

Item No. 12

APPLICATION NUMBER	CB/12/02568/FULL
LOCATION	Twin Acres, Hitchin Road, Arlesey, SG15 6SE
PROPOSAL	Replacement of existing static caravan and the siting of four additional static caravans and an amenity block together with associated parking and hardstanding (PLEASE NOTE AMENDED DESCRIPTION).
PARISH	Arlesey
WARD	Arlesey
WARD COUNCILLORS	Cllrs Dalgarno, Drinkwater & Wenham
CASE OFFICER	Nikolas Smith
DATE REGISTERED	20 August 2012
EXPIRY DATE	15 October 2012
APPLICANT	Mr L Connors
AGENT	Philip Brown Associates
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	This application was called to committee by Cllr Dalgarno because of significant local interest.
	Full Application - Granted

Site Location:

Twin Acres is on the Western side of Hitchin Road, to the East of the East Coast railway line and around 160m to the south of the southern boundary of 197 Hitchin Road (the nearest Gypsy and Traveller site).

The western section of the site had been used for the siting of a mobile home for occupation by a Gypsy or Traveller as defined by Planning Policy for Gypsy and Traveller Sites (2012). In addition to the mobile home there was a touring caravan, a barn and stables.

Immediately to the north of the site is Adenville Farm and to the south of the site is land associated with Hollow Tree Farm. The nearest building at that site is over 100m away from the Twin Acres Site.

This part of Hitchin Road has a 60mph speed limit and access to the site does not meet current highway standards.

The site is well screened to the north, east and south and views of it from Hitchin Road are limited.

The site is outside of the Arlesey Settlement Envelope and is within the open countryside.

The Application & Background:

Planning permission was granted for a temporary caravan pitch at this site in 1992. In 1995, an appeal was allowed that gave the caravan permanent planning status. In 2012, permission was granted to vary a condition that had restricted occupation of the caravan to an individual and allowed the site to be used by persons of Gypsy and Traveller status.

Planning permission was sought in July of this year for the use of land to the west of the site for four additional pitches (one caravan and one touring caravan per pitch) together with two amenity blocks.

After the application had been submitted and before it had been determined, four mobile homes were positioned on the northern boundary of the site without planning permission. The original mobile home was removed from the site.

The Council's Planning Enforcement Team served Enforcement and Breach of Condition notices in response to these unauthorised developments.

The applicant amended the planning application so that it no longer sought approval for four additional pitches to the west of the existing site. Instead, it sought permission for the replacement of the original mobile home and the siting of four additional caravans to the north of it together with one amenity block. The existing barn would be removed from the site. As such, if planning permission were granted for this application it would regularise the situation at the site so long as it reflected that shown on the amended plans. The Council could then withdraw the Enforcement Notices.

RELEVANT POLICIES:

National Policies

National Planning Policy Framework (2012)

Planning Policy for Traveller Sites (2012)

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

CS1 Settlement Hierarchy

CS14 High Quality Development

DM3 High Quality Development

DM4 Development Within and Beyond Settlement Envelopes.

Mid Beds Local Plan First Review Adopted December 2005 - Saved Policies

HO12 Gypsies

Supplementary Planning Guidance

Relevant Planning History

MB/92/00916/FA	Residential caravan pitch for one Gypsy family Approved: December 1992
02/MB/94/1608	Removal of condition one attached to planning permission ref: 02/MB/92/916 dated 22nd December 1992 (temporary consent) to allow for permanent siting of mobile home. Appeal allowed: December 1995
CB/12/00770/VOC	Variation of condition 2 attached to MB/92/00916/FA to allow for the occupation of persons falling with the definition of 'Gypsy'. Approved: April 2012

Representations: (Parish & Neighbours)

Arlesey Town Council	Strongly object for the following reasons: <ul style="list-style-type: none">• Highway safety• The accommodation might not be used as stated in the application.• If approval was granted for this and other (at the time that the response was submitted) current applications for similar development, there would be more pitches than were allocated in the LDF.• There would be a risk of flooding.• The development would be outside of the Settlement Envelope.
Neighbours (Press and site notices were posted in additional to nearby neighbours being notified)	22 letters of objection have been received, commenting as follows: <ul style="list-style-type: none">• Hitchin Road is fast and is unsuitable and dangerous.• Access to the site is poor.• Local infrastructure is already stretched.• The site is not allocated for this type of use.

