significant weight is given to the policies contained within the emerging Development Strategy for Central

Bedfordshire, which is consistent with the NPPF. The draft Development Strategy is due to be submitted to the Secretary of State in May 2013 and the following policies are considered relevant to the determination of this application :

Policy 1 : Presumption in Favour of Sustainable Development
 Policy 2 : Growth Strategy
 Policy 21: Provision for Social and Community Infrastructure
 Policy 27 : Car Parking
 Policy 43: High Quality Development

Supplementary Planning Guidance

1. Design in Central Bedfordshire, A Guide for Development, Adopted 23 July 2010
2. Central Bedfordshire Local Transport Plan: Appendix F : Parking Strategy (Adopted in October 2012 by the Executive for Development Management Purposes)

Planning History

Application:	Planning	Number:	CB/13/00248/FULL
Validated:	22/01/2013	Type:	Full Application
Status:	Withdrawn	Date:	14/03/2013
Summary:		Decision:	Application Withdrawn
Description:	Installation of a temporary modular double classroom unit & associated external landscaping		
Application:	Planning	Number:	SB/08/01064
Validated:	31/10/2008	Type:	Regulation 3
Status:		Date:	28/01/2009
Summary:		Decision:	Grant Permission - County Matter
Description:	Single storey extension to provide office and ancillary accommodation (BC/CC/2008/46 refers)		
Application:	Planning	Number:	SB/08/00584
Validated:	29/05/2008	Type:	Regulation 3
Status:		Date:	23/06/2008
Summary:		Decision:	No Objection - CC and CM
Description:	Siting of double temporary classroom unit (BC/CC/08/0022 refers)		
Application:	Planning	Number:	SB/07/01357
Validated:	21/11/2007	Type:	Regulation 3
Status:		Date:	07/01/2008
Summary:		Decision:	DO NOT USE
Description:	RETENTION OF A DOUBLE TEMPORARY CLASSROOM UNIT (BC/CC/07/0042 REFERS)		
Application:	Planning	Number:	SB/06/00836
Validated:	27/07/2006	Type:	Regulation 3
Status:		Date:	25/08/2006
Summary:		Decision:	DO NOT USE
Description:	ERECTION OF NEW CLASSROOM UNIT (BC/CC/2006/36 REFERS)		
Application:	Planning	Number:	SB/05/00676
Validated:	29/06/2005	Type:	Regulation 3
Status:		Date:	10/08/2005
Summary:		Decision:	DO NOT USE
Description:	ERECTION OF CANOPY TO COVER HARD PLAY AREA IN EARLY YEARS UNIT (REGULATION 3) (BC/CC/2005/16 REFERS)		

Application:	Planning	Number:	SB/04/01127
Validated:	26/08/2004	Type:	Regulation 3
Status:	Decided	Date:	20/10/2004
Summary:		Decision:	No Objection - County Matter
Description:	INSTALLATION OF A 150 METRE LENGTH OF 2 METRE HIGH GREEN PALISADE FENCING, THREE SETS OF DOUBLE GATES AND ONE SET OF SINGLE GATES (BC/CC/2004/46) (REGULATION 3 REFERS).		

Application:	Planning	Number:	SB/02/00016
Validated:	30/10/2002	Type:	Regulation 3
Status:	Decided	Date:	08/01/2003
Summary:		Decision:	Planning Permission - Beds CC Reg 3/4
Description:	SITING OF TEMPORARY CLASSROOM UNIT (REGULATION 3) BC/CC/2002/65 REFERS		

**Representations:
(Parish & Neighbours)**

Town Council Will be reported at the meeting.

Neighbours

2,7,9,16,18,20,22,23,24
,42,48,50,52, St
Christopher Close

- Object to the creation of an additional pedestrian access in St Christophers Close for St Christophers Lower School.
- Impractical proposition due to existing traffic issues and nuisance issues from children's behaviour which has been a constant problem, escalating in recent years.
- Inconsiderate parking is not infrequent in the Close and especially in this 'middle' area as cars park half up on the pavement/grass making it quite difficult for residents to reverse off their driveways.
- Highway safety compromised by speeding drivers. Proposal would worsen the problem. If implemented, will only make an already potentially dangerous situation worse.
- Local residents would be inconvenienced by double parked cars that would be blocking residents' driveways.
- People dropping off their children are likely to park up on the grass area opposite making what was intended to be an attractive 'green' rapidly become a mud bath! Also there will without doubt be an increase in litter as well as noise.

- Proposal would lead to more children loitering in the Close, looking for mischief, possibly giving rise to criminal damage as clusters of children are much more likely to loiter in a Close than a main or through road looking for trouble.
- Proposal would spoil the quiet environment in St Christopher Close and impact on property values. Any entrances to the school should remain in Gorham Way as this is a through road with fewer issues surrounding parked vehicles and children playing and therefore far more suitable.
- Consultation letter should have been explicit that the pedestrian access would be on St Christopher Close.
- Road is too narrow to take two cars parking opposite each other. This would block emergency vehicles.
- Require additional consultation time to respond fully to the application, at least one month.
- Additional traffic on Linden Road.
- No turning areas in this Close.
- Police presence would have to be compulsory everyday.
- Damage to private property and pavement.

Consultations/Publicity responses

Highways Officer

The application is for two temporary classrooms for a period of 7 years. This has the potential of increasing the staffing numbers and as a result in accordance with the authority's standard an additional number of parking spaces for staff is required. This has been provided and as long as this is available for staff I would not have an objection.

A new pedestrian access has been proposed from St Christopher's Close and I am in favour of this as it would make the school more accessible by pedestrians and relieve traffic conditions at the main entrance from Gorham Way. However, it should be acknowledged that traffic will need to be managed both at Gorham Way and St Christopher's Close. This can be by way of School Keep Clear road markings and waiting restrictions to limit the waiting of vehicles at the beginning and the end of the school day. This waiting restriction should be proposed

along one side of the road in Gorham Way and St Christophers Close. Consideration should also be given to restricting parking at the junction of Calcutt Close; Thornbury; St. Christopher's Close and the turning area in St. Christopher's Close. In a highway context I recommend the imposition of conditions if planning approval is to be issued.

Tree and Landscape Officer I have no objection to the new application but recommend conditions in the interest of visual amenity.

Education Officer Central Bedfordshire is the landlord. The school is proposing to install the temporary double classroom unit to manage a bulge in pupil numbers which will come about from 2013/14 to 2015/16 as a result of transition from a 1.5FE first to a 1FE primary. CBC's suitability survey of St Christophers records the school as currently having 8 classrooms, with one additional space for a pre-school. The school will require a maximum of 10 classrooms to manage pupil numbers in 2014/15. As such, there is a clear need for the installation of a temporary double mobile to manage the three year transition of the school from a first to a primary school.

Sport England Will be reported at the meeting.

Determining Issues

The main considerations of the application are;

1. Whether or not the proposed development is acceptable in principle
2. Impact on the character and appearance of the area
3. Impact on residential amenity
4. Impact on parking and highway safety
5. Other matters

Considerations

1. Principle of the development

As part of its objective to promote healthy and sustainable communities, Government advice contained within the National Planning Policy Framework (NPPF), is supportive of proposals that seek to create, expand or alter schools and Local Planning Authorities should take a proactive, positive and collaborative approach to meeting this requirement in order to widen choice in education. Great weight should therefore be given to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. (paragraph 72). Furthermore, Local Planning Authorities are advised to work with school promoters to identify and resolve key planning issues before applications are submitted. In this case, the application seeks permission to extend the age range of the pupils to 4-11 years in primary school.

This extended provision would be accommodated within two additional temporary classrooms to manage the transition over a seven year period while the Academy's Pupil Admission Number (PAN) is reduced. Two stages of implementation are proposed as follows :

September 2013 - Year 4 pupils would be retained at the school and progress to Year 5

September 2014 - Year 5 pupils will progress to Year 6

The Planned Admission Numbers for reception would be reduced in September 2013 from 45 to 30.

Currently, the school has a capacity of 225 pupils from reception to Year 4. With the retention of Year 4s, this would fluctuate over a period of seven years as follows : 238 in 2013/14, 268 in 2014/15, 270 in 2015/16, 255 in 2016/17, 240 in 2017/18 and 225 in 2018/19 and 210 in 2019/20.

The school initially submitted an application that raised significant objections from the Highways Officer, Tree and Landscape Officer and some local residents from Gorham Way. This application, reference, (CB/13/00248/FULL), was subsequently withdrawn and a meeting held with the school in order to address the planning concerns that had been identified. The current application therefore represents a negotiated outcome.

Because of the demonstrated need for expansion, the proposal is considered consistent with national advice and is therefore acceptable in principle. Furthermore, this expansion would bring the school in line with other academies in Dunstable. With regards the proposed pedestrian access off St Christopher Close, this would involve opening up a section of the hedge and installing a gate designed for pedestrian use only. The works involved do not require planning permission and as such, this consideration offers a clear fallback position should planning permission be withheld.

2. Character and appearance of the area

The proposed building would be sited on the school field to the north west of the main school buildings. The building would be of pre-fabricated material and would sit close to the northern boundary of the site adjacent to St Christopher Way. The northern boundary of the site is enclosed by a green palisade fence which affords views into the school field from the road. Because of its position, the building would be visible from public vantage points along St Christopher Close and Gorham Way and from the surrounding residential properties. By reason of its construction materials and siting, the building would detract from the character and appearance of the wider area which is predominantly residential in character. However, it is considered that this harm to the character and appearance of the area could be mitigated by a landscaping scheme which could be secured through a planning condition.

3. Residential amenity

There would still remain adequate separation distances with the neighbouring residential properties such that no significant harm to residential amenities would result from the intensification of the use of the school.

4. Impact on parking and highway safety

The proposed scheme makes provision for a new pedestrian access off Gorham Way to reduce the current congestion at the main entrance to the school. Five staff parking spaces and a cycle shelter would be provided next to the building. An additional pedestrian access is proposed on St Christopher Close. The emerging parking strategy limits the amount of parking space provision within the school grounds to that only required for staff, visitors and parents and no provision for pupils or 'dropping off and picking up'. Taking these factors into account, including a condition requiring the updating of the school's travel plan, it is considered that the proposed development would not result in situations of traffic congestion and highway safety hazards. Furthermore, an up to date travel plan would promote the use of sustainable means of transport. Whilst there would be increased traffic calling at the school resulting in general disturbance to the local residents, this would only be during certain times of the day when children are dropped off or picked up from school. It is considered that the conditions suggested by the Highways Officer would offer sufficient mitigation to any highway safety issues that might arise from the development. It is also considered that the pedestrian access on St Christopher Close would relieve the congestion on the Gorham Way access.

5. Other matters

Objections

The objections received have been noted and addressed in the relevant sections of this report. With regards the individual conduct of drivers, this is beyond the scope of the Planning Legislation to deal with, including the use of local residents's driveways. Any further comments received will be reported at the meeting.

Human Rights issues

The application proposals raise significant human rights issues as reflected by the level of opposition from some of the local residents. However, taking into account the mitigation measures that could be secured by planning conditions, the human rights of the pupils and parents who stand to benefit from the development and the fact that the development would support national objectives in the NPPF, it is considered that withholding planning permission against this background would severely infringe the human rights of the intended beneficiaries and this is an overriding consideration.

