

## **Item No. 9**

## **SCHEDULE B**

<b>APPLICATION NUMBER</b>	<b>CB/11/02050/FULL</b>
<b>LOCATION</b>	<b>The Mary Bassett Lower School, Bassett Road, Leighton Buzzard, LU7 1AR</b>
<b>PROPOSAL</b>	<b>First floor extension over existing building to form cloakroom/toilets</b>
<b>PARISH</b>	<b>Leighton-Linslade</b>
<b>WARD</b>	<b>Leighton Buzzard North</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Johnstone, Shadbolt &amp; Spurr</b>
<b>CASE OFFICER</b>	<b>Vicki Davies</b>
<b>DATE REGISTERED</b>	<b>22 June 2011</b>
<b>EXPIRY DATE</b>	<b>17 August 2011</b>
<b>APPLICANT</b>	<b>Mary Bassett Lower School</b>
<b>AGENT</b>	<b>BHD Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Called in by Ward Councillor Shadbolt having regard to public interest.</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Granted</b>

### **Site Location:**

Mary Bassett Lower School is located to the north of Leighton Buzzard town centre and has frontages to Leston Road, Bassett Road and Doggett Street. Vehicular access to the school site is gained via Doggett Street only. The school buildings are concentrated centrally on the site with a site agents bungalow and car parking to the north of the buildings. The school playing fields are located to the east of the buildings. There are residential properties on all sides of the school site at varying distances from the boundary.

The school site is within an area of archaeological interest but is outside of the Conservation Area and town centre boundary.

### **The Application:**

The application seeks consent for a first floor extension to one of the school buildings to provide cloakrooms and toilets. The proposed first floor extension would be constructed over an existing ground floor extension on the northern elevation of one of the original school buildings.

The extension would match the width and depth of the existing ground floor extension which measures approximately 10 metres wide by 4.8 metres deep. The extension would have a pitched, hipped roof to match the roof of the existing building. The extension would measure around 9 metres to the ridge line.

## **RELEVANT POLICIES:**

### **National Policies (PPM & PPS)**

PPS1 - Delivering Sustainable Development  
PPS5 - Planning for the Historic Environment

### **Regional Spatial Strategy East of England Plan (May 2008)**

ENV7 - Quality in the Built Environment

### **Bedford shire Structure Plan 2011**

No relevant policies

### **South Bedford shire Local Plan Review Policies**

BE8 - Design Considerations

### **Supplementary Planning Guidance**

Design in Central Bedford shire: A Guide for Development

### **Planning History**

Recent planning applications include:

CB/11/02500/FULL	Change of use of caretaker's bungalow. Under consideration
SB/08/00748/TP	Installation of flat roof mounted solar electric panels on the main roof. Approved 4/9/08
SB/94/0007/TP	Erection of replacement toilet block and new access ramp. Approved 12/8/94

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

Leighton Lincolne Town Council  
No objection.

Neighbours

One letter of objection has been received from a neighbouring resident, setting out objections to a number of developments and changes at the school over a number of years as well as to this application.

#### **1. GENERAL**

**1.1 New objections based on new information** These objections include new information and understandings that I have obtained since submitting my previous objections.

**1.2 Status of my objections** I am objecting to the application as a citizen with a strong sense of community responsibility and a concern about the need for sustainable development with particular reference to the physical environment and heritage. I do so as a retired public servant with a background in corporate management, sustainable development and equalities issues. I am also a Master of Business Administration with training and experience in identifying the nature of the problems to be solved, analysing and devising solutions that are feasible and achievable

Additionally, as a retired neighbour to the school who spends much time in her home, I have an interest as a stakeholder in the issues that I raise in section 4 below concerning traffic generation and vehicle and pedestrian access. However, the key focus of my objections to this application is on the wider sustainability issues and on need for a joined up approach to the development challenges faced by the school and so by the Council with all its various hats on - planning, schools, highways and property and asset management.

Finally, as a keen amateur historian, I have a strong concern about heritage assets as well as the ability to add value to knowledge about local assets.

**1.3 Focus of the objections** My objections relate particularly to sustainable development, particularly the health and well-being of children and others in the school, myself as a key stakeholder, and those in the wider community. The sustainability issues cannot be properly considered and assessed because there is insufficient information supplied with the application and some information that is supplied is misleading. They also cannot be addressed in a piecemeal planning process of incremental developments.

