

APPLICATION NUMBER	CB/19/01638/FULL
LOCATION	Henlow Bridge Lakes Ltd, Bridge End Road, Henlow, SG16 6LN
PROPOSAL	Caravan storage with associated security fencing; - Ancillary workshop building for caravan repairs and maintenance;- Siting of 30 leisure holiday caravans and one managers unit &- Infilling former water holding area with inert waste from site.
PARISH	Henlow
WARD	Arlesey
WARD COUNCILLORS	Cllrs Dalgarno, Shelvey & Wenham
CASE OFFICER	Benjamin Tracy
DATE REGISTERED	20 June 2019
EXPIRY DATE	19 September 2019
APPLICANT	Henlow Bridge Lakes & Aggregates
AGENT	Sherwood Architects Ltd
REASON FOR COMMITTEE TO DETERMINE	Cllr Ian Dalgarno, Ward Member Call in for the following reasons: <ul style="list-style-type: none"> • Overdevelopment - large development in the open countryside; • Highway Safety Grounds - Access on to the A507 with no roundabout and slow caravans; and • Other - issues with A507 and additional traffic.
RECOMMENDED DECISION	Approve Planning Permission subject to Conditions and S106 agreement.

Summary of Recommendation:

The proposed development would accord with Policy CS11 of the Core Strategy and Development Management Policies (2009) and Policy EMP4 of the Submission Central Bedfordshire Local Plan. Although it is considered that the proposed development would cause a low level of less than substantial harm to the significance to heritage assets, including the Grade II* Listed Building known as The Grange, it is considered that there is clear and convincing justification and the public benefits would outweigh the identified harm, subject to Conditions and S106 agreement to secure on and off site soft landscaping.

For the reasons outlined within this report, the development is considered to accord with the Development Plan and no material considerations indicate otherwise. It is considered that the proposed development would be sustainable subject to conditions and no significant harm has been identified subject to mitigation.

Site Location:

The site known as the Henlow Aggregates site, is located to the north of the A507 Arlesey Road, between the villages of Henlow and Arlesey. To the north of the site is associated land and further to the north is the Grade II* Listed Building known as Henlow Grange and its grounds which is currently used as a Hotel and Health Spa. To the east of the site beyond a Public Right of Way is Henlow Bridge Lakes and Fishery.

The site adjoins a residential dwelling to the south east corner of the site known as The Lodge.

Arlesey Railway Station can be accessed with direct pedestrian access to the site under Arlesey Bridge.

The site is located just outside defined settlement envelopes whereby the site is considered to be within the open countryside.

A portion of the site is considered to form previously developed land as defined by the Lawful Development Certificate reference CB/16/04707/LDCE dated 27 January 2017, whereby the lawful use of that portion of the site is "use of land and buildings for the importation, handling, bagging, storage and distribution of aggregates, plant and materials (sui-generis including uses within class B2 and B8 activities)".

The Application:

The application seeks full planning permission for the Change of Use of land to:

- the siting of 30 leisure holiday caravans;
- the siting of a single caravan restricted to the occupation of a site manager; and
- Caravan Storage with ancillary maintenance/ repair.

The application also seeks full planning permission for operational development consisting of the construction of an ancillary building for the repair/ maintenance of caravans, hard landscaping and alterations to site ground levels.

Soft landscaping is also proposed both within the site and on land outside of the application site area but on land within the control of the applicant.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (February 2019)

National Planning Policy Guidance

Core Strategy and Development Management Policies - North 2009

CS1 – Development Strategy

CS2 - Developer Contributions

CS4: Linking Communities – Accessibility and Transport

CS9: Providing Jobs

CS10: Location of Employment Sites

CS11: Rural Economy and Tourism

CS13: Climate Change

CS14: High Quality Design

CS15: Heritage

CS16: Landscape & Woodland

CS17: Green Infrastructure

CS18: Biodiversity

DM2: Sustainable Construction of New Buildings

DM3: High Quality Design

DM4: Development Within and Beyond Settlement Envelopes

DM9: Providing a range of Transport

DM13: Heritage in Development

DM14: Landscape and Woodland

DM15: Biodiversity

DM16: Green Infrastructure

Saved policies of the Mid Bedfordshire Local Plan, First Review (2005)

Central Bedfordshire Local Plan - Emerging

The Central Bedfordshire Local Plan has reached submission stage and was submitted to the Secretary of State on 30 April 2018.