Equality Act 2010

The proposed additional pedestrian access off Christopher Close would ensure that the development takes into account the requirement for accessibility by all and the main entrance to the building would be served by an access ramp and stairs which would be compliant with the Disability Discrimination Access legislation.

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 **Prior to development, a Tree Protection Plan shall be submitted to the Local Planning Authority for approval, clearly showing the position and build specification of protective fencing within the site, and be based on the requirements of BS 5837 : 2012. The fencing shall create a Construction Exclusion Zone intended to exclude all plant, machinery, building access, storage materials, service pipes and spoil from around the Root Protection Area's of the trees marked for retention on the "Location and Site and Floor Plans" prepared by Stenton Architects (Drawing No. 300).**

Reason: To ensure the health and stability of trees marked as being retained on the application site plans, in the interests of maintaining visual amenity.

(Policies BE8, S.B.L.P.R and 43 D.S.C.B)

- 3 **Before development begins, a landscape planting plan and planting schedule shall be submitted to the Local Planning Authority for approval, clearly showing the new trees indicated for planting on the "Location and Site and Floor Plans" prepared by Stenton Architects (Drawing No. 300). The planting shall be maintained for a period of 5 years thereafter, and any losses during this period shall be replaced in the following planting season.**

Reason: To ensure a successful landscape planting scheme, and establishment, in order to successfully integrate the new development into the surrounding urban landscape, and to compensate for the removal of trees previously removed from within this site, in the interests of maintaining visual amenity.

(Policies BE8, S.B.L.P.R and 43 D.S.C.B)

- 4 **Development shall not begin until details of the Traffic Regulation Orders to be placed on the public highway surrounding the site have been approved by the Local Planning Authority and the said Traffic Regulation Orders shall be in place within 9 months of the proposed building being occupied in accordance with the approved details.**

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

(Policies 27 & 43 D.S.C.B)

- 5 **Development shall not begin until details of the improvements to the junction of the proposed vehicular access with Gorham Way have been approved by the Local Planning Authority and no building shall be occupied until the 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 the premises.
(Policy 43 D.S.C.B)**

- 6 Before the vehicular access is first brought into use a triangular vision splay shall be provided on each side of the 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 and on land under the applicant's control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

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 them.
(Policy 43 D.S.C.B)

- 7 The proposed vehicular access shall be constructed and surfaced in accordance with details to be approved in writing by the Local Planning Authority for a distance of 5 m into the site, measured from the highway boundary, before the premises are occupied. Arrangement 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 the highway.
(Policy 43 D.S.C.B)

- 8 The maximum gradient of the vehicular access shall be 10% (1 in 10).

Reason: In the interests of the safety of persons using the access and users of the highway.
(Policy 43 D.S.C.B)

- 9 **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.
(Policy 43 D.S.C.B)**

- 10 Before the building is first brought into use, St Christophers Lower School Travel Plan shall be revised and submitted to and approved in writing by the

Local Planning Authority.

The revised 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 reduce car use; and
- an action plan detailing targets and a timetable for implementing appropriate measures and plans for annual monitoring and review.

Thereafter, the Travel Plan shall be reviewed annually with a written report to be submitted to and agreed in writing by the Local Planning Authority which shall update the plan and monitor 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.
(Policy 43 D.S.C.B)

- 11 The parking provision shown on Drawing number 06107-300 shall be provided prior to the first use of the building hereby approved and measures shall be put in place by the school to the satisfaction of the Council to ensure that the spaces are only available for use by staff members at all times.

Reason: To ensure that off street parking provision is maximised in the interests of highway safety.
(Policies 27 & 43 D.S.C.B)

- 12 **Before development begins, 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.
(Policies 43 D.S.C.B)**

- 13 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 06107 -300 & 06107-301.

Reason: For the avoidance of doubt.

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 South Bedfordshire Local Plan Review (SBLPR) and the emerging Development Strategy for Central Bedfordshire (DSCB).

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.
3. 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 the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Central Bedfordshire Council's Highway Help Desk, P.O.Box 1395, Bedford, MK42 5AN quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.
4. The applicants attention is drawn to their responsibility under The Equality Act 2010 and with particular regard to access arrangements for the disabled.

The Equality Act 2010 requires that service providers must think ahead and make reasonable adjustments to address barriers that impede disabled people.

These requirements are as follows:

- Where a provision, criterion or practice puts disabled people at a substantial disadvantage to take reasonable steps to avoid that disadvantage;
- Where a physical feature puts disabled people at a substantial disadvantage to avoid that disadvantage or adopt a reasonable alternative method of providing the service or exercising the function;
- Where not providing an auxiliary aid puts disabled people at a substantial disadvantage to provide that auxiliary aid.

In doing this, it is a good idea to consider the range of disabilities that your actual or potential service users might have. You should not wait until a disabled person experiences difficulties using a service, as this may make it too late to make the necessary adjustment.

For further information on disability access contact:

The Centre for Accessible Environments (www.cae.org.uk)
Central Bedfordshire Access Group (www.centralbedsaccessgroup.co.uk)

Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

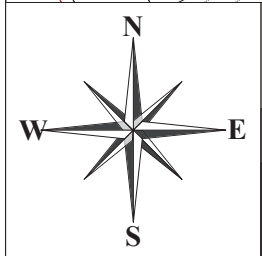
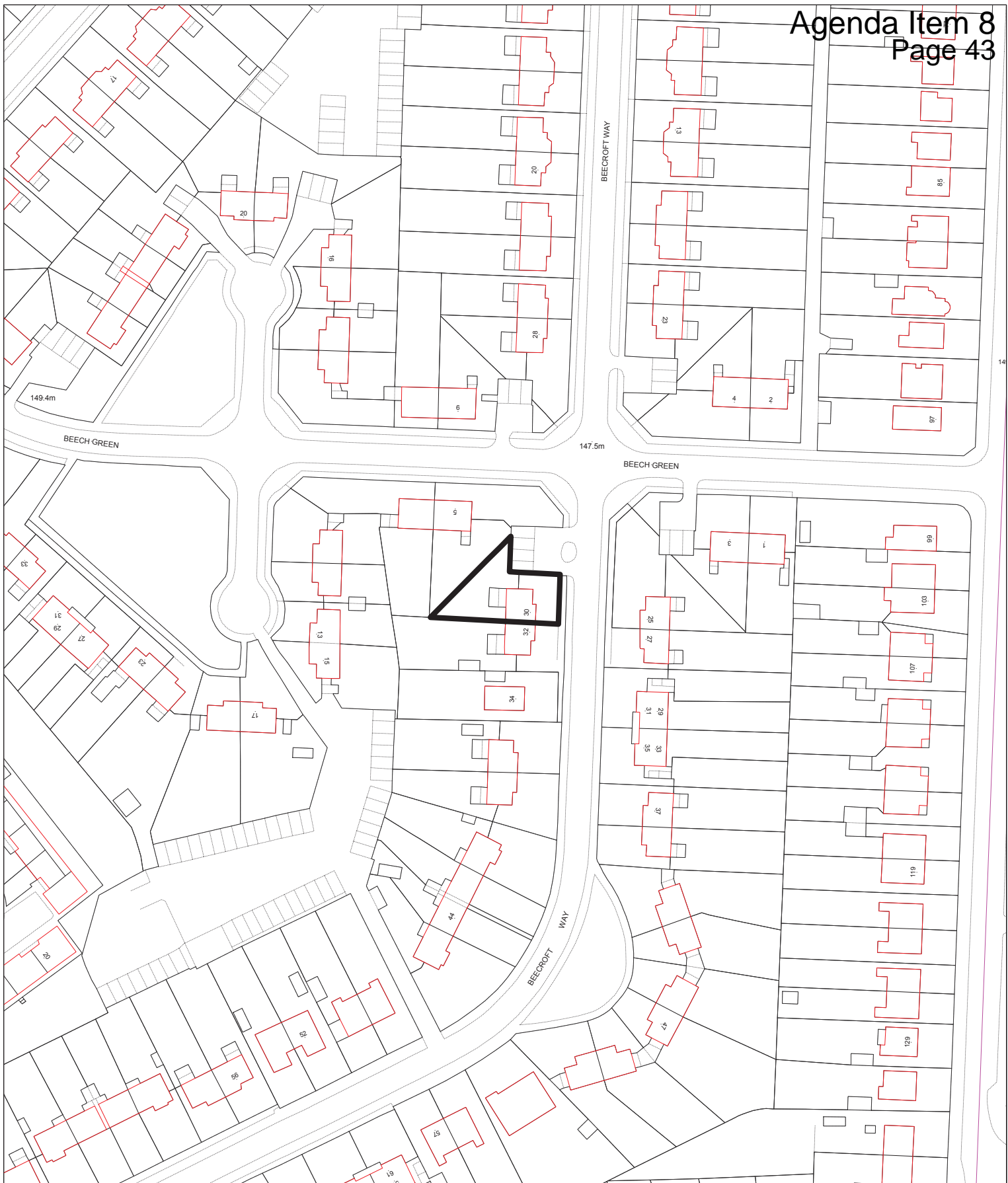
Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage after the withdrawal of the first application which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

DECISION

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Central Bedfordshire Council
Licence No. 100049029 (2009)
Date: 08:April:2013
Grid Reference: 501051; 222012

Application No.
CB/13/00867/FULL

Scale: 1:1250

30 Becroft Way, Dunstable, LU6 1EE

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Item No. 8

APPLICATION NUMBER	CB/13/00867/FULL
LOCATION	30 Beecroft Way, Dunstable, LU6 1EE
PROPOSAL	Single storey rear extension
PARISH	Dunstable
WARD	Dunstable Northfields
WARD COUNCILLORS	Cllrs Mrs Green & Murray
CASE OFFICER	Debbie Willcox
DATE REGISTERED	07 March 2013
EXPIRY DATE	02 May 2013
APPLICANT	Miss Sharon Cochrane
AGENT	Mr Ian Johnson
REASON FOR COMMITTEE TO DETERMINE	The agent is an officer of the Council
RECOMMENDED DECISION	Full Application - Approval

Recommended Reasons for Granting

The proposed single storey rear extension, by reason of its siting, scale and design would complement and harmonise with the local surroundings and would not result in a loss of light or overshadowing as considered by policies BE8 & H8 of the South Bedfordshire Local Plan Review 2004; policy 43 of the emerging Development Strategy for Central Bedfordshire and having regard to the National Planning Policy Framework (2012). It is further in conformity with the technical guidance Design in Central Bedfordshire, Residential Extensions 2010.

Site Location:

The site comprises a two storey semi-detached dwelling located on the corner of Beecroft Way and Beech Green in Dunstable. The surrounding properties are residential in character. The dwelling has an existing single storey rear extension.

The Application:

The application seeks planning permission for the demolition of the existing single storey rear extension and the construction of a new single storey rear extension, to measure 3.75m deep by 7.75m wide. The roof would comprise a gently sloping monopitch with an eaves height of 2.4m and a ridge height of 3.4m. The extension would comprise an extended lounge and kitchen.

RELEVANT POLICIES:

National Planning Policy Framework (2012)

South Bedfordshire Local Plan Review Policies

BE8 Design Considerations

H8 Extensions to Dwellings

(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.)

