

Item No. 6

APPLICATION NUMBER	CB/12/02740/FULL
LOCATION	Leighton Linslade (Greenleas) Lower School Kestrel Way, Leighton Buzzard
PROPOSAL	A proposed New single storey Lower School for 330 pupils providing a Nursery, Classrooms, Hall, Kitchen, Office etc. and incorporating associated external works. The school is part of a comprehensive urban extension to the south of the town known as Pratts Quarry.
PARISH	Leighton-Linslade
WARD	Leighton Buzzard South
WARD COUNCILLORS	Cllrs Berry, Bowater & Dodwell
CASE OFFICER	Adam Davies
DATE REGISTERED	01 August 2012
EXPIRY DATE	31 October 2012
APPLICANT	Central Bedfordshire Council
AGENT	QMP
REASON FOR COMMITTEE TO DETERMINE	Call in by Ward Councillor Bowater on behalf of the Town Council in absence of "kiss and drop" lane to prevent parking issues.
RECOMMENDED DECISION	Full Application - Granted

Site Location:

The application site comprises a 1.3 ha parcel of land which previously formed part of Pratts Quarry on the southern boundary of Leighton Buzzard. The site forms part of the South Leighton Buzzard Urban Extension and is adjacent to the recent housing developments on Sites 15B, 15D and 15A to the north. The land to the south is Site 15C which will also be redeveloped as part of the urban extension. The land is situated to the south of Kestrel Way which runs from Billington Road to the west to Johnson Drive to the north. The land is bounded to the north east by land which will form part of a swale, providing part of the drainage infrastructure for the South Leighton Buzzard Urban Extension. The swale forms part of a Proposed Area of New Urban Open Space which also includes the lake which will be created to the south east. Outline planning permission has previously been granted for a single-storey lower school on this site as part of the outline planning permission granted at appeal in 2007 for the urban extension on Sites 15B, 15C and 15D.

The Application:

The application seeks full planning permission for a new single storey lower school for 330 pupils. The school would comprise a single building incorporating 677.5 square metres of classroom space for Years 1 to 4, Reception and Nursery along with 307 square metres of flexible teaching space, a dining hall, a music/drama hall, offices and staff facilities. The building would measure a maximum of 44.1 metres in width by 54.4 metres in depth and 7.8 metres in height. It would incorporate a

variety of mono-pitched and flat-roofed elements.

The school building would be positioned on the north east side of the site, orientated to front onto Kestrel Way, to the north west. The south eastern side of the site would provide playing fields and a hard play area. A car park area is proposed to the south west of the school building which would provide a total of 39 parking spaces, two of which would be for disabled drivers. The car park would allow for service/refuse vehicles to enter the site and coaches used for school trips to park within the site. The site would be served by a single vehicular access and a single pedestrian access from Kestrel Way.

The school catchment area is the Sandhills estate and the Billington Park estate, although a number of children are expected to attend the school from outside the catchment area. The school would open from 7.00am for staff and 8.00am for working parents to allow them to drop children off at the school. The school day would start at 8.45am and end at 3.30pm for Reception to Year 4. Nursery times would be 8.45am to 11.45am and 12.30pm to 3.30pm. Pupils would be able to attend an After School Club from 3.30pm to 6.00pm. It is anticipated that there would be a high level of community lettings using the school and the site, including during normal school hours, evenings and weekends. Due to the security fencing proposed around the site and the internal zoning designed into the school for the extended services, community use would not compromise safeguarding guidance. The car park would be available to staff, school visitors, emergency vehicles and people using the school for community activities outside of school hours. There would be no access to the shared car park for parents dropping off pupils. A number of Travel Plan initiatives are proposed in order encourage parents and pupils to walk to school, make use of other sustainable transport modes, or park appropriately around the school. The application was accompanied by a School Travel Plan and a Design and Access Statement.

It is intended that works on site will commence in November 2012 so as to allow for the opening of the school in September 2013.

RELEVANT POLICIES:

National Planning Policy Framework (March 2012)

The National Planning Policy Framework (NPPF) was published on 27th March 2012 and replaced the previous national planning policy documents.

Regional Spatial Strategy

East of England Plan (May 2008) Policies

SS1 - Achieving Sustainable Development

SS4 - Towns other than Key Centres and Rural Areas

T2 - Changing Travel Behaviour

T9 - Walking, Cycling and other Non-Motorised Transport

T8 - Local Roads

T14 - Parking

ENV7 - Quality in Built Environment

WAT4 - Flood Risk Management

WM6 - Waste Management in Development

Milton Keynes & South Midlands Sub-Regional Strategy

Bedfordshire and Luton Policy 2(a) Luton/Dunstable/Houghton Regis and Leighton-Linslade.

