

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

**This meeting
may be filmed.***



**Central
Bedfordshire**

please ask for Helen Bell
direct line 0300 300 4040
date 19 March 2015

NOTICE OF MEETING

DEVELOPMENT MANAGEMENT COMMITTEE

Date & Time

Wednesday, 8 April 2015 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), P N Aldis, R D Berry, M C Blair, A D Brown,
Mrs C F Chapman MBE, Mrs S Clark, K M Collins, Ms C Maudlin, T Nicols, I Shingler
and J N Young

[Named Substitutes:

L Birt, Mrs B Coleman, I Dalgarno, R W Johnstone, D Jones and B J Spurr]

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.**

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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 11 March 2015.

(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 Foromal Action Has Been Taken	7 - 14

To consider the report of the Director of Regeneration and Business providing a monthly update of planning enforcement cases where action has been taken covering the North, South and Minerals and Waste.

Planning and Related Applications

To consider the planning applications contained in the following schedules:

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

Item	Subject	Page Nos.
6	<p>Planning Application No. CB/15/00256/FULL</p> <p>Address : Silsoe Church of England VC Lower School, Chestnut Avenue, Silsoe</p> <p>Construction of new 2 form entry lower school, pre school facilities, play areas and car parking.</p> <p>Applicant : Central Bedfordshire Council</p>	15 - 32
7	<p>Planning Application No. CB/14/04865/REG3</p> <p>Address : Roecroft Lower School, Buttercup Road, Stotfold, Hitchin</p> <p>Demolition of existing pre-school structure. Extensions and alterations to existing school building/site to provide 5no. additional classroom, creation of additional car park, revised playground arrangements, works to the fabric of the existing school including conversion of existing courtyard in Dining Area.</p> <p>Applicant : Children's Services, Central Bedfordshire Council</p>	33 - 44
8	<p>Planning Application No. CB/15/00240/OUT</p> <p>Address : Havannah Farm, Sutton Hill, Sutton</p> <p>Outline Application: Re-instate farm house and rebuild as a four bedroom dwelling.</p> <p>Applicant : Mr and Mrs Oakley</p>	45 - 60

9 **Planning Application No. CB/14/04852/FULL** 61 - 76

Address : Tree Tops, Heath Lane, Aspley Heath, Milton Keynes

Erection of detached two storey dwelling with access and garden.

Applicant : Mr Inchbald

10 **Planning Application No. CB/15/00460/FULL** 77 - 84

Address : 312 Manor Road, Woodside, Luton

Proposed car port with pitched roof over existing outbuilding.

Applicant : Mr Stay

11 **Planning Application No. CB/15/00553/FULL** 85 - 92

Address : 101 Stanbridge Road, Leighton Buzzard

Detached garage with storage room over (revised application CB/14/01135/FULL).

Applicant : Mr Ridgway

12 **Site Inspection Appointment(s)**

Under the provisions of the Members Planning Code of Good Practice, Members are requested to note that Site Inspections will be undertaken on 26 May 2015.

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Meeting: Development Management Committee
Date: 08th April 2015
Subject: Planning Enforcement cases where formal action has been taken
Report of: Director of Regeneration and Business
Summary: The report provides a monthly update of planning enforcement cases where formal action has been taken.

Advising Officer: Director of Regeneration and Business
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**

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 April 2015)

ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
1	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	Appeal dismissed	12-Apr-15		Site visit required after 12/04/15 to check compliance.
2	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	Direct action to be taken
3	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 submitted Sept 2013	27-Sep-14	Not complied	Prosecution case being progressed. First court hearing revised to 02/04/15
4	Woodstock Cottage, 44 High Street, Flitton, MK44 5DY	Listed Building Urgent Works Notice - works to Listed Building	04-Feb-14	11-Feb-14	31-Mar-15		31/05/2015	Partial compliance	Confirmation received that re-thatching will be done in May 2015 and so a final extension of time has been given until 31/05/2015.
5	Hawthorns, Leighton Road, Eggington, Leighton Buzzard, LU7 9NE	Enforcement Notice, change of use to a mixed use of agriculture and the sale and storage of motor vehicles	7-Jul-14	8-Aug-14	10-Oct-14	Appeal submitted 7/8/14			Await outcome of appeal
6	Land at 15 St Andrews Close, Slip End, Luton, LU1 4DE	Enforcement notice - unauthorised change of use of dwelling house to four separate self-contained units	29-Oct-14	29-Oct-14	28-May-15	Appeal submitted 01/12/14			Await outcome of appeal
7	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 held on 18/12/14
8	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		Part complied	Awaiting application for the retention of the over flow car parking area for the upper part of the site.

Planning Enforcement formal action (DM Committee 8th April 2015)

ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
9	The Pine Corner, 141 High Street North, Dunstable, LU6 1JW	S215 Notice - untidy land	30-Oct-14	30-Nov-14	30-Jan-15				Development of the site due to start in March 2015. Site review April 2015.
10	Land at Site C, The Stables, Stanbridge Road, Great Billington, Leighton Buzzard, LU7 9JH	Enforcement Notice- Unauthorised creation of new access and erection of gates.	17-Nov-14	15-Dec-14	15-Mar-15 & 15-June-15				Unauthorised access not closed - non compliance. All restoration works require to be completed by 15/06/15
11	Random, Private Road, Barton Le Clay, MK45 4LE	Enforcement Notice - Without planning permission alterations and extensions to create a new dwelling.	16-Aug-13	16-Aug-13	16-Oct-13	Joint Planning & Enforcement Appeal submitted.		Enforcement Appeal quashed.	Enforcement notice appeal considered with planning appeal CB/13/01746 for retrospective permission for the extension works carried out. Notice quashed and planning appeal allowed. CBC successfully challenged reasoning in PINS decision letter. PINS to reconsider the appeals. Await outcome of reconsidered appeals.
12	Milside Nursery, Harling Road, Eaton Bray, Dunstable, LU6 1QZ	Enforcement Notice - change of use to a mixed use for horticulture and a for a ground works contractors business	01-Sep-14	02-Oct-14	02-Jan-15		02-Jun-15		Compliance period extended to enable the site owners to demonstrate that the future use of the site is solely to be a nursery.
13	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			Not complied	Costs of direct action to be obtained, await joint site visit.
14	Land Adjacent to, Magpie Farm, Hill Lane, Upper Caldecote	Breach of Condition Notice - Condition 1 Boundary wall, Condition 2 Septic tank, outflows and soakaways	30-Jan-15	30-Jan-15	01-Mar-15				Site visit has confirmed non compliance. Prosecution action being considered.
15	Land at Motorcycle track, south of, Billington Road, Stanbridge	Breach of Condition Notice - No more than 7 motorcycles shall use the track at anyone time	09-Apr-14	09-Apr-14	09-May-14				Application CB/14/03678/VOC - Granted at Committee 14/01/15. Decision Notice issued 02/02/15. Site to be monitored.

Planning Enforcement formal action (DM Committee 8th April 2015)

ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
16	CB/ENC/13/0336 The Stables, Dunstable Road, Toddington, Dunstable, LU5 6DX	2 Enforcement Notices - Change of use from agriculture to a mixed use of agriculture, residential and retail sales and building works for commercial purposes	11-Jul-14	15-Aug-14	15-Oct-14	Appeals submitted 14/8/14			Appeals the subject of a joint hearing on 24/02/15. Await outcome of appeals.
17	CB/ENC/13/0412 Land at 19a High Street South, Dunstable. LU6 3RZ	Enforcement Notice - Change of use offices to bedsits	20-Jan-14	20-Feb-14	20-Aug-14				Permission for residential use as bedsits approved in November 2014 CB/14/02245/Full. Conditions of approved application being discharged, including archeological survey.
18	CB/ENC/13/0492 Land at Long Lake Meadow, High Road, Seddington, Sandy, SG19 1NU	Enforcement Notice - change of use of the land to a gypsy and traveller site and unauthorised creation of hardstanding	06-Mar-14	06-Apr-13	06-Jun-14	Appeal split decision	05-Nov-14	Not complied	Lawful caravan area for up to 5 caravans defined. Removal of hardstanding area from field to be checked.
19	CB/ENC/13/0596 14 Sutton Avenue, Biggleswade, SG18 0NZ	S215 Notice - untidy front garden	30-Jun-14	29-Jul-14	29-Aug-14			Not complied	Whereabouts of property owner unknown -enquiries continuing.
21	CB/ENC/14/0056 5A - 5B King Street, Houghton Regis, LU5 5DS	Breach of Condition Notice - scheme for the parking of vehicles on the site	13-Mar-15	13-Mar-15	13-Apr-15				Check compliance with submission of parking plan to accord with condition 1 of CB/12/00580 on 13/04/15
22	CB/ENC/14/0166 59 Russell Way, Leighton Buzzard, LU7 3NF	Untidy Land - S215	09-May-14	11-Jun-14	11-Aug-14				Court date moved to 2nd April 2015.
23	CB/ENC/14/0351 105 High Street South, Dunstable, LU6 3SQ	Enforcement Notice - the erection of a second storey rear extension	13-Aug-14	13-Sep-14	13-Dec-14	Appeal submitted 12/09/14			Await outcome of appeal
24	CB/ENC/14/0360 Land at Glebeland, Sharpenhoe Road, Streatley, Luton, LU3 3PS	Tree replacement notice - Felling of a sycamore tree	03-Oct-14	03-Nov-14	03-Mar-15	Appeal submitted 26/11/14			Await outcome of appeal
25	CBC/ENC/14/0372 23 Birds Hill, Heath and Reach, Leighton Buzzard, LU7 0AQ	Untidy Land - S215	19-Feb-15	23-Mar-15	23-May-15				Check compliance 23/05/15

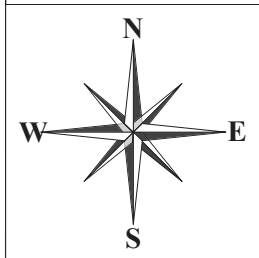
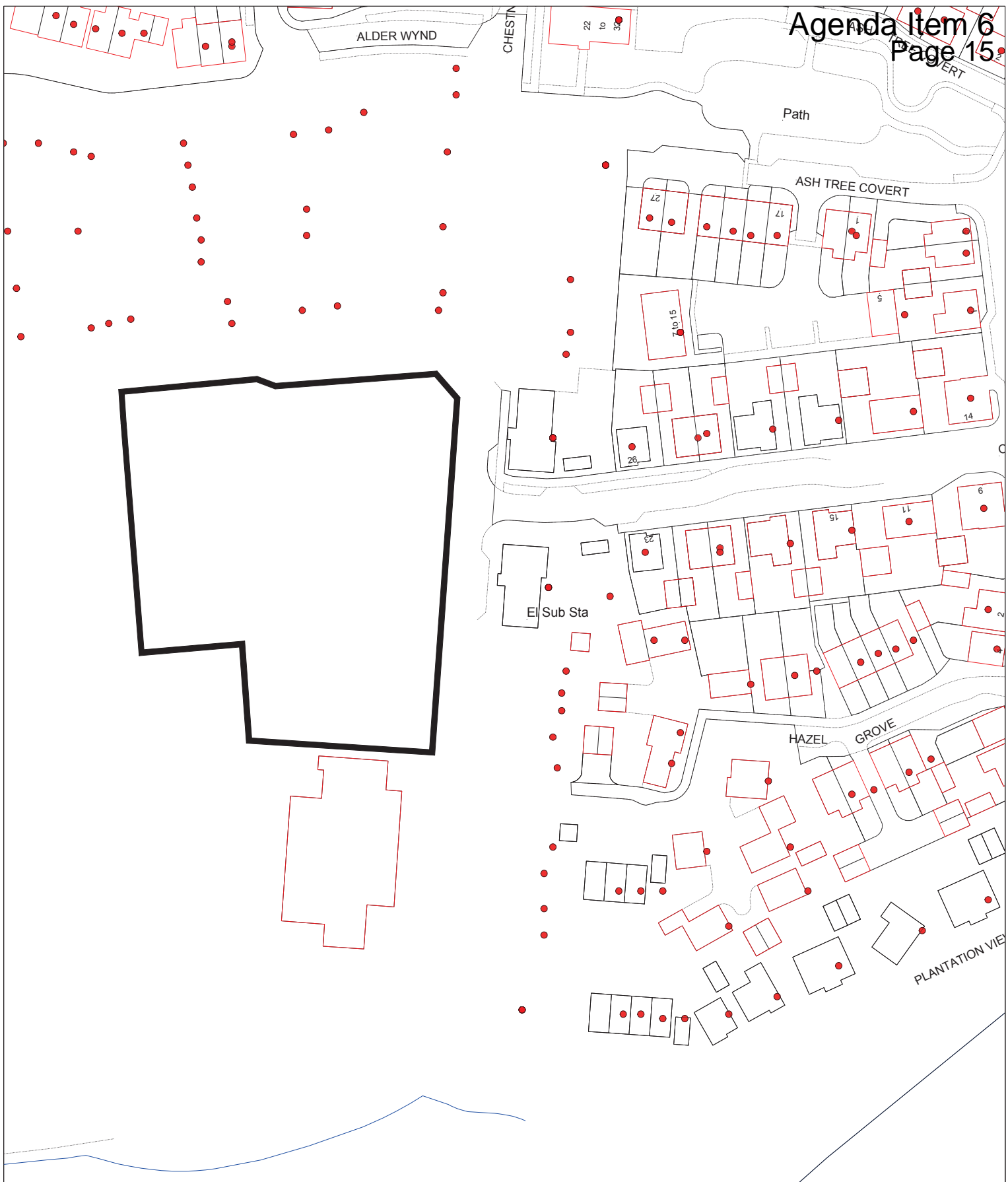
Planning Enforcement formal action (DM Committee 8th April 2015)

ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
26	6 Denbigh Close, Marston Moretaine, Bedford, MK43 0JY	Enforcement Notice - change of use of the Land from a residential dwelling to a mixed use of office and residential	13-Aug-14	12-Sep-14	12-Dec-14	Appeal submitted 11/09 joint appeal with Planning			Await outcome of appeal
27	25 High Street, Sandy, SG19 1AG	Enforcement Notice - the installation of roller shutters	13-Aug-14	12-Sep-14	12-Oct-14	Appeal submitted 11/09 joint appeal with Planning			Retention of roller shutters application CB/14/01750/Full refused. Await outcome of joint appeal.
28	5 Fen End, Stotfold, SG5 4BA	Breach of Condition Notice - Non Compliance with Condition 3 attached to planning application CB/13/02896/Full - noise mitigation scheme	12-Mar-15	12-Mar-15	18-May-15				Check compliance 18/05/15
29	Land at Asda Store, Church Street, Biggleswade, SG18 0JS	Breach of condition notice - Hours of delivery	10-Oct-14	10-Oct-14	10-Nov-14				No further complaints regarding deliveries, notice being complied with at the moment. Notice will remain in force.
30	Land to the rear of, 197 Hitchin Road, Arlesey, SG15 6SE	Breach of Condition Notice - Condition 1 not complied with - attached to planning permission 12/03535- use of land as a caravan site by any persons other than gypsies and travellers.	05-Dec-14	05-Dec-14	05-Jan-15				Notice still in force, no complaints to indicate that the notice has not been complied with. Further visit to be made.
31	Clifton House and outbuildings, Church Street, Clifton, Bedford, SG17 5ET	Repairs Notice - Listed Building in state of disrepair	08-Jan-15	08-Jan-15	08-Mar-15		08/04/2015		At the request of the owners representative, the council has informally agreed to extend the compliance period to 08/04/15. Notification has been received that some works will commence from 18/03/15.
32	6 Bedford Road, Moggerhanger, MK44 3RR	Enforcement Notice - Materials used affecting the appearance of the dwelling	10-Nov-14	10-Dec-14	10-Jan-2015 & 10-Feb-2015	Appeal submitted 03/12/14			Await outcome of appeal.