Development Strategy for Central Bedfordshire

Policy 43: High Quality Development

(Having regard to the National Planning Policy Framework, significant weight is given to the policies contained within the emerging Development Strategy for Central Bedfordshire, which is consistent with the NPPF. The draft Development Strategy is due to be submitted to the Secretary of State in May 2013.)

Supplementary Planning Guidance

Central Bedfordshire Design Guide: A Guide for Development:

Design Supplement 4: Residential Extensions and Alterations, 2010

Planning History

None

Representations:

(Parish & Neighbours)

Dunstable Town
Council

Awaiting response at time of drafting the report.

Neighbours

No responses received at the time of drafting the report.

Consultations/Publicity responses

None

Determining Issues

The main considerations of the application are;

1. **Design Considerations**
2. **Impact on Residential Amenity**
3. **Other Issues**

Considerations

1. **Design Considerations**

The proposed extension is simple in design and would relate acceptably to the subject dwelling and the wider area. In scale the proposed extension would not dominate the subject dwelling. It is therefore considered that the proposal would accord with policies BE8 and H8 of the South Bedfordshire Local Plan Review, policy 43 of the emerging Development Strategy for Central Bedfordshire and The Council's Design Supplement 4: Residential Alterations and Extensions.

2. Impact on Residential Amenity

An analysis of the likely impact on the attached neighbour at No. 32 Beecroft Way has been carried out. Although the extension would block a horizontal 45 degree line taken from the midpoint of the rear window of No. 32, it would not block a vertical 45 degree line taken from the midpoint of the same window. The Council's Design Supplement 4: Residential Alterations and Extensions states that in these circumstances the impact of the proposal may still be acceptable. The proposed extension would be located due north of the window and would therefore not result in the loss of direct sunlight or overshadowing of the window, furthermore, the extension is relatively modest in both depth and height and would therefore not appear overbearing, so it is considered that the impact upon the occupiers of No. 32 would be within acceptable limits. It is also noted that under the permitted development regime an extension could be built that would have to be 0.75m shallower, but could be 0.6m higher, which would block both horizontal and vertical 45 degree lines from the neighbouring window and would therefore appear more overbearing than the current proposal.

The proposal would have no impact upon the amenity of any other neighbouring occupiers. It is therefore considered that the proposal would conform with the policies detailed above.

3. Other Issues

Human Rights issues

The proposal would raise no Human Rights issues.

Equality Act 2010

The proposal would raise no issues under the Equality Act.

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 The external finish of the walls and roofing materials to be used for the extension shall match that of the existing building as closely as possible.

Reason: To ensure that the development is in keeping with the existing building.
(Policies BE8 & H8, SBLPR and Policy 43, DSCB)
- 3 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1, 2, 3, 4, 5, 6, 7, 8.

Reason: For the avoidance of doubt.

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 South Bedfordshire Local Plan Review (SBLPR) and the emerging Development Strategy for Central Bedfordshire (DSCB).
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.

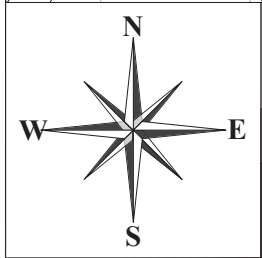
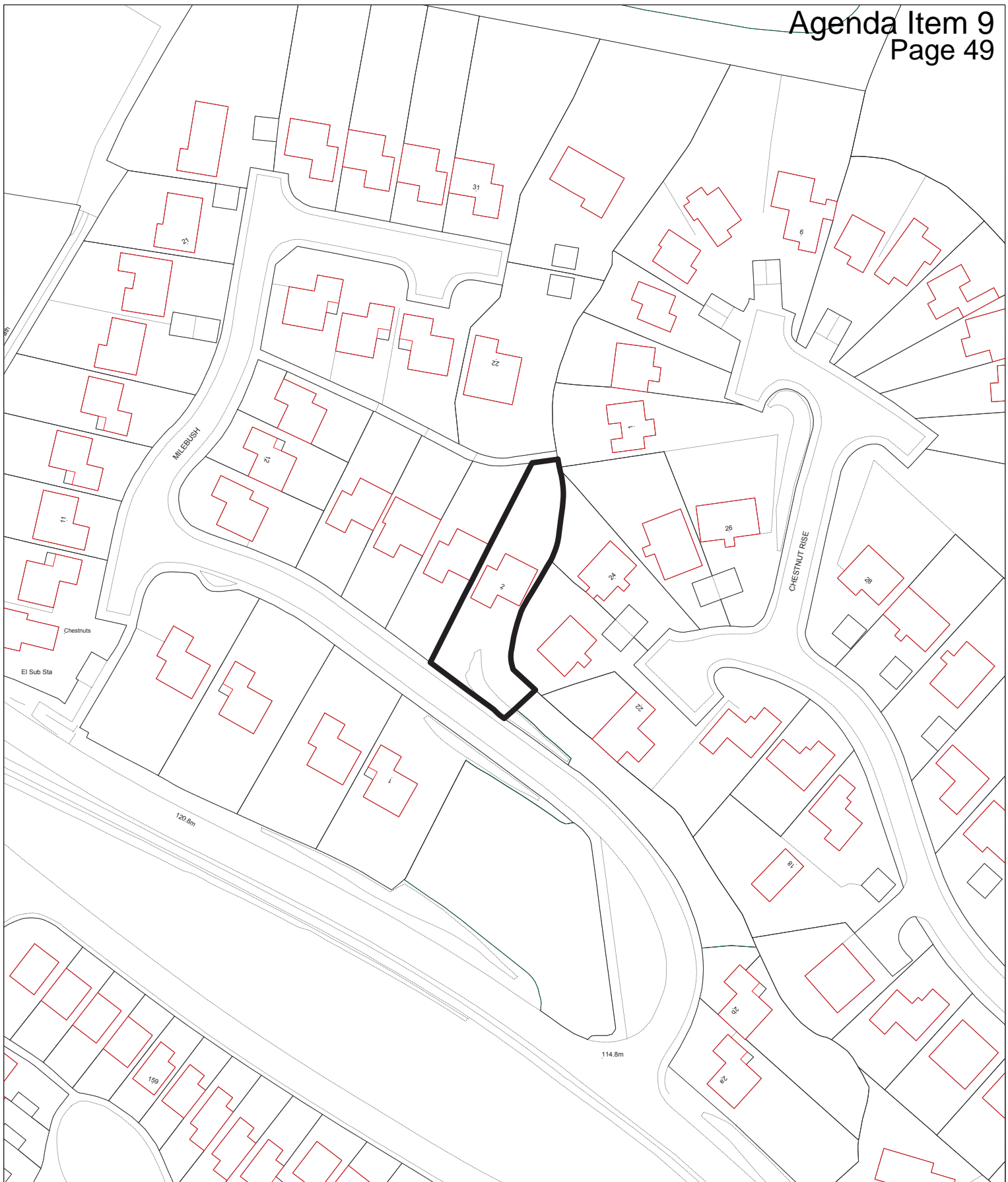
Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

DECISION

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Date: 08:April:2013
Grid Reference: 490484; 225837

Application No.
CB/13/00920/FULL

Scale: 1:1250

2 Milebush, Linslade, Leighton Buzzard, LU7 2UB

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Item No. 9

APPLICATION NUMBER	CB/13/00920/FULL
LOCATION	2 Milebush, Linslade, Leighton Buzzard, LU7 2UB
PROPOSAL	Two storey side extension and room over garage
PARISH	Leighton-Linslade
WARD	Linslade
WARD COUNCILLORS	Cllrs Hopkin, Janes & Warren
CASE OFFICER	Debbie Willcox
DATE REGISTERED	12 March 2013
EXPIRY DATE	07 May 2013
APPLICANT	Mrs Lynne Knott
AGENT	Mr Ian Johnson
REASON FOR COMMITTEE TO DETERMINE	The agent is an officer of the Council
RECOMMENDED DECISION	Full Application - Approval

Recommended Reasons for Granting

The proposed two storey side extension and front dormer window, by reason of their siting, scale and design would complement and harmonise with the local surroundings and would not result in a loss of light or overshadowing or be prejudicial to highway safety as considered by policies BE8, H8 & T10 of the South Bedfordshire Local Plan Review 2004; policies 27 and 43 of the emerging Development Strategy for Central Bedfordshire 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 and Appendix F of the Local Transport Plan.

Site Location:

The application site comprises a detached dwelling located in the residential cul-de-sac of Milebush in Linslade. The dwelling is flanked to the west by No. 4 Milebush and to the east by dwellings in Chestnut Rise. The dwelling has a front projecting double garage with a catslide roof.

The Application:

The application seeks planning permission for a two storey side extension and the insertion of a front hipped, pitched roof dormer in the catslide roof to create a room over the garage.

The two storey side extension would sit behind the garage and would extend the existing dwelling to the west to be flush with the flank garage wall. The roof would maintain the same height, design and angle of pitch as the existing roof of the main dwelling. The extension would measure 2.7m wide by 6.2m deep.

The proposed dormer would measure 4.75m wide and would have a hipped roof.

The extensions would comprise a fourth and fifth bedroom and a new lounge.

RELEVANT POLICIES:

National Planning Policy Framework (2012)

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).

Development Strategy for Central Bedfordshire

Policy 27: Car Parking

Policy 43: High Quality Development

(Having regard to the National Planning Policy Framework, significant weight is given to the policies contained within the emerging Development Strategy for Central Bedfordshire, which is consistent with the NPPF. The draft Development Strategy is due to be submitted to the Secretary of State in May 2013.)

Supplementary Planning Guidance

Central Bedfordshire Design Guide: A Guide for Development:

Design Supplement 4: Residential Extensions and Alterations, 2010

Local Transport Plan: Appendix F - Parking Standards

Planning History

None

Representations:

(Parish & Neighbours)

Leighton-Linslade Town Council Awaiting response at time of drafting the report

Neighbours Fully supportive of the application
(1 Milebush)

Consultations/Publicity responses

Tree & Landscape Officer No objections

Determining Issues

The main considerations of the application are;

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

4. Other Issues

Considerations

1. Design Considerations

The scale and positioning of the proposed extension would not dominate the subject dwelling and would relate well to the dwelling and the wider surroundings. A separation distance of 1m between the extension and the side boundary of the property would be retained in line with Council policies. The roof of the extension would not be set down, however, considering the design of the subject dwelling and the positioning of the extension, this is considered to be the most appropriate design solution.

The front dormer is consistent in scale and design to other dormers within the streetscene and would relate acceptably to the existing dwelling. However, it is considered that the scheme could be improved by a minor reduction in the width of the proposed dormer. At the time of drafting the report, negotiations are taking place to this effect and the result of these negotiations will be reported at the meeting.

The proposals are therefore considered to accord with policies BE8 and H8 of the South Bedfordshire Local Plan Review.

2. Impact on Residential Amenity

The proposed extension would not project beyond the rear building line of the neighbouring dwelling at No, 4 Milebush. This dwelling has no side windows which would be affected by the proposed extension. The proposal would therefore have no impact upon the occupiers of this property.

As a result of the scale and siting of the proposed extension, it would not affect the amenity of any other neighbouring occupiers. The front dormer would also have no impact upon neighbouring occupiers. The proposals are therefore considered to conform with the policies detailed above.

3. Parking & Highway Safety

The Council's parking standards require that dwellings with four or more bedrooms have four off-street parking spaces. The dwelling has a double garage and parking for a further two vehicles on a hardstanding to the front of the garage, and therefore complies with these parking standards. It is therefore considered that the proposal would be acceptable in terms of parking provision and highway safety.

