

Item No. 12**SCHEDULE C**

APPLICATION NUMBER	CB/10/00880/FULL
LOCATION	Land to the east of Stotfold extending from Mill Lane to Baldock Road, Mill Lane, Stotfold
PROPOSAL	Full: Change of use of land to nature reserve, ancillary car park, boardwalk, information point/shelter and interpretation boards
PARISH	Stotfold
WARD	Stotfold & Arlesey
WARD COUNCILLORS	Cllrs Dalgarno, Saunders, Street, Turner
CASE OFFICER	Vicki Davies
DATE REGISTERED	10 March 2010
EXPIRY DATE	05 May 2010
APPLICANT	Stotfold Mill Preservation Trust
AGENT	
REASON FOR COMMITTEE TO DETERMINE	Central Bedfordshire Council owned land
RECOMMENDED DECISION	Full Application - Granted

Site Location:

The site is located on the eastern edge of Stotfold and extends for some 500 metres between Mill Lane to the north of the site and Baldock Road to the south. The site is of an irregular shape and is 20 metres at its narrowest and 100 metres at its widest. To the west of the site is the River Ivel, Stotfold Mill and some residential development and to the east is agricultural land with the A1 beyond. Access to the site is gained from Mill Lane. The site falls within a flood risk zone and part of the site is designated as a County Wildlife Site (CWS). The applicant advises that consideration is being given to designating the site as a Local Nature Reserve.

The Application:

The application seeks consent for the change of use of the land to a nature reserve with ancillary car park, boardwalk, information point/shelter and interpretation boards.

The site is leased from Central Bedfordshire Council and would be managed by Stotfold Mill Preservation Trust as a nature reserve which would be open to the public.

A small hard surfaced area in the north of the site is currently used for car parking for visitors to the adjacent Stotfold Mill. The application seeks to formalise this arrangement and extend the parking area using reinforced grass surfacing. The additional parking area would be 8m by 12m providing a total area of approximately 20m by 20m and located to the east of the entrance off Mill Lane, in addition an area of approximately 4m by 5m would be marked out as disabled parking to the west of

the entrance.

Two sections of boardwalk are proposed in the southern part of the site which contains ponds and other waterbodies. The boardwalk would be timber and total 40 metres in length.

The information point/shelter would be located in the northern part of the site on the eastern side less than 100 metres from the car parking area. The building would be based on a garden shed with a mono pitched roof but open along the front. The building would measure 3m wide, 1.5m deep and 2m tall at its highest point.

Up to three interpretation boards would be located within the site, one near the entrance, one in a central location and one in the southern part of the site. The boards would stand 90cm above ground level and have a sloped top and would contain information about the site and its wildlife.

The application also contains details of low level solar lighting for the car parking area, an entrance sign to direct visitors to the site and the relocation of 2 steel containers.

The low level lighting would consist of up to 10 bollard style lights standing approximately 80cm in height. The sign would be no greater than 50cm long and 18cm high and erected on a pole no higher than 2 metres above the ground.

The 2 steel containers measure 6m by 3m by 3m and are used to store equipment and materials for the maintenance of the nature reserve. The containers would be located further to the east than at present on the edge of the parking area. The new location and proposed 2 metre high fencing and planting would mean the containers were less visible than at present.

In addition to the above items there are other things which would take place on the site which do not need planning permission, such as erecting fencing and gates, mowing grass paths, providing benches etc.