Planning Enforcement formal action (DM Committee 8th April 2015)

ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
33	The Winston Churchill, Church Street, Dunstable, LU5 4RP	Enforcement Notice - non compliance of condition 5 attached to 13/00090/Full - Windows on the first floor shall be of a fixed type and fitted with obscure glass.	24-Nov-14	24-Dec-14	24-Jan-15				Application in the process of validation - Once validated the Enforcement case will be kept in abeyance pending determination.
34	The Winston Churchill, Church Street, Dunstable, LU5 4RP	Breach of Condition Notice - Breach of condition 3 attached to 13/00090/Full - Extraction of fumes and smells.	24-Nov-14	24-Nov-14	24-Dec-14				Application in the process of validation - Once validated the Enforcement case will be kept in abeyance pending determination.
35	Land at 28 Royce Close, Dunstable, LU6 2NT	Enforcement Notice - Construction of a raised terrace and fence.	10-Nov-14	10-Dec-14	10-Feb-15				LDC application submitted for alterations to decking and fencing - CB/15/00455/LDCE Compliance period and requirements to be reviewed once outcome of LDC is known

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Central Bedfordshire Council
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Date: 20:March:2015
Map Sheet No

Application No.
CB/15/00256/FULL

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Item No. 6

APPLICATION NUMBER	CB/15/00256/FULL
LOCATION	Silsoe Church of England VC Lower School, Chestnut Avenue, Silsoe
PROPOSAL	Construction of new 2 form entry lower school, pre school facilities, play areas and car parking
PARISH	Silsoe
WARD	Silsoe & Shillington
WARD COUNCILLORS	Cllr Ms Graham
CASE OFFICER	Samantha Boyd
DATE REGISTERED	26 January 2015
EXPIRY DATE	27 April 2015
APPLICANT	Central Bedfordshire Council
AGENT	David Turnock Architects
REASON FOR COMMITTEE TO DETERMINE	CBC is applicant - objection to development from Parish Council
RECOMMENDED DECISION	Full Application - Recommended for Approval

Reason for Recommendation

The site of proposed new school building partly falls within site allocation MA9 of the Site Allocations Document for 380 dwellings, community facilities, school, B1 employment uses and a conference centre. The proposal is considered to provide an educational facility to meet the needs of residents and therefore is considered acceptable in principle.

Furthermore, the proposal, by virtue of its siting and scale is considered to be appropriate for this location and provides a level of parking to the Council's standards and therefore accords with Policy DM3 of the Core Strategy and Development Management Policies Document (adopted 2009) and the National Planning Policy Framework (2012).

Site Location:

The application site is in the centre of the new development that once formed the former Cranfield University campus in Barton Road Silsoe. The site is currently being developed with housing, community facilities and a school and is an allocated site with outline and reserved matters planning consents granted over recent years. The part of the site that forms this application is located centrally within the development, adjacent to the new community centre and outdoor sports pitches and located in a prominent corner position, opposite residential properties.

The site is within the Settlement Envelope for Silsoe but outside of the Conservation Area boundary.

The Application:

Planning permission is sought for the erection of a new 2 form entry Lower School to serve Silsoe.

The school has been designed to be constructed in two phases. Phase 1 would have 9 classrooms and an integrated pre-school area. Phase 2 will comprise an additional 2 classrooms. Although consent is sought for both phases, phase two will not form part of the initial construction but will follow at a later date when demand increases.

Externally the building would have a modern appearance comprising a mix of flat roof and mono pitch roofs over single and two storeys with a mix of external materials specified as blue brick, white render and wood panelling.

The car park area is located to the southern side of the school building with access from Chestnut Avenue. 24 spaces are provided for staff and visitors. The school would have shared use of the adjacent MUGA and one of the sports pitches on the playfield to the rear of the school. This arrangement was agreed at Outline stage and is specified in the S106 Agreement. Security fencing is necessary given the use of the building as is proposed as 2.1m palisade fencing along the northern boundary, part of the eastern boundary and internal boundaries. The frontage of the school would remain open with landscaped areas.

RELEVANT POLICIES:

National Planning Policy Framework (2012)

Section 3 - Supporting a prosperous rural economy

Section 4 - Promoting sustainable transport

Section 6: Delivering a wide choice of high quality homes

Section 7: Requiring good design

Section 8: Promoting healthy communities

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

CS1: Development Strategy

CS3: Healthy and Sustainable communities

CS14: High Quality Development

CS18: Biodiversity and Geological conservation

DM3: High Quality Development

DM4: Development Within and Beyond Settlement Envelopes

Supplementary Planning Guidance

Design in Central Bedfordshire: A guide for development

Central Bedfordshire Council's Emerging Development Strategy 2014

Policy 38 Within and beyond settlement boundaries

Policy 43 High quality development

Having regard to the National Planning Policy Framework, limited 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 was submitted to the Secretary of State on 24th October

Supplementary Planning Guidance

Design in Central Bedfordshire (Revised March 2014)

Planning History

MB/08/02402/OUT	Mixed use development including residential, Class B1 Business, Lower School, Community Sports Hall, Outdoor Sports facilities and pitches, open space and means of access.
CB/12/02404/RM	Approved October 2009 Reserved Matters of Appearance, Landscaping, Layout & Scale for development including residential, Class B1 Business, Lower School, Community Sports Hall, outdoor Sports Facilities & Pitches, Open Space & means of access (pursuant to outline planning permission MB/08/02402/OUT dated 08/10/2009) (commercial development only) - Withdrawn
CB/14/03844/RM	Reserved Matters: Revision to plots 13, 15, 16, 17, 20, 22, 27, 28, 76, 81 & 83 of the permitted reserved matters approval CB/11/02639/RM including an additional plot 28A, following outline consent MB/08/02402/OUT dated 08/10/2009 for the Mixed use development including residential, Class B1 Business, Lower School, Community Sports Hall, Outdoor Sports facilities and pitches, Open Space and means of access. Granted 23/12/14
CB/12/00894/RM	Reserved Matters: Appearance, Landscape, layout and scale for community building (pursuant to outline permission MB/08/02402/OUT dated 08.10.2009. Granted 27/4/12
CB/11/02639/RM	Reserved Matters: Erection of 344 dwellings pursuant to outline planning permission MB/08/02402 dated 8 October 2009. Granted
CB/14/02717/Full	Mixed use development including 18 No. residential dwellings on the southern section of the site and 5no. mixed use commercial premises (use classes A1, A2, A3, B1(a)) with

5no.apartments above together with associated parking and access. Granted, subject to completed S106 Agreement.

**Representations:
(Parish & Neighbours)**

Silsoe Parish Council

Object to planning application -

The Parish Council have submitted a lengthy objection to the proposal. Comments are summarised here, however a full copy of the comments will be attached to the Late Sheet.

Design & Access Statement

MUGA will be shared with both facilities - SPC: this is incorrect. the MUGA is part of the Silsoe Community Sports Centre, owned and operated by Silsoe Recreational Trust and as such is hireable space.

Sustainability

The school should demonstrate the building meets or exceeds design calculations (Building Regs Part L2)

Environmental Controls

No mention is made of the environmental control package that will be utilised.

Solar Gain

Southern and western elevation will be subject to high solar gain. How will sunlight effects be mitigated. Consider areas of shade in the play/recreation areas.

External Yard & Recycling Bin Area

Shown on southern elevation. Should be reviewed as location could cause odours from sunlight on food waste containers.

Site Storage

Note there is no storage area for external equipment. Some storage facilities should be provided.

Main entrance

Main entrance seems unnecessarily confined. Space should be increased in size to allow parents to stand in safety.

Transport issues

- Travel plan - Document stated CBC Highways are engaged in a review of infrastructure to develop sustainable and active travel routes to the new school location. The roads have been constructed, and there is no additional land available. The Travel Plan should form part of the planning application as traffic

management is a major issue. Residents need to understand what is proposed. The Travel Plan should not appear secondary to the main decision. Silsoe is a rural area and many parents are employed and the car is the enabler.

- School employee parking - proposal provides 24 spaces in Phase One. This is too few given the school location. 30 vehicles have been present at the existing school.
- Pre-school parking - existing pre-school has an impact on the High Street. Without additional space for parking or set down areas, the pre-school will add to congestion in Chestnut Avenue.

The Parish have suggested the building be re-sited in a westerly direction to allow the design to include on road parking or a set down area to accommodate the needs of parents delivering children by motor vehicle.

- Road safety markings - road safety markings on the south side of Chestnut Avenue will reduce the available on road parking on Chestnut Avenue.
- Event parking - if the school holds event there will need to be space for additional parking. No parking will be available at the Community Sports Centre.
- Perimeter fence - fence abuts the pathway. This will leave little space for pedestrians to pass on the path.
- Waste Management - car park in school will be a secure areas, waste vehicles will not have access therefore waste bins will need to be wheeled to pavement which would obstruct the highway.
- Main staircase - there should be a hand rail on the staircase.

Additional comments on building design - design of school is innovative but coloured rectangular block do not fit in with neighbouring environment. 2m high fence will change the appearance of the building. Site of the School is within the Silsoe Conservation Area.

Additional comments on Accessible Shower and WC.

Neighbours

One letter received - From Parish Councillor: comments summarised

The overall impression is of a light and spacious building, but there are serious issues within regard to infrastructure.

Architects, education authority representatives have not taken on board the traffic movement that will be generated

by the numbers. Aspen Way, Obelisk Way, Chestnut Avenue, Hazel Grove and Plantation View will be a log jam. Planners and CBC have a policy that ignores the harsh reality that parents, staff and visitors generate movements.

Teachers and ancillary staff tend to live away from catchment area and therefore come to work by car. Parents regardless of walk to school initiatives still travel by car. Function evenings will be attended by those travelling by car. There is a shortage of off road parking spaces and barely copes with needs of staff.

At a recent consultation this view was put across to officers. The message did not seem to be registering and no care given as to where parents will park. Their policy would not provide off road parking. Residents who live on the roads will have a different view. The majority of villagers share the same view.

Object to much needed education facility on the grounds of intransigence of officers and a belief in a transport policy that is totally misguided.

Site notices displayed 16/2/15

Application advertised in press 20/2/15

Consultations/Publicity responses

Tree and Landscape Officer No objections to the development. Additional landscape details will be required.

Sport England Thank you for consulting Sport England on the above application.

Sport England does not wish to comment on this particular application.

Travel Plan Coordinator The new school will need to commit to submitting and implementing school travel plan with measures designed to mitigate any expected transport impacts. This travel plan will need to be secured via an appropriate condition.

Beds and River Level Drainage Board We have no comments to make on the application.

Sustainability Officer	The Design and Access Statement suggests that there will be no need for renewable technologies to be installed in order to meet the high energy standards required by the Sustainable Design Brief for Schools 2011, however I would suggest that the final design is PV ready and provides necessary connections for PV panels to be installed at the later date.
Public Protection	No comments to make
Highways	<p>This site has been allocated as a school site as part of the wider residential development of the former Cranfield University campus. As such I confirm that there is no fundamental highway reason why this proposal should not be considered for planning approval.</p> <p>I am aware that there has been concern expressed with regard to parking and accessibility for parents to drive to enable pick up and drop off their children. However the scheme provides for an appropriate level of car-parking for staff and visitors and in accordance with the authorities policies to encourage sustainable transport does not make provision for parent parking at drop off or pick up times. Importantly, the school will provide spaces for local children who will be able to be walked to the school. For the wider village community there are pedestrian linkages from the overall site onto West End Road</p> <p>I note the School Travel Plan officer in the Sustainable Transport Team has been consulted. Whilst their comments are awaited I have included a condition relating to the provision of a Travel Plan should the submission not meet all expectations of the Sustainable Transport Team at this stage.</p> <p>In these circumstances I am content that there is no justifiable highway safety or capacity reason the grant of planning permission should not be considered subject to the recommended conditions and advice notes.</p>

Determining Issues

The main considerations of the application are;

1. The principle of the development
2. The impact on the character and appearance of the area
3. Neighbouring amenity
4. Highway considerations
5. Any other issues
6. Response to Parish Council concerns
7. Conclusion

Considerations

1. The principle of the development

The application site forms part of the wider site allocation MA9 of the Site Allocations DPD for the North for the redevelopment of the former Cranfield University site. Policy MA9 allocated the site for a mixed use development including 380 dwellings, B1 office space and community facilities. In October 2009, Outline consent granted permission for a mixed use development to include residential, Class B1 business, a lower school, a community hall with outdoor sports facilities and pitches, open space and access.

Following the approval of the Reserved Matters a large number of residential properties have been constructed and occupied, and the community building is near completion.

The proposal is for the new lower school which lies on land adjacent to the community centre and outdoor sport pitches. The principle of the school in this location was clearly established under the Outline consent therefore, the principle of the development is considered to be acceptable.

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

The proposed school lies adjacent to the community centre building, separated by the school car park.

The school building is part two and part single storey designed to appear as a modern building with mono pitched and flat rooflines and a mix of external materials.

The wider development has been subject to a Design Code in order to ensure the development reflects the local vernacular. The design of the dwellings on the adjacent development includes a mixed palette of render and brick properties, black weatherboarding and ivory painted brickwork. It is therefore considered that the mixed coloured wood cladding, shown on the artists impression drawings, is out of character with the general surroundings. However the external cladding can be agreed as part of a condition should planning permission be granted.

Bearing in mind the principle of a new school in this location was established under the outline consent, the location of the school is felt to be acceptable. The scale and form of the building is also considered to be acceptable given its location adjacent to the constructed community building which also takes the form of a modern building.

While the proposed 2.1m palisade fencing on the northern and part of the eastern boundary is unfortunate, security is an integral part of providing a safe environment for children. This fencing will be clearly visible within the street scene and to the residential properties opposite the school. However it can be

softened with landscaping which can be secured via a condition.

Concern has been raised regarding the impact the school would have on the surrounding narrow roads given that parents will have no specific parking or drop off zones. This issue will be discussed fully in Section 4 below. However, as noted above the principle of a school in this location has been previously approved, together with the road infrastructure serving the development at Outline stage.

Overall the proposal is considered to be acceptable in terms of its impact upon the character and appearance of the existing development and Silsoe as a whole.

3. Neighbouring amenity

The proposed school would be located on the opposite side of the street to the residential properties. While the school would clearly be visible, given the separation distance and impact in terms of light loss, outlook and loss of privacy is unlikely to be significant.

As with all schools there would be busy times when parents drop off and collect their children and these times would inevitably cause a level of disturbance and congestion within the vicinity. The School Travel Plan seeks to encourage parents to use alternative modes of transport other than the motor car to take children to school, however there can be no doubt that some will always travel by car despite the best efforts of the school to promote different forms of travel.

While there would be some impact on the amenities of the adjacent properties during collection and drop off times, the proposal would not result in significant harm in terms of overlooking, overbearing, loss of light and noise. The proposal is therefore acceptable in accordance with Policy DM3 of the Core Strategy.

4. Highway considerations

Concern has been expressed with regard to parking and accessibility for parents to drive to enable pick up and drop off their children. However the scheme provides for an appropriate level of car-parking for staff and visitors and in accordance with the authorities policies to encourage sustainable transport, does not make provision for parent parking at drop off or pick up times.

Importantly, the school will provide spaces for local children who will be able to be walked to the school. For the wider village community there are pedestrian linkages from the overall site onto West End Road. While it is accepted that there will be parents driving their children to the school, it is unrealistic to expect the school to provide a significant number of parking spaces and/or drop off spaces to accommodate those vehicles. Parking spaces have been provided in accordance with the levels set out in the Design Guide.

As part of the Central Bedfordshire Transport Policy 'drop -off' points were dismissed as a measure which should be included as these areas rarely work in

practice. The Transport Officer has set out reasons why Central Bedfordshire have adopted this policy.

- Parents of lower school pupils prefer to accompany their children into the playground
 - Schools actively encourage parents to come into the playground to see their children into school as this is a particularly valuable time and interactivity opportunity between school staff and parents. This has further pastoral benefits which are essential to the way a good lower school functions.
 - As such a drop-off area for setting down pupils merely functions as a car park for a limited number of parents
 - Drop off lay-bys outside the school grounds often serve as general public parking which further limits any usefulness
 - This has consequential effects such as encouraging parents to arrive earlier in order to compete for an available parking spaces
 - Drop-off areas both inside and outside of school grounds and this type of general encouragement and provision of car travel to schools serve to increase localised congestion a time when there are high levels of pedestrians of a particularly young age in the vicinity. This poses significant risks in terms of the road safety of vulnerable people on the public highway.
 - This type of measure merely serves to advocate car travel for the journey to school. This is contrary to Central Bedfordshire policy and our statutory duty to promote sustainable travel for journeys to, from and between schools (Education Act, 2006)
 - A measure such as this advocates and develops a car culture for the school journey where instead for sustainability, congestion, health, air-quality and road safety reasons encouragement should be given to active and sustainable modes of travelling to school.
-
- Where set-down and pick up areas have been allocated at other schools the poor performance and lack of practicality of these features has lead to the school having to retrospectively manage the car parking on the school site. More often than not this means closing the parking and set down areas to parents and controlling access to the car park. (Case examples: Eaton Bray Academy, Maple Tree Lower, Roecroft Academy, Fairfield Park Lower, St John Rigby Lower)
 - These type of measures are contrary to NHS Bedfordshire's public health messages which seek to encourage active travel in an effort to combat childhood obesity and the related diseases

For these reasons it is recommended that set down and pick up areas are not implemented as a requirement for this application and more generally for all school planning applications in Central Bedfordshire.

