

## **Item No. 10**

<b>APPLICATION NUMBER</b>	<b>CB/15/01657/OUT</b>
<b>LOCATION</b>	<b>Samuel Whitbread Community College, Shefford Road, Clifton, Shefford, SG17 5QS</b>
<b>PROPOSAL</b>	<b>Outline Application: enhancement of sporting facilities including new '4G' floodlit pitch, tennis courts, improved grass pitches and new changing rooms. Construction of up to 64 new homes on land south west of the main school buildings and new access from Hitchin Road.</b>
<b>PARISH</b>	<b>Clifton</b>
<b>WARD</b>	<b>Arlesey</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Dalgarno, Shelvey &amp; Wenham</b>
<b>CASE OFFICER</b>	<b>Alex Harrison</b>
<b>DATE REGISTERED</b>	<b>19 May 2015</b>
<b>EXPIRY DATE</b>	<b>18 August 2015</b>
<b>APPLICANT</b>	<b>Bedfordshire East Schools Trust</b>
<b>AGENT</b>	<b>Phillips Planning Services Limited</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Parish Council objection to an application for major development</b>

<b>RECOMMENDED DECISION</b>	<b>Outline Application - approval recommended.</b>
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### **Recommendation:**

That Outline Planning Permission be granted subject to the completion of a S106 Agreement and the following:

### **RECOMMENDED CONDITIONS / REASONS**

- 1 Details of the layout, scale, appearance and landscaping, including boundary treatments (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: To comply with Article 3 of the Town and Country Planning (Development Management Procedure) Order 2015.

- 2 Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 4 **No development shall take place until an Environmental Construction Management Plan detailing access arrangements for construction vehicles, on-site parking, loading and unloading areas, materials storage areas and wheel cleaning arrangements shall be submitted to and approved in writing by the Local Planning Authority. The construction of the development shall be carried out in accordance with the approved Environmental Construction Management Plan.**

**Reason: In the interest of highway safety, to ensure a satisfactory standard of construction and layout for the development and to comply with Policy DM3 of the Core Strategy and Development Management Policies 2009.**

- 5 Any application for reserved matters shall include details of the existing and final ground, ridge and slab levels of the buildings. The details shall include sections through both the site and the adjoining properties and the proposal shall be developed in accordance with the approved details.

Reason: To ensure that an acceptable relationship results between the new development and adjacent buildings and public areas in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009).

- 6 **No development shall take place until details of hard and soft landscaping (including details of boundary treatments and public amenity open space, Local Equipped Areas of Play and Local Areas of Play) together with a timetable for its implementation have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved and in accordance with the approved timetable.**

**The soft landscaping scheme, with particular emphasis on the tree planting on the site boundaries, shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes at the time of their planting, and proposed numbers/densities where appropriate; and details of a scheme of management/maintenance of the soft landscaping areas. The soft landscaping areas shall be managed thereafter in accordance with the approved management/maintenance details.**

**The scheme shall also include an up to date survey of all existing trees and hedgerows on and adjacent to the land, with details of any to be retained (which shall include details of species and canopy spread). Notwithstanding the details submitted with the application hereby approved the measures for their protection during the course of development should also be included. Such agreed measures shall be implemented in accordance with a timetable to be agreed as part of the landscaping scheme.**

**Reason: To ensure that the appearance of the development would be acceptable in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009**

- 7 No development shall take place shall take place until a Landscape Maintenance and Management Plan for a period of ten years from the date of its delivery in accordance with Condition 6 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the management body, who will be responsible for delivering the approved landscape maintenance and management plan. The landscaping shall be maintained and managed in accordance with the approved plan following its delivery in accordance with Condition 6.**

**Reason: To ensure that the appearance of the site would be acceptable in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009**

- 8 No development shall take place until the detailed design and associated management and maintenance plan for the proposed surface water drainage for the site, based on the national Non-statutory Technical Standards for Sustainable Drainage Systems and a detailed and site specific assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be implemented in accordance with the approved detailed design and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.**

**Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance, in accordance with Policy 49 of Development Strategy for Central Bedfordshire Revise Pre-Submission Version June 2014.**

- 9 The details required by Condition 2 of this permission shall include a scheme of measures to mitigate the impacts of climate change and deliver sustainable and resource efficient development including opportunities to meet higher water efficiency standards and building design, layout and orientation, natural features and landscaping to maximise natural ventilation, cooling and solar gain. The scheme shall then be carried out in full in accordance with the approved scheme.**

Reason: To ensure the development is resilient and adaptable to the impacts arising from climate change in accordance with the NPPF.

- 10 No development relating to the construction of the dwellings or the community use of the sports pitches shall not commence pursuant to this permission shall take place until details have been submitted to and approved in writing by the Local Planning Authority of a scheme of noise mitigation that demonstrates how acceptable amenity levels will be maintained for existing and proposed residents as a result of the community use of the leisure facilities hereby approved. The works shall be carried out in accordance with the approved details and shall be in place prior to the occupation of the dwelling to which each works relate.

Reason: To ensure suitable levels of amenity are provided for residents in accordance with policy DM3 of the Core Strategy and Development Management Policies 2009.

- 11 **No development shall take place unless and until the following have been submitted to and approved in writing by the Local Planning Authority:**
- a. **A Phase 1 Desk Study incorporating a site walkover, site history, maps and all further features of industry best practice relating to potential contamination.**
  - b. **Where shown to be necessary by the Phase 1 Desk Study, a Phase 2 Site Investigation report further documenting the ground conditions of the site with regard to potential contamination, incorporating appropriate soils and gas sampling.**
  - c. **Where shown to be necessary by the Phase 2 Desk Study, a Phase 3 detailed scheme for remedial works and measures to be taken to mitigate any risks to human health, groundwater and the wider environment.**

**Any works which form part of the Phase 3 scheme approved by the local authority shall be completed in full before the use hereby permitted commences. The effectiveness of any scheme shall be demonstrated to the Local Planning Authority by means of a validation report (to incorporate photographs, material transport tickets and validation sampling), unless an alternative period is approved in writing by the Authority. Any such validation should include responses to any unexpected contamination discovered during works.**

**The British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoils that are moved or traded and should be adhered to.**

**Applicants are reminded that, should groundwater or surface water courses be at risk of contamination 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.**

**Reason: The details are required prior to commencement to protect human health and the environment in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009).**

- 12 **No development shall begin until details of the junction between the proposed estate road and the highway in accordance with the approved plan number 422-44 Rev B, including the provision of foot and cycleway as indicated have been approved by the Local Planning Authority and no building shall be occupied until that junction has been constructed in accordance with the approved details. The visibility splays shall remain for the perpetuity of the development and shall remain free of any obstruction to visibility.**

**Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the proposed estate road in accordance with policy DM3 of the Core Strategy and Development Management policies 2009**

- 13 No dwelling shall be occupied until a 3 m wide foot/cycleway has been constructed on the north side of the access road between Hitchin Road and the Academy in accordance with details of the approved scheme to be submitted to and approved by the Council. Any statutory undertakers' equipment or street furniture shall be re-sited as required to provide an unobstructed footway.

Reason: In the interests of road safety and pedestrian movement in accordance with policy DM3 of the Core Strategy and Development Management Policies 2009.

