

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



please ask for Helen Bell
direct line 0300 300 4040
date 19 December 2013

NOTICE OF MEETING

DEVELOPMENT MANAGEMENT COMMITTEE

Date & Time

Wednesday, 8 January 2014 10.00 a.m.

Venue at

Council Chamber, Priory House, Monks Walk, Shefford

Richard Carr
Chief Executive

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

Clrs K C Matthews (Chairman), A Shadbolt (Vice-Chairman), P N Aldis,
A R Bastable, R D Berry, M C Blair, D Bowater, A D Brown, Mrs C F Chapman MBE,
Mrs S Clark, Mrs B Coleman, I Dalgarno, K Janes, Ms C Maudlin, T Nicols,
I Shingler, B J Spurr and J N Young

[Named Substitutes:

L Birt, Mrs R J Drinkwater, C C Gomm, Mrs D B Gurney, R W Johnstone,
D Jones, J Murray, B Saunders and N Warren]

All other Members of the Council - on request

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

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

AGENDA

1. **Apologies for Absence**

Apologies for absence and notification of substitute members

2. **Chairman's Announcements**

If any

3. **Minutes**

To approve as a correct record, the Minutes of the meeting of the Development Management Committee held on 4 December 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 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.	5 - 10

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/13/03448/FULL</p> <p>Address : Land Opposite Boundary Farm North Of, Baldock Road, Stotfold</p> <p>Erection of building and associated works for the public display of The Saunders Collection of steam engines, fairground rides, mechanical organs and associated memorabilia and change of use from agricultural land to form an extension to the Stotfold Mill Nature Reserve.</p> <p>Applicant : Mr J Saunders</p>	11 - 42
7	<p>Planning Application No. CB/13/03280/FULL</p> <p>Address : Gravenhurst and Villages Pre-School, Orchard Close, Upper Gravenhurst, Bedford, MK45 4JF</p> <p>Erection of covered area on south west side of building</p> <p>Applicant : Mrs A Stone</p>	43 - 50
8	<p>Planning Application No. CB/13/03813/FULL</p> <p>Address : 8 Gardeners Close, Flitwick, Bedford, MK45 5BU</p> <p>A rear projecting dual pitch two storey extension.</p> <p>Applicant : Mr Corbett</p>	51 - 58
9	<p>Planning Application No. CB/13/03357/FULL</p> <p>Address : Land at former Church of St Vincent, Tithe Farm Road, Houghton Regis</p> <p>Erection of 58 Bed Nursing Home with associated parking and manoeuvring C2 use.</p> <p>Applicant : Innovations Consultancy</p>	59 - 82

Address : Land South Of, Potton Road, Biggleswade

Reserved Matters: Change to Approval
CB/11/02327/RM dated 19/10/2011 relating to
Blocks 25, 26, 29, 34 and 36 of development south
of Potton Road, Biggleswade - Replacement of
8no. Affordable Flats (Plots 153-160) in Block 36
with 4no. Houses (Plots 153-156) resulting in a
reduction in dwelling numbers from 103 dwellings
to 99 dwellings.

Applicant : Martin Grant Homes

Address : 25 High Road, Shillington, Hitchin, SG5 3LL

Change of Use: Residential to Office & Storage
ancillary to garage use of the site.

Applicant : F. C. Dawes & Son Ltd

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 5 February 2014 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: 8th January 2014
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 8th January 2014)

	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	Legal letters sent, mobile home to be removed, check compliance.
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			Appeal withdrawn, land sold, monitor compliance by new owners.
3	CB/ENC/10/0172	Land at 10-12 High Street, Shefford. SG17 5DG	Enforcement Notice - construction of an unauthorised wooden extension	19-Jun-13	19-Jul-13	19-Aug-13				Works have commenced on approved brick extension 6/9/13. Compliance being monitored.
4	CB/ENC/10/0659	Land at 106 Bury Road, Shillington, Hitchin SG5 3NZ	Enforcement Notice - change of use of garage and rear conservatory to a self contained dwelling unit.	25-Jun-13	25-Jul-13	25-Aug-13	Appeal submitted 11/7/13			Appeal held in abeyance pending outcome of estate
5	CB/ENC/11/0267	Land at White Gables Farm, Blunham Road, Charlton, Moggerhanger MK44 3RA	Enforcement Notice 2 - Use of land for storage/parking of haulage vehicles	29-Apr-13	29-May-13	29-Jun-13	Appeal dismissed 14/11/13	14-Dec-13	Complied	Appeal dismissed, Notice upheld. Monitor site
6	CB/ENC/11/0267	Land and grain store building at White Gables Farm, Blunham Road, Moggerhanger. MK44 3RA	Enforcement Notice 4 - change of use of land and grain store building to storage of materials and vehicles for haulage business	20-Nov-13	20-Dec-13	20-Jan-14				Check compliance 20/1/14
7	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			Not complied	Costs of direct action being obtained
8	CB/ENC/11/0499	Land at Erin House, 171 Dunstable Road, Caddington, Luton. LU1 4AN	Enforcement Notice - unauthorised erection of a double garage.	03-Sep-13	01-Oct-13	01-Dec-13	Appeal received 1/10/13			Await outcome of appeal
9	CB/ENC/11/0613	Land at Taylors Nursery, Taylors Road, Stotfold, Hitchin. SG5 4AQ	Enforcement Notice - change of use of the land for siting of a mobile home for residential purposes.	14-Nov-13	14-Dec-13	14-Jan-14 & 13-Apr-14				Check compliance 13/4/14
10	CB/ENC/11/0627	Land at Road Farm, How End, Houghton Conquest. MK45 3JS	Enforcement Notice - change of use of the land for the storage of building materials.	06-Sep-13	06-Oct-13	06-Dec-13	Appeal received 27/9/13			Await outcome of appeal

Planning Enforcement formal action (DM Committee 8th January 2014)

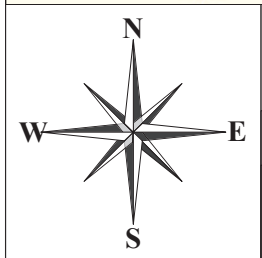
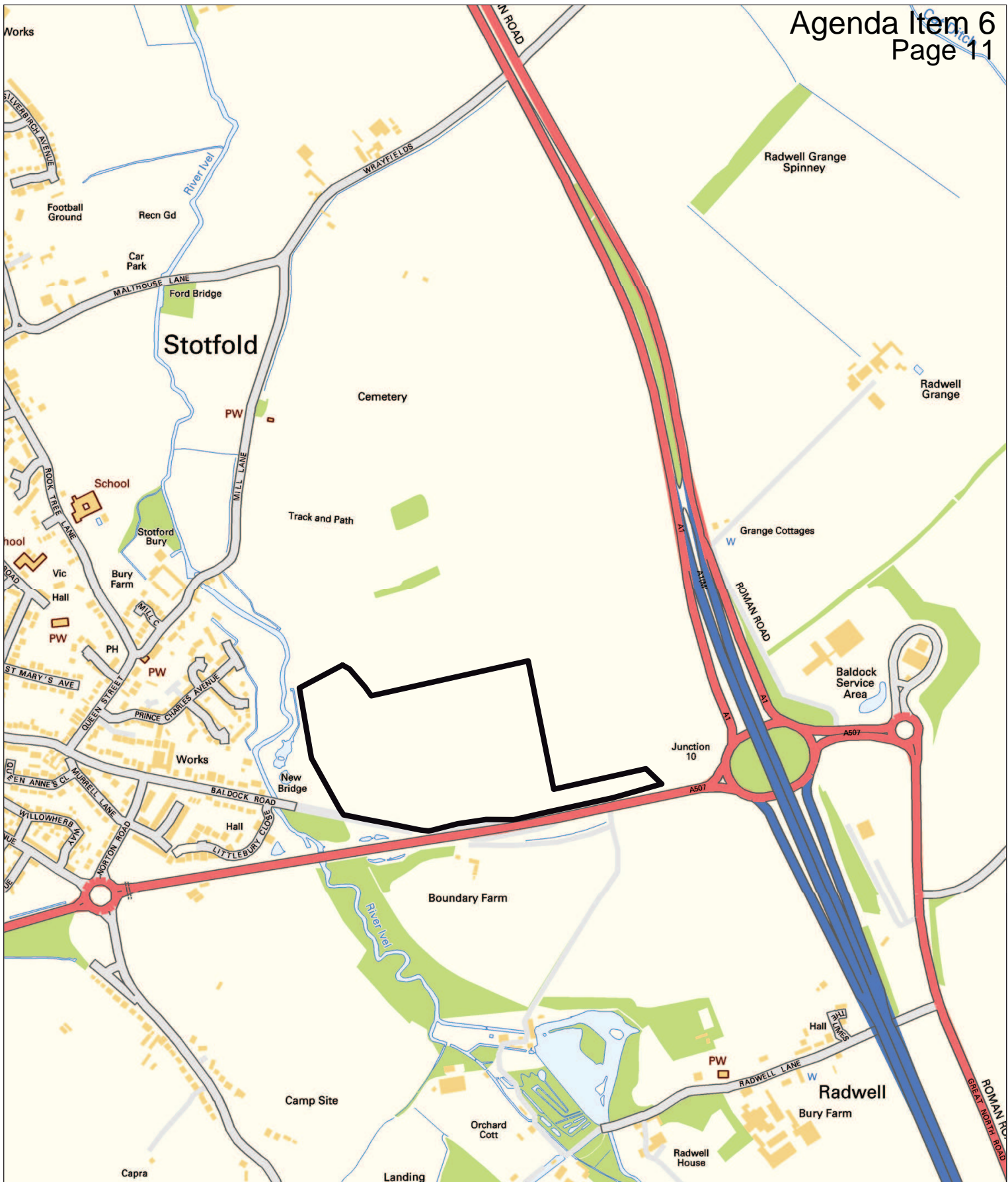
	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
11	CB/ENC/12/0098	Land at 22-28 Station Road, Arlesey	S215 Notice - Untidy land storage of motor vehicles	15-May-13	15-May-13	12-Jun-13			Not complied	To Court January 2014
12	CB/ENC/12/0142	62 Bury Hill, Potton, SG19 2RZ	S215 Notice - Untidy land	26-Jul-13	26-Jul-13	26-Aug-13			Partial compliance	Land in process of being tidied, continue to monitor compliance
13	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 - Hearing Jan 2014
14	CB/ENC/12/0330	Land to rear of The Farmers Boy PH, 216 Common Road, Kensworth, Dunstable LU6 2PJ	Enforcement Notice - raising and levelling of the land by the importation of waste material	08-Aug-12	10-Sep-12	10-Nov-12	Appeal dismissed 19/7/13	19-Sep-13	Not complied	Appeal dismissed, not complied, further action to be taken
15	CB/ENC/12/0504	Land adj to Mileway House, Eastern Way, Heath and Reach	Enforcement Notice - use of land for siting of storage containers	03-May-13	03-Jun-13	03-Sep-13		01-Apr-14		Compliance extended for re-seeding
16	CB/ENC/12/0521	Land at Random, Private Road, Barton Le Clay, Bedford MK45 4LE	Enforcement Notice - erection of a dwelling.	16-Aug-13	16-Sep-13	16-Nov-13	Appeal received 17/9/13			Await outcome of appeal
17	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 hard standing.	17-Jan-13	14-Feb-13	14-Mar-13				Further action to be taken subject to Legal.
18	CB/ENC/12/0635	Land at 12 Camberton Road, Linslade, Leighton Buzzard LU7 2UP	Enforcement Notice - change of use of amenity land to residential garden.	11-Sep-13	11-Oct-13	11-Nov-13 11-Dec-13			Partial compliance, fence removed	Monitor for full compliance
19	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-13	N/A		Now complying	Evidence to Legal 16/10/13 for further action. Variation of Condition application refused
20	CB/ENC/13/0011	8 High Street, Biggleswade, SG18 0JL	Unauthorised advertisement in Conservation Area							Prosecution request to legal 14/8/13
21	CB/ENC/13/0061	Land at 12-14 High Street South, Dunstable. LU6 3HA	Enforcement Notice - Roller-shutters and box housing	09-Dec-13	10-Jan-14	10-Mar-14				Check compliance 10/3/14

Planning Enforcement formal action (DM Committee 8th January 2014)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
22	CB/ENC/13/0083	Land Adjacent to Magpie Farm, Hill Lane, Upper Cladecote	Enforcement Notice - failure to comply with Condition 5 planning permission MB/08/02009/FULL for gypsy/traveller site	27-Jun-13	27-Jul-13	27-Aug-13	Appeal submitted 26/7/13			Await outcome of appeal - Hearing 29-Jan-14
23	CB/ENC/13/0167	Land at 39 Chiltern Road, Dunstable	S215 Notice - untidy Land	12-Nov-13	13-Dec-13	13-Jan-13				
24	CB/ENC/13/0236	Land at Flitwick Mill House, Greenfield Road, Flitwick. MK45 5BE	Enforcement Notice - erection of timber summer house, and timber fencing.	04-Sep-13	05-Oct-13	05-Dec-13	Appeal submitted 23/10/13			Await outcome of appeal
25	CB/ENC/13/0273	Land to rear and adjacent to Harling House, Harling Road, Eaton Bray, Dunstable. LU6 1QY	Enforcement Notice - change of use of land to use for a car sales business and for siting of caravans in connection with car sales business.	12-Sep-13	10-Oct-13	10-Nov-13			Complied - removed vehicles	Reinstate land by 31/3/14
26	CB/ENC/13/0276	Land at Motorcycle Track south of Billington Road, Stanbridge.	Breach of Condition Notice - Condition 4 operating hours	12-Sep-13	12-Sep-13	10-Oct-13				Planning application CB/13/02819/VOC to vary conditions refused. Evidence to Legal for further action
27	CB/ENC/13/0349	Land at Fordfield Road, Milbrook	Without planning permission, the material change of use of the Land from agricultural to a use for parking and storage of Motor- Vehicles	09-Dec-13	10-Jan-14	17-Jan-14				Check compliance 17/1/14
28	CB/ENC/13/0367	Land at and adjoining Speed The Plough, Barton Road, Pulloxhill,	Enforcement Notice - change of use of the land for parking, sale and storage of motor vehicles.	04-Sep-13	05-Oct-13	05-Dec-13				Check compliance - extended to 15/1/14. Revised planning application CB/13/04232/FULL
29	CB/ENC/13/0367	Land at and adjoining Speed The Plough, Barton Road, Pulloxhill,	Enforcement Notice - erection of fence.	04-Sep-13	05-Oct-13	05-Nov-13			Partial compliance	Monitor for full compliance
31	CB/ENC/13/0403	Land at 1 & 1a Vicarage Hill, Flitwick, MK45 1HZ	Breach of condition Notice - Condition 4 of CB/11/02118/FULL, hours of opening	12-Nov-13	12-Nov-13	12-Dec-13				Await outcome of LDC application
32	CB/ENC/13/0413	Land at the rear of 37 Church Street, Clifton, Shefford SG17 5ET	Enforcement Notice - summer house, terrace, pond and swimming pool.	09-Dec-13	10-Jan-14	10-Mar-14				Check compliance 10/3/14

Planning Enforcement formal action (DM Committee 8th January 2014)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
33	CB/ENC/13/0465	1 Cricketers Road, Arlesey, SG15 6SP	S215 Notice - untidy land	21-Oct-13	22-Nov-13	22-Dec-13				Check compliance 22/12/13



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Date: 17:December:2013

Map Sheet No

Application No.
CB/13/03448/FULL

Scale: 1:10000

Land Opposite Boundary Farm North Of, Baldock Road, Stotfold

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Item No. 6

APPLICATION NUMBER	CB/13/03448/FULL
LOCATION	Land Opposite Boundary Farm North Of, Baldock Road, Stotfold
PROPOSAL	Erection of building and associated works for the public display of The Saunders Collection of steam engines, fairground rides, mechanical organs and associated memorabilia and change of use from agricultural land to form an extension to the Stotfold Mill Nature Reserve.
PARISH	Stotfold
WARD	Stotfold & Langford
WARD COUNCILLORS	Cllrs Clarke, Saunders & Saunders
CASE OFFICER	Nikolas Smith
DATE REGISTERED	16 October 2013
EXPIRY DATE	15 January 2014
APPLICANT	Mr J Saunders
AGENT	DLP Planning Ltd
REASON FOR COMMITTEE TO DETERMINE	This development would represent a departure from the Development Plan, the applicant is an elected Member of Central Bedfordshire Council and the land is owned by the Council.
RECOMMENDED DECISION	That the application is referred to the Secretary of State. In the event that the application is not called-in, that it is approved subject to conditions. The application is referable to the Secretary of State because the development would comprise a leisure use outside of a town centre, the floor space would be in excess of 5000sqm and the development would represent a departure from the Development Plan.