The National Planning Policy Framework (paragraph 48) stipulates that from the day of publication, decision-takers may also give weight to relevant policies in emerging plans unless material considerations indicate otherwise.

The apportionment of this weight is subject to:

- the stage of preparation of the emerging plan;
- the extent to which there are unresolved objections to relevant policies;
- the degree of consistency of the relevant policies in the emerging plan to the policies in the Framework.

Reference should be made to the Central Bedfordshire Submission Local Plan which should be given limited weight having regard to the above. The following policies are relevant to the consideration of this application:

SP1, SP2, SP7, T1, T2, T3, T4, T5, EE1, EE2, EE3, EE4, EE5, EE6, EE12, CC1, CC3, CC5, CC6, HQ1, HQ2, HE1, HE3, and DC3.

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

Central Bedfordshire Landscape Character Assessment (2016)

Relevant Planning History:

Case Reference	CB/16/04707/LDCE
Location	Redland Aggregates Site, Arlesey Road, Henlow
Proposal	Lawful Development Certificate Existing: Use of land and buildings for the importation, handling, bagging, storage and distribution of aggregates, plant and materials (sui-generis including uses within class B2 & B8 activities)
Decision	Lawful Dev - Existing - Granted
Decision Date	27/01/2017

Consultees:

Henlow Parish Council No representation received.

Landscape Officer The Council's Landscape Officer has issued the following consultation response:

"The revised plan shows that a sufficient depth of planting is proposed for the northern and western boundaries. The planting can be designed to have a varied internal edge to create a rich habitat with the meadow grassland area. native deciduous species are recommended - the screen planting should avoid the use of pine or other evergreens as these will draw the eye and be incongruous in the Ivel valley countryside.

The area of disagreement is the treatment of the A507 frontage and the proposal to infill the pond/swamp. I have concerns regarding the proposal to plant a double row of Austrian Pine in this location - these trees would create an incongruous feature. The wetland character needs to be enhanced with native trees such as lime, alder, willow, aspen and birch. Coppice management will provide dense growth which will form effective screening.

I have concerns that the proposed wildflower meadow will not have optimum conditions, as the site will be shaded.

It would be preferable to maintain a water feature in this area, to reflect the former land use and to support biodiversity. The Landscape Character Assessment promotes a strategy of "create and renew" landscape features to strengthen the wetland character of the Lower Ivel Clay Valley and specifically mentions new wetlands and wet woodlands. In my view a shallow wetland would further this aim and contrast with the lakes on site.

Wet woodland planting enclosing some open water may be an option as this would satisfy the safety aspects whilst safeguarding the ecological benefits of the existing feature".

Arboriculturalist

The Council's Arboriculturalist has issued the following consultation response:

"Proposal is for the development of this site to include caravan storage, 30 new holiday dwellings, storage, fencing, managers accommodation.

Looking at the information I would comment that: -

The site is covered by a 1953 Area Tree Preservation Order that would provide legal protection for all trees on site that existed at the time the Order was made.

Development of the site as proposed in the supplied plan would largely be within an area of land that has been used for site storage, mineral extraction and a builder's yard. Impact on trees should be minimal. However, we will require a Tree Protection Plan and Method Statement showing clearly how trees to be retained will be retained throughout the development process in good order.

We will require detailed landscape proposals for the site including species, sizes and densities of planting using native species suitable for location and soil type. It will include a Landscape Management Plan.

Key Requirements/Conditions:

- (A) Arboricultural Method Statement and Tree Protection Plan.
- (B) Detailed Landscape Proposals.
- (C) Detailed Landscape Management Plan".

Highways

The Highway Officer has raised no objection subject to the following conditions:

1/ The development shall not be brought in to use until the junction of the proposed vehicular access with the highway has been provided in accordance with the approved details.

