

SCHEDULE C

APPLICATION NUMBER	CB/10/04487/REG3
LOCATION	Doverly Down Lower School, Heath Road, Leighton Buzzard, LU7 3AG
PROPOSAL	Erection of temporary classroom accommodation, consisting of 5 no. modules each 9.0m x 3.0m to provide a Pre-School facility
PARISH	Leighton-Linslade
WARD	Plantation
WARD COUNCILLORS	Cllrs Peter Rawcliffe & Alan Shadbolt
CASE OFFICER	Gill Claxton
DATE REGISTERED	04 February 2011
EXPIRY DATE	01 April 2011
APPLICANT	Mrs Melitus
REASON FOR COMMITTEE TO DETERMINE	The land is owned by Central Bedfordshire Council and there are unresolved objections from local residents
RECOMMENDED DECISION	Regulation 3 - Granted

Site Location:

The application site is located at Doverly Down Lower School. The school lies on the western side of Heath Road and is set back some 145m from the highway. The main vehicular and pedestrian access is from Heath Road but the site is also accessed by a footpath from Copper Beech Way and Poplar Close. The school comprises a single-storey building constructed in 1968, predominately with flat roofs and brick walls. The application site, comprising a hard surfaced games court, is located in the south eastern corner of the school, approximately 30m from the rear elevations of the nearest residential properties in Poplar Close.

The school shares a boundary with properties to the north on Copper Beech Way, to the east Heath Park Drive and with properties to the south on Poplar Close. To the east of the application site lie the school playing fields, to the west and north a hard surfaced area. The site was formerly the school's open air swimming pool which was infilled in 2004 and converted to a formal hard surfaced games court. It is enclosed by a 1.8m high close-boarded fence and mature planting.

The school site is washed over by the Heath Road/Plantation Road Area of Special Character as identified on the South Bedfordshire Local Plan Review Proposals Map.

The Application:

Planning permission is sought for the stationing of a 5-bay modular temporary classroom building on the court in order to provide a Pre-School/Nursery Classroom.

The building would measure just over 9.0m wide by 15m deep to a maximum height

of 3.15m. The building would be flat roofed with dark olive coloured walls. On the western elevation there would be a ramped access into the building. Internally there would be a large play/classroom area with a wet area, cloakroom. staff and children's toilet facilities, kitchen, office and store.

The application was accompanied by a Design and Access Statement and a Justification Statement. In support of the application it is stated:

- The proposed Pre-School would provide places for 20 children in the morning and 20 in the afternoon and will employ 3 staff;
- The unit can also be used for wrap-around care (the Stay and Play Club);
- The main school building cannot accommodate the Pre School/Nursery facility. There is currently one classroom for each year group - Reception to Year 4;
- The current pupil roll for this academic year is 148 and is predicted to rise to 150 in 2011/12 with a further rise in 2013;
- Available places in the vicinity are limited. Although a new facility is being opened at St Leonard's School in Heath and Reach (Heath Barn Pre-School is re-locating to a purpose-built facility at St Leonard's), Doversy Down does not share the same catchment area and are not in competition for the same 'pupil-bank'. When researching whether there was a need for a pre-School at Doversy Down the Headteacher found a lack of provision for 3-year olds in the immediate vicinity;
- There have always been issues with the parking of parental cars in Poplar Close, from which parents access a gate onto the school playground. The governors of the school have decided that parents of the Pre-School will only be allowed to park on the school field. The times of the Pre-School would be set slightly differently from the main school to further alleviate any congestion.

RELEVANT POLICIES:

National Policies (PPG & PPS)

PPS1 - Delivering sustainable Development

Regional Spatial Strategy

East of England Plan (May 2008)

SS1 - Achieving Sustainable Development

ENV7 - Quality in the Built Environment

South Bedfordshire Local Plan Review Policies

BE6 - Area of Special Character

BE8 - Design and Environmental Considerations

Supplementary Planning Guidance

Design in Central Bedfordshire - A Guide for Development - adopted by the Luton & South Bedfordshire Joint Committee on 23/07/10.

