

Item No. 9

APPLICATION NUMBER	CB/15/01739/FULL
LOCATION	Land adj to Popes Farm, 19 Tempsford Road, Sandy, SG19 2AE
PROPOSAL	Application for consent for use for up to three Gypsy and Traveller Pitches with associated hardstanding, access and fencing.
PARISH	Sandy
WARD	Sandy
WARD COUNCILLORS	Cllrs Maudlin, Smith & Stock
CASE OFFICER	Alex Harrison
DATE REGISTERED	13 May 2015
EXPIRY DATE	08 July 2015
APPLICANT	Mr Farrer
AGENT	Barford+Co
REASON FOR COMMITTEE TO DETERMINE	Called in by Cllr Maudlin: <ul style="list-style-type: none">• Access could result in adverse highway impact.• Impact on the character of the area• Concerns over flooding
RECOMMENDED DECISION	Full Application - Approval recommended

Reason for recommendation

The proposed development would be in a sustainable location and would provide 3 transit caravan pitches towards the Councils 5 year supply of gypsy and traveller accommodation needs in accordance with the National Planning Policy Framework and Planning Policy for Traveller Sites. The proposal would not result in unacceptable harm to the character of the area or an adverse impact on the residential amenity of neighbouring properties to the extent that it would outweigh the benefit of providing pitches at a time when the Council cannot demonstrate a 5 year land supply. It is acceptable in terms of highway safety therefore by reason of its size, design and location, is in conformity with Policy DM3 of the Core Strategy and Management Policies, November 2009; and The National Planning Policy Framework, Planning Policy for Traveller Sites and Saved Policy HO12 of the Mid Beds Local Plan Review.

Site Location:

The application site forms a redundant parcel of land located outside of the settlement envelope of Sandy. The site is overgrown and has evidence of former buildings/structures that would have previously occupied the site. Currently the site is fenced off.

The site sits close to the A1 and is accessed via a no through road that serves a handful of dwellings in the immediate area and a kennels which abuts the site on

two sides. The southern boundary of the site abuts a public right of way. The site is not within a designated flood risk area.

The Application:

Planning permission is sought for the change of use of the land to allow the siting of up to three gypsy and traveller pitches with associated hardstanding access and fencing.

Since its original submission a noise survey has been submitted along with amended layout and elevations showing a number of outbuildings and walls proposed that were not shown in the initial submission

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Core Strategy and Development Management Policies - North 2009

CS5 (Providing Homes)

CS14 (High Quality Development)

CS16 (Landscape and Woodland)

DM3 (High Quality Development)

DM4 (Development within and beyond Settlement Envelopes)

DM14 (Landscape and Woodland)

Mid Bedfordshire Local Plan Review December (2005)

Saved policy - HO12 - Gypsies

Draft Gypsy and Traveller Plan

In June 2014, Central Bedfordshire Council submitted the Gypsy and Traveller Plan to the Planning Inspectorate for Examination after a long process of preparation and consultation.

In August 2014, the issues and matters that the Inspector wished to discuss were received. In doing so, he raised significant issues on a substantial number of matters and asked the Council to undertake a considerable amount of additional work prior to the commencement of the Examination hearings.

Following considerations of these matters Officers concluded that it was unrealistic for the Council to respond within the proposed timescale and recommended to Members (via Executive on 19th August 2014 and subsequently at Council on 11th September 2014) that the plan was withdrawn. This document therefore carries little weight in the determination of this application. However for the purpose of assessing a planning application for the suitability of a proposed site, the policies contained within the document are considered to be useful guidelines as to whether a proposal is considered to be acceptable for its intended purpose.

Those policies thought to be relevant are:

GT5 (Assessing planning applications for Gypsy and Traveller sites)

Development Strategy

At the meeting of Full Council on 19 November 2015 it was resolved to withdraw the

Development Strategy. Preparation of the Central Bedfordshire Local Plan has begun. A substantial volume of evidence gathered over a number of years will help support this document. These technical papers are consistent with the spirit of the NPPF and therefore will remain on our website as material considerations which may inform further development management decisions.

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

Relevant Planning History:

None

Consultees:

Sandy Town Council

Initial Submission

It was resolved to object to this application on the grounds of the site being inappropriate for development as it does not meet criteria; potential excessive traffic noise, with a complete lack of screening from the A1, a classified Flood risk 3 area, noise from mobile homes carrying, drainage problems.