RELEVANT POLICIES:

National Policies (PPG & PPS)

PPS1 - Delivering Sustainable Development
PPS4 - Economic Growth
PPS7 - Rural Areas
PPS9 - Biodiversity and Geological Conservation
PPG17 - Sport and Recreation
PPS25 - Flood Risk

Regional Spatial Strategy

East of England Plan (May 2008)
Milton Keynes and South Midlands Sub-Regional Strategy (March 2005)

Bedfordshire Structure Plan 2011

No relevant policies

Central Bedfordshire Core Strategy and Development Management Policies 2009

CS3 - Healthy and Sustainable Communities
CS11 - Rural Economy and Tourism
CS13 - Climate Change
CS16 - Landscape and Woodland
CS17 - Green Infrastructure
CS18 - Biodiversity and Geological Conservation
DM3 - High Quality Development
DM15 - Biodiversity

Supplementary Planning Guidance

Design in Central Bedfordshire: A Guide for Development

Planning History

No planning history

Representations: (Parish & Neighbours)

Stotfold Town Council Neighbours	No objection At the time of writing three letters have been received from residents who live near the application site.
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All three letters support the use of the application site as a nature reserve but object to specific parts of the proposal as set out below.

The objections are:

- additional car parking is unnecessary as the site should serve the local community who can walk or cycle to the site
- the number of cars on site would regularly exceed the number set out in the application and parking would extend over a greater area than proposed
- lighting could have an adverse impact on amenity and is inappropriate in a rural area
- metal storage containers should be removed as they blight the view from neighbouring properties
- metal storage containers should be relocated so that they are not visible from the road
- there is no need for a structure to accommodate an information point as the mill building can be used for this purpose
- the land is agricultural and therefore no buildings or structures should be allowed to be erected
- any buildings/structures would be inappropriate development in a rural area
- the application is mainly retrospective

Any additional comments received will be reported on the late sheet.

Consultations/Publicity responses

Ramblers Association	No objection
Internal Drainage Board	A watercourse maintained by the IDB flows along the boundary of the application site, a clear 4.5m wide access needs to be provided to the watercourse in addition to the bylaw requirement of no structures being placed within 7 metres of the banktop. The IDB request a plan showing the access route.
Highways Development Control Officer	No objection subject to conditions regarding the provision of visibility splays, location of gates, surfacing the vehicle crossover, surfacing of car park, finish of sign and provision of cycle parking.
Rights of Way Officer	No response received
Archaeological Officer	The site is within a documented archaeological landscape which includes a series of cropmarks relating to later prehistoric, Roman and Saxon settlements and is therefore a archaeologically sensitive area. The proposed development is small scale and does not contain any proposals that are likely to have a negative impact on archaeological deposits, therefore no objections to proposal.
Public Protection Officer	No comments
Environment Agency	Comments to be reported on the late sheet
Natural England	Comments to be reported on the late sheet
Wildlife Trust	Comments to be reported on the late sheet
Ecology Officer	Comments to be reported on the late sheet

Determining Issues

The main considerations of the application are;

1. Principle of Development
2. Green Infrastructure & Biodiversity
3. Impact on Character and Appearance of Area
4. Impact on Residential Amenities
5. Access & Highways
6. Other Issues

Considerations

1. Principle of Development

Section 40 of the Natural Environment and Rural Communities Act 2006 (NERC) states:

"Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity"

PPS9 (Biodiversity and Geological Conservation) states that one of the Government's aims is to promote sustainable development by ensuring that

biological and geological diversity are conserved and enhanced as an integral part of social, environmental and economic development. It is considered that the proposal would ensure that biological diversity is conserved and enhanced as the land would be managed as a nature reserve. The impact of allowing visitors to the CWS will be addressed below.

PPG17 (Sport and Recreation) states that "open spaces, sport and recreation all underpin people's quality of life. Well designed and implemented planning policies for open space, sport and recreation are therefore fundamental to delivering broader Government objectives."

PPG17 also states that the recreational quality of open spaces can be eroded by insensitive development and that planning authorities may wish to allow smallscale structures where these would support the existing recreational uses (for example, interpretation centres, toilets, and refreshment facilities) however they should seek to ensure that all proposed development takes account of, and is sensitive to, the local context.

PPS4 (Economic Growth) states that facilities requiring new buildings in the countryside should, where possible, be provided in, or close to, service centres or villages but may be justified in other locations where the required facilities are required in conjunction with a particular countryside attraction and there are no suitable existing buildings or developed sites available for re-use.