4. Other Issues

Human Rights issues

The proposal raises no Human Rights issues

Equality Act 2010

The proposal raises no issues under the Equality Act.

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 The external finish of the walls and roofing materials to be used for the extension shall match that 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 & Policy 43 D.S.C.B).

- 3 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1, 2, 3, 4, 5, 6, 7, 8, 9.

Reason: For the avoidance of doubt.

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 South Bedfordshire Local Plan Review (SBLPR) and the emerging Development Strategy for Central Bedfordshire (DSCB).
- 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.

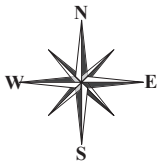
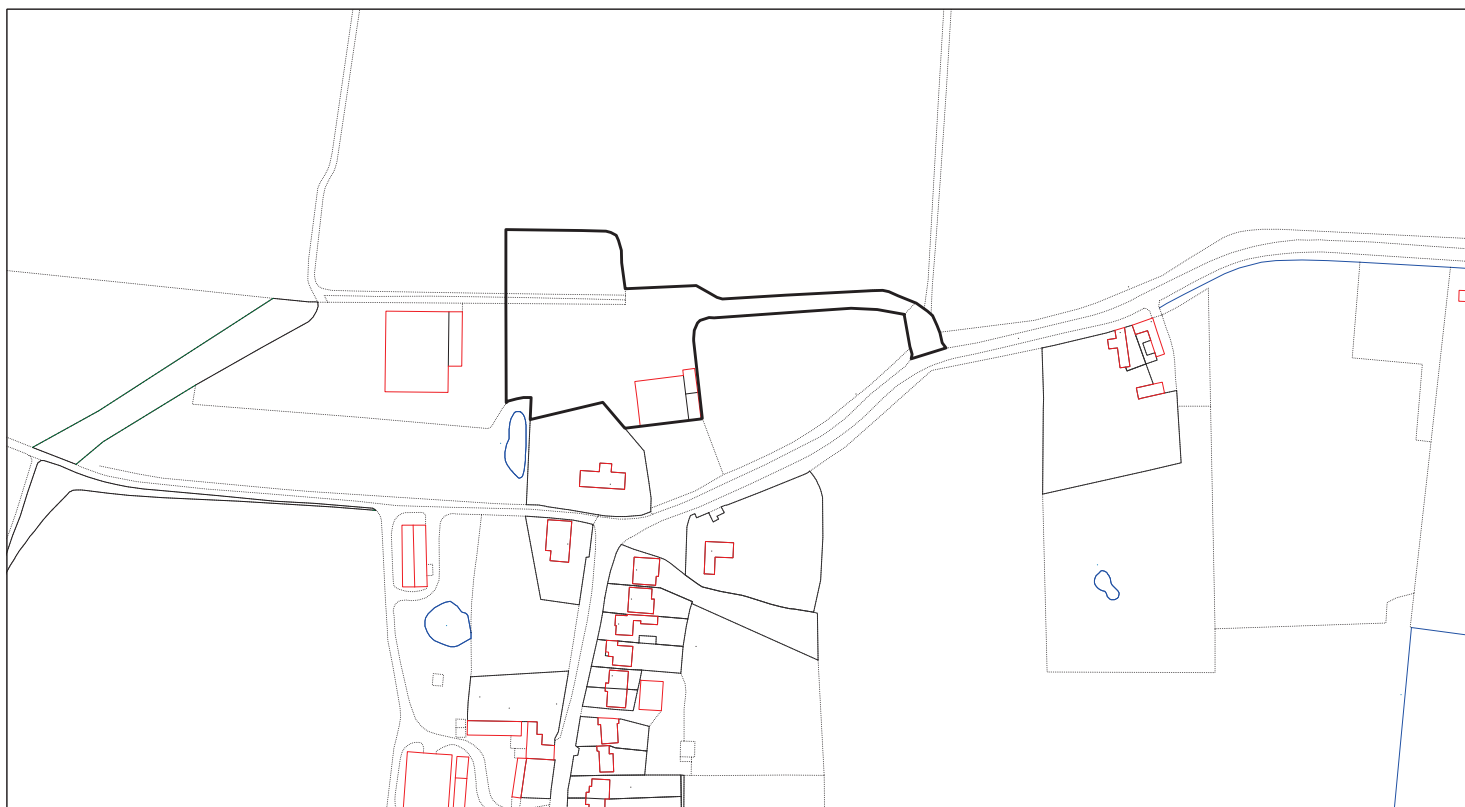
Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

DECISION

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Date: 08:April:2013

Map Sheet No Scale: 1:2500

Application No. CB/12/04284/FULL

Land at White Gables Farm, Blumham Road

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Item No. 10

APPLICATION NUMBER	CB/12/04284/FULL
LOCATION	Land At White Gables Farm, Blunham Road, Moggerhanger
PROPOSAL	Retention of office building and continued use of land and buildings to a mixed use of land and building for horticulture and general haulage purposes
PARISH	Moggerhanger
WARD	Northill
WARD COUNCILLORS	Cllr Mrs Turner
CASE OFFICER	Samantha Boyd
DATE REGISTERED	07 March 2013
EXPIRY DATE	02 May 2013
APPLICANT	R A Andersons & Sons
AGENT	G C Planning Partnership Ltd
REASON FOR COMMITTEE TO DETERMINE	Cllr Call in. Cllr Mrs Turner This site has aroused very considerable local concern and a number of people in this small hamlet will want to offer their opinion and hear how the LPA intends to balance enforcement activity, and allow this ever increasing centre of operations to co-exist alongside the resident community. I am also requesting a site visit prior to the committee mtg.
RECOMMENDED DECISION	Full Application - Approval

Recommended Reasons for Granting

The proposed office building and change of use of land and buildings for a mixed use of land and buildings for horticulture and general haulage purposes would not have a negative impact on the character of the area or an adverse impact on the residential amenity of neighbouring properties and is acceptable in terms of highway safety therefore by reason of its design and location, the proposal is in conformity with Policies CS11, DM3 and DM12 of the Core Strategy and Management Policies, November 2009; and The National Planning Policy Framework, 2012

Site Location:

The site is located to the rear of White Gables Farm in the small hamlet of Chalton, near Moggerhanger. White Gables Farm is a mixed use business operating both horticultural and a haulage business.

The site is within the open countryside, however to the south there are residential properties.

The site comprises of a front yard which is accessed directly off Blunham Road, a larger yard to the rear which is accessed from an existing track further along

Blunham Road and farmland beyond which incorporates horticultural use.

The Application:

Retrospective planning permission is sought for the change of use of land and buildings to a mixed use of land and buildings for horticulture and general haulage purposes and the erection of an office building.

RELEVANT POLICIES:

National Planning Policy Framework 2012

North Bedfordshire Core Strategy and Development Management Policies (2009)

CS11: Rural Economy and Tourism
DM3 High Quality Development
DM12 Horticultural and Redundant Agricultural Sites.

Planning History

91/01583	Use of existing building for washing, packing and distribution of vegetables Approved 07/04/92
99/00392/LDC	Continued use as Haulage Operation Granted 09/11/99
MB/00/01754/FULL	Full: Change of use of land for the parking of vehicles and machinery associated with existing haulage operation and parking of agricultural vehicles and machinery. Refused. 13/03/2001
MB/06/01599	Full: Erection of grain store with independent access from Blunham Road Approved 16/04/07
CB/10/03322	Retrospective change of use of land and buildings to a mixed use of land and buildings for horticulture and general haulage purposes. Granted 30/09/10
CB/11/01503	Retrospective change of use of land and buildings to a mixed use of land and buildings for horticulture and general haulage purposes. Granted 19/04/11

**Representations:
(Parish & Neighbours)**

Moggerhanger Parish Council	Moggerhanger Parish Council have asked Councillor Mrs Turner to request that this application goes before the committee for determination, as members regard this application as a duplicate of a previous application which had conditions included.
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Neighbours	Twelve letters of objections received - concerns summarized as follows : <ul style="list-style-type: none">• repeatedly flouted conditions attached to permission;• continued expansion of the haulage business;• continued increase in the number of HGV lorry
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- movements;
- grain store not included in application but is used as part of haulage business for storage;
- Highway safety;
- No improvements have been made to the road width or layout;
- the business is operated 24 hours a day, 7 days a week;
- In contravention of Vehicle Operators Licence;
- noise and vibrations from HGV movements at night;
- surrounding road network is not suitable for the amount of HGV movements;
- The noise assessment is inaccurate in terms of vehicle numbers;
- dust pollution caused by the HGV movements;
- the use is causing an adverse impact on the character and amenity of neighbouring properties;
- impact on character of rural area;
- enforcement not being carried out;
- deterioration of road through hgv use;

Consultations/Publicity responses

Site notice x 2	Posted on lamp posts adjacent to entrance dated 27/03/13
Public Protection	No objections provided conditions attached as previous application
Archaeology	No objections
Highways	<p>Whilst I have concerns regarding the location of this site in relation to access to the strategic highway network and in particular to the damage being caused to the surrounding rural road network by the HGV's associated with the site, I am conscious of the planning history of the site and established use. This proposal is unlikely to result in additional; HGV movements and as such I have no justifiable grounds to refuse the proposal as submitted.</p> <p>I note that the approved access at the eastern end of the site has not been constructed as previously agreed but is referred to in this submission. On the assumption that the construction of the access can be conditioned to be completed within a reasonable timescale (as short as possible) of the grant of permission I have no grounds to formally oppose the application.</p>

Determining Issues

The main considerations of the application are;

1. Background
2. The impact on the character and appearance of the area.
3. Neighbouring amenity.
4. Highway safety.

Considerations

1. Background

Historically the site has been used for agricultural and horticultural purposes which involved the transportation of vegetables. The haulage use intensified and later included the transportation of agricultural and non-agricultural products. In 1999 a Certificate of Lawful Use was granted for the continuation of the haulage business which was at the time located in the front yard area of the site. The unrestricted haulage use, approved under the certificate allowed both cars and HGVs to use the existing access to the front of the site, opposite number 36 Blunham Road. This access is considered to be substandard and a highway risk. It also caused a disturbance to the neighbouring properties.

Planning permission was refused in 2001 for the change of use of land to the rear for the parking of vehicles and machinery associated with existing haulage operation and parking of agricultural vehicles and machinery. It was refused on a number of highway reasons and because the extension of the haulage operation to the rear of the existing site would have an adverse impact on the character and the amenity of neighbouring properties. For clarification, the parking of HGVs to the rear would obviously benefit the character of the area rather than the use of the front yard, however the intensification of the use would increase the use of the front access for HGV's which would have a greater impact on the character of the area and the amenities of the neighbouring properties.

In November 2010 a further application was submitted for the change of use of land to a mixed use of land and buildings for horticulture and general haulage purposes with the use of an existing agricultural access to the east of the main site as access for HGV's. The submission of this application, enabled the Local Planning Authority to impose conditions on certain aspects of the proposal to improve the existing situation for neighbouring residential properties.

