

Item No. 11**SCHEDULE B**

APPLICATION NUMBER	CB/10/03712/FULL
LOCATION	Red Lion, Deadmans Cross, Shefford, SG17 5QQ
PROPOSAL	Full: Change of use of part of the external area of the site to the siting of touring caravans and camper vans. Erection of reception/office area and toilet block. Widening of existing access.
PARISH	Haynes
WARD	Maulden and Clophill
WARD COUNCILLORS	Cllr Angela Barker & Cllr Howard Lockey
CASE OFFICER	Mary Collins
DATE REGISTERED	30 September 2010
EXPIRY DATE	25 November 2010
APPLICANT	Freedom Valley Investments
AGENT	Simic Associates
REASON FOR COMMITTEE TO DETERMINE	Cllr Barker – impact on community for a 24 hours usage as a tourist caravan site and on highway grounds
RECOMMENDED DECISION	Full Application - Granted

Site Location:

The application site is situated on the northern side of the A600 carriageway at the former Red Lion Public House which is now operates as a restaurant. The premises have a large gravelled car park to the rear and eastern side of the building and to the west is an area laid to grass, the former garden to the public house. Attached to the public house is a residential property. Deadman's Cross is situated to the east of the village of Haynes. The site is connected to the village by way of public footpaths. Deadman's Cross is characterised by a mixture of residential and commercial properties concentrated along the southern side of the A600.

The Application:

Full: Change of use of part of the external area of the site to the siting of touring caravans and camper vans. Erection of reception/office area and toilet block. Widening of existing access.

RELEVANT POLICIES:**National Policies (PPG & PPS)**

PPS1: Delivering Sustainable Development

PPS4: Planning for Sustainable Economic Growth

PPS7: Sustainable Development for Rural Areas

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

CS11 - Rural Economy and Tourism
CS14 - High Quality Development
DM3 - High Quality Development

Planning History

MB/97/00424 Full: Two and single storey side extensions and rear single storey extensions. Formation of vehicular access. Erection of front wall and five 3.6 metre high lights to boundary of car park. (part retrospective). Approved: 19/08/97

Representations: (Parish & Neighbours)

Haynes PC

Objects for the following reasons:

- This stretch of road is well known for being dangerous because of the speeding cars, especially on the bend. For this reason adding more traffic movements in and out of the site is a major concern
- The required visibility splays of 120m seem inadequate given the known traffic dangers at this location.
- There is no evidence of any disability parking being provided.
- The pond at the north of the site will need clearing as there is a danger of water seepage. This pond would need to be checked for great crested newts as they are known to be in this area.
- The site seems to be far too small for the number of plots, and appears to be overdevelopment of the site.
- Could Planners please satisfy themselves there is adequate room for dust carts to enter and leave the site safely, as there appears to be inadequate room for large vehicles to manoeuvre.
- The proposed site could be attractive to illegal travellers, and therefore adequate security arrangements would need to be in place.
- More than one access point would be preferable given the known dangers of the location.

Neighbouring
Properties

6 letters of objection received:

- The area of Deadman's Cross is not suitable for tourism
- The A600 is a busy road, the entrance of the Red Lion is very near a bend an ingress/egress by a slow moving vehicle towing a caravan would be extremely hazardous
- Towing caravan or camper van will not only require a much wider arc to turn in and out of the site but will be doing so at a much slower speed
- Risk to health and safety of residents of Deadman's Cross

- and road users passing through the village
- Noise and disturbance from increased activities at the site. Increase in height of fencing to 1.8 metres inadequate to sufficiently mask the potential eyesore and visual distraction from caravans and camper vans pose.

Application
advertised 22/10/10

Response received see above.

Consultations

Highways

The applicant has now submitted swept path diagrams for a pantechnicon and a car towing a twin axle caravan which are acceptable. The access is being taken from a 40 mph road which will require 120.0m visibility splays in either direction, which is achievable. Have looked at the Highway's Section available accident data and can only find one accident that was reported with no fatalities that occurred in 2008 by the garage.

The layout of the site seems a little constrained for manoeuvring cars and caravans into the pitches, especially larger twin axle caravans where the caravans may have to be unhitched and moved manually. Caravans may also have awnings which would liken to another caravan parked adjacent to the pitch, this would reduce the car parking area. Although none of these would affect the highway.

It is noted that the former access has not been re-instated with kerbs or verge and could be used as a pull-in point for vehicles which could cause a problem to other users of the highway. A condition is recommended for the re-instatement of this area.

Vehicles using bays 1 and 2 may find they conflict when leaving these parking bays with vehicles entering the site due to the angle of the bays, drivers viewing angle and manoeuvring angle. As such included a condition for the area adjacent to and behind the bays to remain free of obstruction to provide driver/driver intervisibility.