Highways Officers have confirmed there is no justifiable highway safety or capacity reason why planning permission should not be granted for the proposal.

5. Any other issues

In terms of landscaping, additional landscaping, particularly along the site boundaries should be sought which can be secured via a condition.

Human Rights/Equalities Act

Based on the information submitted there are no known issues raised in the context of the Human Rights and the Equalities Act and as such there would be no relevant implications.

6. Comments on the Parish Council's concerns

The Parish Council's concerns have been taken on board throughout the assessment on the application. In response to the concerns summarised above, revised plans have been received. Other than small revisions to the building, most the most significant alteration to the proposal is the relocation of the building by 1.5m in a westerly direction to allow space on the frontage of the building for parents to gather away from the public highway. The Parish have been consulted on the revisions and any comments will be reported to Committee on the Late Sheet.

With regard to the other issues raised by the Parish Council, the applicant has made the following comments.

Design and Access Statement: It is noted that the MUGA is not to be owned by the school and use will form a commercial arrangement by the school and the future owners of the MUGA.

Sustainability: The building is designed in accordance with the CBC Sustainability Brief- Section 3 of the D & A Statement confirms the approach taken by the Design Team. The School will of course be provided with the relevant information to properly understand the workings of the building's heating, lighting, etc. so as to minimise energy consumption and operate the building in the most efficient manner. The Parish Council's helpful comments are noted and will be acted upon.

Environmental controls: As above. The control systems will serve to make the building responsive to the children's needs and adjust to the prevailing weather conditions.

Solar gain: The building has been designed to balance the admittance of daylight, so as to avoid the need for artificial lighting for as much of the year as possible, against the summer issues of overheating from solar gain. Analysis has shown that the main area this might be an issue is in the corridor area for Phase 1 and therefore the area of glazing has been reduced on this façade to reduce this effect. The revised elevation drawing as attached indicates this. With regard to the south-facing Year 2 classrooms the Parish Council has perhaps not noted that the external canopy on the south elevation of these rooms will serve to shade the glazing from direct sunlight i.e. this will act as a sunshade to these classrooms.

External yard area: Control of smells from food waste is important but such an

area does need to be close to the kitchen and service access- it is in the most logical position. The School catering staff will manage the disposal of food waste in a way compliant with EHO and good practice requirements as a management issue for the facility.

Site storage: Should external storage associated with maintenance of the external hard and soft landscaped areas be required then we will submit a further planning application if necessary. It is still uncertain how maintenance of the new playing field to the west of the School will be organised and perhaps this might be accommodated in one common store.

Main entrance: Revised plans have been received. The revisions have created an additional paving in a "contained" area adjacent to the bike parking/car parking area. This is where the school think it will work best to avoid congestion at the front door and it serves children leaving/entering school by the access into the playground i.e. the majority of pupils. The location of the building has moved westwards back from Chestnut Avenue by 1.5m

Transport Issues

Travel Plan: As the site layout immediately adjacent to the new school has already been set this provides opportunities to improve routes leading to the site to encourage walking, scootering and cycling to the new school.

A fundamental part of mitigating the impact on the highway network and the site roads on is the development and implementation of the Travel Plan. The travel plan has been discussed as a key point from an early stage in the development of this project and should not be viewed as an after thought.

The schools updated Travel Plan will be available to CBC on 27.3.15

School employee parking: It is fair to say a number of people who park in the High Street are Children's Centre visitors and as such, school staff numbers are not necessarily solely contributing to this '30 count' (the Children's Centre will not be transferring to the new site). The schools will encourage within its Travel Plan alternative measures for staff attendance at the site other than driving.

Pre-school Parking: As part of the development of the new school a School Safety Zone should be created in the area directly adjacent to the pedestrian entrance to the school in what will be the area of most activity and the greatest volume of vulnerable road users. This should include 'School Keep Clear' markings; timed stopping restrictions; and both having associated Traffic Regulation Orders. These should be enforced by either CBC Civil Enforcement Officers and/or the Automatic Number Plate Recognition vehicle. This will need the landowner/developers consent and will need to be negotiated in order for this measure to be possible.

There are very real safety concerns associated with encouraging vehicular movement in the vicinity. Furthermore, providing designated parking or set-down

areas are contradictory to the aims of the school travel plan, CBC policy, and the statutory duty we have under the Education Act (2006) to encourage sustainable travel to schools.

Service Vehicle Access : Wherever possible accommodation should be made within the curtilage of the school site for CBC provided school transport passengers to embark or alight vehicles. Children with disabilities arriving by bus will be able to be dropped in the area for BESD drop off.

With regard to coaches needed for school trips this could be accommodated in the adjacent road network. The arrangements for this should be incorporated into the Travel Plan for the school and a risk assessment undertaken for this type of ad-hoc need.

The BESD drop off will be inside the schools perimeter (within the playground) with safe and secure movement of pupils escorted to their classrooms. This is as the arrangement at the existing site.

On-Road Parking: Providing on-road parking in close proximity to high levels of activity and vulnerable road users is contrary to the approach Central Bedfordshire takes to ensure safety around the school gate. A School Safety Zone approach should be implemented as it has at other school locations as a means to improving road safety.

Road Safety Markings: Lining and any traffic regulation orders put in place of the vicinity of the school would be done in order to ensure road safety. The availability and provision of parking is of lower importance.

Event Parking: Any travel or transport needs that come of any events planned and will be managed by the school should be included as part of the Travel Plan.

Perimeter Fence: A potential solution to instances of poor parking behaviour could be to consider implementing bollards along this stretch or possibly even parking/waiting restrictions. If this is not within the curtilage of the school site the agreement of the landowner/developer would need to be sought if this was to be implemented prior to adoption of the Highway.

In the first instance it would be prudent for this to be dealt with by the school as part of the actions associated with the Travel Plan if this situation occurs.

Waste management: Rather than clutter the frontage with an additional fenced enclosure for temporary storage of waste bins, waste collection is a simple management issue which will be organised by the School to open the gate at the appropriate time. Waste bins will certainly not be temporarily positioned on the footpath.

Main staircase handrail: Agreed is a good idea and will discuss with Head Teacher.

Conclusion

- The site of proposed new school building partly falls within site allocation MA9 of the Site Allocations Document for 380 dwellings, community facilities, school, B1 employment uses and a conference centre. The proposal is considered to provide an educational facility to meet the needs of residents and therefore is considered acceptable in principle.
- 8.

Furthermore, the proposal, by virtue of its siting and scale is considered to be appropriate for this location and provides a level of parking to the Council's standards and therefore accords with Policy DM3 of the Core Strategy and Development Management Policies Document (adopted 2009) and the National Planning Policy Framework (2012).

Recommendation

That planning permission be granted subject to the following conditions:

RECOMMENDED CONDITIONS / REASONS

- 1 The development hereby permitted 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 the premises are occupied all on site vehicular areas shall be surfaced and drained in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking and manoeuvring of vehicles within the site.

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

- 3 Prior to the opening of the school hereby approved, a School Travel Plan shall be prepared and submitted to the Local Planning Authority for approval. The plan shall contain details of:

- the establishment of a working group involving the school, parents and representatives of the local community
- pupil/staff travel patterns and barriers to the use of sustainable travel
- measures to reduce car use
- an action plan detailing targets and a timetable for implementing appropriate measures and plans for annual monitoring and review for 5 years.

There shall be an annual review of the Travel Plan (for a period of 5 years from the date of approval of the Plan) to monitor progress in meeting the targets for reducing car journeys generated by the proposal.

Reason: In the interest of pupil safety, to reduce congestion and to promote the use of sustainable modes of transport.

- 4 **No development shall take place, notwithstanding the details submitted with the application, until details of the materials to be used for the external walls and roofs of the development hereby approved have been 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 building in the interests of the visual amenities of the locality.

- 5 **No development shall take place until a landscaping scheme to include all hard and soft landscaping, particularly along the northern and eastern boundaries of the site, and a scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.**

Reason: To ensure an acceptable standard of landscaping.

- 6 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers AK0101_P02, AK0601_P01, AK0401_P01, AK0802_P01, AK0202_P04, AK0201_P05, AK0801_P01, AP0211_A, AP0810_A, AP0811_A, AO0210_A, AP0102_A.

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

Notes to Applicant

1. 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.

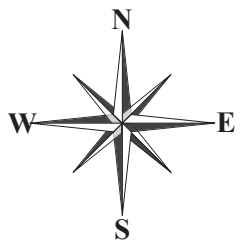
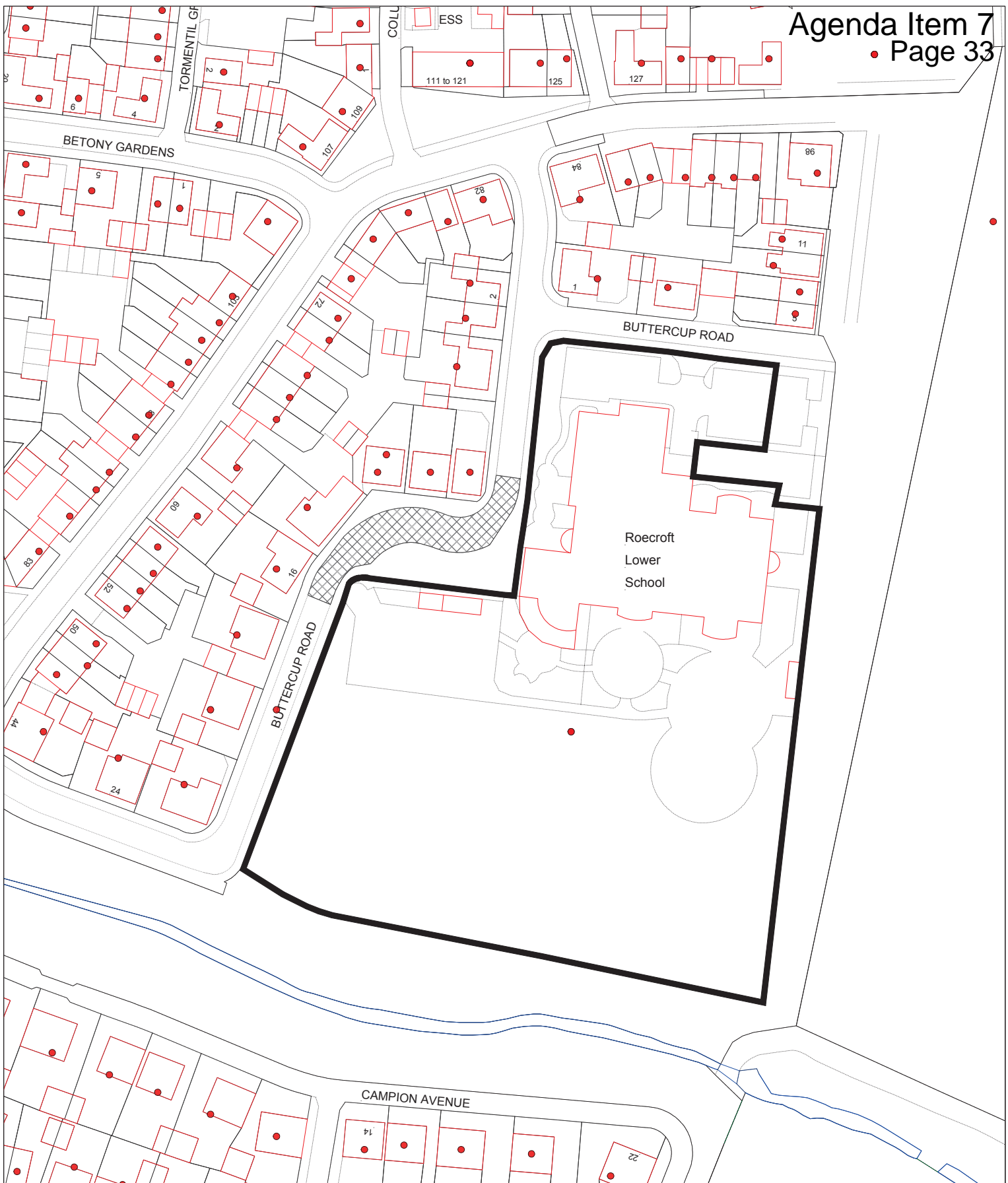
2 In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the reason for any condition above relates to the Policies as referred to in the adopted Core Strategy and Development Management Policies Document (North) and the emerging Development Strategy for Central Bedfordshire.

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

Approval of planning permission is recommended 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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Date: 20:March:2015

Map Sheet No

Application No.
CB/14/04865/REG3

Scale: 1:1250

Roecroft Lower School, Buttercup Road, Stotfold, Hitchin, SG5 4PF

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Item No. 7

APPLICATION NUMBER CB/14/04865/REG3
LOCATION Roecroft Lower School, Buttercup Road, Stotfold, Hitchin, SG5 4PF
PROPOSAL Demolition of existing pre-school structure. Extensions and alterations to existing school building/site to provide 5no. additional class bases, extension to existing classroom, creation of additional car park, revised playground arrangements, works to the fabric of the existing school including conversion of existing courtyard in Dining Area.
PARISH Stotfold
WARD Stotfold & Langford
WARD COUNCILLORS Cllrs Clarke, Saunders & Saunders
CASE OFFICER Alex Harrison
DATE REGISTERED 15 December 2014
EXPIRY DATE 09 February 2015
APPLICANT Children's Services, Central Bedfordshire Council
AGENT David Turnock Architects
REASON FOR COMMITTEE TO DETERMINE CBC application with two objections that cannot be addressed by conditions.

RECOMMENDED DECISION Full Application - Approval

Reasons for recommendation:

The proposed extension to the school will allow for the accommodation of expected growth in the catchment area. The design is such that the two storey extension in place of the existing pre-school building would sit comfortably in the context of the principal school building. The conversion of the existing detached building and provision of entrance porch have a negligible impact on the character of the area. Concerns over the impact from traffic and parking are noted and are considered to be addressed through the scheme providing a new 12 space car park and a proposed condition requiring a revised travel plan to be approved and reviewed. As a result the proposal is considered to adhere to the requirements of policies CS3, CS14, DM3, DM4 and DM9 of the Core Strategy and Management Policies, November 2009; National Planning Policy Framework (March 2012). It is also considered acceptable in light of the technical guidance within the Central Bedfordshire Design Guide 2014.

Site Location:

The application site is a school site located on the south side of Buttercup Road, within a larger residential development that lies to the south side of Stotfold. The wider area was a designated an allocated residential site. To the north, south and west of the site are existing residential properties. To the east of the site is a large open field.

The site is occupied by Roecroft Lower School, which currently has 289 children between the ages of 4-9. There was an independently run nursery unit (run by Pippin Pre-School) within the school which is to be relocated to a nearby purpose built building. The existing main school building was constructed 3 years ago. Planning permission was granted in 2014 (CB/14/02925/REG3) for a two storey building at the southern extent of the site to accommodate a relocated nursery unit.

Access to the site is from Buttercup Road, with the existing parking access to the north end of the site and the pedestrian access on the western side.

The Application:

The application seeks planning permission for the demolition of the existing pre school building and the extension and alteration for the exiting school to provide 5 additional classrooms, and enlarged classroom, an additional car park, revised playground arrangements new entrance porch and alterations to cover an existing courtyard to create a dining area. Adaptations are also proposed to an existing detached building within the site to provide toilet facilities.

The extension will allow for the expansion of the school to accommodate the levels of growth in the area. The works are required to expand the school to a 450 place Lower School by September 2016 and are to include the areas of expansion shown on the Accommodation Schedule, which includes consideration of expansion to the existing Dining Hall.