Planning permission was subsequently granted for a change of use of the land and buildings for a mixed use of horticulture and general haulage purposes under reference CB/10/03322 dated 30/09/10 and was followed by a revised application CB/11/01503 dated 19/04/11. The planning permissions both permitted the use of the land however it restricted the use of the access to the front (opposite 36 Blunham Road) to staff and and visitor parking only. A new access for HGV's was created to the east which allowed the front area of the yard, where the lawful haulage use exists, to be controlled so that no HGV's would use this entrance. It was considered that this arrangement would improve the living conditions for nearby residents, whilst taking into account that the site has an unrestricted lawful use for haulage purposes.

The permissions were subject to conditions relating to the upgrading and

surfacing of the eastern access point and restrictions on the front access and its yard to avoid HGV use, along with conditions relating to the operators licence.

This current application is essentially the same as the previous permission however clarity is sought on a number of outstanding issues relating to the conditions, the arrangements within the site have been revised and consent is sought for the erection of ancillary buildings and offices. It follows recommendations from the Health and Safety Executive (HSE) whereby the existing office building requires complete modernisation and there is a requirement to have separation between staff and the haulage vehicles.

The submitted planning statement notes that in terms of vehicle movements the proposal is not an expansion of the business however the physical area of land covered by the previous applications and the existing lawful use would be slightly larger.

The new offices are located towards the rear of the site providing the separation required by the HSE. They are integral to both the horticultural use and the haulage business which together provide employment for around 50 staff.

The front area of the site, which has the unrestricted lawful use would still be partly used by HGV's for maintenance purposes only, however the applicant is happy to restrict the vehicular movements on this part of the site to between 08:00 and 17:30 weekdays only. This application also proposed the relocation of the fuel tank to the rear part of the site further avoiding the need for HGV's to use the front yard area.

It is also proposed to relocate the staff parking area (currently approved as being to the front yard area) to the rear of the site, beyond the office building in an newly created car park adjacent to the access road. Staff and HGV's will both use the eastern access. The access road itself requires resurfacing within the site and at the junction with the highway. This was a condition of the previous approvals. The surfacing of the internal access road and the junction would go some way to alleviate the problems of dust, noise and debris being scattered onto the road.

While comments from residents are noted relating to the non compliance with conditions attached to the previous approvals, this is a matter to be dealt with by enforcement procedures.

Fundamentally the current proposal is not dissimilar to what has been previously granted permission.

2. The impact on the character and appearance of the area

Taking into account the previous approvals, the proposal is not considered to have any greater impact on the character and appearance of the area than the existing lawful use or approved planning permissions.

Attempts have been made to screen the site from the road, and having regard to

the unrestricted lawful use of the site (granted in 1999) it is considered that the movement of the HGVs to the rear of the site would have a beneficial impact on the character and appearance of the area taking the vehicles movements away from the village.

The office building, and associated ancillary structures are single storey and located well within the site complex therefore the buildings are not considered to result in a detrimental impact on the character of the area.

2. The impact on neighbouring amenity.

In terms of the lawful use of the site, the entrance for all traffic is via the entrance to the front yard opposite No. 36 Blunham Road. In terms of highway safety and proximity to residential properties, it is considered that the access to the east of the site would reduce the impacts on the neighbouring residential properties. The access proposed is also better in terms of visibility than the one serving the front yard. In this respect, it would be beneficial to allow a conditional planning permission using the eastern access as opposed to the unrestricted haulage use, using the yard to the front of the site.

Public Protection have raised no objection to the application and believe that the proposed relocation of the access for HGVs and reconfiguration of the site will reduce the impacts on the neighbouring residential properties.

The existing access to the front of the yard, currently secured by electronic gates, will be reduced in width to 3m. Access will remain available but for emergency use only, with no HGV use. This can be conditioned on any grant of planning permission.

In conclusion, it is considered that the current proposal would not have any greater impact on the residential amenities of the neighbouring properties than the existing lawful use or the previous planning permissions, and the relocation of the access for HGVs and reconfiguration of the site would have a beneficial impact on the residential amenities of the neighbouring residential properties.

4. Highway safety

In terms of access arrangement this proposal is almost identical to that submitted under 10/03322/Full and CB/11/01503/Full the main difference being that the area indicated for staff and visitor parking has been relocated to the rear of the site.

However the access approved under the previous permissions has not been constructed to the required standards as a result of which the grass verge on both sides of the access has been damaged by the turning of vehicles. The access therefore needs to be constructed properly and surfaced accordingly details of which have been included with this application. It is necessary to ensure that the access is upgraded in a timely manner, secured by a condition if permission is granted.

With regards to the access to the yard, the electronic gates are to be restricted

to 3m in width and the access limited to emergency use only.

5. Other issues

Human rights and Equalities Act 2010

The development has been assessed in the context of the Human Rights Act and The Equalities Act and would have no relevant implications

Recommendation

That Planning Permission be granted with conditions.

- 1 **Within six months of the date of this decision, the upgrading of the easternmost access shall be carried out in accordance with the details as set out on drawing number SA/001. The development shall accord with the approved details and shall be maintained as such thereafter.**

Reason: To ensure the access is constructed to properly accommodate the turning of commercial vehicles and 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.

- 2 The area shown hatched blue on plan SC/ACCESS/01 shall be used for maintenance purposes only. In this area the parking of HGV's will be limited to those undergoing maintenance work. Vehicular movements in this area shall be restricted to between the hours of 08:00 - 17:30 weekdays and not at all on weekends or Bank Holidays.

Reason: To safeguard the amenities of neighbouring residential properties.

- 3 The access to the front yard, shown hatched on drawing numbers SC/ACCESS/01 shall be restricted to emergency use only. There shall be no access in to the site for HGVs or any other vehicle at this point except in the event of an emergency.

Reason: In the interest of highway safety and to protect the amenities of neighbouring residential properties.

- 4 In accordance with the Goods Vehicle Operators Licence, the maximum number of vehicles to be operated from White Gables Farm, Blunham Road is 6 haulage vehicles and 8 trailers.

Reason: In the interest of highway safety and to protect the amenities of neighbouring residential properties.

- 5 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers CBC/001, CBC/002, CBC/003, CBC/004, CBC/005, CBC/006, 500 PLAN, SA/001, SC/ACCESS/01, SC/ACCESS/02

REASON: For the avoidance of doubt.

Notes to Applicant

1. Please note that the unnumbered drawings submitted in connection with this application have been given unique numbers by the Local Planning Authority. The numbers can be sourced by examining the plans on the View a Planning Application pages of the Council's website www.centralbedfordshire.gov.uk.
2. The applicant is advised that in order to comply with the access construction condition of this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
3. The applicants attention is drawn to their responsibility under The Equality Act 2010 and with particular regard to access arrangements for the disabled.

The Equality Act 2010 requires that service providers must think ahead and make reasonable adjustments to address barriers that impede disabled people.

These requirements are as follows:

- Where a provision, criterion or practice puts disabled people at a substantial disadvantage to take reasonable steps to avoid that disadvantage;
- Where a physical feature puts disabled people at a substantial disadvantage to avoid that disadvantage or adopt a reasonable alternative method of providing the service or exercising the function;
- Where not providing an auxiliary aid puts disabled people at a substantial disadvantage to provide that auxiliary aid.

In doing this, it is a good idea to consider the range of disabilities that your actual or potential service users might have. You should not wait until a disabled person experiences difficulties using a service, as this may make it too late to make the necessary adjustment.

For further information on disability access contact:

The Centre for Accessible Environments (www.cae.org.uk)
Central Bedfordshire Access Group (www.centralbedsaccessgroup.co.uk)

Statement required by the Town and Country Planning (Development

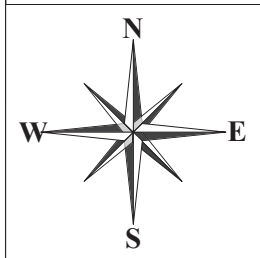
Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

DECISION

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Central Bedfordshire Council
Licence No. 100049029 (2009)
Date: 08:April:2013
Map Sheet No

Application No.
CB/13/00492/FULL

Scale: 1:1250

The Boot, 110 High Street, Langford, Biggleswade

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Item No. 11

APPLICATION NUMBER	CB/13/00492/FULL
LOCATION	The Boot, 110 High Street, Langford, Biggleswade, SG18 9RY
PROPOSAL	New Gospel Hall (D1 use) and Change of Use of the Boot Public House to single Residential dwelling with new double garage
PARISH	Langford
WARD	Stotfold & Langford
WARD COUNCILLORS	Cllrs Clarke, Saunders & Saunders
CASE OFFICER	Samantha Boyd
DATE REGISTERED	12 February 2013
EXPIRY DATE	09 April 2013
APPLICANT	Norseman Construction Ltd
AGENT	Blueprint Architectural Design
REASON FOR COMMITTEE TO DETERMINE	Cllr call in - Cllr Clarke, concerns from residents and Langford Parish Council.
RECOMMENDED DECISION	Full Application - Approval

Recommended Reasons for Granting

The proposed change of use of the former public house to a residential dwelling would not have a negative impact on the character of the area or an adverse impact on the residential amenity of neighbouring properties and is acceptable in terms of highway safety. The proposed Gospel Hall would also not have a adverse impact upon the character and appearance of the area, the amenities of neighbouring properties and is acceptable in terms of parking, access and highway safety. Therefore by reason of its size, design and location, the proposal is in conformity with Policies CS1, CS3, DM3, DM4, DM8 and DM14 of the Core Strategy and Management Policies, November 2009; and The National Planning Policy Framework, March 2012. It is further in conformity with the Supplementary Planning Document: Design in Central Bedfordshire: A Guide for Development, 2010.

Site Location:

The Boot is a detached building located to the South of Langford on the outer edge of the village and was formerly a public house. It is positioned on the corner of the junction of High Street and Common Road with the former garden area to the west of the building predominantly fronting the High Street. Access to the site is off Common Road.

Common Road and the High Street comprise residential properties of mixed character and age. The western boundary of the application site is adjacent to open countryside.

The Application:

The application consists of two elements, the change of use of the public house into a residential dwelling along with the construction of a detached garage and the construction of a Gospel Hall with parking and a new access off Common Road.

The change of use includes the demolition of a flat roofed addition and partial demolition of a single storey addition. The existing flat roof side extension (the High Street elevation) is to be upgraded with a new pitched roof and this elevation would also include a new entrance door. Internal alterations to the layout would result in a large four bedroom property. The garden of the proposed dwelling would be screened with 1.8m timber fencing and a double garage provided to the south of the dwelling with additional hardstanding for parking and access via the existing access to the former public house.

The Gospel Hall is proposed on the remainder of the site with a new access created off Common Road located to the south of The Boot and the existing access. Parking spaces for fifty vehicles is to be provided including two disabled bays. The building itself is single storey with a hipped roof and overhanging eaves sited close to the boundary fronting the High Street. The main entrance doors front the High Street however there are also entrance doors opening onto the car park. The western elevation, which faces the open countryside is to be clad with timber boarding while the rest of the building is to be brick.

RELEVANT POLICIES:

Core Strategy and Development Management Policies - North 2009

CS1 Development Strategy
CS3 Healthy and Sustainable Communities
DM3 High Quality Development
DM4 Development Within and Beyond Settlement Envelopes
DM8 Village Shops and Pubs
DM14 Landscape and Woodland

National Planning Policy Framework (March 2012)

Supplementary Planning Guidance

Design in Central Bedfordshire: A Guide for Development 2010

Local Transport Plan: Parking Strategy: Appendix F

Planning History

None relevant to this proposal

Representations: (Parish & Neighbours)

Langford Parish Council No objections to change of use of public house to residential dwelling however conditions should be imposed concerning any flood risk of flooding to neighbouring land and properties.