Following the additional/amended details.

After discussion it was **resolved** to object strongly to this application on the grounds of the site being inappropriate for development as it does not meet established criteria; potential excessive traffic noise, with a complete lack of screening from the A1, a classified Flood risk 3 area. Members resolved the site to be unsuitable for the proposed use for Gypsy and Traveller pitches since the potential exposure to excessive noise to those living in caravans and the like would result in an unsatisfactory level of residential amenity.

It was noted that the noise report presented with this application is entirely inappropriate being since it pertains to a separate application at land adjacent to 1 Georgetown Cottages, and is irrelevant to the application under consideration.

LDF Team

Initial Submission

The application is for three Gypsy and Traveller pitches to the rear of the site, with soft landscaping along the frontage with Tempsford Road. The application site is located to the west of Sandy, separated by the A1.

In June 2014, Central Bedfordshire Council submitted the Gypsy and Traveller Plan to the Planning Inspectorate for Examination after a long process of preparation and consultation. In August 2014, the issues and matters that

the Inspector wished to discuss were received. Following considerations of these matters, the plan was withdrawn. The withdrawn Gypsy and Traveller Plan sought to allocated sites that were considered suitable and deliverable for the provision of Gypsy and Traveller pitches. Potential sites were assessed using a three stage process. The application site (site 112) was assessed and failed at Stage 2 of the assessment. Part of the site assessment in stage 2 considered the visual and acoustic privacy and visual amenity of the site. The assessment considered that the noise from the A1 road directly to the east of the site and Kennels to the north would highly likely result in unacceptable noise levels which cannot be mitigated to meet the Council's noise standards. Another criterion was the site's safe access from the public highway. The assessment concluded that Tempsford Road is a small road unsuitable for large vehicles. As a result of these two factors the site was considered inappropriate for development.

The site lies just outside the settlement envelope of Sandy and is separated from Sandy by the A1. To access services in Sandy, residents would have to access Sandy by crossing under the A1.

The new Planning Policy for Traveller Sites guidance sets out that Local Authorities should strictly limit new Traveller site development in open countryside that is away from existing settlements. Planning Policy for Traveller Sites is specifically designed to provide guidance on determining Gypsy applications and to ensure fair and equal treatment for Travellers, in a way that facilitates that traditional and nomadic way of life for Travellers whilst respecting the interests of the settled community.

The new policy document requires that Local Planning Authorities carry out a full assessment of the need of Gypsies and Travellers in their area in liaison with neighbouring authorities to determine the need for sites. Sites should be specific deliverable sites sufficient to provide 5 years worth of sites against the authorities locally set targets.

Paragraph 25 of the Planning Policy for Traveller Sites sets out that if a local authority cannot demonstrate an up-to-date five-year supply of deliverable sites, this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary consent.

The withdrawn Gypsy and Traveller Plan was prepared to deliver the pitch requirement for Central Bedfordshire to

2031 in order to meet the five-year supply of deliverable sites. In preparation of the Gypsy and Traveller Local Plan the Council had a new Gypsy, Traveller and Showperson Accommodation Assessment (GTAA) undertaken, dated January 2014. This Assessment is considered to be up to date and highlighted that there are a small number of unauthorised pitches, temporary consents, concealed households and people on waiting lists for the Council-run sites which are considered to represent the backlog of need within the area.

The need for Gypsy and Traveller pitches to 2031 is set out in the GTAA update as:

- Number of pitches in Central Bedfordshire in January 2014 - 247
- Pitch need from 2014 to 2019 (to meet backlog) - 35
- Growth between 2014-2019 (2%) - 19
- Growth between 2020-2024 (2%) - 30
- Growth between 2025-2029 (2%) - 33
- Growth between 2030-2031 (2%) - 14

- Total need to 2031 - 131 pitches

The current version of the GTAA identified that Council had allocated sufficient sites to provide the required number of pitches to deliver a 5 year land supply but pitches delivered through applications on existing sites or new unallocated sites would contribute to the number of windfall pitches provided. However, the Gypsy and Traveller Plan is now withdrawn and there are no allocated sites to deliver these pitches.

Applications such as this therefore potentially make a contribution to the delivery of the required number of Gypsy and Traveller pitches and help to maintain the required 5 year land supply trajectory providing they are acceptable in all other respects.