**1.4 Attachments** The objections include background documents supplied as follows:

a) Previously supplied: Annotated location plan; 2006 School Travel Plan; CBC letter re road adoption and traffic controls; CBC report on school admissions March 2010; Extracts from FOIA responses and other information; Safer Roads Foundation report; letter from English Heritage; Planning officer advice re log cabin; FOIA response on school numbers.

N.B The numbers do not include pre-school and non-statutory nursery provision. For the FOIA response, the answers to question 5c are relevant i.e. there are no children from the King Street development attending the school but there are 45 from the St George's catchment area. Additionally, the response to question 4 states that there were 135 lower school children in May 2010 and 145 children in January 2011. This is a numbers game because schools have intakes at the beginning of all 3 terms so it is only possible to assess increase and capacity after the start of the Summer term. Oddly, the Council's schools planning data is based on intake in the Autumn term of each year!

**1.5 Council interests and responsibilities** The application relates to one of a number of developments on the site and the unadopted vehicle access lane to the site that should be considered as a whole particularly noting that the site is owned by the Council which also has responsibility, as the local education authority, for the children educated on the site; as social services authority, for child-care and other services provided on the site; and as highways authority for safety of children in the access to the site and for other traffic issues arising from the development.

**1.6 Children/others with disabilities** I raise important concerns below in respect of access issues within the site and, at the very least, the decision needs to be deferred until these issues are resolved.

**1.7 Request for the application to be refused** I ask that a) a decision on the application be refused; b) the concerns that I raise (in reference to the evidence I supply) are investigated and c) subsequently, the school be required to submit a site-wide application to incorporate all the relevant developments as identified below.

It is only by this approach that the Development Management Committee and the relevant Portfolio Holders of the Council's Executive Committee can ensure that the developments on the site are sustainable and that the issues concerning access and traffic generation can be addressed.

## **2. SCHOOL EXPANSION AND PIECEMEAL DEVELOPMENT**

**2.1 The size of the development** A site-wide application is no more that the Council would require for other significant developments and I have been struck by the contrast between the recent Tesco application to extend its premises and this particular application. The difference, of course, is that a development of less than one hundred square metres can be treated differently. However, the evidence points strongly to the actual development proposed in App. 02050 being not just a larger development than that described in the application but that is also needed to accommodate part of a planned expansion of the school.

**2.2 The four types of expansion** The school site is used for four main and distinct purposes: a) education i.e. statutory operational purpose; b) childcare - out of school; pre-school; and non-statutory nursery provision; c) social services - support for problem families; and d) incidental purposes, mainly the letting of facilities to generate income via lettings and or fund-raising. All four types of provision have been expanded over the past year and there are plans for further expansion. This expansion has significant implications for traffic generation; access and parking requirements; and impact on the amenity of neighbouring residents and the wider local community.

**2.3 The decision on expansion of education provision** The application relates to the expansion for education purposes. This was approved by the Council's admissions forum on 24 March 2010, based on the officers report reproduced as follows:

*Agenda Item: 4 (d)*

*Meeting: ADMISSIONS FORUM*

*Date: 24 March 2010*

*Subject: Admission Numbers – Community and Voluntary Controlled Schools*

*Report of: Deputy Chief Executive and Director of Children's Services*

*Summary: The purpose of this report is to agree the admission numbers for community and voluntary controlled schools.*

*Contact Officer:*

*Rosa Bonwick*

## *RECOMMENDATION:*

*1. That the proposed admission numbers for those schools listed in Appendix A be agreed, subject to the views of the Forum on the proposed increase to the admission number for Hadrian Lower School.*

*1. The proposed admission numbers for community and voluntary controlled schools are set out in Appendix A.*

*2. Members of the Forum will recall that a replacement school is planned for Roecroft Lower School. The school will be two forms of entry and subject to the completion of the building project, the admission number for the new school will be 60. The school currently has a published admission number of 30.*

*3. Following consultation with community and voluntary controlled schools requests for increases to admission numbers were received from the Governing Bodies of the following schools:*

*Gravenhurst Lower School – an increase from 9 to 10. This increase can be accommodated within existing class organisation.*

*Mary Bassett Lower School – an increase from 30 to 60. There is a long term need for additional lower school places in the Leighton Buzzard area. The school has sufficient accommodation to support two forms of entry and therefore no additional accommodation would be required.*

*The Local Authority had no objections to these changes which were included within the statutory consultation process.*