Reason

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

2/ Before the development is brought into use, the proposed development shall be carried out and completed in all respects in accordance with the access siting and layout illustrated on the approved plan No. 2018-1050 Rev E and defined by this permission and, notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995, (or any Order revoking or re-enacting that Order) there shall be no variation without the prior approval in writing of the Local Planning Authority.

Reason

To ensure that the development of the site is completed insofar as its various parts are interrelated and dependent one upon another and to provide adequate and appropriate access arrangements at all times.

3/ No building shall be occupied until cycle storage has been provided and the vehicle parking spaces have been properly surfaced and marked out/provided in accordance with the approved drawing. The spaces shall thereafter be kept available for parking at all times.

Reason

To minimise the potential for on-street parking and thereby safeguard the interest of the safety and convenience of road users.

4/ Before the A507 access is first brought into use a triangular vision splay shall be provided on each side of the new access and shall measure 4.5m along the fence, wall, hedge or other means of definition of the front boundary of the site, and 215m measured into the site at right angles to the same line along the side of the new access drive. The vision splays so described and on land under the applicant's control shall be maintained free of any obstruction above the adjacent carriageway level.

Reason

To provide adequate visibility between the existing highway and the proposed access(es), and to make the access(es) safe and convenient for the traffic which is likely to use it (them).

5/ No part of the leisure/ holiday accommodation shall be brought in to use until footway/cycleway widening along the A507 between Arlesey Road, Henlow and Arlesey train station slip road, has been provided in accordance with details of a scheme to be submitted to and approved by the Local Planning Authority. Any Statutory Undertakers equipment or street furniture shall be resited to provide an unobstructed footway to the crossing.

Reason

In the interests of road safety and pedestrian movement.

6/ No development shall take place, including any works of demolition, until a Construction Traffic Management Plan, associated with the development of the site, has been submitted and approved in writing by the Local Planning Authority which will include information on:

- (A) The parking of vehicles
- (B) Loading and unloading of plant and materials used in the development
- (C) Storage of plant and materials used in the development
- (D) The erection and maintenance of security hoarding / scaffolding affecting the highway if required.
- (E) Wheel washing facilities
- (F) Measures on site to control the deposition of dirt / mud on surrounding roads during the development.
- (G) Footpath/footway/cycleway or road closures needed during the development period
- (H) Traffic management needed during the development period.
- (I) Times, routes and means of access and egress for construction traffic and delivery vehicles (including the import of materials and the removal of waste from the site) during the development of the site.

The approved Construction Management Plan associated with the development of the site shall be adhered to throughout the development process.

Reason

In the interests of safety, protecting the amenity of local land uses, neighbouring residents and highway safety.

Comments and advice in this memo are based on the information supplied in the planning application and accompanying documents/plans and no liability is accepted for any inaccuracy.

The Council's Ecologist has issued the following consultation response:

"Further information has been received in relation to the swamp and the applicant discusses the 'historical context' of the area explaining it is a manmade feature. This is clear on looking at historical OS maps which show the area in question was part of a sand and gravel pit dating back to 1947 in a manner similar to that found to the south of the A507, incidentally an area which has been designated as a CWS due to its wet woodland characteristics. So, whether a feature is manmade or not does not define its ecological value.

The ecological consultant has amended their comments via the justification that '*On the day of survey it was difficult to see closely except in a few locations, due to the dense surrounding vegetation.*'. It is questionable as to the value of this habitat prior to clearance, there is a likelihood that in fact the 'swamp' area contained habitats similar to that of the nearby CWS, unfortunately now the site has been stripped of all deadwood and scrub as described by the ecological report.

They continue further going on to say that '*Providing a pond in that location would require a depth greater than that preferred where children are present.*'. However, the August 2019 planning letter states that '*it is not the intention to utilise this area for recreational use in connection with the tourist pitches or to encourage games or picnicking.*'.

To conclude, the NPPF places a requirement on development to deliver net gains for biodiversity and previous comments were concerned with the loss of an ecological feature. Arguments that there are additional areas of open water in the vicinity are insufficient as it is acknowledged that many of these are stocked with fish and hence have extremely limited ecological value.

