

LATE SHEET

DEVELOPMENT MANAGEMENT COMMITTEE – 14 August 2013

Item 6 (Page 11-36) – CB/13/01208FULL – Land at New Road, Clifton, Shefford

Additional Consultation Responses:

45 additional letters of objection have been received in response to the Council's consultation on amendments to the proposed development. These reinforce concerns relating to the scheme and do not raise issues not already noted in the Officer's report.

Clifton Parish Council wrote to the Council expressing concerns over the site allocations process and the conclusions reached in the Committee report that was presented to Members in June.

Conditions:

Recommended condition 13 should be amended to read:

No development shall commence at the site before details of ground protection and tree protection and an arboricultural method statement setting out how the development could take place without causing short or long-term damage to existing trees near to the site (including those within the curtilage of No 28 New Road) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the approved details.

Reason: To ensure that trees near to the site are not unduly harmed by the development.

Item 7 (Page 37-52) – CB/13/01765FULL – The Glebe, 16 Church Road, Henlow, SG16 6AN

Amended plan received (Site Plan 1204/02/C), to provide a better indication of the location of extended dwelling at 2 Jordan Close.

Additional Consultation/Publicity Responses

Henlow Parish Council – Supports the application, but would ask that first floor windows to east and west flank walls are obscure glazed at all times.

Item 8 (Page 53-64) – CB/13/01759FULL – Thomas Whitehead Lower School, Angels Lane, Houghton Regis, Dunstable, LU5 5HH

Amendment to the Recommendation

“The application is recommended for approval”

Additional Comments

Since the Committee Report was completed, a number of additional pieces of information have been received from the agents, which have overcome the three recommended reasons for refusal. These are set out below:

Reason 1 - The proposed extensions to the school, by way of their siting, design and lack of appropriate screening, would harm the setting of the Grade I Listed All Saints Church, to the detriment of its historical significance. This harm would not be sufficiently outweighed by the public benefits of the scheme and as such the proposal is contrary to policy BE8 of the South Bedfordshire Local Plan Review, policies 43 and 45 of the emerging Development Strategy for Central Bedfordshire and the National Planning Policy Framework.

An alternative site selection exercise has been carried out and it has been successfully demonstrated that there is no viable alternative location for the proposed extensions. The site to the north of the building has significant level changes and would require the existing mobile classrooms to be demolished and incorporated into the proposed extensions. This would have increased the cost of the project by some 80%, and funding would not have been forthcoming. It is considered that the lack of suitable alternative sites increases the weight that should be attributed to the public benefits of the scheme.

A landscaping scheme has also been submitted that would provide screening between the churchyard and the school buildings once it is fully established, which is likely to be approximately 4-5 years. The use of landscaping to create screening is not wholly acceptable as a mitigation measure, as it does take some time to mature and can be removed fairly easily. However, it is considered that, subject to the imposition of a suitable condition regarding the ongoing management and maintenance of the screening, the provision of the landscaping scheme would lessen the harm that would be caused by the proposed extensions to the setting of the Grade I Listed Church.

A site meeting was held with a representative from English Heritage at which the alternative site selection exercise and the proposed landscaping scheme were discussed. While the representative considered that the proposal would still cause some harm to the setting of the Grade I Listed Church, she stated that the results of the alternative site selection exercise increased the public benefits of the scheme.

On balance, it is considered that, as a result of the alternative site selection exercise and the proposed landscaping scheme, the public benefit of the proposed extensions would outweigh the harmful impact that they would have on the Grade I Listed Church.

Reason 2 - The application contains insufficient information to allow an assessment of the impact of the proposal on archaeological heritage assets within the site. As such the proposal is contrary to policy 45 of the emerging Development Strategy for Central Bedfordshire and the National Planning Policy Framework.