- 14 **Notwithstanding the details in the approved plans, no development shall take place until details have been submitted to and approved in writing by the Local Planning Authority of a schedule of proposed traffic calming works to the access road hereby approved that would prohibit the ability for buses to use the road and to ensure that there is no direct vehicular access between Hitchin Road and the Academy in perpetuity. The works shall be carried out in accordance with the approved details and thereafter be retained.**

**Reason: To ensure the safe operation of the surrounding road network in the interests of road safety in accordance with policy DM3 of the Core Strategy and Development Management policies 2009**

- 15 Any reserved matters application shall include:
- A traffic management plan that details procedures for managing access to the academy site such that there is no vehicular link to the Hitchin Road
  - Details of the pedestrian route linking the Hitchin Road development to Shefford Road.
  - Details of the pedestrian/cycle route linking to Southfields from the

- residential development and its mechanism for delivery.
- Estate road design to geometric standards appropriate for adoption as public highway.
- Cycle parking and storage in accordance with the council's standards applicable at the time of submission.
- Vehicle parking and garaging, inclusive of visitor parking in accordance with the councils standards applicable at the time of submission.

Reason: In the interests of road safety and pedestrian movement in accordance with policy DM3 of the Core Strategy and Development Management policies 2009

- 16 **No development shall take place until a scheme detailing access provision to and from the site for construction traffic, which details shall show what arrangements will be made for restricting such vehicles to approved points of access and egress, including provision for on site parking for construction workers has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be operated throughout the period of construction work.**

**Reason: To ensure the safe operation of the surrounding road network in the interests of road safety in accordance with policy DM3 of the Core Strategy and Development Management policies 2009**

- 17 **No development shall commence at the site before a phasing plan has been submitted to and approved in writing by the Local Planning Authority. Applications for reserved matters and for the approval of details pursuant to a planning condition shall be made with reference to the relevant phase as shown on the phasing plan.**

**Reason: To ensure that different elements of the development can come forward at the appropriate time.**

- 18 **No development shall take place until details of the design and layout of the Tennis/Netball Court, Cricket Facilities, Athletic Facilities and Sports Pavilion have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The development hereby approved shall not be constructed other than substantially in accordance with the approved details.**

**Reason: To ensure the development is fit for purpose and sustainable and to accord with policy DM3 of the Core Strategy and Development Management Policies 2009.**

- 19 **The community use of the sports facility shall not begin until a scheme setting out the type, design, lux levels and measures to control glare and overspill light from sports lighting and measures to ensure sports lights are switched off when not in use has been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The**

scheme shall accord with Sport England's "Outdoor Sports Lighting" Briefing Note published in September 2010. After commencement of use of the sports facility the sports lighting shall be operated in accordance with the approved scheme.

Reason: To balance illuminating the sports facility for maximum use with the interest of amenity and sustainability and to accord with policy DM3 of the Core Strategy and Development Management Policies 2009.

- 20 Unless otherwise agreed in advance and in writing by the Local Planning Authority after consultation with Sport England, the sports facility and its associated sports lighting shall not be used outside the hours of:

- 8 a.m. and 10 p.m. Monday to Friday;
- 8 a.m. and 10 p.m. on Saturday; and
- 8 a.m. and 8 p.m. on Sunday and public holidays.

Reason: To balance illuminating the [sports facility for maximum use with the interest of amenity and sustainability and to with policy DM3 of the Core Strategy and Development Management Policies 2009.

- 21 **No development shall take place until a playing field construction specification (including a delivery programme) for the reconfigured pitches at the Samuel Whitbread Academy, prepared in consultation with Sport England, has been submitted to and approved in writing by the Local Planning Authority. The approved specification shall be complied with in full prior to the completion of the development unless otherwise agreed with the Local Planning Authority.**

**Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose and to with policy DM3 of the Core Strategy and Development Management Policies 2009.**

- 22 **No development shall take place until the following documents have been submitted to and approved in writing by the Local Planning Authority, after consultation with Sport England:**

- (i) A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field which identifies constraints which could affect playing field quality; and**
- (ii) Based on the results of the assessment to be carried out pursuant to (i) above, a detailed scheme which ensures that the playing field will be provided to an acceptable quality. The scheme shall include a written specification of soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.**

**The approved scheme shall be carried out in full and in accordance with a timeframe agreed with the Local Planning Authority [after consultation with Sport England] [or other specified time frame – e.g.**

