

Item No. 15**SCHEDULE B**

APPLICATION NUMBER	CB/09/06400/FULL
LOCATION	Building 53, Silsoe Research Institute, Wrest Park, Silsoe, Bedford, MK45 4HS
PROPOSAL	Full: Change of use to D1 Day School
PARISH	Silsoe
WARD	Silsoe & Shillington
WARD COUNCILLORS	Councillor Drinkwater & Councillor Graham
CASE OFFICER	Julia Ward
DATE REGISTERED	26 October 2009
EXPIRY DATE	21 December 2009
APPLICANT	On Track Education Services Ltd
AGENT	
REASON FOR COMMITTEE TO DETERMINE	Councillor Drinkwater has called the application to Committee. Reason – traffic generation and lack of overall strategy for buildings on this site
RECOMMENDED DECISION	Grant Planning Permission

Site Location:

The application site lies within the extensive grounds of Wrest Park, Silsoe, within a conservation area. Unit 53 lies to the east of the mansion, a Grade I listed building.

The Application:

The applicant is applying to change the use of the building to a Class D1 Non Residential Institution (Day School). The premises would be used for a maximum of 20 students aged 11 - 18 from the Luton Borough, Central Bedfordshire and Bedford Borough areas. The students are referred to the applicant by local authorities because they are unable to access mainstream full-time education.

RELEVANT POLICIES:**National Policies (PPG & PPS)**

PPS1: Delivering Sustainable Development
PPG15: Planning and the Historic Environment
PPS7: Sustainable Development in Rural Areas
PPG4: Industrial and Commercial Development and Small Firms
PPS4: Planning for Sustainable Economic Development
PPG16: Archaeology and Planning

Regional Spatial Strategy

East of England Plan (May 2008)

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

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

CS1	Development Strategy
CS10	Location of Employment Sites
CS14	High Quality Development
CS15	Heritage
DM3	High Quality Development
DM13	Heritage in Development

Supplementary Planning Guidance

Silsoe Conservation Area Appraisal (adopted June 2004)

Wrest Park Conservation Area Appraisal (adopted June 2005)

Planning History

None relevant The site was developed by the Government under Crown Immunity who did not need to obtain planning permission as land owners or developers

Unit 54 (ref: Change of use to educational purposes (Class D1 - Non-residential institutions) and associated offices - approved 09/00473/FULL) 27/05/09

Unit 46 (ref: Change of use from B1 (business) to B8 (storage & distribution) (retrospective application) - refused 12/10/09 due to the nature, intensity and timing of traffic movements associated within the change of use being out of keeping with character of the Registered Park and Garden and Conservation area, and the potential to increase conflict between commercial vehicles and users of an adjacent bridleway.

Representations: (Parish & Neighbours)

Parish/Town Council Silsoe Parish Council - Any comments will be reported at Committee

Neighbours Four letters of objection have been received as follows:

Whitehall Lodge and Whitehall, Wrest Park:

1. The owner of the unit has not yet been able to establish a legitimate Class B1 use for the entire site therefore how can permission be sought for change of use from Class B1?
2. There needs to be an integrated plan for the site with proper consultation taking into account the overall level of traffic movements, nature of businesses on site and compatibility with a historic landscape. The Council should not accept any individual planning applications for the units until a plan has been debated with stakeholders.

39 The Beeches:

1. The application seeks change of use from Class b1 when no use actually exists;
2. No more planning applications should be submitted on the site until the lawful use has been established.

15 The Beeches (on behalf of Wrest Park Lodge Management Committee):

1. The lawful use of the site has not yet been established. Objects to proposal as there is no pre-existing Class B1 use at the site.
2. There needs to be an integrated plan for the site with proper consultation taking into account the overall level of traffic movements, nature of businesses on site and compatibility with a historic landscape. The Council should not accept any individual planning applications for the units until a plan has been debated with stakeholders.

Consultations/Publicity responses

English Heritage

It is not clear whether any external changes are proposed to the building or the surrounding area. Any external changes should be assessed at the application stage. It is noted that it is proposed to keep bins outside at the rear end of the building. There are concerns that the accumulation of bins around each of the units within the complex would detract from the character of the landscape and setting of the listed buildings. It is therefore recommended that the bins are housed internally and provision is made in one of the buildings to provide a central store for refuse to avoid this situation.

Archaeology Officer, Conservation & Design

The application site is within the area of the Wrest Park Scheduled Monument. However, the nature of the proposed development being a change of use of a

relatively modern existing building will not have a significant impact on the fabric or the setting of the Scheduled Monument or any other archaeological remains. Therefore, there are no objections to the proposal on archaeological grounds.

Highways	Any comments will be reported
British Horse Society	No comments received
Ampt Hill & District Preservation Society	No comments received
Environmental Health	No comments received
Footpaths Officer	No comments received
Ramblers Association	No comments received
Garden History Society	No comments received

Determining Issues

The main considerations of the application are;

1. Background and policy;
2. Impact on visual amenities of Grade I listed building, Registered Park and Garden of special historic interest and conservation area;
3. Impact on neighbours' amenities;
4. Access and parking issues;
5. Any other material planning considerations

Considerations

1. Background and policy

The building the subject of this application was formerly in use by the National Institute for Agricultural Engineering and the site was developed overall under Crown Exemption provisions. Very few of the buildings in this location therefore have specific planning permission.

Wrest Park Limited purchased the group of buildings of which Unit 53 is one unit. The site has historically been developed by the Government under Crown Immunity rules and the uses on the site therefore did not require planning permission. The last use when the buildings were closed in 2006 was as a research facility. The Council has invited the owners of the buildings to formalise the situation by submitting a Certificate of Lawful Development

Existing to demonstrate, with evidence, that the site has been continuously used for Class B1 purposes for at least the last ten years. No such application has been received to date, but contact with the site owners indicates this will be forthcoming shortly.

