

Item No. 8

APPLICATION NUMBER	CB/16/03469/FULL
LOCATION	Clifton Park, New Road, Clifton
PROPOSAL	Change of use of land to create new community hub with community shop, meeting space, amenity area, woodland walk and wildlife pond and to site 29 residential park homes including 15 for affordable rent.
PARISH	Clifton
WARD	Arlesey
WARD COUNCILLORS	Cllrs Dalgarno, Shelvey & Wenham
CASE OFFICER	Nikolas Smith
DATE REGISTERED	24 August 2016
EXPIRY DATE	19 October 2016
APPLICANT	Charles Simpson Organisation Ltd.
AGENT	GVA
REASON FOR COMMITTEE TO DETERMINE	Departure from the Development Plan
RECOMMENDED DECISION	Full Application - approve

Reason for recommendation:

This development would bring forward accommodation, including affordable accommodation for older people, for which there is an identified need in Central Bedfordshire, within the 5 year period. In addition, the development would deliver community facilities for the existing and proposed population at the Clifton Park. Whilst the site does fall outside of the Settlement Envelope for Clifton, the harm caused by the development would not significantly and demonstrably outweigh the benefits. The development would be sustainable and planning permission should be approved.

Site Location:

The site has an area of approximately 3.29ha and it is located to the west of Clifton Park, which contains 74 park homes. Some of these are privately owned and some are rented. They are typically lived in by older people.

The site, and Clifton Park sit outside of the Clifton Settlement Envelope and are in the Open Countryside.

The centre of Clifton is around 700m to the north and there is a continuous footway between it and the site. There is a bus stop within Clifton Park that connects residents to nearby towns and villages.

The Application:

Planning permission is sought to change the use of the land to allow the siting up 29

park homes. 15 of these would be 'affordable'.

There would also be a community building (that could include a shop), a community lawn and a woodland walk. A comprehensive landscaping scheme has been submitted.

Relevant Policies:

National Policy and guidance

National Planning Policy Framework (NPPF) (2012)
National Planning Practice Guidance (NPPG) (2014)

Local Policy and guidance

Central Bedfordshire Core Strategy and Development Management Policies - North (2009)

CS1	Development Strategy
CS2	Developer Contributions
CS3	Healthy and Sustainable Communities
CS4	Linking Communities – Accessibility and Transport
CS5	Providing Homes
CS6	Delivery and Timing of Housing Provision
CS7	Affordable Housing
CS14	High Quality Development
CS16	Landscape and Woodland
CS17	Green Infrastructure
CS18	Biodiversity and Geological Conservation
DM2	Sustainable Construction of New Buildings
DM3	High Quality Development
DM4	Development Within and Beyond Settlement Envelopes
DM9	Providing a Range of Transport
DM10	Housing Mix
DM14	Landscape and Woodland
DM15	Biodiversity
DM16	Green Infrastructure
DM17	Accessible Green Spaces

Site Allocations (North) Development Plan Document (2011)

Central Bedfordshire Design Guide (2014)

Central Bedfordshire Sustainable Drainage Guidance SPD (2014)

Central Bedfordshire Landscape Character Assessment

Development Strategy

At the meeting of Full Council on 19 November 2015 it was resolved to withdraw the Development Strategy. Preparation of the Central Bedfordshire Local Plan has begun.

A substantial volume of evidence gathered over a number of years will help support this document. These technical papers are consistent with the spirit of the NPPF and therefore will remain on our website as material considerations which may inform further development management decisions.

Relevant Planning History:

CB/16/02044/FULL Change of use of land to site 29 residential park home caravans, caravan to serve as community hub, amenity area, sustainable drainage pond and landscaping.

Withdrawn: 06th July 2016

Consultation responses:

Neighbours were written to and press and a site notice was published. The responses are summarised below:

Clifton Parish Council Clifton Parish Council welcome the addition of 15 affordable rent caravans and other planned additions and improvements to this site.

Whilst we raise No Objections to this application we do have concerns that safety improvements are needed by the entrance to this site.

