

Item No. 6

APPLICATION NUMBER	CB/16/00860/REG3
LOCATION	Land at Dunton Lane, Biggleswade
PROPOSAL	Regulation 3: New use of land as new traveller site incorporating 10 permanent pitches with studio buildings, 2 transit pitches with studio buildings, a site managers office and a sewage treatment plant.
PARISH	Biggleswade
WARD	Biggleswade South
WARD COUNCILLORS	Cllrs Lawrence & Woodward
CASE OFFICER	Alex Harrison
DATE REGISTERED	07 March 2016
EXPIRY DATE	06 June 2016
APPLICANT	Central Bedfordshire Council
AGENT	BM3 Architecture
REASON FOR COMMITTEE TO DETERMINE	Parish Council objection to an application for major development Council's own development with outstanding objections
RECOMMENDED DECISION	Full Application - approval recommended

Recommendation:

That Planning Permission be granted subject to referral to DCLG and the following conditions:

RECOMMENDED CONDITIONS / REASONS

- 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 The site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1 of Planning Policy for Traveller Sites, August 2015, or any subsequent guidance.

Reason: To limit the use of the site to gypsies and travellers as the proposal is justified on addressing a need for such accommodation in accordance with the Planning Policy for Traveller Sites 2015.
- 3 No commercial activities shall take place on the land, including the storage of materials.

Reason: In order to ensure appropriate development in the open countryside and to protect the amenities of local residents in the interests of policies DM3 and DM4 of the Core Strategy and Development Management Policies 2009.

- 4 **No development shall take place, notwithstanding the details submitted with the application, until details of the materials to be used for the external walls and roofs of the development hereby approved have been 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 control the appearance of the building in the interests of the visual amenities of the locality.
(Section 7, NPPF)**

- 5 **Notwithstanding the details in the approved plans, no development shall take place until a landscaping scheme to include all hard and soft landscaping and a scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall be submitted as part of a revised site layout showing a planting strip running the length of the southern boundary. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.**

**Reason: To ensure an acceptable standard of landscaping.
(Sections 7 & 11, NPPF)**

- 6 **Notwithstanding the details in the approved plans, no development shall take place until details of the proposed walls and means of enclosures have been submitted to and approved in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved scheme before the use hereby permitted is commenced and be thereafter retained.**

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality. (Section 7, NPPF)

- 7 **No development shall commence until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of full scale site investigation, including infiltration testing and groundwater assessment carried out in accordance with BRE 365, as well as details of how the scheme shall be maintained and managed after completion. The drainage strategy should demonstrate the surface water run-off generated up to and including the 100 years critical storm will not exceed the run-off from the undeveloped site**

following the corresponding rainfall event. Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. Where revisions to the agreed strategy are proposed these shall be implemented in accordance with the approved final details before the development is completed and shall be managed and maintained thereafter in accordance with the agreed management and maintenance details.

Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with para 103 NPPF.

- 8 The development hereby approved shall not be brought into use until the sewage works hereby approved have been constructed and are fully operational.

Reason: To ensure that the development is appropriately serviced for residents in the interests of policies DM3 and DM4 of the Core Strategy and Development Management Policies 2009.

- 9 Pitches 11 and 12 as identified on approved drawing number D01 Rev F shall be retained and used as transit accommodation only. Neither pitch shall be occupied until details have been submitted to and approved in writing by the Local Planning Authority of the proposed maximum length of stay intended for transit pitches and use of pitches 11 and 12 shall be done in accordance with the approved details.

Reason: To ensure the pitches remain transit in the interest of providing such accommodation in accordance with the Planning Policy for Traveller Sites 2015.

- 10 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, drawing numbers D01 Rev F, D02, D03, D04 Rev C, D07 Rev B, D08 and D900 Rev F.

Reason: For the avoidance of doubt.

- 11 The development shall not be brought into use until the junctions of the proposed vehicular accesses with the highway have 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 in the interests of policy DM3 of the Core Strategy and Development Management Policies 2009.

- 12 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 revised site layout which provides an area of land across the whole of the site frontage for plots 1 to 12, the managers unit and the van/lorry parking, measuring at least 2.0m from and parallel, to the nearside edge of the adjacent road carriageway to provide visibility splays

for each pitch. The works shall be carried out in accordance with the approved details and thereafter be kept free of any obstruction to visibility exceeding a height of 600mm above the adjoining carriageway level.

Reason: To provide adequate driver/driver and driver/pedestrian intervisibility between the carriageway and the proposed accesses, and to make the accesses safe and convenient for the traffic which is likely to use them in the interests of policy DM3 of the Core Strategy and Development Management Policies 2009.

- 13 Visibility splays shall be provided at the junctions of the accesses with the public highway before the development is brought into use. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 215.0m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall for the perpetuity of the development remain free of any obstruction to visibility.

Reason: To provide adequate visibility between the existing highway and the proposed accesses, and to make the accesses safe and convenient for the traffic which is likely to use them in the interests of policy DM3 of the Core Strategy and Development Management Policies 2009.

- 14 Before the premises are occupied all on site vehicular areas shall be surfaced in stable and durable materials in accordance with details to be approved in writing by the Local Planning Authority. Arrangements shall be made for surface water drainage from the site to soak away within the site so that it does not discharge into the highway or into the main drainage system.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site so as to safeguard the interest of highway safety and reduce the risk of flooding and to minimise inconvenience to users of the premises and ensure satisfactory parking of vehicles outside highway limits in the interests of policy DM3 of the Core Strategy and Development Management Policies 2009.

- 15 Details of a refuse collection point located at the site frontage and outside of the public highway and any visibility splays shall be submitted to and approved by the Local Planning Authority prior to the occupation of any pitch. The scheme shall be fully implemented prior to occupation and shall be retained thereafter.

Reason: In the interest of amenity and in order to minimise danger, obstruction and inconvenience to users of the highway and the premises in the interests of policy DM3 of the Core Strategy and Development Management Policies 2009.

- 16 The proposed means of illumination shall be shielded so that no glare or dazzle occurs to drivers of vehicles using the public highway.

Reason: In the interest of road safety in the interests of 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.

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 were advised of additional consultation/ publicity responses, as detailed in the Late Sheet, from the following:
 - a. A third party letter raising objections was received.
 - b. Campaign for the Protection of Rural England (CPRE) objected to the proposal.
 - c. Highways raising concerns on the visibility splays and how they could be achieved. Additional conditions deal with the concerns raised.
 - d. Sustainable Urban Drainage Officer requested additional conditions be included, as above, for flood risk and surface water drainage strategy.
 - e. Trees and Landscape had no additional comments but commented that Ash trees would not be possible due to disease.
 - f. Anglian Water did not provide any comments.
 - g. Education Officer advised of plans to expand school places.
 - h. There are 6 new conditions 11 to 16 above and re replacement condition 7 as above.
 - i. Additional comments regarding CPRE's concerns and the tree selection issue identified by the Trees and Landscape officer.]