- This would result in overdevelopment.
- The amenity of neighbouring properties would be harmed.
- The site should be viewed in the context of neighbouring Gypsy sites.
- There could be water contamination problems.
- No decision should be made before current consultation of Gypsy sites is complete.
- The site could lead to social problems.
- There is unauthorised development at the site.
- Arlesey would have a disproportionate number of pitches.
- Consultation of the application was inadequate.
- There would be an increased fear of crime.
- Local housing would be devalued.
- The development would not be in keeping with the local area.
- There would be harm caused to views and privacy unless landscaping was introduced.

Three letters of support were received.

Consultations/Publicity responses

Highways Development Control	No objection subject to conditions that would improve the access to the site.
Public Protection	No objection subject to informatives.
Private Sector Housing	No objection.
Internal Drainage Board	No response received.

Determining Issues

The main considerations of the application are;

1. Principle of Development
2. Impact on the Character and Appearance of the Area
3. Impact on Amenities of Neighbours and Future Occupiers
4. Highways and Parking Issues
5. Other Issues

Considerations

1. Principle of Development

Policy Background

The site lies outside of the built up area of Arlesey within the open countryside where there is a general presumption against the granting of planning permission for new development. The new "Planning Policy for Traveller Sites" guidance sets out that Local Authorities should limit new Traveller site development in open countryside that is away from existing settlements.

"Planning Policy for Traveller Sites" is specifically designed to provide guidance on determining Gypsy applications and to ensure fair and equal treatment for Travellers, in a way that facilitates that traditional and nomadic way of life for Travellers while respecting the interests of the settled community. The document also defines Gypsies and Travellers. The definition remains the same as that in the replaced Circular 1/2006.

Paragraph 25 of the Planning Policy for Traveller Sites sets out that if a local authority cannot demonstrate an up-to-date five-year supply of deliverable sites, that this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary consent. This requirement is subject to paragraph 28 which sets out the implementation arrangements. Paragraph 28 states that the policy set out in paragraph 25 only applies to applications for temporary permission for traveller site made 12 months after the policy comes into force. The Planning Policy for Traveller Sites came into force in March 2012 and paragraph 25 is not yet relevant.

Gypsy and Traveller Pitch Provision

The former local authorities covering the geographical county of Bedfordshire commissioned a Gypsy and Traveller Accommodation Assessment (GTAA) covering the period April 2006 to March 2011. This identified a need for an additional 34-40 pitches in South Bedfordshire and 17-19 in Mid Bedfordshire during the period of 2006-2011. Following the publication of the Regional Spatial Strategy (RSS) in 2006 these figures fed into a single-issue review which identified a requirement for a minimum of 50 new additional pitches to be provided in the then South Bedfordshire District Council's area by 2011 and 30 in Mid Bedfordshire. The final version adopted after local government reorganisation in 2009 specified a minimum of 80 pitches for Central Bedfordshire.

The draft submission of the Gypsy and Traveller DPD, covering the former Mid Beds District Council area, includes 23 pitches which would be provided by expanding existing sites or providing new sites as 3 pitches had been provided prior to the document being prepared. This would leave an unmet need of 4 pitches within the former Mid Beds Council area. A recent appeal decision regarding the gypsy site known as Woodside Caravan Park, Hatch allowed the 3 pitches on the site to remain permanently. In addition a further pitch has also been granted planning permission on the existing site at Little Acre, Langford Road, Biggleswade. The need for the additional 4 pitches not included within

the DPD have therefore been provided.

On 4 October 2011 the Council's Executive agreed to support the preparation of the Development Strategy, Gypsy and Traveller Plan and Site Allocations Plan and/or Neighbourhood Plans for the Council's entire area and that the submission draft Gypsy and Traveller Document for the north area, together with the underlying evidence base, be endorsed for development management purposes.

A Central Bedfordshire-wide Gypsy and Traveller Plan is being prepared to deliver the pitch requirement for the northern and southern parts of Central Bedfordshire to 2031. A request for potential sites to be included in the plan has been made to which responses have been received. A final draft document should be produced in May-June 2013 for submission to the Secretary of State in September 2013. It is anticipated that the examination hearings will be in January 2014, with the Inspector's report being received in April 2014 and the adoption of the plan in June 2014.