Bedfordshire Structure Plan 2011

Policy 25 - Infrastructure

South Bedfordshire Local Plan Review Policies

BE8 - Design Considerations,

T10 - Controlling Parking in New Developments

The NPPF advises of the weight to be attached to existing local plans for plans adopted prior to the 2004 Planning and Compulsory Purchase Act, as in the case of the South Bedfordshire Local Plan Review. Due weight can be given to relevant policies in existing plans according to their degree of consistency with the framework. It is considered that Policy BE8 is broadly consistent with the Framework and carries significant weight. Policy T10 carries less weight but is considered relevant to this application.

Bedfordshire & Luton Waste Local Plan 2005

W5 Management of wastes at source - Waste Audits

W6 Management of Waste of waste at source - Provision of facilities within new development.

Supplementary Planning Guidance

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

South Bedfordshire District Council - Development Brief: Southern Leighton Buzzard Extension – adopted for development control purposes, 2006.

Luton and Central Bedfordshire Core Strategy - adopted for Development Management purposes by the CBC Executive on 23.08.11.

Bedfordshire and Luton – Managing Waste in New Developments, April 2006.

CBC Local Transport Plan 3, incl. Appendix C Sustainable Modes of Travel to Schools and Colleges Strategy, 2011

Planning History

SB/OUT/03/1515	Outline permission for residential development of Site 15A (land to north) - Subject to Section 106 Agreement.
SB/TP/04/0167	Permission for construction of roads, sewers and pumping station.
SB/ARM/04/1627	Approval of Reserved Matters for 219 dwellings. (Site 15A phase one).
SB/ARM/05/1321	Approval of Reserved Matters for 330 dwellings. (Site 15A phase 2).
SB/TP/06/0865	Permission for access spine road – Granted on appeal.
SB/OUT/06/0869	Outline permission for up to 720 dwellings with site for single-storey lower school, associated play space, landscaping parking and access – Granted on appeal, Subject to Section

	106 Agreement (Unilateral undertaking).
SB/TP/08/00726	Approval of reserved matters for the erection of 130 dwellings – Site 15B.
SB/TP/08/01031	Permission for the construction of a swale and related engineering works with associated landscaping – Site 15B.
CB/10/01214/FULL	Permission for the construction of a swale and related engineering works with associated landscaping – Site 15D.
CB/10/01257/RM	Withdrawn application for approval of reserved matters for the erection of 230 dwellings on part of site 15D (application for approval of reserved matters in respect of access, appearance, landscaping, layout and scale pursuant to outline planning permission SB/OUT/06 00869).
CB/10/03014/RM	Approval of reserved matters for the erection of 230 dwellings on part of site 15D (application for approval of reserved matters in respect of access, appearance, landscaping, layout and scale pursuant to outline planning permission SB/OUT/06 00869).
CB/11/01585/RM	Approval of reserved matters: access, appearance, landscaping, layout and scale for the erection of 34 dwellings pursuant to outline planning permission SB/OUT/06/00869 (Taylor Wimpey).
CB/11/01879/RM	Approval of reserved matters: access, appearance, landscaping, layout and scale for the erection of 34 dwellings pursuant to outline planning permission SB/OUT/06/00869 (Persimmon Homes).
CB/11/02261/OUT	Outline application for residential development of 75 dwellings at Land at Pulford Corner.
CB/11/02263/OUT	Withdrawn application for residential development of up to 165 dwellings at Land South of Pages Field Sports Ground.
CB/11/02264/OUT	Outline application for residential development of up to 241 dwellings at Land at Stanbrdige Road.
CB/12/00744/RM	Approval of reserved matters: access, appearance, landscaping, layout and scale relating to the erection of 50 dwellings, creation of a new vehicular access and public open space on part of Site 15C - pursuant to outline planning permission SB/OUT/06/00869. Persimmon Homes.
CB/12/00751/RM	Approval of reserved matters: access, appearance, landscaping, layout and scale relating to the erection of 55 dwellings, creation of a new vehicular access and public open space on part of Site 15C - pursuant to outline planning permission SB/OUT/06/00869. Charles Church Homes.
CB/12/00825/RM	Approval of reserved matters: access, appearance, landscaping, layout and scale relating to the erection of 115 dwellings, creation of a new vehicular access and public open space on part of Site 15C - pursuant to outline planning permission SB/OUT/06/00869. Taylor Wimpey Homes.

