

## **LATE SHEET**

### **DEVELOPMENT MANAGEMENT COMMITTEE** **14 SEPTEMBER 2011**

#### **SCHEDULE B**

#### ***Item 7 (Page 11-20) – CB/11/01546/FULL – Market Garden Nurseries, 64 High Road, Beeston, Sandy.***

##### **Additional Consultation/Publicity Responses**

Following the completion of the Officer's report, 23 written objections and a petition with 37 signatures have been received commenting and objecting to the application on the following grounds:

- Increase in the volume of traffic on Orchard Road, Footpath 40 and The Green and the detrimental impact this would have on local amenity and highway safety
- Orchard Road and Footpath 40 are not suitable for large vehicles due to their narrow widths, parked cars, lack of formal footpaths and poor condition
- Restricted access to and use of Footpath 40, and the potential danger to all users as a result of the proposed traffic movements along it
- Increased traffic using the junction of Orchard Road and the A1 resulting in an increased accident risk
- Potential damage to the existing roads from increased traffic and heavy vehicles
- Inadequate existing sewage system capacity would be further under pressure
- Increase in noise pollution and dust
- The proposed use is not in keeping with the character of the area
- Set a precedent for industrial development in the village
- Potential for tall vehicles to damage power cables transgressing the site
- Detrimental impact on local wildlife
- Loss of good agricultural land
- The proposed hours of use would cause noise and traffic disturbance
- The access into the site from the A1 is dangerous and requires upgrading
- An alternative entrance and exit from the site should be via the A1
- The previous use of the site only had occasional HGV traffic

##### **Additional Comments**

None.

##### **Additional/Amended Conditions**

None.

##### **Additional Informatives**

None.

**Item 8 (Page 21-46) – CB/11/02500/FULL – The Mary Bassett Lower School, Bassett Road, Leighton Buzzard.**

**Additional Consultation/Publicity Responses**

A further email containing amended and new objections to both planning applications at Mary Bassett Lower School has been received. The objector has provided a summary of the issues which is reproduced below. The objection runs to 23 pages, plus additional supporting documents, and is available on the case file if Members wish to read it.

SUMMARY

I am asking the Committee to refuse both applications or at least defer them in the light of the concerns that I raise concerning omissions from the reports in respect of important substantive issues and multiple examples of misinformation. In support of both these concerns, I attach my evidence base.

My evidence base demonstrates that the Mary Bassett School is expanding and I show the link between this and the applications and also the other two developments - the insertion of a floor into the old school building and the erection of a Log Cabin that I show is unauthorised development and also has been used for childcare and education without a Building Control certificate.

This in itself should require planning oversight of the vehicle and pedestrian access to the school as well as on-site parking provision, both within the context of significant traffic generation implications. I raise concerns that the relevant Council services ought to have been formally consulted on the planning applications in reference to the Statement of Community Involvement and also to Appendix C of the Local Transport Plan 3 (Safer Modes of Travel to Schools).

I show that the traffic generation is not only related to the expanded numbers of children (which are not from the local catchment area) but also from the linked expanding staff numbers and the expansion of non-education activities for childcare, social services and other professionals, services for other schools and services for parents/carers and the general public. In sum, a sustainable planning decision cannot be made without oversight of traffic generation in reference to the major traffic generating expansion plans of the school.

I also show the link between the expansion plans and the detriment to amenity in reference to the two different application. Both of these developments are only necessary as part of the expansion of the school which started in 2010 and so they will both contribute to major nuisance in the access lane to the school which I share with the school which has increased significantly as the school has expanded over the past year.

For 02050, I show that the Toilet Block extension is part of plans to alter the inserted floor of the old school building to create an additional classroom and that the School's Service actually requires toilet provision for this floor. I also show that the School's Service shares my concerns about access for children and adults with disabilities and I consider that this should also be a material planning consideration.

For 02500, I raise concerns about the lack of consideration in the report for the need for conditions to mitigate the obvious detriment to my amenity and also for my privacy and security even in reference to the planned uses as stated by the school. I raise concerns about noise of activities with the bungalow and most particularly in the garden. However, I show that the uses outlined for the bungalow do not match the planned uses reported to the Schools Service and that there are also plans to develop the back garden area i.e to pave it and install outside play equipment.

I also raise concerns that the on-site parking plans and plans to replace the boundary wall with fence were also included in the report even though they were included in the planning application form. I show the actual plans of the school, as reported to the School's Service and as shown in the school minutes, for extra parking spaces (5 in front of the bungalow and long-term plans to use the garden of the bungalow for additional parking as well). I also show the plan to demolish the old boundary wall that English Heritage has identified as a heritage asset worthy of preservation in reference to PPS 5.

Within the context of this additional information, I challenge the change of use from residential in reference to saved Policy H7 also noting the concerns raised by the School's Service. I show that the proposed uses do not all match with the specific requirements of the funder for the refurbishment of the bungalow which, anyway was a responsibility of the school under its maintenance agreement with the Council. I also challenge the decision criteria in the report and point out that the bungalow is in a sustainable location and suitable as a residence for people with disabilities.