The principal part of the scheme is a two storey extension to replace the single storey structure. It has been designed to reflect the character of the school and provides teaching and staff facilities over two floors with balcony area associated with some classrooms. The single storey porch extension would sit under an existing canopy structure. The proposed car park utilises an existing access and formalises it as an area, providing 12 additional spaces.

RELEVANT POLICIES:

National Planning Policy Framework (March 2012)

Core Strategy and Development Management Policies – North (2009)

Policy CS3 - Healthy and Sustainable Communities

Policy CS14 - High Quality Development

Policy DM3 - High Quality Development

Policy DM4 - Development Within and Beyond Settlement Envelopes

Policy DM9 - Providing a range of transport

Supplementary Planning Guidance

Central Bedfordshire Design Guide (2014)

Planning History

Case Reference	CB/14/02925/REG3
Location	Roecroft Lower School, Buttercup Road, Stotfold
Proposal	Erection of part two storey and part single storey nursery unit

with entrance canopy and outdoor covered area.
Decision Granted
Decision Date 19/09/2014

Case Reference CB/10/02054/NMA
Location School Site, Land South Of Stotfold, Norton Road, Stotfold
Proposal Non Material Amendment: New 300 place lower school and pre-school facility as approved on planning permission CB09/00227/REG3 dated 4 September 2009. Amendments proposed to alter roof ridge height, amendments to windows, omit finished floor level references and amendments to walling, fencing and gates

Decision Non-Material Amendment - Granted
Decision Date 05/07/2010

Case Reference CB/09/00227/REG3
Location School Site, Land South Of Stotfold, Norton Road, Stotfold
Proposal Council 3: New 300 place Lower School and Pre-School facility

Decision Regulation 3 - Granted
Decision Date 04/09/2009

**Representations:
(Parish & Neighbours)**

Stotfold Council Town No objections to the basic principle of the school enlargement, however we wish to make the following comments: the provision of on-site parking for staff will be insufficient with the expansion of pupil and staff numbers, exacerbating existing on-road parking problems. We have received several comments from residents concerned about the current parking issues in this immediate area, and feel that it is essential that the one-way system is installed and parking restrictions instigated and enforced, once the road is adopted.

Neighbours 3 letters received raising the following summarised planning objections:

- Buttercup Road should be a one way street but is being used as two-way and is dangerous for residents. Vehicles block pathways and resident's driveways.
- Increased traffic will increase the danger. The extension is unsuitable as the roads cannot accommodate the additional traffic.
- Travel plan is out of date and contains a number of errors.
- Current school parking is insufficient with staff parking on Buttercup Road.
- Drop-off could be incorporated into the scheme.

Site Notice erected 07.01.2015

Consultations/Publicity responses

Bedfordshire and River Ivel Internal Drainage Board	Please note the Board have no comments to make with regard to the above planning application.
CBC Highway Officer	No comments provided at the time of drafting this report.
CBC Ecologist	No objection to the proposal, however, given the NPPF supports development delivering a net gain for biodiversity I would like the new building to incorporate 2 integral bat boxes high on the southern elevation.
CBC Public Protection	<p>I note that the application is to extend an existing school and that the potentially noisy areas such as play areas and playing fields are generally either retained or enlarged in the same locations as existing. I further note that the relocated pre-school is a separate application.</p> <p>With regard to lighting provision again the applicant intends to retain existing wherever possible and new lighting is proposed to be linked in to the existing timing device. It would be helpful if the applicant could provide additional details regarding the proposed additional lighting and how any light spillage or nuisance is currently/will be controlled.</p> <p>I therefore have no objections to the proposed development.</p>
CBC Education Officer	No comments provided.
CBC Tree and Landscaping Officer	<p>Proposal is for demolition of an existing building with construction of a new one.</p> <p>The site is relatively new and all planting is young and only just established. With the application is a landscape plan that details additional planting to the site as part of this application. This includes new planting of trees and hedgelines around the car park area and some planting around the new extension area.</p> <p>The species, sizes and densities of planting are acceptable.</p>
Sport England	Sport England makes no objection as a statutory consultee to the planning application subject to a planning condition being imposed on any planning permission relating to securing a community use agreement for the playing field as set out in this response.
Sustainable Transport Planner	This school has an existing obligation (via condition) to submit an annual monitoring report for their existing travel plan which was submitted as part of their previous expansion application.

As the conditions of this existing requirement have not been met we have no evidence to demonstrate that the school is managing its existing travel issues to an acceptable level. With that in mind, it is not possible to support the new application from a travel planning perspective until the obligations under the existing travel plan condition is met.

If the new development of the school is approved, a monitoring report for the existing travel plan is needed, as per the original condition. It will also be vital to condition this development to update this travel plan again in light of the new arrangements and for this plan to be submitted and agreed to prior to occupation of the new building.

Determining Issues

The main considerations of the application are;

1. Principle of development
2. Effect on character and appearance of surrounding area
3. Impact on residential amenity of neighbouring properties
4. Parking, access and travel plans
5. Other matters

Considerations

1. Principle of Development

Paragraph 72 of the NPPF states that the National Government places great importance on ensuring that a sufficient choice of school places are available to meet the needs of existing and new communities. It goes on to say that Local Planning Authorities should '*give great weight to the need to create, expand or alter schools*'. Policy CS3 of the Core Strategy and Development Management Policies mirrors this guidance and states that the Council will ensure appropriate infrastructure is provided for communities by supporting in principle the upgrading of education facilities.

Given that the proposal will allow for an improved layout of the lower school and its potential expansion in the future, this is considered to be supported in principle, subject to the detailed design and layout of the scheme which is discussed further below.

2. Impact on character, appearance and streetscene

The proposed building has been designed to reflect the character of the existing school building, adopting a number of design elements that are apparent on the existing building. For example the nature of openings and the inclusion balcony areas matches an existing wing of the school.

As a school site there are a number of views into the site making it a principal feature in the area. The materials proposed will match the existing and would have an acceptable impact in the streetscene. It is slightly unfortunate that the striking character of the existing building, clad in red faced material will be lost however the matching materials cannot be said to change the character to a

detrimental extent. The building as proposed will sit comfortably as an extension to the school and while increasing its prominence does not do so to the extent that it is considered to harm the character of the area.

The works to the single storey detached building will have a negligible impact on the character of the area and the entrance porch extension is located towards the rear which minimises its impact, although the works itself are negligible, providing additional entrance space under an existing canopy area. The proposed additional car park utilises an existing gated entrance with minimal streetscene impacts.

The proposed works are therefore considered to have an acceptable impact on the character and appearance of the area whilst providing a much needed facility for the community.

3. Impact on neighbouring amenity

The school site is an existing establishment and it sits within a predominantly residential area as can be expected. The extension to the building would increase the number of class rooms at the school and therefore increase the number of pupils attending. Consideration is given to the fact that the school use is an existing operation and facility within the community. Therefore any impact on amenity terms likely exists at present. While there is an increase in pupil numbers it is not considered that there would be an increased noise impact in the area that would detrimentally harm the neighbouring residents in this area.

The physical form of the extension will not harm neighbouring amenity in terms of impact on light and shadowing and the proposed car park extension is considered to have a negligible impact at most.

Matters of parking convenience and safety and their relationship with the residential nature of the area are considered below. The proposed works are not considered to result in development that would detrimentally harm neighbouring amenity and are therefore considered acceptable in this respect.

4. Parking, access and travel plans

Buttercup road serves the school as well as a number of residential properties. At the time of determining this application the Town Council have advised that the road is currently subject to temporary signage designating it as a one-way street in an unofficial capacity. Concerns raised from third party letters relate to the impact of pick-up and drop-off times during the day and the impact of staff parking on Buttercup Road throughout the day.

The proposal to provide an additional car park will provide a further 12 parking spaces within the curtilage of the school and therefore seek to address concerns that have been raised over staff parking on Buttercup Road itself. It is considered that the use of this car park by staff would reduce the instances of parking on the street and therefore go some way to easing congestion and parking concerns.

The application was accompanied by a Travel Plan, which is not considered to be acceptable. The travel plan is also the subject of concerns by a number of residents, namely that it is not a complete consideration and contains

discrepancies in parts. There are concerns that the school has not been managing any existing travel issues and it is considered that an acceptable and implemented travel plan is a key element of minimising the impact of traffic in this area. The Sustainable Transport Officer has confirmed that the submission of an acceptable travel plan can be dealt with via condition to address this issue and this is considered reasonable.

The concerns of residents regarding pick-up and drop-off traffic are acknowledged and it emphasises the importance of monitoring a travel plan to achieve less reliance on the car. A revised condition will be proposed here to require approval of a new travel plan accommodating potential capacity from the proposed extension. The Council has the mechanism to consider enforcement action against non-compliance with conditions and therefore if problems persist the matter can be raised and followed up.

5. Other matters

Recreation provision within the school

The proposed classroom extension will sit on a larger footprint than the existing structure to be removed. As a result there will be a loss of playground as a result of the works. The scheme accommodates this by extending another existing playground further towards the allotment area of the site. The proposed additional car park has also resulted in the need to relocate the existing sport pitch to ensure it can be provided. Sport England has raised no objection and the scheme therefore does not compromise the recreation provision at the school.

Sport England have requested a condition be included on the decision notice requiring the school to enter into a community use agreement for the playing field. The application does not include the provision of new playing field areas. The pitch is to be relocated as part of the scheme but within the playing field area set out in the original application for the school in 2009.

It is considered that to introduce such an agreement through the planning system to an established school area would amount to a condition that is not related to the development proposed and is therefore somewhat unreasonable. In any case it is likely that such an agreement is more of a civil matter between the Education Authority and Sport England and is not the type of agreement that should be secured through the planning system. For these two reasons it is considered that such a condition will not be added in this instance.

Bat Boxes

The Ecologist has requests provision be made of two such boxes for the development as a biodiversity enhancement. As an extension to an existing school which already provides playing fields, strategic landscaping and an allotment area it is not considered necessary in this instance for the design of the building to accommodate bat boxes. The proposal will not result in harm to biodiversity and encouraging bats to a school site raises questions over whether or not this would be an appropriate requirement.

Recommendation

That Planning Permission be granted subject to the following:

RECOMMENDED CONDITIONS / REASONS

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

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

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

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match the existing building in the interests of the visual amenities of the locality.
(Policy 43, DSCB)

- 3 The planting and hard and soft landscaping scheme shown on approved Drawing No. 001 dated 10/12/2014 shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season shall mean the period from October to March). The trees, shrubs and grass shall subsequently be maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season with others of a similar size and species.

Reason: To ensure an acceptable standard of landscaping.
(Policies 43 and 58, DSCB)

- 4 The development shall not be occupied or brought into use until the parking scheme shown on Drawing No. 001 has been completed. The scheme shall thereafter be retained for this purpose.

Reason: To ensure provision for car parking clear of the highway.
(Policy 27, DSCB)

- 5 Notwithstanding the details in the application hereby approved, prior to the building hereby approved being brought into use, a new School Travel Plan shall be prepared and submitted to and approved by the Local Planning Authority. The plan shall contain details of:

- the establishment of a working group involving the School, parents and representatives of the local community
- pupil travel patterns and barriers to sustainable travel
- measures to encourage and promote sustainable travel and

transport for journeys to and from school

- an action plan detailing targets and a timetable for implementing appropriate measures and plans for annual monitoring and review

All measures agreed therein shall be undertaken in accordance with the approved plan.

All measures agreed therein shall be undertaken in accordance with the approved plan and there shall be an annual review of the Travel Plan to monitor progress in meeting the targets for reducing car journeys generated by the proposal.

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

- 6 **No development shall take place until details have been submitted to and approved in writing by the Local Planning Authority of the proposed additional lighting to be installed at the site. Details shall include the nature of lighting and luminance levels with detail of. The works shall be carried out in accordance with the approved details and shall thereafter be retained.**

Reason: To ensure the provision of additional lighting is done so without causing harm to neighbouring residential amenity.

- 7 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers AL0101_P01, 001, AK0001_P05, AK0002_P09, AK0003_P09, AK0005_P06, AK0008_P03, 14613cv-02, 14613cv-03 and 9637/E/116 Rev P1.

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

Notes to Applicant

1. 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.
2. It is advised that the applicant uses of the 'iOn Travel' website (www.iontravel.co.uk/centralbedfordshire) to manage their travel plan and implement the actions contained within it. It also benefits applicants by helping them to fulfil their planning conditions through the use of the reporting part of the tool

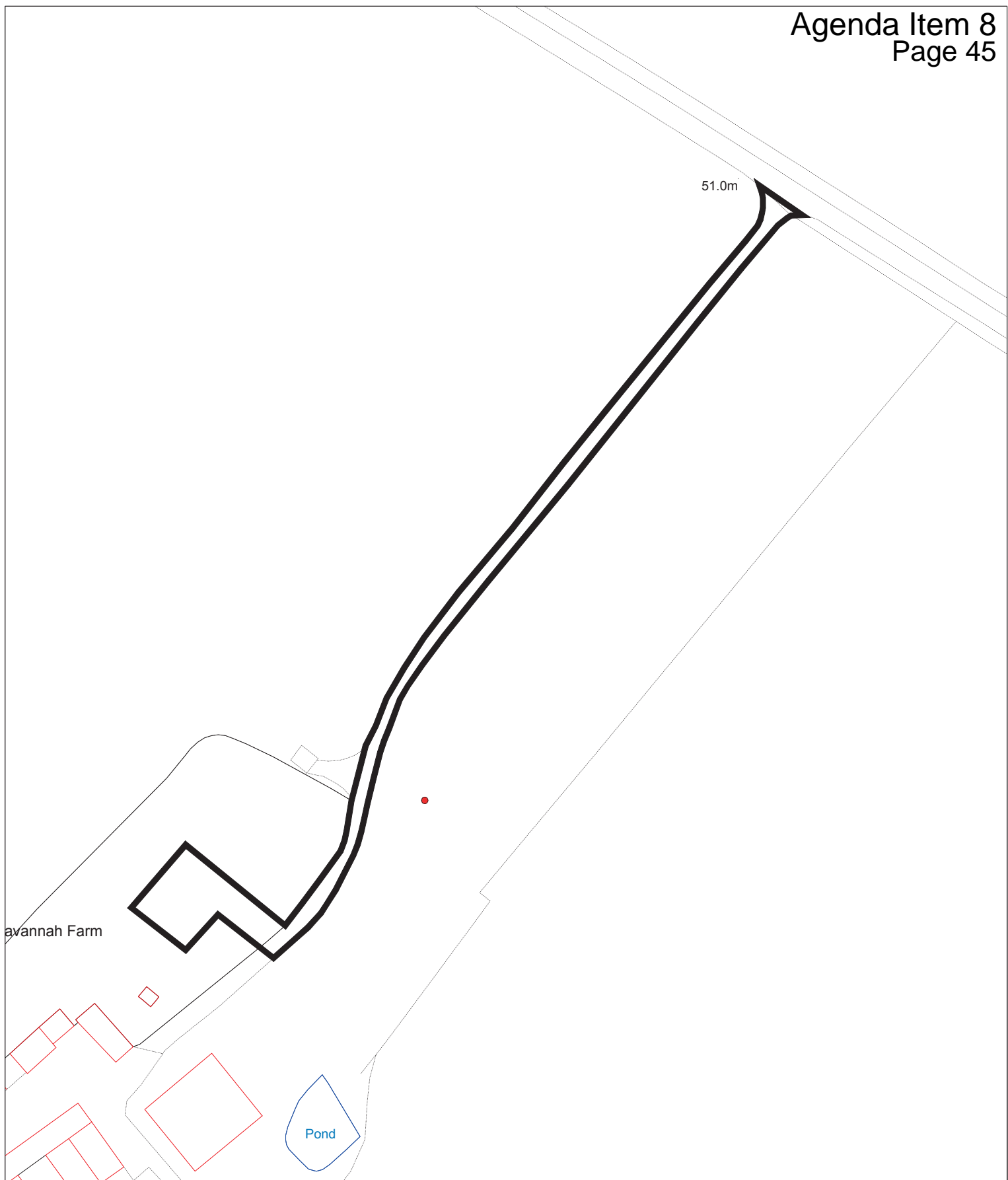
3. The applicant is advised that further information regarding the updating of the School Travel Plan is available from the Sustainable Transport Team, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, Bedfordshire, SG17 5TQ.