### **2.4 The actual availability of suitable accommodation**

However, the school actually had no suitable accommodation. This is shown clearly by extracts from school documents (as previously supplied with my objections to the concurrent App. 02500). On particular minute of the Governing Body underlines this i.e

#### Governing Body 27 September 2010

*Expansion of school site DP reported that more space is required to house the school's increasing roll. Immediate Need - The YN [Nursery] intake in January (part time) will be able to use the Garden Room in the mornings as an interim measure. However, in April there is .. insufficient space to admit them full-time; the Garden Room is also*

*used to house the before and after school club and the Nurture Group in the afternoons; Mary's Loft does not have toilet facilities or an outside area; DP proposes to install a log cabin. DP advised that two vegetable patches would have to be relocated. Longer term: Install lift and toilets in Mary's Loft (White Building); space for two more classrooms - DP to investigate a double terrapin hut; school bungalow to be used for school use i.e. fun club and nurture. The school bungalow garden would also create additional car parking space.*

**2.5 Relevance of expansion to the application** In sum, the toilet extension is part of the expansion plans of the school. More than this, it is a necessary part because of statutory standards for the percentage of washroom facilities (toilets and handbasins) that must be provided for children in schools. This means that the space created in the old school building by the insertion of a floor is not useable as classroom space unless toilets are provided. I will show below that the 2009/10 alterations also need to be considered as part of the application because there are issues of access.

**2.6 The accommodation needs - 5 extra classrooms for 5 years of increased admissions** Other school minutes show that additional space for the consequent increase in staff is required. The minutes reproduced above also show the link with two other developments - the log cabin that was constructed November 2010 to January 2011 without planning permission and the concurrent application for change of use of the bungalow. After this, there will clearly be more development - to create another two classrooms (reference to the possibility of a double terrapin hut. Later, in February 2010, development of the lane and surrounding roads was planned in conjunction with Amey (see section 5 below)

**2.7 Implication for the well-being of children** The planning history of the site shows that, when the main school building was granted 'deemed' planning permission in 1965 there was sufficient space in this building for a two-form intake i.e an admission number of 60. There is no information as to when this was reduced - perhaps when the school became a Lower School in 1978 (see 2006 Travel Plan). What is clear is that the space is now used for other purposes because it is no longer available for classroom space. So, instead, the lower school children are to be spread around the school site in various 'add on' developments, requiring long walks through unsheltered areas and via stepped walkways that could be hazardous in bad weather. It is also clear that this is a 'sticking plaster' solution i.e not one planned with full regard to the well-being of the children in the school.

Is this the way to create the best possible learning and physical environment for the children now and in the future?

**2.8 Other linked plans** The school minutes of 27 September 2010 also show a) that the bungalow aids the expansion challenge by releasing space in the other buildings and by providing additional car parking space; and b) that the 'log cabin' would require the relocation of two vegetable patches. For the log cabin, the school sought planning advice on 2 November 2010 and received a letter on 8 November (attached) advising that a planning application would need to be submitted (information supplied by planning officers; the school minutes show that, by 15 November the log cabin had already been purchased.

**2.9 The log cabin as unauthorised development.** As shown by the school minutes, the log cabin was clearly built on garden land (created as a formal garden in 2004 - see 2006 Travel Plan). Garden land falls within the definition of 'school playing fields' that are excluded from permitted development rights. On 10 August, I was informed by the Planning Enforcement Team that the log cabin is considered to be permitted development for reasons including: *'the building is not sited on land that has been used as a playing field within the last 5 years'*. This information is simply not true.

Additionally, I have only just discovered by a review of a withdrawn 2010 planning application for 14 Bassett Road (CB/10/01761) that the Environment Agency objected to this application due to concerns about groundwater pollution - that could also be relevant to this part of the school site.

**2.10 Heritage assets** The log cabin required foundations and these were installed in what is described by the Conservation and Design Officer in the officer's report (p67) as 'an archaeological sensitive area .. within the historic core of the settlement of Leighton Buzzard' in reference to the Saxon and medieval periods. I am also aware from the Council's own records that is, additionally, the site of a gravel pit first worked in 1398 and with the potential to hold palaeolithic remains.

The old school building was built in 1839 by the Quakers and is a local heritage asset while boundary walls of the site are also heritage assets. All this combined history comes within PPS5. English Heritage has referred to this in a letter of 2 August, asking *'that Central Bedfordshire Council gives appropriate consideration to the value of both designated and undesignated assets when*



*considering how best to expand capacity at this school, and that appropriate resources are made available to ensure local distinctiveness is maintained. As noted in PPS 5, 'once lost, heritage assets cannot be replaced and their loss has a cultural, environmental, economic and social impact.'*

**2.11 Further planned development** The final part of the 'catch up' and piecemeal planning for the expansion of the school is to be a development of a double terrapin hut (see section 2.4 above).

