

Item No.

SCHEDULE C

APPLICATION NUMBER	CB/09/05225/REG3
LOCATION	Oak Bank School, Sandy Lane, Leighton Buzzard, LU7 3BE
PROPOSAL	Erection of sports hall and construction of replacement tennis courts and new/altered footway links.
PARISH	Heath & Reach
WARD	Plantation
WARD COUNCILLORS	Cllr Peter Rawcliffe and Cllr Alan Shadbolt
CASE OFFICER	Mr C Murdoch
DATE REGISTERED	01 July 2009
EXPIRY DATE	26 August 2009
APPLICANT	The Head Teacher
AGENT	Kirkby & Diamond
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	The land is owned by Central Bedfordshire Council Grant Planning Permission

Site Location

Oak Bank School is set back to the rear of dwellings on the northern side of Sandy Lane and to the west of dwellings in Carlton Grove, Oak Bank Drive and Craddocks Drive. Access is via a short driveway that joins Sandy Lane at a point some 150m west of the junction with Heath Road. The school grounds are bounded to the north and west by Leighton Buzzard Golf Course. The site of the proposal is immediately to the west of the main group of school buildings and, for the greater part, is currently used as hardsurfaced tennis courts.

The school is within the Green Belt and the school grounds abut the boundary of an Area of Great Landscape Value.

The Application

In April 2008, permission was granted for a new sports hall (reference SB/TP/08/0074). Constructed of matching brickwork and tiles, this approved sports hall would have incorporated a gabled roof with a maximum height of 11.3m and an internal clearance height of 7m. In July 2008, an application for an amended design in respect of the new sports hall was withdrawn (SB/TP/08/0559). Although this latter scheme would have had the same internal clearance height (7m), the gabled roof would have had a lower maximum height of 9.6m. This would have been achieved by the use of coloured profiled steel wall cladding and roofing sheets that would have given the building an unacceptable industrial/commercial appearance.

The current scheme involves a further amendment to the design of the new building. Measuring 21.6m wide by 24.6m deep, it would comprise the main sports hall with single storey ancillary office, storage areas and plant room. Constructed of brickwork and composite metal panels, the sports hall would incorporate a curved roof with a maximum height of 8.6m and a minimum internal clearance height of

6.55m. The curved roof of the office, storage areas and plant room would have a maximum height of 4.5m and would be continued over a corridor link to the main school buildings. The corridor link would be 5.7m long by 3.9m wide. The finished floor level of the sports hall would be 1.25m above the ground level of the main school buildings and the corridor link would incorporate a short flight of steps between the two levels. An intricate steel structure would brace the building externally whilst supporting the roof via an exo-skeleton. This would ensure that the structure would be revealed on the outside thereby maximising the internal area available for three badminton courts and a basketball court. The overhanging roof would be supported by pressed steel arm sections that would splay out of the main structural columns. Cross bracing on end bays would also be revealed as a continuation of the structure.

Permission is sought also to construct replacement hardsurfaced tennis courts that would be laid out in tandem immediately to the north and north west of the proposed sports hall. A new footpath to the south of the school buildings would link the front car park to the sports hall and the replacement tennis courts, whilst a new footpath/driveway to the north of the school buildings would link the rear car park and main access drive to the replacement tennis courts.

RELEVANT POLICIES

National Policies (PPG & PPS)

PPS1 - Delivering Sustainable Development.

PPG2 - Green Belts.

PPS9 - Biodiversity and Geological Conservation.

PPG17 - Planning for Open Space, Sport and Recreation.

Regional Spatial Strategy

East of England Plan (May 2008)

Policy SS1 - Achieving Sustainable Development.

Policy SS2 - Overall Spatial Strategy.

Policy SS3 - Key Centres for Development and Change: Luton/Dunstable/Houghton Regis & Leighton-Linslade.

Policy SS7 - Green Belt.

Policy ENV3 - Biodiversity and Earth Heritage.

Policy ENV7 - Quality in Built Environment.

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

Strategic Policy 1: The Spatial Framework - Locations for Growth: Luton/Dunstable/Houghton Regis (with Leighton-Linslade).

Strategic Policy 3: Sustainable Communities.

Bedfordshire and Luton Policies 2(a) and 2(b): Luton/Dunstable/Houghton Regis and Leighton-Linslade.

Bedfordshire Structure Plan 2011

Policy 7 - Areas of Great Landscape Value.

South Bedfordshire Local Plan Review Policies

NE3 - Control of development in Areas of Great Landscape Value.

BE8 - Design and environmental considerations.