Planning History

CB/10/01490/REG3 Permission for single storey extension to form new entrance way.

Representations:

(Parish & Neighbours)

Leighton-Linslade Town Council

No objection.

24 Poplar Close -
comprising a petition of
43 signatures

Objection on the following grounds:

- Unit not needed as there are available places at other schools in Leighton Buzzard;
- Concerned at the safety aspect arising from the additional cars. At school opening and closing times it is very dangerous with cars parked anywhere and everywhere. It is a fluke that no child has been injured in the chaos;
- Impossible for Emergency Service vehicles to get along the road;
- Please reconsider the application or restrict the traffic in some way;
- The current situation makes life difficult and dangerous twice a day; what is being proposed will attract many more cars and another time of problems making life intolerable for all concerned.

24 Poplar Close

Further representations as follows:

- Even though we did instigate the petition, there is no problem with the Pre-School unit in itself;
- Main concern is with the traffic situation which residents cannot take any more and the scheme should be subject to the following provisos;
- No extra cars should be allowed in the Close;
- The school gate in Poplar Close should be locked all day so that no pre-school child can be taken in that way and must enter through the Heath Road entrance;
- The very serious traffic congestion problem in the Close with parents' cars is addressed very quickly.
- This letter has been read and agreed by other residents.

1, 7, 11, 13, 14, 20, 22,
23, 26, 32, 43 and 45
Poplar Close

Object for all or some of the following reasons:

- There are still some residents in Poplar Close who bought their bungalows when the development was built between 1954 and 1957. Thoughts were of retirement in a peaceful area. They had not bargained for a school to be built close by.
- Many of the residents in Poplar Close are elderly and have age-related complaints requiring regular visits and additional support from ambulances, other carers and Buzzer Buses.
- All the noisy play areas have been installed between the main school building and the bungalows. Noise continues outside the school hours as a result of the Stay and Play Club. Children are often on site until 6pm. Noise can be wearing at times. The Pre-School

unit would also be sited very close to the bungalows and would increase the noise issues.

- Poplar Close is a small, narrow cul-de-sac. At present, at school drop-off and collection times vehicles are parked tightly along the road, overlapping drives causing the cars of residents and other road users to mount the pavement in order to proceed. Parents/carers vehicles have become larger over time and 4x4's, people carriers and so on make the situation even worse. The existing situation is chaos. Residents already have problems of access and egress during the school drop off and collection times.
- The parking from parents/carers is inconsiderate leading to blocked driveways, grass verges damaged and verbal abuse.
- The new facility will exacerbate an already bad situation and could amount to an additional forty vehicle movements per day.
- Residents have tried to bring some order to the chaos but to no avail. The problem has escalated to saturation point. Poplar Close cannot accommodate any more vehicles and residents are fed-up with not being able to go about their business as and when required.
- Residents have tried to get parking restrictions but to no avail despite Kingsmoor Close in Flitwick being successful which had similar parking problems with a school in close proximity as Doverly Down.
- Entrance on Heath Road should be made more accessible. All cars should enter and exit through this entrance and park within the school grounds.
- In terms of need and demand it should be clarified whether other local providers are full.
- Provision for pre-school children should have been made when planning approval was granted for the large housing estates in Leighton Buzzard and then it would be unnecessary to increase provision on unsuitable sites.
- New school/pre-school should be built on the other side of town to accommodate Billington Park and Sandhills developments.

3 Poplar Close

No objection to extending the school but a car park facility must be incorporated into the plans. The peace and quiet of the area and the elegance of the road is being destroyed.

Consultation/Publicity responses

Public Protection South No objection.