Concern towards the proposed removal of this feature remain, when determining net gain, the mitigation hierarchy is the starting point which looks first to avoid harm. There is an existing feature on site which has the potential to become of equal value to existing nearby habitats of CWS standard, retaining the opportunity for a wet area albeit ephemeral with wetland species rich grassland around the banks would still provide aesthetic appeal whilst supporting declining wet habitats in the area.

Correspondence has been received which raises concerns over the lack of species surveys for dormice and reptiles.

Dormice require specific woodland habitat which is not supported in this site and there are no records of Dormice locally. The PEA claims reptiles are unlikely to be present given the habitats on site, there are opportunities for reptiles in adjacent land holdings but the lack of records from the area have reasonably discounted their presence. Should development proceed a strategy for biodiversity enhancement and site construction practices would be required”.

Local Flood Authority

The Local Flood Authority has issued the following consultation response:

“On review of the FRA we are satisfied that subject to conditions the development is acceptable”.

Recommended conditions:

Condition 1: No development shall commence until a detailed surface water drainage scheme, to manage surface water runoff from the development for up to and including the 1 in 100 year event (+40%CC), and a maintenance and management plan for the scheme has been submitted to and approved in writing by the Local Planning Authority. The discharge rate from the development will be to a suitably sized soakaway. The final detailed design shall be based on the agreed drainage strategy (Ref: Sherwood May 2019 2241-1018) and DEFRA's Non-statutory technical standards for sustainable drainage systems (March 2018) and shall be implemented and maintained as approved. Maintenance will ensure the system functions as designed for the lifetime of the development. Any variation to the connections and controls indicated on the approved drawing which may be necessary at the time of construction would require the resubmission of those details to the Local Planning Authority for approval.

Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with para 163 and 165 of the NPPF and its supporting technical guidance.

Condition 2: No building/dwelling shall be occupied until the developer has formally submitted in writing to the Local Planning Authority a finalised ‘Maintenance and Management Plan’ for the entire surface water drainage system, inclusive of any adoption arrangements and/or private ownership or responsibilities, and that the approved surface water drainage scheme has been correctly and fully installed as per the final approved details.

Reason: To ensure that the implementation and long-term operation of a sustainable drainage system (SuDS) is in line with what has been approved, in accordance with Written Statement HCWS161, 18th December 2014.

Pollution

The Council's Pollution Officer has raised no objection subject to the following conditions and informative notes:

1. No occupation of any permitted building or caravan shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:

A Validation Report by means of which the effectiveness of the remediation implemented in accordance with the asp environmental assessment report dated February 2019 shall be demonstrated to the Local Planning Authority (to incorporate photographs and depth measurements).

Any unexpected contamination discovered during works should be brought to the attention of the Planning Authority.

Reason: To protect human health and the environment

Informative

The British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoils that are moved or traded and should be adhered to. The British Standard for Subsoil, BS 8601 Specification for subsoil and requirements for use, should also be adhered to.

There is a duty to assess for Asbestos Containing Materials (ACM) during development and measures undertaken during removal and disposal should protect site workers and future users, while meeting the requirements of the HSE.

Applicants are reminded that, should groundwater or surface water courses be at risk of contamination before, during or after development, the Environment Agency should be approached for approval of measures to protect water resources separately, unless an Agency condition already forms part of this permission.

Minerals and Waste

The Minerals and Waste Planning Authority have issued the following consultation response:

"The information submitted with the application identifies the mineral remaining on the site and considers how this can be used as part of the development so that it is not

sterilised. Therefore, there is no objection to the application”.

Rights of Way Officer

No response received.

Conservation Officer

The Council’s Conservation Officer has issued the following representation:

“The submitted visual assessment and viewpoints appear to overcome my concerns about the inter visibility of the proposal with The Grange (Grade II* listed building). Therefore, in my view, the proposed is now less harmful to the setting of the highly graded designated asset.

In terms of the impact of the proposal upon the historic landscape in relation to The Grange, my concerns remain given that the proposal would further intensify development in a landscape that historically has been in relation to the country estate and part of its parkland (in accordance with 1881 Ordnance Survey mapping available), this harm is considered 'less than substantial' in regards to the NPPF and carries some weight, however, I do note that the harm has been reduced all together given that not inter visibility will be perceived between the listed building and the development.