Finally I join up thinking on heritage assets in reference to PPS5 in respect of all four developments and also make links between various equalities and diversity issues, including lack of provision in respect of recent Highways works in the access lane. I underline that I consider that I should be given special consideration in terms of my amenity and well-being because I am a 65 year old retired person at home for much of the day and so my experience of detriment is different to my neighbours. I point out that it is planning policy to encourage mixed developments.

I conclude by raising concerns about the implications of the decision processes in respect of the expansion of the Mary Bassett School for the wider development challenges faced by my town and I end with stating a concern about the lack of integrity in these decision processes.

N.B I have not repeated all the information supplied in previous objections to both applications in respect of the detail of my experience of detriment to my amenity and well-being to date and my concerns about the further negative impact that will arise from the two planned developments and, generally, the expansion plans of the school.

### **Additional Comments**

None.

### **Additional/Amended Conditions**

None.

**Item 9 (Page 47-70) – CB/11/02050/FULL – The Mary Bassett Lower School, Bassett Road, Leighton Buzzard.**

**Additional Consultation/Publicity Responses**

A further email containing amended and new objections to both planning applications at Mary Bassett Lower School has been received. The objector has provided a summary of the issues which is reproduced below. The objection runs to 23 pages, plus additional supporting documents, and is available on the case file if Members wish to read it.

SUMMARY

I am asking the Committee to refuse both applications or at least defer them in the light of the concerns that I raise concerning omissions from the reports in respect of important substantive issues and multiple examples of misinformation. In support of both these concerns, I attach my evidence base.

My evidence base demonstrates that the Mary Bassett School is expanding and I show the link between this and the applications and also the other two developments - the insertion of a floor into the old school building and the erection of a Log Cabin that I show is unauthorised development and also has been used for childcare and education without a Building Control certificate.

This in itself should require planning oversight of the vehicle and pedestrian access to the school as well as on-site parking provision, both within the context of significant traffic generation implications. I raise concerns that the relevant Council services ought to have been formally consulted on the planning applications in reference to the Statement of Community Involvement and also to Appendix C of the Local Transport Plan 3 (Safer Modes of Travel to Schools).

I show that the traffic generation is not only related to the expanded numbers of children (which are not from the local catchment area) but also from the linked expanding staff numbers and the expansion of non-education activities for childcare, social services and other professionals, services for other schools and services for parents/carers and the general public. In sum, a sustainable planning decision cannot be made without oversight of traffic generation in reference to the major traffic generating expansion plans of the school.

I also show the link between the expansion plans and the detriment to amenity in reference to the two different application. Both of these developments are only necessary as part of the expansion of the school which started in 2010 and so they will both contribute to major nuisance in the access lane to the school which I share with the school which has increased significantly as the school has expanded over the past year.

For 02050, I show that the Toilet Block extension is part of plans to alter the inserted floor of the old school building to create an additional classroom and that the School's Service actually requires toilet provision for this floor. I also show that the School's Service shares my concerns about access for children and adults with disabilities and I consider that this should also be a material planning consideration.

For 02500, I raise concerns about the lack of consideration in the report for the need for conditions to mitigate the obvious detriment to my amenity and also for my privacy and security even in reference to the planned uses as stated by the school. I raise concerns about noise of activities with the bungalow and most particularly in the garden. However, I show that the uses outlined for the bungalow do not match the planned uses reported to the Schools Service and that there are also plans to develop the back garden area i.e to pave it and install outside play equipment.

I also raise concerns that the on-site parking plans and plans to replace the boundary wall with fence were also included in the report even though they were included in the planning application form. I show the actual plans of the school, as reported to the School's Service and as shown in the school minutes, for extra parking spaces (5 in front of the bungalow and long-term plans to use the garden of the bungalow for additional parking as well). I also show the plan to demolish the old boundary wall that English Heritage has identified as a heritage asset worthy of preservation in reference to PPS 5.

Within the context of this additional information, I challenge the change of use from residential in reference to saved Policy H7 also noting the concerns raised by the School's Service. I show that the proposed uses do not all match with the specific requirements of the funder for the refurbishment of the bungalow which, anyway was a responsibility of the school under its maintenance agreement with the Council. I also challenge the decision criteria in the report and point out that the bungalow is in a sustainable location and suitable as a residence for people with disabilities.

Finally I join up thinking on heritage assets in reference to PPS5 in respect of all four developments and also make links between various equalities and diversity issues, including lack of provision in respect of recent Highways works in the access lane. I underline that I consider that I should be given special consideration in terms of my amenity and well-being because I am a 65 year old retired person at home for much of the day and so my experience of detriment is different to my neighbours. I point out that it is planning policy to encourage mixed developments.

I conclude by raising concerns about the implications of the decision processes in respect of the expansion of the Mary Bassett School for the wider development challenges faced by my town and I end with stating a concern about the lack of integrity in these decision processes.

N.B I have not repeated all the information supplied in previous objections to both applications in respect of the detail of my experience of detriment to my amenity and well-being to date and my concerns about the further negative impact that will arise from the two planned developments and, generally, the expansion plans of the school.

### **Additional Comments**

None.