Highways

Initial Submission

The proposal is for the siting of three traveller pitches and associated access and parking provision, on a piece of unkempt land. There has been a previous outline application (15/01646) but the highway authority were not consulted with regard to this.

Please be aware that the red line plan includes land with highway rights over it, although the indicative layout has no construction within this land.

Access is taken from a no through road that runs parallel to the A1. Access to Georgetown is via a roundabout

which provides adequate visibility. To the north of the site is a small turning head and the site also has an existing access at the north of the sites frontage that will be required to be closed and re-instated. Visibility from the proposed access is acceptable.

Georgetown is a narrow road under 5.0m wide which will allow the passing of cars but a larger vehicle/towing vehicle will possibly require the entire width of the road. There are no passing places for vehicles to wait while a large vehicle passes. The applicant has not submitted any details regarding the frequency of large vehicles/towing vehicles using the road, I am assuming this will be infrequent?

This is a full application however the proposed layout is indicative only and subject to alteration. There are also no details of the size of vehicles entering/egressing from the site and a tracking diagram is required to ascertain the junction indicated is capable of access/egress without over run and damage to the highway.

Before I can assess the proposal with regard to the effect it will have on the public highway I will require some further information:

- Tracking diagrams of the largest towing vehicle entering/egressing the site
- Frequency of movements of large and/or towing vehicles entering/egressing the site
- Are the homes to be static (large mobile homes) with mobile caravans for each pitch
- Tracked diagram of turning within the site
- Vehicle parking provision and long stay cycle parking in accordance with current guidance
- Refuse collection point located at the site frontage outside of the public highway
- There should be no planting within the highway as indicated on the indicative layout

Following the additional/amended details.

The applicant has submitted a revised plan for the site showing three pitches and associated parking. Please be aware that the store and refuse buildings abut the public highway, and should be set back slightly into the site as the foundations, roof overhang and drainpipes will be within the public highway. It is also noted that the plan shows planting within the public highway which is not acceptable.

There are some issues with the proposal that will need to be addressed prior to further comments:

- The access should be widened to 4.7m to allow for the two way flow of vehicles at the access
- Tracking diagrams of the largest towing vehicle entering/egressing the site to ascertain that there is no overrun either side of the access or across the land opposite from the access
- Frequency of movements of large and/or towing vehicles entering/egressing the site
- Are the homes to be static (large mobile homes) with mobile caravans for each pitch
- Vehicle parking provision and long stay cycle parking in accordance with current guidance
- There should be no planting within the highway as indicated on the indicative layout

Following these comments further details were submitted to address the bullet points. No comments from Highways at the time of drafting this report.

Pollution Team

Initial Submission

The dominant noise source affecting the site is from the adjacent A1 trunk road. Whereas it is possible to mitigate external noise and meet internal noise standards in conventionally constructed dwellings achieving such sound insulation in Gypsy and Traveller accommodation is more difficult. However the issue of meeting the outdoor amenity standard for both the settled and travelling community is the same. The applicant states that to mitigate for road noise new planting on the eastern boundary with the Highway would help improve amenity in terms of noise pollution. In order to be effective against road traffic noise any planting would have to be high, dense and thick enough so that it cannot be seen through. Shrubs or other ground cover are necessary to provide the required density near the ground. Around 30 metres of dense vegetation can reduce noise by around 5 decibels. In general plantings by themselves do not provide much sound insulation.

Recommend a noise condition is scheme is supported.

Central Bedfordshire Council's primary approach is to physically separate conflicting land uses. If this cannot be achieved then emphasis should be placed on maximising layout, orientation and screening of buildings. The inclusion of barriers to achieve acceptable acoustic conditions would be the last resort. BS8233:2014 recognises that in certain circumstances, such as urban areas adjoining the strategic transport network, the upper guideline value of 55dB LAeq, T is not achievable. BS8233 continues that in such a situation,

development should be designed to achieve the lowest practicable levels in these external amenity spaces, but should not be prohibited.

Following the additional/amended details.

I write with respect to the above application and having considered the various arguments in terms of acoustics I am satisfied with the proposal. In terms of conditions there is no requirement for them to submit a scheme as the scheme is in fact detailed on the plans / acoustic report (consisting of buildings and fences etc.). You will therefore only have to ensure that built in accordance with the plans through an appropriate condition

Anglian Water

Initial Submission

It may be possible that the proposals could be in compliance with Part H4 of the Building Regulations 2010. So please be sure to check the Part H4 Criteria on our web site, if your proposals are H4 compliant then Building Control can approve your proposals on our behalf and Anglian Water would not need to be involved. Also, if the distance between any new buildings and any public sewer is more than 3.0m then an agreement will not be required.