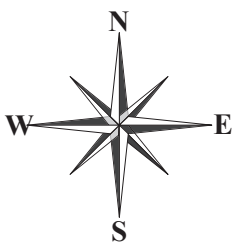
Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

This application has been recommended for approval. Discussion with the applicant to seek an acceptable solution regarding a travel plan and an agreement to require details to be approved by condition was reached. 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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	© Crown Copyright. All rights reserved. Central Bedfordshire Council Licence No. 100049029 (2009)	Application No. CB/15/0240/OUT
	Date: 20:March:2015	
	Map Sheet No	

Scale: 1:1250	Havannah Farm, Sutton Hill, Sutton
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Item No. 8

APPLICATION NUMBER	CB/15/00240/OUT
LOCATION	Havannah Farm, Sutton Hill, Sutton
PROPOSAL	Outline Application: Re-instate farm house and rebuild as a four bedroom dwelling.
PARISH	Sutton
WARD	Potton
WARD COUNCILLORS	Cllrs Mrs Gurney & Zerny
CASE OFFICER	Samantha Boyd
DATE REGISTERED	23 January 2015
EXPIRY DATE	20 March 2015
APPLICANT	Mr & Mrs M & J Oakley
AGENT	M W Easton FIAS (Town Planning)
REASON FOR COMMITTEE TO DETERMINE	Cllr Call In - Cllr Doreen Gurney Reason - Impact on landscape. Replace farm house which was demolished for safety reasons and security of farm buildings from raves/footpath going through farm and when cattle and stock are moved on to site.
RECOMMENDED DECISION	Outline Application - Refusal Recommended

Reason for recommendation:

The site is located outside any settlement envelope and as such lies within the open countryside, wherein there is a general presumption against residential development. The applicant has not demonstrated that there is an essential functional need for accommodation at the site to support a rural worker or that the enterprise is financially capable of supporting a dwelling on the holding. Therefore the construction of a residential dwelling in this location is inappropriate as it would result in an adverse impact upon the character and appearance of the rural area. As such, the proposal is contrary to the National Planning Policy Framework (para 55) and Policy DM4 of the Core Strategy and Development Management Policies, November 2009.

Site Location:

The application site lies to the south of Sutton Road between the villages of Eyeworth and Sutton. The site comprises 6 acres of agricultural land, a collection of traditional barns grouped together around a central courtyard and a separate larger modern grain store building forming a farm complex known as Havannah Farm. The original farmhouse was demolished some 25/30 years ago however the floor slab and foundations remain along with remnants of the decorative floor tiles. The barns have not been used for farming in some time and as a result have deteriorated and have been subjected to vandalism. Access to the barns is via a single width track off Sutton Road.

The application site is in an isolated location within the open countryside.

The Application:

Outline consent is sought for an agricultural workers dwelling house, sited in a similar location to the former farmhouse, with all matters reserved.

RELEVANT POLICIES:

National Planning Policy Framework

Section 55 of the NPPF states that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as -

- the essential need for a rural worker to live permanently at or near their place of work in the countryside.

Central Bedfordshire Council's Emerging Development Strategy 2014

Policy 38 Within and beyond settlement boundaries

Policy 43 High quality development

Policy 54 Rural Workers Dwellings

Having regard to the National Planning Policy Framework, limited 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 was submitted to the Secretary of State on 24th October

Core Strategy and Development Management Policies - North 2009

DM4: Development Within & Beyond the Settlement Envelopes

DM3 & CS14: High Quality Development

Supplementary Planning Guidance

Design in Central Bedfordshire

Planning History

CB/14/00450/OUT Reinstatement farm house as four bedroom dwelling. Withdrawn

Representations: (Parish & Neighbours)

Sutton Parish Council Raise no objections

Neighbours Seven letters received -
Three letters of objection. Comments summarised:

- Concerned the road will not be able to deal with large lorries, road is narrow with hairpin bends.
- Any plans to move right of way should be opposed.
- Heavy farm traffic would degrade road further.
- Verges would be eroded further.
- Happy with house but not farming business.

- Live near site, applicant informed us they had no plans to farm there.
- Applicants do not have an essential need for the purpose of NPPF.
- There is no established farming enterprise at the site.
- Existing farm buildings have been out of use for many years.
- The fact that the applicant's tenancy is to be terminated is irrelevant to this application.
- Question whether 6 acres is sufficient to accommodate existing business.
- potential contamination of site from disused diesel pump.
- Objection to farming operations - noise and smell from large number of birds.
- traffic concerns on narrow country roads.
- barn owl living in the barns on site.
- impact on public right of way.

Letter of support from NFU (National Farmers Union) -

We have reviewed the submitted documents and believe that it meets all the tests required for granting planning permission for a replacement agricultural dwelling on this site.

It is unfortunate the Oakley's are having to give up their existing tenancy and re-locate their operations. Under the circumstances the redevelopment of the site at Havannah Farm appears to be a viable business move that is compliant with the requirements of the NPPF.

Therefore we encourage the council to approve this planning application for a new dwelling to support the continuation of their agricultural enterprise which makes a significant economic contribution to the local community.

Three letters of support. Comments summarised -

- Lovely to bring farm back into use.
- There has been vandalism, raves and car fires on the neglected site.
- Will improve area.
- The Oakley's are considerate neighbours running a clean, tidy and efficient business.

Site Notice displayed 17/02/15
Advert in press 06/02/15

Consultations/Publicity responses

Agricultural Advisor I refer to your letter dated 28th January, 2015 where you

request I undertake a desktop agricultural appraisal of the above re-submitted application. I now comment on this application, and in particular the supporting statement containing Mr. Easton's comments on my letter dated 23rd April, 2014.

1. The application site, known as Havannah Farm, comprises 2.43 hectares (6 acres) of grassland, a fully enclosed modern storage building, a dilapidated range of traditional farm buildings, and the foundations of a previous dwelling which was demolished approximately 25 years ago by a previous owner. The property was purchased by the applicants Mr. & Mrs. Oakley in 2012, i.e. approximately 2 ½ - 3 years ago.

2. The applicants currently rent a 60.7 hectare (150 acre) mainly arable holding known as Dairy Farm, Bygrave Road, Baldock, from Hertfordshire County Council on a 30 year Farm Business Tenancy, which expires on 29th September, 2021 i.e. the Farm Business Tenancy has approximately 6 ½ years left to run. However, the agent is of the opinion that due to the North Hertfordshire District Council's Local Plan Preferred Options (LPPO) Document which has a timescale for approval of the New Local Plan in early 2017. Some or all? of the land comprising Dairy Farm is within site BA1. If the Local Plan is approved in early 2017 i.e. in two years' time, and the land is allocated for residential development etc., it is not stated when that allocation would be implemented or the development of the land commenced. As the applicants' existing Tenancy would in 2017 only have four years left unexpired, development of the farm may not be started until after 2021, or when the existing Tenancy expires.

3. If Hertfordshire County Council regain possession of Dairy Farm to enable the above development to take place, then the 60.7 hectare (150 acre) unit would clearly no longer form part of the applicants' agricultural business.

4. In addition to Dairy Farm, and the application site, the applicants occupy 121 hectares (300 acres) of other land for the production of hay for sale. This grassland is not held on a Secure Tenancy, and possession could be lost at any time and, therefore, as is normal practice with insecure land it should be ignored for the purposes of any agricultural appraisal for a permanent agricultural workers' dwelling as it may not be available in the long-term to sustain the cost of that proposed dwelling.

5. The agent considers that this is an application for a dwelling in relation to the relocation of the business rather

than for a second dwelling on the overall existing holding. If you as the Local Planning Authority are prepared to accept this as a matter of fact, then I consider the agricultural enterprise at the time of the relocation would comprise Havannah Farm (the application site) which comprises 2.43 hectares (6 acres) and therefore the agricultural appraisal and justification for the new dwelling must be assessed on the existing application site known as Havannah Farm alone, as the other secure land (Dairy Farm) will have been surrendered to the landlords or; in 2021 when the Farm Business Tenancy expires it will not be renewed. I have therefore, based this agricultural appraisal on the information supplied concerning the proposed relocation of the existing business to Havannah Farm.

6. The applicants currently operate a small beef enterprise with 10 beef cattle being finished each year, and a small poultry enterprise raising 460 turkeys and 150 cockerels for the Christmas trade. I have assumed (in the absence of any cropping details for Havannah Farm) that the land is currently grassland, and will remain in grass to support the beef enterprise. Clearly if the Farm Business Tenancy of the land at Dairy Farm is surrendered/not renewed, the arable enterprise on the 60.7 hectares (150 acres) of rented land will cease.

7. I calculate using standard manday figures (from recognised sources) that the relocated agricultural enterprise of 10 beef cattle, 610 Christmas poultry, and 2 hectares of grassland on the 2.43 hectare application site of Havannah Farm, would have a standard labour requirement for 0.27 of a full-time person, and would therefore be part-time, and could not pass the essential/functional need test in The Framework or Annex A to PPS7. I still consider the agricultural contracting enterprise (baling and manure spreading) should be ignored for the purposes of this agricultural appraisal as it is work carried out on other holdings, for other farmers, who have or may have dwellings associated with their agricultural enterprises. This is normal practice when assessing the agricultural needs of an enterprise for a permanent agricultural workers' dwelling on a holding, and has been accepted at numerous Planning Appeals. Therefore, the labour required for the contracting business and the income from it should be ignored. I therefore, do not accept Mr. Easton's comments in paragraph 2.2.2 of his supporting statement.

8. I accept that the machinery for the contracting business needs to be securely stored; however, security of machinery has never been a factor for the justification of a permanent agricultural workers' dwelling as

paragraph 6 of Annex A to PPS7 states “The protection of livestock from theft or injury by intruders may contribute on animal welfare grounds to the need for a new agricultural dwelling, although it will not by itself be sufficient to justify one.”

9. The accounts for the existing business including the agricultural contracting have been submitted for the period 1st October, 2010 to 31st December, 2011, 27th October, 2011 to 31st December, 2012 and for the year ended 31st December, 2013. However, these include the agricultural contracting business and are not solely for the agricultural enterprise carried out at Dairy Farm etc. Furthermore they are not and cannot be for the relocated business, as the business has not yet been relocated and the arable part of the business will not be relocated from Dairy Farm. However, I have undertaken a financial test on the current livestock enterprise and I have used the numbers of the existing cattle and poultry enterprises which is the part of the existing business that will form the relocated agricultural enterprise at Havannah Farm and I calculate that the proposed relocated enterprise would be financially unviable, and incapable of sustaining the cost of the proposed dwelling and therefore the proposal is unable to satisfy the sustainability element of The Framework.

10. In paragraph 2.2.9 of Mr. Easton’s supporting statement Mr. Easton presumes wrong. The 0.57 of a full-time person was the total labour requirement for the existing enterprise including the arable enterprise at Dairy Farm, the cattle and the poultry. 0.22 of that 0.57 of a full-time person related solely to the livestock enterprise i.e. the 10 cattle and the Christmas poultry. I accept that if the turkeys are reared from day olds they may be on site for up to 24 weeks. However, as this less than six months of the year it would clearly be unable to pass the essential/functional need test even if there were sufficient birds to require a full-time person to look after them during that 24 weeks. As can be seen from the labour requirement for the proposed relocated enterprise the whole enterprise has a labour requirement for only 0.27 of a full-time person, and this includes the cattle, Christmas poultry and grassland management on 2 hectares.

11. I have not stated that the existing farm is not an established well operated business, from the accounts now provided it clearly is an established well operated business. However, this application is for a new permanent dwelling on what will be the only secure land occupied by the applicants i.e. Havannah Farm comprising 2.43 hectares (6 acres) with a small beef

enterprise of 10 beef cattle and 610 poultry reared for the Christmas trade. This is significantly different to the existing enterprise at Dairy Farm, which includes 60.7 hectares (150 acres) of arable land, and the agricultural contracting business both of which must be ignored for the purposes of this agricultural appraisal.

12. The agent has mentioned on numerous occasions in his supporting statement that I should have visited the site, and the existing business. However, my instructions from the Local Planning Authority were on both occasions to undertake a desktop agricultural appraisal with no instructions to undertake a site visit. This is clearly your choice, as the instructing Authority (my client), and therefore, I have provided two desktop appraisals. Should you wish me to undertake a site visit on this or any other application, I am happy to do so; however, I do not consider a site visit/inspection of this particular site and application would alter my conclusions or advice in this case.

Therefore, In conclusion, I ADVISE that there is no agricultural support for the proposed new permanent farmhouse at Havannah Farm, as the proposed relocated agricultural enterprise at Havannah Farm will be part-time, financially unviable, and unable to comply with the essential/functional need criteria or the sustainability element of The Framework or satisfy the criteria in Annex A to PPS7 for a permanent agricultural workers' dwelling.

Highways

You will be aware from the pre-application consultation CB/13/02089/PAPC and the withdrawn application CB/14/00450, that there are no fundamental highway objections to the principle of an agricultural workers dwelling on this site. This latest proposal does not differ, in a highway context, to the 2014 application and as such my response, repeated below, still applies.

If you are minded to grant this outline application I recommend inclusion of the following conditions and advice note.

Condition. The plans submitted for approval of reserved matters in association with this development shall include the following;

- The existing vehicle crossover reconstructed to the specification of the highway authority.
- The existing driveway reconstructed in a durable

bound material for a distance of 5m measured from the highway boundary.

- Disposal of surface water from the driveway within the site.

Reason: In order to provide an improved vehicle access and 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 avoid the carriage of mud and other

Rights of Way Officer	<p>Sutton Public Footpath No. 7 runs down the main drive/access track and bisects the present farm buildings before running south eastwards to the parish boundary. This public footpath will have to remain unobstructed at all times. Should the applicant be unable to keep the path open at all times, should the house build go ahead, he/she must apply for a Temporary Path Closure at least 6 weeks before the work starts.</p> <p>It may be wise to apply to Countryside Access for a Public Path Diversion of Footpath No. 7 around the Barn and House complex. This diversion will not necessarily be forthcoming but the application will identify any access issues related to the future farming practices as outlined in the Supporting Statement.</p> <p>I have no material objection to the application, however a more accurate plan indication the location of the planned house would be appreciated.</p>
Public Protection	No objection to the application
Rambler Association	Footpath 7 passes through site. We would want footpath to remain on current route.
Internal Drainage Board	No comments to make regarding the application.
Ecology	<p>I made comments on the Pre-app for this proposal number 13/2089 and in this I advised the following;</p> <p><i>I would have no objection to the proposal but would an application to be supported by a habitat survey and a protected species assessment. There appears to be a pond on site and there are records for GCN in the area so if necessary an EPS licence may be required from NE.</i></p> <p>As the current application is supported by neither I am unable to determine the likely impacts on biodiversity and hence would object to the proposal on the basis of insufficient information.</p>

Determining Issues

The main considerations of the application are;

1. The principle of the development
2. The effect upon the character and appearance of the area
3. Neighbouring amenity
4. Highway considerations
5. Any other relevant issues

Considerations

1. The principle of the development

Applications for agricultural workers dwellings in the countryside are currently assessed under Paragraph 55 of the National Planning Policy Framework which advises that isolated homes in the countryside should be avoided unless special circumstances exist such as the need for a rural worker to live permanently at or near their place of work. Prior to the implementation of the NPPF, PPS7 Sustainable Development in Rural Areas was used to assess this type of application along with the guidance notes contained within Annex A. While the guidance in Annex A of PPS 7 is now superseded, its contents remain a useful tool for assessing such applications and is widely used by Planning Authorities and Inspectors alike.

Although limited weight is given to the emerging Draft Development Strategy, Policy 54 relates to rural worker's dwellings and states:

Where there is a clearly established, existing functional need for a rural worker to live permanently at or near their place of work in the countryside, new permanent dwellings will be permitted provided the proposal comply with the following criteria and other relevant plan policies:

- the unit and the agricultural activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound and have a clear prospect of remaining so, and
- the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned.

The preamble to this policy states in paragraph 12.22, If a new dwelling is essential to support a new farming activity, whether on a newly created agricultural unit or an established one, it should, for the first three years, be provided by temporary accommodation such as a caravan.

The applicant currently rents a 150 acre holding of mainly arable land known as Dairy Farm in Baldock from Hertfordshire County Council however the tenancy expires on 29 September 2021. The farm land has been put forward in north Hertfordshire District Council Local Plan for future development; this site allocation encompasses the land within the farm unit. In addition, the applicants farm other land for hay production, close to the application site. The applicants also rear 460 turkeys and 150 cockerels for the Christmas trade and

approximately 10 beef cattle a year.

