

Item No. 7

APPLICATION NUMBER	CB/13/03280/FULL
LOCATION	Gravenhurst and Villages Pre-School, Orchard Close, Upper Gravenhurst, Bedford, MK45 4JF
PROPOSAL	Erection of covered area on south west side of building
PARISH	Gravenhurst
WARD	Silsoe & Shillington
WARD COUNCILLORS	Cllr Ms Graham
CASE OFFICER	Amy Lack
DATE REGISTERED	08 October 2013
EXPIRY DATE	03 December 2013
APPLICANT	Mrs A Stone
AGENT	B2B Construction
REASON FOR COMMITTEE TO DETERMINE	Central Bedfordshire Council land with a third party representation received in objection to the proposal.
RECOMMENDED DECISION	Full Application - Approval Recommended

Summary of recommendation:

The proposed extension from the southwest side of the existing pre-school building to provide a open-sided canopy area is considered acceptable.

The proposal is in keeping and in character with the wider use of the school site and extending from the southeast flank of the pre-school building it is positioned on the opposite side from Orchard Close to the east so there will be limited views of the proposed development from outside of the site. This position also mitigates any increased noise and disturbance upon the existing residential occupiers in Orchard Close. The closest residential occupiers are to the south of the site at No.13 Orchard Close but any impact upon the occupiers of this dwellinghouse will be well attenuated by a detached outbuilding which sits adjacent to the common boundary between the proposed extension and the main dwelling. Accordingly the proposal accords with Policy DM3 of the Core Strategy and Development Management Policies (2009) and therefore approval is recommended.

Site Location:

The Gravenhurst Lower School and Pre-school site is located on the southern side of the High Street, to the west of Orchard Close. The school site comprises the Lower School, occupying an attractive single storey building constructed of buff brick with a slate roof. To the east of this is a temporary classroom building, and to the far southeast corner, adjacent to the cul-de-sac road Orchard Close, is the more recent occupation of a pre-school in a purpose built building, which is the subject of this application.

Located within the settlement envelope of Upper Gravenhurst the surrounding area is predominantly residential. The site is not located within a conservation area.

The Application:

The application seeks planning permission for the erection of a open sided, lean-to addition with a flat roof extending from the southwest elevation of the existing pre-school building. Accessed externally this space is intended to provide an outdoor covered area for play protected from the sun or poorer weather.

The area measures 8.9 metres in length and 6 metres in depth and approximately 2.9 metres in height, sitting just below the eaves of the existing building. A 1 metre high timber fence will extend around the perimeter of the structure, comprising round timber posts to support a polycarbonate roof.

RELEVANT POLICIES:

National Guidance

National Planning Policy Framework (March 2012)
Circular 11/95 - The use of Conditions in Planning Permissions

Core Strategy and Development Management Policies (November 2009)

CS14	High Quality Development
DM3	High Quality Development
DM4	Development Within and Beyond Settlement Envelopes

Planning History

MB/07/01519/FULL	Erection of pre-school and covered play area, buggy store and storage shed. Approved 15/01/08
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Representations: (Parish & Neighbours)

Gravenhurst Parish Council	No objection.
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Neighbours	Third party representations have been received in objection to the proposed development from the owner/occupiers of the following addresses:
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- 3, Orchard Close, Upper Gravenhurst
- 9, Orchard Close, Upper Gravenhurst
- 13 Orchard Close, Upper Gravenhurst

The representations can be summarised as follows:

- The proposal will be adjacent to existing trees on the site. The loss of any trees or vegetation would be unacceptable;

- The level of noise from the pre-school is already unacceptable. Approval of this proposal will make it worst exacerbating this situation;
- The pre-school is currently in breach of the original planning conditions with respect to landscaping or acoustic fencing;
- If approved sound proofing should be provided around the structure;
- The nature of the extension, with a roof but no sides will direct sound directly outwards towards neighbouring residential properties;
- The application is misleading about the opening times of the school which creates noise and disturbance from before 8am carrying on until after 6pm; and
- Applications to extend the school site over time have increased the number of pupil and staff having a significant impact upon on street car parking and noise and disturbance.

The above is a summary of the concerns raised by the representations that have been received. Full copies of the correspondence can be viewed on the application file.