Summary of recommendation:

Whilst the proposed development would conflict with policies contained within the Development Plan, material planning considerations outweigh harm that would be caused by it. In the context of the presumption in favour of sustainable development, it would be in accordance with the aims and objectives of the National Planning Policy Framework (2012) and the Central Bedfordshire Core Strategy and Development Management Policies (2009).

Site Location:

The site has an area of around 11ha and is currently used for agricultural purposes. It is around 200m East of the urban edge of Stotfold and around 400m West of the A1(M). To the South is Baldock Road (A507), with the nearest neighbouring house, Boundary Farm, on the opposite side of the road. To the North and East of the site is agricultural land.

To the West is the River Ivel and Stotfold Mill and its nature reserve (which is

accessed from a link near to the mill).

The site falls outside of the Stotfold Settlement and any defined town centre. It is within the open countryside. It is classified as falling with Flood Zone 1 (the lowest risk category).

The Application:

Planning permission is sought for the erection of a building to house the Saunders' Collection of steam engines, fairground rides, mechanical organs and associated memorabilia. It would also be used as a leisure venue for tea dances, Christmas shows and band nights.

The proposed development comprises a building with an overall footprint of 7560m² measuring 144m by 42m. The building would be sited about 30m from the western boundary of the site with an eaves height of 9.8m, rising to 14m at the highest point of the curve. The curvature of the roof would fall away to the rear to a lowered eaves height of 7.2m. A carousel feature section would have a gateway entrance eaves height of 11.5m which would curve (inverted) to 9.1m.

The building would be orientated on an east-west axis such that its main façade, including the entrance and drop off, would be south facing. The site access and main area of car parking would be to the east of the building with coach parking to the north east of the building.

The principal aspects of the building would be to the south – with the public entrance and also a bay containing one of the carousel rides and to the west, which would provide an aspect over the River Ivel and the proposed extension of the Nature Reserve.

The eastern half of the building would contain provision for the Wurlitzer Organ in a self contained area which could be screened off from those parts of the building used more generally to display the Collection. The functional parts of the development – offices workshops, catering facilities and so forth would be on the north eastern flank.

Access to the site would be provided by a left in and left out arrangement from the eastbound side of the A507. The existing central reservation to the east of the site entrance would be extended to prevent right turns into and out of the site but without interrupting access to Boundary farm opposite.

To the front of the site, between a concourse at the entrance to the building designed to enable coach parties to disembark close to the building entrance and the site boundary, is proposed a water feature. This would serve multiple purposes in enabling steam watercraft to be demonstrated, providing a water resource that could be utilized for the boilers of the steam engines and moreover to provide storage for the run-off from the roof and car parking prior to controlled discharge into the River Ivel.

There would sufficient space around the building to the west and north west to enable activities such as the external steaming of traction engines and for the demonstration of ploughing.

Planning permission is also sought for the change of use of an area to the west of the site, between the site boundary and the river of 3.16 hectares to create an extension to the Stotfold Water Mill Nature Reserve. This land is also currently in the ownership of Central Bedfordshire Council. The change of use of this land would allow for a pedestrian and cycle access from Baldock Road, via the proposed development to Stotfold Mill.

Nature and Frequency of Uses

The following uses are proposed at the site:

Use	Approximate number of days per year
Open days	211
Tea dances	90
Big Band Nights	10
Christmas Shows	40

The building has been designed to accommodate a maximum of 650 guests to the Big Band Nights and Christmas Shows – the expected capacity for the tea dances is fewer – around 550 capacity.

Opening hours are proposed as follows:

Use	Hours	
	Normal hours	July-August and BH
Open days	1030-1700	1000-1900
Education/enthusiast visits	1030-1700	1000-1900
Tea Dances	1600-1930	1600-1930
Big Band Nights	2000-0000	2000-0000
	Afternoon	Evening
Christmas Shows	1430-1700	1930-2200

Staff

The applicant has set out that the following staff levels are expected when the building opened but may be likely to increase, dependent on the level of activities. Staff would include permanent jobs in administration and in connection with the operation of the building, and casual staff in respect of open days and events, the numbers of which are likely to be dependent on season and demand.

Staff	Numbers
Administrative staff	1 Full Time
Casual Staff During Open Days	1 Part Time
Entertainment Events	50 Part Time
Volunteer Staff	10

Relevant Policies:

National Planning Policy Framework (2012)

Core Strategy and Development Management Policies (2009)

CS3	Healthy and Sustainable Communities
CS4	Linking Communities – Accessibility and Transport
CS9	Providing Jobs
CS11	Rural Economy and Tourism
CS13	Climate Change
CS14	High Quality Development
CS16	Landscape and Woodland
CS17	Green Infrastructure
CS18	Biodiversity and Geological Consideration
DM1	Renewable Energy
DM2	Sustainable Construction of New Buildings
DM3	High Quality Development
DM4	Development Within and Beyond Settlement Envelopes
DM9	Providing a Range of Transport
DM14	Landscape and Woodland
DM15	Biodiversity
DM17	Accessible Green Spaces

Appendix F (Parking Strategy) of the Central Bedfordshire Local Transport Plan (2012)

Planning History:

There is no relevant planning history at this site but the planning history relating to similar development proposals at other sites in Stotfold is described elsewhere in this report.

Representations:

Town Council	No objection, in fact the Council supports the application on its local value to employment, education and training that it will provide to Stotfold and the whole Central Bedfordshire area. It will also be a very valuable addition to tourism within Central Bedfordshire and will put a collection of national and international importance on permanent display.
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Neighbours	Press and site notices were displayed that advertised the planning application. 7 responses were received (6 in opposition and 1 in support to the proposals), which are summarised as follows:
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Objection

- Not enough consultation was carried out
- People using the pedestrian and cycle route along Baldock Road could cause noise and disturbance late at night
- Visitors to the museum could park on Baldock

- Road rather than at the site
- Baldock Road should not be opened up for access to the museum
- The type of function provided at the site could be expanded to include weddings and concerts, etc.
- The description of development is not correct
- The scale and design of the building would be out of character with the site
- The land is good quality agricultural land
- There would noise and light pollution
- Traffic generated will result in congestion and the road layout would encourage U-turning
- The scale of the development would be excessive
- There would be a loss of privacy
- The scale of the building would dominate the area
- The development would be harmful to the nature reserve
- Some of the uses proposed would cause noise and disturbance problems
- The building would be as much for entertainment as a museum
- Other sites have been rejected for this development
- The business might not be able to succeed

Support

- The development would generate much needed tourism incomes and would compliment Henlow Bridge Lakes camping facilities
- There would no traffic problems

The Stotfold Mill Preservation Trust has written to the Council to say that it would be pleased to enter in to a lease with the Council for the proposed nature reserve extension land if it was offered. Discussions between the applicant, the Council and the Trust are ongoing in respect of the content of the nature reserve extension, in the event of approval.

Consultee responses:

Trees and Landscape
Officer

The site consists at present of open farmland with the western edge being proposed as an extension to the nature reserve and the remaining approx. two thirds of the site developed for the Museum.

Area proposed for the addition to the nature reserve rises from water filled lowland onto slightly higher ground separated by a mature native hedge running approx. north/south along the existing field boundary. This hedge would be retained and along with the rising ground does

afford some screening viewed from the west.

There is an extensive amount of information supplied with this application including landscape detail, this includes a boundary proposal for the part of the site that is to be developed as Museum that consists of a 7 metre wide planting belt consisting of native shrub planting. In addition to this there is further landscaping of grass and standard tree planting which in the north-east corner is up to an additional 15 metres in width.

Viewed from the A507 the site at present has a mature native hedge that exists along the road boundary with the area close to the existing layby incorporating a low bund with planting. This existing hedge runs the full length of the access road and would be retained, there is additional low bunding proposed.

Planting along the access road consists of an avenue of one species and cultivar of tree. I would suggest that we should look for more variety here. The cultivar chosen is very fastigate in habit and I would suggest that in this setting tree species with a more spreading and natural habit would be suitable. In addition with more issues affecting trees as regards disease and pests it would be sensible to avoid the one species approach.

Obvious issues with this application are the scale of the building and its visibility from the A1 and to some extent from the A507. No amount of landscaping is going to effectively screen this.

From the A507 there will be some screening with existing hedge lines and the proposed lake area will set the building back from the road. The area to the south west of the lake is likely to be the dampest and existing vegetation within this area would indicate so. The use of more native wetland trees, Alder etc. would be preferable. I would suggest that *Prunus plena* should be changed to a more suitable species. There is some additional mounding proposed here.

From the A1 the site will be readily visible. To some extent this east and north boundary could benefit from some low scalloped bunding to increase the initial height of the planting and perhaps include more native trees that mature to a greater height, trying to include trees that will have an impact viewing the site from the A1 (eg good autumn colour etc)

With regards to planting, the emphasis should be on native planting around the periphery with no objections to

the use of more ornamental species within the confines of the site.

Between the lake and the building there is a proposal for planting of a single row of Sorbus aria Lutescens. Same would apply in that single species planting can be vulnerable to loss. This species can be vulnerable to fire blight and although a "safe" choice of ornamental tree is fairly unimaginative. This would be an area where the use of a couple of fastigate species would be a better choice as opposed to their use on the access road. There would also be the option to include two good specimen trees, one each side of the access to the jetty, may be Liquidambar or Sorbus torminalis, trees with good leaf shape and autumn colour.

The cycle path that enters the site from the south would not appear to end at a real destination, in that it ends at the jetty access with no cycle racks or anywhere to leave a bike. It may be preferable to rethink this area.

Ornamental shrub planting within the grounds would appear to be acceptable in species densities etc.

Wetland planting would be better commented on by Ecology.

The legend refers to 2.2 metre palisade fencing and gates. Looking at the plans I am uncertain where this is to be located. It appears to have a large area of the access road that is ungated or fenced and would be not visible from the A507 particularly at night (security of the site) Are the plans also indicating additional palisade fencing within the site itself? it appears to divide the parking area from the landscape to the east but if this is so I cannot see a reason for this.

There is no detail of what is proposed for the area of additional nature reserve. We need to have details of what is proposed.

Following comments made by both the Tree Officer and the Landscape Officer, the landscaping plans have been amended.

Landscape Officer

This site - the land between the River Ivel and the A1 - forms an attractive rural setting for Stotfold and is valuable in that it provides views of the attractive tree lined riverside which provides so much amenity and recreational value on the edge of the town.

My comments made at the pre-app stage still stand - I think permitting an industrial scale building in this location

will severely detract from landscape character and set a precedent for further development between the site and the A1.

The Landscape Character Assessment considers the Upper Ivel Valley to be a landscape in decline, largely as a result of urban impact and the loss of traditional features in the river valley. The Assessment highlights the need to avoid urbanising change in the river valley, which is highly sensitive to change.

I am concerned that introducing a large building, albeit for leisure and heritage purposes, will detract from an attractive part of the Ivel valley at what is the gateway to the "village" scale part of Stotfold. The current rural buffer between Stotfold and the A1 is important visually - it provides a break between the trunk road and the settlement and contrasts with the "shopping village" experience to the east of the Baldock turn roundabout. This latter development is set at the foot of a slope and is relatively well screened by the landform. In contrast, the Application would introduce large buildings into the highly visible setting of the valley floor. The arable land is very open with little woodland or hedgerows outside of the A507 road corridor. There is no context of building so that new development will appear incongruous and out of scale. I disagree with the findings of the landscape Study, which does not seem to take account of the height of the development. The Visual assessment provided is very limited in its extent and does not provide any visualisation of the development in the photographs.

The existing edge of Stotfold is very subtle, with residential properties nesting within the wooded setting of the Ivel Valley. There are only limited views of rooftops. The site is very exposed in views from the east and north and sits at the foot of the slope rising up to Topplars Hill. In the open panorama seen from this popular viewpoint there are no buildings of significance to be seen.

Although there are some gains to habitat to the west of the site, I do not feel that the landscape mitigation is adequate to screen or integrate the development from the north and east. As CBC is the landowner, the Authority should, if minded to permit the Development, investigate the scope to create a wooded setting in scale with the building. The landscape proposals for the north and east of the site are particularly limited in extent and will create a rigid outline to the development. There has been no attempt to use existing field boundaries as a more natural boundary for the screen planting. I accept that the built footprint has been kept to the lower ground.

I also have some detailed comment about the planting scheme :-

1 Entrance Avenue trees - The tree chosen is a form of maple with a very narrow columnar habit. 38 trees are proposed - which will create a very "busy " entrance. I would much prefer fewer trees, with wider spacing and preferably a native species more typical of the river valley. Lime would be an obvious choice.

2 Wildflower grassland - I welcome the use of these meadow areas but suggest the small triangle on the eastern boundary would be better planted as a native shrub mix, to save on an awkward area to manage but also to reinforce the boundary.

3 Use of ornamental varieties rather than the native form -

In general, this scheme will create a more formal setting for the building than seems appropriate for the river valley setting. We need to ensure that planting respects the locality particularly in the boundary screening and where there are views into the site eg with the avenue. This does not preclude planting that will convey the funfair!

Alder species - the lake is a natural habitat - but the alder chosen is the Italian - which has a strong form and larger cones -rather than the native Alder. I would be happy to keep the Italian alder if groups of native alder were also planted in the vicinity.

Field maple - again why plant a more narrow variety of field maple - *A. campestre* "Elsrijk " - rather than the native tree ; I realise it is to create a grouped effect , but again, I feel the planting around the lake should develop a rural quality and not be over formal.

Birch - the very white stemmed *Betula jacquemontii* seems to have been used throughout. This would be acceptable close to the building but the native birch should be used in the informal and native shrub and woodland planting. - if so there would need to be a far more extensive landscaping scheme to enable approval on landscape grounds.

4 Boundary screening :although the landscape strategy proposes 7m screening belts , which will go some way too mitigate the development, the square layout will still be very intrusive and lead to an unsympathetic edge. The choice of the columnar *Acer Elsrijk* is not acceptable - this is too formal a tree for the countryside edge.

5 Internal landscaping - The style of planting does not respond sufficiently to the riverside setting - although there have been some changes made, I still think there is too great an emphasis on ornamental trees eg the very suburban whitebeam Sorbus aria "Lutescens ". Some of the shrub planting is again very urban - Phormiums for eg . I would prefer some revisions to increase wildlife value and create a more *locally* distinctive landscape.

6 Scope for expansion : A further issue which I think is still worth allowing for in the design is whether there will be a need to expand the facility - eg to facilitate visiting steam engines etc for rallies or to allow access to the adjacent agricultural land for ploughing contests etc ? If so - an off-road access should be planned.

I am concerned that the car-parking proposed would not be adequate for a major event .

To conclude -

Construction of a very large modern building of an industrial design is out of character but could be mitigated if more land is made available for planting in scale with the development .

Views of the building and coach parking will be difficult to screen- although I expect that a visitor attraction needs to have some visibility for the public. The elevations need to be high quality , with mitigation achieved through colour and materials so that glimpses of the development are of a high quality facility.

At present I object to this development on the grounds of both an inappropriate location as development of this scale is contrary to our Policy to protect landscape character. It would be more acceptable if substantial additional landscape mitigation is secured eg the planting of an native woodland to aid integration and protection of views from the north and east .

To accord with our Policy, it would also be necessary to revise aspects of the internal planting so that it responds to the Ivel Valley.

There is also the issue of whether this Application would increase the likelihood of further development east to the A1.

Subsequent discussions between the applicant and the Councils Landscape and Trees and Landscape Officers resulted in amendments to the landscaping scheme at the site and the following further comments from the Landscape Officer:

Following comments made by both the Tree Officer and

the Landscape Officer, the landscaping plans have been amended. Lime trees will be planted at the entrance to create a more traditional start to the feature avenue of trees. Elsewhere, additional areas of native shrubbery have been incorporated to enhance the rural edge. Native alder will be planted near the lake to benefit wildlife and Turkish hazel used as a feature tree on the west frontage to the building. The planting scheme retains a formal character but these changes will increase its acceptability in terms of landscape character.

Sustainable
Officer

Growth

I have reviewed the documents provided to me and have the following comments:

- The Sustainability Statement includes a BREEAM pre-assessment of the proposed development. I am pleased that energy and water elements of the assessment achieved minimum credits requirement for Excellent and Outstanding BREEAM rating. I am disappointed though that the overall score is not high enough to achieve excellent rating, encouraged by the Council's policy DM2. I note that the proposed development scored poorly on ecology elements of the assessment. Given that as part of this application an extension to the existing Stotfold Mill Nature Reserve is proposed, I would encourage the applicant to revise the ecological element of the assessment to whether there is a scope to increase biodiversity value of the site and achieve higher scores.
- The Council's policy DM1: Renewable energy requires the new development to meet 10% of its energy demand from zero or low carbon sources (e.g. renewable technologies). The Sustainability Statement suggest that the above development has a potential for installation of a large PV array (circa 450kWp), subject to load calculations. I would like to see a planning condition attached, if the planning permission to be granted for the scheme, to ensure that the policy requirement is met.
- Policy DM 2 also encourages implementation of features which will increase the scheme's environmental credentials, e.g. green roofs. The proposed development has an extensive roof space and I would encourage inclusion of green roof into the design alongside PV arrays.