In conjunction with the preparation of the new Gypsy and Traveller Plan, on 10 April 2012 the Sustainable Communities Overview and Scrutiny Committee approved the Gypsy and Traveller Plan pitch numbers and site assessment methodology. The previous pitch figure targets have therefore been superseded by the recently approved figures. The report sets out that the Gypsy and Traveller Pitch Requirement to 2031 is:

Pitch Need from 2006 to 2011 - 57
Growth between 2011 and 2016 (3%) - 28
Growth between 2016 and 2021 (3%) - 33
Growth between 2021 and 2026 (3%) - 38
Growth between 2026 and 2031 (3%) - 45

Total (from 2006 to 2031) 201

Existing Permanent Permissions granted between 2006 and March 2012 (to be subtracted from the total) - 66

OVERALL NEED TO 2031 (minus recently approved pitches) 135

On the basis of these pitch numbers the Authority has already achieved the necessary provision of 57 pitches to 2011 with the current number of existing permanent pitches being 66. Between 2011 and 2016 an additional 28 pitches need to be found, this equates to 5.6 pitches per year. The number of pitches that the Authority therefore needs to provide by the end of 2012 should be $57 + 6 = 63$. As the current provision stands at 66 this shows the Authority has provision to approximately halfway through 2013.

In addition to the progress that has been made to date in relation to the provision of additional Gypsy and Traveller pitches there are, at the time of drafting this report, various other current applications relating to additional

Gypsy and Traveller sites. The report to the Overview and Scrutiny Committee sets out that there could be as many as 20 additional pitches which could be provided through making temporary consents permanent or as the result of windfall applications. There are also 17 pitches on identified LDF sites which could be delivered. An estimated total of 37 additional pitches could therefore be granted permission in the next 12-18 months.

It is clear from the above pitch numbers that the Authority has met the current agreed level of need and therefore little, if any, weight should be given to the assertion that there is unmet need in the District.

The application site lies outside the settlement envelope of Arlesey within the open countryside. Policy HO12 accepts that it is not essential that sites are within settlement envelopes but that they should relate well to existing built development, community facilities and public transport.

The site is not identified with the Gypsy and Traveller DPD and the Council can demonstrate an ability to meet existing identified need. This means that the application should be determined on its individual merits. Whilst there would be general policy support for development that would help to meet identified future need, there would be no pressing immediate unmet need that might otherwise mitigate shortfalls in an assessment of the development against other relevant policies and guidelines.

There is an existing, authorised Gypsy and Traveller use at the site but the intensity of that use is currently limited to one pitch. There would be greater policy support for intensifying an existing use at this site rather than seeking to meet identified future need on other, new sites.

2. Impact on the Character and Appearance of the Area

The eastern section of the site (that is now the subject of this application) has the character and appearance of a small caravan site, with a small number of buildings and hardstanding. The area of land to the west is not developed and contributes towards the open character of the countryside that characterises much of this part of Arlesey.

The replacement mobile home would be larger than the existing one and there would be modest views of it from Hitchin Road but traffic travels quickly along that road and there is no safe opportunity for walking along it. The four additional caravans would be located in the northeast corner of the site where existing screening would prevent views of them for the most part. More formalised hardstanding would be introduced at the site but so would areas of soft landscaping that could be the subject of a planning condition.

The impact of the development on the character and appearance of the area would be minimal and acceptable, certainly more so than the layout that was originally the subject of this application where units would have been positioned in the undeveloped open countryside to the west.

3. Impact on Amenities of Neighbours and Future Occupiers

The nearest neighbour to the site would be Adenville Farm, to the north. The siting of four caravans near to the boundary with that site would have an impact on living conditions there. It is likely that there would be increased levels of noise and disturbance than would currently be the case. However, the mobile homes would be set in from the boundary by 3m and the boundary is well landscaped. Further, Adenville Farm House is set in from the boundary and is located centrally within the site. As a result, it is not considered that the additional impact on living conditions as a result of the development would reach harmful levels that would justify the refusal of this planning application.