Therefore, in conservation terms, I still have some concerns about the proposal and the impact upon this historic landscape given the change of use of this part of the historic parkland (which has been eroded over the years) and the intensification and permanence of the development”.

Historic England

Historic England have issued the following consultation response:

“On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant”.

Bedfordshire and River
Ivel Internal Drainage
Board

No objection, requested condition relating to consent from the Internal Drainage Board.

Environment Agency

No objection and request an informative note relating to Foul Drainage requirements.

Other Representations:

Neighbours

10 representations and 1 petition with 127 signatures received in support of the application, and 1 representation received objecting to the proposal on behalf of Champneys Henlow Limited.

The supportive comments have been summarised as follows:

- The change of use will greatly improve the area from its current industrial use and be more in keeping with leisure activities of the owners existing campsite, Henlow Grange and the Boyd Field Scout Campsite;
- this is an excellent facility and I fully support and encourage this planning application;
- fantastic opportunity;
- great idea;
- this is a long time coming, much needed;
- what a wonderful idea and another addition to the local area;
- badly needed caravan storage;
- amazing local site and fully support the plans;
- these plans will enhance the aggregate site into a further useful community site;
- the site needs bigger storage and camping facilities;
- fully support plans for caravan workshop and aggregate site;
- application will enhance the site even further and provide yet more services for the customers and local community;
- the existing site provides first class leisure facilities locally at a minimal cost to the taxpayer;
- the existing site benefits from well maintained green paths, and provides a means of escape from everyday life;
- the facility benefits from local walks, pubs and shops as well as cycling;
- the facility is to be treasured and expanded;
- I can confirm that caravan storage of this CaSSOA standard is difficult to find and in high demand;
- support the proposal for works to the current aggregate site which would put this brownfield site to an environmentally sensitive use;
- the proposal would encourage wildlife to return and support the new housing in Henlow Village, providing a valuable green lung for residents;
- I encourage members to support this application, this site has to date been developed with consideration for the environment, wildlife and sustainability, and the owners continue to invest in these values with a continuous program of tree planting, landscaping and creating habitats, with a strong focus on recycling and composting on site;
- the site provides significant employment opportunities for local people;
- the caravan storage facility provides a safe, secure area for local residents to store their caravans away from their own domestic driveways, making the street scene easier on the eye for other non-caravan owning families;
- Henlow Bridge Lakes has grown into a fantastic amenity which has encouraged many families from outside the area to visit this part of Bedfordshire

- bringing money into the local community through purchases in the shops, visiting attractions such as the Shuttleworth Collection and Woburn Abbey and has done a great deal to promote Central Bedfordshire;
- the site provides much needed full time and seasonal employment for local people;
 - the site is an asset for the community;
 - the applications will be beneficial without being an eyesore;
 - the proposals to change the use from a commercial aggregates site and to extend the existing campsite to provide more caravan facilities and luxury holiday lodges is in our opinion, a logical and sensible expansion of the existing business;
 - we are sure that if the planning is granted the works will be carried out to the same high standards that they currently provide to their existing customers;
 - there is a huge shortage of Gold Standard storage in the UK and the expense that HBL have gone to has ensured that they are extremely secure resulting in lower insurance premiums for the customer. Having a workshop on site as well as a permanent manager only goes to increase the level of security and desire campers have to return;
 - the revenue the site has brought to the local area is a factor to consider but equally its location is of low impact to the surrounding area; and
 - the application will be beneficial to the environment and the community.

The representation on behalf of Champneys Henlow Limited has been summarised as follows:

- Henlow Grange is a Grade II* statutorily listed building benefiting from the highest levels of protection under planning and heritage statutes;
- The heritage statement fails to consider the impact of the development on the significance of the heritage asset known as Henlow Grange at a basic level due to the failure of the application to clearly describe the proposed use of land north of the caravan storage and static lodge park. The area shown on Plan 2241-2018-1050 Rev D as surfaced in hogglin and stone chips. This must be a surfacing proposal as the land has regenerated to greenfield as shown on current aerial photographs. No use is proposed but the land lies within the red line application site. In such circumstances there must be uncertainty as to its future use which could impact on the heritage asset. The applicant must enter into a Section 106 agreement to keep all this land north of the caravan storage and static lodges free from development in perpetuity to protect Henlow Grange;
- It is noted no landscaping is proposed between the northern boundary of the site and Henlow Grange. A significant tree belt is required as a minimum as part of necessary protection to the heritage asset;