The proposal is for a new four bedroom dwelling at Havannah Farm. The submitted information states that the proposed dwelling would enable the applicants to relocate their business from Dairy Farm to the application site and the construction of the dwelling would allow them to move their farming activities as soon as possible, none of which can be put in place until the house is ready for occupation.

However the existing tenancy agreement does not expire until September 2021. The applicant states Herts County Council have indicated the approval of their Local Plan could be as soon as 2017 resulting in a shorter time scale than originally predicted.

When and if the business is relocated, the farming enterprise will be significantly different to the current enterprise as the land and buildings at Dairy Farm will no longer be available for use. The application site is very small in comparison to the rented unit (some 150 acres smaller). The existing enterprise is mainly arable with only 10 beef cattle per year and approximately 600 poultry for the Christmas market which would only be on the holding for approximately 12-15 weeks before Christmas.

Paragraph 3 of Annex A to PPS7 sets out five criteria which must be satisfied to justify a new agricultural dwelling on an agricultural holding. While the annex has been superseded by the NPPF, its contents remain a useful tool for assessing such applications and is widely used by Planning Authorities and Inspectors alike.

When assessing an application for an agricultural workers dwelling, the need of the agricultural unit, as it currently operates is a starting point. The personal needs of the applicant should not form part of the consideration of the application.

Paragraphs 3(i) of Annex A to PPS7 states "There is a clearly established existing functional need" -

There is no existing need at Havannah Farm. The few livestock that are kept on the holding are kept at Dairy Farm. Therefore the essential/functional need is currently fulfilled by the existing dwelling on the rented holding in Baldock. If the existing business is surrendered the arable enterprise on the 150 acres will cease the land that forms the holding would be significantly less. The application has to be assessed on the information supplied regarding the existing business at Havannah Farm, where a new a dwelling on the site is being proposed. This criteria has not been satisfied as it has not been demonstrated that there is a existing functional need for a worker to live on site at Havannah Farm.

Paragraph 3(ii) of Annex A to PPS 7 states "The need relates to a full time worker, or one who is primarily employed in agriculture and does not relate to a part-time requirement" - The secure holding and the application site are both part-time with a labour requirement for only 0.57 of a full time person. 0.22 of that 0.57 of a full time person related solely to the livestock enterprise ie: the cattle and the Christmas poultry. However as the Christmas poultry is less than

six months a year, it would not pass the essential/functional need test even if there were sufficient birds for a full time person to look after them for 24 weeks (turkeys are reared from day olds and may be on site for 24 weeks.) On Havannah Farm the labour requirement for the proposed relocation is for only .27 of a full time person and this includes the cattle, Christmas poultry and land management on 2 hectares. As such this criteria has not been satisfied.

Paragraph 3 (iii) of Annex A to PPS7 states "The unit and the agricultural activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so". - The application site was purchased in 2012 and has since been farmed together with the tenanted holding and the other land. The unit at Havannah Farm has clearly not been established for three years. Accounts for Dairy Farm covering the last three years have been submitted with the application. These include agricultural contracting business, and are not solely for the agricultural enterprise carried out at Dairy Farm. The accounts cannot be used for the relocated business as the arable part of the agricultural business will not be relocated from Dairy Farm. The financial test, based on the currently livestock which would be transferred, shows the enterprise would be financially unviable and incapable of sustaining the cost of the proposed four bedroom dwelling and therefore unable to satisfy the sustainability element of the NPPF. Therefore this criteria has not been satisfied.

Paragraph 3 (iv) of Annex A to PPS 7 states "The functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned " - the existing dwelling on the rented holding is currently fulfilling the functional need on the holding and is suitable and available until September 2021. At Havannah Farm, the functional need for a new permanent agricultural workers dwelling at the site has not been demonstrated and no information has been submitted relating to the availability of other accommodation in the area. Criteria (iv) has therefore not been satisfied.

Finally, Paragraph 3 (v) of Annex A to PPS7 states "Other planning requirements, eg: in relation to access and impact on the countryside are satisfied" - these requirements do not affect the agricultural needs of the enterprise and will be considered further in this report.

The existing dwelling at Havannah Farm

There is evidence on the site of the former farmhouse. Only the floor slab of the building remains and is virtually intact although somewhat overgrown with vegetation. The farmhouse itself is believed to have been demolished some 25 to 30 years ago by the previous owner of the holding therefore given this timescale, it is considered that an abandonment of the residential use has occurred.

The courts have held that there are four factors to be taken into account when considering whether abandonment has occurred. These relate to the period of

non-use, the physical condition of the property, any intervening use, and the owner's intention. Where a dwelling has deteriorated to such an extent that it requires major reconstruction, this is sufficient in itself to indicate abandonment, as such the proposal cannot be considered as a replacement dwelling as there is no dwelling to replace.

While it is acknowledged that the applicant is indeed a farmer and has the intention of relocating the existing enterprise to the site subject of this application, the application must be assessed against the current situation. At present there is no essential or functional need for an agricultural worker to live at the site and while the future of the existing enterprise in doubt, North Herts District Council do not have an adopted Local Plan. In any case, as set out by Policy 54, where it can be demonstrated that there is an essential need for an agricultural worker to live on site, the accommodation in the first instance, should be a mobile home and granted for a temporary period only.

While the applicants are farmers elsewhere, they claim the dwelling needs to be ready for occupation before the existing enterprise can be relocated to Havannah Farm. The annex to PPS 7 states that

'Whether this is essential in any particular case will depend on the needs of the enterprise concerned and not on the personal circumstances of any individuals involved'.

The applicant also states that machinery needs to be securely stored which has to be factored in to the necessity for a worker to live at the farm. While this is acknowledged, security of machinery is not a justification for a permanent dwelling to be located on the site.

Concerns have been raised by local neighbours relating to large vehicles degrading the road further and smells from the farming business. The use of the land remains in agricultural use, therefore the applicant can operate the business from the existing agricultural barns without the need for planning permission. The application relates only to the construction of a new dwelling for a worker to live on site.

Based on the above the proposal is not considered to comply with the criteria as set out in Annex A to PPS7 or the special circumstances or sustainability element of the NPPF. The proposal is therefore considered to be unacceptable in principle and contrary to Policy DM4 and the NPPF.

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

The application is submitted in outline with all matters reserved. There are no details submitted that relate to the overall design and scale of the dwelling.

The proposed dwelling would be located in the same or similar location to the former farmhouse. The proposed dwelling would be visible within the open countryside given its isolated location and its position. The land is relatively flat in this area, however there are mature trees and hedgerows surrounding the site location and the dwelling would be set back some distance from the public highway. However the application site is in an isolated rural location where there is a presumption against new development in order to protect the character of the countryside. While there are some circumstances which would outweigh the harm caused by the development, in this case there is no

justification for the construction of a new dwelling in this location. Therefore the proposal is considered to be contrary to Policy DM4 and Policy DM3 as it would result in harm to the character and appearance of the rural area.

3. Neighbouring amenity

Given the isolated location of the application site, there are no neighbouring properties close enough to be affected by the proposal.

4. Highway considerations

There are no fundamental highway objections to the principle of an agricultural workers dwelling on this site subject to the relevant recommended conditions and Reserved Matters application.

5. Any other relevant considerations

Planning Obligation Strategy

On 28 November 2014 changes to the National Planning Practice Guidance were published setting out the Government's position that affordable housing and tariff-style planning obligations should not be sought for certain small developments (10 dwellings or less or 1,000 square metres of gross floorspace). This is a material consideration to be taken into account in decision-making on planning applications.

The weight given to this material consideration will need to be considered on a case-by-case basis and in relation to the weight of the existing Development Plan policies, which remain the starting point for consideration in line with Section 38(6) of the Planning and Compulsory Purchase Act 2004.

In light of this, tariff based contributions are not required for this proposal.

Human Rights/Equality Act 2010

The proposal has been considered against the above Acts and based on the information provided, there are no issues to consider.

There are no further issues.

Recommendation

That Planning Permission be refused for the following reason:

RECOMMENDED CONDITIONS / REASONS

The site is located outside any settlement envelope and as such lies within the open countryside, wherein there is a general presumption against residential development. The applicant has not demonstrated that there is an

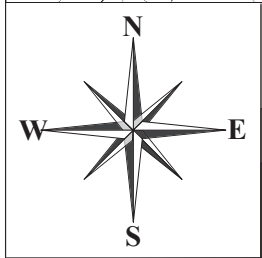
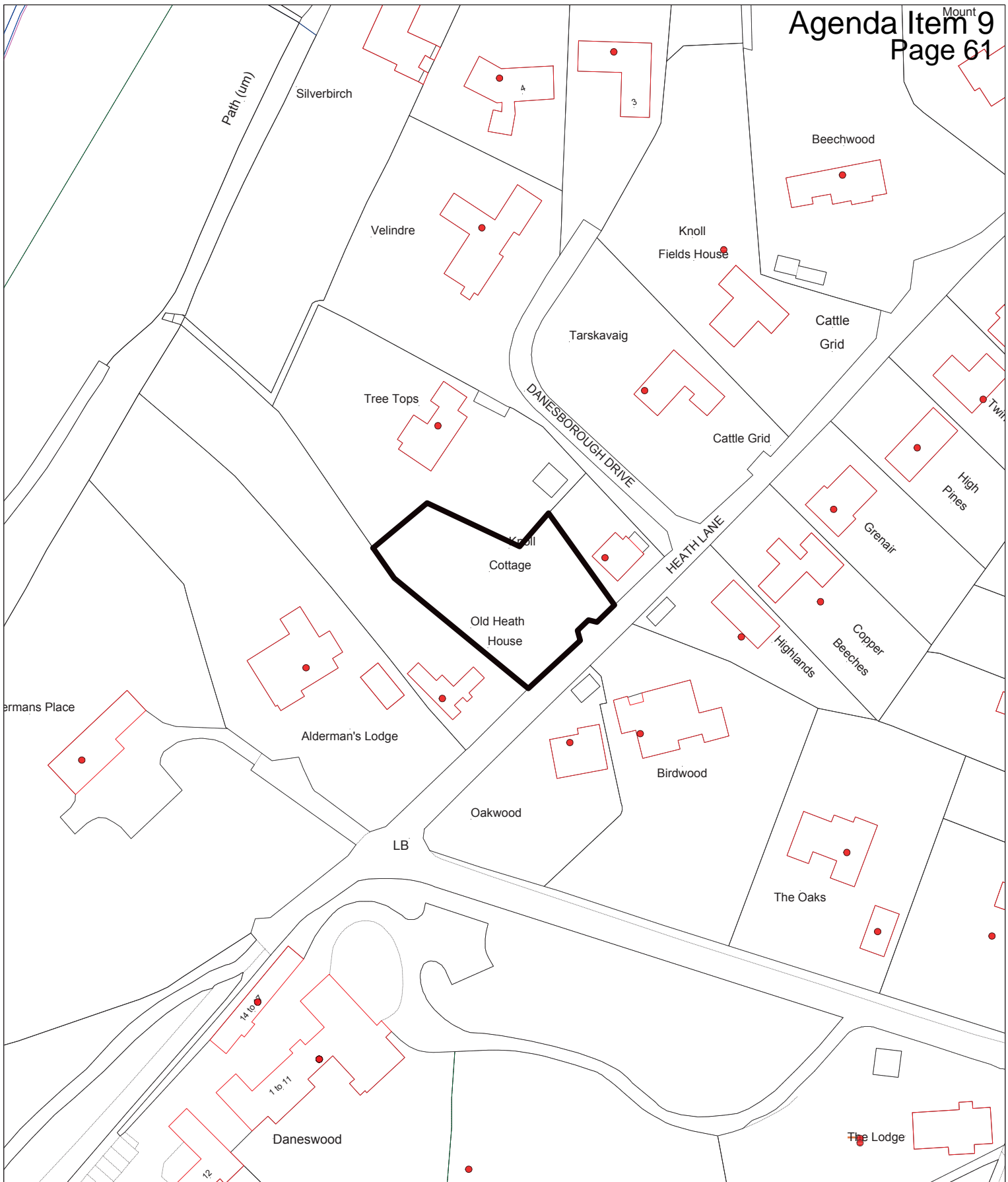
essential functional need for accommodation at the site to support a rural worker or that the enterprise is financially capable of supporting a dwelling on the holding. Therefore the construction of a residential dwelling in this location is inappropriate as it would result in an adverse impact upon the character and appearance of the rural area. As such, the proposal is contrary to the National Planning Policy Framework (para 55) and Policy DM4 of the Core Strategy and Development Management Policies, November 2009.

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

Refusal of this proposal is recommended for the clear reasons set out above. The Council acted pro-actively through positive engagement with the applicant in an attempt to narrow down the reasons for refusal but fundamental objections could not be overcome. The applicant was invited to withdraw the application to seek pre-application advice prior to any re-submission but did not agree to this. The Council has therefore acted pro-actively 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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.....



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 Central Bedfordshire Council
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 Date: 20:March:2015
 Map Sheet No

Application No: CB/14/04852/FULL

Scale: 1:1250

Tree Tops, Heath Lane, Aspley Heath, Milton Keynes, MK17 8TN

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Item No. 9

APPLICATION NUMBER	CB/14/04852/FULL
LOCATION	Tree Tops, Heath Lane, Aspley Heath, Milton Keynes, MK17 8TN
PROPOSAL	Erection of detached two storey dwelling with access and garden.
PARISH	Aspley Heath
WARD	Aspley & Woburn
WARD COUNCILLORS	Cllr Wells
CASE OFFICER	Annabel Robinson
DATE REGISTERED	19 December 2014
EXPIRY DATE	13 February 2015
APPLICANT	Mr Inchbald
AGENT	AKT Planning+Architecture
REASON FOR COMMITTEE TO DETERMINE	Called in by Councillor Wells “ Over development of an existing site, and objects to a decision to approve as infill. Also highway safety grounds, parking on site inadequate space for four cars to turn on site/on Heath Lane.”
RECOMMENDED DECISION	Full Application - Granted

Summary of Representations

The planning application is recommended for approval, the design of the dwelling although stylistically different to the traditional vernacular would be in accordance with Central Bedfordshire Core Strategy and Development Management Policies DM3, CS1, CS2, CS5, DM4, DM13, CS15. It would not have a significant impact upon the residential amenity of any adjacent properties, the significance or the setting of the Aspley Heath Conservation Area and would result in a new development suitable for the location. It is considered that the design is in accordance with the Central Bedfordshire Design Guide and the submitted Development Strategy and National Planning Policy Framework.

Reason for Call in

Called in by Councillor Wells

“Over development of an existing developed site, and objects to a decision to approve as infill. Also highway safety grounds, parking on site inadequate space for four cars to turn on site/on Heath Lane.”

Site Location:

The site is located on the north western side of Heath Lane, which is a private residential road, accessed off Church Road. It is within the Green Belt Infill boundary and in the Aspley Heath Conservation Area. The site is the front garden area of an existing established residential property known as “Tree Tops”. There are mature trees, along the frontage, and the western boundary, shared with Old Heath House.

The site would be accessed by the existing residential access used for Tree Tops
The application site is some 0.12 Hectares.

The Application:

This is a full application and is for the construction of one residential dwelling, and associated amenity areas.

The dwelling would be "L-Shaped" at its maximum dimensions it would measure some 15 metres in depth, by 13 metres in width. There would be a rear garden area of some 520 sqm, and space for 4 cars to park off street. The access would be shared with the dwelling known as Tree Tops.

RELEVANT POLICIES:

National Policy

National Planning Policy Framework (March 2012)

Core Strategy and Development Management Policies - North 2009

- DM3 Amenity
- DM6 Infill Development within the Green Belt Infill boundary
- CS14 High Quality Development
- CS15 Heritage
- DM13 Heritage in Development
- CS1 Development Strategy

Submitted Development Strategy for Central Bedfordshire 2014 (Submitted October 2014)

- Policy 43 High Quality Development
- Policy 45 The Historic Environment.
- Policy 37 Development within Green Belt Infill boundaries.

Having regard to the National Planning Policy Framework, weight is given to the policies contained within the submitted Development Strategy for Central Bedfordshire, which is consistent with the NPPF. The Development Strategy was submitted to the Secretary of State in October 2014.