**2.12 The need for an overview by the Council as local education authority** All the issues I have raised in this section concern the need for a site-wide overview by the Education functions within Childrens Services of the planning for expansion of the school site and for control of development on the site in order to ensure that the developments permitted or otherwise supported meet the requirements of sustainability and other planning objectives, including protection of school playing fields, including gardens and protection of heritage assets.

### **3. ISSUES OF ACCESS WITHIN THE SITE**

**3.1 The application** The application is to build a first floor to an existing toilet block which is an extension to the old school building that has recently been altered by the insertion of a first floor. Since submitting early objections with a strong emphasis on heritage assets, the plans have been changed from a flat roof extension to one with a pitched roof in keeping with the old building. However, there may still be heritage asset issues because there appear to be access

es i.e access for children and others with disabilities.

**3.2 Access issues** The DAS states that the old school buildings and the 1965 main building are built on different levels and are linked 'by a series of stepped approaches that negotiates the severe level changes; the old school hall has been split horizontally into two floors and subdivided into 3 rooms for 'teaching and services purposes'. No other toilets exist for these classrooms except within the main school - which would require a long walk through unsheltered areas. There will be differing levels between the new toilets and classrooms which will be negotiated by a short flight of ambulant steps.

**3.3 The Council's Accessibility Strategy** Noting that the children in this and other existing and planned separate classrooms and facilities all need to undertake long walks through unsheltered areas to e.g. attend

assemblies; use other facilities such as out of school care; and to the canteen, there is no reference to provision for parents and staff with disabilities either to access the classrooms or negotiate the 'short flight' of steps. Yet the Council's Accessibility Strategy (Maintained Early Years Settings and Schools) April 2010 states that '*All of our new buildings and facilities will be designed to be fully accessible*'. It also refers to the availability of funding for this.

**3.4 Lack of information** There appears to be no internal link between the two floors of either the old school building or the toilet block as proposed. The school minutes of September 2010 (see section 2.4 above) refer to the need for a lift as well as toilets. Is there an internal link i.e. staircase between the two floors or is the access to the second floor via an external staircase or ramp? No floor layout is provided for the old school building so it is not possible to work this out. It is a key issue for assessing the access arrangements in reference to the accessibility strategy.

**3.5 Outstanding heritage issue** The question of the need for a lift also raises again the issue of the impact of further development on the old school building in reference to PPS5. It is also worth pointing out that the school site north of the original site of the old school was worked as a gravel pit from 1398 until the 17th Century and that is the reason for all the differences in level - such differences imposing significant constraints in terms of modern standards and legal requirements in respect of health and safety and of access for those with disabilities.

**3.6 The actual size of the development** Whatever the access to the first floor classrooms, the nearest toilets are not, as claimed, in the main school but on the ground floor of the old school building. This means that there has to be another reason why an extension to the toilet block is needed and this is the statutory requirement to provide additional washroom facilities for additional children (Education (School Premises) Regulations 1999). In sum, the alterations to the old school building and the current application for toilets to service the inserted floor are part of the same development.

## **4. LINK WITH VEHICLE AND PEDESTRIAN ACCESS ISSUES**

**4.1 Design Brief for Schools** As a combined development, the development needs to be assessed in reference to the Council's Sustainable Design Brief for the School's Estate (March 2011). This Design Brief refers to the Building Research Establishment Assessment Method

(BREAM) that requires an initial detailed and comprehensive sustainability survey of the school/site for each project including .. access and transport.

**4.2 National planning policy** PPS1 seeks to 'promote high quality and safe development by, amongst other things, respecting the diverse needs of communities and the special needs of particular sectors; taking into account issues such as accessibility and sustainable transport needs; and providing improved access for all to ...education .. by ensuring that new development is located where everyone can access services on foot, by cycle or public transport. It also states that adverse environmental, social and economic impacts should be avoided, mitigated or compensated for.

## **5. TRAFFIC GENERATION AND SAFETY CONCERNS**

**5.1 Additional and disproportionate traffic generation** Information supplied by the Council in response to a FOIA request reveals that the addition to admissions in 2010/11 derives from demand for places from parents living outside the schools local catchments area. 45 children are registered as living in the neighbouring catchment area of St Georges Lower School where, in the north of this area, there is a recent infill development of 202 houses - not within walking distance or on a public transport route.