Minerals and Waste

BC/CM/18/1996	Minerals permission for Pratts Quarry.
BC/CM/03/1574	Extension and restoration of Pratts Quarry to provide new and informal public open space and associated lake (BC/CM/03/29 refers) (Regulation 3).
BC/CM/35/2004	Minerals permission for Pratts Quarry. Subject of a Section

**Representations:
(Parish & Neighbours)**

Town Council
(28/08/12)

It was noted that there was no provision for a drop-off zone and that parents would therefore be parking on the street. Although it was anticipated that three quarters of children would walk to school from nearby housing, concerns were raised about future parking issues. It was noted that it was likely that the school would open before the road was adopted by Bedfordshire Highways and therefore no enforceable parking controls or restrictions would be in place initially.

Resolved to welcome the provision of a new lower school on Sandhills and to fully support the application, but the Town Council would ask Central Bedfordshire Council to ensure a traffic management scheme was implemented as soon as possible.

Councillor Bowater
(28/08/12)

If this application is recommended for approval without a "Kiss and Drop" lane to prevent the parking issues prevalent at almost all other schools then I should like to call the application in on behalf of the Town Council.

Neighbours

No. 44 Plover Road (17/08/12):

In support provided adequate parking for people who cannot walk to the school, and pre and after school classes provided for the working parent.

Consultations/Publicity responses

Environment Agency
(30/08/12)

Officer Note: On the basis of the current information as submitted with the application, the Environment Agency has commented as follows:

In the absence of a flood risk assessment (FRA), we **object** to this application and recommend refusal of planning permission until a satisfactory FRA has been submitted.

The application lies within Flood Zone 1 defined by the Technical Guide to the National Planning Policy Framework (NPPF) as having a low probability of flooding. However, the proposed scale of development (the application form states the site area to be 1.4 hectares) may present risks of flooding on-site and/or off-site if surface water run-off is not effectively managed. Footnote 20 of paragraph 103 of the NPPF requires applicants for planning permission to submit a Flood Risk Assessment (FRA) when development on this scale is proposed in such locations. A FRA is vital if the local

planning authority is to make informed planning decisions. In the absence of a FRA, the flood risks resulting from the proposed development are unknown. The absence of a FRA is therefore sufficient reason in itself for a refusal of planning permission.

Our objection can be overcome by undertaking a FRA which demonstrates that the development will not increase risk elsewhere and where possible reduces flood risk overall. If this cannot be achieved we will consider whether there is a need to maintain our objection to the application. Production of a FRA will not in itself result in the removal of an objection.

Additional information

The Design & Access Statement dated July 2012 (reference M5288, compiled by QMP) states that the surface water drainage from certain impermeable areas will drain to soakaways. This relates solely to tarmac hard play areas and new pathways – there is no information concerning other impermeable areas (e.g. roofs, car parks and roads). There is also no demonstration that ground conditions on the site are conducive to infiltration drainage. This should be investigated and confirmed if such a statement is to be made.

The “Landscaping” section states that there will be “heavy planting” around the perimeter of the site. It is strongly recommended that an easement of at least 5 metres width be allowed at the side of the site adjacent to the swale watercourse that is kept free of obstructions such as trees. This will allow essential maintenance access for the swale to continue unimpeded, which is essential to ensure the swale remains unblocked and operational in draining the site. Indeed, there is no information concerning fencing proposals to this edge of the site. Again, it is strongly urged that any necessary fencing allows an easement of 5 metres on flat ground from the top of the bank of the swale, and does not impede access.

Officer Note: At the time of drafting this report, the Planning Agent for the application is in the process of putting together a package of information, with a view to satisfactorily addressing the issues outlined above ahead of the Development Management Committee meeting. Any additional information or updated responses will be presented to Members as part of the Committee Late Sheet.

Public Protection
(04/09/12)

I do not have any objections to the proposed development. Whereas quarrying activities are taking

place on the site the Council has no reason to believe this site is contaminated, and is not aware of any potentially contaminative past use. However I would ask that if during any site investigation, excavation, engineering or construction works evidence of land contamination is identified, the applicant shall notify the Local Planning Authority without delay. Any land contamination identified, shall be remediated to the satisfaction of the Local Planning Authority to ensure that the site is made suitable for its end use. Any imported material for landscaping must be of a quality that adheres to British Standard for Topsoil BS 3882:2007, as expected by the NHBC and other bodies.