Whilst it is appreciated that the precise use class of the building cannot be determined due to the lack of formal planning history, the applicant has stated in the application forms that the previous use was as offices.

The site has been assessed as part of the District's Employment Land Review Stage 1 in connection with the publication of the Core Strategy and Development Management Policies for Central Bedfordshire (North) (CSDM). Wrest Park is not one of the shortlisted sites which are being prioritised for current and future employment uses. However, the view taken in assessing a recent planning application for this site (ref: CB/09/00473/FULL) is that this is a brownfield site in open countryside and it is considered that employment uses should be retained on this site.

In terms of planning policy, the site lies within the open countryside. PPS7 supports a wide range of economic activity in rural areas and supports the re-use of buildings in the countryside where this meets sustainable development objectives and recognises social inclusion. Development should be in scale and keeping with its location, sensitive to the character of the countryside and local distinctiveness. Moreover, PPG4 encourages the re-use of buildings rather than leave them empty and the emerging PPS4 states that planning authorities should prioritise previously developed land which is suitable for re-use.

Policy CS1 of the CSDM advises that Silsoe is defined as Large Village and therefore new development will be limited in scale. Policies CS14 and DM3 advise that new development should be of a high quality and respect the context and setting of all historically sites whilst policies CS15 and DM13 state that new development relating to listed buildings, conservation areas and registered parks and gardens should pay particular attention to the conservation of locally distinctive features and uses.

Having regard to the above policy and the fact the unit has lain vacant since 2006, it is considered that the proposal would be a sustainable use that would meet a recognised community need. Whilst it is considered that this type of educational use would be appropriate in this location, to allow planning permission for a "normal" school may not be acceptable in this location and therefore it is considered appropriate in this instance that any planning permission on this site is made personal to the applicant.

2. Impact on visual amenities of area

The applicant has confirmed that no external alterations are proposed as part of the development. Internal changes are proposed consisting of the creation of an additional disabled WC at ground floor level.

The application site only includes the building itself and proposed car parking spaces to the south of the site (discussed below).

Given the fact that the building and the external area will remain much as at present, it is felt that there will be minimal impact on the visual amenities of the area generally. In terms of the impact of the proposal on the setting of the Grade I listed house and Registered Park/ Garden, it is considered that this will be minimal given the unit will retain its external appearance and the unit is not immediately adjacent to the listed building.

3. Impact on neighbours' amenities

The application site is at some distance from any residential properties. It is therefore considered that there would not be any significant loss of amenity to residential occupiers in terms of loss of privacy or noise and disturbance. The main impact could be the use of the access to the site but this is to be via the existing access road into Wrest Park which served the former commercial use of the buildings and therefore the amount of traffic generated by this use is not likely to be greater than which previously used the site.

4. Access and parking issues

The access road into Wrest Park is taken from its junction at High Street. The applicant has confirmed that students aged between 11 and 16 will either find their own way by public transport, parent's/ carer's cars or be delivered by taxis (currently 8 students in 3 taxis). The drop off point will be at the western side of the building with a turning area for vehicles further to the north at the rear of the building. Some students may be brought in by minibus from Luton.

Students will arrive between the hours of 9.15am and 10.45am and depart between 2.15pm and 3.45pm with staff arriving between 8 and 8.30 and departing between 4pm and 5pm. The proposal would have a total of 11 car parking spaces allocated in an area of existing parking to the south of the site. One of these spaces would be for a minibus and one would be a disabled accessible space. It is considered that this level of car parking provision is acceptable for this proposal. The access road and the road to the west of Unit 53 are private and unadopted.

5. Any other material planning considerations

Whilst it is appreciated that there is no extant planning permission for the uses on the site given the previous Crown Land nature of the site, it is noted that the previous uses of the site were commercial in nature. This application has been assessed on the basis of the impact of the proposed use on the setting of the historic park/ gardens and listed building/ conservation area and impact on residents. It is considered that it would be inappropriate for the local planning authority to refuse to determine this application on the basis that there is no overall future plan in place. In addition, the local planning authority could not refuse to deal with such an application in this instance.

Reasons for Granting

The proposal would have minimal impact on the residential amenities of nearby occupiers, would not detract from the character and appearance of the Grade I listed building, conservation area or Registered Park/ Garden, and would have acceptable parking and access arrangements. The proposal is therefore in conformity with policies CS1, CS14, CS15, DM3 and DM13 of the Core Strategy and Development Management Policies for Central Bedfordshire (North), East of England Plan (May 2008), Milton Keynes and South Midlands Sub-Regional Strategy (March 2005), PPS1 (Delivering Sustainable Development), PPG4 (Industrial and Commercial Development and Small Firms), PPS4 (Planning for Sustainable Economic Development), PPG15 (Planning and the Historic Environment) and PPG16 (Archaeology and Planning)

Recommendation

That Planning Permission be granted subject to the following:

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

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

- 2 This permission shall not be exercised by any person other than On-Track Education Services Limited for educational purposes (Class D1 Non-Residential Institution) and shall not enure for the benefit of the land.

Reason: The Local Planning Authority considers that the circumstances of the application site would otherwise compel the authority to refuse permission for the development hereby permitted.

Notes to Applicant

1. The applicant is advised that the requirements of the Disability Act must be complied with and that there must be an accessible toilet and level access to the main entrance for wheelchair users. Any further external changes to the property may require the grant of planning permission.

DECISION

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