

Item No. 9

APPLICATION NUMBER	CB/15/00667/FULL
LOCATION	Flitton Moor, Brook Lane, Flitton, MK45 5EJ
PROPOSAL	Erection of new shelter to replace existing.
PARISH	Flitton/Greenfield
WARD	Westoning, Flitton & Greenfield
WARD COUNCILLORS	Cllr Jamieson
CASE OFFICER	Annabel Robinson
DATE REGISTERED	20 February 2015
EXPIRY DATE	17 April 2015
APPLICANT	Central Bedfordshire Council
AGENT	
REASON FOR COMMITTEE TO DETERMINE	Central Bedfordshire is the applicant and objections have been received.
RECOMMENDED DECISION	Full Application - Approval

Summary of Recommendation:

The planning application is recommended for approval, the replacement shelters would be in accordance with Central Bedfordshire Core Strategy and Development Management Policy DM3, and DM16. It would not have a significant impact upon the residential amenity of any adjacent properties and would result in a development suitable for the location, in accordance with the National Planning Policy Framework. It is considered that the design is in accordance with the Central Bedfordshire Design Guide.

Site Location:

The application site comprises land at Flitton Moor, Brook Lane in Flitton, which is a County Wildlife Site and a Local Nature Reserve, the siting of the building is not within the County Wildlife Site. The reserve is open to the public, owned by Central Bedfordshire Council and maintained by a group of volunteers known as "Friends of Flitton Moor". The site forms part of the Greensand Trust route known as "The Two Moors Heritage Trail".

There has recently been a barn style shelter on the site near the Brook Lane access to the site, this was used for informal shelter in inclement weather.

The Application:

Demolition of the existing barn shelter and erection of replacement building, to provide shelter, and information boards to inform walkers/visitor information.

The existing building - 10.8 metres in length, by 6 metres in width, with a height of 4.5 metres.

The proposed replacement building - 9.3 metres in length, by 5.1 metres in width, with a height of 3.3 metres.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

- 7 Requiring good design
- 11 Conserving and enhancing the natural environment

Core Strategy and Development Management Policies, November 2009

- Policy DM3 High Quality Development
- Policy CS17 Green Infrastructure
- Policy CS18 Biodiversity and Geological Conservation
- Policy DM15 Biodiversity
- Policy DM16 Green Infrastructure

Supplementary Planning Guidance

Design in Central Bedfordshire 2014

Planning History

None Relevant

**Representations:
(Parish & Neighbours)**

Flitton Parish Council No comments received

Neighbours Two letters of objection:

The Old Forge, Brook Lane:

1). The current building is unused. The new building will attract more visitors/events leading to increased traffic (cars and pedestrians) moving along the lane towards the new building. Our garden backs on to this lane and there will be increased noise and disturbance.

2) Parking. There is no proposed parking (nor should there be) on the site. Meaning an increase in visitors will need to park somewhere. This will be along the footpath and along brook lane, and most likely people will park within our private barns area as this is the nearest available space. How will emergency vehicles gain access should they need to if parking levels are increased (Brook Lane is a very narrow road). It will not be possible

for these emergency vehicles to pass through. Likewise it is likely that we may at times be unable to park at our own property.

3) The new building will attract more events which may be at night time, therefore disturbing the peace

4) There is an issue with groups of youths using the moor at night (the police are aware of this) and causing a disturbance (revving car engines and shouting, particularly in the summer. A new building will almost certainly attract them even more.

5) Work has already started on the building (demolition, foundations laid, concrete trucks present). How can this be if the proposal has not been decided?

The Granny, Brook Lane:

1) Available parking – there is limited parking at the bottom of Brook Lane, it's a very tight lane and I am concerned about both access for residents and also emergency vehicles. Also our access road for the barns is privately owned and it may be that visitors use our private parking areas.

2) Noise and disruption – there is already an issue with disruptive people who use the moors in the evenings and at night, starting fires and making noise. I am concerned a new shelter might exacerbate this problem.

3) Events – it is not clear, to me anyway, what the new use of the property will be but if it is for events, then a proper and thorough consultation must take place especially on nature of events, number of guests and timing of events in light of points 1) and 2) noise, disruption, time of events, number of events and parking.

Consultations/Publicity responses

Site Notice	No comments received
IDB	No objection
Public Protection	No comment to make
Rights of Way Officer	Strongly support the application

Determining Issues

The main considerations of the application are;

1. The principle of the development

2. Any other implications of the proposal

Considerations

1. The principle of the development

The site is within the open countryside. Pre-application was sought to ascertain if planning permission was required for the demolition of the existing building, or the construction of a replacement building. Since the time of this application was submitted the existing building on the site was removed, there were concerns over the safety of this building.

Policy DM16 states:

The Council will promote and protect green infrastructure by ensuring that proposed residential and commercial development:

- will contribute to the provision, extension and maintenance of green infrastructure in accordance with the requirements outlined in the area profiles in Chapter 3 Spatial Strategy, and in accordance with the mechanisms in the Planning Obligations Strategy.*
- which adversely affects identified green infrastructure assets and/or prevents the implementation of green infrastructure projects will not be permitted.*

Green Infrastructure is defined as:

Green Infrastructure (GI) is a term used to describe a network of spaces, often linked by green corridors that include green places accessible to the public, commons and greens, nature reserves, country parks, historic parks and gardens waterways and water bodies, rights of way and ancient monuments. The green infrastructure network is defined and set out in the Mid Bedfordshire Green Infrastructure Plan and seeks to protect existing GI assets and build on them to provide a multi functional network, connecting settlements to the countryside, allowing an enhanced quality of life to existing and new residents.

