

Item No. 10**SCHEDULE B**

APPLICATION NUMBER	CB/10/00381/FULL
LOCATION	Land Adjacent To St Thomas Meeting House, Windsor Drive, Houghton Regis
PROPOSAL	Erection of 3 storey residential care home (Revised application SB/TP/08/1107)
PARISH	Houghton Regis
WARD	Houghton Regis
WARD COUNCILLORS	Cllrs Egan, Goodchild, Jones & Williams
CASE OFFICER	James Clements
DATE REGISTERED	09 February 2010
EXPIRY DATE	06 April 2010
APPLICANT	Mr & Mrs B Kara
AGENT	AFS Ltd
REASON FOR COMMITTEE TO DETERMINE	The application site is owned by Central Bedfordshire Council and an objection raised cannot be overcome by way of condition
RECOMMENDED DECISION	Full Application - Granted

Site Location:

The application site is a rectangular parcel of land to the east of Windsor Drive. To the north of the site is St Thomas Meeting House with associated Clergy House and car parking area to the rear, bound from the proposal site by a close boarded fence. To the west of the site is a bus lay-by and bus stop, and on the western side of Windsor Drive there are two-storey residential dwellings. Abutting the northwest corner of the site is a public telephone box. The eastern side of the site bounds a car park on Gilpin Close separated by a screen of mature trees. To the south is a footpath, Houghton Brook and a mature hedge/tree line up to 7m in height, beyond which large area of open space identified as public open space for informal and formal recreation in the Local Plan Review (Policy R3).

The Application:

It is proposed to erect a 23-bedroom, 3-storey residential care home. The building's footprint would have a depth of 21 metres and a width of 15 metres, rising to a maximum three storey ridge height of 8.4m. Windows are proposed on all elevations with two windows facing the car parking area to the rear of St Thomas Meeting House.

The building would be constructed in brick with stone cills, brick headers, white upvc windows and a interlocking concrete plain tile roof. The building would be set back 15-18m from Windsor Drive and is designed with projecting front and rear gables, with a multi pitched roof. There would be a sensory garden area to the rear of the building and fencing is proposed on the southern boundary and adjacent the building, for security purposes. A bin store would be located behind the north of the building adjacent the boundary with the Meeting House.

There would be parking for 8 cars provided to the front of the building with access from Windsor Drive. At present a bus stop lay-by is located on land proposed for the

new access point, which the applicant has agreed to relocate.

The applicant is a prospective purchaser of the land from Central Bedfordshire Council. It must be noted that this is a private application and is not made on behalf of the local authority.

RELEVANT POLICIES:

National Policies (PPG & PPS)

PPS1 Delivering Sustainable Development

PPS 3 (Housing), PPG 13 (Transport)

PPG 17 (Planning for Open Space, Sport and Recreation)

PPS 23 (Planning and Pollution Control)

PPS 25 (Planning and Flood Risk).

Regional Spatial Strategy

East of England Plan (May 2008)

SS1 (Achieving Sustainability)

ENV7 (Quality in the Built Environment)

South Bedfordshire Local Plan Review Policies

SD1 (Sustainable Keynote Policy)

BE8 (Design)

T10 (Parking)

R3 (Urban Open Space Strategy)

Planning History

SB/TP/76/0810	Permission for the erection of 181 dwellings (Lowry Drive residential development).
SB/85/00577	Permission for the erection of Meeting Room and Clergy House.
SB/OUT/06/0356	Erection of a three storey 40 bedroom care home. Application - withdrawn.
SB/07/00855	Erection of a three storey 33 bedroom care home. Application - withdrawn.
SB/08/01107	Erection of a three storey 27 bedroom care home. Application - withdrawn.

Representations: (Parish & Neighbours)

Town Council:	No objection, however, concern expressed that the parking does not appear to accommodate space for visitors to the home, there does not appear to be sufficient turning space for emergency or delivery vehicles. Consideration should be given to redesigning the access so that the bus stop does not need to be relocated. If not possible the cost should be borne by the applicant.
Neighbour - No.1 Windsor Drive:	Objects - excessive height, increase in traffic and increased noise.

Consultations/Publicity responses

Internal Drainage Board:	The site is outside of the Board's District.
Environment Agency:	No objection subject to an informative.
Tree & Landscape Officer:	No objection subject to landscaping and tree protection condition.
Environmental Health Officer:	No objection subject to information.
Police Design Officer:	No objection.
Highway Officer:	No objection subject to conditions and an informative.

Determining Issues

The main considerations of the application are:

1. Principle of Development
2. Amenity Value of the Proposal Site
3. Design and Environmental Standards
4. Highway issues - relocation of bus lay-by
5. Emergency evacuation from the second floor

Considerations

1. Principle of Development

The site lies within the built-up area of Houghton Regis and is not designated in the Local Plan Review for a particular use. The development of the site is therefore acceptable in principle, subject to full consideration of other material considerations.