- No assessment has been undertaken in accordance with Guidance from Historic England in respect of the Setting of Heritage Assets and the National Planning Practice Guidance;
- the applicant's heritage statement fails to assess the significance of the heritage assets, does not consider the impact on the setting of the assets, or carry out any policy assessment in accordance with the NPPF, PPG or material guidance as set out in advice from Historic England;
- the landscape statement is wholly inadequate to address the impact of the development on the countryside both within and outwith the application site. It does not consider the indivisibility between the development and the Heritage Assets at Henlow Grange;
- the application should have been subject to a Landscape and Visual Impact Assessment;
- there is no assessment of the development or any landscape proposals in accordance with the NPPF, PPG or the Development Plan;
- the application form has not been completed correctly, there is no information on the Managers Accommodation, the maintenance building. No information is provided on the size of the lodges, which totals 3,797 sqm;
- further protected species surveys need to be conducted before permission can be issued, including reptiles, snakes and dormice.
- no details are provided for surface or foul water;
- no reference to SuDs is mentioned;
- the sustainability statement states the static units will be constructed on site rather than transported to the site in a complete form. This confirms that the units will be residential dwellings and not caravans;
- no impact assessment has been taken of noise, light or air quality impacts of the proposed development on the adjoining Henlow Grange Hotel and Health Spa.
- no details of the means of control of occupation of the residential lodge dwellings has been provided so it must be assumed they are permanent residential which contrary to national and local planning policy;
- the application site is not wholly previously developed;
- no evidenced based demand information has been provided to justify the development;
- it is claimed the development is confined to the scarred areas of the site. However, gates provide access to the grassland to the north which could be used for other forms of development. No information or suggested planning controls are provided for this area of land within the application site;
- it is proposed to screen the caravans with 2m high concrete panels which would be an alien feature in the landscape;
- some 190 spaces are proposed for caravan storage parking. This is a new commercial operation in the

open countryside. At present no details are provided of how landscaping would screen the development;

- Caravan storage is not a rural diversification use. It is a commercial operation, likewise the maintenance building is a commercial operation that could take place within an employment area;
- there is no construction logistics management plan;
- there is no travel plan as required by national and local planning policy;
- Section 15 of the NPPF stresses the importance of enhancing the natural environment recognising the intrinsic character and beauty of the countryside. The main thrust of planning policy is to keep the countryside free from unnecessary development;
- the Core Strategy and Development Management Policies 2009 confirms "the countryside and open spaces will be enhanced by green infrastructure and the historic context of both landscape and buildings will be retained and enhanced. Overall, the district will have kept its rural character for the benefit and enjoyment of future generations"; the application does not meet this spatial objective;
- there has been no site search to locate the proposed caravan park and maintenance building within any urban area;
- overall the development is contrary to the adopted Core Strategy and Development Management Policies adopted in 2009;
- due weight will need to be given to the draft policies in the emerging local plan. There are no policies to support the proposed development;
- there are no material considerations which when weighed in the balance amount to a reason to permit development.

Determining Issues:

The main considerations of the application are;

1. Principle
2. The intrinsic character and beauty of the Countryside and the significance Heritage Assets
3. Biodiversity, Protected Species and trees
4. Highway Considerations
5. Pollution
6. Surface Water and Flood Risk
7. Other Considerations

Considerations

1. Principle

- 1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise, with national policy, most particularly the NPPF, being one such material consideration.