As the school will be located in a residential area any noise from fixed plant and equipment should be controlled by planning condition.

Leisure Services
(09/08/12)

No comment.

Sustainable Transport
(15/08/12 & 03/10/12)

Officer Note: On the basis of the current information as submitted with the application, Sustainable Transport has commented as follows:

The travel plan will need to be revised so that it meets the quality assurance approval criteria. I have provided some feedback that will help them with this. I would also like to see the appropriate amount of cycle/scooter parking be installed for the development as per the CBC Cycle Parking Guidance. I have some general issues regarding the application which I have outlined below which need to be addressed.

Roundabout proposal

The site plan shows a proposal to include a roundabout on Kestrel Way at the unctio for the school access road. This is not a good solution for an area such as this owing to potential road safety issues and the potential for collisions with vulnerable road users. Drivers tend to only focus on the movement of other vehicles rather than the movement of pedestrians that are in the vicinity who may be attempting to cross Kestrel Way close to the roundabout.

Anticipated parking issues

We need to ensure that the necessary highway signage is delivered in terms of school safety zone and school keep clear with necessary TRO's.

The travel plan rightly states that there is no provision for School Keep Clear markings, double yellow lines or other parking restrictions whilst the top road surface remains

unlaid and also whilst the road is unadopted. A potential solution to this would be to:

a. Set down SKC markings and double yellow lines along Kestrel Way without orders placed on them. Although these would be unenforceable they would generally be adhered to and set the tone in so far as what is expected in this area.

a. With the developer's permission, advertise and enforce TRO's for the lining.

Both of these options would be more favourable than having no kind of visual traffic management.

CBC's LTP Policy states 'School Keep Clear' markings with appropriate Traffic Regulation Orders (SMoTS 6).

Speed/Perceived speed issues

The Travel plan anticipates issues with crossing points, visibility, and busy roads. These should be addressed by the developer ensuring that speeds along Kestrel Way are in the order of 20 mph. This could also be complimented by having the necessary signage and making the area a 'School Safety Zone'.

CBC transport policy states all new school developments to be situated on roads with 20mph speed limits along with measures to facilitate 20mph speeds (SMoTS 5).

Cycle Parking

The travel plan has not included a site audit of travel/transport related infrastructure and makes no reference to the amount, type or location of cycle or scooter parking at the school.

CBC transport policy states all new school developments to have cycle parking facilities for pupils, staff and visitors in-line with CBC's Cycle Parking Guidance (SMoTS 8).

Pedestrian/Cycle access facilities

It is essential that there is a separate entrance in order to facilitate pedestrian and cyclists safety. In order to avoid pedestrian and cyclist/scooter conflict it is desirable to segregate these areas to ensure safety and ease of use which in turn will encourage use of sustainable transport modes.

CBC transport policy states all new school developments to have separate pedestrian and cycling entrances to the school site (SMoTS 7).

Travel and Transport Issues

The travel plan which accompanies the planning application already anticipates travel and transport issues. There is an opportunity now to avoid these. The

issues identified could/should be conditioned for the developer to undertake in order to mitigate these foreseen issues by way of a Section 278 agreement.

Comments on points within the Travel Plan

Overall this is a poor quality travel plan. It is significantly lacking in information and detail in a number of the sections that are required for a travel plan to be approved.

a. Reference is made to the school implementing a 'managed system of car parking control and signage to overcome this, until such a time as the road is adopted' (sic). What does this actually mean and entail? Further detail needs to be provided.

a. Showering facilities are provided which is positive however these are located in the second block which is away from staff room and admin facilities. Surely it would be better and gain more chance of use if the shower room was co-located with the staff facilities.

a. The 'Stepping Out safely' and Passport for Life schemes identified are now obsolete. These have been replaced with 'Street Safe' and 'Street Feet' schemes.

a. Reference is made to a 'management plan' that the school will implement and speak directly to drivers who park in the vicinity. What this actually entails and how it will be operated should be further explained and the plan included as an annex to the travel plan.

a. The plan refers to 'accompanied walks' to school. It is unclear what is meant by this (walking bus/informal walking promotion?) and needs clarification as to the detail of the scheme and how it is envisaged that it will be operated.

a. The plan mentions signage on the school fence. Again further detail should be included within the travel plan about this.