Sport England Comments as follows:

- Sport England would normally object to any development that would lead to a loss of, or prejudice the use of, all or part of a playing field without meeting at least one of the specific exception criteria in Sport England's policy 'A Sporting Future for the Playing Fields of England', 1997 without meeting one of the policy's exception criteria.
- Technically the loss of a hard surfaced play area would not be entirely consistent with exception E3 as the area would be capable of being used as a hard court for formal sport. None of the other exceptions to the policy would be applicable in this case.
- However, I am mindful of the following: the existing natural turf playing field would not be affected by the proposed development; the school's provision of hard play area is relatively large and the modest reduction in the size of this area associated with the proposals is unlikely to have a significant impact on the school's ability to meet PE curricular needs or compromise any community use of the hard play area; the mini-tennis court which would be lost as a result of the proposals would be marked out elsewhere within the hard play area and the structure is of a temporary nature and the area could revert to a hard court in the future.
- Accordingly no objection is made to the application, subject to a condition requiring the mini-tennis court to be marked out prior to the commencement of development.

Childcare Development
Manager

The justification statement on the planning site is misleading when it states there are limited numbers. Heath Barn pre school will offer an additional 30 places when they open their new unit at Easter this year (at St. Leonard's Lower School).

Highway Engineer

No objections, subject to conditions requiring the submission of a travel plan, instigation of proceedings to make a Traffic Regulation Order to prevent parking in Poplar Close around school drop-off and collection times.

Determining Issues

The main considerations in the determination of the application are:

1. Whether the proposal would have any adverse impact on the character and appearance of the locality.
2. Whether the proposal would have any adverse impact on the amenity of occupiers of neighbouring residential properties.
3. Highways and parking considerations.
4. Other matters

Considerations

1. Whether the proposal would have any adverse impact on the character and appearance of the locality.

In design terms, the proposal is single storey with a maximum height of just over 3 metres. It would be well screened by the existing boundary fencing and established boundary screening. From any public vantage points it would not be readily visible, although there would be limited views from the bungalows and their gardens in Poplar Close which back on to the site and to a lesser extent No's 243 to 249 Heath Road. It is considered that the proposal is acceptable in terms of its visual impact on the surrounding area and would comply with Policy BE8. Having regard to Policy BE6 in relation to the Heath Road/Plantation Road Area of Special Character it is considered that there would be no adverse effect as the proposal would not be unduly prominent from public vantage points and would not have an adverse visual effect on the locality or the rationale for designating the Area of Special Character.

2. Whether the proposal would have any adverse impact on the amenity of occupiers of neighbouring residential properties.

The nearest residential properties to the building would be No's 25 to 31 Poplar Close. Their rear garden boundaries are sited some 12 metres from the closest point of the building and the rear elevations of the dwellings some 30 metres. Given the distances involved, the single storey nature of the development and the presence of existing boundary treatment there would be no loss of amenity to occupiers of these properties in terms of loss of sunlight, daylight, privacy, overlooking or overbearing effect.

It is not considered that the 20 children attending a Pre-School session at any one time would have an adverse material impact on the amenities of local residential properties in terms of noise and disturbance. There would be an area for external play outside the building adjacent to the rear garden boundaries of the properties in Poplar Close. However, the pre-school day would end by 3.30pm and the area where the building would be sited could be used for external play and PE in any event. The existing hard surfaced playground and playing fields abut the garden boundaries with Poplar Close properties. There has been no objection in terms of noise and disturbance from Public Protection South. Therefore, as the building would be set against the backdrop of the adjacent playing fields with the school buildings to the north and would be seen in the context of the overall school site, it is not considered that there would be a reason to withhold planning permission on the basis of loss of residential amenity.

