

## **Item No. 12**

<b>APPLICATION NUMBER</b>	<b>CB/14/01384/REG3</b>
<b>LOCATION</b>	<b>Land to North West of Maulden Road, South of A507, Flitwick</b>
<b>PROPOSAL</b>	<b>CHANGE OF USE: A change of use from agricultural land to country park with associated access and parking provision</b>
<b>PARISH</b>	<b>Flitwick</b>
<b>WARD</b>	<b>Flitwick</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Mrs Chapman, Gomm &amp; Turner</b>
<b>CASE OFFICER</b>	<b>Dee Walker</b>
<b>DATE REGISTERED</b>	<b>10 April 2014</b>
<b>EXPIRY DATE</b>	<b>10 July 2014</b>
<b>APPLICANT</b>	<b>Central Bedfordshire Council</b>
<b>AGENT</b>	<b>B3 Architects</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>CBC is the application and brought to Committee by the Head of Development Management.</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Granted</b>

**CBC is the applicant and brought to Committee by the Head of Development Management**

### **Summary of Recommendation:**

The proposal would not be considered inappropriate development within the Green belt and would preserve the openness therefore conforming with the National Planning Policy Framework; Policies DM3 and DM16 of Central Bedfordshire Council's Core Strategy and Development Management Policies (2009) and Policies 23, 56 and 65 of the emerging Development Strategy for Central Bedfordshire (2014).

### **Site Location:**

The application site is land situated off Maulden Road in Flitwick. It is bound to the north-north west by the Anglian Water Sewerage Treatment Works, north by the A507, east by Maulden Road and south by the public right of way (Bridleway No. 2) with further agricultural land beyond. The site is wholly owned by Central Bedfordshire Council but under a short term rent to a local farmer. The site is currently farmed and has rapeseed oil growing on it at the time of the site visit.

### **The Application:**

This application seeks permission for the change of use of the land from agricultural to country park including associated access and parking provision.

## **RELEVANT POLICIES:**

### **National Planning Policy Framework 2012**

Section 8	Promoting health communities
Section 9	Protecting Green Belt land
Section 11	Conserving and enhancing the natural environment

### **Central Bedfordshire Council's Core Strategy and Development Management Policies 2009**

Policy CS17	Green Infrastructure
Policy DM3	High Quality Development
Policy DM16	Green Infrastructure

### **Central Bedfordshire Council's Emerging Development Strategy 2014**

Policy 3	Green Belt
Policy 22	Leisure and open space provision
Policy 23	Public Rights of Way
Policy 56	Green Infrastructure
Policy 65	North East of Flitwick Strategic Allocation

Having regard to the National Planning Policy Framework, some 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 currently out to public consultation and due to be submitted to the Secretary of State in late 2014.

### **Supplementary Planning Guidance**

None

### **Relevant Planning History**

None

### **Representations: (Parish & Neighbours)**

Flitwick Town Council	No comments received
Nearby Occupiers	No comments received

### **Consultations/Publicity responses**

CBC Archaeology	No objection
CBC Contaminated	No comments to make

Land Officer		
CBC Ecology		No objection
CBC Highways		No objection subject to relevant conditions being attached to any permission granted
CBC	Public	No comments to make
Protection Officer		
CBC Rights of Way Officer		No comments received
I.D.B		No objections
The Greensand Trust		The Greensand Trust welcomes provision of a Country Park at this location and supports the application for a change of use to facilitate this. Though smaller in size, the application area is in a location consistent with the Flitwick Country Park proposals developed several years ago by the Trust, the then County Council and others.
Site Notices posted		17.04.2012 located lamppost adjacent to A507/Maulden Road roundabout; bridleway signpost at Maulden Road crossing, signpost at FP9/BW2 interjunction and signpost at The Ridgeway/BW2 merge
Newspaper Advert		18.04.2014

## Determining Issues

The main considerations of the application are;

1. Policy and Principle
2. The visual impact and impact on the residential amenity of neighbouring properties
3. Parking and Access
4. Any other implications of the proposal
  - *Archaeology*
  - *Drainage*
  - *The Greensand Trust*
  - *Human Rights*
  - *Equalities Act 2010*

## Considerations

### 1. Policy and Principle

- 1.1 The application site covers approx. 24.01ha of arable land and is located within the open countryside and the designated South Bedfordshire Green Belt.
- 1.2 The National Planning Policy Framework (NPPF) in section 9 sets out the importance of Green Belt and the fundamental aim to prevent urban sprawl and retain their openness and their permanence. Inappropriate development should not be approved as it is considered harmful to the Green Belt. Paragraph 81 of the NPPF sets out that opportunity such as outdoor recreation should enhance the beneficial use of the Green Belt and such the proposed country park is considered to be appropriate.