Following the additional/amended details.

No further comments received.

Internal Drainage Board

Initial Submission

It is not clear which method of storm water disposal is to be employed, as the applicant proposed to use soakaways and discharge to the main sewer.

If the method is to be by way of soakaways then it is essential that the ground conditions be investigated and if found satisfactory the soakaways constructed in accordance with the latest BRE Digest 365.

In the event that ground conditions are found not to be suitable for soakaway drainage any direct discharge to the nearby watercourse will require the Board's prior consent.

With respect to any alternatives to the above methods of surface water discharge the applicant should enquire of Anglian Water whether a public sewer is available.

The Board therefore suggest that planning permission should not be granted without conditions requiring that the applicant's storm water design and construction proposals are adequate before any development commences.

Following the additional/amended details.

Highways England

Initial Submission

Raised no objections

Following the additional/amended details.

Raised no objections.

Housing Officer

Initial Submission

While there is space for three pitches on this site I am unsure as to why this piece of land is being used for traveller sites - isn't this within the settlement envelope and there are issues I'm assuming with the neighbouring properties as these are dwelling houses.

However if this is to go ahead is it possible that we could ensure that the following is done:-

- That there is proof that the traveller developing the site has ownership - this may not be an issue for planning but it is a very real legal issue for PSH and its licensing requirements.
- That there are proper drainage plans for connection to the mains sewer - I think this is reasonable given the distance and location of the main road.
- That there are suitable fencing and boundaries in place for the site; often these are manipulated over time so these should be appropriate and secure.
- That the relevant services are connected to the mains; Electricity and water obviously but gas too if its there.
- That there is enough space for any consideration of a day room - especially as this is 'permitted development' as planners see it under the site license.

Following the additional/amended details.

The main concerns PSH Housing Solutions would have are the following:

- There are still vacant pitches on the two sites further down the A1. Why are these not being used.
- Wouldn't this site be better used as a light commercial site for a business/development opportunity given its location.
- The types of homes placed there are what? Its not

- clear from the planning application.
- Outbuilding? This is not sufficient. There should only be day rooms and a storage area for the site - not 'outbuildings' that can be used for a variety of purposes.
- Its not clear that this is for a traveller family, a multiple site for travellers or for travelling showpersons. This is essential as the site licenses differ over who and what the land is intended for.

Other Representations:

Neighbours

Initial submission.

9 Letters were received raising the following planning objections:

- Unsuitable location for travellers. Site has previously been considered for travellers and rejected.
- Small residential area would be overwhelmed by such an allocation. There would be noise disturbance from the adjacent kennels and A1 trunk road. No details submitted to address noise impacts with the application [originally]
- Access road too narrow for towing caravans
- Site appears to include an area of public highway.
- Amenity space too small to accommodate inevitable business activities on the site.
- Residential development would be more appropriate
- Site is overlooked by 3 properties
- Safety concerns as there is no protection from the A1
- Drainage problems with the sewers.
- No room to park on the access road.
- Harmful noise impacts on existing dwellings, 17 Georgetown Cottages
- Concerns of crime and safety.
- Loss of views across the existing site.
- Development would be out of character with the area.
- Drainage and waste proposals are unclear

A petition as submitted objecting to the application on some of the grounds raised above and signed by 9 residences on Georgetown Cottages.

Following submission of amended/additional information [new additional comments provided on top of those raised above shown].

- Site plan significantly out of date omitting present

- Noise survey does not address kennels next to the site.
- Noise evidence taken from 1 Georgetown Cottages further south of the site and is misleading.
- Revise layout includes tall buildings and is a different proposal. The high walls would give a fortress appearance and would give a startling impact on the streetscene.

One third party letter received included a Consultant report on the submitted noise assessment which concluded a number of shortcomings in the applicant's submission.

Following submission of further revised information a new consultation period is running and Members will be updated of any further letters received.

