

Item No. 12

APPLICATION NUMBER	CB/15/03064/REG3
LOCATION	Leighton Middle School, 2 Church Square, Leighton Buzzard, LU7 1EX
PROPOSAL	The proposed school extension incorporates a new block which will provide 5 new classrooms for the Year 5 group, together with a new block providing a general classroom and technology room. In order to meet the expansion plans, the proposed development will also include for the remodelling and refurbishment of the existing dining block. Additional car parking spaces will also be provided to assist with the increase in occupants on the site. Existing external elements will be amended to provide improved access arrangements.
PARISH	Leighton-Linslade
WARD	Leighton Buzzard South
WARD COUNCILLORS	Cllrs Berry, Bowater & Dodwell
CASE OFFICER	Debbie Willcox
DATE REGISTERED	18 August 2015
EXPIRY DATE	13 October 2015
APPLICANT	Head Teacher at Leighton Middle School
AGENT	Kier Services
REASON FOR COMMITTEE TO DETERMINE	The application is a Regulation 3 application and a material objection has been received that cannot be overcome by condition.
RECOMMENDED DECISION	Regulation 3 - Recommended for Approval

Recommendation:

That Planning Permission be APPROVED subject to the following:

RECOMMENDED CONDITIONS

- 1 The development hereby permitted 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 Notwithstanding the submitted details, the proposed handrails on the site shall be black painted and shall expressly exclude any integrated mesh guarding.

Reason: In the interests of the character and appearance of the application site.

(Policy BE8, SBLPR and Policies 43 and 45, DSCB)

- 3 Notwithstanding the submitted details, no work shall take place on the construction of the ramp until details of the type of concrete finish of the proposed ramp have been submitted to and approved in writing by the Local Planning Authority. The ramp shall thereafter be constructed in accordance with the approved details.

Reason: In the interests of the character and appearance of the application site.

(Policy BE8, SBLPR and Policies 43 and 45, DSCB)

- 4 Notwithstanding the submitted details, the proposed infill panels shall not be applied to the new buildings hereby approved until a sample of the proposed panel, complete with proposed final finish applied has been made available on site for comparison against the complete palette of proposed external materials and finishes for the new buildings and has been inspected and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

Reason: In the interests of the character and appearance of the application site.

(Policy BE8, SBLPR and Policies 43 and 45, DSCB)

- 5 **No occupation or use of any permitted building shall take place until the following has been submitted to and approved in writing by the Local Planning Authority: The effectiveness of remediation implemented by the capping of clean cover as advised in the Ground Engineering report C13600 shall be demonstrated to the Local Planning Authority by means of a validation report (to incorporate photographs and depth measurements).**

Reason: To protect human health and the environment

(Policy BE8, SBLPR and Policy 44, DSCB)

- 6 **No development shall take place until a written scheme of archaeological investigation; that adopts a staged approach and includes post excavation analysis and publication has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall only be implemented in full accordance with the approved scheme.**

Reason: This condition is pre-commencement as a failure to secure appropriate archaeological investigation in advance of development would be contrary to paragraph 141 of the *National Planning Policy Framework* (NPPF) that requires the recording and advancement of understanding of the significance of any heritage assets to be lost (wholly or in part).

(Section 12, NPPF and Policy 45, DSCB)

- 7 No development shall take place, including demolition works, until all protective fencing and ground protection have been erected in strict accordance with the Tree Protection Plan-Proposal (Dwg No. APP3B.01) that forms Appendix 3b of the "Tree Survey Report (Pre-Development)" dated July 2015 and been constructed in accordance with Section 5 "Recommendations" of the "Tree Survey Report (Pre-Development)", and the Arboricultural Method Statement, which forms Appendix 5 of the "Tree Survey Report (Pre-Development).

Reason: The condition must be pre-commencement to ensure that a satisfactory standard of Tree Protection is fully implemented in the interests of maintaining tree health and visual amenity.

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

- 8 No development shall take place until all recommended tree work has been carried out in accordance with the "Survey Schedule" that forms Appendix 2 of the "Tree Survey Report (Pre-Development)" dated July 2015. The work shall be carried out in accordance with best practice outlined in BS 3998 : 2010 "Tree Work - Recommendations".

Reason: The condition must be pre-commencement to ensure that only tree work required to facilitate the implementation of planning permission is carried out, and that the work is undertaken to a satisfactory standard.

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

- 9 No foundations shall be dug until details of pile and beam foundation for the teaching block have been submitted to and approved in writing by the Local Planning Authority. The details shall be designed by a suitably qualified structural engineer and be fit for purpose. The foundation design shall be such that it avoids excavation damage to tree roots and avoids root asphyxiation damage due to raising of ground levels . The foundations shall be constructed in accordance with the approved details.

Reason: To ensure that tree root damage within Root Protection Areas is avoided by the use of special foundations, in the interests of maintaining tree health and stability.

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

- 10 Both prior to and during development, all arboricultural related operations and site supervision, as outlined in the Arboricultural Method Statement, which forms Appendix 5 of the Tree Survey Report (Pre-Development) dated July 2015 shall be fully implemented in accordance with the appropriate stage of development and build sequence.

