

Item No. 13**SCHEDULE C**

APPLICATION NUMBER	CB/10/03324/FULL
LOCATION	Gravenhurst Lower School, High Street, Gravenhurst, Bedford, MK45 4HY
PROPOSAL	Full: Erection of timber pergola.
PARISH	Gravenhurst
WARD	Silsoe & Shillington
WARD COUNCILLORS	Cllr R Drinkwater and Cllr A Graham
CASE OFFICER	Sarah Fortune
DATE REGISTERED	02 September 2010
EXPIRY DATE	28 October 2010
APPLICANT	Gravenhurst Lower School
AGENT	MK40 Architects
REASON FOR COMMITTEE TO DETERMINE	The application is made under Regulation 3 and objection has been made to the scheme.

**RECOMMENDED
DECISION** **Full Application - Granted**

Site Location:

The site is located on the south side of High Street in the centre of Gravenhurst within the rear grounds of Gravenhurst Lower School and within the heart of the village of Gravenhurst. There is the recently constructed Campton and Gravenhurst Pre School in the south east corner of the Gravenhurst Lower School grounds.

The Application:

This application is for the erection of a timber pergola to the rear of the teaching block in the centre of the curtilage of the school and set well back from the road. It is to be used for Gravenhurst Lower School theatrical purposes and concerts as well as other spontaneous outdoor activities which improve the children's' creativity, speaking and listening skills.

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

PPS4 Commercial development

Bedfordshire Structure Plan 2011

**Core Strategy and Development Management Policy Document dated
November 2009**

DM3 Amenity

Supplementary Planning Guidance

Planning History of Gravenhurst Lower School - relevant

CB/09/05598 Installation of 2 canopies
Granted: 25/09/2009

Campton and Gravenhurst Pre- School - relevant

07/01519 Pre School and covered play area.
Granted: 15/11/2008

10/00279 Extension to existing boundary fence.
Granted: 4/05/2010.

Representations: (Parish & Neighbours)

Gravenhurst P C No comments received.

Neighbours 1. Concerns about its potential for use outside of school hours and term times and possibly by non school users. The School should be more specific about the uses the facility is to be put. Would like limitations on its use to within school hours and term times - and that this is put as a condition of planning approval.

1. Is the pergola to be what has been referred to in the village magazine as an 'outside stage area with seating'? Please clarify. Recent developments at the Pre school raise concerns regarding noise and amenity of neighbouring properties.

1. Observations: The description is innocuous. Needs to be described in the way it is to be used. The village magazine describes its use for outside stage area and seating. This must mean evening and week end use. Are we not able to have quiet times as neighbours? The school will not adhere to planning conditions. There has been a great increase in traffic recently as a result of development at the School and Pre School leading to deterioration in the quality of life for local residents. Main fear is the potential for use outside school hours and term times possibly by non school users. Whatever are the intentions of the school we would like limitation to within school hours in term times to be stipulated as a condition of planning approval.

Consultations/Publicity responses

Highways Officer No comments received.

Access Officer No comments received.

Archaeology Officer No comments received.

Determining Issues

The main considerations of the application are;

1. Background and Policy
2. Size, Siting and design in relation to site and the area generally
3. Other Considerations

Considerations

1. Background and Policy

Gravenhurst Lower School has been established at the site for over 100 years. It comprises of a main school building to the north west corner of the site close to the High Street as well as a more recent teaching block, canopies and some small ancillary external items in the grounds of the school. The Campton and Gravenhurst Pre School has recently been constructed in the south east corner of the Lower School curtilage.

In view of the fact that the site has an authorised use as a Lower School there are no objections to the development in principle. What needs to be carefully considered is whether the size, siting and design are appropriate for the site and its surroundings and whether there will be an unduly adverse impact on the amenities of the neighbours by way of noise and disturbance etc..

The applicants have advised that there is a need to improve their current facilities used in teaching literacy curriculum in the outside area. As a result of this they wish to create a decked area and pergola to replace the existing informal theatre area on the site which has been used for this purpose for many years and tends to be very muddy following inclement weather.

The decked area and pergola will enable pupils to improve their creativity, speaking and listening skills in a safe and appropriate setting. It is to provide a more formal structure to enable children to relate creatively to their activity.

Schools are encouraged to deliver their learning priorities using both the indoor and outdoor provision. Children and staff use the existing outside theatre throughout the school day on a spontaneous basis.