An Archaeological Advice Note has been submitted with an existing services and topographical plan. The Council's Archaeological Team have been consulted on this additional information and their response is given in full below. The Archaeological Officer has concluded that the proposed development would have a negative and irreversible impact upon any surviving archaeological deposits present on the site, and upon the significance of the heritage assets with archaeological interest. However, she has stated that this does not present an over-riding constraint on the development providing that the applicant takes appropriate measures to record and advance understanding of any surviving heritage assets with archaeological interest. It is therefore considered that, subject to the imposition of a suitable condition regarding the recording of any heritage assets with archaeological interest, that the impact of the scheme on archaeological deposits is not sufficient to justify a refusal of planning permission.

Reason 3 - The proposed development would result in the unacceptable loss of or harm to trees to the detriment of the character and appearance of the area and the setting of the Grade I Listed All Saints Church; as such the proposal is contrary to policy BE8 of the South Bedfordshire Local Plan Review and policies 43 and 59 of the emerging Development Strategy for Central Bedfordshire.

An Arboricultural Report has been submitted containing a Tree Survey and a Tree Protection Plan. A proposed landscaping scheme has also been submitted. It has also been confirmed that the proposed extensions would have raft foundations. The Tree and Landscape Officer has been consulted on the additional information and has subsequently removed his objections to the scheme, subject to the imposition of a number of conditions.

To conclude, it is considered that the three reasons for refusal have been overcome as a result of the additional information and the recommendation for this application has been changed to approval, subject to conditions.

Additional Consultation/Publicity Responses

CBC Archaeologist

Further to my colleague (Martin Oake) comments on 26th June 2013 and I can now confirm that the agent has submitted additional details regarding the archaeological impact of the proposed development.

However, my colleague requested the following information:

The applicant should be asked to submit an archaeological Heritage Asset Assessment comprising a desk-based assessment with a 500m radius area if search as soon as possible. It may be appropriate for the application to be withdrawn so that the Heritage Asset Assessment can be prepared and included in a resubmitted application.

The agent has submitted an *Archaeological Advice Note* (K Hulka, The Heritage Collective LLP, dated 8th August 2013). This "note" comprises one and a half A4 pages of text and two plans; the first of which shows the topography and services (the latter identified by a non-intrusive GPR scan) and the second illustrates the proposed development in relation to the topography and services. The archaeological content of the text in the *Archaeological Advisory Note* totals less than 75 words and it concludes that:

"Whilst there can be little dispute as to the archaeological potential of the surrounding area, evidence of previous modern activity associated with the construction of the existing building indicates that the archaeological potential within the footprint of the proposed development is very low..."

Having inspected the site and considered the services and topographical plan (RSK Safeguard, 20/05/13) submitted by the agent, it would appear that there has been a degree of disturbance at the proposed development site. However, I am not convinced that means that there will be no surviving archaeological remains at the proposed development site.

The plan submitted represents a "Level 6 GPR Utility and Topographical Survey" which means that both below ground services (for example, electric cabling) and above ground features (for example, the two picnic benches) are shown, thus, creating a somewhat "busy" plan which is not immediately easy to interpret. In addition, it must be noted that with the exception of the two soakaways most of the services would have been installed in narrow linear trenches, which would have resulted in minimum ground disturbance.

As my colleague previously stated, the proposed development site is clearly located at the core of the historic settlement of Houghton Regis and has the potential to contain archaeological remains relating to the origins and development of the settlement. It is also immediately north of the medieval church and churchyard. There is evidence that medieval churchyards were often larger than the areas that became formalised in the post-medieval period. Therefore, the site has the potential to contain remains of Saxon and medieval burials. I should also like to add that the surviving gravestones within the northern part of the churchyard are located in close proximity to the boundary wall, indicating that the churchyard has seen maximum use of space.

It is now well-established that previously developed sites can and often do still contain archaeological remains, despite truncation through later land use. Therefore, I do not agree that it is unlikely that there will be any archaeological remains surviving at this site because of the services and construction of the school. In addition, I do not consider that the archaeological content of the "Archaeological Advisory Note" demonstrates any understanding of the archaeological context or potential of the site.

That is however, an issue for the agent to address with his client and archaeological advisor.