Determining Issues:

The main considerations of the application are;

1. Principle
2. Affect on the Character and Appearance of the Area
3. Neighbouring Amenity
4. Highway Considerations
5. Planning Balance
6. Other Considerations

Considerations

1. Principle of Development

- 1.1 The site lies outside of the built up area of Sandy, adjacent the settlement envelope. In policy terms it is within the open countryside where there is a general presumption against the granting of planning permission for new development as set out by Policy DM4 of the Core Strategy and Development Management Policies Document (2009). It is acknowledged that the dwellings immediately south of the site are within the settlement envelope and the application site sits adjacent to buildings to the north and west as well.
- 1.2 Planning Policy for Traveller Sites 2015 (PPTS) guidance sets out that Local Authorities should ensure that traveller sites are sustainable economically, socially and environmentally. The guidance requires that Local Planning Authorities carry out a full assessment of the need of Gypsies and Travellers in their area and identify a supply of deliverable sites sufficient to provide 5 years worth of sites against their locally set targets.
- 1.3 Paragraph 25 of the PPTS sets out that if a local authority cannot demonstrate an up-to-date five-year supply of deliverable sites, this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary consent.
- 1.4 Gypsy and Traveller Pitch Provision

A Central Bedfordshire-wide Gypsy and Traveller Plan (GTP) was prepared to deliver the pitch requirement for Central Bedfordshire to 2031 and was subject to public consultation following approval at full Council in February 2014. The Plan was later submitted to the Secretary of State in June 2014, however as noted earlier the Inspector raised a number of questions regarding the Plan and the Plan was later withdrawn. The Plan therefore carries very little weight in the determination of this application.

- 1.5 In preparation of the Plan the Council had a new Gypsy, Traveller and Showperson Accommodation Assessment (GTAA) undertaken, dated January 2014. This Assessment is considered to be up to date and highlights that there are a small number of unauthorised pitches, temporary consents, concealed households and people on waiting lists for the Council-run sites which are considered to represent the backlog of need within the area.
- 1.6 The need for Gypsy and Traveller pitches to 2031 is set out in the GTAA update and Full Council agreed on 30th January 2014 that the GTAA be endorsed and that the specific sites identified are taken forward to deliver 66 Gypsy and Traveller pitches.
- 1.7 While the current version of the GTAA identifies that Council has allocated sufficient sites to provide the required number of pitches to deliver a 5 year land supply the plan has been withdrawn and therefore the 5 year supply cannot be demonstrated. Nevertheless, pitches delivered through applications on existing sites or new unallocated sites would contribute to the number of windfall pitches provided.
- 1.8 Sustainability
The PPTS states, in para 25, that:

25. Local planning authorities should very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. Local planning authorities should ensure that sites in rural areas respect the scale of, and do not dominate, the nearest settled community, and avoid placing an undue pressure on the local infrastructure.
- 1.9 The site is close to the available facilities at Sandy. The site is within walking distance of Sandy which is identified as a Minor Service Centre under Policy CS1 of the Core Strategy where there are a number of facilities and services together with the railway station providing links to London.
- 1.10 The site has been previously rejected from inclusion as an allocated site on the grounds of concerns regarding highways access and noise impact due to the proximity to the A1. Regardless of this, a formal application still has to be considered on its merits. In terms of the access to facilities the site is considered to be sustainable in principle. In order for the site to be considered appropriate in planning terms a proposal has to be considered acceptable in regards to the other material considerations which include the impact on the character of the area, the appropriateness of the access and noise impact.
- 1.11 Issue of need
The application as submitted was unclear as to the type of accommodation

proposed although the agent has clarified that it is likely to be transit pitches. It should be noted that, if approved, it would be possible for gypsy and travellers to occupy the site permanently in theory. The transit nature of the proposal would be managed privately by the applicant and could not be conditioned by the Council. This lack of clarity led to a request to provide details on whether there is an identified need for the pitches. The applicant has confirmed there is no specific identified need that has resulted in this proposal but also highlights that the Council's need as part of the now withdrawn GTP was done on a district wide basis rather than anything more specific. Furthermore reference was made to the questions raised by Examination Inspector in his Pre-Hearing questions relating to the criteria in policy GT5 which stated:

'Why should a proposal demonstrate a local need, bearing in mind that need is not usually a test for residential development? (Clearly need may be a material consideration, but that is different to making it a policy requirement.)'

On this basis the applicant has stated that they consider it not necessary to prove an identified need for the application.