- 1.3 The Core Strategy and Development Management Policies 2009 emphasises in Policy DM3 that proposals shall '*contribute positively to creating a sense of place and respect local distinctiveness ...*' and given that this application is solely to change the use of the land to a more informal public green space it will constitute appropriate development within the Green Belt and retain a physical separation between the two settlements of Flitwick and Ampthill.
- 1.4 With regard to the emerging Development Strategy for Central Bedfordshire, the application site forms part of the North East of Flitwick Strategic Allocation, this has been identified as a suitable location of an employment site and Country Park. It states within the preamble that the vision for the Country Park is to provide accessible informal open space which enhances the area, remains within the Green Belt and ensures the retained separation of Flitwick and Ampthill. Policy 65 sets out the delivery of this together with a wider scope of employment expansion but the latter are not under consideration within this application.
- 1.5 It is therefore considered that the proposed change of use of the land would be in accordance with current and emerging policies.
- 1.6 Given the change in use proposed for the site, an indicative access and car parking location was provided to support the application at the request of the Highways Officer. In policy terms this is acceptable subject to a suitably worded condition be attached to any planning permission granted to ensure the appropriate finishes/materials are used in this Green Belt location.

## **2. Visual impact and Impact on the residential amenity of neighbouring properties**

- 2.1 Although the proposal is primarily for the change of use of the land, it does provide for an access off the Maulden Road and car park provision for this future use. Details of the surfacing and general facilities around the car park can be required as a condition to ensure appropriate finishes within this Green Belt location. The actual use of the land as a Country Park is not considered to result in any adverse visual impact or impact on the residential amenity of neighbouring properties.

## **3. Parking and access**

- 3.1 The Highways Officer was consulted on the initial proposal and requested that an indicative access and location of parking be provided in order for them to assess the proposed use on the impact on the local road network. As such an indicative plan was submitted showing the location of access from Maulden Road. Following this submission the Highways Officer considered the indicative details acceptable but requested conditions be attached to any permission granted for further details on the vehicular access, visibility splays, surfacing, parking & turning area layout, cycle parking and construction period control on mud and workers parking.

#### **4. Any other implications**

##### **4.1 Archaeology**

The Archaeology Officer has advised that the proposed development site lies within an area that has produced a palimpsest of significant archaeological remains dating from the prehistoric through to the medieval period (for example HER 15311, 918 and 919). Under the terms of the National Planning Policy Framework these are heritage assets with archaeological interest. However, the nature of the proposals are such that there will be no impact upon any surviving archaeological remains and therefore the Officer raises no objections to this application on archaeological grounds.

##### **4.2 Drainage**

The Internal Drainage Board (IDB) was consulted on the proposal and advised that providing there is to be both no change to the existing storm water drainage arrangements and no increase in the impervious area of this site, no objections are raised.

##### **4.3 The Greensand Trust**

The Bedfordshire Strategic Green Infrastructure (GI) Plan (2007), the Mid Bedfordshire GI Plan (2008), the Flitwick GI Plan (2010) and the Ampthill GI Plan (2010) have all reflected the need for such a facility in this location, to serve the needs of the significantly expanding local population and the reduce pressure on existing sites such as Ampthill Park and Coopers Hill SSSI.

- While only at the change of use stage, it is useful to embed key principles:
- As a minimum we suggest the Country Park is designed to meet the standards required for Country Park Accreditation through the scheme developed by Natural England;
- The Country Park should be easily accessible on foot, cycle, horse and public transport;
- The Country Park should include a range of habitats reflecting the local area, supporting Biodiversity Action Plan targets where appropriate;
- The Country Park should be integrated with the adjacent greenspace being developed at the Warren Farm development, including a safe crossing of the A507; and
- Appropriate screening should be used to reduce obtrusion from industrial buildings, the A507 and the sewage works, in keeping with the local landscape.