Bedfordshire and River
Ivel Internal Drainage
Board

No objection subject to condition controlling storm water runoff.

Sustainable Transport Officer No objection. Travel Plan can be approved.

Archaeologist

The proposed development site contains a series of crop marks of a sub-rectangular enclosure (HER 16830); although this site is presently undated comparison with similar features in Central Bedfordshire suggest that it is likely to be a later prehistoric or Roman settlement. There is a further crop mark complex immediately to the south comprising an enclosure and rectilinear features (HER 13340). Small scale archaeological investigation in advance of road construction on the northern edge of this complex identified a number of archaeological features including ditches and post holes, finds indicate a date range from the prehistoric to early Saxon period. These are heritage assets with an archaeological interest as defined by the *National Planning Policy Framework*. These archaeological sites form part of a wider archaeological landscape in and around Stotfold which contains substantial evidence for extensive archaeological remains dating from the prehistoric to Roman periods. The site is known to contain archaeological remains and has the potential to contain further, as yet unidentified archaeological sites and features related to these sites or the wider archaeological landscape.

In their comments on a request for pre-application advice (CB/13/01694/PAPC) the Archaeology Team identified the presence of heritage assets with archaeological interest within the proposed development site and its archaeological potential. It was noted that on this basis any planning application would need to conform to Paragraph 128 of the *NPPF* and include description of the significance of the heritage assets and that in this instance an archaeological field evaluation would be required to provide sufficient information. This requirement was reiterated at the validation stage for this application.

The application does not include a description of the heritage assets with archaeological interest based on the results of an archaeological field evaluation. It is, however, accompanied by a letter (CgMs 16th October 2013) on the topic of "Heritage Issues". This document provides a brief summary of the archaeological context and potential of the proposed development site based solely on a desk-based search of the Central Bedfordshire Historic Environment Record. This is the minimum requirement specified in Paragraph 128 of the *NPPF*.

The letter on "Heritage Issues" confirms that the site contains "...archaeological evidence of interest..." though

it is suggested that these remains do not appear to be of national significance. It is difficult to draw this conclusion without evidence on the date, character and survival of the remains that would be obtained from an archaeological field evaluation. The letter goes on to suggest that, on the basis of the now out of date English Heritage Monuments Protection Programme monument class description the archaeological remains within the site are of low significance and that they would only have limited potential to address regional research objectives. While, without further information, it may be debatable whether or not any archaeological remains the site contains are of national importance, even if they are not of national importance it does not mean that they are of low significance. I disagree with the conclusion that the remains only have "...slight potential..." to address research objectives identified in the published regional archaeological research frameworks. The remains identified within the site are likely to be of later prehistoric and Roman settlement, the understanding of settlement of these periods within the wider landscape context has been identified as of regional importance (Bryant 2000; 14-17; Going and Plouviez 2000, 21; Oake 2007, 11 and Medlycott 2011, 29-31 and 47). On the evidence from the archaeological investigation on the line of the road on the southern boundary of the site, it also has the potential to contain Neolithic, Bronze Age and Saxon remains; understanding settlement in these periods has also been identified as being regionally significant (Brown and Murphy 2000, 9-13; Wade 2000, 23-26; Oake 2007, 9-10 and 12-14 and Medlycott 2011, 13-14, 20-21 and 57-58). The site's value in this respect is enhanced as it forms part of a wider contemporary landscape.

In terms of mitigating the impact of the proposed development on archaeological remains and the heritage assets with archaeological interest they represent, the "Heritage Issues" letter accepts the need for further assessment and evaluation of the archaeological resource in order to obtain sufficient information in order to devise an appropriate mitigation strategy. However, it suggests that this can be done as part of a post consent scheme of archaeological investigation rather than pre-determination in order to provide information to determine the application. It is also suggested that this programme of mitigation can be secured by a planning condition as part of any planning consent that may be granted for this development.

It is unfortunate that the applicant has not provided detailed information in the form of a field evaluation on the archaeology of the proposed development site. This

makes it difficult to define the character and significance of the archaeological resource and identify whether the impact on the archaeology that will result from the development and can be effectively mitigated. The lack of adequate information on archaeology represents grounds for refusing the planning application on the grounds that it is contrary to the requirements of Paragraph 128 of the *National Planning Policy Framework*.

The applicant acknowledges the site is archaeologically sensitive and the impact of the development on archaeology will require mitigation. If the proposed development gains planning consent a condition will be required in order to secure a mitigation strategy. Because there is insufficient information available to be able to define a specific mitigation strategy at this stage and the first part of any mitigation will be further assessment and evaluation it will be necessary to require a Scheme of Archaeological Resource Management (SARM) which allows the flexibility to adopt a staged approach to archaeological mitigation and the implementation of a range of strategies from investigation to protection and management of remains within the development. In order to secure this please attach the following condition to any planning permission granted in respect of this application:

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

Reason: To record and advance understanding of the heritage assets with archaeological interest which will be unavoidably affected as a consequence of the development and to secure the protection and management of archaeological remains which may be preserved *in situ* within the development site.

This request is in line with the requirements of Chapter 12 of the NPPF and policy 45 of the Development Strategy for Central Bedfordshire (pre-submission version, January 2013).

Ecologist	Overall, approve of the application and have no overlying concerns.
Highways Agency	No objection
Environment Agency	No comment

Highways

As you are aware this proposal has been the subject of considerable and lengthy pre-application discussion and agreement in principle with both CBC highways and the Highways Agency.

This submission reflects those discussions and I am happy to confirm that there is no highway objection to the grant of planning permission.

The vehicle access arrangement is acceptable in terms of location and layout. The off-site works to the A507 to reduce the risk of indiscriminate U turning traffic are appropriate despite the solid central barrier not extending right up to the Norton Road roundabout. These works will be subject to a Highways Act Section 278 agreement which will identify in detail all necessary signs and lines and be subject to formal safety audit processes.

I am aware that the applicant's agent has been in contact with my Sustainable Transport colleagues with regard to Travel Plan issues and the foot/cycle linkages to Stotfold. I note that they have been consulted directly and assume that you will receive a response regarding the acceptability or otherwise of the Travel Plan that has been submitted as part of the application. In the event that no comments have been received I recommend inclusion of a Grampian condition to secure the submission of Travel Plan details before works on site commence.

In the event you are minded to recommend that the application be granted planning permission I recommend inclusion of the following conditions and advice notes.

Determining Issues:

The considerations in the determination of this application are:

1. The principle of the development
2. The appearance of the development and its impact on the landscape
3. The impact of the development on biodiversity
4. Traffic, parking and sustainable transport
5. The impact of the development on neighbours
6. Other material considerations
7. Matters of procedure
8. Conclusions

Considerations:

1. The principle of the development

Development in the open countryside

Policy DM4 (Development Within and Beyond Settlement Envelopes) sets out that outside of settlements, where the countryside needs to be protected from inappropriate development, only particular types of new development will be permitted – none of which would accommodate the proposed scheme.

Policy CS16 (Landscape and Woodland) confirms this position where it states that the countryside outside settlements is a highly valued resource for agriculture, recreation, landscape and wildlife. The Council will protect the countryside for its own sake.

It is clear from this policy position that the presumption in this case should be that a development in this location, outside of a settlement and within the open countryside, would not be acceptable. This is because it conflicts with policies set out in the Development Plan. Tourism facilities are supported by Policy CS11 within the Core Strategy. The provisions of that policy and how much weight should be afforded to it are described elsewhere in this report.

However, Section 38(6) of the Planning and Compulsory Purchase Act 2004, section 70(2) of the Town and Country Planning Act 1990 and the NPPF (2012) set out that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

If it could be demonstrated that other material considerations outweigh the conflict with policies DM4 (Development Within and Beyond Settlement Envelopes) and CS16 (Landscape and Woodland), it could be concluded that on balance, planning permission should be granted for the development.

The collection and its value

The applicant has assembled a diverse and unique collection of steam driven road locomotives and showmans' engines, fairground organs, fairground gallopers and yachts. In 2004 he acquired the Turner's Collection of fairground equipment and musical organs which, over the preceding 40 years, had become well known in the Northampton area. Purchase by the applicant saved the Turner's Collection as a single entity and prevented much of it from being exported. However, since that time the majority of the Turners Collection has remained in storage unseen by the public who once were able to appreciate it, for the want of the opportunity to create a suitable venue for its display.

The applicant contends that many of the items in the Collection today are unique and irreplaceable. They represent the culmination of the engineering expertise of the leading manufacturers of their era – Burrell, Fowler and the steam lorry manufacturer Foden amongst others. In several cases they comprise the last surviving working examples of their type. One example is a steam powered

fairground yacht ride. This, an irreplaceable piece of English industrial archaeology, which has since been restored to full working order.

All of the items in the Collection are in full working order and they are exhibited at fairs and shows, not only locally but across Britain and Europe.

The safe and appropriate storage of the Collection is a major issue. The majority of items are kept at several locations in and around Stotfold, principally at 97 Arlesey Road, where accommodation is shared with the operational space used by the Saunders vehicle recovery business, and at the applicant's private residence. Other items are distributed amongst family members and in various other locations, for example at Wrayfields Farm.

At Arlesey Road, due to the lack of covered space a number of the items including the valuable steam yachts are stored externally, sheeted under tarpaulins to provide some protection against the weather. Other items are kept in redundant articulated lorry trailers. Presently its dispersal and security considerations preclude any opportunity for public access to the Collection other than at formal shows and steam fairs.

The Council acknowledges, and has acknowledged when previous planning applications for similar buildings have been considered, that the collection does have a significant value and that in itself, its retention and display is a positive thing. It is clear that there is significant benefit in displaying the collection together and that its association with Stotfold is an important one.

Where applications had been made in the past, it had not been felt that the identified benefits inherent to the storage and display of the collection outweighed material planning considerations regarding the suitability of the sites for the use proposed.

Previous planning decisions

Whilst there is no relevant planning history related to this site, planning permission has been sought for a similar development at different sites in Stotfold.

In 2004 planning permission was sought on land at Wrayfields (04/00416). The application was called in by the Secretary of State, who agreed with a planning inspector that the site was outside of the settlement envelope, and therefore would not meet the broad policy thrust of PPS7 to restrain new development in the countryside, and as such 'would result in the establishment of sporadic commercial development...which would be detrimental to the character and appearance of the rural area'. It was felt that the development would not promote more sustainable patterns of development and would fail to focus development in or next to towns or villages. It was found that there was no need for the collection to necessarily be stored and displayed in Stotfold, as the collection was accepted to be of national importance.

In 2011, planning permission was refused for a similar development at Skylarks on Great North Road (11/00087). Planning permission was refused because of the unsustainable location of the site and the impact that the development would

have on the appearance of the open countryside. Concern was raised over the lack of information relating to noise and fumes.

It is clear that the central issues in both cases was the impact that a development like this might have on the appearance of the countryside and the potential of a site to provide sustainable methods of transport to and from it. Proper attention also needs to be paid to noise and disturbance issues.

Since those decision were made, there has been a significant shift in the policy context with the introduction of the National Planning Policy Framework with its focus on the rural economy, tourism and job creation, which are described below.

Additionally, whilst this site is, like the two previous proposals, outside of the Settlement Envelope, it does have a better relationship with the built up area of Stotfold.

Opportunities to improve the overall context of the development and its relationship with existing tourist facilities presented by the proximity of the site to Stotfold Mill and the nature reserve, together with proposed sustainable travel measures are described later in this report.

Rural tourism

The NPPF (2012) sets out that planning policy should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local plans should support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside.

Policy CS11 (Rural Economy and Tourism) of the Core Strategy and Development Management Policies (2009) sets out that the Council will seek to support the rural economy and promote tourism by supporting proposals for tourist or leisure developments in the countryside which provides opportunities for rural diversification and are well located to support local services, business and other tourist attractions.

This development would represent a significant tourism attraction. The value of the collection in itself has been described above. The building would contribute towards the rural economy in Central Bedfordshire and would attract visitors from around the country.

Crucially, the proximity of the site to the Mill and nature reserve presents an opportunity for this development to support that tourist attraction and that could not be said that have been the case in the other locations that consent had been sought for a building like this. A footpath running between the site and the nature reserve extension would allow easy access between the two attractions and it seems very likely that this development would have a significant impact on the numbers of people visiting the mill. This connection would represent a material planning consideration that should be afforded notable weight.

Employment

The NPPF (2012) sets out that the Government is committed to securing economic growth in order to create jobs and prosperity.

Policy CS9 (Providing Jobs) of the Core Strategy and Development Management Policies (2009) sets out the Council's plan to deliver a minimum of 17,000 additional jobs in the plan period.

The applicant has set out that the development would result in the equivalent of around 35 full time jobs. This would likely be variable depending on season and demand but would be valuable source of employment in what is a rural location. Previously, where applications had been considered for this type of building at other sites in Stofold, it was not felt that similar levels of employment would mitigate the planning harm caused by those developments. Since those decisions we made, the NPPF has been introduced, with its clear focus on creating jobs. It could now be the case that at least cumulatively, when taken together with other material factors, the employment created by the development would outweigh planning harm caused.

Town centre uses outside of a centre

The NPPF (2012) sets out that local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with the Development Plan. Whilst one function of the proposed building is to house the Saunders collection in a museum, it would also be used as a leisure attraction. A leisure use would constitute a main town centre use as referred to in the NPPF.

Policy DM7 (Development in Town Centres) of the Core Strategy and Development Management Policies (2009) supports a sequential approach to town centre uses outside of centres.

The applicant has demonstrated that they have considered a number of sites against the following criteria, which given the nature of the development, are considered reasonable:

- A location close to Stofold arising from the highly specialised retained and volunteer skills base which is inherently required to undertake the on-going maintenance of the Collection, the restoration of newly acquired items, to reflect the local association of the Collection with the town and to deliver the specific tourism objectives for the area.
- A site with a nexus to other established attractions such as the Ivel Valley and Stofold Mill was considered highly desirable.
- An accessible location, adjoining a principal route was sought in order to facilitate public accessibility; to enable easy access for local people likely to be employed and to provide easy access for the large low loader vehicles which are a pre-requisite for moving the heavy, bulky and sometimes relatively delicate exhibits, to and from steam rallies and fairs outside the immediate area.
- The levels of traffic likely to be generated, particularly the heavy goods vehicle movements, must have minimal impact upon any residential

- amenity, notwithstanding the fact that they are likely to be low in number.
- The site must be of a sufficient size to accommodate a building large enough to house the Collection and provide an appropriate landscape setting that would enable external displays to be operated with minimal prospect of disturbance to any residential properties.
 - There should be scope to deliver associated environmental improvements or at least to facilitate others to provide such benefits and the scheme should be respectful of existing planning policies and Council objectives.

The test concludes that the proposed site is the most appropriate of those considered. Within the context of the criteria described above, it is felt that the sequential approach undertaken is robust enough. Certainly, the proximity of this site to the Mill and nature reserve acts very positively in the favour of this site having been selected.

The NPPF goes on to require an impact assessment of leisure development outside of town centres on existing, committed and planned investment in centres within the catchment of the proposal and on the vitality and viability of nearby town centres. In this case, given the very specialist type of leisure activity that would be carried out at the site, it could not reasonably be concluded that the development would result in a significant adverse impact in either case and there would not likely be any harmful impact.

Summary

- The development of a building in this location would conflict with the objectives of some policies in the Development Plan. The development would cause harm in planning terms.
- Planning permission can still be granted for the development if it considered that other material planning considerations outweigh that harm.
- The Council acknowledges, as it has done in the past, that the preservation and display of the Collection would be a significant benefit and is desirable.
- Planning permission for similar developments at other sites has been refused in the past. Key issues were the sustainability of the proposed sites and the harm caused by those buildings to the character of the open countryside. If those issues could be overcome, planning permission could be granted for this development.
- The introduction of the NPPF, with its emphasis on promoting the rural economy and providing jobs is a notable material planning consideration that adds weight to the approval of this application. The relationship between this site and the Mill is an important benefit.
- It has been satisfactorily demonstrated that a robust enough sequential test to site selection has been carried out and that this development would not result in significant harm to existing centres.
- The principle of this development would be acceptable if it could be demonstrated that any harm caused to the character of the countryside was outweighed or mitigated and that the development was satisfactorily sustainable. These matters are described elsewhere in this report.

2. The appearance of the development and its impact on the landscape

The impact of the building on the landscape

Policy DM14 (Landscape and Woodland) of the Central Bedfordshire Core Strategy and Development Management Policies (2009) sets out that planning applications will be assessed against the impact of the proposed development on the landscape, whether positive or negative.

A building of this size, in this prominent location would, without question, have a significant impact on the appearance of the landscape, particularly given the necessary access and parking areas that would be associated with it. Whilst the provision of some landscape buffering would, to a modest extent, mitigate that impact, the development would irreversibly alter the character of the site. The Council's Landscape Architect has described why it is felt that the impact would be harmful and it must be concluded that it would be.