Additionally, 20 roads in South Leighton have been added to the Mary Bassett School catchment area in the absence of a new school to serve this major peripheral development. This has a public transport service to the Town Centre but how practical this is for parents with young families e.g. babies as well as lower school children is not clear. The bus provided is small; there is only one stop in the estate and this has no shelter.

**5.2 Parking needs** Parents of lower school and pre-school children cannot just drop them off or pick them up from a point in the highway. Those that travel by car need to park but the school, like many schools, has no suitable area for safe parking. The school records show a concern about this and unsuccessful efforts to organise 'park and stride' using supermarket car parks. In the absence of a solution, there are major parking problems which cause not just nuisance for local residents but significant safety concerns. Again, the 2006 Travel Plan shows that this cannot be managed by enforcement of parking controls because even this does not deter unsafe parking practices.

**5.3 Other factors influencing traffic generation** The 2006 Travel Plan also shows that travel choices are constrained for many parents by the need to get to work as well as deliver and collect children from school. Increasingly, this is being done with the help of carers who could live anywhere in the town. It is worth noting that the 2006 plan referred only to parents. Now the school refers to parents/carers.

With the increase in pre-school and part-time nursery provision, the traffic generation and parking problems now apply to the middle of the day as well as the start and end of the school day. This further challenges effective parking enforcement because of the length of time and number of times the area needs to be patrolled in order to be effective.

**5.4 Link with the highways development** The school sought to address the issues of parking and safety around the school perhaps as part of its planning for expansion although the relevant minute only refers to the need to smarten up the approach to the school i.e. a marketing concern. The school minutes show that the Head of the Governing Body approached Bedfordshire Highways and, at meeting in February 2011, plans were drawn up to 'address' these issues by a range of works around the school.

**5.5 The highways development works** These works, done in May & June 2011 have included multiple bollards, a 'build-out' in Bassett Road, multiple dropped kerbs, a complete resurfacing of the footpath from Bassett Road and the lane providing vehicle as well as pedestrian access to the school, together with a new street light and renewal of traffic control markings. Additionally, it was planned to install a pedestrian walkway along the carriageway of the lane to compensate for the absence of adequate footway provision.

**5.6 A flawed decision process** There are a number of problems with the highways works that have emerged only recently i.e. after June 2011. These are

- a) The works were done as part of a 'King Street Area Scheme' funded by a S106 contribution from a development within the local catchment area but this development consists of small apartments and no children attending the school live in these apartments;
- b) The access lane is actually not an adopted highway

c) The works themselves are now challenged by a report from the Safer Roads Foundation (SRF), the covering email to which refers to the works as 'fundamentally flawed'. In particular, the 'build out' and the planned pedestrian walkway are considered to be unsafe. On this latter issue the report states:

*'It is considered that the introduction of the proposed walkway in the 'location of concern' will create more safety implications than currently exist, as it will encourage more pedestrians to use this access and thereby increase the likelihood of a pedestrian/vehicle conflict, with potentially devastating consequences.'*

**5.7 Circular 05/2005** This states that the following tests of S106 agreements MUST be followed

- relevant to planning
- necessary to make the proposed development acceptable
- directly related to the development proposed
- fairly and reasonably related in scale and kind to the proposed development
- reasonable in all other respects.

The evidence I have supplied demonstrates that the recent and planned highways works are not relevant in any way to the King Street development and, for the developments in the school are, not reasonable in all other important respects - status of the lane and the key issue of safety.

**5.8 Relevance of traffic generation to the need for planning oversight over access** The SRF report underlines the need to consider the vehicle and pedestrian access to the school as part of the planning process which would also then ensure that Design Statement 7 is applicable. The traffic generation issues cannot be resolved by even a site-wide planning oversight because the issues require overall planning for school expansion across the town. However, the impact of the traffic generation on the vehicle and pedestrian access problems does need to be taken into account.

The traffic generated by the expansion of the school will be more than proportionate to that expansion because the new children are coming from outside the local area. This impact will continue to increase up to 2015 an additional 30 lower school children are admitted each year. It will, in turn, add significantly to parking problems causing not just nuisance but also endangering pedestrians.