Supplementary Planning Guidance

Design in Central Bedfordshire A Guide for Development:

- Supp 5: The Historic Environment
- Supp 1: New Residential Development
- Supp 3: Town Centre and Infill Development

Aspley Heath Conservation Area document dated 19/03/2008

Planning History – relevant

Application:	Planning	Number:	MB/92/00430/OA
Validated:	27/03/1992	Type:	Outline Application
Status:	Decided	Date:	23/04/1992
Summary:		Decision:	Outline Application - Refused
Description:	OUTLINE: ONE DWELLING		
Application:	Planning	Number:	MB/81/00180/OA
Validated:	09/04/1981	Type:	Outline Application
Status:	Decided	Date:	04/06/1981
Summary:		Decision:	Outline Application - Refused
Description:	OUTLINE: ERECTION OF ONE DETACHED DWELLING		

**Representations:
(Parish & Neighbours)**

Aspley Heath Parish
Council

- The front garden of Tree Tops is not a vacant plot and therefore the proposed dwelling cannot be considered as infill as defined in DM6
- The proposed division of the garden of Tree Tops into two plots one in front of the other creates inappropriate 'back development'.
- The proposed dwelling is not appropriate in scale or design to its' setting as defined by DM3
- The proposed dwelling does not respect local distinctiveness through design and the use of materials
- Access to the site is inappropriate as it is via a shared single car opening onto Heath Lane.
- It is considered that there is inadequate manoeuvring space as well as parking in front of the property

Neighbours

25 objections received from residents local to the area:

Objections relating to:

- Design Concerns/inappropriate design
- Over Development
- Not Infill Development/Green Belt issues
- Highway issues
- Tree concerns
- Impact upon local infrastructure (schools, doctors etc)
- Impact upon residential amenity (light, privacy, shadow, visual impact)
- Impact upon the Conservation Area
- Loss of garden land
- The previous refusals for a dwelling in this location

1 letter of support:

I live and own a property on church road, and we have planning for our house which we will start this summer. I personally think that re modernising the properties in the area adds value and ensure the area is well maintained and looked after in the future. Therefore, I am all for the Tree Tops application.

App Adv

Representations included in neighbour comment section

Consultations/Publicity responses

Highways Officer

This proposal for a detached dwelling is accessed from a private road over which the highway authorities have no jurisdiction and there will be no impact upon the public highway as a result of increased traffic generation.

In these circumstances the formal response of the highway authority has to be no objection.

Tree Officer

I have examined the documents relating to this application, and have no objections providing it can be confirmed that the existing driveway, serving the property of Tree Tops, is to be retained and not be modified or moved, as this could not be verified on the application plans.

Conservation Officer

Aspley Heath Conservation Area developed from squatter settlements on the Heath from the late 18 century. The area is characterised by cottages and villas of late 19th century date together with more contemporary 20th century houses. Heath Lane comprises of properties of different periods both fronting and set well back from the lane.

The lane has a rural appearance despite being lined with large houses due to its lack of pavements and mature hedging.

Tree Tops is a detached property sitting on large plot of land set well back from Heath Lane.

Pre application advice was given for alterations to the existing dwelling and the erection of a new contemporary dwelling to the front of the plot.

Proposed new dwelling

Siting

The new dwelling will be sited to the front boundary of the existing plot. The existing property Tree Tops sits well back from the lane entered via a long drive. The entrance to the property is flanked by Knoll Cottage to the east and Old Heath House to the west. Both these properties occupy plots fronting the road and therefore a new dwelling in a similar position is considered not to be detrimental or have a negative impact on the conservation area or the setting of a listed building.

Old Heath House abuts the west boundary and any new dwelling should be well set off from this boundary. There are no concerns regarding the proximity to Knoll Cottage as it would be separated by the drive. This drive must be maintained as the entrance to Tree Tops at all times.

The front boundary is currently well screened from Heath Lane and this must be retained as part of any development on this part of the site.

Design

There is already an eclectic mix of style and periods of development in the conservation area. Aspley Heath conservation area is made up of Victorian and Edwardian dwellings as well as contemporary style dwellings. This design is considered acceptable in terms of its impact on the street scene and the character of the conservation area. Any new dwelling should make a positive contribution to the conservation area.

Scale

The proposed new dwelling is a two storey unit which relates well to the street scene. The street scene contains houses of other two storey dwellings and this approach is considered acceptable.

In terms of the amount of built form the amount is considered acceptable. A reduction in the width would be welcomed but is not essential to gain support for the scheme.

Style and materials

The conservation area already contains a variety of styles of architecture developed over a period of time, from Edwardian to contemporary.

Therefore there is no one period or style or palette of materials that is prevalent. The use of render, brickwork and timber cladding is considered an acceptable approach given the design of the dwelling.

The overriding factor when determining this proposal is that the new dwelling should be well designed, relate positively to the existing and neighbouring dwellings and make a positive contribution to the conservation area.

Summary

The artist impression drawings submitted are considered to meet these requirements. Therefore in principle the application for a new dwelling in front of the existing Tree Tops is deemed acceptable subject to further design details, landscaping and high quality materials.

English Heritage

Do not wish to comment on the application

Determining Issues

The main considerations of the application are:

1. Background and Policy
2. Size, Siting and Design in relation to the visual amenities of the site and the area generally
3. Impact on amenities of neighbours
4. Access, Parking
5. Tree considerations
6. Other considerations

Considerations

1. Background and Policy

Background:

The site has been subject of planning applications in the past, planning applications for new dwellings on this site were submitted in 1981, and 1992, both planning applications were refused. At this time there was no Green Belt Infill Boundary, and the site was considered to be washed over by the Green Belt.

With regard to this current planning application design changes have been made, and an additional consultation period was undertaken. Following this consultation, concerns were raised from the Councils tree officer that the plans relating to tree protection and impact were inconsistent. Consequently the application was further amended, the garage removed, and the dwelling relocated further into the site. A full re consultation process was undertaken.

Policy:

The site lies within the Green Belt Infill Boundary of Aspley Heath, Policy DM6 of the Central Bedfordshire Core Strategy policy document states that the principle

of Infill development is acceptable in the defined Green Belt Infill boundary. Infill development can be described as small scale development utilising a vacant plot which should continue to compliment the surrounding pattern of development. Policy 37 of the submitted Development Strategy for Central Bedfordshire states that the Council will consider infill development acceptable in principle within the defined Green Belt boundaries and that particular attention will be paid to assessing the quality of development proposed and the likely impact on the character of the settlement and its surroundings.

Policy CS14 of the Core Strategy states that the council will require development to be of the highest quality by respecting local context, spaces and building in design... as well as focusing on the quality of buildings individually. Policy CS15 of the Core Strategy states that the Council will protect, conserve and enhance the integrity of the local built and natural environment. Policy DM13 of the Core Strategy and Development Management Planning Document states that planning applications for development within the Conservation Areas will be assessed against the Conservation Area appraisals and that inappropriate development will be refused.

The site has been assessed as a vacant plot, and would form frontage development, in keeping with the basic dwelling placement in the locality. Although garden land is defined as a green field site this does not prohibit their development in Green Belt infill terms. This development would not remove all the garden area from Tree Tops, nor would it leave Tree Tops with an uncharacteristically small or awkward plot, or limit parking for that dwelling house. The plot would be generously sized and inkeeping with the size of the plots within the locality.

In accordance with the National Planning Policy Framework, there is a presumption in favour of sustainable development.

2. Size, Siting and Design in relation to the visual amenities of the site and the area generally including the Conservation Area

The dwelling would be located at the frontage of the site; this is bounded by large mature trees, so views of the proposed dwelling would not be prominent within the street scene of Aspley Heath. Views would be achievable through the existing access.

Within the Aspley Heath Conservation Area Appraisal it states:

“There is little stylistic cohesion between the buildings in the conservation area, with plots being developed by individual owners, rather than as part of a comprehensive scheme.... An eclectic palette of materials contributes to the diversity of the built development, with examples of ironstone, brickwork, timber framing, stucco render and plate glass, all addition texture and visual interest.”

It is considered when there is little stylistic cohesion, it is appropriate to explore architectural design that would add to the visual interest of the area. It is judged that the design may not be a pastiche recreation of other dwellings on Heath Lane, but draws on elements of the diverse material palette, including, brickwork, glazing, timber and render.

The large proportion of houses on Heath Lane are substantial detached dwellings, set in large plots, fronting the road some 10-15 metres back from the frontage. It is considered that this property would follow the general plot size and dwelling location of other properties within the area. It is considered that the mass of the proposed dwelling and location on the plot does respect the character of the area.

The Conservation Officer is satisfied that this is high quality design, which would add to the interest of the Conservation Area. It is judged that this would not result in harm to the Conservation Area; it would add to the diversity and interest of the immediate area and it is therefore in conformity with the National Planning Policy Framework 2012.

3. Impact on amenities of neighbours

The site is between Tree Tops to the North, Knoll Cottage to the East, Birdwood on the opposite side of Heath Lane to the South, and Old Heath House to the West.

It is considered that the proposed development would not significantly impact upon the residential amenity of any neighbouring property.

Impact upon Light:

The dwelling would be sited roughly in line with Old Heath House, and Knoll Cottage. It would be set off the boundary by some 4 metres from Old Heath House, and 10 metres from the boundary with Knoll Cottage. The building would be some 8 metres from Old Heath House. It is considered that there would not be a significant impact upon the light to either of these dwelling houses or any neighbouring property. The height of the proposed dwelling would be similar to that of the adjacent properties, and with the mature landscaping, and distances involved, it is considered that the light into the dwellings and amenity spaces would not be significantly affected by this development.

Impact upon Privacy:

During the planning application, revised plans were received, following concerns raised regarding privacy. It is considered that the revised plans have addressed the privacy issues by removing clear glazed 1st floor windows from side elevations of the proposed property. It is noted that it is likely that views into the proposed patio area, will be achievable from Old Heath House, as there are 1st floor clear glazed windows within the north east facing side elevation of this property.

Impact upon outlook and the causing of an overbearing impact:

Due to the height, and placement of this property, it is considered that it would not cause an overbearing impact upon any adjacent residential property, or cause an overbearing impact.

Twenty Five letters of objection have been received the concerns are addressed below:

- Design Concerns

This matter has been considered in Section 2.

- Over Development

It is not considered that this would be over development of the site. It would result in 1 dwelling, on a plot that would measure some 0.12 hectares, resulting in a development of very low density. The garden area for the dwelling would be in excess of 470 sqm, which is significantly larger than the minimum standards set out within adopted Design Guidance.

- Not Infill Development/Green Belt issues

This matter has been considered in Section 1

- Highway issues

This matter is considered in Section 4

- Tree concerns

This matter is considered in Section 5

- Impact upon local infrastructure (schools, doctors etc)

This matter is considered in Section 6

- Impact upon residential amenity (light, privacy, shadow, visual impact)

This matter is considered above.

- Impact upon the Conservation Area

This matter is considered in Section 2

- Loss of garden land

This matter is considered in Section 1

- The previous refusals for a dwelling on this site

This matter is considered in Section 1

1 letter of support was also received; this related to the general improvement to the area.

4. Access and Parking

The site would be accessed from the existing driveway used for Tree Tops, this would become a shared access between the two properties and is from a Private Road, which is maintained by residents. It is considered that this development would not have a significant impact upon the Public Highway. Many neighbouring residents have raised concerns regarding the size of the road, and the possible parking along it. The site would be able to accommodate 4 cars within the parking area, and cars would be able to turn within the existing driveway, and leave the site in a forward gear. It is recognised that the road is relatively narrow, however it is considered that it is an established residential road, where if parking on site was provided, the development would not lead to a harmful highway issue.

5. Trees and Landscaping

The Tree Officer has raised no objection to the development, providing it is in accordance with the revised plans. A condition is suggested which would ensure tree protection formed part of the construction of the new dwelling house. It is considered that the Root Protection Areas of the existing trees on the site has been taken into account when designing the property, and providing the condition is adhered to the development would not have a significant or negative impact upon the existing trees on the site.

6. Other Considerations

Contributions

The development falls below the Central Bedfordshire threshold for requiring an element of affordable housing. The Ministerial Statement of 28 November 2014 set out the Government's new policy that affordable housing and tariff-style planning obligations should not be sought for certain small developments (10 dwellings or less or 1,000 square metres of gross floorspace). This is a material consideration of significant weight to be taken into account in decision-making on planning applications.

However, significant weight should also be given to the National Planning Policy Framework, which calls for the achievement of the three dimensions of sustainable development: economic, social and environmental. It is considered that Policy 19 of the emerging Development Strategy for Central Bedfordshire is in accordance with the National Planning Policy Framework. This states that developers are required to make appropriate contributions as necessary to offset the cost of providing new physical, social, community and environmental proposals. It is considered that the proposal would not conflict with the requirements of the National Planning Policy Framework to provide sustainable development, and with policy 19 of the emerging Development Strategy for Central Bedfordshire, therefore financial contributions are not required in this instance.

Neighbouring properties have raised concerns regarding stretched local services, for example the local school, however it is judged in this instance that seeking contributions on a site of this size would not be justified.

Human Rights issues

There are no Human Rights issues

Equality Act 2010

There are no issues under the Equality Act

Recommendation

That Planning Permission be approved subject to the following;

RECOMMENDED CONDITIONS / REASONS

- 1 The development hereby permitted 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 take place until the following details are submitted to and approved in writing by the Local Planning Authority and shall be carried out in full accordance with such approved details:**
 - **Samples of materials to be used in the external finishes of the development hereby approved.**
 - **Drawings of all new proposed doors and window to a scale of 1:10 or 1:20, together with a specification of the materials and finishes. Details provided should clearly show a section of the glazing bars, frame mouldings, door panels, the depth of the reveal and arch and sill details.**

Reason: To ensure that the proposed development is carried out in a manner that safeguards the historic character and appearance of the Conservation Area.
- 3 The dwelling shall not be occupied until a scheme has been submitted to the Local Planning Authority and approved in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved scheme before the buildings are occupied and be thereafter retained.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.
(Policy 43, DSCB)

- 4 **No development shall take place until a landscaping scheme to include all hard and soft landscaping and a scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.**

**Reason: To ensure an acceptable standard of landscaping.
(Policies 43 and 58, DSCB)**

- 5 Notwithstanding any provision of the Town and Country Planning (General Permitted Development Order) 1995 (or any Order revoking or re-enacting that Order with or without modification) no extensions or alterations shall be carried out to the development hereby permitted without the prior approval by way of a planning consent from the Local Planning Authority and only the approved details shall be implemented.

Reason: To protect the amenities of occupiers of neighbouring properties.

- 6 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers A14-058-SLP001A, A14-058-PL500D, A14-058-PL100E, A14-058-PL300C, A14-058-PL200C, A14-058-PL600D; Design and Access Statement; Heritage Statement; Arboricultural Method Statement, 5339 FE TPP04, 5339 FE TL 03.

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

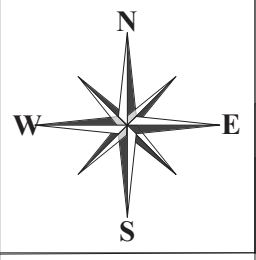
Notes to Applicant

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

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

Planning permission has been granted for this proposal. 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.

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Date: 23:March:2015
Grid Ref: 507060; 218473

Application No.
CB/15/00460/FULL

Scale: 1:1250

312 Manor Road, Woodside, Luton, LU1 4DN

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Item No. 10

APPLICATION NUMBER	CB/15/00460/FULL
LOCATION	312 Manor Road, Woodside, Luton, LU1 4DN
PROPOSAL	Proposed car port with pitch roof over existing outbuilding
PARISH	Slip End
WARD	Caddington
WARD COUNCILLORS	Cllrs Collins & Stay
CASE OFFICER	Debbie Willcox
DATE REGISTERED	05 March 2015
EXPIRY DATE	30 April 2015
APPLICANT	Mr Stay
AGENT	Nett Assets Limited
REASON FOR COMMITTEE TO DETERMINE	The applicant is a Member of the Council.
RECOMMENDED DECISION	Full Application - Recommended for Approval

Summary of Recommendation

The proposal is recommended for approval as it would be acceptable in terms of Green Belt policy, would have an acceptable impact on the character and appearance of the site and its surroundings and on the amenity of neighbouring occupiers and thus would be in accordance with the National Planning Policy Framework, policies BE8 and T10 of the South Bedfordshire Local Plan Review and policies 27, 36 and 43 of the emerging Development Strategy for Central Bedfordshire.