a. The travel plan states that parents will be able to use the car park on site before 8.50 am. I would strongly suggest that this is amended to an earlier time (0830 ?) otherwise there is a danger that vehicles will be encouraged onto the school site at times of peak pedestrian, cyclist and vehicle activity. This needs to be addressed prior to the occupation of the school as a policy such as this will be significantly more difficult to amend retrospectively once people have started to make decisions about how and when to travel to school.

a. Although at this stage it is not possible to have gathered detailed survey information of pupils/parents, staff and local residents, an explanation as to this should be included and a date set whereby these surveys will be undertaken. These should also be recorded in the action plan section of the travel plan.

a. The travel plan is incomplete. There needs to be further information provided as to objectives and targets;

details of proposed measures; a detailed timetable for implementation; clearly defined responsibilities; evidence of consultation (or at least who this will include and when this will be done); proposals for monitoring and review and signoff by the senior leadership team and school governors.

Allocated on and off-site areas for set down and picking up

As part of the development of Central Bedfordshire's Transport Policy with regard to schools much deliberation was taken over the usefulness of allocated areas 'drop-off' points for schools both on and off school sites. Following observations and having the input of schools where these have previously been implemented allocated set-down and pick-up areas were dismissed as a measure which should be included as a Central Bedfordshire transport policy.

Set down and pick up areas rarely work in practice, the reasons for this are:

- Parents of lower school pupils prefer to accompany their children into the playground.
- Schools actively encourage parents to come into the playground to see their children into school as this is a particularly valuable time and interactivity opportunity between school staff and parents. This has further pastoral benefits which are essential to the way a good lower school functions.
- As such a drop-off area for setting down pupils merely functions as a car park for a limited number of parents.
- Drop off lay-bys outside the school grounds often serve as general public parking which further limits any usefulness.
- This has consequential effects such as encouraging parents to arrive earlier in order to compete for an available parking spaces.
- Drop-off areas both inside and outside of school grounds and this type of general encouragement and provision of car travel to schools serve to increase localised congestion at a time when there are high levels of pedestrians of a particularly young age in the vicinity. This poses significant risks in terms of the road safety of vulnerable people on the public highway.
- This type of measure merely serves to advocate car travel for the journey to school. This is contrary to Central Bedfordshire policy and our statutory duty to promote sustainable travel for journeys to, from and between schools (Education Act, 2006).

- A measure such as this advocates and develops a car culture for the school journey where instead for sustainability, congestion, health, air-quality and road safety reasons encouragement should be given to active and sustainable modes of travelling to school.
- Where set-down and pick up areas have been allocated at other schools the poor performance and lack of practicality of these features has led to the school having to retrospectively manage the car parking on the school site. More often than not this means closing the parking and set down areas to parents and controlling access to the car park. (Case examples: Eaton Bray Academy, Maple Tree Lower, Roecroft Academy, Fairfield Park Lower, St John Rigby Lower).
- These type of measures are contrary to NHS Bedfordshire's public health messages which seek to encourage active travel in an effort to combat childhood obesity and the related diseases.

For these reasons I would strongly advise that set down and pick up areas are not implemented as a requirement for this application and more generally for all school planning applications in Central Bedfordshire.

Officer Note: At the time of drafting this report, Sustainable Transport are engaged in discussions with CBC Education and the Planning Agent for the application with a view to satisfactorily addressing the issues outlined above ahead of the Development Management Committee meeting. Any additional information or updated responses will be presented to Members as part of the Committee Late Sheet.

Highways (07/09/12)

Highlights need for control over Kestrel Way; drop-off points for pupils; rear access/shortcut to site via swale bridge; and school keep clear markings. Recommends conditions to secure improvements to road junction with Kestrel Way; control gradient of vehicular access; position of gates relative to highway; surfacing of vehicular areas; adequate cycle storage; wheel cleaning facilities during construction; parking provision for construction workers; parent drop-off facilities for 10 cars within the site and 10 cars within the highway network; implementation of agreed Travel Plan; and appropriate informatives.

Conservation and Design Officer
(20/08/12)

No objection, assuming that built quality will be assured through the prior agreement of constructional materials and finishes, and secured by condition accordingly.

Tree and Landscape

I agree with the landscape design aspirations for soft

Officer (17/08/12)

landscaping, as detailed in the Design and Access Statement and as indicated as such on the proposed site plan. In this respect a standard landscaping condition should be imposed to secure the desired planting so desperately needed on this bland landscape, which is surrounded by high density housing where restricted open space has provided little opportunity for effective landscaping.