That impact weighs against the approval of the planning application. This report describes whether other material considerations outweigh that harm.

The design of the building

The building would be large, and quite industrial in design. Decorative elements to the South, like the canopy and carousel housing features, would soften its design from that direction. Ultimately, the building would appear quite grand, perhaps befitting the status of the Collection that it would contain. Much of the building would be given over to other, related uses, like the dance arena and café, which it has been demonstrated are necessary for the long-term survival of the museum. It is not felt that the landscape impact would necessarily be much reduced if a much smaller building were proposed. Materials would be controlled by condition.

Landscaping at the site

Hard and soft landscaping within the site would be extensive and proposals have been revised to respond to the specific issues raised by the Council's Tree and Landscape Officers. The impact of the proposed landscaping scheme on the overall quality of the development would be positive, notwithstanding the level of car and coach parking that would be provided.

The quality of the environment in general

It has been described how this site has a benefit that previous proposed sites did not in that it is near to the eastern edge of the built up area of Stotfold and the Mill complex and its nature reserve, in particular. It is proposed that use of the western position of the site (over 3ha in area) is changed to an extension of the nature reserve. A link running along the boundary of this extension and the building would allow access between the two attractions for visitors.

Connecting the site to the nature reserve, and so the eastern edge of Stotfold would significantly improve the quality of the area overall and would have a significant positive impact on the relationship between the site and the town. The

two would become linked by the extended nature reserve.

This benefit would act as a material planning consideration in favour of the development. Given the harmful impact that the building would have on the landscape, and criticisms of previous proposed sites because of their remoteness, planning permission could not be granted without works being carried out so as to extend the existing reserve.

Mill Meadows has been developed adjacent to Stotfold Mill by the Stotfold Mill Preservation Trust. The Trust lease the land from Central Bedfordshire Council. The Reserve was formally opened in 2011 and have been worked on by a partnership of the Trust, The Astwick and Stotfold Environmental Link (Teasel) and the BRCC. The Trust has written to the Council setting out that they would be willing to take on the management of the extension land. A planning condition is recommended that would require the approval of a scheme of works for the extension to the reserve and its implementation. Draft schemes are currently being discussed by the relevant parties.

3. The impact of the development on biodiversity

Like the NPPF, Policy DM15 (Biodiversity) of the Central Bedfordshire Core Strategy and Development Management Policies (2009) encourages developments to result in a net gain in biodiversity at a site. The applicant has satisfactorily demonstrated that, subject to a planning condition, no significant harm would be caused to local ecology at the site.

Significantly, the change of use of the adjacent agricultural land to an extension to the existing reserve and its planting in accordance with a scheme that would be secured by condition, would result in a significant net gain in biodiversity that would act as a material planning consideration that would weigh in favour of the development.

4. Sustainable transport, traffic and parking

Sustainable transport

Previous proposals to locate a building like this at other sites in Stotfold were criticised and found to be unacceptable because of their poor relationship with the town and their unsustainable locations. Both of the other sites proposed could not be accessed using public transport, which is an important consideration given the likely number of visitors. This site would be different because whilst outside of the settlement, it is within a reasonable walking and cycling distance of the built up area of Stotfold which is served by bus services. Arlesey rail station would help to serve the site but only operates a North/South rather than an East/West service.

It is the case that given the type of facility being proposed, a large number of visitors travelling to the site would do so by road. However, the applicant has submitted a Framework Travel Plan that would aspire to increase sustainable travel to the site as far as possible. The following measures are proposed:

- A pedestrian/cycleway connecting with Baldock Road.

- Resurfacing and landscaping improvements to the section of Baldock Road between the A507 and Littlebury Close including the removal of a gate and the installation of bollards.
- The introduction of signage to promote the use of these links.
- The provision of cycle parking at the site.
- A shower room for the use of staff who cycle to work.
- The provision of a pre-booked mini-bus service from Arlesey station to this site.
- Incentives for lower entry fees where public transport has been used.
- Promotion of car-sharing.

It is felt that these measures, when taken together with the relative proximity to the town, would result in a development that would be as sustainable as could be reasonably expected of a building of its type and in this location. It would certainly be a significantly more sustainable site than those for which planning permission had been refused in the past. Car travel would still likely dominate, though.

Traffic and access

The applicant has submitted a Transport Assessment that concludes that the development would not result in levels of traffic that could not be accommodated by the existing road network. The Council's Highways Officer is satisfied that the access to the site would be safe and its details would be secured by planning condition. The Highways Agency have raised no objections to the development.

Parking

Car and coach parking would be provided at levels that would meet the expected demand.

5. The impact of the development on existing neighbours

The nearest neighbour to this site is Boundary Farm, on the opposite side of Baldock Road. Neighbours to the West would also be reasonably near to the development. It is clear that the types of activity proposed at the site could result in noise, most notably when those activities were carried out outdoors. There is background noise created by nearby roads, which would reduce in to the evening.

The Council's Public Protection Officer is satisfied that subject to planning conditions controlling outside activity and hours of operation, the impact of the development on living conditions at neighbouring properties would be acceptable. Those conditions are recommended.

6. Other material considerations

Flooding and drainage

The Environment Agency and the Internal Drainage Board are satisfied that

subject to a planning condition, there would be no risk of flooding and drainage would be properly dealt with.

Archaeology

The Council's Archaeologist is satisfied that subject a condition, there would be no unacceptable risk to local heritage assets.

Sustainable construction and renewable energy

Planning conditions would ensure that the appropriate sustainable construction methods were utilised and that reliance on low or zero-carbon energy sources was maximised.

7. Matters of procedure

Referral to the Secretary of State

This proposal would constitute development within the open countryside, which would be in conflict with Policy DM4 (Development Within and Outside of Settlement Envelopes) of the Central Bedfordshire Core Strategy and Development Management Policies (2009). As such, the application has been advertised as a departure from the Development Plan in accordance with the Town and Country Planning (Consultation) (England) Direction 2009. In addition, the development would comprise a leisure use outside of a town centre and would have a floor area larger than 5000sqm. As a result, any decision other than the refusal of planning permission would require this planning application to be referred to the Secretary of State prior to its determination.

Environmental Impact Assessment (EIA)

This planning application has been considered in the context of the EIA Regulations (2011). It is not considered that the proposal would have significant impacts of wider than local importance, the site is not considered to be in a particularly sensitive or vulnerable location and it is not anticipated that there would be any unusually complex or potentially hazardous environmental effects which have not been described in this report and mitigated. As such, this development would not require the submission of an EIA.

8. Conclusions

- This development would conflict with policies within the Development Plan that seek to control building outside of Settlement Envelopes, within the open countryside.
- Planning permission can still be granted for the development if it considered that other material planning considerations outweigh that harm.
- This proposal is different from those which have been refused in the past for a building to house the Collection because of the introduction of the NPPF and the benefits associated with this site and its closer proximity to Stotfold.

- This development would benefit the rural economy and would benefit existing tourist attractions (the Mill and nature reserve). This, together with the generated employment constitute a significant benefit in support of approving the planning application.
- The impact of the development on the landscape would be harmful. Securing a scheme to extend the existing nature reserve would represent a significant benefit that would mitigate that harm.
- The site would be relatively sustainably located and measures to increase sustainable travel to the site would be secured.
- Other matters would be acceptable and where appropriate and necessary, would be controlled by planning condition.
- The benefits of the development would outweigh the harm caused by it and in the context of the presumption in favour of sustainable development, planning permission should be granted, subject to conditions.

Recommendation:

That the application is referred to the Secretary of State. In the event that the application is not called-in, that it is approved subject to conditions.

- 1 The development shall begin not later than three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 **No development shall commence at the site before details of materials to be used in the external surfaces of the building have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

Reason: To ensure that the appearance of the development would be acceptable.

- 3 Hard and soft landscaping at the site shall be carried out in accordance with plans PLPP400/2-020A, DLPP400/2-021A, DLPP400/2-022A, DLPP400/2-023A, DLPP400/2-024A and the Guide to Management of External Areas prepared by Elwood Landscape Design dated September 2013. The landscaping shall be completed in advance of the building opening to the public and shall be maintained thereafter.

Reason: To ensure that the appearance of the site would be acceptable.

- 4 **No development shall commence at the site before a scheme demonstrating how the development would achieve at least 10% of its energy demands through the use of low and zero-carbon technology has been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved scheme.**

Reason: To ensure that the development would be sustainable.

- 5 **No development shall commence at the site before a scheme has been submitted to the Council for works to the nature reserve extension land (shown hatched in green on plan number D02B) together with a timetable for its implementation and a scheme for its long-term management. The scheme shall be carried out as approved in accordance with the approved timetable and management scheme.**

Reason: To balance the harm that the development would cause to the appearance of the open countryside and to improve the biodiversity value of the development.

- 6 **No development shall commence at the site before details of existing and proposed site levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

Reason: To ensure that the appearance of the site would be acceptable.

- 7 **Notwithstanding the details shown on the submitted in principle plan, no development shall commence at the site before full engineering details of the junction between the proposed access road and the associated off-site highway works within the confines of the public highway, including lighting and signage, have been submitted to approved by the Local Planning Authority and no building shall be occupied until works have been constructed in accordance with the approved details.**

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

- 8 **Notwithstanding the details shown on plan number D028, no development shall commence at the site before full engineering details of the proposed foot and cycle link between the proposed development and Baldock Road have been submitted to approved by the Local Planning Authority and no building shall be occupied until works have been constructed in accordance with the approved details.**

Reason: To ensure the provision of appropriate sustainable transport linkages with Stotfold in the interest of public safety and convenience.

- 9 **Notwithstanding the submitted details the development shall be brought into use until the approved Travel Plan requirements have been implemented in accordance with a timetable to be submitted to and agreed by the Local Planning Authority.**

Reason: To promote and encourage sustainable modes of travel and to reduce the potential traffic impact of the development on the local highway network.

- 10 **All on-site vehicle areas shall be surfaced in tarmacadam or similar durable,**

porous but bound material and 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: To avoid the carriage of extraneous material or surface water from the site into the highway so as to safeguard the interest of highway safety.

- 11 Before the new access is first brought into use, any existing access within the frontage of the land to be developed, not incorporated in the access hereby approved shall be permanently stopped up to vehicular traffic and the highway reinstated to the satisfaction of the Local Planning Authority before the development is brought into use.

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

- 12 The scheme for parking and manoeuvring indicated on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and that shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

- 13 **No development shall commence at the site before a scheme detailing access provision to and from the site for construction traffic, which details shall show what arrangements will be made for restricting such vehicles to approved points of access and egress has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be operated throughout the period of construction work.**

Reason: To ensure the safe operation of the surrounding road network in the interests of road safety.

- 14 **No development shall commence at the site before a scheme detailing provision for on site parking for construction workers and deliveries 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.

- 15 **No development shall commence at the site before a scheme of for the drainage of storm water has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

Reason: To ensure adequate drainage at the site.

- 16 **No development shall take place until a written scheme of archaeological resource management; that includes post excavation analysis and publication has been submitted to and approved in writing by the Local Planning Authority. The said development shall only be implemented in full accordance with the approved scheme.**

Reason: To record and advance understanding of the heritage assets with archaeological interest which will be unavoidably affected as a consequence of the development and to secure the protection and management of archaeological remains which may be preserved *in situ* within the development site.

- 17 The building shall only be used as a museum, for tea dances, big band nights and Christmas shows. There shall be no retail use at the site beyond the sale of souvenirs associated with the use of the site as a museum.

Reason: To ensure that the uses operating at the site are appropriate.

- 18 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers [Design and Access Statement prepared by DLP dated September 2013, D02B, D03A, PL033, PL037, PL036A, PLPP400/2-020A, DLPP400/2-021A, DLPP400/2-022A, DLPP400/2-023A, DLPP400/2-024A, PL030, PL031, PL034, Planning and Operational Statement prepared by DLP dated September 2013, Sustainability Statement prepared by Lumenco, Baseline Ecological Evaluation prepared by Greenwood Environmental dated June 2013, The Saunders Collection - Contents, letter from CgMs dated October 2013, Flood Risk Assessment prepared by Wormwald Burrows Partnership Limited dated September 2013, Transport Assessment prepared by Matrix dated September 2013, Framework Travel Plan prepared by Matrix dated September 2013 and Guide to Management of External Areas prepared by Elwood Landscape Design dated September 2013].

Reason: For the avoidance of doubt.

Notes to Applicant

1. The applicant is advised that in order to comply with 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.
2. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire

Council, Technology House, 239 Ampthill Road, Bedford MK42 9BD.

3. The applicant is advised that no highway surface water drainage system designed as part of a new development, will be allowed to enter any existing highway surface water drainage system without the applicant providing evidence that the existing system has sufficient capacity to account for any highway run off generated by that development. Existing highway surface water drainage systems may be improved at the developer's expense to account for extra surface water generated. Any improvements must be approved by the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.

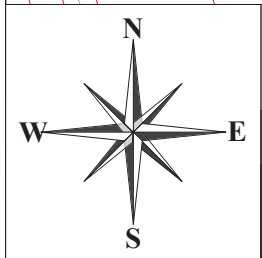
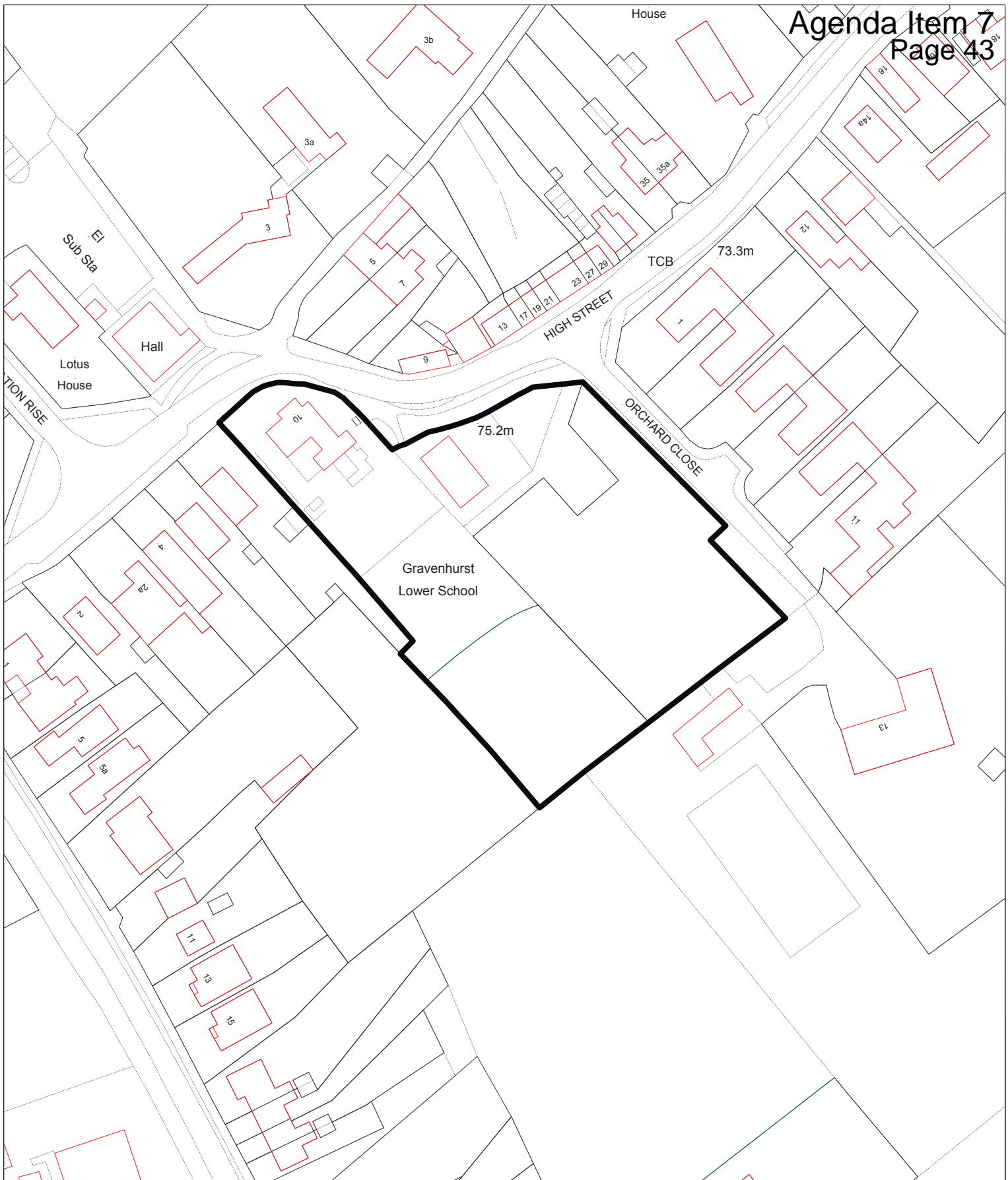
Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

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
Licence No. 100049029 (2009)
Date: 13:December:2013
Map Sheet No

Application No.
CB/13/03280/FULL

Scale: 1:1250

Gravenhurst and Villages Pre-School, Orchard Close,
Upper Gravenhurst, Bedford, MK45 4JF

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Item No. 7

APPLICATION NUMBER	CB/13/03280/FULL
LOCATION	Gravenhurst and Villages Pre-School, Orchard Close, Upper Gravenhurst, Bedford, MK45 4JF
PROPOSAL	Erection of covered area on south west side of building
PARISH	Gravenhurst
WARD	Silsoe & Shillington
WARD COUNCILLORS	Cllr Ms Graham
CASE OFFICER	Amy Lack
DATE REGISTERED	08 October 2013
EXPIRY DATE	03 December 2013
APPLICANT	Mrs A Stone
AGENT	B2B Construction
REASON FOR COMMITTEE TO DETERMINE	Central Bedfordshire Council land with a third party representation received in objection to the proposal.
RECOMMENDED DECISION	Full Application - Approval Recommended

Summary of recommendation:

The proposed extension from the southwest side of the existing pre-school building to provide a open-sided canopy area is considered acceptable.

