

## Item No. 7

<b>APPLICATION NUMBER</b>	<b>CB/13/01069/FULL</b>
<b>LOCATION</b>	<b>St Christophers Academy, Gorham Way, Dunstable, LU5 4NJ</b>
<b>PROPOSAL</b>	<b>Installation of a temporary modular double classroom unit &amp; associated external landscaping and additional pedestrian access</b>
<b>PARISH</b>	<b>Dunstable</b>
<b>WARD</b>	<b>Dunstable Icknield</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs McVicar &amp; Young</b>
<b>CASE OFFICER</b>	<b>Abel Bunu</b>
<b>DATE REGISTERED</b>	<b>25 March 2013</b>
<b>EXPIRY DATE</b>	<b>20 May 2013</b>
<b>APPLICANT</b>	<b>St Christophers Academy</b>
<b>AGENT</b>	<b>Stenton OBHI Architects</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>The application site is owned by Central Bedfordshire Council</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Approval</b>

### Recommended Reasons for Granting

The proposed development would, increase the capacity of the school to accommodate more pupils and staff members, promote sustainable means of transport, reduce traffic congestion along Gorham Way and would not be detrimental to residential amenity. Furthermore, through landscaping conditions, the development would not be detrimental to the character and appearance of the area thereby conforming to the development plan comprising Policies BE8, SD1, and T10 of the South Bedfordshire Local Plan Review, Policies 27 and 43, of the emerging Development Strategy for Central Bedfordshire and national advice contained in the National Planning Policy Framework and the supplementary planning guidance, 'Design in Central Bedfordshire, A Guide for Development', 2010.

### Recommendation

That Planning Permission be **GRANTED** subject to the following:

- 1 The development shall begin not later than three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 **Prior to development, a Tree Protection Plan shall be submitted to the Local Planning Authority for approval, clearly showing the position and build specification of protective fencing within the site, and be based on the requirements of BS 5837 : 2012. The fencing shall create a Construction Exclusion Zone intended to exclude all plant, machinery, building access, storage materials, service pipes and spoil from around the Root Protection Area's of the trees marked for retention on the "Location and Site and Floor Plans" prepared by Stenton Architects (Drawing No. 300).**

**Reason: To ensure the health and stability of trees marked as being retained on the application site plans, in the interests of maintaining visual amenity.**

**(Policies BE8, S.B.L.P.R and 43 D.S.C.B)**

- 3 **Before development begins, a landscape planting plan and planting schedule shall be submitted to the Local Planning Authority for approval, clearly showing the new trees indicated for planting on the "Location and Site and Floor Plans" prepared by Stenton Architects (Drawing No. 300). The planting shall be maintained for a period of 5 years thereafter, and any losses during this period shall be replaced in the following planting season.**

**Reason: To ensure a successful landscape planting scheme, and establishment, in order to successfully integrate the new development into the surrounding urban landscape, and to compensate for the removal of trees previously removed from within this site, in the interests of maintaining visual amenity.**

**(Policies BE8, S.B.L.P.R and 43 D.S.C.B)**

- 4 **Development shall not begin until details of the Traffic Regulation Orders to be placed in Gorham Way have been approved by the Local Planning Authority and the said Traffic Regulation Orders shall be in place within 3 months of the proposed building being occupied in accordance with the approved details.**

**Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises.**

**(Policies 27 & 43 D.S.C.B)**

- 5 **Notwithstanding the details shown on Drawing No. 06107-300 Rev.A showing the revised pedestrian access to St Christophers Close, no pedestrian access to the school shall be permitted from St Christophers Close without the approval of the Local Planning Authority, following a traffic survey carried out during the school year running from September to July 2014.**

**Reason: In order to minimise danger, obstruction and inconvenience to users of St Christophers Close. (Policy 43 D.S.C.B)**

- 6 Development shall not begin until details of the improvements to the junction of the proposed vehicular access with Gorham Way have been approved by the Local Planning Authority and no building shall be occupied until the junction has been constructed in accordance with the approved details.**

**Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises. (Policy 43 D.S.C.B)**

- 7 Before the vehicular access is first brought into use a triangular vision splay shall be provided on each side of the access and shall measure 1.8m along the fence, wall, hedge or other means of definition of the front boundary of the site, and 1.8m measured into the site at right angles to the same line along the side of the new access drive. The vision splays so described and on land under the applicant's control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

Reason: To provide adequate visibility between the existing highway and the proposed access, and to make the access safe and convenient for the traffic which is likely to use them.  
(Policy 43 D.S.C.B)

- 8 The proposed vehicular access shall be constructed and surfaced in accordance with details to be approved in writing by the Local Planning Authority for a distance of 5 m into the site, measured from the highway boundary, before the premises are occupied. Arrangement shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site into the highway so as to safeguard the interest of the highway.  
(Policy 43 D.S.C.B)

- 9 The maximum gradient of the vehicular access shall be 10% (1 in 10).