Planning History

SB/TP/78/0151	Permission for two stores.
SB/CC/83/0413	Permission for temporary single classroom unit.
SB/CM/96/0009	Permission for tipping of inert waste material (Class A) to level part of site for use as playing field.
SB/TP/96/0556	Permission for single storey equipment store.
SB/CM/97/0010	Permission for tipping of inert waste.
SB/CM/97/0011	Permission for variation of condition to allow longer period of time for completion of waste disposal.
SB/CM/99/0009	Permission for variation of condition concerning limitation of time for construction of hard court area.
SB/CM/99/0010	Permission for excavation of gas monitoring boreholes.
SB/CM/01/0001	Permission for variation of condition concerning limitation of time for construction of hard court area.
SB/CC/01/0007	Permission for change of use from residential school to special day school with first floor office and two new link extensions.
SB/CC/06/1019	Permission for change of use from dormitory to teaching accommodation and change of use from residential (Norfolk Lodge) to teaching accommodation.
SB/TP/07/0893	Permission for single storey classroom extension, dining room extension and additional parking for 18 cars.
SB/TP/08/0074	Permission for sports hall.
SB/TP/08/0559	Application withdrawn for sports hall (revised application SB/TP/08/0074).

Representations (Parish & Neighbours)

Leighton-Linslade Town Council	No objection.
Star Close, Sandy Lane	Concerned that sports hall should:- <ul style="list-style-type: none">• Not be available for public use outside school hours.• Not result in increase in pupils.• Be moved back further to provide separation from Sandy Lane properties and reduce noise interference.• Be at same ground level as school, thus reducing visual impact of building that would be very tall for residential area with number of single storey bungalows.• Not have branding signage on elevation facing Sandy Lane properties.
Arizona, Sandy Lane	Whilst recognise need for facility, object to particular proposal:- <ul style="list-style-type: none">• Would look like commercial premises, unacceptable in Green Belt.• Would dwarf school, so needs to be at same ground level.• Still too far forward, so needs to be behind tennis

courts and moved considerably further back.

- No further classrooms should be sited in this area.
- Branding signage is unnecessary.
- Siting of footpath link to south of school is unacceptable.
- There should be no after-school or weekend use.
- Planting should commence sooner rather than later, preferably with mature trees and shrubs, as it could take years for building to be screened.

Consultations/Publicity responses

Sport England East

Objection.

Current application is revision of earlier proposals and involves number of significant changes.

- Sports hall and replacement tennis courts would be moved 6m northwards and new footpath would be introduced to link replacement tennis courts with school access drive, which due to its alignment, would encroach onto playing field to north of school where football pitch is marked out by about 8m beyond replacement tennis courts. Existing pitch would appear to be significantly wider than is shown on site location plan and reduction in width of playing field limits size of pitch that could be accommodated. It may no longer be possible to accommodate pitches (with adequate run-off areas) suitable for under-13 to under-16 age groups which is pertinent given that school caters for pupils up to 16 years old.
- To west of proposed sports hall, new footpath linking replacement tennis courts with car park and tree planting would have significant impact on playing field here. Whilst area is not marked out at present, it has potential to be used for additional pitches in future should pupil numbers increase or further pitches be required to meet needs of different age groups. At present, area could accommodate pitches suitable for under-11 to under-16 age groups. However, with restrictions on available width, this area would only be suitable for mini-soccer pitches for under-7 to under-10 age groups. Proposals here would prejudice ability to lay out range of pitches to meet school's potential playing pitch needs.
- Reduction in clearance height to 6m may reduce range of competitive sports that sports hall could be used for if made available for community use. For example, clearance height of at least 7m is required for competitive badminton, basketball, netball and volleyball.
- Proposed dimensions of sports hall - 24m by 17m - are longer than needed for two court hall, as

dimensions of 18m by 17m are required to form two court sports hall and 27m by 18m for three court hall. Furthermore, proposed badminton courts do not meet standard dimensions which are 13.4m by 6.1m with 2m run-off at each end and 1.5m to 2m run-offs at side.

Play & Open Space Officer No comment.

Bedfordshire Police ALO No objection.

Conservation and Design Adviser Proposed sports hall is within Green Belt and in sensitive location at interface with open countryside. Building is of substantial scale and will clearly have meaningful visual impact. However, its scale and massing reflects functional requirements of proposed use and application needs to be judged against earlier extant permission for alternative sports hall design. Although there are differences in proportions and siting of two proposals, revised scheme would not result in any material increase in impact of development on openness of Green Belt or on landscape character of locality. It is also important to recognise that approved scheme is for utilitarian building of very basic visual character. In contrast, revised proposal achieves much greater level of visual interest with arboreal structural forms that directly respond to surrounding landscape and achieves much higher level of design quality.