The proposal is in keeping and in character with the wider use of the school site and extending from the southeast flank of the pre-school building it is positioned on the opposite side from Orchard Close to the east so there will be limited views of the proposed development from outside of the site. This position also mitigates any increased noise and disturbance upon the existing residential occupiers in Orchard Close. The closest residential occupiers are to the south of the site at No.13 Orchard Close but any impact upon the occupiers of this dwellinghouse will be well attenuated by a detached outbuilding which sits adjacent to the common boundary between the proposed extension and the main dwelling. Accordingly the proposal accords with Policy DM3 of the Core Strategy and Development Management Policies (2009) and therefore approval is recommended.

Site Location:

The Gravenhurst Lower School and Pre-school site is located on the southern side of the High Street, to the west of Orchard Close. The school site comprises the Lower School, occupying an attractive single storey building constructed of buff brick with a slate roof. To the east of this is a temporary classroom building, and to the far southeast corner, adjacent to the cul-de-sac road Orchard Close, is the more recent occupation of a pre-school in a purpose built building, which is the subject of this application.

Located within the settlement envelope of Upper Gravenhurst the surrounding area is predominantly residential. The site is not located within a conservation area.

The Application:

The application seeks planning permission for the erection of a open sided, lean-to addition with a flat roof extending from the southwest elevation of the existing pre-school building. Accessed externally this space is intended to provide an outdoor covered area for play protected from the sun or poorer weather.

The area measures 8.9 metres in length and 6 metres in depth and approximately 2.9 metres in height, sitting just below the eaves of the existing building. A 1 metre high timber fence will extend around the perimeter of the structure, comprising round timber posts to support a polycarbonate roof.

RELEVANT POLICIES:

National Guidance

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

Core Strategy and Development Management Policies (November 2009)

CS14	High Quality Development
DM3	High Quality Development
DM4	Development Within and Beyond Settlement Envelopes

Planning History

MB/07/01519/FULL	Erection of pre-school and covered play area, buggy store and storage shed. Approved 15/01/08
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Representations: (Parish & Neighbours)

Gravenhurst Parish Council	No objection.
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Neighbours	Third party representations have been received in objection to the proposed development from the owner/occupiers of the following addresses:
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- 3, Orchard Close, Upper Gravenhurst
- 9, Orchard Close, Upper Gravenhurst
- 13 Orchard Close, Upper Gravenhurst

The representations can be summarised as follows:

- The proposal will be adjacent to existing trees on the site. The loss of any trees or vegetation would be unacceptable;

- The level of noise from the pre-school is already unacceptable. Approval of this proposal will make it worst exacerbating this situation;
- The pre-school is currently in breach of the original planning conditions with respect to landscaping or acoustic fencing;
- If approved sound proofing should be provided around the structure;
- The nature of the extension, with a roof but no sides will direct sound directly outwards towards neighbouring residential properties;
- The application is misleading about the opening times of the school which creates noise and disturbance from before 8am carrying on until after 6pm; and
- Applications to extend the school site over time have increased the number of pupil and staff having a significant impact upon on street car parking and noise and disturbance.

The above is a summary of the concerns raised by the representations that have been received. Full copies of the correspondence can be viewed on the application file.

Publicity

Site Notice 29.10.13

Consultations/Publicity responses

Public Protection No comment.

Determining Issues

The development has been assessed in the context of human rights issues and The Equalities Act (2010) and it is considered it would have no relevant implications. As such, from the consultation responses, third party representations received and from an inspection of the application site and surrounding area the main considerations of the application are;

- 1. Character, context and design of external spaces**
- 2. Residential amenity**
- 3. Third party representations**

Considerations

1. Character, context and design of external spaces

The proposed extension, from the southwest elevation of the existing pre-school building is located on the side of the building furthest from the closest road Orchard Close to the east of the site. Located in this position, and due to a drop in ground level across the site away from the High Street to the north means the extension will be largely unseen from the public realm.

Constructed of timber, with a polycarbonate roof the extension will have a lightweight appearance and be in keeping with the modern design and appearance of the existing pre-school building. Accordingly the proposal is unlikely to have any significant adverse impact upon the character and appearance of the surrounding area, is in keeping with the existing building it extends and wider school use of the site and is therefore, with respect to visual amenity, considered to accord with policy DM3 of the Core Strategy and Development Management Policies (2009).

2. Residential amenity

The nearest residential property to the proposed development is No.13 Orchard Close, known as Oakridge, at the end of the cul-de-sac road, to the south of the school site. The majority of the properties along Orchard Close are located to the north east of the site on the opposite side of both the road and the building from which the extension is proposed. As such, only No.13 is likely to experience any increased noise and disturbance as a result of the proposed covered area.

The third party representation received from the occupiers of this closest dwellinghouse pointed out that this covered area will allow for children to be outside in this part of the site, close to their boundary, when inclement weather may not otherwise currently permit, thereby increasing the noise and disturbance currently experienced from the school site. However, given that use of this area which is within the school site is not currently restricted, so children playing in the space will not be new occurrence introduced by this proposal, the ability to use this part of the site on days of bad weather or provide a place a shade in summer months facilitated by the proposed addition is considered acceptable with respect to this limited additional impact upon the occupiers of No.13

Located north of No.13, while the proposed extension will run parallel to the common boundary with this neighbour it does not come any closer than the existing school building, further to which it will be constructed of lightweight materials, with views through the open structure and single storey in height. Accordingly the proposed covered area is unlikely to result in any adverse impact upon the residential amenities currently enjoyed by this neighbouring occupiers in terms of overlooking, overshadowing or overbearing impact.

For the above reasons the proposal is considered to successfully respond to the constraints of the site with respect to nearby residential amenity and therefore accords with policy DM3 of the Core Strategy and Development Management Policies (2009).

3. Third party representations

Concerns raised with respect to noise and disturbance from use of the outdoor covered space by pre-school pupils have been addressed above under the heading 'Residential Amenity'.

The third party representations received also cite issues with car parking of staff and parents using Orchard Close, the increased capacity of the school, and the

non-compliance of the school with conditions imposed to the approval of the original pre-school building.

The frustrations of living close to the school site are appreciated but many of the issues raised are considered to be matters of management for the school. The planning application history for the site has been reviewed and the local planning authority do not have any controls to preclude: the use of the wider school site for purposes of play that are incidental to the school use and the resultant noise and disturbance that is experienced as a result; extra-circular activities outside of normal school opening hours; or the parking of cars in Orchard Close by visitors or staff of the Pre-School. As such, the local planning authority are unable to enforce against these matters, nor are they material considerations in the determination of this application for an extension to the pre-school building to provide a covered area.

Recommendation

That Planning Permission be granted subject to the following:

RECOMMENDED CONDITIONS / REASONS

- 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 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; 4397/03B; 4397/04/A; 4397/04/B].

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.

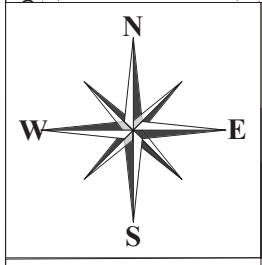
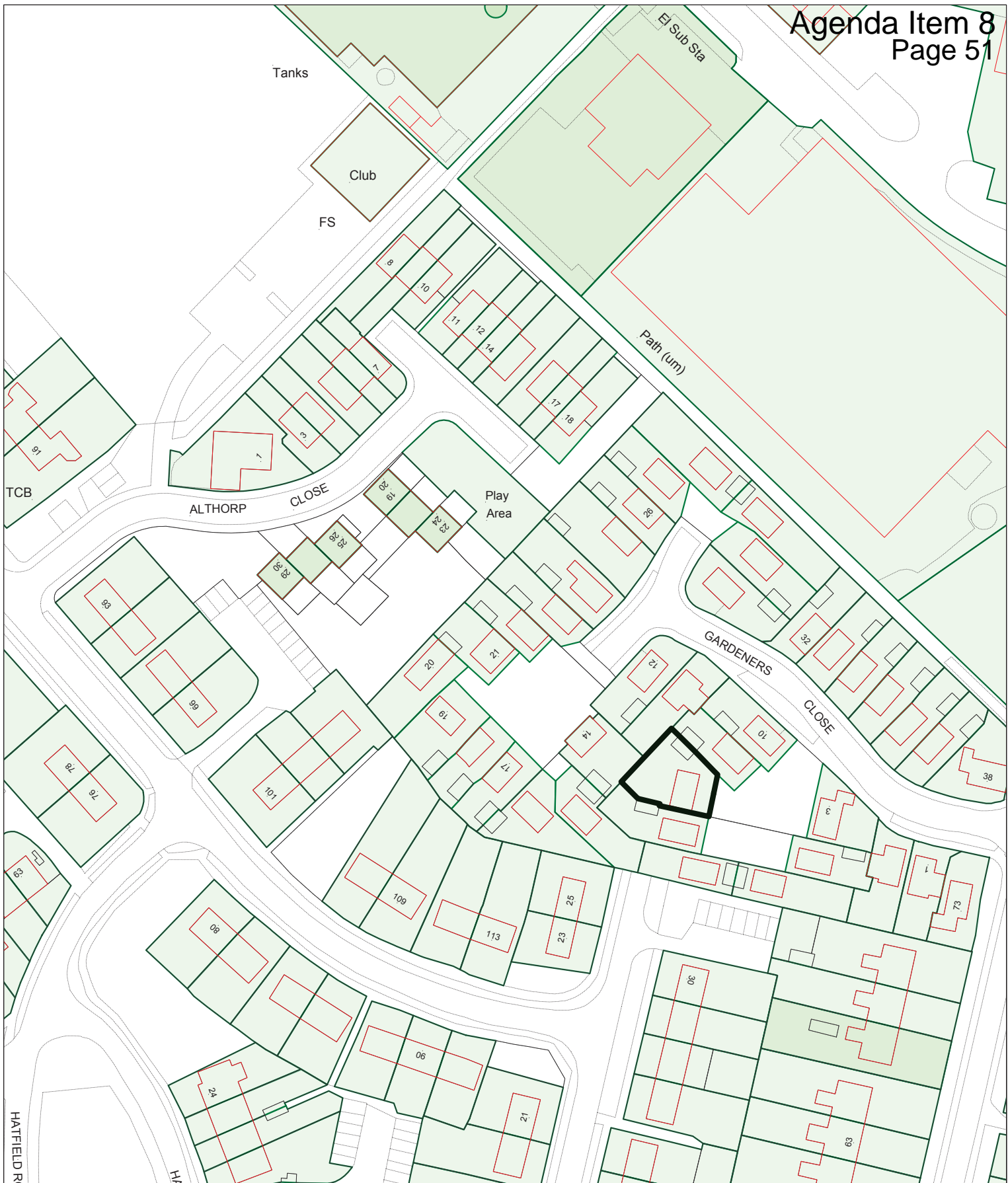
Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

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: 17:December:2013

Grid Ref: 503861, 235497

Application No.
CB/13/03813/FULL

Scale: 1:1250

8 Gardeners Close, Flitwick, Beds. MK45 5BU

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Item No. 8

APPLICATION NUMBER	CB/13/03813/FULL
LOCATION	8 Gardeners Close, Flitwick, Bedford, MK45 5BU
PROPOSAL	A rear projecting dual pitch two storey extension.
PARISH	Flitwick
WARD	Flitwick
WARD COUNCILLORS	Cllrs Mrs Chapman, Gomm & Turner
CASE OFFICER	Sarah Fortune
DATE REGISTERED	01 November 2013
EXPIRY DATE	27 December 2013
APPLICANT	Mr Corbett
AGENT	Daniel Design & Associates Ltd
REASON FOR COMMITTEE TO DETERMINE	Called in by Councillor Andrew Turner as a result of concerns raised by the neighbours regarding loss of amenity,
RECOMMENDED DECISION	Full Application - Granted

Site Location:

The site is located in Gardeners Close off Maulden Road within the residentially built up area of the town of Flitwick. It comprises of a detached house which lies in a close of varying styled detached houses which were built about 20 years ago.

The Application:

This application is for the erection of a two storey rear extension following the demolition of the ground floor area conservatory.

RELEVANT POLICIES:

Core Strategy and Development Management Policies - North 2009

DM3 Amenity

emerging Development Strategy for Central Bedfordshire dated 2013

Policy 43 High Quality Development

National Planning Policy Framework (March 2012)

Supplementary Planning Guidance

Design in Central Bedfordshire A Guide for Development:
Supp 4: House Extensions and Alterations

Planning History

None relevant

Representations: (Parish & Neighbours)

Flitwick Town Council Approve.

Neighbours 2. Object on grounds that the extension may clash with the neighbours garage and its roof overhang (revised plans indicate that this will not now occur). Concerned that the two storey element being built up to the joint boundary will produce a confining aspect having no regard to the impact on light and the presence of the side kitchen door which is the main entrance to the neighbouring property. Concerns about rainwater discharge (this is a Building Regulations matter).

App Adv

Consultations/Publicity responses

Tree Officer No objections

Determining Issues

The main considerations of the application are:

1. Size, Siting and Design in relation to the house and the visual amenities of the area generally
2. Impact on amenities of neighbours
3. Parking and other considerations

Considerations

Human Rights issues

There are no relevant issues under the Human Rights Act

Equality Act 2010

There are no relevant issues under the Equality Act

1. Size, Siting and Design in relation to the house and the visual amenities of the area

This is a three bedroomed detached house which has a single width detached garage to the north side which is attached to the single garage of the neighbouring property number 9 Gardeners Close to the north east. A single storey rear conservatory has been constructed onto the south end of the rear elevation and this extends out for 2.464 metres and has a width of 3.240 metres.

The rear conservatory is to be demolished and replaced by a two storey addition having a depth of 2.5 metres and a width of 5.853 metres. The roof is to be dual pitched and the revised plans indicate that it is to be set down from the main ridge of the house to read as being subservient to it. It has also been set in a 03m from the side shared boundary with number 7 Gardeners Close. The plans indicate clearly that the proposed two storey extension will not encroach onto this neighbouring property but will retain a small gap between the two houses.

The extension is to provide for a lounge at ground floor level with an extension to existing Bedroom 1 incorporating an en suite at first floor level.

It is considered that the addition, having a depth of 2.5 metres and only extending across only part of the width of the house will appear as being subservient to the main house and by reason of its siting, size and design would be in keeping with the character of the house itself and the visual amenities of the area generally. It therefore complies with planning Policy DM3 in the Core Strategy and Development Management Planning Document dated 2009, Policy 43 in the emerging Development Strategy for Central Bedfordshire dated 2013 as well as the design guide on House Extensions and Alterations dated 2009.

2. Impact on the amenities of neighbours

There are detached houses on both sides of the site which are built up to their shared boundaries. Number 7 Gardeners Close to the south is at a distance of a 2 metres (approx) from the side of number 8 Gardeners Close. It has a ground floor door to a kitchen and first floor side window in its side elevation which faces towards the application site.

The new two storey rear addition is to be built close up to this shared boundary with number 7 Gardeners Close but is to have no windows facing this neighbour at number 7. The occupiers of number 7 Gardeners Close have raised objections to the proposed rear extension on grounds that it will result in loss of light into their driveway and into to the side door which serves as the main entrance to their house. They are also of the opinion that it will have an overbearing impact on their property. However, whilst there will be some loss of light and outlook to this neighbour - particularly to their the drive area between the two houses the loss of amenity will be minimal. It is considered to be acceptable in planning terms. The main rear garden to number 7 Gardeners Close is 2 metres (approx) from the proposed two storey addition so loss of light and outlook will be minimal and not sufficient as to sustain a refusal. Also the proposed two storey addition is on the north side of number 7 Gardeners Close so loss of direct sunlight will not occur.