- 1.12 In a recent appeal decision at Twin Acres, Arlesey (APP/P0240/W/15/3004755) the Inspector noted:

"Although the Council prepared the Central Bedfordshire Gypsy and Traveller Local Plan, that plan has been withdrawn and there are no allocated sites."

This decision has previously been referred to in reports to this Committee. The Inspector went on to say:

"It is clear there is a significant unmet, immediate need for gypsy and traveller pitches" and again to say "As a matter of policy the absence of an up to date five year supply of deliverable sites is a significant material consideration in applications for temporary permission by virtue of paragraph 25 of the PPTS. However, this factor is capable of being a material consideration in any case and with another appeal ref APP/P0240/A/12/2179237, concerning a site within Central Bedfordshire, the Secretary of State concluded that the need for sites carried considerable weight and the failure of policy was also afforded significant weight. That must remain the case today."

- 1.13 On the basis of the considerations above the principle of development is considered to be acceptable in this instance.

2. The effect on the character and appearance of the area

- 2.1 Currently the site lies outside of, but adjacent to, the settlement envelope for Sandy. It is open and largely enclosed by fencing that allows views into and beyond the site. Although being located in the open countryside in planning terms it is acknowledged that there are dwellings adjacent the site to the north and south, a commercial kennel building to the west and the A1 runs to the east. The location therefore cannot be considered to be isolated or rural.

- 2.2 When considering planning applications, paragraph 26 of the PTSS states:

26. When considering applications, local planning authorities should attach weight to the following matters:

- a. *effective use of previously developed (brownfield), untidy or derelict land*
- b. *sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness*
- c. *promoting opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children*
- d. *not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community*

2.3 Development of the site will affect the character and appearance of the area. A number of outbuildings are proposed, the majority of which would be sited adjacent the eastern boundary (front) of the site to act as a noise buffer. Smaller buildings are also proposed within the site. The boundaries of the site will be treated by solid boundary walls with a height of between 2 and 3 metres. As a result of the works the site will become entirely enclosed from the public realm. There are planting strips proposed in parts to soften what would otherwise be a continually hard frontage to the site when viewed from both the public realm and from within neighbouring sites.

2.4 The change in character would result in low scale outbuildings along with high and abrupt boundary treatments at a site that is currently unkempt and open with a mixture of enclosure types. The PPTS states that, in considering applications weight should be given to not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community (para 26). This proposal will use high enclosures on the boundaries of the site and will fully enclose it in the area. However at the point that the walls are over 2 metres in height and the buildings are most prevalent, this is done to address the impacts of noise levels from the adjacent A1 traffic and is proposed as much for amenity reasons but it would have an effect on the character of the area. The amenity considerations are detailed below but in respect of the impact on the character of the area the change is material.

2.5 The inclusion of outbuildings provide for a better streetscene than would be the case if it were simply enclosures. The 3 metre high stretches of wall is not ideal visually, particularly for users of the adjacent right of way but it is considered that, on balance, the impact is not significantly harmful to the extent that it would warrant refusing an application. It is considered that the impact of the enclosures could be softened further on the southern boundary, adjacent the right of way, by increasing the planting strip in front of it, allowing for a greater extent of landscaping in this area. This can be secured through condition and would be provided entirely within the applicant's land.

2.6 On the basis of the considerations above the impact on the character and appearance of the area is considered to not be detrimental to the extent that it would warrant a refusal of planning permission when considered as part of the individual merits of the scheme.

3. The Impact on residential amenity

3.1 Existing residential amenity.

The site is located very close to a number of existing dwellings. The impact on noise, lighting and activities from the site on the amenity of neighbouring residents is a pertinent consideration and in this respect there will be an impact

purely on the basis that the site is undeveloped and unoccupied at present and any residential development will alter that.