Determining Issues

The main considerations of the application are:

1. Impact on the Green Belt
2. Loss of potential playing field area
3. Impact on neighbouring residents and surrounding area

Considerations

1. Impact on the Green Belt

The proposed sports hall constitutes inappropriate development in the Green Belt and it is necessary to identify 'very special circumstances' to justify such development.

Oak Bank School was opened in 1976 as a residential school for a maximum of 40 pupils. From the beginning the school lacked a purpose-built area for the delivery of physical education. To address this shortcoming the general hall area has been adapted as much as possible to facilitate the teaching of some physical education, however the design, height and lighting of the area greatly limits the number of young people that can participate and the type of sports that can be played.

Since the school was built the nature, needs and numbers of young people attending the school have changed greatly. Oak Bank School is now a day

school with a roll of 60 pupils. It is the only school within Central Bedfordshire and Bedford Borough that caters for pupils who have severe social, emotional and behavioural difficulties. With the creation of two new unitary authorities in Bedfordshire, Oak Bank School has remained the only special school that is shared by both authorities. The applicants advise that the importance of the school is reflected in the recent review of special educational needs undertaken by the former Bedfordshire County Council which identifies the need for further development (including the physical environment) of Oak Bank School to enhance the facilities available at the school and enable pupils to gain appropriate and satisfactory access to the full curriculum.

Staff work alongside parents to support the individual needs of pupils by offering a safe and caring environment. From time to time, the school is awarded grants/cheques by sporting charities, such as the Lords/Ladies Taverners. In the recent past, money has been used to purchase sports equipment such as mountain bikes, a multigym, pool tables and tennis and badminton sets. The applicants have found that by encouraging pupils to take up sports activities it can be beneficial to their health and enable them to channel certain of their energies away from aggressive tendencies.

Oak Bank School is clearly of county-wide importance and it is considered that the wider community benefits that would accrue from the upgrading of indoor sports facilities at the site when taken together with the applicants' significant 'fall back' position in respect of the existing planning permission for a sports hall (SB/TP/08/0074) amount to the 'very special circumstances' required to justify inappropriate development in the Green Belt.

2. Loss of potential playing field area

The applicants have submitted revised site location and site layout plans and have met with the planning manager at Sport England East. The latter has confirmed (by e-mail) that he is satisfied with the amendments to the scheme.

The existing football pitch is shown with the correct dimensions - 90m long by 60m wide - and the proposed footpath/driveway link between the school access drive/rear car park and the replacement tennis courts would be closer to the main school buildings and therefore not encroach onto the pitch. Again, to the west of the sports hall, the footpath link between the front car park and the replacement tennis courts and the screen planting would be much closer to the new building than originally proposed. As a result there would be ample land available here to lay out pitches for various age groups. Details of internal clearance heights within the proposed sports hall have been added to the elevational drawings. These would vary between 6.55m at the western end of the curved roof to 8.17m at its eastern end and would be adequate for a number of indoor sports.

3. Impact on neighbouring residents and the surrounding area

In respect of comments received from neighbours, the applicants advise that the construction of the sports hall would not affect the number of pupils at the school and therefore would not result in an increase in the traffic or footfall to/from the site. The new sports hall would provide an extension to the educational facilities available at Oak Bank School and it is not proposed that these facilities be available for public use outside of the normal school working day.

The proposal cannot be located further to the north, away from Sandy Lane properties, without encroaching on the existing football pitch. Whilst the new building would be wider than that previously approved, its maximum height,

8.6m, would be 2.7m lower. The scale and massing of the sports hall would reflect the functional requirements of the proposed use with the curvilinear roof taking on the form of the natural parabolic motion of a badminton shuttle. The composite metal panels proposed for the upper parts of the walls would have high heat and sound insulation characteristics and incorporate a gradation of varying colour bands getting lighter towards the eaves. By virtue of existing planting adjacent the boundary with Sandy Lane properties, the sports hall would be well screened during the summer months, although less so during the period of annual leaf fall.

The Conservation and Design Adviser considers that it is important to recognise that the approved scheme is for a utilitarian building of basic visual character. In contrast, the revised proposal achieves a much greater level of visual interest with arboreal structural forms that directly respond to the surrounding landscape and achieves a much higher level of design quality. It is considered that the revised proposal would not result in any material increase in the impact of development on neighbouring residents and on the landscape character of the surrounding area.

Reasons for Granting

The proposed development would not have an unacceptable impact on the openness of the Green Belt, would not unacceptably reduce the area of school playing fields available for laying out sports pitches for various age groups and would not unacceptably harm the amenities of neighbouring residents. The proposal accords with national guidance in PPS1, PPG2 and PPG17, strategic guidance in Policies SS1, SS7 and ENV7 and Policies NE3 and BE8 of the South Bedfordshire Local Plan Review.