The house on the other side - number 9 Gardeners Close - will be at some distance from the proposed rear extension being over 7 metres from it. There will be no harmful impact on this neighbour.

3. Parking and other considerations

The tree officer has advised that he has no objections to raise

The house presently has three bedrooms and there are to be three in total in the proposed extended house.

No other concerns have been raised.

Recommendation

That Planning Permission be granted subject to the following:

RECOMMENDED CONDITIONS / REASONS

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

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

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

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

- 3 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers DD00021/1, DD00021/2/C, DD00021/2, CBC01, CBC02 and DD00021/7

Reason: For the avoidance of doubt.

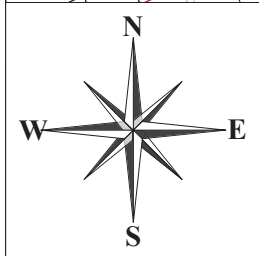
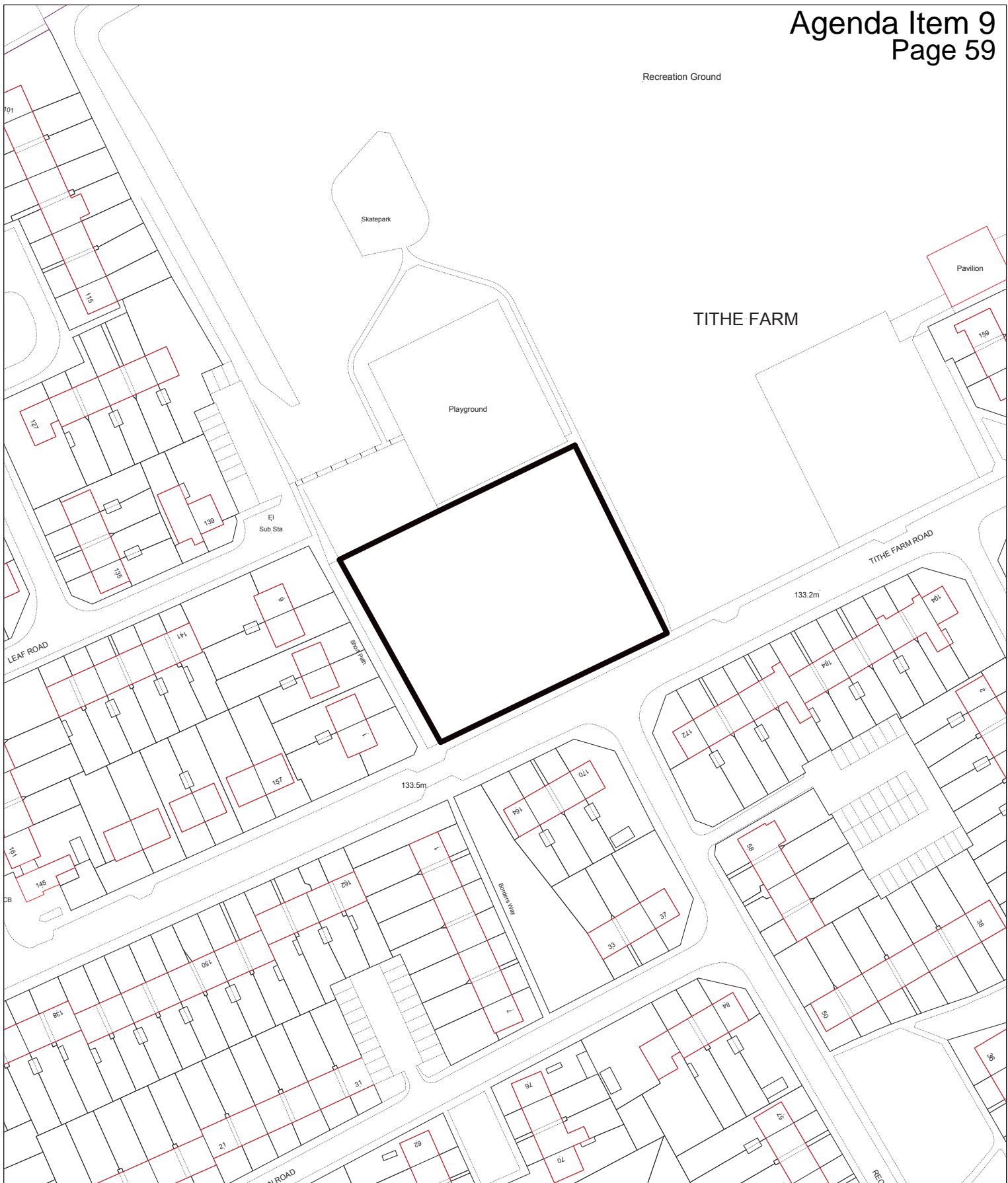
Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant 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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Recreation Ground



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Date: 13:December:2013
Grid Reference: 502171; 224797

Application No.
CB/13/03357/FULL

Scale: 1:1250

Land at former Church of St Vincent, Tithe Farm Road, Houghton Regis

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Item No. 9

APPLICATION NUMBER	CB/13/03357/FULL
LOCATION	Land at former Church of St Vincent, Tithe Farm Road, Houghton Regis
PROPOSAL	Erection of 58 Bed Nursing Home with associated parking and manoeuvring C2 use.
PARISH	Houghton Regis
WARD	Tithe Farm
WARD COUNCILLORS	Cllr Williams
CASE OFFICER	Abel Bunu
DATE REGISTERED	22 October 2013
EXPIRY DATE	21 January 2014
APPLICANT	Innoventions Consultancy
AGENT	Knight Architecture & Design
REASON FOR COMMITTEE TO DETERMINE	Major application with objections from Houghton Regis Town Council.
RECOMMENDED DECISION	Full Application - Approval

Recommended Reasons for Granting

Whilst the proposed development would be inappropriate in the Green Belt, the principle behind the erection of a nursing home on this site has previously been agreed with the grant of planning permission, reference, **CB/11/00664/FULL**. Whilst the current proposal proposes an increase in the number of bedrooms from 41 to 58, it is considered that the principle of the development remains acceptable and the previous very special circumstances case based upon the need for a nursing home in the area and the employment opportunities still carries significant weight which would outweigh the harm by reason of inappropriateness. It is also considered that the visual harm to the locality by reason of the height and massing of the building as a result of the three storey element would be outweighed by the benefits to be had from the development. Furthermore, the development would not be harmful to the character and appearance of the area, prejudicial to highway safety and would not be harmful to residential amenity thereby conforming to the development plan comprising Policies BE8, SD1, R3 and T10 of the South Bedfordshire Local Plan Review, Policies 1, 2, 3, 6, 21, 24, 25, 26, 27, 28, 30, 31, 36, 39, 43, 44, 49, 56, 57, 59 and 60 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:

The application site comprises a rectangular parcel of land of approximately 0.3ha fronting Tithe Farm Road and adjacent to the south western corner of the Tithe Farm Road Recreation Ground. It has a frontage to Tithe Farm Road of approximately 58m and a depth of approximately 45m. The land was previously the

site of the Old Church of St. Vincent and comprised the Church and the Church Hall. St. Vincent's RC Church and Social Club is now located in Hammersmith Gardens in Houghton Regis. The buildings on the site were destroyed by fire in the mid-1990s. The site is now overgrown although there is some evidence of part of the concrete base covering some of the former footprint. The site is enclosed by chain link fencing approximately 1.8m high and there is a bus stop to the front of the site.

Only a few trees remain from the group of protected trees previously situated along the south western boundary of the site. These trees also front Short Path, a pedestrian link to the residential development to the west.

Immediately outside the site to the north is an equipped children's play area while the remainder of the recreation ground comprises grassed playing pitches. There are existing changing rooms and a hard paved car parking area in the south eastern corner. To the north of the Recreation Ground lies open countryside. To the east, west and on the opposite side of the road to the south are two storey residential buildings.

The site lies within the Green Belt and also within the designated Proposed New Areas of open space in Houghton Regis as set out in saved Policy R3 of the South Bedfordshire Local Plan Review. This policy specifically seeks the provision of additional playing pitches, toilets and changing facilities at the Tithe Farm Road Recreation Ground.

The Application:

Planning permission is sought for the erection of a 58 bedroom nursing care home incorporating dementia patient care.

Details of the proposal are summarised below :

Schedule of accommodation

Basement

Kitchen
stores
laundry
staff room
meeting/training room
staff room and
changing rooms.

Ground Floor

23 bedrooms
Communal bathrooms
Nurses stations
Communal living/dining space
Sluice
Administration office
Recreation area
Salon

First Floor

23 bedrooms
Communal bathrooms
Nurses stations
Clinic
Activity room
Communal day space, lounge and dining area

Second Floor

12 bedrooms
Clinic
Nurses station
Communal lounge and dining
Communal bathroom and
Sluice

Scale

The main accommodation would be arranged over two floors and only one wing would be three storeys high and part of the building would accommodate a basement area. The building would have a pitched roof and there would be bay projections. The materials of construction would be facing brick with string course details and rendered panels and the roof would be covered under slate.

Access and Parking

The development would be served by an existing access directly off Tithe Farm Road. Parking provision would be in accordance with the minimum standards set in the Local Parking Strategy and would be split into :

- 2 Disabled spaces
- 20 visitor and staff parking spaces

These spaces would be situated to the front of the building and would also incorporate vehicular turning areas.

Access into the building

Level entrance and doorways in compliance with the Building Regulations together with two lifts would also be provided. Ambulant stairs would also be incorporated within the communal circulation areas.

Layout

The building would have two wings linked by a roughly central element. The wing closest to the road would accommodate two floors and would be shorter, projecting slightly towards the west. The other wing by contrast would be longer and accommodate three floors. The west boundary of the site is separated from the residential properties in this direction by a few surviving protected trees and the main pedestrian link from Tithe Farm road known as Short Path. The site is level and the new building would sit into the existing topography without significant excavation other than for the basement accommodation.

Landscaping and boundary treatment

In addition to the retention of some existing trees on the site, new planting is proposed.

Waste and recycle storage area

A waste and recycle storage point would be provided at the site access.

The following documents have been submitted in support of the application:

- Planning, Design and Access Statement
- Travel Plan
- Tree survey Report

The applicant states that the nursing home would be designed to the latest healthcare standards as set out in Government guidance on Adult Social Care. Each bedroom would have a minimum floor space of 14 sq.m which would be in excess of the minimum standard and be provided with en-suite facilities. The accommodation would also include a controlled access reception and communal rooms and there would also be internal and external crime prevention and security measures including features such as secure 5-lever mortice locks to external doors with key code pad entry devices; window locks and movement sensor lighting.

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, PPGs and PPSs. The following sections are considered directly relevant :

Section 4 : Promoting sustainable transport

Section 6 : Delivering a wide choice of quality homes

Section 7 : Requiring good design

Section 8 : Promoting healthy communities

Section 9 : Protecting Green Belt Land

Section 11: Conserving and enhancing the natural environment

South Bedfordshire Local Plan Review

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 and significant weight should be attached to them, with the exception of Policies T10 and H4, which are afforded less weight.

SD1 Keynote Policy

BE8 Design Considerations

T10 Parking - New Developments

R3 - Urban Open Space Strategy - Proposed Areas of New Urban Open Space in Houghton Regis.

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.

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 2014 and the following policies are considered relevant to the determination of any subsequent application :

Policy 1 : Presumption in Favour of Sustainable Development

Policy 2 : Growth Strategy

Policy 3 : Green Belt

Policy 21 : Provision for Social and Community Infrastructure

Policy 24: Accessibility and Connectivity

Policy 25: Capacity of the Network

Policy 26: Travel Plans

Policy 27 : Car Parking

Policy 28 : Transport Assessments and Travel Plans

Policy 30: Housing Mix

Policy 31: Supporting an Ageing Population

Policy 36 : Development In the Green Belt

Policy 39 : Formally Designated Important Open Space

Policy 43: High Quality Development

Policy 44 : Protection from Environmental Pollution

Policy 49 : Mitigating Flood Risk

Policy 56: Green Infrastructure

Policy 57: Biodiversity and Geodiversity

Policy 59: Woodlands, Trees and Hedgerows

Policy 60: Houghton Regis North Strategic Allocation

Supplementary Planning Guidance

1. Design in Central Bedfordshire: A Guide for Development - Design Supplement 7: Movement, Streets and Places
2. Central Bedfordshire Local Transport Plan: Appendix F : Parking Strategy (Adopted in October 2012 by the Executive for Development Management Purposes)

Planning History

CB/13/00363/PAPC Pre-Application Non-Householder Advice: Erection of 57 bed nursing home as a variation to permission **CB/11/00664/FULL.**

CB/11/000664/FULL Permission. Erection of two storey building to provide a 41 bed Nursing Home, Class (C2) use and associated parking.

SB/CED/97/0001 Grant of a Certificate of Lawful Development for an existing use of the land for the purposes of public worship, religious instruction and associated social activity.

**Representations:
(Parish & Neighbours)**

Town Council Support the use of the site for a Nursing Home, but object to 3 storeys, as this will have an overbearing nature on the surrounding area where there are no other 3 storey buildings. Suggest that Innoventions Consultancy work with CBC to remodel the proposed 3 storey part of the building so that the second floor is within the roof. Concerns were also expressed that there appeared to be only 2 disabled parking bays and it also appeared from the drawings that these were no wider than a normal parking bay.

Neighbours None received.

Consultations/Publicity responses

Tree and Landscape Officer In recognition that two Ash have now been removed on account of causing subsidence damage, and the remaining Ash have deteriorated since my last inspection, I no longer have objection to the application, on the provision that the following conditions are imposed.

Access Facilitation Pruning

Prior to development, all recommended tree work shall be undertaken in strict accordance with the recommendations stipulated in Appendix 2 (Survey Schedule) of the Tree Survey Report "Pre-Development Arboricultural Survey and Impact Assessment", as prepared by RGS Arboricultural Consultants, dated September 2013, and in strict accordance with the British Standard BS 3998 (2010) "Tree Work Recommendations".

REASON

To ensure that the required tree work is undertaken in accordance with good arboricultural practice and is also undertaken to a satisfactory standard of quality and workmanship.

Tree Protection Plan and Arboricultural Method Statement

Prior to development, all protective tree fencing, and tree protection measures, shall be strictly implemented in accordance with the Tree Survey Report "Pre-Development Arboricultural Survey and Impact Assessment", including Appendix 3 (Tree Protection

Plan), as prepared by RGS Arboricultural Consultants dated September 2013.

REASON

In the interest of a satisfactory standard of tree protection to ensure that the retained trees are not damaged in the course of development works.

Landscape Planting Scheme

A landscape planting scheme shall be submitted to the Local Planning Authority for approval, clearly showing new planting species, sizes, planting density, and planting specification for new trees, shrubs and climbers, with particular emphasis on replanting along the western boundary where protected trees have already been felled.

REASON

To ensure a satisfactory standard of landscape planting and establishment in the interests of securing visual amenity.

Highways Officer

The proposal is for a 58 bedroom elderly care home with 20 car parking spaces.

The access is directly off Tithe Farm Road and facilitates a turning area suitable for a vehicle likely to use it. My only concern is that there is not a separate pedestrian route to the front entrance and it would be advisable where pedestrians are elderly and infirm they are segregated from vehicular movements.

While cycle racks are suitable for visitors they are not suitable for staff. It should be ensured that staff can house their cycles in a secure location and this can be dealt with by way of condition.

In a highway context I recommend that the following conditions be included if planning approval is to be issued:

Development shall not begin until details of the junction of the proposed vehicular access with the highway 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.

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.

Any gates provided shall open away from the highway and be set back a distance of at least 8.0 metres 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.

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.

Development shall not begin until details of secure cycle storage for staff and cycle parking for visitors have been approved by the Local Planning Authority and no building shall be occupied until the said storage and parking have been constructed in accordance with the approved details.

Reason

In order to promote sustainable modes of transport.

Before the new access is first brought into use, any existing access within the frontage of the land to be developed, not incorporated in the access hereby approved shall be closed in a manner to the Local Planning Authority's written approval.

Reason

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

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.

Development shall not commence until a scheme detailing provision for on site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.

Reason

To ensure adequate off street parking during construction in the interests of road safety.

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

The applicant is advised that 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.

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 Bedfordshire Highways, Streetworks Co-ordination Unit, County Hall, Cauldwell Street, Bedford MK42 9AP. (HN x).

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. (HN xi)

Public Protection

The play park is equal distance to existing residential premises and has not been subject to complaint and therefore whilst there will inevitably be some level of disturbance, this will be manageable and the planning gains from the development I believe are considerably more important and outweigh this dis-benefit. I therefore ask that you impose Conditions 2 & 4 from the previous permission.

Environment Agency

We consider that planning permission could be granted to the proposed development as submitted if the following planning conditions are included as set out below. Without these conditions, the proposed development on this site poses an unacceptable risk to the environment and we would wish to object to the application

CONDITION

Development shall not begin until a scheme for surface water disposal has been submitted to and approved in writing by the Local Planning Authority. Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. The development shall be carried out in accordance with the approval details.