To allow for the swept path of vehicles entering the site the access is extremely wide. To lessen the visual impact and width of the access within the site, a condition is included for a kerbed build out to be provided on the east side of the access. This will not interfere with vehicles entering/exiting the site and will still provide adequate area for a waiting vehicle whilst affording a 'buffer' for the waiting vehicle from vehicles using the access.

Disability
Discrimination Officer
Waste (Non-waste
applications)recycling

No comment with regard to disabled access.

Due to the commercial nature of the application, the applicant will need to put in place a commercial collection

Public Protection	scheme prior to the completion of the development. No objection to the proposed development. Advise that a Site Licence will be required.
Private Sector Housing	The arrangements and amenities for the touring caravans is satisfactory.

Determining Issues

The main considerations of the application are;

1. Background
2. Visual Impact
3. Neighbouring Amenity
4. Highway Issues
5. Other issues

Considerations

1. Background

PPS4 sets out that to help deliver the Government's tourism strategy, local planning authorities should support sustainable rural tourism and leisure developments that benefit rural businesses, communities and visitors and which utilise and enrich, rather than harm, the character of the countryside, its towns, villages, buildings and other features.

Core Strategy policy CS11 states that the Council will support proposals for tourist or leisure developments in settlements or in the countryside including new tourist accommodation which provides opportunities for rural diversification and are well located to support local services, businesses and other tourist attractions.

The site is in the open countryside for the purposes of planning however PPS4 and Core Strategy Policy CS11 support the provision of tourism and leisure development in the countryside.

The application site is close to public footpaths and cycle routes.

Overall it is considered that the principle of the development is acceptable.

2. Visual Impact

The site currently comprises the car park and garden of the premises. It is proposed to use the garden and the rear section of the existing car park for the siting of touring caravans and camper vans.

23 touring caravan/camper van plots are to be provided across the site and are to be sited to the rear and sides of the building and premises. The existing hardstanding is the east of the public house to be formalised to provide 25 parking spaces.

The site is located in open countryside and there will be public views of the site from the south, east and west. To the North of the site there will be fewer

public views as there are no public footpaths or bridleways. To the north west of the application site the The Greensand Ridge Walk leads in a northerly direction towards and through Warden Great Wood and Warden Little Wood. This permissive footpath cannot be used between November 1st and March 1st. Any views of the rear and northern boundaries of the application site from this vantage point will be distant.

The perimeter of the site has some existing landscaping with the rear boundary being marked by a 1.5 metre high close boarded fence with planting beyond. There will be open views across the wall to the front boundary of the site across the car park and towards the caravan/camper van site behind the car park. The caravan park will be separated from the car park to the restaurant by a 1.8 metre high brick wall which will run from the side of the existing buildings to which will serve to partially screen the caravans/camper vans and the reception/office building from view. Additional landscaping is proposed behind the wall to soften the visual impact of the caravans when viewed across the site and areas of planting are also proposed to the side (east) of the restaurant building. Additional planting is proposed to Areas A, B, C, D and E shown on drawing 10536:01 B.

Additional landscaping to supplement the existing will be required to the perimeters of the site. Much of the existing landscaping to the rear boundary (northern) and side (eastern) boundary is outside the boundaries of the site and not within the ownership of the applicant. If any of these trees die or are removed the benefit of this screening is lost. Additional planting to the front boundary would also help to reduce the visual impact of the siting of the caravans/camper vans. As such it is considered that a condition requiring supplementary planting should be carried out to the perimeter of the site.

A brick wall to a height of 1.8 metres will be constructed to separate the car park and the caravan/camper van park. The brick wall will be constructed between the side wall of the single storey section to the rear of the building and will extend approximately 26 metres to the east where a gated entrance to the touring caravan/camper van site will be created.

The wall and gates are set back from the frontage of the application site by approximately 17 metres and are not considered to be visually intrusive, however it is considered that the appearance of the wall could be softened by the planting of climbers to grow over it.

A reception and site office will be accommodated in a portacabin which is to be clad in featheredge boarding. The reception/site office is to be in close proximity to the existing building on the site and will be sited behind and partially screened by the brick wall. Toilets, showering and washing facilities will be provided in a second portacabin which will also be clad in featheredge boarding and sited in the northern corner of the application site. The buildings have flat roofs and will have a relatively low profile being approximately 2.5 metres above ground level. These facilities are considered satisfactory to the Private Sector Housing Officers of the Council who are responsible for the issuing of a Site Licence.

Adequate private garden and parking spaces will be retained for the existing dwelling.