The Greensand Trust wishes to be consulted at relevant future stages, including design/masterplanning as this scheme develops.

Further comments have been received, with regards to potential pedestrian/cycle access points towards Ampthill as well as Flitwick. This provision does not form part of this application and may be considered within a subsequent further application.

It is considered that the proposal can consider the above requirements through the submission of more detailed proposals.

#### 4.4 Human Rights

The development has been assessed in the context of human rights and would have no relevant implications.

#### 4.5 The Equalities Act 2010

The development has been assessed in the context of the Equalities Act 2010 and would have no relevant implications.

### **Recommendation**

It is recommended that planning permission be **GRANTED** subject to the conditions detailed below.

### **RECOMMENDED CONDITIONS / REASONS**

- 1 The development hereby permitted 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 **No development shall take place until details of the layout and surfacing of the parking areas in the location shown as hatched on plan no. GA101A has been submitted to and 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. The parking layout and surfacing shall be constructed in accordance with the approved details before the country park is first brought into use and retained thereafter.**

**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.**

**(Policy 43, DSCB)**

- 3 **Notwithstanding the details shown, no development shall take place until details of the junction of the proposed vehicular access with the highway have been submitted to and approved in writing by the Local Planning Authority. The country park shall not be brought into use until the junction 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.**

**(policy 43, DSCB)**

- 4 **No development shall take place until a scheme for the secure parking of cycles on the site (including the internal dimensions of the cycle parking area, stands/brackets to be used and access thereto), has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the country park is first brought into use and thereafter retained for this purpose (See Notes to Applicant)**

**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.  
(Policy 43, DSCB)**

- 5 **No development shall take place until a scheme detailing provision for on site parking for construction workers and deliveries for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.**

**Reason: To ensure adequate off street parking during construction in the interests of road safety.  
(Policy 43, DSCB)**

- 6 **No development shall take place until details of wheel-cleaning facilities at all site exits have been submitted to and approved in writing by the Local Planning Authority. No development shall take place until the approved facilities have been installed and made operational and the Site Developer(s) shall ensure that these are used by all vehicles exiting the site until the development has been substantially completed or until the roadworks necessary to provide adequate and clean access to and from the public highway have been completed (apart from final surfacing).**

**Reason: In the interests of the amenity and to prevent the deposit of mud or other extraneous material on the highway during the construction period.  
(Policy 43, DSCB)**

- 7 **The development shall not be brought into use until details of a turning space for vehicles within the curtilage of the site have been submitted to and approved in writing by the Local Planning Authority and the approved turning space has been constructed.**

**Reason: To enable vehicles to draw off, park and turn outside of the highway limits thereby avoiding the reversing of vehicles on to the highway.  
(Policy 43, DSCB)**

- 8 Visibility splays shall be provided at the junction of the vehicular access with the public highway before the development is first 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 215.0m to the south and to the junction with the A507 to the north, measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall be maintained thereafter free of any obstructions to visibility.

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

(Policy 43, DSCB)

- 9 Any gates provided shall open away from the highway and be set back a distance of at least 8.0m 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.

(Policy 43, DSCB)

- 10 Best practical means shall be taken at all times to ensure that all vehicles leaving the development site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway, in particular efficient means shall be installed prior to commencement of the development and thereafter maintained and employed at all times during construction of the development of cleaning the wheels of all lorries leaving the site.

Reason: To minimise the impact of construction vehicles and to improve the amenity of the local area.

(Policy 43, DSCB)

- 11 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers CBC/001, GA 101 A.

Reason: To identify the approved plans and to avoid doubt.

### **Notes to Applicant**

1. 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.



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](http://www.centralbedfordshire.gov.uk).
3. The applicant is advised that this permission extends only to the change of use of the land and does not extend to any further works. Confirmation of the need for planning permission should first be obtained prior to the implementation of any works.
4. 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 approval from the Local Planning Authority for details of the proposed vehicular access junction in accordance with condition 3. Upon formal approval of details, the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk, Tel: 0300 300 8049 quoting the planning application number. 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 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. To fully discharge condition 3, the applicant should provide evidence to the Local Planning Authority that Bedfordshire Highways have undertaken the construction in accordance with the approved plan, before the development is first brought into use.

**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 which led to improvements to the scheme. 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.

**DECISION**

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