Reason

To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3).]

Advice to LPA / Applicant:

The water environment is potentially vulnerable and there is an increased potential for pollution from inappropriately located and/or designed infiltration Sustainable Drainage Systems (SuDS).

Anglian Water

Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

Wastewater Treatment

The foul drainage from this development is in the catchment of Dunstable STW that will have available capacity for these flows.

Foul Sewerage Network

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

Surface Water Disposal

The surface water strategy outlined within the planning application is to utilise soakaways. However the Planning, Design and Access Statement states 'Discharge of surface water will be via the existing surface water system. Where this is not available, Soakaways will be utilised. In accordance with the surface water hierarchy outlined in Part H of Building Regulations, if infiltration techniques can be utilised then this method of surface water disposal should be used. If evidence submitted to the Local Planning Authority in accordance with BRE 365 or similar shows infiltration techniques cannot be utilised, then a surface water drainage strategy showing discharge rates, method of calculation and the proposed connection point must be submitted to ensure there will not be a risk of flooding or pollution from the development. We will request that the agreed strategy is reflected in the planning approval.

Anglian Water would therefore recommend the following planning condition if the Local Planning Authority is mindful to grant planning approval.

Surface Water Disposal (Section 4)

No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

REASON

To prevent environmental and amenity problems arising from flooding.

Determining Issues

The main considerations of the application are;

1. Principle of the development
2. Impact on the openness of the Green Belt
3. Impact on the character and appearance of the area
4. Impact on residential amenity
5. Impact on parking demand and highway safety
6. Other matters

Considerations

1. Principle of the development

The current proposal seeks to amend a scheme that was approved on the 27th September 2011 for the erection of a 41-bedroom nursing home reference, **CB/11/00664/FULL**. However, since the grant of planning permission, national advice contained in Planning Policy Guidance 2, 'Green Belts', was replaced by the National Planning Policy Framework (NPPF) supported by Policy 36 of the emerging Development Strategy for Central Bedfordshire. This national advice and the emerging policy state that the construction of new buildings is inappropriate in the Green Belt. Exceptions to this are listed in paragraphs 89 and 90 of the NPPF. If the development is considered inappropriate, paragraph 87 of the NPPF states that it is, by definition harmful to the Green Belt and should only be approved in very special circumstances. Such circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm is clearly outweighed by other considerations (paragraph 88). It is worth noting that the NPPF introduces the concept of 'Previously Developed Land' and states that the partial or complete re-development of previously developed sites would not be inappropriate provided that the new development would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. The site is considered previously developed within the meaning of the NPPF. However, the proposed building would be taller than the original building and would spread over a larger footprint. Because of these considerations, the proposed development would have a greater impact on the openness of the Green Belt than the original building and hence, would, by definition, be inappropriate. Accordingly, very special circumstances would need to be established. Whilst the very special circumstances case for the extant permission was found acceptable, it is considered appropriate to re-examine them in light of the changes in national advice, the development plan and the design.

In an attempt to prove the existence of very special circumstances, the applicant has submitted the following information :

- There is a shortage of acute nursing home beds, particularly for those suffering from dementia.
- The National Planning Policy Framework sets out the Government's commitment to developing healthy and sustainable communities and to promote mixed communities. (paragraph 50). This means meeting the diverse needs of all people in existing and future communities, promoting

personal well being, social cohesion and inclusion and creating equal opportunities for all citizens. This includes meeting the accommodation needs for those who require residential nursing care.

- Emerging local planning policy in the form of Policy CS6 of the Luton and Southern Bedfordshire Core Strategy Pre-Submission Draft, November 2011 provides for housing to meet all accommodation needs. Paragraph 7.7 to the policy clarifies that as people live longer, an increasing proportion of the population will be 65 and over, many of whom will require specialist housing to meet their needs.
- The publication by the former Bedfordshire County Council – ‘Changing Lifestyles – Choices for the Future: Housing and Accommodation Strategy’ published in June 2008 states that from 2008 to 2025, the population of people over 65 will increase from 60,800 to 93,300 and people over 85 from 7,500 to 13,600. Of these it is likely that 4,358 will have dementia in 2008 and this is likely to increase to 7,202 by 2025. It also mentions that there is a current shortage of nursing home beds.
- A research paper that provided evidence for the Strategic Housing Market Assessment for the area – Research Paper 6: Specific Client Groups has also stated that there is a recognised undersupply of nursing homes in Bedfordshire that needs to be addressed. As part of the Bedfordshire Corporate Strategy for Older People for the period 2007 – 2012 more special care dementia centres would be needed providing a mix of longer term residential and shorter term respite care.
- The Social, Health and Housing Department of Central Bedfordshire Council on Adult Locality Profiles in the Dunstable Area (which also covers Houghton Regis) reveals that the over-75 population represents 23% of the total over-75 population for Central Bedfordshire. Within Dunstable, the over-75 population represents a higher proportion of the total population (7.8%) than the overall Central Bedfordshire average (6.4%) with this predicted to grow to 12.3% by 2030.
- It is estimated at present that there is supported housing capacity in Central Bedfordshire of 1 in 4 of the over-75 population with the majority being in Sheltered Housing. In order to maintain the same level of supported housing there is a need to provide an additional 4000 beds/units/alternative services across Central Bedfordshire with 600 of these within Dunstable/Houghton Regis.
- While the priorities for this area are the development of sheltered and extra care housing, it is acknowledged by the Head of Commissioning for Central Bedfordshire that as there is no dedicated nursing home in Dunstable and based on population figures approximately 50-60 nursing bed spaces would be needed.
- With regard to the selection of this site, the applicant’s intention was to provide a nursing home that was accessible to the local community in Houghton Regis. The only other possible site in Houghton Regis where such a proposal could be accommodated are either earmarked for residential development (the site opposite the Chequers PH), commercial development and community facility (The Co-Operative site opposite Bedford Square) or on Houghton Road which has permission for a supermarket. The applicant does not believe that there are any suitable sites available within Dunstable.
- The proposal would bring local employment benefits resulting in the creation of full and part time jobs in an area where continuing

employment prospects are bleak.

- In addition the Luton and Southern Bedfordshire Core Strategy proposes redrawing the Green Belt boundary in this area to provide for an urban extension to Luton, Dunstable and Houghton Regis. This is a material consideration to add to the very special circumstances.
- With regard to Policy R3 it is not considered that the site would make an adequate sports pitch and there are already changing rooms next to the sports pitches.
- The development would result in the efficient use of previously developed land.

Appraisal of the very special circumstances case

- The extant permission was granted by the Members notwithstanding the location of the site within the South Bedfordshire Green Belt. The fact that subsequent to the granting of the permission, the site has since been allocated as falling within the Houghton Regis North Strategic Allocation in the emerging Development Strategy for Central Bedfordshire and a resolution to grant outline planning permission for development on the adjoining Green Belt land was taken in September 2012, gives more weight to the previous decision to grant planning permission. Furthermore, this permission is still capable of implementation.
- The main changes to the approved scheme are the additional bedrooms and consequent change to the design and external appearance of the building through the introduction of a three storey element.
- It is considered that, notwithstanding the changes to the design, the principle behind the development is still acceptable.

2. Impact on the openness of the Green Belt

The NPPF advises, at paragraph 79 that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and the essential characteristics of Green Belts are their openness and permanence. This approach is echoed in Policy 36 of the emerging Development Strategy for Central Bedfordshire (DSCB). With regards the height of the buildings, the three storey construction, whilst adding to the visual harm to the openness of the Green Belt, has been necessitated by the need to make efficient use of the site by accommodating all the associated facilities on the same site. Such an arrangement is considered more sustainable than spreading the development in different locations.(One stop shop). It is therefore considered that whilst the proposed development, would be more harmful to the openness of the Green Belt by reason of greater footprint and taller buildings, than the previous development, this harm would be outweighed by the benefits to be had from approving the scheme. Furthermore, the very special circumstances case as discussed above, is considered acceptable and the extant permission is, in any case still capable of being implemented.

3. Impact on the character and appearance of the area

Within the vicinity of the site are predominantly residential properties of varied design and scale, comprising mainly two storey buildings. Three storey buildings are to be found further away from the site in Hillborough Crescent at the end of Tithe Farm Road. Whilst the broad principle of the development has been accepted as discussed above, the Town Council has raised an objection to the introduction of a three storey element to the design. Although three storey

buildings are in the minority in the surrounding area, it is considered that their presence adds to the character of the area and as such, the current proposal would not detract from the character and appearance of the area. In any case, the future development plans for the North of Houghton Regis Urban Extension would likely incorporate three storey buildings and hence the proposed development would be seen within the context of these buildings. Furthermore, only part of the building adjacent to the north western boundary of the site would be on three floors and the rest would be on two floors. Given its position deep into the site and a considerable distance from the road, it is considered that this three storey element would not appear intrusive in the street scene although it would be more exposed to views from the adjoining open space. It would be appropriate to attach a planning condition to control the external appearance of the building in order for the development to complement the appearance of the area. Overall, it is considered that the visual harm to the locality by reason of the height and massing of the building as a result of the three storey element would be outweighed by the benefits to be had from the development.

4. Impact on residential amenity

The proposed development would maintain adequate separation distances with the properties to the west of the site and the proposed landscaping along this boundary would provide adequate mitigation to any likely harm to residential amenity. Given the positioning of fenestration and the siting of the three storey element there would be no unacceptable adverse impact on the residents in Short Path in terms of loss of privacy or overbearing effect. Planning conditions in relation to the submission of a noise mitigation scheme from the adjacent recreation ground and the planting of additional trees would ensure that the residential amenity of the residents is not significantly harmed. Taking these factors into account, it is considered that the proposed development would not be harmful to residential amenity through noise, loss of light, outlook, overlooking and loss of privacy.

5. Impact on parking demand and highway safety

The proposed development would make sufficient provision for on-site parking in accordance with the Council's parking standards and would utilise an existing vehicular access off Tithe Farm Road which would include a separate pedestrian access to be secured through a planning condition. The development would therefore not result in additional demand for on-street parking in the adjoining public highways. With conditions recommended by the Highways Officer, it is considered that the development would not be prejudicial to highway safety.

6. Other matters

Agent's response to the Town Council's objection

- Prior to submitting the current application, advice was sought from the officers who confirmed that a three storey building would not necessarily be objectionable.
- The officers also confirmed that given the positioning of fenestration and the siting of the three storey element there would be no unacceptable adverse impact on the residents in Short Path in terms of loss of privacy or overbearing effect.
- It is not correct to say there are no three storey buildings in the surrounding area. In fact, the Design and Access Statement carries a picture of a three

storey building in Hillborough Crescent at the end of Tithe Farm Road.

- The officers pointed out a current application for the development of the majority of Houghton Regis adjacent to the application site, reference **(CB/12/03613/OUT)** which was approved by the Committee and is now with the Secretary of State. The Houghton Regis North Strategic Allocation Site comprises 262 hectares for up to 5,150 dwellings (C3). It is assumed that the remainder of the application forms part of the development which includes:

Up to 202,500 sq.m gross of additional development in Use Classes: A1, A2, A3 (retail), Public House (C4), Take Away (A5), Offices, industrial and storage and distribution (B1, B2, B8), Hotel (C1), Community and leisure (D1 and D2). There is further development including, car showroom; data centre; petrol filling station; car parking; primary substation; energy centre; and for the laying out of the buildings; routes and open spaces within the development; and all associated works and operations including, demolition; earthworks; engineering operations, etc.

Assuming the proposal is ratified, Houghton Regis will undergo a transformation as no doubt a lot of buildings will be at least as tall as 3 storeys.

- With regards disabled parking, advice was obtained from the Highways Officer and hence the spaces were designed in accordance with the Council standards.

Human Rights issues

The application raises no human rights concerns.

Equality Act 2010

The proposed building would have a generously sized entrance designed to enable access by all, accessible parking, clear signage, accessible toilet provisions and aids for communication and hence would be compliant with the Disability Discrimination Access legislation.

Recommendation

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

RECOMMENDED CONDITIONS

- 1 The development shall begin not later than three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 **Before development begins and notwithstanding the details submitted with the application, details of the materials to be used for the external walls and roofs of the proposed buildings shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**

**Reason: To control the appearance of the buildings.
(Policies BE8 S.B.L.P.R and 43 DSCB).**

- 3 Prior to the commencement of development, a landscape planting scheme shall be submitted to the Local Planning Authority for approval, clearly showing new planting species, sizes, planting density, and planting specification for new trees, shrubs and climbers, with particular emphasis on replanting along the western boundary where protected trees have already been felled. The development shall thereafter be implemented in accordance with the approved details and 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 landscape.
(Policies BE8 S.B.L.P.R and 43 & 59 DSCB).**

- 4 Prior to development, all protective tree fencing, and tree protection measures, shall be strictly implemented in accordance with the Tree Survey Report "Pre-Development Arboricultural Survey and Impact Assessment", including Appendix 3 (Tree Protection Plan), as prepared by RGS Arboricultural Consultants dated September 2013.**

**Reason: In the interests of putting in place a satisfactory standard of tree protection to ensure that the retained trees are not damaged in the course of development works.
(Policies BE8 S.B.L.P.R and 43 & 59 DSCB).**

- 5 Prior to development, all recommended tree work shall be undertaken in strict accordance with the recommendations stipulated in Appendix 2 (Survey Schedule) of the Tree Survey Report "Pre-Development Arboricultural Survey and Impact Assessment", as prepared by RGS Arboricultural Consultants, dated September 2013, and in strict accordance with the British Standard BS 3998 (2010) "Tree Work Recommendations".**

**Reason: To ensure that the required tree work is undertaken in accordance with good arboricultural practice and is also undertaken to a satisfactory standard of quality and workmanship.
(Policies BE8 S.B.L.P.R and 43 & 59 DSCB).**

- 6 Prior to the commencement of the development details of the fume extraction equipment that is to be installed to effectively suppress and disperse fumes and other odours produced by cooking and food production shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the method of odour abatement and all odour abatement equipment to be used including predicted noise levels of equipment in operation. The approved equipment shall be installed and in full working order prior to the first use of the premises as a nursing home and the equipment shall be effectively operated for as long as a commercial food use continues.**

Reason: in order to prevent any adverse impact of odours arising from cooking activities on the amenity of the nearby residential properties. (Policies BE8, S.B.L.P.R and 43 DSCB).

- 7 Construction work shall only take place between the hours of 8 AM - 6 PM Monday to Friday and 8 AM – 1 PM on Saturdays and not at all on Sundays, Bank Holidays or Public Holidays.

Reason: To protect residential amenity.
(Policies BE8, S.B.L.P.R and 43 DSCB).

- 8 **Development shall not begin until details of the junction of the proposed vehicular access with the highway which should include a separate pedestrian access, have been approved by the Local Planning Authority and the building shall not be occupied until the junction and pedestrian access have 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 DSCB).

- 9 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 DSCB).

- 10 Any gates provided shall open away from the highway and be set back a distance of at least 8.0 metres 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.
(Policy 43 DSCB).

- 11 The parking details shown on Drawing Number 28268-01 Rev.F shall be implemented prior to the first occupation of the building hereby approved and thereafter retained for that purpose.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway.
(Policy 27 D.S.C.B).

- 12 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.
(Policies T10 S.B.L.P.R and 27 & 43 DSCB).

- 13 **Notwithstanding the details submitted, development shall not begin until further details of secure cycle storage for staff and cycle parking for visitors have been approved by the Local Planning Authority and the building shall not be occupied until the said storage and parking have been constructed in accordance with the approved details and thereafter retained for that purpose.**

**Reason: In order to promote sustainable modes of transport.
(Policies 24 & 43 DSCB).**

- 14 Before the new access is first brought into use, any existing access within the frontage of the land to be developed, not incorporated in the access hereby approved shall be closed in a manner to the Local Planning Authority's written approval.

Reason: In the interest of road safety and to reduce the number of points at which traffic will enter and leave the public highway.
(Policy 43 DSCB).