A letter was received from a resident who commented that the information point/shelter structure would be unnecessary as the mill building could be used as an information point. The nature reserve would be open to the public at all times whereas the mill is only open for specific periods, usually alternate Sunday afternoons between March to November, plus special event days. The structure would also be used as a shelter if the weather became inclement or as shade if needed. It is agreed that the mill could be used as an information point however a small structure to accommodate information and provide shelter is considered acceptable as part of a nature reserve.

Core Strategy policy CS3 states that open space and recreational facilities will be safeguarded and upgraded to provide appropriate infrastructure for existing and growing communities.

Core Strategy DM4 sets out that the Council will support schemes for community and recreation uses within settlement envelopes or where no land is available within the settlement envelope, a site adjacent to the settlement may be granted planning permission.

A letter was received from a local resident who commented that he considers the erection of structures on the site would be inappropriate in a rural area and contrary to PPS7 and Core Strategy DM4. It is not considered that small-scale structures erected in connection with the use of the land as a nature reserve is contrary to PPS7 but is in fact supported by PPG17. Core Strategy DM4 sets out that sites for community and recreation uses adjacent to the settlement are appropriate if no site within the settlement envelope is available.

In the context of the above national and local planning policy it is considered that the principle of developing the land as a nature reserve is acceptable providing

biodiversity is conserved and enhanced. There is no suitable land within the settlement envelope which could be used as a water side nature reserve and the application site is less than 10 metres beyond the settlement envelope boundary. The provision of small-scale structures to support the recreational is acceptable in terms of policy and an assessment of their appearance and impact on the local area will be undertaken below.

2. Green Infrastructure & Biodiversity

PPG17 (Sport and Recreation) states that open space and sports and recreational facilities that are of high quality, or of particular value to a local community, should be recognised and given protection by local authorities through appropriate policies in plans. Areas of particular quality may include areas of open space that particularly benefit wildlife and biodiversity.

PPS9 (Biodiversity and Geological Conservation) states that development proposals where the principal objective is to conserve or enhance biodiversity and geological conservation interests should be permitted.

Core Strategy policy CS17 requires that the Council seeks a net gain in green infrastructure through the protection and enhancement of assets and the provision of new green spaces.

Core Strategy policy CS18 sets out that County Wildlife Sites will be protected and that the maintenance and enhancement of habitats will be supported.

The proposal would involve the creation of a nature reserve part of which is designated as a County Wildlife Site. It is considered that the creation of the nature reserve would meet the requirements of the relevant national and local planning policy as it would enhance and protect green infrastructure and biodiversity. The application is accompanied by flora and fauna survey.

Opening the CWS and neighbouring land to the public could have an adverse impact on the biodiversity which exists on the site. It is however considered that any impact that allowing visitors to the site may have would be overcome by the effective management of the site. The CWS would benefit from being properly managed on a day to day basis and the biodiversity of the additional area would be enhanced by the land being managed and appropriate planting etc being undertaken.

The additional car parking area would be created using a grass reinforcing material and therefore would not result in large hard surfaced areas which could be harmful to biodiversity. The proposed structures including interpretation boards, information point etc are small-scale and would not have any significant adverse impact on biodiversity. The interpretation boards and information point would educate visitors to the site about the biodiversity around them and would help to increase understanding. The relocation of the metal storage containers would mean that an area of existing grassland would be made unusable for wildlife however the containers would be screened by planting which would be beneficial to biodiversity.

Overall it is considered that the proposals would result in a net gain in green infrastructure and would lead to the maintenance and enhancement of the County Wildlife Site and adjoining green space.

3. Impact on Character and Appearance of Area

Core Strategy policy CS16 states that the Council will conserve and enhance the varied countryside character and local distinctiveness of an area and resist development where it will have an adverse effect on important landscape features or highly sensitive landscapes.

It is considered that the use of the land as a nature reserve would conserve and enhance the character and local distinctiveness of the site. The proposed structures would be small-scale and therefore are not considered to have an adverse effect on the landscape.