Objects to Gospel Hall on the following grounds:

1. Car parking totally inadequate for a hall of this size and nature of its use. Users will arrive by motor car. Public transport does not exist on the days and times the hall would be used NB. the documentation accompanying the application stresses the village is served by public transport but the hours of operation are at times when there is none. There would be severe congestion in the area with parked cars.
2. The building itself is large and far from aesthetically pleasing in appearance - resembles an industrial unit. Unacceptable in residential area.
3. Noise aspect for neighbours.
4. Re: Policy 28: communication between Central Beds Council and the applicant does not establish a need.
5. Re: Policy 70: Langford is already well served with 'social, recreational and cultural facilities'
6. Re: Policy 99: Flood risk. Neighbouring pasture land is constantly covered with water. Excess water could well run off causing flooding.

Neighbours

Three letters received in support of the application. We wish to commend this application for approval. We are extremely pleased to see that the Boot is being retained as it is a historic landmark and the proposed gospel hall is located in an ideal position on the edge of the village boundary and with the garden centre behind it, it is very well situated. We are sure that the gospel hall will be well presented and landscaped, judging by the presentation of the Biggleswade Saxon Drive gospel hall. The currently derelict site appears to be used by local youths for anti-social behaviour and we would be relieved to see this area cleared up and developed as soon as possible.

Two other supporting letters are from residents in Biggleswade who live near the current chapel in Rose Lane.

Site notice displayed

20/02/13

Consultations/Publicity responses

Environment Agency

We are satisfied that the development is acceptable in principle. However the proposed development will only meet the requirements of the NPPF if the following measures as detailed in the Flood Risk Assessment submitted with the application are implemented and secured by way of conditions on any permission.

Conditions recommended:

The provision of a flood warning system and emergency evacuation plan,

Finished floor levels of the Hall to be 32.0m above Ordnance Datum,

Flood resilient /resistant construction methods,

Provision of flood storage as outlined in Appendix E of the submitted FRA.

Highways

The length of the garage for the residential dwelling is minimal at 4.8m internally and could cause issued with the garage door contacting a vehicle within, it is also below the current required length for a garage as per the current and previous guidance. Also cycle parking provision is below the current standards. However the hardstanding at the front of the garage is adequate for more than two vehicles and cycle parking can be dealt with as a condition.

It was agreed previously that the parking bays could measure 2.4m x 4.8m. The applicant has provided fifty parking spaces for the proposed hall (254m²) which under the current parking strategy of 1 space per 5m² is one space below the current guidance, however I do not believe this shortfall of one space would be detrimental to the highway as there is adequate on site cycle parking provision and probable car sharing between participants of the hall, and therefore I feel the parking provision is acceptable.

The main entrance to the gospel hall indicates gates opening onto the highway which is not acceptable, again this can be dealt with by a condition along with the construction of a footway from the existing public footway to the halls main entrance.

It was agreed in a previous meeting that the visibility splay to the north from the proposed access could be taken to the centre of Common Road at the junction with Cambridge Road. This will allow for adequate visibility and was accepted due to the nature of Common Road, being lightly trafficked and not very wide, so any vehicle

entering Common Road at the junction (and exiting) would do so over the central line. This direction is also not the critical side for visibility.

It was also agreed that kerbing should be provided along the frontage of the pub along Common Road to form a buffer between the carriageway and the building. This can be dealt with by a condition.

Public Protection

A Noise Assessment has been submitted with the application. Public Protection have asked for additional information to be able to thoroughly assess the proposal. At the time of writing this report the additional information has not been received but will be reported to Committee at the meeting.

Beds and River Level
Internal Drainage Board

The Board note that the proposed development will not result in a change of vulnerability classification and that it will be sited within flood zone 2 and not flood zone 3. The Board therefore have no objection to the proposed development. The Board further note that the proposed method of storm water disposal is by means of a sustainable drainage system.

Any soakaways should be constructed in accordance with BRED 365.

Ecology

This application is not supported by an ecological appraisal or a tree survey, as the plan layout identifies a number of trees, some of which will be removed I would require an assessment of these for their value to bats. The site is located with open countryside and waterways close by, habitat features which are desirable to bats and it is possible that they are using the trees for roosting. Should bats be found to be roosting in the trees then a European Protected Species licence would be required from Natural England together with appropriate mitigation. As development is proposed on existing rough grassland it is possible that reptiles may be using the site and the potential impact of the development should also be assessed. The Council will seek to ensure a net gain for biodiversity is achieved through development and as the proposal stands such a gain is not apparent.

Tree and Landscape
Officer

There are a number of trees on the site that are identified for removal including four mature Ash trees of limited quality and an early mature Yew tree. The intention is to retain the mature line of Ash trees along the boundary of the site with the High Street. This we would definitely require.

It would appear that the proposed new build is going to be on land that is somewhat lower than both the High Street and the land that the existing building is on which appears to put the footprint well within zone 2 and 3 of the flood zones on GIS Mapping.

The land slopes down considerably towards the river and the proposed plans for this new building appear to be on one level although to put the building in this position is going to require either excavating down to the lowest point or elevating the west end of the building upwards. It is not indicated what is proposed.

If the proposal was to go ahead we would require full landscaping details to enhance this focal point on the High Street including tree planting to the front and rear of the site, detailing species, sizes and densities of planting.

Details of the boundary treatment to the west and south boundaries should include native hedge planting and post and rail fencing.

The trees to be retained along the north boundary with the High Street are likely to be in conflict with the proposed new build particularly with regards to root protection areas, therefore we should ask for additional information regarding these trees to include root protection area details and distances in accordance with BS 5837. Trees in relation to design, demolition and construction. Recommendations 2012, and possible foundation details and method statement regarding these issues.

All new services and soakaways are to avoid root protection areas of trees to be retained on site.

Building Control

Based on the current layout plans the applicant should reconsider the size of the accessible WC where the minimum standard guidance is 2.2x1.5m. The plans appear to show a stepped threshold at the main entrance whereas a level threshold is required, the external rear egress doors require a landing, steps and ramps (steps shown at present), the disabled parking bays should be demarked and a firm level access route provided from drop off to entrance, the hall seating arrangements should include spaces for wheelchair users and those assisting such users, the hall should incorporate communication aids (induction loop etc) and the internal arrangements should include floors, walls, etc of surface finish such that they are distinguished from one another. We would urge the applicant to assess the number of

wc's, escape routes and widths against the numbers that the whole building is likely to contain.

Determining Issues

The main considerations of the application are;

1. The principle of the development
2. The effect on the character and appearance of the area
3. The impact on neighbouring amenity
4. Highway safety
5. Flood risk

Considerations

1. The principle of the development

Under Policy CS1 of the Core Strategy and Development Management Policies Document (CS), Langford is classed as a Large Village where a small amount of new development will be allowed in principle.

The application site falls just inside the Settlement Envelope for Langford, however in order to provide the required amount of parking spaces, some are partly located just outside the envelope boundary, but within land the applicant owns. Policy DM4 of the CS states that within Settlement Envelopes for Large Villages, small scale housing and employment uses together with retail and service facilities to serve the village and its catchment will be permitted.

Policy CS3 seeks to promote healthier lifestyles through the provision of sports, recreation, leisure and community facilities which enable people to participate in physical and cultural pastimes.

With regard to the loss of the public house, Policy DM8 does not allow for the change of use or redevelopment of pubs in villages unless there are other facilities performing the same function within walking distance of the village community. The Boot has been vacant for some time and also began trading briefly as an Indian Restaurant. Within Langford there are two other public houses, The Wrestlers and The Plough both of which are still trading. the change of use of the former public house is therefore considered acceptable.

There is no requirement to demonstrate a 'need' for the gospel hall where it is to be located within a settlement envelope boundary.

Given that the development is located within the settlement envelope the proposal is considered to comply with Policies contained within the Core Strategy and therefore acceptable in principle.

While some of the parking spaces fall partly outside the settlement envelope, as there would only be a minimal overlap, it is not considered that the impact would detrimental. The requirement to provide a sufficient amount of parking bays is considered to outweigh the minor encroachment into the open countryside.

2. The effect on the character and appearance of the area

The change of use

There are to be no major alterations to the external appearance of The Boot. The introduction of the pitched roof over the existing flat roof side extension is considered to be an improvement to the visual appearance of the building, particularly along this elevation which fronts the High Street. The proposed garage is to be sited along the Common Road side of the application site and set back from the frontage by approximately 3m. The garage is modest in height with its gable end facing the street scene and access to the property is as existing. Given the above, the change of use of the public house is not considered to have a detrimental impact on the character and appearance of the area.

The Gospel Hall

The Gospel Hall is a single storey building with a hipped roof of varying heights. It fronts the High Street but would be set back behind the existing trees that line the boundary. The building would form the edge of the village and would be most visible when travelling eastwards into the village from Henlow as it would become the first building on this side of the road. However the elevation facing this direction is to be clad with timber boarding reducing the urbanised look of the building. The existing landscaping to the far west of the site is to be retained screening the building from the countryside beyond.

While the proposed building is on the edge of the village, it is noted that on the opposite side of the High Street, residential properties extend the settlement boundary eastwards for some distance.

The proposed building is within the settlement envelope and close to the existing built up area. It is in a semi-rural location and not isolated within the open countryside therefore its presence would not result in an adverse impact upon the appearance of this part of the village. In terms of design, the proposal is functional and given the mixed character of the surroundings it is not considered to be out of place.

Overall the proposal is considered acceptable in terms of the impact on the character and appearance of the area.

3. The impact on neighbouring amenity

The nearest neighbouring properties are located in Common Road, to the east and south of the application site. There are also residential properties opposite in High Street and Riverside Gardens.

The change of use

The Boot is situated on the corner of the junction and has no immediate neighbours. As such the change of use element of the proposal would not have

a material impact on any neighbouring properties.

The Gospel Hall

The building is to be sited fronting the High Street boundary. It is positioned away from neighbouring properties and sufficiently separated from The Boot so as not result in any loss of light, overbearing or loss of privacy to neighbouring properties.

The main impact on amenity is considered to be the noise generated from the use of the building and the additional comings and goings to the car park and also noise from the air conditioning units.

The application states that the proposed use is as a place of worship and the associated activity would be for approximately 2-3 hours per week. The length of each service is generally 45- 60 minutes and no amplified music is involved. It is estimated that the Sunday 6am service would attract 35 persons, the Sunday 3pm service 75 persons, Monday 6.30pm service 35 persons and Friday 7pm service 150 persons. It is anticipated that the busiest service would only attract around 40 vehicles due to car sharing and local families having the ability to use other modes of transport.

Further details have been requested by Public Protection Officers regarding the hours of use and proposed noise mitigation measures. However comments on the information are not yet available and as such will be reported to Members at Committee.

The former use of the premises as a public house would in itself generate a level of noise and comings and goings to the premises, it is therefore considered that the proposed Gospel Hall would be have a similar, or potentially less impact that the existing use of the site.

Providing no adverse comments are raised by Public Protection with regard to noise and any recommended conditions, the proposal is unlikely to result in a detrimental impact upon the amenities of the adjacent neighbouring properties.