Determining Issues

The main considerations of the application are;

1. Principle of development
2. Design considerations
3. Parking, access and highways considerations
4. Flood risk and drainage

Considerations

1. Principle of development

Outline planning permission has previously been granted for a single-storey lower school on this site as part of the outline planning permission granted at appeal in 2007 for the urban extension on Sites 15B, 15C and 15D. The outline planning permission therefore established the principle of the development as acceptable, subject to Section 106 obligations. The development of these sites is subject to a Unilateral Undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) which requires payment of education contributions. These contributions have secured a proportion of the costs involved with the purchase of the application site, which is now within the ownership of Central Bedfordshire Council and the construction of the new lower school.

2. Design considerations

The school building would be positioned on the north east side of the site, orientated to front onto Kestrel Way, to the north west. It would incorporate a variety of mono-pitched and flat-roofed elements with a mixture of external render and facing brickwork. This would serve to break-up the visual bulk and mass of the building. Given the scale, footprint and roof form of the proposed school building and the layout of the site, the proposed lower school would serve as a visual counterpoint to the surrounding residential development and, to an extent, would provide a landmark building within the larger residential estate.

As part of the public open space proposals surrounding the lake area, it is intended that a pedestrian/cycle bridge will be provided over the drainage swale which bounds the site along its north eastern boundary. The bridge would be provided and maintained by Central Bedfordshire Council using public monies secured as part of the residential development on Site 15. The current proposal would not compromise the provision of this footbridge which would connect the public access routes on either side of the swale and could, in future, provide a pedestrian/cycle route into the rear of the school site.

Subject to the appropriate planning conditions to secure the necessary soft

landscaping; control the materials to be used in the external construction of the school building; and secure the erection of suitable boundary enclosures, it is not considered that the proposal would be detrimental to the character or appearance of the locality.

As the proposed lower school would be located within a residential area, Public Protection has advised that any noise from fixed plant or equipment should be controlled by planning condition so as to avoid any disturbance to neighbouring residents. It is also considered necessary to control the lighting of the site for the same reason.

3. Parking, access and highways considerations

The application proposes a range of Travel Plan initiatives to encourage sustainable modes of transport in order to reduce the use of the private car for trips to and from the school. However, notwithstanding the local catchment area of the school, it is acknowledged within the application that there will be a number of children who are driven to school for a variety of reasons. The application site is located within a residential area where there is presently on-street parking. It is understood that parking provision and on-street parking in general has been an ongoing concern locally along Kestrel Way and within the wider residential area and any future development should not add unnecessarily to these concerns. As such it is essential that a suitable school travel plan is achieved and the parking arrangements for the site are subject to suitable management and controls.

The proposal incorporates a separate cycle/pedestrian access from Kestrel Way as required by Sustainable Transport. The scheme would not compromise the future provision of a rear access to the school for pedestrians and cyclists via the footbridge which is to be provided across the drainage swale, near the south east corner of the site. Arrangements for suitable cycle parking could be secured by planning condition.

However the comments of Sustainable Transport and Highways highlight a number of significant concerns which will need to be addressed in order to achieve a scheme which can be considered acceptable in highways terms. On the basis of the current information as submitted with the application, the submitted Travel Plan is considered incomplete. There is a need for further information regarding objectives and targets; details of proposed measures; a detailed timetable for implementation; clearly defined responsibilities; evidence of or a timeframe for consultation; and proposals for the monitoring, review and signoff of the Travel Plan by the senior leadership team and school governors. In particular the School Travel Plan requires further detail on the management of parent parking around the site and within the shared car park, including appropriate on-site signage. Further clarification is needed to explain how the proposed 'accompanied walks' to school would operate in practice. The Travel Plan should include a timeframe for providing survey information on the travel behaviour of pupils/parents, staff and local residents. It is considered that a revision to the Travel Plan could be secured by planning condition.

