

Item No. 23**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

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.

[Note In advance of the consideration of the application, the Committee received representations made under the Public Participation Scheme.]