Paragraph 141 of the NPPF states that Local Planning Authorities should require developers to record and advance understanding of the significance of heritage assets before they are lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible (CLG 2012). This requirement is echoed by Policy 45 of the *Development Strategy for Central Bedfordshire* (pre-submission version, January 2013).

The agent has indicated that the construction of the foundations for the extension will require the reduction of the ground by around 1 metre and therefore the proposed development will have a negative and irreversible impact upon any surviving archaeological deposits present on the site, and upon the significance of the heritage assets with archaeological interest. This does not present an over-riding constraint on the development providing that the applicant takes appropriate measures to record and advance understanding of any surviving heritage assets with archaeological interest. This will be achieved by the investigation and recording of any archaeological deposits that may be affected by the development and the scheme will comprise an archaeological strip, map and sample exercise, the exact parameters of which will be defined in a Brief prepared by the Central Bedfordshire Council Archaeologists. The archaeological scheme will include the post-excavation analysis of any archive material generated and the publication of a report on the investigations. In addition and if appropriate a presentation will be made to the School and local community on the results of the investigation. In order to secure this scheme of works, please attach the following condition to any permission granted in respect of this application.

“No development shall take place until a written scheme of archaeological investigation; that includes the provision of outreach activities and post excavation analysis and publication, has been submitted to and approved in writing by the Local Planning Authority. The said development shall only be implemented in full accordance with the approved archaeological scheme.”

Reason: To record and advance understanding of the heritage assets with archaeological interest which will be unavoidably affected as a consequence of the development.

This request is in line with the requirements of Chapter 12 of the NPPF and policy 45 of the *Development Strategy for Central Bedfordshire* (pre-submission version, January 2013).

Recommended Conditions

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) The external finish of the walls and roofing materials to be used for the extension shall match that of the existing building as closely as possible.

Reason: To ensure that the development is in keeping with the existing building.
(Policies BE8 & H8 SBLPR and Policy 43, DSCB).

3) No development shall take place until a written scheme of archaeological investigation; that includes the provision of outreach activities and post excavation analysis and publication, has been submitted to and approved in writing by the Local Planning Authority. The said development shall only be implemented in full accordance with the approved archaeological scheme."

Reason: To record and advance understanding of the heritage assets with archaeological interest which will be unavoidably affected as a consequence of the development.

(Policy BE8, SBLPR and Policy 45, DSCB)

4) Prior to development, the implementation of tree works stipulated in the Appendix B - "Tree Schedule 230808 -PD-10" of the report prepared by Tim Moya Associates (dated August 2013) shall be undertaken by a qualified arboriculturist, who is competent in working to British Standard BS 3998 :2010."Tree work - Recommendations".

Reason: To ensure a satisfactory standard of arboricultural maintenance work in order to avoid harmful tree surgery practices, and to avoid any further unnecessary tree work that may compromise the screening value that the trees presently contribute to the development site, and their visual amenity.

(Policy BE8, SBLPR and Policies 43 and 59, DSCB)

5) Before development begins, all tree protection measures stipulated in Drawing No. 230808 -P-12 "Tree Protection Plan" at Appendix A of the report prepared by Tim Moya Associates (Ref 230808-PD-11), dated August 2013, shall be fully implemented prior to all construction activity, and shall remain securely in place until the development has been completed.

Reason: To ensure the successful protection those trees marked for retention to ensure their continued good health and stability, thereby maintaining their screening value and amenity contribution.

(Policy BE8, SBLPR and Policies 43 and 59, DSCB)

6) During the first planting season following completion of the development, all planting and future planting management, shall be undertaken in strict accordance with that stipulated on the drawing "Proposed Landscape Plans" prepared by Tim Moya Associates (Drawing No. 12.475 P31). All planting shall be maintained until satisfactorily established, with any losses incurred following the initial planting being replaced in accordance with the approved planting scheme. The planting shall be maintained and managed in perpetuity.

Reason: To ensure a satisfactory standard of landscape provision and establishment, in order to secure strategically important landscape planting, being provided in the

interests of screening provision and their future positive contribution to visual amenity.