Local Plan Policy BE8 (Design and Environmental Standards) states that, amongst others, proposals for development should ensure that the size, scale, density, massing, orientation, materials and overall appearance of the development should complement and harmonise with the local surroundings; the development has no unacceptable adverse effect upon residential amenity and privacy.

2. Amenity Value of the Proposal Site

The proposal site is a grassed area of land that originally formed part of the planning application SB/76/0810 for 181 residential properties along Lowry Drive. The application site and land to the north were surplus to the development and subsequently became the property of the South Bedfordshire Council. In 1985 the northern part of the land was granted planning permission for a Meeting Room and Clergy House (SB/85/00577) and the land was sold to the Diocese of St Albans.

The proposal site remains in the ownership of the Council and is an area of undeveloped land. There is therefore an argument that land has 'amenity value'

and is a community asset. There is, however, no evidence to suggest that the land has been used or treated as such by the local community. This is a consequence of the site's modest size, sandwiched between residential development, St Thomas' Meeting House and informal open space designated R3 in the Local Plan Review. It is considered, therefore, that the loss of the land would not have a detrimental impact on amenity or the locality.

3. Design and Environmental Standards

The general form and use of materials in the proposed building are considered to be acceptable. Architecturally the form of the proposal would have some interesting detailing with projecting gables, cills & headers, brick coursing and materials matching surrounding properties.

The proposed building would be approximately 2.5m higher than St Thomas Meeting House and adjacent residential properties, and would have a larger footprint. However, the building would stand alone, set back 15-19m from Windsor Drive and 9.6 m from St Thomas' Meeting House, which would help to reduce the impact of the building when viewed from Windsor Drive, compensating for the difference in height and massing. Views from the open space to the south would be mitigated by the mature tree line which forms the boundary between Houghton Brook and the recreation ground. It is therefore considered that the building would not appear unduly large in terms of size, scale and massing, and would complement and harmonise with local surroundings.

In terms of environmental standards the proposal would not have a detrimental impact on residential amenity. Two windows would face St Thomas Meeting House but these would overlook the car park to the rear and not directly the Clergy House or garden area. The side elevation of the Clergy House has a bedroom window facing the proposal site that would be located approximately 9.6m from the proposed care home. However, due to the proposed location of the care home, set back in the plot and the distance between the buildings, it would not have an overly dominant impact on the window. The nearest property on Gilpin Close would be approximately 30m from the proposed building, separated by tree screening, and would not be affected by the proposal.

The proposal site is an undeveloped piece of land and the proposed use would undoubtedly increase the use and noise onsite. However, given that the proposed use of the land is for a 23-bed care home for elderly people, it is unlikely that the use would impact on noise and disturbance levels to an unreasonable level. It should be noted that the Environmental Health Officer has no objection to the development.

4. Highway issues

The Highway Officer has stated that the proposal would be acceptable provided that the lay-by and bus stop is relocated and reinstated with a grass verge. The relocated bus stop would serve a smaller (half) lay-by at a location between 65&150m from the site to be identified along Windsor Drive. The cost of the relocation of the bus lay-by would be borne by the applicant, which the applicant has agreed to. The Highway Officer has agreed that the relocation of the lay-by and bus stop would be secured by the use of a Grampian Condition. It should be noted that the new access, reinstated verge and development as a whole would not impact on or be impacted upon by the public telephone to the

northwest of the site.

In terms of parking spaces and vehicle turning for visitors, emergency and delivery vehicles, the Highway Officer has stated that the parking provision meets parking standards and that there would be sufficient space between the highway and the proposed care home to accommodate both parking and turning space. The Highway Officer has recommended a number of conditions for the submission of parking/turning areas prior to occupation of the premises.

Reasons for Granting

The proposed development accords with national guidance set out in PPS1 and complies with South Bedfordshire Local Plan Policy BE8 and there are no material considerations that would warrant planning permission not being granted.

Recommendation

That Planning Permission be Granted subject to the following:

- 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 details of which shall first be approved in writing by the Local Planning Authority, shall be erected in the positions approved and 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 **Development shall not begin until details of the junction of the proposed vehicular access with the highway (including stopping up the redundant bus stop lay-by and turning this area back to grass verge) have been approved by the Local Planning Authority and no building shall be occupied until the junction has been constructed in**

accordance with the approved details.