Core Strategy policy DM3 requires that new development, among other things, is appropriate in scale and design to their setting, contribute positively to creating a sense of place and respect local distinctiveness, provide adequate areas for parking and servicing and provide hard and soft landscaping appropriate in scale and design to its setting.

The proposed information point/shelter, interpretation boards and boardwalk would cover a very small area of the total nature reserve site and are therefore considered appropriate in scale. The information point/shelter and boardwalk would be timber and as such are appropriate in terms of materials for the rural locations. The interpretation boards would be power coated stainless steel, no colour has been specified in the application. It is considered that the frame of the interpretation boards should ideally be green to blend in with the grass and plants they would be seen against however this could be secured by condition.

The car parking area would be created using a grass reinforcing product which would mean that the grass would grow through a grid of plastic or concrete. The additional parking area would measure 8m by 12m resulting in a total parking area of 20m by 20m with the new disabled parking area being 4m by 5m, it is considered that the parking areas are appropriate in scale for the nature reserve. It is understood that the field in which the parking areas would be located is already used for informal parking for Stotfold Mill visitors centre and associated events under permitted development rights.

The two metal storage containers are currently on the site and would be relocated to a less visible position. The containers are not ideal in terms of scale or design but they would be screened by a 2 metre high wooden fence and additional screening with indigenous plants. It is considered that the storage containers are acceptable providing that the screening is installed, this can be secured by condition.

The proposed lighting would be low level and would not be seen from outside of the site, the technical details and locations of the lighting would need to be submitted and approved before installation. This can be secured by condition.

The sign would be within the site but in a position to be visible from outside of the site to direct visitors to the nature reserve. The sign would not be very large, measuring a maximum of 50cm by 18cm, and would not have a significant adverse impact on the character or appearance of the area.

None of the proposed structures would be visible from any public viewpoint

outside of the site and therefore would not have any adverse impact on the streetscene or general character of the area.

Overall it is considered that the proposed structures and car park would contribute to creating a sense of place for the nature reserve and would provide adequate parking and servicing areas. As the site would be a nature reserve and the applicant has a programme of works including tree planting etc it is considered that landscaping appropriate to the setting would be provided.

4. Impact on Residential Amenities

Core Strategy policy DM3 requires that new development must respect the amenity of surrounding properties.

The closest property to the application site is less than 5 metres to the south west. It is not considered that any of the proposed structures would have an adverse impact on the amenities of neighbouring residents, as they would all be at least 100 metres from the nearest property. The car park would not have any adverse impact but would help prevent on-street parking which could cause inconvenience to local residents.

One neighbouring resident commented that the metal storage containers should be removed as they blight views from their property. The containers would be relocated and screened and the neighbouring resident would not longer have clear views of them.

The application proposes low level solar lighting be installed in the car park. The lights would be approximately 80cm in height and of a bollard design. The light emitted would be at its maximum strength for a maximum of 100 metres. On the basis of the technical information supplied about the lighting it is not considered that it would have a significant adverse impact on neighbouring residents. Nevertheless a condition will be added to any planning permission granted requiring the full details and locations of the lights to be submitted and approved before they are submitted.

The application site is currently not open to the public and therefore if consent is granted neighbouring residents would experience additional activity on the land near to their properties. People using the nature reserve would do so for quiet activities including walking and bird watching. The applicant has advised that parties of school children may visit the site and undertake pond dipping and other activities. People would only visit the site during daylight hours and the numbers of visitors on a day to day basis is envisaged to be small. Neighbouring residents may hear some degree of noise when school groups visit the site but the time they would be on the site would be limited and the visits on an occasional basis.

Visitors to the nature reserve would be able to see into the garden of the property on the other side of the watercourse to the application site as there are no boundary fences to block views. The planting within the nature reserve area does limit views and the affected garden is around 300 metres in length. It is not considered that the privacy of the neighbouring residents would be significantly adversely affected as visitor numbers would be limited as would their views into the garden, in addition the residents could erect fencing if they wished.