Reason: In the interests of the safety of persons using the access and users of the highway.  
(Policy 43 D.S.C.B)

- 10 No development shall commence until a wheel cleaning facility has been provided at all site exits in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The wheel cleaner(s) shall be removed from the site once the roadworks necessary to provide adequate access from the public highway have been completed (apart from final surfacing) to the satisfaction of the Local Planning Authority.**

**Reason: In the interests of the amenity and to prevent the deposit of mud or other extraneous material on the highway during the construction period.**

**(Policy 43 D.S.C.B)**

- 11 Before the building is first brought into use, St Christophers Lower School Travel Plan shall be revised and submitted to and approved in writing by the Local Planning Authority.

The revised plan shall contain details of:

- plans for the establishment of a working group involving the School, the Pre-School, parents and representatives of the local community;
- pupil travel patterns and barriers to sustainable travel;
- measures to reduce car use; and
- an action plan detailing targets and a timetable for implementing appropriate measures and plans for annual monitoring and review.

Thereafter, the Travel Plan shall be reviewed annually with a written report to be submitted to and agreed in writing by the Local Planning Authority which shall update the plan and monitor 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.

(Policy 43 D.S.C.B)

- 12 The parking provision shown on Drawing number 06107-300 shall be provided prior to the first use of the building hereby approved and measures shall be put in place by the school to the satisfaction of the Council to ensure that the spaces are only available for use by staff members at all times.

Reason: To ensure that off street parking provision is maximised in the interests of highway safety.

(Policies 27 & 43 D.S.C.B)

- 13 **Before development begins, a scheme for the parking of cycles on the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.**

**Reason: To ensure the provision of adequate cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport.**

**(Policies 43 D.S.C.B)**

- 14 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 06107 -300 & 06107-301.

Reason: For the avoidance of doubt.

## Notes to Applicant

1. 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 South Bedfordshire Local Plan Review (SBLPR) and the emerging Development Strategy for Central Bedfordshire (DSCB).
2. 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.
3. The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Central Bedfordshire Council's Highway Help Desk, P.O.Box 1395, Bedford, MK42 5AN quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.
4. The applicant is advised that in order to comply with Condition 5 of this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority to implement the waiting restriction. Further details can be obtained from the Development Planning and Control Group, P.O. Box 1395, Bedford, MK42 5AN.
5. The applicants attention is drawn to their responsibility under The Equality Act 2010 and with particular regard to access arrangements for the disabled.

The Equality Act 2010 requires that service providers must think ahead and make reasonable adjustments to address barriers that impede disabled people.

These requirements are as follows:

- Where a provision, criterion or practice puts disabled people at a substantial disadvantage to take reasonable steps to avoid that disadvantage;
- Where a physical feature puts disabled people at a substantial disadvantage to avoid that disadvantage or adopt a reasonable alternative method of providing the service or exercising the function;
- Where not providing an auxiliary aid puts disabled people at a substantial disadvantage to provide that auxiliary aid.

In doing this, it is a good idea to consider the range of disabilities that your actual or potential service users might have. You should not wait until a disabled person experiences difficulties using a service, as this may make it too late to make the necessary adjustment.

For further information on disability access contact:

The Centre for Accessible Environments ([www.cae.org.uk](http://www.cae.org.uk))  
Central Bedfordshire Access Group ([www.centralbedsaccessgroup.co.uk](http://www.centralbedsaccessgroup.co.uk))

### **Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31**

Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage after the withdrawal of the first application which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

#### NOTES

- (1) In advance of the consideration of the application the Committee were advised of additional consultation and publicity responses as follows:
  - Dunstable Town Council objecting to the new entrance from St Christophers Close on the grounds of vehicle congestion in the close, child safety and security. No objection to the classroom block was made.
  - Neighbours objection letters received
  - Email from the Local MP
  - Petition against the application containing 37 signatures from St Christophers Close residents
  - Petition in support of the application from Gorham Way residents.

The Committee noted a new Condition 5 and Additional Informative 4. In addition the Committee noted a correction to the report, page 30, third line replacing the word 'north' with 'south' so as to read....South west of the main school building.

- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.