

## **Item No. 21**

**APPLICATION NUMBER** CB/12/03622/FULL  
**LOCATION** Home Farm, Dunstable Road, Tilsworth, Leighton Buzzard, LU7 9PU  
**PROPOSAL** Permission is sort for change of use of land to a residential caravan site for one Romani Gypsy family. The pitch to contain one static caravan, one touring caravan and parking for two vehicles with associated hardstanding and one septic tank. (Retrospective).  
**PARISH** Tilsworth  
**WARD** Heath & Reach  
**WARD COUNCILLORS** Cllr Versallion  
**CASE OFFICER** Vicki Davies  
**DATE REGISTERED** 03 October 2012  
**EXPIRY DATE** 28 November 2012  
**APPLICANT** Mr & Mrs John & Debbie Price  
**AGENT** Bucks Floating Support  
**REASON FOR COMMITTEE TO DETERMINE** At the request of Cllr Versallion due to the Green Belt location, the planning history of the site and the current appeals on adjoining sites.

**RECOMMENDED DECISION** Full Application - Granted

### **Recommendation**

That Planning Permission be approved subject to the following:

- 1 The occupation of the caravans on the Site hereby permitted shall be limited to the following persons and their dependant relatives:

Mr John Price and Mrs Debbie Price.

Reason: In recognition of the location of the site in the Green Belt and the "very special circumstances" case accepted in accordance with the National Planning Policy Framework.

- 2 No caravan located on the Site shall be occupied for residential purposes by persons other than Gypsies and Travellers, as defined in annexe 1 of Planning Policy for Traveller Sites 2012.

Reason: To ensure that the occupation of the residential caravans on the site is restricted to Gypsies and Travellers.

- 3 No more than 2 caravans, of which no more than 1 of which shall be mobile homes, shall be located on the Site and occupied for residential purposes.

Reason: In recognition of the location of the site in the Green Belt and having regard to the provisions of the National Planning Policy Framework.

- 4 No commercial activity shall take place on the Site, including the storage of materials.

Reason: In order to ensure that the development has no unacceptable adverse effect upon general or residential amenity.  
(SBLPR Policy BE8 & DSCB policy 43).

- 5 The use hereby permitted shall cease and all caravans, structures, equipment and materials brought onto the land for the purposes of such use shall be removed within 28 days of the date of failure to meet any one of the requirements set out in (i) to (v) below:

- (i) within 3 months of the date of this decision a scheme for the means of foul and surface water drainage of the site shall be submitted to and approved by the Local Planning Authority, the approved scheme shall be implemented with 3 months of the date of approval;
- (ii) within 3 months of the date of this decision a scheme for landscaping of the site, to include details of all tree, hedge and shrub planting, details of species, plant sizes and proposed numbers and densities, shall be submitted to and approved by the Local Planning Authority, the approved scheme shall be implemented within 3 month of the date of approval;
- (iii) within 3 months of the date of this decision the proposed vehicular access shall be constructed and surfaced in accordance with details to be approved in writing by the Local Planning Authority for a distance of 15m 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.
- (iv) within 3 months of the date of this decision a scheme for the storage and collection of waste from the site shall be submitted to and approved in writing by the Local Planning Authority, the approved scheme shall be implemented within 3 months of the date of approval;
- (v) within 3 months of the date of this decision a scheme for external lighting of the site shall be submitted to and approved in writing by the Local Planning Authority, the approved scheme shall be implemented within 3 months of the date of approval;
- (vi) within three months of the new access being 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 accordance with a scheme submitted to and approved by the Local Planning Authority, the scheme shall include the details of the closure of the access, boundary treatment and landscaping.

Reason: To ensure an appropriate standard of development.  
(SBLPR policy BE8 and DSCB policy 43).

- 6 Visibility splays shall be provided at the junction of the vehicular access with the public highway. The splays shall extend to the limits of the site's highway frontage on each side of the access from a point on the centre line of the access measured 2.4m back from the road channel. The vision splays so described shall be maintained free of any obstruction to visibility.

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.  
(DSCB policy 43).

- 7 Any gates provided shall open away from the highway and be set back a distance of at least 14.0 metres from the nearside edge of the carriageway of the adjoining highway.

Reason: To enable vehicles towing caravans or trailers to draw off the highway before the gates are opened.

- 8 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers BP-001DE & L-0101A.

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 during the determination process which led to additional supporting information being submitted. 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 proposal is contrary to Green Belt policy however on balance it is considered that the general unmet need and the personal circumstances of the site occupants by reason of health, education and cultural factors weigh in favour of the application. In addition the highway safety issues previously identified have been overcome. Overall it is considered that there are Very Special Circumstances which outweigh the harm to the Green Belt and that subject to conditions the proposal would be acceptable and is therefore in accordance with policy BE8 of the South Bedfordshire Local Plan Review, policies 36 and 43 of the emerging Development Strategy for Central Bedfordshire and national policy within the National Planning Policy Framework and Planning Policy for Traveller Sites.

### **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.
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 Ampthill Road, Bedford MK42 9BD 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 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 Ampthill Road, Bedford MK42 9BD.
5. The applicant is advised that the closure of existing access shall include the removal of the existing concrete apron and the reinstatement of the highway to include any verge, hedging and kerbing in a manner to be agreed in writing with Bedfordshire Highways, Central Bedfordshire Council's Highways Helpdesk, Technology House, 239 Ampthill Road, Bedford MK42 9BD. 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.

## NOTES

- (1) In advance of the consideration of the application the Committee were advised of a 'Change of Description' to the application to remove reference to a Portaloo. Therefore a change to Condition (8) was proposed and an additional informative which was sent via a letter.
- (2) In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.