Recommendation

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

- 1 The development shall begin not later than three years from the date of this permission.
REASON: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 **Before development begins, a landscaping scheme to include any hard surfaces and earth mounding shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season and maintained until satisfactorily established.**
REASON: To ensure a satisfactory standard of landscaping.
(Policy BE8, S.B.L.P.R.).
- 3 **Before development begins, including any ground clearance or excavation, substantial protective fencing, the precise position and details of which shall first be approved in writing by the Local Planning**

Authority, shall be erected adjacent the proposed sports hall hereby permitted. The fencing shall be retained at full height and extent until the development is substantially completed. No materials shall be stored or deposited and no mixing of materials shall take place within the area so protected.

REASON: To protect the trees so enclosed in accordance with Section 8 of BS 5837 of 2005 or as may be subsequently amended.

(Policy BE8, S.B.L.P.R.).

- 4 Before development begins, samples of the materials to be used for the external walls and roofs of the new sports hall and details of the materials to be used in the construction of the replacement tennis courts and new/altered footpath links shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**

REASON: To control the appearance of the proposed development.

(Policy BE8, S.B.L.P.R.).

- 5 Before development begins, the position of the proposed sports hall hereby permitted shall be pegged out on site and its position approved in writing by the Local Planning Authority.**

REASON: To enable consideration to be given to the precise layout of the development.

(Policy BE8, S.B.L.P.R.).

- 6 No external lighting shall be installed in association with the proposed sports hall and the replacement tennis courts without the prior written approval of the Local Planning Authority.**

REASON: To protect both the amenity of neighbouring properties and the setting of the Area of Great Landscape Value.

(Policy BE8, S.B.L.P.R.).

- 7 The proposed sports hall hereby permitted shall only be used for indoor sports and sporting activities and for no other purpose in Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification).**

REASON: To define the extent of the permission, to enable the Local Planning Authority to exercise proper control over the development in order to prevent the establishment of a general Class D2 use of the new building and to ensure that inappropriate development in the Green Belt is not permitted without very special circumstances having been established.

(Policy BE8, S.B.L.P.R.).

- 8 Before development begins, a scheme for the provision and implementation of a landfill gas site investigation and a land survey of ground stability together with any remedial measures required shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented in full before construction of the proposed sports hall hereby permitted begins.**

REASON: To ensure that any potential landfill gas and ground instability problems are investigated before building works commence on site.

(Policy BE8, S.B.L.P.R.).

- 9 This permission relates only to the details shown on the Site Location Plan and Drawing Nos. 09-06-004, 09-06-005 and the Topographical Survey prepared by Milton Keynes Surveys Limited received 12/06/09, Drawing No. 09-06-003 received 04/08/09 and Drawing Nos. 09-06-001B and 09-06-002A received 07/08/09 or to any subsequent appropriately endorsed revised plan. REASON: To identify the approved plans and to avoid doubt.

Notes to Applicant

1. In accordance with Article 22 of the Town & Country Planning (General Development Procedure) Order 1995 (as Amended), the Council hereby certify that the proposal as hereby approved conforms with the relevant policies of the Development Plan comprising of the Regional Spatial Strategy for the East of England (the East of England Plan and the Milton Keynes and South Midlands Sub-Regional Strategy), Bedfordshire Structure Plan 2011 and the South Bedfordshire Local Plan Review and material considerations do not indicate otherwise. The policies which refer are as follows:

East of England Plan (May 2008)

Policy SS1 - Achieving Sustainable Development.

Policy SS2 - Overall Spatial Strategy.

Policy SS3 - Key Centres for Development and Change: Luton/Dunstable/Houghton Regis & Leighton-Linslade.

Policy SS7 - Green Belt.

Policy ENV3 - Biodiversity and Earth Heritage.

Policy ENV7 - Quality in Built Environment.

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

Strategic Policy 1: The Spatial Framework - Locations for Growth:

Luton/Dunstable/Houghton Regis (with Leighton-Linslade).

Strategic Policy 3: Sustainable Communities.

Bedfordshire and Luton Policies 2(a) and 2(b): Luton/Dunstable/Houghton Regis and Leighton-Linslade.

Bedfordshire Structure Plan 2011

Policy 7 - Areas of Great Landscape Value.

South Bedfordshire Local Plan Review

NE3 - Control of development in Areas of Great Landscape Value.

BE8 - Design and environmental considerations.

2. In accordance with Article 22 of the Town and Country Planning (General Development Procedure) Order 1995 (as Amended), the reason for any condition above relates to the Policies as referred to in the Regional Spatial Strategy (RSS), Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).
3. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

DECISION

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