### **Additional/Amended Conditions**

None.

***Item 10 (Page 71-84) – CB/11/02184/FULL – 34 Mill Road, Cranfield, Bedford.***

This application has been WITHDRAWN by the Agent.

***Item 11 (Page 85-94) – CB/11/01842/VOC – Whistlebrook Stud, Sewell Lane, Sewell, Dunstable.***

**Additional Consultation/Publicity Responses**

Further objections and comments were received from both the objectors and the applicant's agent.

- A letter dated the 15<sup>th</sup> August 2011 was received from the occupiers of Meadowbank, Sewell (Appendix 1).
- The occupiers of Heartsease, Sewell have re-affirmed their objections to the application and submitted a 'complaints diary' compiled between the 17<sup>th</sup> January and the 8<sup>th</sup> August 2011 (Appendix 2).
- In a letter dated the 9<sup>th</sup> August 2011, the applicant responded to most of the objections received (Appendix 3).
- The dog trainers sent an e-mail dated the 12<sup>th</sup> September 2011 requesting their further comments to be brought to the attention of the Members. (Appendix 4).

**Additional Comments**

The agent has circulated a lobby letter to the Members regarding matters that have already been examined by the officers.

**Amended Condition**

Condition 5. Delete reference to the 'Agility Flyers –Rules'. This document, which is appended to this report, contains general rules for customers which fall outside the remit of land use planning. It would therefore be impractical for the Local Planning Authority to enforce such rules. Should the dog training classes result in nuisance to the neighbours, appropriate action would be taken under the Statutory Nuisance Regulations (Appendix 5).

**SCHEDULE C**

***Item 12 (Page 95-102) – CB/11/01693/FULL – Fairfield Park Lower School, Dickens Boulevard, Stotfold, Hitchin.***

**Additional Consultation/Publicity Responses**

None.

## **Additional Comments**

None.

## **Additional/Amended Conditions**

None.

## ***Item 13 (Page 103-110) – Wrest Park Estate, Wrest Park, Silsoe.***

### **Additional Consultation/Publicity Responses**

Information received from G. P. Warwick, Silsoe Parish Councillor, Chairman of Silsoe Parish Plan Committee:

#### **Re: Article 4 Direction Wrest Park Limited Industrial Estate, Silsoe**

Further to your notice on the above subject I make representations in support on behalf of the Silsoe Parish Council as follows:

In the first instance it was Silsoe Parish Council that requested that Article 4 be applied to the Wrest Park Industrial Estate which contains some 20 buildings totalling 200,000 sq. ft.

#### **Storage and Distribution (B8) concerns**

The concern of the Parish Council and English Heritage regarding this site, from the outset, has been the detrimental environmental impact Storage and Distribution operations (B8 use) has on the Wrest Park Heritage site and Silsoe Village. This is because this type of activity by its very nature generates high movements of HGV's and fleets of 'White Vans'. It is accepted that usually a conversion from B1 to B8 has to go through a consultative Planning Permission process. We consider we can deal with that, and one such retrospective planning application has already been rejected, but not before the village experienced the traffic impact of a B8 operation.

#### **Closing the Planning loophole**

What alarmed the Parish Council was when we learned the Developer had a permitted change of use from Use Class B1 to Use Class B8 where the floor space is under 235 square metres. In these circumstances the conversion from B1 to B8 be would be out of our control and indeed CBC's as well. Considering the number of buildings involved the cumulative impact of conversions from B1 to B8 would be enormous in terms of traffic generated.

Therefore the Parish Council's rationale is with an Article 4 Direction in place all proposals for Storage and Distribution operations (B8) on this site will be under planning control and hence traffic impact on the environment can be properly assessed and consulted on.

## **Environmental Impact**

It is important to explain why the Parish Council considers it necessary to restrict Storage and Distribution operations and associated heavy traffic from this industrial site.

Firstly, the 25 acre site and 20 miscellaneous buildings are in a completely inappropriate location immediately adjacent to Wrest Park Heritage site with its Grade 1 listed mansion and gardens, now an English Heritage national visitor attraction. The industrial site is also within the Wrest Park Conservation Area and Registered Parkland. This situation is a legacy of Central Government when the Agricultural Research Estate was broken up and disposed of.

Secondly, even worse from an environmental aspect is the only traffic route in and out of the industrial site is via the tree lined Park Avenue entrance to Wrest Park and through the narrow Silsoe Village High Street. This route crosses the north front of Wrest Park House and through the Wrest Park and Silsoe Conservation Areas. The removal of industrial and commercial traffic associated with Storage and Distribution operations will provide some containment and relief from the noise and vibrations of HGV'S.

Thirdly, Silsoe is having to deal with major increases of traffic associated with Wrest Park Heritage Site visitors and new development in an expanding village. There is a limit to what the current narrow roads and infrastructure can sustain and it is the opinion of the Parish Council that even more heavy commercial traffic generated from Storage and Distribution operations, beyond the sphere of consultation, is unacceptable. Hence the need for the Article 4 Direction.

## ***Item 14 (Page 111-176) – Henlow Village Green Application.***

Please see attachments.