- 3.2 Noise impact can be mitigated against through built forms and boundary treatments. This application proposes a number of utility outbuildings on the frontage of the site, principally done to buffer noise from the adjacent A1 but it also has an effect on restraining noise emission levels from the site itself. To the sides a 3 metres high wall is proposed on both boundaries which drops to 2 metres as it runs in a westwards. A landscape belt is proposed along part of the southern boundary. The western boundary is not detailed but it is assumed that a 2 metre wall is proposed here as well. In any case boundary treatments can be controlled by condition. The solid boundary treatments mean that it would restrict noise emissions from the site.
- 3.3 Noise can be generated from activities relating to vehicle/caravan movements at the site. The applicant did not initially specify the type of accommodation proposed on each plot but envisaged that they would be occupied as 'transit pitches'. As a definition this is a site intended for temporary use with stays often ranging from between 28 days and 3 months. The applicant's agent is quite clear in the submission that there is flexibility to accommodate permanent pitches or show people plots however in the letter dated 22 January 2015 it is confirmed that the site is to be used as a transit site. Considerations are therefore made on this basis only.
- 3.4 The closeness of existing dwellings to the site means that significant increases in activity on the site will affect the amenity levels enjoyed by occupants currently. A transit site that is subject to potentially frequent levels of activity from users would result in some impact on the amenity of existing residents, most notably those adjacent the site, through vehicle noise, including moving and stationing of caravans and occupant noise. A site providing permanent pitches would have a lesser impact due to the less transient nature of activities and occupants. It would result in an impact to the occupiers of Popes Farm and 15 & 17 Georgetown Cottages and while this is acknowledged it is not considered to be an impact that would warrant a justified reason to refuse the application when taking account of the individual merits of the application.
- 3.5 As the report has noted, the Council's lack of deliverable supply to accommodation means that significant weight should be given to proposals for such sites. The report will go on to address the planning balance, of which the concerns and harm found to neighbouring amenity will form part of.
- 3.6 Proposed Residential Amenity.
The site has been previously put forward for consideration as an allocated site. The reasons for its rejections included concerns over noise impacts from the A1 being such that an appropriate level of amenity could not be achieved for future occupiers. There are other sites adjacent the A1 that provide Gypsy and Traveller pitches, including Long Lake Meadow which currently has an application for an additional 5 pitches under consideration at the Council. . This concern was raised to the applicant and a noise assessment produced as a result. The initial submission failed to demonstrate that amenity levels could be achieved for varying reasons. A second document, submitted as a direct response to a third party objection which included an alternative assessment, was submitted. The Pollution Team has considered the information and noted

the mitigation measures proposed, which includes the boundary treatments and building locations, and has raised no objections. The advice has been given that the implementation of the layout as submitted would address amenity concerns and provide an acceptable level for occupiers.

- 3.7 As there is no objection from the Council's Pollution Team it is considered that it would not be reasonable to give weight to the previous reasons for rejecting the site when considering it for formal allocation. The issue remained pertinent but now that technical studies have been completed to assess the issue it is considered that the applicant has demonstrated that it can be addressed and therefore no objection is raised.

4. Highway Considerations

- 4.1 The site is proposed to be accessed from Georgetown which links to Sandy and the A1 by a roundabout junction arrangement. The applicant has submitted details demonstrating vehicle tracking movements of a 4x4 vehicle and two axle caravan into and out of the site as requested by the Highways Officer and these details are currently being considered.
- 4.2 In spite of the application lacking any specific detail initially the agent has confirmed that the site will be a transit site and would accommodate touring caravans. Therefore if the tracking details are considered to be accurate then the access can be considered acceptable. Members will be updated on the Highway Officer's view in the late sheet.
- 4.3 The Highways Agency has raised no objections to the proposal.
- 4.4 The site layout shows suitable parking space is provided for resident and visitor parking spaces within the site. The concerns regarding on street parking are noted however the site is considered to provide enough parking.

5. Planning Balance

- 5.1 The Council is unable to demonstrate a deliverable 5 year supply of sites. Therefore significant weight should be afforded to sites subject to planning applications that would contribute to this supply. The PTTS states that proposals should be assessed in accordance with the presumption in favour of sustainable development. The report has concluded that the site is considered to be in a sustainable location and would be suitably close to services and facilities within Sandy. The site is currently previously developed land (having once contained buildings) and is unkempt. While outside the settlement envelope it would not encroach into the open countryside to the extent that it would harm the character of the area. The site would provide G&T accommodation at a time when there is a need for pitches and this application would contribute to its growth.
- 5.2 Taking account of the above points the site is considered to be acceptable in light of the three strands (social, environmental and economical) of sustainable development as set out in the NPPF and can therefore be regarded as such.
- 5.3 In terms of the impacts resulting from the scheme, they should be weighed against the benefits as perceived. In this instance the report has highlighted that there will be harmful impacts as a result of this scheme. They amount to noise and disturbance to immediately adjacent residents, visual impact looking onto

the site from first floor windows and a hard and abrupt edge as a result of the proposed enclosure of the site affecting the character of the area.