The provision for an additional 61 vehicles highlights the need to ensure safe exit and entrance from /to this secluded site. At present the exit is a short distance via an unrestricted road from the unrestricted A507.

It can be seen from photographs within the submission that the restriction down to 30 mph is positioned less than 10yards from this busy site entrance.

There have been a number of fatalities at the New Road / A507 junction and residents report numerous near misses.

We would request that Highways Safety Officers undertake a risk assessment and make appropriate recommendations prior to any approval of this application.

Neighbours A site notice was displayed.

21 responses have been received (some of which are in a standard format) commenting as follows:

- The community hub, community lawn and amenity area would be beneficial for existing residents
- The landscaping would improve the view
- There would be very little visual impact

- The development would reinvigorate the site and create a more diverse community
- The new park homes should be for senior citizens
- The entrance onto the new site might not be wide enough for two way traffic
- The withdrawn application was acceptable. The Council should not be insisting on affordable rented homes.
- There would be too many affordable units.
- The new facilities will need to be maintained.

Consultee responses:

Pollution Team

No comment

Trees and Landscape

The area in question has already had substantial clearance of trees and vegetation, retaining a number of them and boundary hedeglines.

Supplied with the application is a comprehensive tree survey identifying trees on site and their retention categories which I would agree seem fairly accurate.

There are a number of trees that will still be removed although to some extent additional new planting will mitigate this loss. Proposed species would seem in keeping however I would like to include an additional Walnut to replace the one proposed for removal.

Landscape details would appear to be acceptable.

Highways

No changes are proposed to the existing means of access to the highway.

The documentation submitted in support of the application suggests that there is an existing licence and/or an extant permission to allow up to 103 caravans to be located on the site. Therefore the proposed increase of a further 29 units on the site would make up the current shortfall and bring the community into line with its original and permitted size.

In reviewing the highway impact of the proposal, residential caravans are relatively low generators of traffic, giving rise to perhaps two or three movements per unit per day. Therefore the proposed increase from 74 to 103 units could potentially give rise to an increase of 60 to 90 movements per day which when spread over a 12 hour day equates to some 5 to 8 movements per hour. This is a very modest increase and unlikely to have any adverse impact on the local road network, once completed.

IDB	No comment
Private Sector Housing	The park homes should abide by licensing requirements
SUDS	No objection subject to condition requiring Surface Water Drainage Strategy
Ecology	No objection subject to condition requiring additional bird boxes
Landscape	I do not object on landscape grounds as the site is well enclosed by hedgerows, which will be augmented by the landscape proposals. The Upper Ivel character area is at risk of coalescence, particularly in this area of Clifton, Shefford and Henlow. However, the single storey nature of the development, together with the existing screening and tree and hedgerow proposals should limit visual intrusion and not result in a sense of loss of open countryside.

Determining Issues:

The considerations in the determination of this application are:

1. The weight that should be afforded to the development plan
2. The principle of the development and the benefits that it would bring
3. The appearance of the site, the area and the landscape impact
4. The impact on neighbours and future living conditions
5. Access to the site and other highways implications
6. Trees and hedgerows
7. Ecology and biodiversity
8. Drainage
9. Planning obligations
10. The planning balance and conclusions

Considerations:

1. The weight that should be afforded to the development plan

S38(6) of the Planning and Compulsory Purchase Act (2004) and the National Planning Policy Framework (NPPF) (2012) set out that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise (para 11).

At the heart of the NPPF is a presumption in favour of sustainable development. Local planning authorities should positively seek opportunities to meet the development needs of their area. Local Plans should meet objectively assessed needs. For decision making this means that planning permission should be granted where the development plan is absent, silent or out-of-date (para 14). Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing targets (para 49). There should be an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and

competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moving forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land (para 47).

Recent appeal decisions have found that the Council does not have a five year housing land supply and insofar as a number of the Council's policies are concerned with the supply housing, they should be considered out of date. Policy DM4, where it prevents development outside of Settlement Envelopes, is one such policy.

