

Item No. 11

APPLICATION NUMBER	CB/14/04317/FULL
LOCATION	Riveroaks (formerly Silver Lake Farm), Stanford Lane, Clifton, Shefford, SG17 5EU
PROPOSAL	Change of use and provision of 5 No. pitch travellers site
PARISH	Southill
WARD	Northill
WARD COUNCILLORS	Cllr Mrs Turner
CASE OFFICER	Vicki Davies
DATE REGISTERED	04 November 2014
EXPIRY DATE	30 December 2014
APPLICANT	Mr & Mrs Porter
AGENT	Christopher James Associates
REASON FOR COMMITTEE TO DETERMINE	Called-in by Cllr Mrs Turner for the following reasons: <ul style="list-style-type: none">• part of the site is within the floodplain - impact on site and potential residents• history of refusals and enforcement on site
RECOMMENDED DECISION	Full Application - Approve

Reasons for Recommendation

The application site is in the open countryside where Planning Policy for Traveller Sites sets out that new traveller sites should be strictly limited, in addition the proposal would have an adverse visual impact however on balance it is considered that the general need for Gypsy and Traveller sites; the provision the site would make towards reducing the backlog of pitches; that there would be no significant adverse impact on residential amenity or the historic environment; that the site is in Flood Zone 1, where there is the lowest risk of flooding; the personal need for a site; health needs of the occupants and the rights of the child and need to access education weigh in favour of the application. In addition the highway safety issues identified in relation to previous applications have been overcome. Overall it is considered that subject to conditions the proposal would be acceptable and is therefore in accordance with policy HO12 of the Mid Bedfordshire Local Plan, policies DM3, DM13 & DM14 and policies 43, 45 & 59 of the emerging Development Strategy for Central Bedfordshire and national policy within the National Planning Policy Framework and Planning Policy for Traveller Sites.

Recommendation

That the planning application should be approved subject to the following:

RECOMMENDED CONDITIONS / REASONS

- 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 **No development shall commence until a landscaping scheme to include any hard surfaces and earth mounding has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season and maintained until satisfactorily established.**

Reason: To ensure a satisfactory standard of landscaping in this rural location having regard to the National Planning Policy Framework and to the provisions of Policy HO12 of the Mid Bedfordshire Local Plan Review, Policies DM3 & DM16 of the Core Strategy and Development Management Policies and Policies 43 & 59 of emerging Development Strategy for Central Bedfordshire.

- 3 **No development shall commence until:**

(A) a scheme detailing:

- (i) proposals for foul drainage of the site;**
- (ii) proposals for surface water drainage of the site, based on the site having no impervious areas;**
- (iii) a detailed landscaping scheme for the site;**
- (iv) boundary treatment of the site;**
- (v) waste storage and collection points;**
- (vi) any external lighting;**

(hereafter referred to as the scheme) shall have been submitted for the written approval of the Local Planning Authority and the said scheme shall include a timetable for the implementation of the various components of the scheme;

(B) within 11 months of the date of this decision the scheme shall have been approved by the Local Planning Authority or, if the Local Planning Authority refuse to approve the scheme, or fail to give a decision within the prescribed period, an appeal shall have been made to , and accepted as validly made by, the Secretary of State.

(C) if an appeal is made in pursuance of (B) above, that appeal shall have been finally determined and the submitted scheme shall have been approved by the Secretary of State.

(D) the approved scheme shall have been carried out and completed in accordance with the approved timetable, or in accordance with any amended details and/or revised timetables as might be agreed from

time to time in writing by the Local Planning Authority.

Reason: To ensure an appropriate standard of development and general amenity having regard to the National Planning Policy Framework and to the provisions of Policy HO12 of the Mid Bedfordshire Local Plan Review, Policy DM3 of the Core Strategy and Development Management Policies and Policy 43 of emerging Development Strategy for Central Bedfordshire.

- 4 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.

- 5 The occupation of the caravans on the site hereby permitted shall be limited to the following persons and their dependent relatives:

Mr John Porter (senior) & Mrs Silvia Porter
Mr John Porter (junior) & Mrs Simone Porter
Mr John Wetton & Mrs Tracey Wetton
Mr Mark Smith & Mrs Mel Smith
Hayley Lee

Reason: In recognition of the location of the site in the open countryside and the personal circumstances which weighted in favour of the application in accordance with the National Planning Policy Framework and Planning Policy for Traveller Sites.

- 6 No more than 10 caravans shall be located on the site, of which no more than 5 shall be a mobile home/static caravan.

Reason: In recognition of the location of the site in the open countryside and having regard to the provisions of the National Planning Policy Framework and to the provisions of Policy HO12 of the Mid Bedfordshire Local Plan Review, Policy DM3 of the Core Strategy and Development Management Policies and Policy 43 of emerging Development Strategy for Central Bedfordshire.

- 7 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 having regard to the National Planning Policy Framework and to the provisions of Policy DM3 of the Core Strategy and Development Management Policies and Policy 43 of emerging Development Strategy for Central Bedfordshire.

- 8 Before first occupation of the site for residential purposes the vehicle access arrangement serving the development shown on the approved plans shall be reconstructed to the specification of the Highway Authority and the Local

Planning Authority's satisfaction

Reason: To secure a satisfactory access appropriate to the development, in the interest of public safety and convenience.

- 9 Concurrent with the reconstructed access being brought into use all other existing access points not incorporated in the development hereby permitted shall be stopped up by raising any existing dropped kerbs and reinstating the verge and highway boundary to the same line, level and detail as the adjoining footway verge and highway boundary

Reason: To limit the number of access points onto the highway where vehicular movements can occur for the safety and convenience of the highway user.

- 10 All on-site vehicle areas shall be surfaced in tarmacadam or similar durable, porous but bound material and arrangements shall be made for surface water 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 extraneous material or surface water from the site into the highway so as to safeguard the interest of highway safety.

- 11 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan, numbers 108/01/14 & 108/02/14 rev A.

Reason: For the avoidance of doubt.

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 Mid 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 applicants are advised that a Mobile Home Site License will be required
4. **Environment Agency Advice**

The applicant's attention is drawn to the Planning Practice Guidance to the NPPF which requires an applicant to demonstrate that a connection to the public foul sewer is not available.

Further information can be found in the guidance: "Treatment and disposal of sewage where no foul sewer is available: PPG4" which can be found here: <https://www.gov.uk/government/collections/pollution-prevention-guidance-ppg>

Consent

Consent for the discharge of effluent may be required from us. Please call 03708 506506 for further information. *This is irrespective of any planning approval.*

5. The applicant is advised that no works associated with the reconstruction of the vehicular access or closure of any existing 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 contact Central Bedfordshire Council's Highway Help Desk on 03003008049. 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.
6. The applicant is advised that parking for contractor's vehicles and the storage of materials associated with this development should take place within the site and not extend into within the public highway without authorisation from the highway authority. If necessary the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk on 03003008049. Under the provisions of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of construction of the development hereby approved.

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

It is recommended that planning permission be granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage 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.

[Notes:

1. In advance of consideration of the application the Committee received representations made under the Public Participation Scheme.
2. In advance of consideration of the application the Committee were advised of a correction to the Note to Applicant No. 1 and additional consultation / publicity responses as set out in the Late Sheet attached to these minutes.]