(Policy BE, SBLPR and Policies 43, 45, and 59, DSCB)

7) Prior to the opening of the additional classrooms hereby approved, a School Travel Plan shall be prepared and submitted to and approved by the Planning Authority prior to occupancy. The plan shall contain details of:

- plans for the establishment of a working group involving the School, parents and representatives of the local community;
- pupil travel patterns and barriers to sustainable travel;
- measures to reduce car use;
- an action plan detailing targets and a timetable for implementing appropriate measures and plans for annual monitoring and review for 5 years.

All measures agreed therein shall be undertaken in accordance with the approved Plan. There shall be an annual review of the Travel Plan (for a period of 5 years from the date of approval of the Plan) to monitor progress in meeting the targets for reducing car journeys generated by the proposal and this shall be submitted to and approved 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.

(Policy 26, DSCB)

8) The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers P10, P11, P20, P21, P22, P23, P30, P31.

Reason: For the avoidance of doubt.

Recommended Informatives

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).

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.

Item 9 (Page 65-78) – CB/13/02189FULL – Land Adj to Langley Cottage, High Street, Eggington, Leighton Buzzard, LU7 9PD

Additional Consultation Responses/Representations

Additional neighbour objection (29/07/2013)

- Concerns are raised regarding the level of parking proposed
- The development is to facilitate a commercial operation which would not provide stable accommodation for local people or the applicant's family.
- A photo showing parking at the nearby public house is provided. This indicates there is limited spare parking capacity at the public house in the early evening.

Applicant's additional information (30/07/2013)

- The previous pre-application proposal was considered as a non-commercial proposal. There is no change in the nature of the proposal or relevant policy since the pre-application scheme was considered by officers.
- The subtext to SBLPR Policy NE11 (paras 3.61-3.66) refer to 'commercial equestrian businesses' and the common requirement for 'additional covered accommodation required for the business'. This indicates that the policy seeks to restrict commercial equestrian businesses requiring additional facilities (reception/offices/toilets/staff facilities/equipment storage etc.). The proposal does not require any such additional facilities and is to be occupied by the applicant's family or individuals on a private basis. A tenanted stable is not a commercial stable.
- Reference is made to similar proposals within Central Bedfordshire which have been considered acceptable subject to a planning condition restricting the use as private, non-commercial stabling only.
- Under Policy 55 of the emerging Development Strategy, the threshold for large scale private or commercial enterprises is developments to accommodate ten horses or more. The proposal should not therefore be considered as a commercial enterprise.

Tree and Landscape Officer (06/08/2013)

- The position of the stables would have slight conflict with the buttress roots of a native roadside hedge.
- It is recommended that the stable building is pulled away from the boundary of the road by at least 0.75m to avoid direct conflict with the hedgerow roots and allow a degree of natural canopy spread and avoid the need for heavy pruning which would be at the expense of the hedgerow's screening value.
- This would also allow for maintenance access.

OFFICER NOTE: In the event that the Committee are minded to approve the application, it is recommended that any permission granted is subject to the submission of an amended site plan to show the distance between the boundary hedge and stable building increased in line with the advice of the Tree and Landscape Officer.

Item 10 (Page 79-90) – CB/13/01924REG3 – Land Adj to Goldfinch Road Leighton Buzzard LU7 4BT

Additional Representations

Persimmon Homes (02/08/2013)

- A copy of the conveyance plan for the residential areas on Site 15D (north of the swale land) is provided.

- The plan shows the access from Partridge Road to lead from the adoptable highway.
- The existing access from the private drive off Linnet Way has not been conveyed to householders.
- Persimmon confirms that Goldfinch Road is not within private ownership. Accordingly public access to the swale land can still be delivered from the adoptable highway along Goldfinch Road under the conditions of housing approval.

Item 11 (Page 91-100) – CB/13/02110/FULL – 5 The Orchard, Houghton Conquest, Bedford, MK45 3NR

Additional Consultation/Publicity Responses

Addition neighbour response received 30.07.13 –

There are bats in the area around No. 5 The Orchard, possibly roosting in the trees which are sited adjacent to the property. The Bat Conservation Trust has advised me to inform the Council of their presence when building works may interfere with their habitat.