## **6. Community Engagement**

**6.1 My attempts to engage** Many of the proposed solutions recommended by SRF coincide with proposals that I have raised over a long and tortuous process of seeking to get attention to the problems of vehicle and pedestrian access. These include encouraging parents/carers to walk around 14 Bassett Road and use the safe footpath access and to create an access at the top of Doggetts Path next to Bossard Court. This latter solution was also proposed in 2006. I have further pointed out the existence of a free public car park on the corner of Baker Street - ideal for traffic from the east where the additional pupils live and also from the south of the local catchment area (noting additional problems at the West Street entrance to the school).

I have tried to engage with the school and the Council on these issues and also on the heritage issues without success. I note that the Statement of Community Involvement includes provision for the Council to encourage pre-application community engagement by developers. I do think that, for applications on the Council's own land, that this could be given high priority.

### **6.2 The challenge of community engagement**

Community engagement does mean the need to answer what are sometimes awkward questions on issues and problems for which there appear to be no solutions. However, with FOIA rights, such questions do need to be answered eventually - however long it takes! I have persisted with my questions because there were and remain serious safety issues I observe the dangers on a daily basis either from my home or as a pedestrian in the surrounding streets. When, in March 2010 I discovered that the escalating problems were linked to school expansion, I have had no alternative but to continue to try to join up all the understandings. I note that sometimes my questions have prompted action by the Council.

### **6.3 The need to reconcile the different views**

Community engagement also helps to resolve misunderstandings that arise on matters that require different Council services, including arms length services such as quasi-autonomous schools and private contractors to jointly agree matters. Those who live in the area in question are actually the only ones with a complete view of the problems and issues to be addressed. It may be a 'worms eye' view but it is nevertheless the only joined up perspective. However, the worms do not have the 'birds eye' view of Council officers and other players or even a right to engage in any decision process except by means of limited formal

consultation. There has been no consultation on the plans to expand the school or on the planned highways works.

**6.4 Danger of arbitrary decisions based on wrong information** The 'birds eye' view is hidden from the community due to lack of transparency and openness generally and particularly for 'arms length' services. This is a recipe for confrontation via formal complaints rather than a process of feedback. Until now, I have had no right to a hearing from councillors because there has been no provision for consultation on the key issues that I am raising.

**6.5 The opportunity to add value** Community engagement enables the community to add value, not just to help devise solutions but also to help raise external funds when needed and add ideas that would enhance the development. I have ideas to offer that would make the walking route to school fun for children and relevant to the school, so helping encourage the safe routes to be used rather than the unsafe alternative.

## **7. CONCLUSION**

I have demonstrated that proposed development is not sustainable and cannot be made sustainable except as part of a site-wide application on which the Development Management Committee can make a properly informed and balance decision based on full knowledge of the purpose of the development and the various sustainability and other challenges.

At the very least, the application should be deferred so the issue of access to the building (old school + toilet annex) for children and people with disabilities (staff/parents/carers/visitors) can be examined and addressed. However, I reiterate my request for the application to be refused and for the school to be required to bring forward a site-wide application that can address all the sustainability and other important issues that I have raised.

I would also ask that consideration be given to how the Council proceeds with planning decisions for developments on its own land in future, including the pre-application and validation processes. For school sites, I note that there is a procedure called 'notifiable projects'. Additionally, given that school land is a community facility (and, in this case, part of it was taken over from the Quakers against their wishes and part acquired by compulsory purchase and also transfer of other Council owned land), I wish to suggest that the Council has special responsibility to preserve heritage assets not just

as a planning authority but as land owner and also manager of and/or user of the various developments on the site.

## Consultations/Publicity responses

Conservation and Design Officer

The revisions to the scheme are considered to be a significant enhancement on the earlier proposed flat roof and likely to be acceptable subject to appropriate detailing and use of materials. It is not considered that it will have a significant detrimental impact on the setting of the adjacent Victorian school buildings.

Careful attention should be given to the join between the existing and the new, and best efforts should be made to match the brickwork as best possible to the existing single storey. This same principle also extends to the window detailing. The roof should be in natural slate.

The officer requests 2 conditions to deal with the materials to be used for the extension and for the window detailing.

Archaeology

The proposed development is in an area that has the potential to contain archaeological deposits relating to the origins and development of Leighton Buzzard in the Saxon and medieval periods. However, the nature of the development means that there will be no impact on archaeological deposits or on the significance of the heritage asset. Consequently the officer has no objection to this application on archaeological grounds.

