

Item No. 7

APPLICATION NUMBER	CB/15/01907/FULL
LOCATION	4 Toddbury Farm, Slapton Road, Little Billington, Leighton Buzzard, LU7 9BP
PROPOSAL	Permission is sought for three additional residential caravans for three Gypsy Traveller families. The site to contain four static caravans, parking for eight vehicles and associated hardstanding and water treatment plant. Retention of workshop building
PARISH	Billington
WARD	Eaton Bray
WARD COUNCILLORS	Cllr Janes
CASE OFFICER	Peter Vosper
DATE REGISTERED	19 May 2015
EXPIRY DATE	14 July 2015
APPLICANT	Mr & Mrs McCarthy
AGENT	BFSGC
REASON FOR COMMITTEE TO DETERMINE	The Development Infrastructure Group Manager recommends that the application be determined at Committee given the public interest and the objections lodged by Billington Parish Council and Slapton Parish Council
RECOMMENDED DECISION	Full application - Recommended for Approval

Recommendation

That Planning Permission be GRANTED subject to the following:

RECOMMENDED CONDITIONS

- 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 business use of the premises hereby permitted shall only be operated by those persons named on the permission hereby granted or on a relevant planning permission as being permitted to reside on the adjoining Toddbury Farm, Traveller Site.

Reason: The Local Planning Authority considers that the personal circumstances of the applicant and adjoining Traveller site override the planning objections which would normally compel the authority to refuse permission for the development hereby permitted.
(Section 9, National Planning Policy Framework)

- 3 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 2015.

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

(Section 9, National Planning Policy Framework)

- 4 The occupation of the residential caravans on the Site hereby permitted shall be limited to the following persons and his/her dependant relatives:

1. Patrick Nolan
2. Kathleen Nolan
3. James Nolan
4. Barbara Nolan

Reason: In recognition of the location of the site in the Green Belt and the "very special circumstances" case accepted.

(Section 9, National Planning Policy Framework)

- 5 No more than four caravans, of which up to four can be static caravans, shall be located on the Site and occupied for residential purposes.

Reason: In recognition of the location of the site in the Green Belt and the "very special circumstances" case accepted.

(Section 9, National Planning Policy Framework)

- 6 In the event that a residential caravan ceases to be occupied by those named and identified in Condition 4 above the residential use hereby permitted shall cease and that residential caravan shall be removed from the Site within 28 days of that date.

Reason: In recognition of the location of the site in the Green Belt and the "very special circumstances" case accepted.

(Section 9, National Planning Policy Framework)

- 7 **The uses hereby permitted shall not be commenced until such time as a scheme to dispose of foul and surface water has been submitted to, and approved in writing by, the Local Planning Authority and the scheme has been implemented accordingly.**

Reason: To demonstrate that discharge to the nearby watercourse would be attenuated to greenfield run-off rates and to protect and prevent the pollution of controlled waters (particularly the Secondary aquifer and River Ouzel to the south of the site) from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework.

(Section 11, National Planning Policy Framework)

- 8 **Before the premises are occupied, details of surfacing for all on-site vehicular areas shall be submitted to and agreed in writing by the Local Planning Authority and implemented in accordance with the approved details to ensure satisfactory parking of vehicles outside highway limits.**

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: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises.

(Policy BE8, S.B.L.P.R)

- 9 **Before development begins, a landscaping scheme to include any hard surfaces and earth mounding, and hedgerow planting of the 2m strip located on the northern boundary of the site as shown on plan PP-04187533, shall be 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, Green Belt location.

(Policy BE8, S.B.L.P.R and Sections 7 and 9, National Planning Policy Framework)

- 10 **The proposed vehicular access shall be constructed and surfaced in accordance with details to be approved in writing by the Local Planning Authority for a distance of 10m into the site, measured from the highway boundary, before the premises are occupied. Arrangement shall be made for surface water drainage 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 mud or other extraneous material or surface water from the site into the highway so as to safeguard the interest of the highway.

- 11 **The business use hereby permitted shall not be undertaken outside the hours of 08:00 to 18:00 on Mondays to Fridays and outside the hours of 08:00 to 14:00 on Saturdays, Sundays, Bank and Public Holidays.**

Reason: To protect the amenities of the area.

(Policy BE8 S.B.L.P.R)

- 12 **The business premises shall only be used for vehicle, mobile home and caravan repairs with ancillary sales and no other purpose (including any other purpose falling within Class B2 or A1 of the Schedule to the Town and Country Planning (Use Classes) Order 2006), or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.**

Reason: To control the development in the interests of amenity.

(Policy BE8 S.B.L.P.R)

- 13 No vehicles, goods, waste or other materials shall be stored, stacked or deposited outside the buildings to a height exceeding 2 metres, excepting where the height of a single vehicle or mobile home is higher.

Reason: To safeguard the amenities of the area and Green Belt.
(Policy BE8, S.B.L.P.R and Sections 7 and 9, National Planning Policy Framework)

- 14 The uses hereby permitted shall not commence until the parking arrangements for cars, commercial vehicles and mobile homes, and turning areas, within the confines of the site shown on drawing no. PP-04187533 have been constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and the parking shall thereafter be retained for such use.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway.
(Policies BE8 & T10 S.B.L.P.R)

- 15 No residential caravan shall be positioned on the site until the northernmost workshop building has been demolished and the resulting debris removed from the site.

Reason: In order to control the development and to protect the openness of the Green Belt. (Section 9, National Planning Policy Framework).

- 16 This consent relates only to the details shown on the submitted plans, numbers PP-02910172 and PP-04187533

Reason: To identify the approved plans and to avoid 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 South Bedfordshire Local Plan Review (SBLPR) and the National Planning Policy Framework (NPPF).
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. In respect of condition 9, the hedge specimens should be made up of "Transplants" of a size category being 60 to 90 cm, with the hedge planted as a double staggered row, with each row set 500mm apart, and the transplants set 500mm apart in each row. This will provide for a good, thick, dense and strong hedge. The following mixture is recommended:-
50% Hawthorn (*Crataegus monogyna*)
30% Blackthorn (*Prunus spinosa*)

10% Dogwood (*Cornus sanguinea*)
10% Spindle (*Euonymus europaeus*)

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.

NOTES

- (1) In advance of the consideration of the application the Committee were advised of additional consultation received from The Tree and Landscape Officer, Buckingham & River Ouzel Internal Drainage Board and one further letter of objection.