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

- 5 Development shall not begin until a new bus stop lay-by has been constructed within _____m from the application site in a location along Windsor Drive and in accordance with a scheme to be submitted to and approved by the Local Planning Authority.
REASON: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises.
- 6 Before work begins, samples of the materials to be used for the external walls, roofs, windows and doors shall be submitted to and approved in writing by the Local Planning Authority. The work shall thereafter be carried out in accordance with the approved details.
REASON: To control the appearance of the building.
(Policy BE8 S.B.L.P.R).
- 7 Before development begins, a scheme for the parking of vehicles on the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall comply with the standards of the Local Planning Authority and shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.
REASON: To ensure provision for car parking clear of the highway.
(Policy T10 S.B.L.P.R).
- 8 Before development begins, a scheme for fencing, including design, dimensions, colour and location, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained.
REASON: To safeguard the amenity of the area.
(Policy BE8 S.B.L.P.R).
- 9 Before work begins, details and samples of the proposed new external cill/head details shall be submitted to and approved in writing by the Local Planning Authority. The works shall then be carried out in complete accordance with the approved details.
REASON: To control the appearance of the building.
(Policy BE8 S.B.L.P.R).
- 10 Before work begins, details of the proposed new external windows, eaves and doors showing materials, fenestration and reveal shall be submitted to and approved in writing by the Local Planning Authority. The works shall then be carried out in complete accordance with the approved details.
REASON: To control the appearance of the building.
(Policy BE8 S.B.L.P.R).
- 11 Before development begins, details of the existing and proposed levels shall be submitted to and approved in writing by the Local Planning Authority, and development shall thereafter be implemented accordingly.
REASON: To produce a satisfactory relationship between the various

**elements of the scheme and adjacent properties.
(Policy BE8 S.B.L.P.R).**

- 12 **Before the access is first brought into use a triangular vision splay shall be provided on each side of the new access and shall measure 1.8m along the fence, wall, hedge or other means of definition of the front boundary of the site, and 1.8m measured into the site at right angles to the same line along the side of the new access drive. The vision splays so described and on land under the applicant's control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.
REASON: To provide adequate visibility between the existing highway and the proposed access, and to make the access safe and convenient for the traffic which is likely to use it.**
- 13 **No development shall commence until a wheel cleaning facility has been provided at all site exits in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The wheel cleaner(s) shall be removed from the site once the roadworks necessary to provide adequate access from the public highway have been completed (apart from final surfacing) to the satisfaction of the Local Planning Authority.
REASON: In the interests of amenity and to prevent the deposit of mud or other extraneous material on the highway during the construction period.**
- 14 Any gates provided shall open away from the highway and be set back a distance of at least 5.0m (domestic)/8.0 metres (agricultural) from the nearside edge of the carriageway of the adjoining highway.
REASON: To enable vehicles to draw off the highway before the gates are opened.
- 15 The maximum gradient of the vehicular access shall be 10% (1 in 10).
REASON: In the interests of the safety of persons using the access and users of the highway.
- 16 Before the premises are occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.
REASON: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises.
- 17 The development shall not be brought into use until a turning space for vehicles has been constructed within the curtilage of the site in a manner to be approved in writing by the Local Planning Authority.
REASON: To enable vehicles to draw off, park and turn outside of the highway limits thereby avoiding the reversing of vehicles on to the highway.
- 18 The access shall have a minimum width of 4.8m.
REASON: In the interest of road safety and for the avoidance of doubt.
- 19 This permission relates only to the details shown on Drawing No's 285/WIN/NOV09 Revision D-JAN 10, 285A/WIN/NOV09 Revision D-JAN 10,

285B/WIN/NOV09 Revision D-JAN 10, 285C/WIN/NOV09 Revision D-JAN 10, 285D/WIN/NOV09 Revision D-JAN 10, 285E/WIN/09 Revision D-JAN 10, 285F/WIN/NOV09 Revision D-JAN 10, 285G/WIN/NOV09 Revision D-JAN 10 received 24/03/2010 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:

Regional Spatial Strategy

East of England Plan (May 2008)

SS1 (Achieving Sustainability)

ENV7 (Quality in the Built Environment)

South Bedfordshire Local Plan Review Policies

SD1 (Sustainable Keynote Policy)

BE8 (Design)

T10 (Parking)

R3 (Urban Open Space Strategy)

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.
4. Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent is required from the Environment Agency for any proposed works or structures in, under, over or within 9.00 metres of the top of the bank of the main river (Houghton Brook).
5. The applicant is advised that in order to comply with Conditions 4 and 5 of this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Development Planning and Control Group, P.O.Box 1395,

Bedford, MK42 5AN.

- 6. If during the proposed development any site investigation, excavation, engineering or construction works evidence of land contamination is identified, the applicant shall notify the Local Planning Authority without delay. Any land contamination identified, shall be remediated to the satisfaction of the Local Planning Authority to ensure that the site is made suitable for its end use. Further information can be obtained from Public Protection South.

The applicant is advised to contact Maurice Clay and Claire Bell, Team Leaders for Food Safety/Hygiene and Health and Safety/Licensing respectively, for any issues that may arise.

DECISION

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