3. Highways and parking considerations.

The Highways Officer raises no objections to the scheme subject to conditions and the making of a Traffic Regulation Order. It is acknowledged that there is traffic congestion at school drop-off and collection times in the morning and afternoon. However, many of those attending the pre-school will be going to the site or being collected along with siblings at the Lower School, so not all pre-school pupils will be generating additional trips at the morning and afternoon peak. The Headteacher has confirmed that provision will be made within the car park for parents/carers dropping off and collecting children attending pre-school. The pedestrian gates on Poplar Close and Copper Beech Way are locked once the children are in the main school which has an earlier start time than the pre-school. Any parent/carer seeking to drop off pre-school children with older

siblings would not be able to leave the school grounds by these access points after the pre-school drop-off. This can be regulated by condition.

However, in order to look at opportunities for minimising congestion, it is recommended that a condition be imposed requiring the submission of a Travel Plan as a consequence of this application. With a further requirement to annually monitor, review and update it, this should, over time, lead to a reduction in car-borne traffic attending the pre-school. In addition there is a recommendation that the process to make a Traffic Regulation Order be instigated in order to prevent parking in Poplar Close at peak school collection and drop-off times which should also help to alleviate the current situation as well as provide for the new pre-school.

Congestion at school drop off and collection is an inevitable feature of the area surrounding schools, is of a relatively short duration and not of itself a reason to withhold planning permission in terms of both highway safety and residential amenity.

4. Other matters

Sport England are raising no objections to the proposal in relation to the potential impact on the provision of playing field space subject to a condition recommending the marking out of a mini-tennis court elsewhere within the hard surfaced play areas.

It is noted that there have been representations raised concerning the issues of need and demand. It is not considered that this is a material planning consideration in this case.

Recommendation

That planning permission be granted subject to the following:

- 1 This permission is limited to a period expiring on 30/04/2016 when the use shall be discontinued, any buildings or structures removed and the land reinstated 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.
(Policy BE8 S.B.L.P.R)

- 2 Prior to the commencement of development, the mini-tennis lines to be lost with the redevelopment of the hard surfaced court shall be marked on the existing invasion pitch within the main playground in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be carried out, completed and thereafter maintained in accordance with the approved details before the first use of the Pre-School building.

Reason: To secure the re-provision of the existing mini-tennis court to ensure sufficient benefit to the development of sport.

- 3 **Before the commencement of development a Travel Plan shall be**

submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be implemented in full within 6 months of the building being occupied. Thereafter, the Travel Plan shall be monitored and reviewed annually, with a written report to be submitted to and agreed in writing by the Local Planning Authority which updates the plan and monitors the progress in meeting the agreed targets for reducing car journeys.

Reason: In the interests of highway safety, to reduce congestion and to promote the use of sustainable modes of transport.

- 4 Before development commences, details of the provision within the school site for parking facilities for parents/carers dropping off and collecting children from the Pre-School and the closure of the pedestrian gates onto Poplar Close and Copper Beech Way shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be carried out, completed and maintained in accordance with the approved details prior to the first use of the Pre-School Building.

Reason: In the interests of the free and safe flow of traffic on the adjacent highway.

- 5 No development shall commence until the applicant in consultation with the Local Planning Authority has instigated proceedings for the making of a Traffic Regulation Order to prevent on-street parking in Poplar Close at school drop-off and collection times. The Traffic Regulation Order shall be approved, implemented and in place prior to the first use or occupation of the Pre-School building, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety.

- 6 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers Planning Drawings 1001, 1002 and illustrative plan CL-EN30-101.

Reason: For the avoidance of doubt.

Reasons for Granting

The proposed development complies with national guidance and Policies BE6 and BE8 of the South Bedfordshire Local Plan Review in respect of the visual impact of the siting, design and external appearance of the development on the character and appearance of the locality, the amenity of neighbouring occupiers and highway/parking considerations.

Notes to Applicant

1. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, 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 Sustainable Development
ENV7 - Quality in the Built Environment

South Bedfordshire Local Plan Review Policies

BE8 - Design and Environmental Considerations
BE6 - Area of Special Character

2. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, 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.

DECISION

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