## Determining Issues

The main considerations of the application are:

1. Impact on the character and appearance of the streetscene
2. Impact on the amenities of the neighbouring residents
3. Archaeology
4. Other Issues

## Considerations

### 1. Impact on the character and appearance of the streetscene

South Bedfordshire Local Plan policy BE8 states that new development, including extensions, should be appropriate in terms of size, scale, density, massing, orientation, materials and overall appearance and complement and harmonise with the local surroundings.

The original school buildings are important in terms of local history and interest and are attractive buildings in their own right. The buildings were grade III listed until 1975 when the grading arrangements were changed. They are therefore no longer constrained by any designation as Listed Buildings.



The original school buildings are located at a lower level than the more recent 1960's school buildings. The original school buildings are at a similar level to properties on Bassett Road, whereas the 1960's buildings are at a similar level to properties on Doggett Street.

The site boundary with Bassett Road is demarcated by an approximately 1.5 metre high brick wall. The wall would limit views of the proposed extension from Bassett Road at street level. The extension would not be visible from West Street or Leston Road as the existing school buildings would obstruct views. The existing school buildings would limit views of the first floor extension from the footpath from Doggett Street to Bassett Road. Overall the extension would not have any adverse impact on the character of the streetscene due to the limited views of it from outside of the site.

The original plans showed the first floor extension with a flat roof to match that of the existing ground floor extension and small extension on the neighbouring school building. It was considered that the proposed flat roof building would not have been appropriate in design terms and amended plans have therefore been submitted showing the extension with a pitched roof to match that of the existing building. The Conservation Officer considers that the revisions are a significant enhancement on the previous design and is acceptable subject to appropriate detailing.

The proposed extension as amended would be fairly large and would represent, with the existing ground floor extension, approximately a one-third increase on the size of the existing building. The extension is considered appropriate in scale and size in relation to the building and the wider site and the Conservation Officer does not consider that the proposal would have a significant detrimental impact on the Victorian school buildings.

The materials proposed to be used for the extension would match those of the existing ground floor extension. The roof tiles would match those of the existing building. A condition is proposed to be added to any planning permission granted requiring details of the materials to be submitted and approved.

Overall, it is considered that the proposed extension would be appropriate in terms of size, scale, size, density, massing, orientation, materials and overall appearance and accords with SBLP policy BE8.

## **2. Impact on the amenities of the neighbouring residents**

South Bedfordshire Local Plan policy BE8 states that new development should not have any unacceptable adverse impact on residential amenity or privacy.

The proposed extension would be over 40 metres from the closest residential dwelling which would be at West Court on Leston Road. The occupants of this property would not be able to see the extension as the existing school building would prevent views. The proposal extension would therefore have no adverse impact on the amenities of these residents.

The properties on Bassett Road would be around 50 metres from the proposed first floor extension. Some residents would have views from their first floor front windows of the extension however seen in the context of the existing two storey

school buildings it is not considered that this would have any adverse impact on their amenity. There would be one window in the side elevation facing the properties on Bassett Road however due to the distance between the school building and dwellings it is not considered that this would result in any unacceptable adverse impact on privacy.

The properties to the north of the school site would be over 55 metres from the extension and due to the change in levels and other buildings would not have any clear views of the proposed extension from their properties.

The proposed extension would accommodate toilets and cloakrooms. There are currently no toilet facilities within this or the school building immediately adjacent. Toilet facilities are only available in the main school building. The extension would not increase the number of pupils or staff at the school only improve the facilities available in the older buildings.

Overall it is not considered that the proposed extension would have any unacceptable adverse impact on the amenities or privacy of the neighbouring residents and therefore accords with the relevant part of SBLP policy BE8.

### **3. Archaeology**

The proposed development is within the historic core of the settlement of Leighton Buzzard. It is an archaeologically sensitive area and a locally identified heritage asset as defined by PPS 5 Planning for the Historic Environment.

The origins of settlement at Leighton Buzzard are in the Saxon period. By the time of the Domesday Survey in 1086 the settlement had acquired the right to hold a market and started to function as a town. In the 12th century the town was replanned to increase the size of the market place and redirect transport routes through it to increase trade.

The proposed development is in an area that has the potential to contain archaeological deposits relating to the origins and development of Leighton Buzzard in the Saxon and medieval periods. However, the nature of the development means that there will be no impact on archaeological deposits or on the significance of the heritage asset. Consequently the officer has no objection to this application on archaeological grounds.

### **4. Other Issues**

A number of other issues were raised by the objector which are dealt with below.