Overall it is not considered that the amenities of neighbouring residents would be adversely affected providing conditions are added to any planning permission granted to control the proposed lighting.

5. Access & Highways

Highways Development Control comment that the visibility in the direction of oncoming traffic at the entrance to the site on Mill Lane can be achieved once overhanging vegetation is cut back. Visibility in the other direction to the south west is below the required level but due to the alignment of the road traffic would be travelling at less than 30mph and the reduced visibility is therefore acceptable. The Highways officer requested that a number of conditions be added to any planning permission granted to deal with visibility splays and surfacing of the cross-over and parking areas.

The Highways Development Control officer also recommends that a condition is added to any consent granted requiring covered cycle parking to be provided. It is considered that promoting sustainable forms of transport is important and an area which the application site can get involved with. The site is on the edge of Stotfold and therefore there is a large number of potential visitors to the site who could walk or cycle to the site. The provision of cycle parking should encourage people to arrive by bike rather than by car. A letter was received from a local resident concerned that large parking areas should not be provided but that visitors should be encouraged to walk or cycle.

Some local residents are concerned about the proposed car parking area. The parking area would not be a hard surfaced or tarmac area but a grassed area reinforced by a plastic or concrete grid. The parking area would therefore look like grass. The existing parking area is currently used for parking by visitors to Stotfold Mill and the application seeks to formalise this arrangement and extend the surface of the parking areas. The applicant has advised that they do not currently have sufficient funds to surface the parking areas and they would initially remain mown grass.

Residents comment that the existing parking area is often full and the whole of the northern field is used for parking. The car parking is used by groups visiting the mill during the week by prior arrangement and the public when the mill is open on alternate Sundays. It is understood that when the mill holds special events that the whole field is used for parking, however permitted development rights allow the use of land for up to 28 days per year without the need for planning permission. The day-to-day parking requirements of the mill and nature reserve would be met by the proposed parking areas with special event parking taking place on a larger area under permitted development rights.

6. Other Issues

Core Strategy policy CS13 requires the consideration of how developments can minimise the risk of flooding and management of residual risks. The application site is located within a flood risk area and therefore the application was accompanied by a flood risk assessment. The site is boarded on the eastern side by the River Ivel for approximately two-thirds of its length. The applicant comments that over the past 10 years the water level in the river has dropped resulting in some periods where there is insufficient water to power the mill. In the winter months the water level does rise, this results in some parts of the site becoming boggy. The most southern of the meadows is the one most likely to

suffer flooding and can be closed if necessary. In addition it would only take around 10 minutes for someone to walk the entire length of the site and if it began to flood people could leave. It is not considered that the risk of flooding is an over-riding constraint to the development of a nature reserve on this site. The Internal Drainage Board commented that access for their machinery and equipment needs to be maintained, the applicant has advised that a representative of the IDB visited the site, discussed the proposals and agreed that the access would be acceptable.

A local resident stated that it appears that the application is mainly retrospective. It is understood that some works have commenced on the site to prepare the land to be used as a nature reserve but none of the works undertaken so far require planning permission.

Reasons for Granting

The principle of the development is acceptable in terms of national and local policy and accords with PPS1, PPS4, PPS7, PPS9, PPG17 and PPS25, biodiversity would be conserved; there would be no significant adverse impact on green infrastructure, the character and appearance of the area or residential amenities; the proposal is acceptable in terms of highway safety, access and flood risk and is in accordance with Core Strategy policies CS3, CS13, CS16, CS17, CS18, DM3 and DM15 and Design in Central Bedfordshire: A Guide for Development.

Recommendation

That Planning Permission be granted subject to the following:

- 1 The development hereby approved shall be commenced within three years of the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 which is designed to ensure that a planning permission does not continue in existence indefinitely if the development to which it relates is not carried out.

- 2 The area of land between the forward visibility curve as indicated on the approved drawing and the highway boundary shall be kept free from all obstructions.

Reason: In the interests of road safety.