- 15 **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 DSCB).**

- 16 **Development shall not commence until a scheme detailing provision for on site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.**

**Reason: To ensure adequate off street parking during construction in the interests of road safety.
(Policy 43 DSCB).**

- 17 **Before development begins, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be implemented in full within 3 months of the building being occupied. Thereafter, the Travel Plan shall be monitored and reviewed annually, with a written report to be submitted to and agreed in writing by the Local Planning Authority which updates the plan and monitors the progress in meeting the agreed targets for reducing car journeys.**

**Reason: In the interests of highway safety, to reduce congestion and to promote the use of sustainable modes of transport.
(Policies SD1, S.B.L.P.R and 24 & 26 DSCB).**

- 18 **Development shall not begin until details of the refuse storage area and collection point have been approved by the Local Planning Authority and the building shall not be occupied until the said storage and collection point has been constructed in accordance with the approved details and thereafter retained for that purpose.**

**Reason: To ensure the refuse collection bins do not cause a hazard or obstruction to the highway or parking area and in the interest of preserving the appearance of the street scene.
(Policies BE8, S.B.L.P.R and 43 DSCB).**

- 19 **Development shall not begin until a scheme for surface water disposal has been submitted to and approved in writing by the Local Planning Authority. Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. The development shall be carried out in accordance with the approval details.**

**Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3).
(Policies 43 & 44 DSCB).**

- 20 **No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority and no hard-standing areas shall be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.**

**Reason: To prevent environmental and amenity problems arising from flooding.
(Policy 49 DSCB).**

- 21 **The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 28268-07(Site location Plan), CBC/01, 28268-01 Rev.F, 28268-02 Rev.E, 28268-03 Rev.E, 28268-04 Rev.E, 28268-05 Rev.D, 28268-06 Rev.D, 28268-07 Rev.C and 28268-08 & Rev.B.**

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).

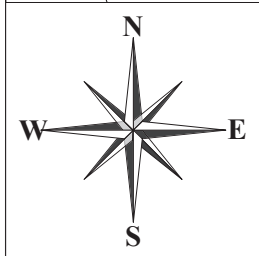
2. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
3. The applicant 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 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 Bedfordshire Highways, Streetworks Co-ordination Unit, County Hall, Cauldwell Street, Bedford MK42 9AP.
5. 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.
6. The water environment is potentially vulnerable and there is an increased potential for pollution from inappropriately located and/or designed infiltration Sustainable Drainage Systems (SuDS).

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

Planning permission has been recommended for approval for this proposal. The Council acted pro-actively through positive engagement with the applicant before 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: 16:December:2013

Map Sheet No

Application No.
CB/13/03560/RM

Scale: 1:2000

Land south of Potton Road, Biggleswade

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Item No. 10

APPLICATION NUMBER	CB/13/03560/RM
LOCATION	Land South Of, Potton Road, Biggleswade
PROPOSAL	Reserved Matters: Change to Approval CB/11/02327/RM dated 19/10/2011 relating to Blocks 25, 26, 29, 34 and 36 of development south of Potton Road, Biggleswade - Replacement of 8no. Affordable Flats (Plots 153-160) in Block 36 with 4no. Houses (Plots 153-156) resulting in a reduction in dwelling numbers from 103 dwellings to 99 dwellings
PARISH	Biggleswade
WARD	Biggleswade North
WARD COUNCILLORS	Cllrs Jones & Mrs Lawrence
CASE OFFICER	Nikolas Smith
DATE REGISTERED	14 October 2013
EXPIRY DATE	13 January 2014
APPLICANT	Martin Grant Homes
AGENT	ECE Architecture
REASON FOR COMMITTEE TO DETERMINE	This application is before the committee because it is a major application and the Town Council has objected to it.

RECOMMENDED DECISION	Reserved Matters - Granted
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Summary of recommendation:

The approval of Reserved Matters would meet the objectives of the National Planning Policy Framework (2012), the Council's Core Strategy and Development Management Policies (2009) and the King's Reach Design Code (2008). The scheme would be appropriate in the context of the legal agreement, particularly in respect of affordable housing provision, associated with the site.

Site Location:

Areas 25, 26, 29, 34 and 36 at the Land East of Biggleswade or 'King's Reach' development site (the site is split in to Areas within the adopted Design Code and each set of Areas, when presented as a Reserved Matters application, is treated as a phase).

In 2011, Reserved Matters Consent was granted for 103 dwellings at this phase of the site (11/02327).

The s.106 agreement that accompanies the wider development dictated that 28% of the total number of houses at the site and that at least 25% of the units within each phase will be affordable housing.

Since that application was determined, a deed of variation to the original s106

agreement has established that to provide Affordable Housing at a level in excess of 10% across the site would not be currently viable. This variation applies only to new residential phases and not to those that already have Reserved Matters Consent.

An application for a non-material amendment (13/01031) to reduce the provision of affordable housing at this phase from 27 to 22 was granted in May 2013. Whilst the deed of variation to the s106 did not directly relate to previously consented phases, the Council accepted that its spirit should allow for a provision not below 10% for phases consented but not yet complete in the context of the current viability at the wider site.

A further application for a non-material amendment was approved by the Council (13/02209). This further reduced the affordable housing provision at the phase (Areas 25, 26, 29, 34 and 36) to 14 units (14%). This was felt to be non-material because it did not result in the total provision of affordable housing at the phase falling below 10% (the provision set out for new phases within the deed of variation to the s106).

The Application:

This application is made for the approval of the appearance, landscaping, layout and scale for four units within Areas 25, 26, 29, 34 and 36 pursuant to Outline permission reference 03/01205. Reserved Matters approval has been granted previously for development within this phase (11/02307). This proposal would result in the following changes to that approved phase of the wider development:

- The total number of units would reduce from 103 to 99 (a reduction of 4).
- The total affordable housing provision would reduce from 14 units (14%) to 6 units (9%).
- A block of 8 flats in the North East corner of the phase (known as Plots 153-160 when approved) would be replaced by four semi-detached houses (Plots 153-155).

Relevant Policies:

National Planning Policy Framework (2012)

Core Strategy and Development Management Policies (2009)

DM3 High Quality Development
CS7 Affordable Housing

King's Reach Biggleswade – Design Code (2008)

Planning History:

MB/03/01205/OUT Residential development of approximately 1450 dwellings, construction of Eastern relief road, Local Centre, primary school, public open space, structural landscaping, infrastructure including surface water balancing facilities and associated works. Demolition of 128 Potton Road to facilitate vehicular access. (All matters reserved except means of

access)

Approved: 2006

MB/11/02327/RM

Reserved Matters: Blocks 25, 26, 29, 34 and 36 of development south of Potton Road, Biggleswade consisting of residential development for 103 new dwellings and associated areas (pursuant to outline planning approval MB/03/01205/OUT dated 13 November 2006)

Approved: 2011

CB/12/1179/NMA

Non-Material Amendment: Reserved matters : Blocks 25,26,29,34 & 36 of Development South of potton Road, Biggleswade consisting of residential development for 103 new dwellings and associated areas (Pursuant to Outline Approval MB/03/01205/OUT Dated 13/11/2006. Amendment sought to reduce the affordable dwellings by 15 units to give a revised total of 27 affordable units. Plots 107-112 and 128-136 inclusive are amended to private market units.

Approved: 2012

CB/13/1031/NMA

Non Material Amendment; to planning permission CB/11/02327/RM change of affordable dwellings from 27 to 22 with 5 dwellings Plots 97,98,99,100 and 101 in block 29 changed to open market. Plot 97 house type HA3W(i)p25 (formerly HA3W(i)) and Plot 101 house type HA3W(ii)P29 (formerly HA3W(ii)) window added to first floor front, window removed on rear ground floor and stone cills added to windows on side and rear elevation. Plots 98 & 100 house types HAP26 (formerly HA2) stone cills added to windows to the rear and side elevations. Plot 99 house type HA4(ii)P29 (formerly HA4L(ii)) windows added to ground floor side and first floor rear elevations. Stone cills added to windows on side and rear elevation and increase to width of first floor link over drive through.

Approved: May 2013

CB/13/02209/NMA

Non Material Amendment: to planning permission CB/11/02327/RM changes to plots 175-182 from affordable units to open market. There would be 14 units (and 14%) affordable units at the site. Plots 176,177 and 178 changes to windows. Plot 179 changes to windows and stone cills. Plot 175 changes to windows.

Approved: July 2013

Representations:

Biggleswade Town
Council

Objection to the reduction in affordable housing, which is
desperately needed in Biggleswade.

Determining Issues:

The considerations in the determination of this application are:

1. The provision of affordable housing at the phase and the site
2. Design, layout and compliance with the Design Code in general

1. The provision of affordable housing at the phase and the site

The Council has acknowledged that to provide affordable housing at the site in excess of 10% would currently not be viable.

The 2012 deed of variation to the original s106 agreement formalises this acknowledgement and accommodates the provision of less than 10% affordable housing at a phase where it can demonstrated that enough units to accommodate such under provision have been provided at a different phase at the development, the objective being that at least 10% of the units across the site are affordable.

Here, the applicant has demonstrated that at the phase made up of Blocks 15 and 16 (11/0142), where 122 units have been consented, 34 units (28%) of affordable housing have been provided.

Such provision accommodates the 10% (13 units) required for that phase with a surplus of 21 units.

9 units of that surplus have been off-set against an under provision of affordable housing at Areas 19, 20 and 21 (originally consented under reference 09/0247 and then amended under reference 13/02900). As such, a surplus of 12 units remains.

The number of units built at this site would be reduced from 103 to 99. As such, the affordable housing requirement would be 10 units. 6 units would continue to be provided at the phase. There would be a shortfall of 4 units at this phase.

The 4 units required by this phase would be offset, leaving a surplus of 8 units at Blocks 15 and 16. The arrangement and tenure mix at Blocks 15 and 16 is as consented and so would be acceptable.

Granting planning permission would reflect the current viability situation at the site and would respect the arrangements in place to respond to that.

Biggleswade Town Council has objected, dissatisfied by less affordable housing being provided at the site than had originally been envisaged. The Council shares this disappointment but has adjusted the affordable housing requirement in response to a robust demonstration of the development's viability and in line with government guidance advising Planning Authorities to assist development to come forward. The deed of variation to the s106 includes a review period so

that after two years, if viability has improved, this will be reflected in the amount of affordable housing being provided at the site.

2. Design, layout and compliance with the Design Code in general

The removal of 8 flats and their replacement with 4 semi-detached houses at this Phase of the development would result in a different, but acceptable layout at this part of the phase. The design of the houses, the provision of car parking and garden space and the density of the phase overall would be in general conformity with the Design Code.

Conditions attached to the original grant of Reserved Matters approval for this phase would be adjusted and repeated, where appropriate and necessary.

Recommendation:

Approval subject to conditions.

- 1 **No development shall commence on Plots 153-156 (inclusive) before a scheme detailing the materials and boundary treatment in respect of those residential plots has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with those details.**

Reason: To ensure high quality development and for the avoidance of doubt.

- 2 **No development shall commence on Plots 153-156 (inclusive) until the detailed plans and sections of the proposed road(s), including gradients and methods of surface water disposal relevant to those Plots have been approved in writing by the Local Planning Authority. None of those Plots shall be occupied until the relevant section of road which provides access thereto has been constructed (apart from final surfacing) solely in accordance with the approved details.**

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

- 3 **No development shall commence on Plots 153-156 (inclusive) until a scheme for the parking of cycles for those Plots (and access thereto) has been submitted to and approved in writing by the Local Planning Authority. The details shall be wholly implemented before any of those Plots 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 and in the interests of encouraging the use of sustainable modes of transport.

- 5 Before any of the accesses to the dwellings are 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

along from the back edge of the footway into the site along the centre line of the anticipated vehicle path. The vision splay so described shall be maintained free of any obstruction exceeding a height of 600mm above the adjoining footway level in perpetuity.

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.

- 7 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.

- 9 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers [5619 001 rev L, 5619 LOC, 5619 050, 5619 051, 5619 052 and 5619 053].

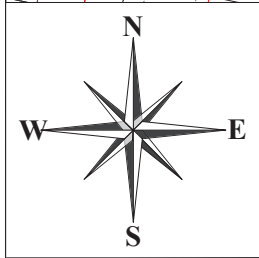
Reason: For the avoidance of doubt.

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

Approval of reserved matters 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: 16:December:2013
 Map Sheet No

Application No.
 CB/13/03594/FULL

Scale: 1:1250

25 High Road, Shilington, SG5 3LL

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Item No. 11

APPLICATION NUMBER	CB/13/03594/FULL
LOCATION	25 High Road, Shillington, Hitchin, SG5 3LL
PROPOSAL	Change of Use: Residential to Office & Storage ancillary to garage use of the site
PARISH	Shillington
WARD	Silsoe & Shillington
WARD COUNCILLORS	Cllr Ms Graham
CASE OFFICER	Lauren Westley
DATE REGISTERED	11 November 2013
EXPIRY DATE	06 January 2014
APPLICANT	F. C. Dawes & Son Ltd
AGENT	
REASON FOR COMMITTEE TO DETERMINE	Applicant is related to a member of staff
RECOMMENDED DECISION	Full Application - Approval Recommended

Summary of Recommendation:

The proposal is for the change of use of a residential dwelling to a use as ancillary office and storage space for the existing commercial use of the site. The proposal will allow the continued growth of an existing garage within the settlement envelope, will not have detrimental impact on the character or appearance of the area, will not result in harm to the amenities of surrounding properties and will not have an impact on the local road network. It is therefore considered that the proposal is in accordance with the National Planning Policy Framework and policies CS11, DM4 and DM13 of the Core Strategy and Development Management Policies.

Site Location:

The application site is located on the eastern side of High Road, opposite the junction with Preslent Close, within the Settlement Envelope of Shillington. The site is occupied by a collection of buildings currently in use as a garage known as F.C. Dawes & Sons Ltd and for car sales known as John Cox Car & Commercials.

The Application:

The application seeks full planning permission to change the use of a two storey, semi-detached dwelling into an ancillary office and storage space for use by the garage. No external changes are proposed to the building.

Relevant Policies:

National Planning Policy Framework

3 - Supporting a prosperous rural economy

12 - Conserving and Enhancing the historic environment

Core Strategy and Development Management Policies - North 2009

CS11 - Rural Economy and Tourism

DM 4 - Development Within and Beyond Settlement Envelopes

DM13 - Heritage in Development

Supplementary Planning Guidance

Central Bedfordshire Local Transport Plan: Appendix F Parking Strategy

(endorsed as interim technical guidance for Development Management purposes 2.10.12)

Planning History:

MB/94/00693/FA Change of use from highway verge to form part of garage forecourt.

GRANTED: 19.07.1994

MB/83/0384B/FA Re-development of existing storage facilities.

GRANTED: 18.12.1984

Representations:

Shillington Parish Council Support proposal.

Shillington Village Design Association No objection to proposal.

Neighbours No response received

Consultations/Publicity responses:

CBC Conservation Officer No objection to proposal.

CBC Highways Officer No objection to proposal.

Determining Issues

The main considerations of the application are;

1. Principle of Development
2. Impact on character, appearance and streetscene
3. Impact on neighbouring amenity
4. Highway access and parking

Considerations

1. Principle of development

The application site is a developed site within the settlement envelopment, occupied by a number of buildings in commercial use for a garage and car sales. The building subject to this application is the only residential use on the site and is located centrally in the middle of the site. The NPPF states that local policies should support the sustainable growth and expansion of all types of business and enterprise in rural areas, though the conversion of existing buildings. Policy CS11 states that the Council will seek to support the rural economy by safeguarding rural employment sites and supporting the conversion of redundant properties to commercial uses.

Regard also needs to be given to the loss of the residential property. It is sited within a commercial site, with no designated amenity space for occupiers. It is therefore not considered to offer a high quality of accommodation and its loss would not be contentious.

As such, it is considered that the principle of the change of the use of the building from residential to an ancillary office and storage space for the existing commercial use of the site is supported in principle by the NPPF and adopted local policy CS11 of the Core Strategy and Development Management Policies.

2. Impact on character, appearance and streetscene

The building is an original mid-late Victorian, double fronted house and is of pleasing simple design. No changes to the external appearance of the existing building are proposed and as such the change of use is considered to have little impact on the character and appearance of the dwelling house, streetscene and adjacent Shillington Conservation Area.

3. Impact on neighbouring amenity

The building is located centrally within the site and is therefore some distance from any surrounding residential properties. There are no external changes proposed so no impact on overlooking or light is expected. With regards to noise and disturbance, the building will be used for office and storage purposes which by their nature are not expected to result in an increase in noise and disturbance over and above the garage and car sales use of the site. As such the proposal is not expected to have a detrimental impact on neighbouring amenities and as such is in accordance with policy DM3 of the Core Strategy and Development Management Policies.

4. Highway access and parking

The application proposes the change of use of the residential dwelling unit within the garage/service station site to provide office, storage and welfare facilities ancillary to the main use of the site.

No changes are proposed to the existing means of access to the highway and the proposal does not impact upon the existing on-site parking facilities.

The proposed change of use is unlikely to have an adverse impact on the local road network.

As such, the proposed change of use is considered to be acceptable in highway and parking terms and is in accordance with the supplementary planning

guidance and policy DM3 of the Core Strategy and Development Management Policies.

Human Rights Act

Based on the information submitted there are no known issues raised in the context of the Human Rights Act, and as such there would not be any relevant implications.

Equality Act

Based on the information submitted there are no known issues raised in the context of the Equality Act, and as such there would not be any relevant implications.

Recommendation

That Planning Permission be GRANTED subject to the following:

RECOMMENDED CONDITIONS / REASONS

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

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

- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers CBC/001 and CBC/002.

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.

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

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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