4. Highway safety

The length of the garage is minimal at 4.8m internally and could cause issues with the garage door contacting a vehicle within, it is also below the required length for a garage, as per the current and previous guidance and the cycle parking provision is also below the current standards. However the hardstanding area at the garage frontage can comfortably fit three vehicles, which space for a fourth if necessary and the cycle parking issue can be dealt with by a condition.

The previous application was withdrawn due to not enough parking provision as issues with access and visibility. The applicant has now provided fifty parking spaces for the proposed hall (254m²) which under the current parking strategy of 1 space per 5m² is one space below the current guidance, however I do not believe this shortfall of one space would be detrimental to the highway as there

is adequate on site cycle parking provision and probable car sharing between participants of the hall, and therefore I feel the parking provision is acceptable. It was also agreed at pre-application meetings that the parking bays could measure 2.4m x 4.8m which was based on the requirements of the Design Guide. The shortfall in size is not considered to have a detrimental impact on highway safety given the amount of spaces that have been provided.

The main entrance to the gospel hall indicates gates opening onto the highway which is not acceptable, again this can be dealt with by a condition along with the construction of a footway from the existing public footway to the halls main entrance.

It was agreed in a previous meeting that the visibility splay to the north from the proposed access could be taken to the centre of Common Road at the junction with Cambridge Road. This will allow for adequate visibility and was accepted due to the nature of Common Road, being lightly trafficked and not very wide, so any vehicle entering Common Road at the junction (and exiting) would do so over the central line. This direction is also not the critical side for visibility.

It was also agreed that kerbing should be provided along the frontage of Common Road boundary to form a buffer between the carriageway and the grass verge. Again this can be secured via a condition.

The proposal is considered to be acceptable in terms of highway safety.

5. Flood risk

The application site falls within Flood zone 2 therefore a Flood Risk Assessment has been submitted with the application. The site topography slopes gently down towards the River Ivel (to the west) with a height difference in ground levels of approximately 1m. Surface water currently drains into the river. The proposal will introduce new roofs and hardstandings which will increase the amount of surface water being discharged into the river therefore flood mitigation measures are required.

The Environment Agency have raised no objections to the proposal however conditions are required on any approval issues in order to ensure that the mitigation measures identified in the FRA are implemented.

6. Other issues

Some trees within the site will be lost to make way for the proposed development including four mature Ash trees of limited quality and an early mature Yew tree. The intention is to retain the mature line of Ash trees along the boundary of the site with the High Street which is supported.

The trees to be retained along the north boundary with the High Street are likely to be in conflict with the proposed new build particularly with regards to root protection areas, therefore we should ask for additional information regarding these trees to include root protection area details and distances in accordance with BS 5837. Trees in relation to design, demolition and construction.

Recommendations 2012, and possible foundation details and method statement regarding these issues.

Further landscaping of the site can be secured with a condition is permission is granted.

Human Rights

The development has been assessed in the context of the Human Rights and would have no relevant implications.

Equalities Act 2010

The development has been assessed in the context of the Human Rights and would have no relevant implications.

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 development shall commence until a scheme has been submitted to the Local Planning Authority for written approval setting out the details of the materials to be used for the external walls and roof of the Gospel Hall building. 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 in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document 2009.

- 3 **No development shall commence until a scheme has been submitted to the Local Planning Authority for written approval setting out the details of the materials to be used for the external walls and roof of the garage. The development shall be carried out in accordance with the approved scheme. All materials used in the external alterations to the former public house building shall match those of the existing building as closely as possible.**

Reason: To protect the visual amenities of the building and of the area generally in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document 2009.

- 4 **No development shall commence until full details of both hard and soft**

landscaping has been 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 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 in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document 2009.

- 5 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.

- 6 The development shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (Scott White and Hookins, January 2013 - JD/ljh/S00957) and the following mitigation measures:
1. The provision of a flood warning system and emergency evacuation plan;
 2. The raising of finished floor levels of the new Gospel Hall to a level of at least 32.0m above Ordnance Datum (AOD);
 3. The provision and implementation of flood resilient/resistant construction methods;
 4. The provision of compensatory flood storage as outline within Appendix E of the submitted FRA.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme or within any other period as may be subsequently agreed, in writing, by the Local Planning Authority.

Reasons:

1. To ensure adequate provision of flood warning mechanism/evacuation in order to protect life and property on and in the vicinity of the application site.
2. To reduce the risk of flooding to the proposed development and future occupants.
3. To prevent the increased risk of flooding from the proposed development to third parties.
4. To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.

In accordance with Policy DM3 of the Core Strategy and Development Management Policies Document 2009 and the NPPF.

- 7 **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.

- 8 **Notwithstanding the details shown, development shall not begin until details of the footway for the main entrance of the hall and the kerbing along the Common Road frontage of the proposed dwelling shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be brought into use until the footway and the kerbing have been constructed in accordance with the approved details.**

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

- 9 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any amendments thereto, the garage accommodation on the site shall not be used for any purpose, other than as garage accommodation, unless permission has been granted by the Local Planning Authority on an application made for that purpose.

Reason: To retain off-street parking provision and thereby minimise the potential for on-street parking which could adversely affect the convenience of road users.

- 10 Before the development is brought into use the on site vehicular areas shall be constructed and surfaced in a stable and durable material in accordance with details to be approved in writing by the Local Planning Authority. 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 so as to safeguard the interest of highway safety and reduce the risk of flooding and to minimise inconvenience to users of the premises and ensure satisfactory parking of vehicles outside highway limits .

- 11 Any vehicular 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 Before the new access is first brought into use, any surplus lengths of the 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 interest of road safety and to reduce the number of points at which traffic will enter and leave the public highway.

- 13 Visibility splays shall be provided at the junction of the proposed access with the public highway before the development is brought into use. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 43.0m measured from the centre line of the proposed access along the line of the channel of the public highway in a southerly direction and 43.0m to the centre line at the junction of Common Road/Cambridge Road in a northerly direction. The required vision splays shall for the duration of the development remain free of any obstruction to visibility.

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.

- 14 The Gospel Hall premises hereby approved shall only be used as a place of

worship falling within Class D1 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). The Gospel Hall premises shall not be used for any other purpose falling within Class D1.

Reason: To control the development in the interests of amenity.

- 15 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 11-061-11H, 11-061-14, 11-061-01, 11-061-02, 11-061-03, 11-061-04, 11-061-12G, 11-061-13H, Lighting Design dated 10.12.12, Flood Risk Assessment (ScottWhiteandHookins, dated January 2013 - D/ljh/S00957).

Reason: For the avoidance of doubt.

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 the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Central Bedfordshire Council's Highway Help Desk, Technology House, 239 Ampthill Road, Bedford MK42 9BA 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.

- The applicant is advised that, under the provisions of the Highways Act 1980, no part of the structure, including foundations, surface water hardware and boundary treatments shall be erected or installed in, under or overhanging the public highway and no window, door or gate shall be fixed so as to open outwards into the highway.

The Highway Authority has the power under Section 143 of the Highways Act 1980, to remove any structure erected on a highway.

- The applicant is advised that in order to comply with Condition 14 of this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Development Control Group, Development Management Division,

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

- The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, Technology House, 239 Ampthill Road, Bedford MK42 9BD
- 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.

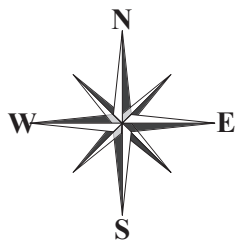
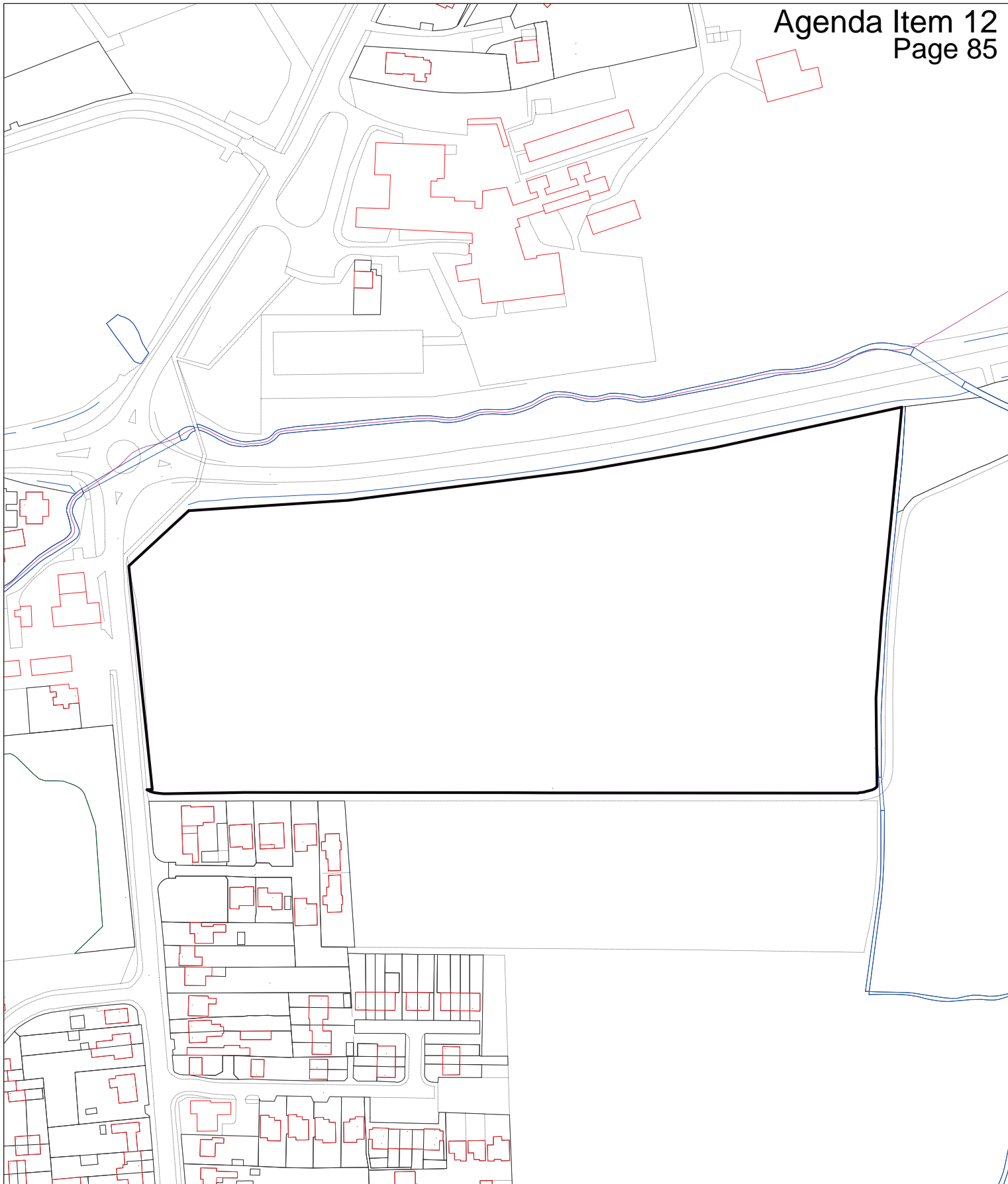
The applicant is advised that the closure of the surplus lengths the existing access shall include the reinstatement of the highway to include any footway, verge and kerbing in a manner to be agreed in writing with Central Bedfordshire Council's Customer Contact Centre on 0300 300 8308. No work shall 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.

Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

DECISION

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Date: 08:April:2013

Map Sheet No

Application No.
CB/13/00333/Reg3

Scale: 1:2500

Land Adjacent to 94 Ampthill Road, Flitwick

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Item No. 12

APPLICATION NUMBER	CB/13/00333/REG3
LOCATION PROPOSAL	Land Adjacent To 94, Ampthill Road, Flitwick Change of use of land from agricultural to D2 (outdoor sport and recreation) and associated landscaping. It is proposed to use the land for outdoor sports and recreation - playing fields with 1 full sized and 6 junior grass pitches.
PARISH	Flitwick
WARD	Flitwick
WARD COUNCILLORS	Cllrs Mrs Chapman, Gomm & Turner
CASE OFFICER	Judy Self
DATE REGISTERED	12 February 2013
EXPIRY DATE	09 April 2013
APPLICANT	Central Bedfordshire Council
AGENT	B3 Architects
REASON FOR COMMITTEE TO DETERMINE	Council owned Land
RECOMMENDED DECISION	Full Application - Granted

Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

Reasons for Granting

The principle of the development has been established as acceptable. The change of use of the land from agricultural to a D2 usage for the playing fields is not considered to harm the character and appearance of the area and is considered to constitute appropriate development and be acceptable in Green Belt terms. In addition the application would not result in a detrimental impact upon neighbouring amenity. As such the development would be in accordance with objectives of the National Planning Policy Framework (2012), the Core Strategy and Development Management Policies (2009).

Site Location:

The site comprises 6.76 Hectares of agricultural land. The site lies to the north of Flitwick and is adjacent to both Ampthill Road and the A507. The site is located within both open countryside and the South Bedfordshire Green Belt. The western part of the southern side of the site is adjacent to existing residential properties.

Planning permission had been previously granted in 2009 for a new football pitch facility on the land as a replacement for the existing pitches at the Flitwick Leisure Centre. This permission lapsed on the 21 November 2012. Under CB/09/05708/REG3 permission was granted for the following:

- 1 senior football pitch with fenced perimeter;
- 5 further senior/junior sized football pitches;
- 6 mini football pitches;
- car parking facilities. Access to the site is directly off amphill Road;
- a six team changing pavilion with officials changing, toilets, classrooms and other ancillary facilities including car parking.

The Application:

The application proposes a change in use from agricultural to D2 (outdoor sport and recreation) with associated landscaping for outdoor sports and recreation playing fields to include 1 full sized pitch and 6 junior grass pitches.

This application is to establish the principle of changing the use of the land to playing fields. If planning permission is granted for the change of use of the land, further planning applications will be subsequently prepared with full details (changing facilities etc.)

Given the timescales involved, a change of use of the land is required to prepare (ie seed) the grass pitches.

RELEVANT POLICIES:

National Planning Policy Framework (2012)

Core Strategy and Development Management Policies, November 2009

- | | |
|------------|---|
| Policy DM3 | High Quality Development |
| Policy DM4 | Development Within and Beyond Settlement Boundaries |

Development Strategy for Central Bedfordshire

Policy 22: Leisure and open space provision

(Having regard to the National Planning Policy Framework, significant weight is given to the policies contained within the emerging Development Strategy for Central Bedfordshire, which is consistent with the NPPF. The draft Development Strategy is due to be submitted to the Secretary of State in May 2013.)

Supplementary Planning Guidance

None applicable to this application

Planning History

- | | |
|----------|---|
| 09/05708 | Regulation 3: Change of use of land to football pitches with associated changing pavilion and external landscaping - approved |
|----------|---|

Representations:

(Parish & Neighbours)

Flitwick Town Council Supports the application

Neighbours Two objection responses have been received and have been summarised as following:

An objection on the grounds that the planning application is not correctly represented in the plans submitted because:

- *The plan does not correctly depict the number of residential units adjacent to the site – the plan is out of date and significantly under represents the number of households which will be affected.*
- *The plan shows no outline of the positioning of the pitches in either of the two plots of land shown. There is no reference to mitigating noise and nuisance of landscaping – I fail to see how this can be categorised as a full planning application.*

An objection on the grounds of noise and un-neighbourliness. The field referred to has areas which are not directly adjacent to property and it is unfortunate that these areas have not been selected on the plan.

An objection regarding the noise factor when all pitches are in use at the same time. The argument that they wont all be in use simultaneously doesn't hold water, since there wouldn't be any point building 7 pitches.

Consultations/Publicity responses

Internal Drainage Board (IDB) No objection objection to a condition.

Environment Agency No comments to make as the site falls within the jurisdiction of the IDB

Public Protection No comments to make

Sport England No objection

Highways No objection on the understanding that the proposal merely seeks to establish the principle of the change of use and an appropriate condition be attached to any grant of permission to ensure that no works can commence until details have been agreed with regard to access and parking.

Play and Open Space Officer No comments received

Community Safety Officer No comments received

Ecology

The application site lies within an identified Biodiversity opportunity area seeking habitat enhancements in the form of wetland and woodland. No objection has been raised to a change of use for the land but it is requested that any future applications for the site take the opportunity area into account.

It is clear that appropriate drainage will be needed for the site and an ideal solution would be a SUDS supporting wet woodland creation.

Determining Issues

The main considerations of the application are;

1. The Principle
2. The visual impact of the development and the impact upon the Green Belt
3. Impact on the amenities of neighbours
4. Highway considerations
5. Other Considerations

Considerations

1. The Principle

The application site lies outside the Settlement Envelope for Flitwick in open Countryside and within the Green Belt.

Permission was granted in 2009 for a new football pitch facility on the land as the site was deemed to be a suitable location for the proposed development. As such the principle of development has been established as acceptable. In addition the National Planning Policy Framework (2012) states that local planning authorities should:

- *“Plan positively to enhance the beneficial use of the Green Belt, such as to provide opportunities for outdoor sport and recreation”.*

Whilst the current proposal is for the change of use of the land it is reasonable to expect further planning applications to be submitted for the outstanding matters such the changing facilities etc. It is considered these would also be in accordance with the NPPF as national planning policy supports facilities which would be for outdoor sport and recreation.

2. The Visual Impact of the Development and the Impact upon the Green Belt

The provision of this site would allow the relocation of the football pitches adjacent to the existing Flitwick Leisure Centre where it was proposed to provide a new Leisure Centre.

The application site was originally chosen as it lies on the edge of the town and would maintain the separation between Flitwick and Ampthill. Planning permission has been previously granted and as such the principle has been established.

The land is relatively flat and currently lays fallow. The National Planning Policy Framework supports the:

- *“Provision of appropriate facilities for outdoor sport and outdoor recreation, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it”.*

The proposed change of use from agricultural land to a new football facility to include 1 full sized pitch and 6 junior grass pitches is considered to accord with the National Planning Policy Framework as it is an appropriate use within the Green Belt and would preserve the openness of the Green Belt. In addition, the emerging Development Strategy for Central Bedfordshire places an importance on providing new ‘green space’ in the form of playing pitches that provides opportunities for open access to the public for recreational purposes.

In conclusion it is considered that the proposal would not result in any harm to the character and appearance of the area and would preserve the openness of the Green Belt and would not conflict with the purposes of including land within it.

3. Impact on the amenities of neighbours

The nearest residential properties to the site lie to the north side of The Birches which is a modern close formed off Ampthill Road. No direct impact to the residential amenity of neighbouring occupiers would result by way of overbearing impact; loss of privacy or loss of light. The issues raised from the consultation process relate to noise disturbance and these concerns have been addressed below.

Response to the objections received:

- *The plan does not correctly depict the number of residential units adjacent to the site – the plan is out of date and significantly under represents the number of households which will be affected. The plan shows no outline of the positioning of the pitches in either of the two plots of land shown.*

Response: Revised details were requested and all neighbouring properties have been re consulted.

- *There is no reference to mitigating noise and nuisance of landscaping – I fail to see how this can be categorised as a full planning application.*

This application seeks only to determine the principle of using the land for recreational purposes. No objection has been received from Public Protection. The previous permission was the subject of a condition requiring a landscaped bund adjacent to those nearest properties. A condition is again recommended and it is considered that this buffer would satisfactorily mitigate noise concerns.

- *An objection on the grounds of noise and un-neighbourliness. The field referred to has areas which are not directly adjacent to property and it is unfortunate that these areas have not been selected on the plan.*

Response: The proposal accords with the previously approved application and it is envisaged that this section of the site will form part of a future application (subject to funding).

- *An objection regarding the noise factor when all pitches are in use at the same time.*

Response: The proposal accords with the previously approved application and appropriate conditions will be attached to any approval.

In conclusion no significant harm to the residential amenity of occupiers of neighbouring properties is considered to arise and as such the proposal is considered to be acceptable in this regard.

4. Highway implications

On the understanding that the proposal merely seeks to establish the principle of the change of use no objection has been raised by the Highways Authority subject to a condition to ensure that no works can commence until details have been submitted and approved in writing by the Local Planning Authority. As such the proposal is considered to be acceptable in this regard.

5. Other considerations

Drainage considerations

The application site falls within Flood Zone 3. No objection has been made by the IDB subject to 'Condition 4' which is attached to any approval. The proposal is therefore considered to be acceptable in this regard.

Human Rights issues

The previous permission was the subject of a condition requiring a landscaped bund adjacent to those nearest properties. A condition is again recommended and it is considered that this buffer would satisfactorily mitigate noise concerns.

Equality Act 2010

The planning application process has been undertaken in accordance with the Equality Act 2010.

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 take place until details of vehicle access and on site parking have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved plans.**

Reason: Highway safety.

- 3 **Prior to commencement of the development a scheme for a soil bund, to include details of the source and type of material, height, length and width, to be constructed on the southern boundary of the site adjacent to the existing residential properties shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of appropriate defensive landscaping and shall be implemented in full prior to the use of the playing fields for recreational purposes.**

Reason: In order to protect the amenities of nearby residents and to ensure the mound is not used for casual play.

- 4 **No development shall take place until calculations have been submitted to and approved in writing by the Local Planning Authority showing that the raising of the ground to form level football pitches will be compensated by level for level lowering of ground in other areas.**

- **any bunds formed from surplus materials or ground raising or lowering activities must not remove capacity from the flood plain.**
- **any excess material which is not removed from site must be moved to a location which is not within the flood risk area.**

Reason: to ensure that flood risk is not increased by development within the flood plain.

- 5 **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.

- 6 **Full details of soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:-**

- **proposed finished levels or contours;**
- **proposed and existing functional services above and below ground level;**
- **planting plans, including schedule of size, species, positions, density and times of planting;**
- **cultivation details including operations required to establish new planting;**
- **details of existing trees and hedgerows on the site, indicating those to be retained and the method of their protection during development works.**

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

Reason: In order to ensure that the landscaping is carried out within a reasonable period in the interest of the visual amenities of the area.

Notes to Applicant

1. The application area lies within an identified Biodiversity opportunity area seeking habitat enhancements in the form of wetland and woodland. It is recommended that future applications for the site take the opportunity area into account. It is clear that appropriate drainage will be needed for the site and an ideal solution would be a SUDS supporting wet woodland creation.

DECISION

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