Additional Comments

The proposal does not involve the removal or pruning of the tree and as such will not impact on bat habitats – if there indeed are bats in the adjacent trees.

Item 12 (Page 101-110) – CB/13/02192/FULL – Alameda Middle School, Station Road, Ampthill, Bedford, MK45 2QR

Additional Comments

Amended Plan 13039(D)010 rev c has been received 13/08/2013 which reduces the extent of the rear staff parking area to within the confines of the existing rear fenceline.

Highways Officer (12/08/2013) This proposal has been the subject of pre-application discussion and agreement in principle in a highways context.

The scheme provides for an appropriate level of car-parking for staff and visitors whilst not making any provision for parent parking at drop off or pick up times. The plans for access, parking and turning of the school bus transport demonstrate an acceptable arrangement and will be managed by the school to ensure the safety of the children is not compromised.

In these circumstances I am content that there is no justifiable highway safety or capacity reason that the grant of planning permission should not be considered.

Nevertheless inclusion of the following conditions and advice notes is recommended.

Additional/Amended Conditions/Reasons

Condition 6 – Plan No 13039 (D) Rev C to supersede previous plans

Condition 7. The proposed development shall be carried out and completed in all respects in accordance with the on-site vehicular layout illustrated on the approved plan and defined by this permission and, notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995, (or any Order revoking or re-enacting that Order) there shall be no variation without the prior approval in writing of the Local Planning Authority.

Reason: To ensure that the development of the site is completed insofar as its various parts are interrelated and dependent one upon another and to provide adequate and appropriate access arrangements at all times.

Condition 8. Construction of the development hereby approved shall not commence until a Construction Management Plan has been submitted to and approved in writing by the local planning authority in consultation with the highway authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:

- Construction vehicle numbers, type, routing;
- Traffic management requirements;
- Construction and storage compounds (including areas designated for car parking);
- Siting and details of wheel washing facilities;
- Cleaning of site entrances, site tracks and the adjacent public highway;
- Timing of construction activities to avoid school pick up/drop off times;
- Post construction restoration/reinstatement of the working areas and temporary access to the public highway.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way.

Condition 9 .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 and manoeuvring of vehicles within the site.

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

Condition 10. Prior to the occupation of the proposed extension and alterations an updated Travel Plan for the school site will be required to reflect the proposed redevelopment, anticipated increase in numbers of staff and pupils. This should include:

- An action plan to mitigate the increased traffic flow
- Targets to reduce car use and increase walking and cycling;
- A timetable to monitor, implement any measures identified and review the travel plan.

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

Advice Note1/. The applicant is advised that no highway surface water drainage system designed as part of the new development, will be allowed to enter any existing highway

surface water drainage system without the applicant providing evidence that the existing system has sufficient capacity to account for any highway run off generated by that development. Existing highway surface water drainage systems may be improved at the developer's expense to account for extra surface water generated. Any improvements must be approved by the Highways Development Control group, Development Management Division, Central Bedfordshire Council. Further details can be obtained from the Traffic Management group Highways and Transport Division, Central Bedfordshire Council, P.O. Box 1395 Bedford, MK42 5AN.

AN2/. The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council's "Cycle Parking Annexes – July 2010".

Recommendation

That the GRANT of planning permission be delegated to the Head of Development Management subject to no objections being received from the Environment Agency or if objections are received can be dealt with by the imposition of conditions.

Item 13 (Page 111-118) – CB/13/01987/FULL – Church End Lower School, Church Walk, Marston Moretaine, Bedford, MK43 0NE

Additional Consultation/Publicity Responses

Highways Officer (31/07/13) – Whilst the proposal has the potential to increase traffic generation and additional neighbour disturbance by virtue of parent parking, given the particular circumstances and time limited nature of the proposal I do not feel that there is sufficient justification to object to the proposal on highway grounds.

Item 14 (Page 119-128) – CB/13/02203/FULL – 51 Greenway, Campton, Shefford, SG17 5BN

No Comments