

Item No. 12

APPLICATION NUMBER	CB/12/04310/FULL
LOCATION	Brickhill Farm Park Homes, Halfmoon Lane, Pepperstock, Luton, LU1 4LW
PROPOSAL	Continued use of site as mobile home park for a total of 105 mobile home plots
PARISH	Slip End
WARD	Caddington
WARD COUNCILLORS	Cllrs Mrs Gammons & Stay
CASE OFFICER	Adam Davies
DATE REGISTERED	03 December 2012
EXPIRY DATE	04 March 2013
APPLICANT	Miss G Mc Farland
AGENT	
REASON FOR COMMITTEE TO DETERMINE	Parish Council objection to major application
RECOMMENDED DECISION	Full Application - Granted

Site Location:

The application site comprises a 3.2 hectare mobile home park. The site is split into two parcels of land on either side of Halfmoon Lane at the south western edge of Pepperstock, which lies south west of Luton. There are currently a total of 89 mobile home plots laid out on site, some of which are presently empty.

The site originally benefited from a 1975 planning permission for 62 mobile home plots. Subsequently, several 'piecemeal' planning permissions have been granted for various additions and enlargements to the site, increasing the number of mobile homes permitted for the site to a total of 74. However the total number of mobile homes on site has historically been in excess of the total number permitted under the various planning permissions.

The site is also subject to separate control under two site licenses under the Caravan Sites and Control of Development Act 1960. The two licenses deal with two distinct parts of the site; the larger area known as Brickhill Park and the smaller Downlands area which is located at the north eastern end of the site.

The site falls within the South Bedfordshire Green Belt as defined on the proposals map of the South Bedfordshire Local Plan Review 2004.

The Application:

Planning permission is sought for the continued use of the site as a mobile home park for a total of 105 mobile home plots.

The applicant seeks to rationalise and improve the layout of the site to meet site licensing requirements and improve the general appearance of the site through the removal of disused buildings, including two substantial garage blocks. In order to

secure updated site licenses the Council's Private Sector Housing Section have advised the applicant that a prior planning permission is required, as the total number of homes for the site would exceed the total number permitted under the various planning permissions.

A proposed site layout plan has been submitted in support of the application to show how the existing, replacement and new mobile homes could be arranged within the site. The detailed layout of the site is separately controlled by site licenses. For the purposes of this planning application, the layout plan should be treated as indicative and any planning permission would solely relate to the continued use of the site as a mobile home park for a total of 105 mobile homes, rather than a specific site specific layout which can evolve as individual units are replaced and licensing requirements change overtime.

RELEVANT POLICIES:

National Planning Policy Framework (March 2012)

South Bedfordshire Local Plan Review Policies

BE8: Design Considerations,

T10: Controlling Parking in New Developments

H15: Mobile Homes and Residential Caravans in the Green Belt

R12: Protection of Recreational Open Space

The NPPF advises of the weight to be attached to existing local plans for plans adopted prior to the 2004 Planning and Compulsory Purchase Act, as in the case of the South Bedfordshire Local Plan Review. Due weight can be given to relevant policies in existing plans according to their degree of consistency with the framework. It is considered that Policies BE8, H15 and R12 are broadly consistent with the Framework and carry significant weight. Policy T10 carries less weight is are considered relevant to this application.

Development Strategy for Central Bedfordshire

Policy 1: Presumption in Favour of Sustainable Development

Policy 3: Green Belt

Policy 24: Accessibility and Connectivity

Policy 25: Capacity of the Network

Policy 27: Car Parking

Policy 36: Development in the Green Belt

Policy 43: High Quality Development

Having regard to the National Planning Policy Framework, significant weight is given to the policies contained within the emerging Development Strategy for Central Bedfordshire, which is consistent with the NPPF. The draft Development Strategy is due to be submitted to the Secretary of State in May 2013.

Supplementary Planning Guidance

Design in Central Bedfordshire - A Guide for Development - adopted by the Luton & South Bedfordshire Joint Committee on 23 July 2010

Luton and Central Bedfordshire Core Strategy - adopted for Development Management purposes by the CBC Executive on 23 August 2011

CBC Emerging Parking Strategy, Appendix F, Central Bedfordshire Local Transport

Plan, endorsed for Development Management purposes by Executive October 2012

Planning History

SB/75/00558 Mobile home park and alterations. Permission. Condition 5 of this permission states:

Not more than 62 caravans shall be stationed on the land the subject of this permission.

