

17 August 2015
CAPL/249054/A3/CC

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Dear Ms Boyd

PLANNING APPLICATION CB/15/02657: BRIDGE FARM, SHEFFORD

We write on behalf of Mr and Mrs Foster who own land adjacent and to the east and south of the above application site. My clients (and before them, their family farming company, Polehanger Farms Limited, which formerly owned the land) have promoted their land through the development plan process over a number of years and been involved in many discussions with the Council regarding its development. They also commented on planning applications CB/12/01125/FUL, CB/12/01123/OUTLINE and CB/14/02182 which related to the land in question (of which they were not notified). Despite this, and us pointing this out to the Council on numerous occasions, again they have not been notified by the Council of the receipt a planning application on land which adjoins their land. As you will be aware, Article 15(4)(a)(ii) of the Development Management Procedure Order 2015 requires that for major applications the local planning authority serve notice on the adjoining landowners and occupiers.

Timing of committee

My clients are surprised at the speed with which this planning application is being presented to committee. The application was registered on 15th July 2015. The consultation period runs until the 28th August, yet the application is to be considered by members 10 days before the consultation period has expired. It is simply not possible for members to be aware of all the issues in relation to the application when the consultation period is still open.

Principle of development

Policy MA6 of the adopted Site Allocations DPD identifies the application site for a mixed use development of residential development and "a minimum of...2 hectares of employment land".


The S106 agreement executed in relation to planning application CB/12/01123/OUTLINE requires that the owners market the site for a period of three years. That planning permission was granted on the 29th November 2012. The S106 requires that the site be marketed from the date of permission, however, as set out in application CB/14/02182 marketing of the site for employment purposes commenced in December 2013.

The committee report states that the land has been marketed over a period of four years, but that is clearly inconsistent with the information submitted in relation CB/14/02182. It is also inconsistent with the letter which accompanies the application from Robinson Hall dated 10th February which says marketing commenced in December 2013.

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As set out in that earlier planning application, marketing actually commenced in December 2013. The site has therefore only been marketed for 19 months, not the 3 years required by the s106. The committee report at para. 1.3 is clearly incorrect and could mislead members where it says the marketing period expires in November. A 3 year marketing is required under the S106 and therefore the period expires in December 2017.

It is also clear that the limited marketing to date is not supported by the Council's Economic Growth team. Matt Pyecroft's email of 8th August sets out numerous criticism of the marketing, none of which are set out in the committee report.


The approach to marketing falls considerably short of what is expected.

The land in question was allocated by the development plan to meet the employment needs of Shefford and its surrounding area during the local plan period to 2026. The purpose of the development system is to take a long term view as to what is needed in the area. There remains a considerable period of the plan period left to run and that whilst we consider that Shefford is an appropriate location in principle for further housing growth, we consider that the appropriate vehicle for determining the most suitable sites is the Neighbourhood Plan process which the Council has put in place and which can consider all the options for growth.

Safeguarding delivery of future sustainable development

A fundamental requirement for the development of land allocated by Policy MA6 is to safeguard a route through site MA6 to allow future access and services to land to the south and east. That requirement is not referred to in the committee report.

The purpose of this requirement of the development plan is to ensure that the potential for future sustainable development at Shefford is not hindered in the interests of the proper planning of sustainable development in the area. We consider that the application as it stands does not comply with the intentions of the development plan nor the NPPF. The NPPF sets out to ensure the delivery of sustainable development and places a positive obligation on local authorities to achieve sustainable development.



The submitted plan *Shef2-03-100 revB plot landscaping* shows trees at the end of the one of the access roads. Neither of the access roads are shown running to the boundary of the site.

Central Bedfordshire is a predominantly rural district, with a number of small market towns and large villages. The supply of previously developed land in sustainable locations is limited. It is inevitable therefore that greenfield land will be required in order to meet future housing needs in a sustainable way. The southern edge of Shefford has previously been considered to be a sustainable location. Owing to the constraints in the District and at Shefford, Policy MA6 requires that the development of the allocation does not prejudice the delivery of further development to the east and south of the allocation. In the interests of good planning and of achieving sustainable development, the Council should require, through a legal agreement, that roads and services to adoptable standards are provided to the boundaries of the application site with land to the east and south. Without such a stipulation the Council can not be certain that a key policy objective, namely the proper planning of sustainable development in its area, will be achieved. This requirement needs to be brought to members attention and its implications fully considered. Should the Council decide to grant planning permission, both routes need to be assured through a legal agreement.

We request to be consulted on the wording of any legal agreement. That wording should require that roads and services are delivered to adoptable standards failing which sustainable development and the good planning of the area will not be achieved.



Impact on working farm

The land to the south and east forms part of an active farm holding and business. It is critical that the future of that business is not put at risk by development proposals and does not restrict my clients legitimate business operations. The field in question is used for cropping purposes. In order to operate efficiently and effectively the field is farmed using modern heavy agricultural machinery. My clients are concerned that unless adequate safeguards are put in place occupiers of new homes will exert pressure to curtail their legitimate farming of the land and that their land may become increasingly under pressure from trespass and consequent damage to crops and the field may be liable to damage during construction. There is currently no physical demarcation of the boundary along the eastern side. It is critical therefore that should the Council decide to grant planning permission, the boundaries to our clients' land are appropriately secured from within the development site ahead of commencement. That should be secured through a S106 agreement and require that a 2.4 metre (8 feet) high fence be constructed along the boundary prior to the commencement of development. That legal agreement should also contain a covenant by the owners of the application site from time to time to maintain such fence unless and except for the provision of access to the land to the south and east.

Yours sincerely



**Colin Campbell BSc Dip TP MRTPI
Director**