Sustainable Transport considers that the mini-roundabout shown at the site access is not suitable given the potential road safety issues in this location. However it should be noted that the roundabout layout already exists and is in accordance with the agreed layout which has been considered to be acceptable

by CBC Highways, subject to Section 38 Highways Agreement. Any revision to the road layout would therefore likely be the responsibility of Central Bedfordshire Council. In this case, school keep clear markings, double yellow lines or other parking restrictions, and measures to reduce vehicle speeds along Kestrel Way to around 20 mph are needed. Kestrel Way does not form part of the application site and is outside of the control of Central Bedfordshire Council. The road has not yet been adopted. Given the potential for damage to the road caused by construction vehicles, Kestrel Way is unlikely to be brought up to an adoptable standard of construction and finish and offered for adoption until the substantial completion of the surrounding residential development on Sites 15C and 15D which would likely be a significant time beyond completion and occupation of the school site itself. As such the required highway works could not be secured by planning condition or Highways Agreement.

Whilst any highway controls or markings installed before the adoption of the road would not be enforceable, it would be possible to secure the required highway markings and signage by way of a Section 106 Legal Agreement between Central Bedfordshire Council, as the applicant and Arnold White Estates, the adjoining landowner. Given that the initial occupation of the school would take place on a phased basis and would not be at full capacity for some time, this is considered an acceptable intermediate measure, prior to the adoption of Kestrel Way allowing for enforceable highway controls. Officers have approached Arnold White Estates to discuss how they may be able to assist in ensuring that the necessary highway works could be delivered and Arnold White Estates have confirmed the above approach in principle and their willingness to discuss these matters with Officers. As noted, it is necessary for works on site to commence in November 2012 so as to allow for the opening of the school in September 2013. As such, it is necessary for the application to be referred to Development Management Committee on 17th October 2012. Any additional information or updated responses will be presented to Members as part of the Committee Late Sheet.

CBC Highways consider that it would also be necessary to secure pupil drop-off facilities for 10 cars within the site and 10 cars within the highway network. Given that CBC has no control over Kestrel Way, drop-off facilities within the highway cannot currently be achieved by condition as recommended by Highways. Notwithstanding this, the provision of drop-off facilities would run contrary to the parking and access strategy for the school which has been developed in line with Central Bedfordshire Council's own Local Transport Plan 3 (LTP), including Appendix C which sets out the Council's Sustainable Modes of Travel to Schools and Colleges Strategy (SMoTS). Sustainable Transport has advised that the provision of pupil drop-off facilities were dismissed as a measure which should be included as a Central Bedfordshire transport policy as it is considered that this advocates a car culture for the school journeys whereas encouragement should be given to active and sustainable modes of travel in line with the authority's statutory duty to promote sustainable travel for journeys to, from and between schools (Education Act, 2006). It is also stated that there are various practical reasons why this type of approach has not been an effective solution for other schools and a number of local examples have been provided.

Whilst the Council's LTP and SMoTS Policies do not form part of the Development Plan, they set out Council-wide travel policies for schools which have been recently adopted in 2011. Accordingly it is considered to carry

significant weight in the consideration of parking, access and highways matters for this application. Therefore, subject to the submission of a revised Travel Plan, which can be secured by planning condition, various planning conditions as recommended by CBC Highways and the completion of a Section 106 Legal Agreement to secure the required highways markings and signage, no objection is raised in terms of the proposed parking and access arrangements.

4. Flood risk and drainage

The proposal would not encroach on the swale land to the north east of the site or restrict the permitted public or maintenance access routes for the swale which were considered acceptable by the Environment Agency.

The site is located within Flood Zone 1 and therefore is considered to have a low probability of flooding. However, given the scale of the development, the proposal could present risks of flooding on-site and/or off-site if surface water run-off is not effectively managed. A Flood Risk Assessment (FRA) is therefore required in order to make informed planning decisions relating to flooding and drainage. Although, the application was not originally accompanied by a FRA, the Planning Agent for the application has recently submitted a Site Specific Flood Risk Assessment following Officers' request for this information. The submitted FRA seeks to demonstrate that the school site is at a low risk of flooding and, with design and construction of a private drainage system on site, the proposal would not increase the risk of flooding elsewhere. At the time of drafting this report, the Environment Agency has not confirmed that the submitted FRA is satisfactory. Given the limited timeframe for the commencement of works on site and the opening of the school, it is necessary for the application to be referred to Development Management Committee ahead of the Environment Agency's confirmation that the submitted FRA is acceptable. Any additional information or updated responses will be presented to Members as part of the Committee Late Sheet.

Recommendation

That subject to the completion of a prior Section 106 Agreement to provide for appropriate travel management matters, that the Head of Development Management be authorised to GRANT Planning Permission 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 the commencement of works relating to the construction of the school building, details of the materials to be used for the external walls and roofs of the school building hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To protect, as far as possible the character of the locality.