The amount of weight that should be given to those out of date policies is influenced by the proximity of housing supply to housing need. At the time of writing, the Council is very near to being in a position to demonstrate an ability to meet its housing for the five year period (4.76 years, or around 95%) and so appropriate weight can be given to housing restraint policies.

Paragraph 14 of the Framework confirms that where relevant policies of the development plan are out of date, permission should be granted unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework, taken as a whole or specific policies in the Framework indicate development should be restricted.

2. The Principle of the development and the benefits that it would bring

The site falls outside of the Clifton Settlement Envelope and Policy DM4 seeks to restrain development within the open countryside. The proposed development would conflict with that policy and appropriate weight can be given to this conflict on account of the current relationship between housing supply and need. This conflict weighs against the approval of the development.

The NPPF sets out that where a full five year housing supply cannot be demonstrated, development should be considered sustainable unless harm caused by it significantly and demonstrably outweighs the benefits.

Park homes do contribute towards housing supply. Here, 29 park homes would be provided. These would make a valuable, if not significant contribution towards meeting housing need. In itself, that weighs in favour of the development. The applicant has agreed to a planning obligation that would require all of the units to have been provided within five years of the date of any permission.

The fact that park homes like those proposed are particularly attractive to older people (the policy of Clifton Park is that residents are 55 or over) amplifies the weight that should be given to that benefit. There is an identified need for accommodation for older people in Central Bedfordshire that this development would help to meet.

In addition, 52% of the homes (15 units) would be 'affordable'. In this case, that would mean that they were offered for rent at a maximum of 80% of the market rental value for comparable park homes. The applicant is proposing that

residents are sourced from the Council's waiting list of older people looking for affordable rented accommodation in Central Bedfordshire.

The development of the site would also allow for the provision of various community facilities. These would include a community building, a woodland walk and a community lawn. These facilities would be used by existing and future residents and would enhance the overall quality of accommodation provided at the site. In addition, the provision of these facilities at the site would improve the sustainability of the site, lessening the reliance on the private car to access those facilities.

This development would bring with it significant benefits. Planning permission should only be refused where the dis-benefits significantly and demonstrably outweigh those benefits. Whether or not that would be the case is described below.

3. The appearance of the site and the area and the landscape impact

Appearance of the site, the area and the landscape

Policy DM3 states that all proposals for new development will be appropriate in scale and design to their setting and contribute positively to creating a sense of place.

The pre-amble to Policy CS16 states that the countryside outside settlements is a highly valued resource for agriculture, recreation, landscape and wildlife. The Council will protect the countryside for its own sake, safeguarding it from the increasing pressures of development.

The development would result in an intrusion in to the countryside to the west of Clifton Park. It would result in the urbanisation of the countryside and that would be harmful. The single-storey nature of the structures and existing and proposed landscaping would reduce long views in to the site and there would be no overriding harmful landscape impact.

The development would cause harm to the appearance of the site and that should weigh against the approval of the development.

4. The impact on neighbours and future living conditions

Policy DM3 requires that new development to respect the amenity of neighbouring properties.

The layout of the site would ensure that there would be no harm caused to the living conditions of existing and future residents. The increased range of community facilities would enhance the overall enjoyment of the site for residents.

5. Access to the site and other highways implications

Policies CS14 and DM3 require that developments incorporate appropriate

access and linkages, including provision for pedestrians, cyclists and public transport and that they provide adequate areas for parking and servicing. The Council's Design Guide provides further detailed technical standards that should be applied to new residential development.

The access and exit arrangement to the wider site from New Road would remain as existing. The increased number of park homes at the site would not have a significant impact on the levels of traffic in the area and the highways arrangements would be safe.

Parking would be provided for residents of the new park homes in line with the Council's standards.

The highways implications of the development would be acceptable.

6. Trees and hedgerows

A comprehensive landscaping scheme has been provided which shows how existing trees at the site would be protected and that new planting would take place. This is important because of the rural character of the site and the surrounding area and a condition would ensure that it was implemented in full.