Given the existing and future landscaping, and the location of the site much of which is set back from the highway, the visual impact of the development is not considered to be detrimental to the wider landscape.

3. Neighbouring Amenity

Core Strategy policy DM3 requires that new development respects the amenities of surrounding neighbours.

A dwelling is attached to the public house. All other neighbouring residential properties at Deadman's Cross are on the opposite side of the road.

There are three plots close to the southern boundary opposite these properties. It is considered that a loss of amenity through loss of outlook will not arise as the caravans/camper vans will be partially screened by the conifer hedge to this boundary. This hedge is currently 1.5 metres in height and could be allowed to grow higher to provide further screening.

There will be a degree of disturbance from the occupiers of the caravans and camper vans as the occupiers will potentially be using the outdoors for activities such as seating out, eating, playing games etc. However it is considered that the level of noise and disturbance is likely to be no more than that which could be experienced from the use of the land as a private garden or as a beer garden attached to the restaurant.

The number of pitches permitted to be in use at any one time would be limited to 23 to ensure that the site would not give rise to disturbance due to a large number of people being allowed to stay on the site. In addition a condition would be added to any planning permission granted limiting stays to no more than 28 days in order to prevent permanent occupation on the site.

Overall it is considered that the proposal would not adversely effect the amenities of nearby neighbours.

4. Highway issues

Concern has been raised that the access to the site will be dangerous. The speed limit for this section of road is 40 mph road which will require 120.0m visibility splays in either direction and which is achievable. There is concern from neighbouring properties that this limit is rarely observed and that the 120 metres stretch of the visibility splay is directly after a deep bend in the road.

Plans have been submitted showing that the access is satisfactory for a pantechinon (refuse vehicle) to turn within the site. Tracking diagrams have also been submitted showing that it is possible for vehicles towing caravans to enter and exit the site without swinging out into the path of oncoming vehicles. The touring caravan/camper van park is set back from the junction with the A600 to ensure that there is sufficient room for vehicles towing caravans to pull in clear of the carriageway whilst waiting to enter the park.

It is considered that although there will slow moving vehicles as they brake to

enter the site there will be sufficient visibility and breaking distance along this stretch of road due to the 40 mph speed limit. Likewise vehicles leaving the site should be visible to oncoming traffic.

The Council's Highways Officers raise no objection to the proposal and therefore it is considered there are no reasons to recommend refusal on highway grounds.

5. Other issues

With regard to the licensing concerns about foul water drainage, a "Condor" cess pool will be located adjacent to the toilets building. It will be buried and emptied as required and will also be able to take the foul from the chemical toilets.

The Private Sector Housing Officers of the Council are happy with these arrangements. The details of foul water drainage will be dealt with by Building Control.

There is a pond which lies outside of the application site to the west. It will not be filled in by the development and would not be isolated/severed by the development. As the pond is outside the application site, it will not be directly affected by the development, as such it is considered that the proposal would not prejudice biodiversity.

Conclusion

In light of the above considerations it is recommended that planning permission is Approved.

- 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 **Before development commences details of a kerbed build out into the site from the highway boundary and located at the east side of the access shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be brought into use until the kerbed build out has been constructed in accordance with the approved details.**

Reason: To limit the width of the access without interfering with the waiting bay or swept path of vehicles using the site.

- 3 **Before development commences details of the demarcation and signage indicating the waiting area shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be brought into use until the signage and demarcation have been constructed in accordance with the approved details.**

Reason: To provide an adequate waiting area clear of manoeuvring vehicles.

- 4 The development shall not be brought into use until the junction of the proposed vehicular access with the highway has 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.

- 5 Details of materials to be used for the external finishes of the development hereby approved including the 1.8 metre high brick wall shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance therewith.

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match/complement the existing building(s) and the visual amenities of the locality.

- 6 Visibility splays shall be provided at the junction of the access 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 120.0m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall, 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.

- 7 The kerbed build out adjacent to parking bay 1 and the area between the rear of bays 1 and 2 and the highway boundary shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining carriageway level.

Reason: To provide driver/driver intervisibility between vehicles using the bays and the access and for the avoidance of doubt.

- 8 Before the development is brought into use the on site vehicular areas shall be constructed and surfaced in a stable and durable manner in accordance with details to be approved in writing by the Local Planning Authority for a distance of 20.0m into the site, measured from the highway boundary. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

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.

- 9 Before the development is brought into use, any existing access within the frontage of the land to be developed, not incorporated in the access hereby approved shall be closed in a manner to the Local Planning Authority's written approval.

Reason: In the interest of road safety and to reduce the number of points at which traffic will enter and leave the public highway.

- 10 Before the development is brought into use all on site vehicular areas shall be surfaced in a stable and durable manner 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.