REASON: To enable the District Planning Authority to exercise control over the future use of the site

SB/76/01039 Demolition of existing garages and erection of a block of 15 garages. Permission.

SB/79/01141 Ten additional mobile home pitches. Refused.

SB/81/00750 Siting of mobile home. Refused.

SB/84/00741 Erection of brick office. Permission.

SB/88/00496 Siting of mobile home. Refused.

SB/88/00497 Siting of two mobile homes. Permission.

SB/90/01052 Erection of mobile home. Withdrawn.

SB/91/00566 Siting of six mobile homes. Permission.

SB/96/00591 Renewal of permission SB/91/00566 for the siting of six mobile homes. Permission.

SB/98/00087 Use of land for the siting of six mobile homes and ancillary garages. Permission.

CB/12/02026 Variation of Condition 5 of planning permission SB/75/00558 so as to allow the stationing of up to 85 mobile homes on the site. Withdrawn.

Representations: (Parish & Neighbours)

Parish Council

Objection. Proposed layout would take important green space and parking areas away from residents and over fill the site with housing units. It is suggested the owners consult the residents before resubmitting revised plans.

Neighbours

Ten objections have been received which raise concerns regarding the following:

- The loss of the grassed area within the Downlands area of the site and the impact of this on the quality of the environment.
- The impact on infrastructure and services.
- Potential fire hazards.
- The level of parking provision for the site.

- The ongoing maintenance of the access roads within the site.
- The suitability of the proposed access arrangements.
- The current maintenance arrangements for the site and the lack of emergency maintenance workers on site.
- The visual impact of the additional mobile homes.
- The loss of maintenance access to the existing garage at Ridgeway, Halfmoon Lane.
- Distress caused to elderly residents due to various concerns as summarised above.

A petition with 18 signatures of those wishing to object to the proposal has been received.

Brickhill and Downlands Residents Association

The committee is aware of concerns caused by previous licensing arrangements and that the proposal represents an attempt to regularise the present situation for the future. The proposal has the potential to adversely impact on the overall environment of the site. It is suggested that better communication between the applicant and residents would have made the applicant's intentions clearer. Specific concerns are raised regarding the loss of the grassed area within the Downlands area of the site and the impact of this on the quality of the environment. The proposal would result in the loss of car parking for residents with no indication of reimbursement. Existing garages are in poor condition and their removal would be beneficial. Concerns are raised that the proposed layout would create substandard vehicle manoeuvring areas. The proposal would negatively impact on existing services. Existing access roads require maintenance prior to and planning application.

Consultations/Publicity responses

Environment Agency

It is noted foul drainage is to mains. Therefore, EA have no comment to make.

Health and Safety Executive

Awaiting comment.

Highways

The proposed layout would result in the loss of communal parking areas. Parking provision is shown for new plots but is not shown for all existing units. The number of bedrooms per unit has not been specified and a comprehensive parking schedule has not been provided. The application fails to demonstrate the development would be in accordance with the Council's parking standards. The application represents an intensification of use of existing substandard accesses onto Halfmoon Lane. The proposed layout includes access roads which are substandard in terms of their width. This would make it difficult to access individual parking spaces as shown

and make it difficult for some vehicles to access parts of the site. The existing footway along one side of Halfmoon Lane is of a substandard width. Recommend refusal.

Housing Development	I have no comment regarding the site regarding affordable housing as the proposal does not generate a requirement for affordable housing.
Public Protection	No objection.
Private Sector Housing	The Private Sector Housing Team has no objections to the proposed development of the land to a caravan site. The site must be licensed under the Caravan Sites and Control of Development Act 1960 and comply with the current licensing conditions for a residential mobile home as set out in the license issued by this Service.

Determining Issues

The main considerations of the application are;

1. Principle of development and impact upon Green Belt
2. Parking and highways considerations
3. Other matters

Considerations

1. Principle of development and impact upon Green Belt

Within the Green Belt most development, including new mobile home plots, is considered inappropriate. Therefore, under the terms of the NPPF and Policy H15 of the South Bedfordshire Local Plan Review 2004, there is a presumption against the application.