- 5.4 As stated already, the benefit of the scheme is the provision of a deliverable site providing and this has to be given significant weight. In considering the previous appeal decision at Twin Acres it is considered that the weight that should be attributed to the provision of pitches is significant to the extent that it should outweigh the impacts of the scheme. The impacts on neighbouring amenity and the character of the area are acknowledged in the report however the impacts would have to be considered to be significant and demonstrable to outweigh the benefits of pitch provision in the absence of a 5 year land supply.
- 5.5 It is necessary to consider the extent of development on the site and number of pitches. It is considered that the level of information certainly fails to demonstrate that the site is suitable for travelling showpeople. The nature of travelling showpeople pitches are such that they required to accommodate larger vehicles than touring caravans and also are subject to repair and maintenance works. The layout does not appear to accommodate this and in any case the non-residential nature of travelling showpeople pitches would likely have an unacceptable impact on neighbouring residential amenity through noise and disturbance.
- 5.6 The applicant has advised that the site would be for transit pitches. The layout shows three pitches and it would be necessary to limit its occupation to one caravan per pitch through condition in the interests of providing suitable pitch space and the interests of neighbouring residential amenity.
- 5.7 On this basis it is considered that the scheme will have an impact on the area and amenity as highlighted above but, in affording significant weight to the provision of pitches as required by the PPTS, it is considered that the scheme should be supported in this instance as the benefits outweigh the impacts of the scheme.

6. Other Considerations

6.1 Human Rights and Equality issues:

Based on the information submitted there are no known issues raised in the context of Human Rights/equalities Act 2010 and as such there would be no relevant implications with this proposal.

6.2 Flooding

There are no objections to the development in terms of flooding or drainage.

Recommendation:

That Planning Permission 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 The site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1 of Planning Policy for Traveller Sites, August 2015, or any subsequent guidance.

Reason: To limit the use of the site to gypsies and travellers as the proposal is justified on addressing a need for such accommodation.

- 3 No more than 3 touring caravans shall be stationed on the site at any one time.

Reason: To control the level of development in the interests of visual and residential amenity.

- 4 **Notwithstanding the details in the approved plans, no development shall take place until details have been submitted to and approved in writing by the Local Planning Authority of full elevation plans and floor plans of the buildings hereby approved. The works shall then be carried out in accordance with the approved detail and shall be complete before the use hereby permitted commences.**

Reasons: In the interests of clarity as not all elevations have been provided and in the interests of providing noise attenuation for site occupiers.

- 5 No vehicle over 3.5 tonnes shall be stationed, parked or stored on this site.

Reason: In order to protect the amenities of local residents.

- 6 No commercial activities shall take place on the land, including the storage of materials.

Reason: In order to protect the amenities of local residents.

- 7 **No development shall take place, notwithstanding the details submitted with the application, until details of the materials to be used for the external walls and roofs of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**

**Reason: To control the appearance of the building in the interests of the visual amenities of the locality.
(Section 7, NPPF)**

- 8 **Notwithstanding the details in the approved plans, no development shall take place until a landscaping scheme to include all hard and soft**

landscaping and a scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall be submitted as part of a revised site layout showing a planting strip running the length of the southern boundary. 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 in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.

**Reason: To ensure an acceptable standard of landscaping.
(Sections 7 & 11, NPPF)**

- 9 **Notwithstanding the details in the approved plans, no development shall take place until details of the proposed walls and means of enclosures have been submitted to and approved in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved scheme before the use hereby permitted is commenced and be thereafter retained.**

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality. (Section 7, NPPF)

- 10 **No development shall take place on site until a detailed scheme for the provision and future management and maintenance of surface water drainage, together with a timetable for its implementation, has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented in accordance with the approved details and timetable and shall be retained thereafter.**

Reason: To ensure suitable drainage is provided and maintained in the interests of flooding and high quality development.

- 11 **No development shall take place until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing the works shall be carried out in accordance with the approved details prior to the occupation of any permitted dwelling. The permitted works shall be retained thereafter.**

Reason: To ensure suitable drainage is provided and maintained in the interests of flooding and high quality development.

- 12 **The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, drawing Numbers S-421P/1A, S-421P/2A, CBC/001 and CBC/002.**

Reason: For the avoidance of doubt.

INFORMATIVE 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.

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 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.

DECISION

.....
.....