

Item No. 7

APPLICATION NUMBER	CB/15/02482/FULL
LOCATION	Paradise Farm, The Causeway, Clophill, Bedford, MK45 4BA
PROPOSAL	Change of use of land to provide three additional residential pitches adjacent to the existing Gypsy caravan site, for members of the Gypsy community. The site to contain three static caravans, three touring caravans and parking for six vehicles with associated hardstanding.Retention of replacement stables. This is a part retrospective application.
PARISH	Clophill
WARD	Amphill
WARD COUNCILLORS	Cllrs Duckett, Blair & Downing
CASE OFFICER	Lisa Newlands
DATE REGISTERED	03 July 2015
EXPIRY DATE	28 August 2015
APPLICANT	Mr N Gumble
AGENT	BFSGC
REASON FOR COMMITTEE TO DETERMINE	Called in by Councillor Duckett on the following grounds: <ul style="list-style-type: none">• outside the settlement envelope• flood plain
RECOMMENDED DECISION	Full Application - Approval

Recommendation

That the application be GRANTED subject to the following:

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 caravan located on the Site shall be occupied for residential purposes by persons other than Gypsies and Travellers, as defined by the Planning Policy for Traveller Sites 2015.

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

- 3 No more than 3 caravans, and 3 tourers, shall be located on the Site and occupied for residential purposes.

Reason: In recognition of the location of the site in the countryside 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 having regard to the National Planning Policy Framework and to the provisions of Policy DM3 of the Core Strategy and Development Management Policies (2009).

- 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 (vi) below:

i. 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;

ii. 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;

iii. within 3 months of the date of this decision a landscaping scheme to screen the site, clearly identifying ground preparation works, details of all tree, hedge and shrub planting and where appropriate earth mounding including details of species, plant sizes and proposed numbers and densities, together with their means and their protection should be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented during the first full planting season following the completion of the development. 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.

iv. within 3 months of the date of this decision a plan showing the layout of the site including the position and size of the caravans and external appearance of the static caravans and the demolition of all existing buildings on the site, other than those previously approved, 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.

Reason: To ensure an appropriate standard of development.

(CS policy DM3 and DSCB policy 43).

- 6 No caravans shall be located on the site until the approved flood compensation works have been carried out. All caravans/ residential accommodation shall be secured in position.

Reason: To ensure that the protection of any future occupants in the event of flooding and to protect the site against future flooding.

- 7 No development shall take place on the site until a habitat management plan has been submitted to and approved in writing by the Local Planning Authority. To ensure the site is managed appropriately.

Reason: To enhance the biodiversity of the site.

- 8 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers BP-01; SB-01; Site Location Plan; Flood compensation scheme (Revision A and email dated 14th December 2015)

Reason: For the avoidance of doubt.

INFORMATIVE NOTES TO APPLICANT

1. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the Core Strategy and Development Management Policies Document (2009)
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.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, Article 35

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) Order 2015.

[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 additional consultation / publicity responses contained in the Late Sheet from the following:
 - a. An adjacent landowner had written to all members of the Committee raising concerns that the summary of the consultation responses did not adequately summarise the comments submitted.
 - b. The Internal Drainage Board had not objected to the application and had agreed the flood compensation measures.
 - c. At the Committee Site Visit Members had questioned the land north of the proposed site. This land had not been owned the applicant but subsequently has been acquired.]