(Policy BE8 S.B.L.P.R).

- 3 Prior to the initial public opening and use of the school site, details of the boundary fencing to enclose the school site shall be submitted to and approved in writing by the Local Planning Authority. The fencing shall then be installed in accordance with the approved details prior to the initial public opening and use of the school site.

Reason: To protect, as far as possible the character of the locality.
(Policy BE8 S.B.L.P.R).

- 4 Prior to the initial public opening and use of the school site, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the initial public opening and use of the school site (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season and maintained until satisfactorily established.

Reason: To ensure a satisfactory standard of landscaping.
(Policy BE8 S.B.L.P.R).

- 5 All external plant, machinery and equipment installed or operated in connection with this permission shall be so enclosed, operated and/or attenuated that noise arising from such plant shall not exceed a level of 5dBA below the existing background level (or 10dBA below if there is a tonal quality) when measured or calculated according to BS4142:1997, at the boundary of any neighbouring residential dwelling.

Reason: To protect the amenities of neighbouring residents.
(Policy BE8, S.B.L.P.R).

- 6 Prior to the initial public opening and use of the school site, a scheme for the installation of external lighting of the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure that the new lighting does not give rise to light spill into neighbouring dwellings and gardens. The scheme shall thereafter be carried out, completed and retained in accordance with the approved details prior to the initial public opening and use of the school site. No alterations to the external lighting scheme for the site shall take place without the prior written approval of the Local Planning Authority.

Reason: To protect the amenities of neighbouring residents.
(Policy BE8, S.B.L.P.R).

- 7 **Development shall not begin until details of the improvements to the junction of the proposed vehicular access with Kestrel 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.

- 8 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.

- 9 Any gates provided shall open away from the highway and be set back a distance of at least 8.0 metres from the nearside edge of the carriageway of the adjoining highway.

Reason: To enable vehicles to draw off the highway before the gates are opened.

- 10 Before the premises are occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

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

- 11 Prior to the initial public opening and use of the school site, details of secure cycle storage for residents and cycle parking for visitors shall be submitted to and approved in writing by the Local Planning Authority and the school building shall not be occupied until the approved storage and parking has been constructed in accordance with the approved details.

Reason: In order to promote sustainable modes of transport.

- 12 **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 construction works have been completed 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.

- 13 **Development shall not commence until a scheme detailing provision for on site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.**

Reason: To ensure adequate off street parking during construction in the interests of road safety.

- 14 Prior to the initial public opening and use of the school site, a School Travel Plan shall be prepared, submitted to and approved in writing by the Local Planning Authority. The plan shall contain details of:
- a. plans for the establishment of a working group involving the School, parents and representatives of the local community
 - b. pupil travel patterns and barriers to sustainable travel
 - c. measures to encourage and promote sustainable travel and transport for journeys to and from school
 - d. an action plan detailing targets and a timetable for implementing appropriate measures and plans for annual monitoring and review

All measures agreed therein shall be undertaken in accordance with the approved plan. Approval of the Travel Plan is also conditional upon Steps 1 to 5 being completed on our online management tool 'iOnTravel' prior to the initial public opening and use of the school site, with the results reviewed on an annual basis and further recommendations for improvements submitted to and approved in writing by the Local Planning Authority.

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

- 15 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers M5288/A/001.P0; M52888/A/010.B; M5288/A/101.B; M5288/A/107.B; M5288/A/120.C; and M5288/A/130.A.

Reason: For the avoidance of doubt.

Reasons for Granting

The principle of the development has previously been established as acceptable with the grant of the outline planning permission in 2007 for the development on Sites 15B, 15C and 15D. Subject to the completion of a prior Section 106 Agreement to provide for appropriate travel management matters, the development is considered acceptable in terms of the proposed parking and access arrangements. The proposal would not be detrimental to the character or appearance of the locality or the amenities of neighbouring residents and is in conformity with the development plan policies comprising the East of England Plan (May 2008), the Milton Keynes & South Midlands Sub-Regional Strategy, the Bedfordshire Structure Plan 2011, the South Bedfordshire Local Plan Review, the Bedfordshire & Luton Waste Local Plan 2005, and national advice contained in the National Planning Policy Framework.

Notes to Applicant

1. 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.
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. The applicant is advised that further information regarding the updating of the School Travel Plan is available from the Sustainable Transport Team, Central Bedfordshire Council, Technology House, Bedford, MK42 9BD.

DECISION

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