- 11 Any means of illumination within the site 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.

- 12 The proposed development shall be carried out and completed in all respects in accordance with the vehicular parking layout illustrated on the plan No. 10536.01B and defined by this permission and, notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995, (or any Order revoking or re-enacting that Order) there shall be no variation without the prior approval in writing of the Local Planning Authority.

Reason: To ensure that the development of the site is completed insofar as its various parts are interrelated and dependent one upon another and to provide adequate and appropriate access arrangements at all times.

- 13 The site shall only be used as a touring caravan and camping site with a maximum stay of 28 consecutive nights for each touring caravan or tent and shall not, at any time, be used for permanent accommodation.

Reason: To protect the character and appearance of the rural surroundings.

- 14 No more than 23 camper vans/touring caravans shall be permitted to be on the site at any one time.

Reason: To protect the amenities of nearby residents and in the interests of highway safety.

- 15 Notwithstanding the approved plans, no external lighting shall be installed without the prior written approval of the Local Planning Authority.

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

- 16 A landscaping scheme to include supplementary planting to the northern, eastern and southern boundary of the application site, screen planting labelled as Planting Areas, A, B, C and D on drawing 10536:01 B and planting to the 1.8 metre high brick wall hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before the start of the next planting season and these works shall be carried out as approved. These details shall include planting plans, including schedule of size, species, positions, density and times of planting and cultivation details including operations required to establish new planting.

The development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the site and the area generally.

- 17 The scheme approved in Condition 16 shall be carried out by a date which shall be not later than the end of the full planting season immediately following the completion of the development.

Thereafter the planting shall be adequately maintained for a period of five years from the date of planting. Any of the trees or shrubs or both which die or are removed, or which become severely damaged or seriously diseased (during the said period of five years) shall be replaced with trees or shrubs or both, as the case may be, of similar size and species to those originally required to be planted and the same shall be maintained until properly established.

Reason: In order to ensure that the planting is carried out within a reasonable period in the interest of the visual amenities of the area.

- 18 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers [10536:01 B, 10536:02].

Reason: For the avoidance of doubt.

Reasons for Granting

The proposed development would not detrimentally impact upon the character and appearance of the streetscene nor would there be any significant adverse impact on the amenities of neighbouring residents. The scheme therefore, by reason of its site, design, materials and location, is in conformity with PPS1, PPS4 and PPS7 and Policies CS11, CS14 and DM3 of the Core Strategy and Development Management Policies, November 2009. It is further in conformity with the Central Bedfordshire Supplementary Technical Guidance "Design in Central Bedfordshire, A Guide for Development".

Notes to Applicant

1. All mobile home sites are required to obtain a Site Licence under the provisions of the Caravan Sites and Control of Development Act 1960. Further information may be obtained from the Private Sector Housing Team, Central Bedfordshire 0300 300 8000.
2. All waste produced on site as a result of the occupancy of the building is classified as commercial and will not be collected by the Council. This collection and disposal service will therefore need to be carried out by a commercial contractor. Appropriate arrangements for the collection and disposal of waste need to be made by the applicant and put in place prior to the completion of the development.
3. The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the 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, Technology House, 239 Amphill Road, Bedford MK42 9BA 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 the vehicular access affects or requires the removal and/or the 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.
4. The applicant is advised that, under the provisions of the Highways Act 1980, no part of the boundary structure, including foundations 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.
5. The Highway Authority has the power under Section 143 of the Highways Act 1980, to remove any structure erected on a highway.
6. 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, Technology House, 239 Amphill Road, Bedford MK42 9BD.
7. The applicant is advised that photographs of the existing highway that is to be used for access and delivery of materials will be required by the Local Highway Authority. Any subsequent damage to the public highway resulting from the works as shown by the photographs, including damage caused by delivery vehicles to the works, will be made good to the satisfaction of the Local Highway Authority and at the expense of the applicant. Attention is drawn to Section 59 of the Highways Act 1980 in this respect.

8. The applicant is advised that the closure of the existing access shall include the reinstatement of the highway to include any footway, verge and kerbing in a manner to be agreed in writing with Central Bedfordshire Council's Customer Contact Centre on 0300 300 8308. No work shall be carried out within the confines of the public highway without prior consent. The applicant will also be expected to bear all costs involved in closing the access.
9. The applicant is advised that in order to achieve the vision splays in condition 6 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 8308 to request the removal of the overhanging vegetation on the public highway.
10. Please note that the unnumbered drawings submitted in connection with this application have been given unique numbers by the Local Planning Authority. The numbers can be sourced by examining the plans on the View a Planning Application pages of the Council's website www.centralbedfordshire.gov.uk.

DECISION

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