- 3 Visibility splays shall be provided at the junction of the access with the public highway within 12 months of the date of this permission. 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 70.0m measured from the centre line of the proposed access along the line of the channel of the public highway to the north-east and 43.0m measured from the centre line of the proposed access along the line of the channel of the public highway to the south-west. The required vision splays shall, on land in the applicant's control, be kept free of any

obstruction.

Reason: To provide adequate visibility between the existing highway and the proposed access, and to make the access safe and convenient for the traffic which is likely to use it.

- 4 Any gates provided shall open away from the highway and be set back a distance of at least 5.0m from the nearside edge of the carriageway of the adjoining highway.

Reason: To enable vehicles to draw off the highway before the gates are opened.

- 5 Within 12 months of date of this permission the crossover/access shall be constructed and surfaced in a stable and durable manner measured from the channel of the nearside carriageway to the highway boundary.

Reason: To avoid the carriage of mud or other extraneous material from the site so as to safeguard the interest of highway safety.

- 6 Before the car park extensions hereby approved are brought into use they shall be surfaced in a manner in accordance with details to be approved in writing by the Local Planning Authority. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway or into the main drainage system.

Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises.

- 7 The proposed sign shall be finished in non reflective materials.

Reason: To avoid undue distraction to motorists and to avoid possible resemblance to and confusion with bona-fide road signs.

- 8 Within 6 months of the date of this permission, a scheme for the secure and covered parking of cycles on the site for 8 cycles (including child sized stands) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented within 6 months of the date the scheme is approved and thereafter retained for this purpose.

Reason: To ensure the provision of adequate cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport.

- 9 The frames of the interpretation boards hereby permitted shall be dark green in colour.

Reason: To enhance the appearance of the development

- 10 Within 6 months of the date of this permission a plan showing the exact

position that the steel containers would be relocated to shall be submitted to the Local Planning Authority. The steel containers shall be relocated to the approved location and 2 metre high wooden fencing erected to provide screening within 6 months of the date of approval.

Reason: In the interests of visual amenity.

- 11 No external lighting shall be installed unless and until the details of the location, appearance and technical details of the proposed lights have been submitted to and approved in writing by the Local Planning Authority. The lighting shall then be installed and maintained in accordance with the approved scheme.

Reason: To protect the amenity of neighbouring properties and highway safety.

- 12 Before the car park extensions hereby approved are brought into use a plan showing the access from Mill Lane into the site and the layout of the extended car park and disabled parking area including any signage, marking out etc shall be submitted and approved in writing by the Local Planning Authority. The car parking areas shall then be provided and maintained in accordance with the approved details.

Reason: To ensure that cars can park within the site in the interests of highway safety.

Notes to Applicant

1. The applicant is advised that, under the provision of the Highways Act 1980, no part of the structure, including boundary treatments and their foundations and any signage or lighting shall be erected or installed in, under or overhanging the public highway and no gate shall be fixed so as to open outwards into the highway.

The Highway Authority has the power under Section 143 of the Highways Act 1980, to remove any structure erected on a highway.

2. The applicant is advised that no works associated with the surfacing of the vehicular access to comply with condition 5 should be carried out within the confines of the public highway without prior consent, in writing, of Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Central Bedfordshire Council's Highway Help Desk, P.O.Box 1395, Bedford, MK42 5AN quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of vehicular access affects or requires the removal and/or relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.

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 Traffic Management Group, Highways and Transport Division, Central Bedfordshire Council, P.O. Box 1395, Bedford, MK42 5AN.
4. The applicant is advised that in order to achieve the vision splays in conditions 1 and 2 of the permission it may be necessary for vegetation overhanging the public highway to be removed. Prior to the commencement of work the applicant is advised to contact Central Bedfordshire Council's Customer Contact Centre on 0300 300 8049 to request the removal of the overhanging vegetation on the public highway.
5. The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with Central Bedfordshire Council's "Cycle Parking Guidance - August 2006".

DECISION

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