The outside area is also where concerts are performed by the children - there are currently 46 on the roll - are held and parents and the community are invited to attend. These are held both during school term times and in the early evening so that parents who work can attend. The anticipated times of use are between 9am and 9pm mainly during term time. The applicants are of the view that in view of the fact that this is an improvement to an already available facility then noise and inconvenience to the local community will not be increased. The school further advises that the project will not increase the use of the outside provision but improve it by providing a safe environment for the children to work and learn.

2. Size, Siting and design in relation to site and the area generally

This application is for the installation of a timber pergola in the centre of the lower school grounds on an existing grass area. It is to be a roughly triangular shaped timber post structure with no solid brick walls - having dimensions of 7.4 metres (max) length, 4.3 metres (max) width and a maximum height of 3.8 metres. There is to be a timber treated base/seating area.

In view of the fact that this wooden structure is to be sited well away from High Street and Orchard Close in an area that is substantially planted with trees and shrubs it is felt that it will blend in with its surroundings and not appear as being unduly visually intrusive or out of keeping with the area. This meets local planning policies in the Core Strategy and Development Management Policy Document dated November 2009.

3. Other Considerations

With regard to the potential impact on the amenities of the neighbours the way in which the facility is to be used is outlined above. The school have advised that they already use this outside area as an informal theatre where concerts are held and various activities take place in association with the improvement of the children's creativity, speaking and listening skills.

What has to be considered is whether the use of the pergola in the manner described above will have more of an impact on the amenities of neighbours - by way of noise or general disturbance in particular - than the existing use of the site for the same activities.

The site is at some 40 metres distance from the nearest neighbours and is not visible from the road being sited in a position set within a clearing between trees and a high hedge. The applicants have advised that the levels of noise and inconvenience to the local community will not be increased as a result of this pergola

Having given careful consideration to the proposal it is felt that by creating a permanent structure at the site in the form of the pergola this will facilitate a formalisation of the existing use at the site - which is at present more flexible in that it uses an unmarked grassed area. The proposed pergola is likely, therefore, to lead to a change in the nature of the way in which the site is used. However, it is considered that any increase in noise, general disturbance or light pollution can be controlled by the imposition of conditions attached to any planning permission and these conditions will enable the amenities of neighbours to be safeguarded to a satisfactory level. As long as appropriate conditions are attached it is considered that it would be very difficult to sustain a reason for refusal on amenity grounds on appeal.

No other technical objections have been received and any further comments received will be reported to the Development Management Committee.

Reasons for Granting

In view of the fact that there are no policy objections to the construction of the pergola, and it is felt that any greater impact on the amenities of neighbours by way of the formalisation of the existing use can be controlled by way of conditions being attached to any planning permission - and no other technical objections have been received - the application is recommended for approval as being in compliance with policies in the Core Strategy and Development Management Policy Document dated November 2009.

Recommendation

That planning consent be granted subject to the following conditions

- 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 The pergola hereby approved shall be used only in association with the use of the Gravenhurst Lower School - as a school - for school theatrical performances, concerts and other similar activities and not for any other purpose. It shall not be used for any purpose by any non Gravenhurst Lower School groups.

Reason: To define the permission hereby granted and for the avoidance of doubt in the interest of the visual amenities of the area and the amenities of neighbours.

3 The pergola hereby granted planning permission shall not be used outside of the Gravenhurst Lower School term times and it shall not be used outside the hours of 9am to 9pm on Mondays to Saturdays during school term times and not at all on any Sunday, Public or Bank Holiday.

Reason: To safeguard the amenities of occupiers of the neighbouring residential properties.

4 There shall be no use of amplification or floodlighting in or from the pergola hereby approved without the prior approval of the planning authority in the form of a planning permission.

Reason: To safeguard the amenities of occupiers of the neighbouring residential properties.

5 Full details of both hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:-

- proposed finished levels or contours;
- materials to be used for any hard surfacing;
- the retention of all trees and shrubs
- planting plans, including schedule of size, species, positions, density and times of planting;
- cultivation details including operations required to establish new planting;
- details of existing trees and hedgerows on the site and the method of their protection during development works.

The development shall be carried out in accordance with the approved details.

Reason: In order to ensure that the landscaping is carried out within a reasonable period in the interest of the visual amenities of the area.

Decision

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