Site Location:

The application property is a detached bungalow which lies in the Green Belt to the north east of Manor Road outside the village envelope of Caddington. The site is flanked by numbers 310 and 314 on the north west and south east respectively and backs onto an open field.

Located on the north west boundary of the site, behind the main body of the dwelling is an existing garage. There is also an existing outbuilding with a flat roof stepped into the site, forward of the garage, but still to the rear of the front section of the dwelling. Between the outbuilding and the boundary, immediately in front of the garage a canopy has been erected creating an open car port with a low, gently sloping roof.

The application site is washed over by the South Bedfordshire Green Belt.

The Application:

The application seeks planning permission to replace the existing car port and to erect a pitched roof over the proposed car port and the existing outbuilding.

The proposed car port would have brick piers along the sides and a garage door to the front. It would measure 3.2m wide by 5.4m deep. The pitched roof would be tiled and would have timber boarding in the gable ends, which would face front and rear. The eaves height would be 2.4m and the ridge height would be 4.5m.

The existing hedge along the boundary would be replaced with a 1.8m high, hit and miss timber fence.

RELEVANT POLICIES:

National Planning Policy Framework (2012)

South Bedfordshire Local Plan Review Policies

BE8 Design Considerations

T10 Parking - New Development

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

Development Strategy for Central Bedfordshire (June 2014)

Policy 27: Car Parking

Policy 36: Development in the Green Belt

Policy 43: High Quality Development

(Having regard to the National Planning Policy Framework, weight is given to the policies contained within the emerging Development Strategy for Central Bedfordshire, which is consistent with the NPPF. The Development Strategy was submitted to the Secretary of State on 24 October 2014.)

Supplementary Planning Guidance

Central Bedfordshire Design Guide: A Guide for Development:

Design Supplement 7: Householder Alterations and Extensions, 2014

Planning History

CB/10/03063/FULL - Planning permission granted for retention of side roof extensions and front and rear facing dormer windows (revised CB/09/05115/TP)

CB/09/05115/TP - Planning permission granted for construction of side roof extensions, insertion of front and rear facing dormer windows and erection of single storey front extensions

SB/90/00203 - Planning permission granted for single storey rear extension

SB/80/00534 - Planning permission granted for single storey rear extension

SB/79/00450 - Planning permission granted for retention of car port

Representations:

(Parish & Neighbours)

Slip End Parish Council No objections.

Neighbours

No responses at time of writing, however, the consultation period ends following the completion of this report. Any responses will be reported on the Late Sheet.

Consultations/Publicity responses

Public Protection Not received at time of writing the report. To be reported
Contaminated Land on the Late Sheet.

Determining Issues

The main considerations of the application are;

1. **Green Belt Considerations**
2. **Design Considerations**
3. **Impact on Residential Amenity**
4. **Parking and Highway Safety**
5. **Other Issues**

Considerations

1. Green Belt Considerations

The application site is located in the Green Belt and therefore Section 9 of the National Planning Policy Framework and policy 36 of the emerging Development Strategy for Central Bedfordshire are key considerations in the determination of this application.

These policies state that the construction of new buildings is inappropriate in the Green Belt, apart from certain listed exceptions. If the new building is considered inappropriate, the NPPF advises 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.

The erection or alteration of outbuildings are not specifically mentioned and hence this type of development is by definition, inappropriate development in the Green Belt. However, in this case, it is considered that any harm to the Green Belt is clearly outweighed by the following factors :

- The proposed development does not conflict with any of the five purposes of including land in the Green Belt.
- The erection of outbuildings in a Green Belt location such as this, although considered inappropriate by definition, is not uncommon and would not be out of character in the context of similar neighbouring developments.
- The car port would replace an existing covered area and would be clustered with existing outbuildings and would thus have no impact on the openness of the Green Belt. The addition of the pitched roof would have a minimal impact on the openness of the Green Belt and would enhance the appearance of the outbuilding.

Having regard to these factors, it is considered that sufficient very special circumstances exist such as would outweigh the harm by reason of inappropriateness; as the proposal would not result in any other harm to the Green Belt, including its openness, the proposal is considered to be in accordance with Policy 36 of the emerging Development Strategy for Central Bedfordshire and Section 9 of the National Planning Policy Framework.

2. Design Considerations

The creation of the car port and the addition of a pitched roof to the combined car port and outbuilding would have a beneficial impact on the appearance of the outbuilding. The proposal would complement and harmonise with the subject site and its surroundings. The proposal is thus in conformity with policy BE8 of the South Bedfordshire Local Plan Review, policy 43 of the emerging Development Strategy for Central Bedfordshire and Design Supplement 7 of the Central Bedfordshire Design Guide.

3. Impact on Residential Amenity

The proposed car port would be located adjacent to the boundary of No. 310, however, it would have a modest eaves height and the roof would slope away from the boundary with No. 310. Furthermore, No. 310 has built form along the boundary and therefore the proposal would have no impact upon the amenity of the occupiers of No. 310.

The proposal would be sufficiently separate from No. 314 that it would also have no impact upon the amenity of the occupiers of this property. The proposal is therefore considered to be in accordance with policy BE8 of the South Bedfordshire Local Plan Review, policy 43 of the emerging Development Strategy for Central Bedfordshire and Design Supplement 7 of the Central Bedfordshire Design Guide.

4. Parking and Highway Safety

The proposed car port would have an internal width of 2.9m, which is sufficient to park a car and exit the vehicle. The depth of the car port would also meet the Council's standards for a parking space. As the car port would replace an existing car port, the proposal would have a neutral impact on the level of car parking at the property and thus on wider highway safety.

5. Other Issues

Human Rights issues

The proposal raises no Human Rights issues.

Equality Act 2010

The proposal raises no issues under the Equality Act 2010.

Recommendation

That Planning Permission be GRANTED subject to the following:

RECOMMENDED CONDITIONS

- 1 The development hereby permitted 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 PL01, PL02.

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

Notes to Applicant

1. 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.

2. **Will a new extension affect your Council Tax Charge?**

The rate of Council Tax you pay depends on which valuation band your home is placed in. This is determined by the market value of your home as at 1 April 1991.

Your property's Council Tax band may change if the property is extended. The Council Tax band will only change when a relevant transaction takes place. For example, if you sell your property after extending it, the new owner may have to pay a higher band of Council Tax.

If however you add an annexe to your property, the Valuation Office Agency may decide that the annexe should be banded separately for Council Tax. If this happens, you will have to start paying Council Tax for the annexe as soon as it is completed. If the annexe is occupied by a relative of the residents of the main dwelling, it may qualify for a Council Tax discount or exemption. Contact the Council for advice on **0300 300 8306**.

The website link is:

www.centralbedfordshire.gov.uk/council-and-democracy/spending/council-tax/council-tax-charges-bands.aspx

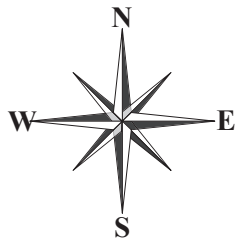
Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

Planning permission is recommended for approval 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: 23:March:2015

Grid Ref: 493109; 224773

Application No.
CB/15/00553/FULL

Scale: 1:1250

101 Stanbridge Road, Leighton Buzzard, LU7 4QA

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Item No. 11

APPLICATION NUMBER	CB/15/00553/FULL
LOCATION	101 Stanbridge Road, Leighton Buzzard, LU7 4QA
PROPOSAL	Detached garage with storage room over (revised application CB/14/01135/FULL).
PARISH	Leighton-Linslade
WARD	Leighton Buzzard South
WARD COUNCILLORS	Cllrs Berry, Bowater & Dodwell
CASE OFFICER	Donna Lavender
DATE REGISTERED	16 February 2015
EXPIRY DATE	13 April 2015
APPLICANT	Mr Ridgway
AGENT	RM Architectural Consultants Ltd.
REASON FOR COMMITTEE TO DETERMINE	Ward Member Call In on grounds of precedent set by other outbuildings in the area.
RECOMMENDED DECISION	Full Application - Recommended for Refusal

Summary of Recommendation

The proposed development would be detrimental to the visual amenities of the streetscene due to its siting and excessive scale and would also result in an unacceptable amount of overlooking to the living accommodation and garden space of 36 Garden Leys. The proposal is therefore contrary to national policy in the form of the National Planning Policy Framework (NPPF), policy BE8 of the South Bedfordshire Local Plan Review, policy 43 of the emerging Development Strategy for Central Bedfordshire and the Central Bedfordshire Design Guidance.

Site Location:

The application site consists of a two storey semi-detached dwellinghouse located on Stanbridge Road within the town of Leighton Buzzard. The site is flanked to the east by 103 Stanbridge Road, to the west by 99 Stanbridge Road and to the rear by properties in Garden Leys.

The Application:

Permission is sought for the erection of a detached double garage and store measuring approximately 6.7 metres in width, 6.8 metres in depth and 5.4 metres in height incorporating a hipped roof design. A dormer window is proposed to be installed into the front elevation of the proposed outbuilding measuring approximately 1.2 metres in width, 1.9 metres in depth and 1.8 metres in height incorporating a gable roof design. The garage would be accessed off Garden Leys.

RELEVANT POLICIES:

National Planning Policy Framework (March 2012)

South Bedfordshire Local Plan Review Policies

BE8: Design Considerations

T10 Parking

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

Development Strategy for Central Bedfordshire

Policy 27: Parking

Policy 43: High Quality Development

(The Development Strategy was submitted to the Secretary of State on 24th October 2014. Having regard to the National Planning Policy Framework, weight is given to the policies contained within the emerging Development Strategy for Central Bedfordshire, which is consistent with the NPPF.)

Supplementary Planning Guidance

Central Bedfordshire Design Guide: A Guide for Development (Sept 2014)

Planning History

Application:	Planning	Number:	CB/15/00566/LDCP
Validated:	16/02/2015	Type:	Lawful Development Cert - Proposed
Status:	Decided	Date:	17/03/2015
Summary:		Decision:	Lawful Dev - Proposed - Granted
Description:	Lawful Development Proposed: Detached garage.		

Application:	Planning	Number:	CB/14/03630/FULL
Validated:	19/09/2014	Type:	Full Application
Status:	Decided	Date:	10/11/2014
Summary:		Decision:	Full Application - Granted
Description:	Vehicle crossover of public footpath to Stanbridge road for 2 bay parking for above property		

Application:	Planning	Number:	CB/14/04737/FULL
Validated:	03/12/2014	Type:	Full Application
Status:	Withdrawn	Date:	27/01/2015
Summary:		Decision:	Application Withdrawn
Description:	Detached garage with storage room over (revised application CB/14/01135/FULL).		

Application:	Planning	Number:	CB/14/01135/FULL
Validated:	28/03/2014	Type:	Full Application
Status:	Decided	Date:	16/05/2014
Summary:		Decision:	Full Application - Refused
Description:	Detached garage with storage room over.		

Representations: (Parish & Neighbours)

Town Council

Leighton Linlade Town Council - None received to date

Neighbours

36 Garden Leys (11/03/15) - Concerns raised in respect of parking, privacy and potential future use of the building for business purposes or living accommodation.

Consultations/Publicity responses

1. CBC Highways Officer (11/03/15) - No Objection, subject to the imposition of a condition requiring the garage to be used for storage and parking only.

Determining Issues

The main considerations of the application are;

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

Considerations

1. Design Considerations

Policy BE8 of the South Bedfordshire Local Plan Review requires extensions and outbuildings within the curtilage of a site, to complement and harmonise with the existing dwellinghouse, taking opportunities where possible to enhance or reinforce the character of the area.

The proposed outbuilding would due to its siting, be largely visible within the streetscene and is considered to be of an excessive scale and bulk which is disproportionate to the existing dwellinghouse. Whilst it is acknowledged that planning permission was approved for a garage of a similar size to the rear of the property of 95 Stanbridge Road in 2005 under planning reference CB/05/01315/FULL, the location of this previously approved garage is not as visible within the context of the streetscene, as the siting of that proposed at the end of the cul-de-sac.

Furthermore the previously approved garage was permitted at a time when the Council had not adopted technical design guidance, which regard must be given to, for the new proposal. The Central Bedfordshire Design Guide states that the proposal should not dominate the host dwellinghouse and appear as an addition in a supporting role. The proposed garage encompasses a footprint almost the same as the existing dwellinghouse and therefore it cannot be considered proportionate to the host dwellinghouse and would by the very definition of its height, footprint and siting be domineering. Whilst it is acknowledged that there has been some reduction in height, a re-siting from the original refused planning application under reference CB/14/1135/FULL and a reduction of the number of dormers since the previously withdrawn application under reference CB/14/04737/FULL, the alterations are not so significant to have mitigated the overarching impact of this development of the character on the streetscene.

In addition to this application a certificate of lawfulness of proposed development has been allowed for a single storey outbuilding to be erected of no more than 50% of the curtilage of the site. This differs significantly to that which is proposed herein as it would have a reduced height of no more than 2.5 metres and it is considered that the overall height of the development proposed by this current application at 5.4 metres exacerbates the overall scale of the development to the detriment of the character of the streetscene.

On this basis it is considered that the proposal would fail to conform with policy BE8 of the South Bedfordshire Local Plan Review, policy 43 of the emerging Development Strategy for Central Bedfordshire and the Central Bedfordshire Design Guide, supplement 4: Residential Extensions.

2. Impact on the Residential Amenity

Policy BE8 of the South Bedfordshire Local Plan Review considers that planning permission would only be granted whereby the proposal would not result in an unacceptable adverse impact on the general or residential amenity and privacy.

Due to siting and scale of the proposed outbuilding there would unlikely be any impact in terms of loss of light or overshadowing to the occupiers of neighbouring properties. A window is proposed to be installed into the roofspace of the front elevation of the building. Due to its siting, concerns have been raised by the occupiers at 36 Garden Leys about the potential for overlooking directly into their property. Whilst the distance between the proposed development and the main dwellinghouse of 36 Garden Leys is considered to be fairly tight, it is not considered unacceptable and would unlikely give rise to mutual overlooking to habitable rooms of the main house. However only a short distance of approximately 10 metres is proposed between the proposal and the curtilage of 36 Garden Leys and therefore it is considered that overlooking would result to the private garden space of this neighbouring property.

On this basis it is considered that the proposal would therefore fail to conform with policies BE8 of the South Bedfordshire Local Plan Review, 43 of the emerging Development Strategy for Central Bedfordshire and the Central Bedfordshire Design Guide.

3. Highway Safety & Parking Considerations

No changes are proposed to the existing means of access to the site via Garden Leys and the proposal will increase the level of parking provision at the rear of the dwelling.

Provided that the room above the garage is used for storage purposes or uses ancillary to the principal use of the main dwelling house, the proposal is unlikely to give rise to any additional traffic movements to and from the site and hence is unlikely to have an adverse impact on the immediate highway and therefore the proposal conforms with policies T10 of the South Bedfordshire Local Plan Review and 27 and 43 of the emerging Development Strategy for Central Bedfordshire and the Central Bedfordshire Design Guide.

4. Other Issues

Human Rights issues

The proposal raises no Human Rights issues.

Equality Act 2010

The proposal raises no issues under the Equality Act.

Recommendation

That Planning Permission be REFUSED due to the following:

RECOMMENDED REASON

- 1 The proposed outbuilding by reason of its siting, excessive size, bulk and scale would fail to compliment the character of the area or the existing dwelling and other similar properties in the locality and would be detrimental to the visual amenities of the street scene and locality and of nearby residents. The development would also result by reason of its proposed use and close proximity, in an unacceptable amount of overlooking to the garden space of 36 Garden Leys, detrimental to the amenities of the occupiers. The proposal is therefore contrary to national policy in the form of the National Planning Policy Framework (NPPF), policy BE8 of the South Bedfordshire Local Plan Review, policy 43 of the emerging Development Strategy for Central Bedfordshire and the Central Bedfordshire Design Guidance.

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 refusal for this proposal for the clear reasons set out in the report. The Council acted pro-actively through positive engagement with the applicant in an attempt to narrow down the reasons for refusal but fundamental objections could not be overcome. The applicant was invited to withdraw the application to seek pre-application advice prior to any re-submission but did not agree to this. The Council has therefore acted pro-actively 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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