It is considered that the replacement of this building with a structure which is more usable and practical for visitors would result in an enhancement of the Green Infrastructure facilities in Central Bedfordshire. It is considered that the building is smaller than the original building, and it would be more practical for visitors, therefore the development is considered to be in accordance with Policy DM16 of the Core Strategy and Development Management Policy Document 2009 and the enhancement of the natural environment as set out within Section 11 of the National Planning Policy Framework (2012).

2. Any other implications

Impact upon the visual amenity of the area:

It is considered that the shelter will be a visual enhancement on the previous building, which was in a state of dilapidation. In addition this building would be of

smaller proportions and therefore less prominent. It is considered that it would have an acceptable impact upon the visual amenities of the area, this is in accordance with DM3 of the Core Strategy and Development Management Policy Document 2009.

Flooding:

The IDB has no objections to this proposal, the development is within a flood zone, it is considered that should the building be flooded, people will not use the facility. The building would be open sided, which is a similar situation to the existing building on the site.

Impact upon neighbouring properties:

Due to the distance from any residential properties and the scale of the proposal, it is considered that there would not be any significant impact upon the residential amenities of the adjacent properties, this has been considered in terms of light, privacy, the causing of an overbearing impact, and loss of outlook.

Two letters have been received from neighbouring properties:

1). The current building is unused. The new building will attract more visitors/events leading to increased traffic (cars and pedestrians) moving along the lane towards the new building. Our garden backs on to this lane and there will be increased noise and disturbance. / Noise and disruption – there is already an issue with disruptive people who use the moors in the evenings and at night, starting fires and making noise. I am concerned a new shelter might exacerbate this problem.

The building would be in the location of the shelter that previously served as a refuge in inclement weather, it forms part of an established Green Infrastructure network. It is considered that the possibility that a development might encourage the additional use of the Green Infrastructure network is considered not be a reason for refusal. The dwelling houses are approximately 85 metres from the proposed shelter, it is considered, that the building would not be so additionally used that it would cause a significant disturbance to residential properties. Flitton Moor is a public nature reserve, where its use should be encouraged. The possibility of anti social behaviour is not considered a reason for refusal, this would be a police matter, should misuse arise.

2) Parking. There is no proposed parking (nor should there be) on the site. Meaning an increase in visitors will need to park somewhere. This will be along the footpath and along brook lane, and most likely people will park within our private barns area as this is the nearest available space. How will emergency vehicles gain access should they need to if parking levels are increased (Brook Lane is a very narrow road). It will not be possible for these emergency vehicles to pass through. Likewise it is likely that we may at times be unable to park at our own property. / Available parking – there is limited parking at the bottom of Brook Lane, it's a very tight lane and I am concerned about both access for residents and also emergency vehicles. Also our access road for the barns is privately owned and it may be that visitors use our private

parking areas.

It is considered that this building would not particularly attract additional visitors over and above those who already visit the moor. It is an upgrading of an existing facility, however it would remain an open sided barn style shelter, it may have some educational/information boards within it. It is not expected that the shelter would become a destination for visiting tourists. There is no vehicular access to the shelter, or parking proposed, it is considered that the existing situation would remain, this is considered acceptable.

3) The new building will attract more events which may be at night time, therefore disturbing the peace. / Events – it is not clear, to me anyway, what the new use of the property will be but if it is for events, then a proper and thorough consultation must take place especially on nature of events, number of guests and timing of events in light of points 1) and 2) noise, disruption, time of events, number of events and parking.

It is not the intention that the building would be used to host events, this would be an open sided shelter, which would hold some information boards. The building is not large enough, or enclosed enough to become a formal venue for substantial events.

4) There is an issue with groups of youths using the moor at night (the police are aware of this) and causing a disturbance (revving car engines and shouting, particularly in the summer. A new building will almost certainly attract them even more.

This is a police matter, and not a reason for refusal. The moor is open to the public 24 hours a day, this can not be restricted though this application.

5) Work has already started on the building (demolition, foundations laid, concrete trucks present). How can this be if the proposal has not been decided?

After the application was submitted, the group whom had raised the money for the new building, made the decision that the existing building was unsafe, and decided that it should be removed, the demolition of the building did not require planning permission.

Recommendation:

That the Planning Permission be Granted subject to the following conditions:

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 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers site CBC/001, CBC/002, CBC/003, CBC/004.

Reason: To identify the approved plan/s and to avoid doubt.

Notes to Applicant

1. 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.
2. The applicants attention is drawn to their responsibility under The Equality Act 2010 and with particular regard to access arrangements for the disabled.

The Equality Act 2010 requires that service providers must think ahead and make reasonable adjustments to address barriers that impede disabled people.

These requirements are as follows:

- Where a provision, criterion or practice puts disabled people at a substantial disadvantage to take reasonable steps to avoid that disadvantage;
- Where a physical feature puts disabled people at a substantial disadvantage to avoid that disadvantage or adopt a reasonable alternative method of providing the service or exercising the function;
- Where not providing an auxiliary aid puts disabled people at a substantial disadvantage to provide that auxiliary aid.

In doing this, it is a good idea to consider the range of disabilities that your actual or potential service users might have. You should not wait until a disabled person experiences difficulties using a service, as this may make it too late to make the necessary adjustment.

For further information on disability access contact:

The Centre for Accessible Environments (www.cae.org.uk)
Central Bedfordshire Access Group (www.centralbedsaccessgroup.co.uk)

Planning permission has been approved 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.

DECISION

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