4. Highways and Parking Issues

The existing access to the site is hazardous and presents a risk to the safety of occupiers at the site and drivers using Hitchin Road.

A significant benefit of the proposed development would be that it would give the Local Planning Authority an opportunity to impose a planning condition that would result in the access being improved. Subject to those arrangements, access to and from the site would be safe for existing and future occupiers and that would represent a significant improvement on the current situation.

Adequate parking would be available at the site for future users.

5. Other Issues

Aside from the issues explored above, the following points were raised by people responding to consultation on the planning application:

Flooding issues

The Internal Drainage Board was consulted on the application but did not respond.

Local infrastructure

Whilst there would be an impact on existing local infrastructure, it would likely be modest given the scale of the site and would not warrant the refusal of the planning application.

Consultation

The Council exceeded its statutory obligations with regard to consultation of the planning application. A site notice and press notice were posted and adjoining neighbours were written to. When the application was amended, all those who had written to the Council were reconsulted.

Recommendation

That Planning Permission be granted subject to the following conditions:

- 1 This permission does not authorise use of the land as a caravan site by any persons other than gypsies and travellers, as defined in Planning Policy for Traveller Sites (CLG, 2012).

Reason: To limit the use of the site to gypsies and travellers.

- 2 No more than 5 caravans shall be stationed on the site at any one time.

Reason: To control the level of development in the interests of visual and residential amenity.

- 3 No commercial activities shall take place on the land, including the storage of materials.

Reason: In order to protect the amenities of local residents.

- 4 No additional external lighting to be installed on the site unless and until a scheme has been submitted to and approved in writing by the Local Planning Authority, the scheme shall include the design of the lighting unit, any supporting structure and the extent of the area to be illuminated, the lighting shall then be installed and operated in accordance with the approved scheme.

Reason: To protect the visual amenities of the site and its surrounding area.

- 5 Notwithstanding the submitted details, Within two months of the date of this permission visibility splays shall be provided at the junction of the access with the public highway. 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 215m 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 and retained permanently thereafter.

Reason: In the interest of highway safety.

- 6 Notwithstanding the submitted details, within two months of the date of this permission, gates provided at the access to the site shall be set back a distance of at least 15m from the near side edge of the carriage way of the adjoining highway and shall open away from the highway.

Reason: In the interests of highway safety.

- 7 The hard and soft landscaping shown on drawing CBC/002 shall be completed during the planting season after the date of this permission and shall be permanently retained thereafter.

Reason: In the interest of visual amenity.

- 8 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers [CBC/001, CBC/002, CBC/003, CBC/004, CBC/005 and CBC/006].

Reason: For the avoidance of doubt.

Reason for approval:

The principle of additional caravan pitches in this location would be acceptable and would help to meet future identified need for Gypsy and Traveller accommodation in Central Bedfordshire. There would be no harm caused to the appearance of the site and no harm caused to living conditions at neighbouring properties. Access to the site would be improved so that highway safety would be acceptable. The development would be in accordance with the National Planning Policy Framework (2012) Planning Policy for Traveller Sites, the Central Bedfordshire Core Strategy and Development Management Policies (2009), the Mid Beds Local Plan First Review - Saved Policies (2005) and Design in Central Bedfordshire - a guide for development (2010).

Notes to Applicant

1. Land contamination

The applicant is advised that while the Council has no reason to believe this site is contaminated, and is not aware of any potentially contaminative past use, it is the developer's responsibility to ensure that final ground conditions are fit for the end use of the site. Any staining, odours or other indications of contamination discovered during development should be described to CBC Public Protection. Any imported material for gardens and landscaping (including earth bunding) must be of a quality that adheres to British Standard for Topsoil BS3882:2007, as expected by the NHBC and other bodies. Further information can be obtained from Andre Douglas, Contaminated Land Officer, Tel 0300 300 8000.

Noise

The proposed residential caravan site is located within 150m of the mainline London to Edinburgh railway to the west of the site. I would request that the following informative is attached to any approval.

The Council is concerned that Noise from the mainline railway may cause detriment to the residents of this development. Further information may be obtained from Public Protection on 0300 300 8000.

Caravan Site Licence

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. 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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