The objector states that the application should not be determined until the outstanding issues on the site with regard to unlawful development have been resolved. It is not within the Local Authorities power to decline to determine a planning application for this reason.

The objector also comments that the application is invalid as it does not include an acceptable site plan/location plan and the design and access statement contains errors. The site location plan does not contain two street names as required by the validation checklist, nevertheless it is possible to easily identify the application site. The design and access statement may contain errors however this would not be a reason to make the application invalid.

The fact that there was no pre-application advice is not a reason to make the application invalid or to decline to determine it. Whilst pre application advice is recommended it is not possible to force applicants to follow this route.

The objector states there has been no check against the Heritage Environment Record. When the application was validated the constraints on the site were checked. The site is not within a Conservation Area nor is it a Listed Building. The Historic Environment Record has been referred to by officers in determining the application.

The objector comments that no notices have been posted in the local press or notices erected on the site. The application due to its type, location and lack of planning constraints is not required to be advertised in the local press. A site notice was erected on the site on 28th June 2011 and a further site notice advertising the amended plans erected on 26th July 2011.

The objector comments the full planning history of the site was not supplied until two weeks after the application was validated and no one can make a proper judgement on the application without this information. The full planning history of an application site is not normally provided to consultees or neighbouring residents. The application should be determined on its own merits and not on the basis of the previous planning history of the site.

The objector raises concern that incremental additions to the school have resulted in the doubling of the number of children attending the site in the past year. This may be true however it is not an issue to be addressed by this application which seeks consent for an extension to provide toilet facilities for the existing pupils.

The objection letter sets out that the school has no authorised vehicular access due to changes to the access arrangements over the years including the closure of accesses off Bassett Road and West Street, the only vehicular access is by default the unadopted access to the unauthorised staff car park which fails to meet Design Supplement 7. The letter also raises concerns over the unsuitable access in terms of visibility, turning area and servicing, pedestrian provision and safety and traffic generation due to the increasing number of pupils attending the school and the local and wider impact on the road network. These issues are not included in this planning application and the application should be determined on its own merits.

The objector raises the management of the school car park and unlawful parking by parents and nuisance due to unlawful parking, by delivery vehicles, noise from children and activities on the outside of school hours. These are issues for the school to address as they are outside of the control of the Local Planning Authority.

Objections are made due to the impact on heritage assets in relation to this application and previous developments on the site. The consideration of this application has included considering the impact of the proposal on the historic school buildings, however the impact of any previous developments cannot be considered as part of this application.

## 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 **Prior to any building works or repairs being first commenced, a full & detailed, precise specification of all proposed materials (e.g. type & origin/ manufacturer & mix of lime & sand/ aggregate for mortars or plasterwork/ render, wood lath, brick, stone, tile, slate, thatch, cast iron, timber or wood) to be used in the works hereby granted consent.**

**Reason: To ensure that the special architectural or historic interest of the building or structure, its character & appearance is properly preserved, maintained & enhanced, in accordance with PPS 5 & standard conservation good practice.**

- 3 **Prior to any building works being first commenced, detailed drawings of all proposed new &/ or replacement doors & windows, together with a detailed specification of the materials, construction & finishes, shall be submitted to & approved in writing by the Local Planning Authority. Details shall be provided which clearly show (as appropriate)- a section of the glazing bars, frame mouldings, door panels, the position of the door or window frame in relation to the face of the wall, depth of reveal, arch & sill detail.**

**Reason: To ensure that the special architectural or historic interest of the building or structure, its character & appearance is properly preserved, maintained & enhanced, in accordance with PPS5 & standard conservation good practice.**

- 4 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers PL-001A, PL-002.1A & SU-001.

Reason: For the avoidance of doubt.

## Reasons for Granting

The proposal would not detrimentally impact upon the character and appearance of the streetscene nor would there be any adverse impact on the amenities of neighbouring residents. The proposal would not have any impact on archaeological remains. The scheme therefore, by reason of its size, design and location, is in conformity with Planning Policy Statement 1 and Planning Policy Statement 5 and

South Bedfordshire Local Plan First Review policy BE8. It is further in conformity with the Central Bedfordshire Supplementary Technical Guidance "Design in Central Bedfordshire, A Guide for Development".

**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)**  
ENV7 - Quality in the Built Environment

**Bedfordshire Structure Plan 2011**  
No relevant policies

**South Bedfordshire Local Plan Review Policies**  
BE8 - Design Considerations

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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