- 1.2 The application proposes a change of use of land for multiple uses, the principle of those uses in this location shall be discussed in turn.
- 1.3 The site is located beyond settlement envelopes, whereby the site is considered to be located in open countryside for planning purposes.
- 1.4 Siting 30 Caravans restricted to use for tourist accommodation
- 1.5 Policy CS11 of the Core Strategy and Development Management Policies seeks to support the rural economy and promote tourism by:
 - supporting proposals for tourist or leisure developments in settlements or in the countryside including new tourist accommodation which provides opportunities for rural diversification and are well located to support local services, businesses and other tourist attractions.
- 1.6 It is considered that the proposed development is well located to support local services and businesses as well as other tourist attractions. The proposal is directly adjacent to Henlow Bridge Lakes which contains several business and leisure uses and within proximity to Henlow Grange which is used as a Health Spa Resort. The site also has footpath and cycleway connections to Arlesey train station and Henlow village, which has several shops and service.
- 1.7 The area of land proposed to be used for the siting of 30 caravans to be restricted for tourist accommodation, is previously developed land the reuse of which is encouraged within paragraph 117 of the NPPF. The principle of the proposed development is also supported by paragraphs 83 and 84 of the NPPF.
- 1.8 Caravan Storage and ancillary maintenance and repair building
- 1.9 The land for which the proposed to be used for caravan storage, use class B8, and ancillary maintenance and repair building, is to be sited, is considered to form previously developed land. The proposed development seeks to reuse the existing site as an extension to the existing mixed use Henlow Bridge Lakes site which already features and element of Caravan Storage.
- 1.10 Policy CS11 of the Core Strategy and Development Management Policies seeks to support the rural economy by supporting diversification of the rural economy and seeking for existing rural employment sites to be redeveloped for employment use. The supporting text to Policy CS11 under paragraph 6.5.3 states that the Council will continue to support the reuse of redundant ... sites in the Countryside. As stated, the development seeks to replace an existing employment use with Caravan Storage which is considered to form an employment use and a Tourism use.
- 1.11 The principle of the proposed development is therefore considered to be supported by Policy CS11 of the Core Strategy and Development Management Policies (2009).
- 1.12 Third party objections have raised concerns regarding the principle of Caravan Storage in the open countryside with reference to Policy DM4, however the Core Strategy and Development Management Plan needs to be read as a whole. Policy DM4 (Development Within and Beyond Settlement Envelopes) seeks to direct development towards and support development within existing settlement envelopes, however, the policy does not restrict the extension of

existing commercial uses outside of settlement envelopes through reference to PPS 7.

- 1.13 As part of PPS7 under Section 5, although superseded, it states: *Planning authorities should support a wide range of economic activity in rural areas* and under (ii) it states; *set out in LDDs their criteria for permitting economic development in different locations, including the future expansion of business premises, to facilitate healthy and diverse economic activity in rural areas.* The proposal including the caravan storage and leisure caravan use are considered to form an extension to an already existing business at Henlow Bridge Lakes, which is a mixed use site with Caravan Storage and the proposal would provide additional employment and therefore the proposal which accords with Policy CS11, would conform with this aspect of PPS7 and thereby it is not considered that the principle of the proposed development would conflict with Policy DM4 or the emerging policy SP7 but is supported by Policy CS11 and the emerging Policy EMP4.
- 1.14 However, as stated PPS7 is now superseded by the NPPF, which requires consideration. Paragraphs 83 and 84 of the NPPF (2019) seek to support a prosperous rural economy through allowing the development and diversification of other land-based rural businesses and through ensuring that development is sensitive to its surroundings. The proposed change of use would allow for the expansion of an existing business in support of the rural economy and the reuse of an existing rural employment site.
- 1.15 For the reasons outlined it is considered that the proposed Caravan Storage is in principle in accordance with the Development Plan, and material considerations do not indicate otherwise. The detail of the proposal will need to be carefully considered.
- 1.16 The siting of a single caravan restricted to occupation by a site manager
- 1.17 The application seeks the siting of a caravan to be used as a permanent dwelling by a Site Manager as well as being used for security and office administration purposes, ancillary to the wider use of the site. The justification provided is the high level of security, administration and management involved in functioning the two proposed uses.
- 1.18 It is suggested that if necessary, a planning condition could control the occupation of the unit by limiting it to the management of the site.
- 1.19 The site is located beyond settlement envelopes as defined by the Proposals Maps, whereby it is classified as being within open countryside. The nearest settlements, which benefit from a settlement envelope, are Henlow and Arlesey, which are connected to the site by existing cycleways and footpaths but are some distance away.
- 1.20 It is necessary to consider whether the proposed dwelling would be considered an isolated dwelling in the context of paragraph 79 of the NPPF, which indicates that new dwellings in such locations should be avoided unless specified circumstances apply, which includes instances where "there is an essential need for a rural worker... to live permanently at or near their place of work in the countryside".
- 1.21 Caselaw (Braintree District Council v Greyread Limited & Anr. Case Number C1/2017/3292) upheld the judgement that the term isolated is not defined in