Publicity

Site Notice 29.10.13

Consultations/Publicity responses

Public Protection No comment.

Determining Issues

The development has been assessed in the context of human rights issues and The Equalities Act (2010) and it is considered it would have no relevant implications. As such, from the consultation responses, third party representations received and from an inspection of the application site and surrounding area the main considerations of the application are;

- 1. Character, context and design of external spaces**
- 2. Residential amenity**
- 3. Third party representations**

Considerations

1. Character, context and design of external spaces

The proposed extension, from the southwest elevation of the existing pre-school building is located on the side of the building furthest from the closest road Orchard Close to the east of the site. Located in this position, and due to a drop in ground level across the site away from the High Street to the north means the extension will be largely unseen from the public realm.

Constructed of timber, with a polycarbonate roof the extension will have a lightweight appearance and be in keeping with the modern design and appearance of the existing pre-school building. Accordingly the proposal is unlikely to have any significant adverse impact upon the character and appearance of the surrounding area, is in keeping with the existing building it extends and wider school use of the site and is therefore, with respect to visual amenity, considered to accord with policy DM3 of the Core Strategy and Development Management Policies (2009).

2. Residential amenity

The nearest residential property to the proposed development is No.13 Orchard Close, known as Oakridge, at the end of the cul-de-sac road, to the south of the school site. The majority of the properties along Orchard Close are located to the north east of the site on the opposite side of both the road and the building from which the extension is proposed. As such, only No.13 is likely to experience any increased noise and disturbance as a result of the proposed covered area.

The third party representation received from the occupiers of this closest dwellinghouse pointed out that this covered area will allow for children to be outside in this part of the site, close to their boundary, when inclement weather may not otherwise currently permit, thereby increasing the noise and disturbance currently experienced from the school site. However, given that use of this area which is within the school site is not currently restricted, so children playing in the space will not be new occurrence introduced by this proposal, the ability to use this part of the site on days of bad weather or provide a place a shade in summer months facilitated by the proposed addition is considered acceptable with respect to this limited additional impact upon the occupiers of No.13

Located north of No.13, while the proposed extension will run parallel to the common boundary with this neighbour it does not come any closer than the existing school building, further to which it will be constructed of lightweight materials, with views through the open structure and single storey in height. Accordingly the proposed covered area is unlikely to result in any adverse impact upon the residential amenities currently enjoyed by this neighbouring occupiers in terms of overlooking, overshadowing or overbearing impact.

For the above reasons the proposal is considered to successfully respond to the constraints of the site with respect to nearby residential amenity and therefore accords with policy DM3 of the Core Strategy and Development Management Policies (2009).

3. Third party representations

Concerns raised with respect to noise and disturbance from use of the outdoor covered space by pre-school pupils have been addressed above under the heading 'Residential Amenity'.

The third party representations received also cite issues with car parking of staff and parents using Orchard Close, the increased capacity of the school, and the

non-compliance of the school with conditions imposed to the approval of the original pre-school building.

The frustrations of living close to the school site are appreciated but many of the issues raised are considered to be matters of management for the school. The planning application history for the site has been reviewed and the local planning authority do not have any controls to preclude: the use of the wider school site for purposes of play that are incidental to the school use and the resultant noise and disturbance that is experienced as a result; extra-circular activities outside of normal school opening hours; or the parking of cars in Orchard Close by visitors or staff of the Pre-School. As such, the local planning authority are unable to enforce against these matters, nor are they material considerations in the determination of this application for an extension to the pre-school building to provide a covered area.

Recommendation

That Planning Permission be granted subject to the following:

RECOMMENDED CONDITIONS / REASONS

- 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 development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers [CBC/001; CBC/002; CBC/003; 4397/03B; 4397/04/A; 4397/04/B].

Reason: For the avoidance of doubt.

Notes to Applicant

1. Please note that the unnumbered drawings submitted in connection with this application have been given unique numbers by the Local Planning Authority. The numbers can be sourced by examining the plans on the View a Planning Application pages of the Council's website www.centralbedfordshire.gov.uk.

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

Discussion with the applicant to seek an acceptable solution was not necessary in this instance. 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.

DECISION

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