

**Item No. 11****SCHEDULE C**

<b>APPLICATION NUMBER</b>	<b>CB/10/03786/SE73</b>
<b>LOCATION</b>	<b>Land Rear Of 144 To 146, London Road, Biggleswade</b>
<b>PROPOSAL</b>	<b>Section 73: Variation of condition 2 to extend time period for a further 5 years on planning approval 07/01526/FULL dated 12 November 2007</b>
<b>PARISH</b>	<b>Biggleswade</b>
<b>WARD</b>	<b>Biggleswade</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Jones, Lawrence, Lawrence &amp; Vickers</b>
<b>CASE OFFICER</b>	<b>Annabel Gammell</b>
<b>DATE REGISTERED</b>	<b>18 October 2010</b>
<b>EXPIRY DATE</b>	<b>13 December 2010</b>
<b>APPLICANT</b>	<b>Brigham Pre-school and The Den</b>
<b>AGENT</b>	
<b>REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION</b>	<b>The application is on land owned by Central Bedfordshire Council, a letter of objection was received</b>
	<b>Section 73 Determination - Granted</b>

**Site Location:**

The site is located on the west side of London Road to the rear of No.144-146 London Road. The site is positioned in the north east corner of the Holmemead Middle School playing fields. There is currently a buff single storey classroom unit on the site which is used as a play group.

There is no vehicular access to the site whilst the pedestrian access is from the footpath leading from London Road and Kitelands Road. Emergency access to the site is possible via Holmemead Middle School.

**The Application:**

The proposal is for the retention of a temporary unit (17.9 x 9.8m x 3.6m high). This is for continued use by Brigham Play group. The play group principally provides pre school care for up to 26 children aged 2 to 4 years, a breakfast club and after school service is also provided for school children. The application is to vary the condition for a period of 5 years. When the application was originally submitted the description specified the removal of the condition, this was subsequently amended to variation of condition.

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

PPS 1 Delivering Sustainable Development (2005)

## **Regional Spatial Strategy**

East of England Plan (May 2008)

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

## **Bedfordshire Structure Plan 2011**

Not applicable

## **Core Strategy and Development Management Policies, November 2009**

Policy DM3 - High Quality Development

## **South Bedfordshire Local Plan Review Policies**

Not applicable

## **Supplementary Planning Guidance**

Design in Central Bedfordshire, a Guide for Development

## **Planning History**

The site has a detailed planning history, none are relevant to this application except for the original permission for the play group that was granted for a period of 5 years previously.

## **Representations: (Parish & Neighbours)**

Biggleswade Town Council  
Adjacent neighbours

No objections for a temporary consent  
One letter of objection was received, with regard to the parking situation along London Road.

## **Consultations/Publicity responses**

Site Notice Posted 22.11.10:	No comments received
Highways Department:	No objection
Public Protection:	No objection
Ramblers Association:	No objection
Disability Discrimination Officer:	No objection
Play and Open Space Officer:	No comments to make

## **Determining Issues**

The main considerations of the application are;

1. Appropriateness of development
2. The effect on the character and appearance of the surrounding area
3. The impact on the residential amenity of neighbouring properties
4. Any other implications of the proposal

## Considerations

### 1. **Appropriateness of development**

The temporary unit is currently being used as a play group facility. It is considered that this is an appropriate use of the building and for the site, which is currently a mixed use community facility site. The continued use of temporary buildings is generally not considered to be desirable, and where possible a permanent solution should be found. There is no policy constraint for a building of this type in this location.

### 2. **Effect on the character and appearance of the area**

The site is large, the majority of the site is playing field land, this is to the south and west of the temporary classroom unit, the unit is situated behind the dwellings on London Road and therefore the views of it from the streetscene are limited. It is considered that the unit currently has no significant impact upon the character or appearance of the area and therefore it is judged in accordance with Policy DM 3 of the Core Strategy and Development Management Policies.

### 3. **Impact on the residential amenity of neighbouring properties**

The community facility site is within a predominantly residential area, there are residential properties to the east, playing fields to the south and west and an adult training centre to the north. It is considered that in terms of residential outlook, privacy, loss of light, or causing an overbearing impact the proposal is acceptable, given that it is a single storey building approximately 50 metres from the rear elevations of the neighbouring dwellings.

One letter of objection was received this was relating to car parking problems along London Road. There is currently a public footpath which forms the access to the play group, this is also a route used by pupils of Holmemead Middle School and people accessing the Adult training centre. The play group has a travel plan which encourages sustainable forms of transport to the site, and promotes schemes such as walk to school week. There is no dedicated parking for the play group, guardians who drive to the site are encouraged to do so with respect to local residents and share the parking facilities on the adjacent sites. It is acknowledged that London Road is a busy road within Biggleswade, but there are many residential, commercial and community properties off it and therefore the problem of parking can not be attributed to one function or facility. The Highways Department have made no objection to the continued use of the facility in terms of impact upon highway safety. There are currently white markings on the road in front of the driveways to access the dwellings closest to the application site to indicate that people should not park in these locations.

### 4. **Any other implications**

Consultation:

As this application was for the removal of condition, there was need for a re consultation period when the description was changed to variation of condition, this started on the 22/11/10 and will end on the 13/11/10, as such the Committee are asked to grant Delegated Powers to the Director of Sustainable Communities to approve the application subject to no new issues being raised.

## Reasons for Granting

The temporary classroom being granted a temporary permission for a further five years would not have a negative impact upon the general character of the area or an adverse impact on the residential amenity of neighbouring properties and is acceptable in terms of highway safety therefore by reason of its site, design and location, is in conformity with Policy DM3 of the Core Strategy and Management Policies, November 2009; Planning Policy Statement 1 (2005), Regional policies in the East of England Plan (May 2008) and the Milton Keynes and South Midlands Sub-Regional Strategy (March 2005). It is in further conformity with technical guidance, Design in Central Bedfordshire, a Guide for Development.

## Recommendation

That Planning Permission be granted subject to the following:

- 1 This permission is limited to a period expiring five years from the date of this permission when the use shall be discontinued, any buildings or structures removed and the land re-instated unless before that date the Local Planning Authority has granted permission for its continuation and/or retention.

Reason: To enable the Local Planning Authority to review the uses, buildings and structures when the permission expires. The building is made of non durable materials and therefore not appropriate for permanent consent.

- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers CBC-1 and Sheet no.1 Rev F.

Reason: For the avoidance of doubt.

## DECISION

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