Since the original 1975 planning permission for the site, there have been several subsequent planning approvals for 'piecemeal' enlargements to the park, which have resulted in additional mobile homes towards the outer edges of the site, where the visual impact upon the Green Belt is potentially greater. Having regard to the need to protect the openness and visual amenities of the Green Belt, the additional mobile home plots would be created within the context of the surrounding development and would not be intrusive within the landscape. In this case, the creation of additional mobile home plots would involve the removal of two substantial disused garage blocks within the site, thereby improving the general appearance of the site. Additionally the proposal seeks to regularise the existing unauthorised development and rationalise and improve the layout of the site to meet site licensing requirements. Given the licensing requirements and planning history of the site and that the total number of homes on site has long been in excess of the total number of plots permitted by the various planning permissions it is not considered a Green Belt objection could be sustained in this case.

2. Parking and highways considerations

Highways have raised a number of detailed concerns in relation to the access, manoeuvring and parking arrangements as shown on the submitted layout plan and recommend refusal on this basis. As noted, the detailed layout of the site is

separately controlled by the site licenses. For the purposes of this planning application, the submitted layout plan should only be regarded as indicative. However it is necessary to consider whether a satisfactory layout could be achieved, taking account of the concerns of Highways Officers and site licensing requirements.

In relation to parking provision and the potential loss of communal parking areas, Private Sector Housing have advised that licensing requirements dictate that one public parking space would be required for every for mobile homes. Therefore a minimum of 27 public parking spaces would be required on the site. Private Sector Housing has confirmed that sufficient off-street parking could be provided for the number mobile home plots now sought.

Notwithstanding this, there will be a need for the site layout to be revised in light of Highways comments. The applicant has confirmed their intention to address the specific concerns regarding the access and manoeuvring arrangements, and driver visibility onto Half Moon Lane prior to seeking a revision to the site licenses. In this instance, having regard to the indicative layout plan which shows a replacement vehicular access from Half Moon Lane, it is considered appropriate to attach a condition to any planning permission granted to secure further details of suitable visibility splays to be provided.

3. Other matters

The concerns regarding the potential loss of the grassed area within the Downlands area are noted. However, as the layout of the site can evolve over time as mobile home units are replaced and site licensing requirements change, it is not considered reasonable to raise objection to this, in relation to South Bedfordshire Local Plan Review Policy H12.

Regarding the various concerns raised in relation to site maintenance, infrastructure, services and fire safety, these represent practical considerations for the applicants as site owners, and are subject to controls under separate legislation.

It is noted that the application site is located within approximately 150 metres of the Fantastic Fireworks site at the south western end of Halfmoon Lane. Having regard to the Town and Country Planning (General Development Procedure) Order 1995 (as amended), Officers have requested the comments of the Health and Safety Executive regarding the proposed development. Any additional comments received in relation to this will be presented as part of the Committee Late Sheet.

The Council's Planning Obligations SPD for the north area states that charges will not be applied to mobile homes. As the Council's south area SPD is silent on this matter, it is considered appropriate to apply a consistent approach throughout the Council's area in relation to planning obligations and mobile homes. As such the proposal does not generate a requirement for planning obligations.

Recommendation

That Planning Permission be GRANTED subject to the following:

- 1 The development 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 **Before development begins, details of visibility splays to be provided at the junction between the new estate road(s) and the existing highway shall be submitted and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details and the approved vision splay(s) shall, on land in the applicant's control, be kept free of any obstruction.**

Reason: To provide adequate visibility within the site to make the new road(s) and access(es) safe and convenient for the traffic which is likely to use them.

- 3 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted location plan received by the Local Planning Authority on 3 December 2012.

Reason: For the avoidance of doubt.

Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process. 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) (Amendment No. 2) Order 2012.

Reasons for Granting

The continued use of the site as a mobile home park for a total of 105 mobile home plots is acceptable in terms of the impact upon the Green Belt and, subject to separate controls over the specific site layout under the Caravan Sites and Control of Development Act 1960, is not considered to be in conflict with the development plan policies comprising the South Bedfordshire Local Plan Review, the emerging Development Strategy for Central Bedfordshire and national guidance contained in the National Planning Policy Framework.

Notes to Applicant

1. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the reason for any condition above relates to the Policies as referred to in the South

Bedfordshire Local Plan Review (SBLPR) and the emerging Development Strategy for Central Bedfordshire (DSCB).

- 2. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

DECISION

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