7. Ecology and biodiversity

An acceptable scheme for the net gain for biodiversity would be secured by condition in line with policies CS18 and DM15 and the Council's Design Guide and the NPPF.

8. Flood risk and Drainage

The site falls within Flood Zone 1 (low risk).

Policy DM3 requires that new development complies with current guidance on water. The Central Bedfordshire Sustainable Drainage Guidance SPD (2014) contains current guidance on how water should be managed within development sites.

Conditions would secure details of a sustainable drainage scheme for the site.

9. Planning obligations

Policy CS2 states that developer contributions will be expected from any development which would individually or cumulatively necessitate additional or improved infrastructure, or exacerbate and existing deficiency.

Policy CS7 states that on all qualifying sites, 35% or more units should be affordable.

The applicant is preparing a Unilateral Undertaking (the heads of terms of which have been agreed). It would secure:

The provision of 15 (52%) of the units for rented accommodation at no more

than 80% of the market rate for those units. It is proposed that they would be available for residents on the Council's waiting lists for this type of accommodation who are 55 years old or more.

A Build Rate Timetable securing the delivery of all of the units within a five year period from the date of a decision.

10. The planning balance and conclusions

Planning law requires that planning applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

The Council cannot currently demonstrate an ability to meet its housing need for the next five-year period. As such, Policy DM4, insofar as it prevents development outside of the Settlement Envelope, is out of date. That said, appropriate weight can be afforded to 'out of date' policies because the Council can demonstrate an ability meet a large proportion of its housing need.

There is a presumption in favour of sustainable development at paragraph 14 of the NPPF. Where an ability to meet identified housing need cannot be demonstrated, the development would be sustainable if the dis-benefits of the development would not significantly and demonstrably outweigh the benefits.

This development would result in planning harm in so far as it would cause harm to the appearance of the site and the area through the urbanisation of the open countryside, outside of the Settlement Envelope.

This harm, would not, though, significantly and demonstrably outweigh the range of benefits that would result from the development and which are set out in this report.

Recommendation:

That Planning Permission is approved subject to the successful completion of a legal agreement and the following 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 The Community Shop and Meeting Space structures and landscaping scheme shown on plan number 779.2/07E shall be completed prior to the occupation of the last park home at the site and shall be retained permanently thereafter unless otherwise agreed beforehand in writing by the Local Planning Authority.

To ensure that the community facilities and landscaping at the site are provided and retained in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009) and the objectives of the National Planning Policy Framework (2012).

- 3 **No development shall take place (including any ground works or site clearance) until a method statement for the creation of new wildlife features, erection of bird boxes, ponds and semi-natural habitats has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:**
- a) purpose and objectives for the proposed works;**
 - b) detailed design(s) and/or working method(s) necessary to achieve stated objectives;**
 - c) extent and location of proposed works shown on appropriate scale maps and plans;**
 - d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;**
 - e) persons responsible for implementing the works;**
 - f) initial after care and long-term maintenance (where relevant);**

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

Reason: To ensure that the development results in biodiversity enhancements at the site in accordance with Policy DM18 of the Central Bedfordshire Core Strategy and Development Management Policies (2009) and the NPPF.

- 4 **No development shall take place until a detailed surface water drainage scheme for the site including a management and maintenance plan has been submitted to and approved in writing by the Local Planning Authority. The scheme design shall be based on sustainable drainage principles in accordance with the Council's Sustainable Drainage SPD and an assessment of the hydrological and hydro geological context of the development. The scheme shall be implemented in accordance with the approved details 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 the Central Bedfordshire Sustainable Drainage SPD (2014).

- 5 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers Un-numbered site location plan, 779.2/07E, Planning, Design and Access Statement, Landscape and Visual Statement, Tree Survey Report and Arboricultural Impact Assessment and Flood Risk Assessment and Surface Water Drainage Strategy

Reason: To identify the approved plan/s and to avoid doubt.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35

The Council acted pro-actively through early engagement with the applicant at the pre-application stage 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.

DECISION

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