Reason: To ensure that the appropriate methodology and site supervision is fully implemented in order to achieve best working practices in respect of tree protection measures.

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

- 11 No-Dig construction methods and permeable surfacing shall be carried out in the designated areas as shown on the Tree Protection Plan-Proposal (Dwg No. APP3B.01) that forms Appendix 3b of the "Tree Survey Report (Pre-Development)", and in accordance with the Arboricultural Method Statement, which forms Appendix 5 of the Tree Survey Report (Pre-Development) dated July 2015.

Reason: To ensure the appropriate construction methods are carried out within Root Protection areas, where this has been deemed to be unavoidable, in order that damage to tree roots is kept to a minimum.
(Policy BE8, SBLPR and Policies 43 and 59, DSCB)

- 12 The development hereby approved shall not be occupied or brought into use until a landscaping planting scheme, which shall clearly indicate the species, planting density, planting sizes and planting specification of all trees, shrubs and climbers has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in the first planting season immediately following completion of development, and shall be maintained for a period of 5 years thereafter until satisfactorily established. Any losses incurred during this period shall be replaced in accordance with the approved planting scheme.

Reason: To ensure a satisfactory standard of landscape planting, aftercare and establishment in the interests of visual amenity and to replace landscaping removed to accommodate this development.
(Policy BE8, SBLPR and Policies 43 and 59, DSCB)

- 13 The development hereby permitted shall not be occupied or brought into use until a scheme of ecological enhancement to include the provision of three integral bird/bat boxes within the built fabric of the new technology block facing the river has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme prior to the development being brought into use.

Reason: To ensure the delivery of a net gain for biodiversity as required by Section 11 of the National Planning Policy Framework.
(Section 11, NPPF & Policy 57, DSCB)

- 14 **No development shall take place until a Surface Water Drainage Strategy with the detailed design and associated management and maintenance plan of surface water drainage for the site, using sustainable drainage methods and site-specific percolation tests, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme and maintenance plan, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.**

Reason: The condition must be pre-commencement to ensure the prevention flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to reduce the risk of flooding to others downstream of the site.

(Policy BE8, SBLPR and Policies 43 and 49, DSCB)

- 15 The development hereby permitted shall not be occupied or brought into use until the developer has formally submitted in writing to the Local Planning Authority that the approved scheme has been checked by the developer and has been correctly and fully installed as per the approved details. The sustainable urban drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure that the construction of the surface water drainage system is in line with what has been approved and will continue to operate as designed for the lifetime of the proposed development.

(Policy BE8, SBLPR and Policies 43 and 49, DSCB)

- 16 All measures agreed within the submitted Travel Plan dated 26/10/2015 shall be undertaken in accordance with the approved plan. There shall be an annual review of the Travel 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 BE8, SBLPR and Policies 26 and 43, DSCB).

- 17 The existing tennis courts shall not be taken out of use until the tennis courts approved under application reference no. CB/15/03060/REG3 have been fully implemented.

Reason: To ensure the satisfactory quantity, quality and accessibility of compensatory provision which secures a continuity of use.

(Policy 22, DSCB)

- 18 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers AL0102_P01, AP0102_P01, AP0103_P01, AP0201_P01, AP0251_P01, AP0601_P01, 2205AP0302_P01, 2205AP0303_P01, 2205AP0701_P01, 2205AP0702_P01, AP2205AP0801_P02, 2205AP0802_P02, 2205AP0803_P02, MS-4735 Sheet 1 of 4, MS-4735 Sheet 2 of 4, MS-4735 Sheet 3 of 4, MS-4735 Sheet 4 of 4.

Reason: To identify the approved plans and to avoid doubt.

Notes to Applicant

1. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, 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. During the works any trenches / pits should be covered over night to prevent any badgers from being trapped. A follow-up check for new badger setts that may be impacted by the development should be undertaken shortly before the commencement of works.

4. The applicant is advised of the following:

Any unexpected contamination discovered during works should be brought to the attention of the Planning Authority.

The British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoils that are moved or traded and should be adhered to. The British Standard for Subsoil, BS 8601 Specification for subsoil and requirements for use, should also be adhered to.

There is a duty to assess for Asbestos Containing Materials (ACM) during development and measures undertaken during removal and disposal should protect site workers and future users, while meeting the requirements of the HSE.

5. Applicants are advised that, should groundwater or surface water courses be at risk of contamination before, during or after development, the Environment Agency should be approached for approval of measures to protect water resources separately, unless an Agency condition already forms part of this permission.
6. The applicant's 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)
Central Bedfordshire Access Group (www.centralbedsaccessgroup.co.uk)

7. The applicant is advised that further information regarding the updating of the School Travel Plan is available from the Transport Strategy Team, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, Bedfordshire, SG17 5TQ.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, Article 35

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process 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) Order 2015.

[Notes:

1. In advance of consideration of the application the Committee received representations made under the Public Participation Scheme.
2. In advance of consideration of the application the Committee were advised of additional consultation / publicity responses as detailed in the Late Sheet as follows:
 - a. A letter had been received from the Chair of Governors confirming the adjusted school day times.
 - b. An additional plan has been received relating to the Dining Block.]