**before first occupation of the educational establishment]. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.**

**Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose and to with policy DM3 of the Core Strategy and Development Management Policies 2009..**

- 23 **No development shall take place until a scheme to ensure the continuity of the existing sports use on the playing fields and facilities shown edged within the red line area on Drawing No. 14-01 during construction works is submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The scheme shall ensure that the sports facilities remain at least as accessible and at least equivalent in terms of size, usefulness, attractiveness and quality to the existing playing fields and facilities and shall include a timetable for implementation. The approved scheme shall be implemented and complied with in full throughout the carrying out of the development.**

**Reason: To protect the playing fields from damage, loss or availability of use and to accord with Policy E4 of Sport England's Playing Field Policy.**

- 24 Any future reserved matters application shall be accompanied with a bat transect survey which shall be carried out prior to submission with its recommendations taken account of in the detailed designs of the scheme.

Reason: To ensure development takes account of bat potential in the area in accordance with the recommendations of the Preliminary Ecological Appraisal by Landscape Planning Ltd that accompanies the application and in the interests of policy DM15 of the Core Strategy and Development Management Policies 2009.

- 25 The details required by Condition 2 of this permission shall include a scheme of measures to mitigate the impacts of climate change and deliver sustainable and resource efficient development including opportunities to meet higher water efficiency standards and building design, layout and orientation, natural features and landscaping to maximise natural ventilation, cooling and solar gain. The scheme shall then be carried out in full in accordance with the approved scheme.

Reason: To ensure the development is resilient and adaptable to the impacts arising from climate change in accordance with Policy DM2 of the Core Strategy and Development Management Policies 2009 and the advice within the National Planning Policy Framework.

- 26 **No development shall take place until details of the design and layout of the Artificial Grass Pitch, as proposed in accordance with Appendix 4 of the document Sport England Response to comments (January 2016 revision) have been submitted to and approved in writing by the**



**Local Planning Authority after consultation with Sport England. The development hereby approved shall not be constructed other than substantially in accordance with the approved details.**

**Reason: To ensure the development is fit for purpose and sustainable and to accord with policy DM3 of the Core Strategy and Development Management Policies 2009.**

#### **INFORMATIVE 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. The applicant is advised that in order to comply with both Condition 1 and 2 of this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
3. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Highways Help Desk tel: 0300 300 8049
4. All roads to be constructed within the site shall be designed in accordance with Central Bedfordshire Council's publication "Design in Central Bedfordshire A Guide to Development" and the Department for Transport's "Manual for Streets", or any amendment thereto.
5. The applicant is advised that the design and layout of the sports facility should comply with the relevant industry Technical Design Guidance, including guidance published by Sport England, National Governing Bodies for Sport. Particular attention is drawn to:
  - Artificial Surfaces for Outdoor Sports guidance note (2013)
  - England & Wales Cricket Board's TS6 document on Performance Standards for Non-Turf Cricket Pitches Intended for Outdoor Use
  - Sport England's Athletics design guidanceSport England's Pavilions and Clubhouses design guidance

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

The Council acted pro-actively through positive engagement with the applicant 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 was advised of additional consultation/publicity responses, as detailed in the Late Sheet, as follows:
  - a. Sport England – comments with regard to paragraph 5.4 of the report (S106 Agreement and Sport and Leisure Requirements) and proposed condition 8 (Sports and Facility Design)
3. In advance of consideration of the application the Committee was advised of additional/amended conditions/reasons, as detailed in the Late Sheet, as follows:
  - a. Condition 18 – amended (regarding the submission and approval of details of the design and layout of the Tennis/Netball Court, Cricket Facilities, Athletic Facilities and Sports Pavilion)
  - b. Condition 23 – replaced (regarding a scheme to ensure the continuity of the existing sports use during construction works)
  - c. New Condition 26 – (regarding the submission and approval of details of the design and layout of the Artificial Grass Pitch)]