the NPPF and as such its ordinary objective meaning of "far away from other places, buildings or people" should be used. When considering the proximity of the proposed development to the existing dwelling known as the Lodge and the proximity of the proposal from people by virtue of the proposed leisure operation, it is considered that the proposed dwelling in connection with the proposal would not be isolated for the purposes of paragraph 79 of the NPPF and as such the proposed development is not precluded by this paragraph.

- 1.22 The fact that a site is not isolated, for the purposes of Paragraph 79 of the NPPF does not automatically mean that a site is sustainably located in respect of accessing services and facilities to meet the everyday needs of occupiers, but just that it is not far away from other places, buildings or people.
- 1.23 It is noted that the approximately 400 metres of the A507 from Henlow to the site access benefits from an existing 2 metre wide shared footpath and cycleway and that this connection continues to the east of the site access to Bridge End Road, where Bridge End Road is a road with a 2 metre wide footpath leading to Arlesey Train Station. The site access is approximately 750 metres from Arlesey Train Station.
- 1.24 In respect of access to other modes of public transport the closest bus stops to the site are Church Lane, Arlesey (950 metres), Arlesey Road, Henlow Bus Stop (650 metres) and High Street, Henlow Bus Stop (800 metres). Although it is considered that the site is reasonably well connected to public transport for tourist accommodation, when considering the distance from local services and facilities such as schools, healthcare and food stores, it is considered that such facilities are not walkable or easily accessible, whereby it is considered that future permanent occupiers of the managers unit would likely use a private motor vehicle to meet their everyday needs. Therefore, it is considered that the site would form a usually unsustainable location for a new independent dwelling.
- 1.25 Notwithstanding the above, the proposed development seeks accommodation that is justified through its necessity for the proposed business use and the occupation of which could be restricted by condition. Although the NPPF is strictly silent in relation to rural workers dwellings, that are not isolated in the context of Paragraph 79a, a pragmatic interpretation of national policy indicates that the considerations for the proposal in this location are not dissimilar in the context that they require consideration of the planning balance and may be justification through the proposed enterprise.
- 1.26 Paragraph 010 of the Planning Practice Guidance for housing needs of different groups as revised on 22 July 2019 sets out the considerations that it may be relevant to take into account when applying paragraph 79a of the NPPF, stating such considerations could include:
 - evidence of the necessity
 - for a rural worker to live at, or in close proximity to, their place of work to ensure the effective operation of an agricultural, forestry or similar land-based rural enterprise (for instance, where farm animals or agricultural processes require on-site attention 24-hours a day and where otherwise there would be a risk to human or animal health or from crime, or to deal quickly with emergencies that could cause serious loss of crops or products);
 - the degree to which there is confidence that the enterprise will remain viable for the foreseeable future;
 - whether the provision of an additional dwelling on site is essential for the

- continued viability of a farming business through the farm succession process;
 - whether the need could be met through improvements to existing accommodation on the site, providing such improvements are appropriate taking into account their scale, appearance and the local context; and
 - in the case of new enterprises, whether it is appropriate to consider granting permission for a temporary dwelling for a trial period.
- 1.27 In the context of the above guidance Annex A of the superseded PPS 7 has still been used as guidance for the application of the test for establishing "essential need". This is supported by Policy DC3 of the emerging Local Plan.
- 1.28 PPS 7 Annex A outlines that there may be instances where special justification exists of a new dwelling associated with a "other" rural based enterprise subject to the enterprise itself, including any development necessary for the operation of the enterprise being acceptable in planning terms and permitted in that rural location, regardless of the consideration of any proposed associated dwelling.
- 1.29 PPS 7 Annex A applies the following stringent levels of assessment to applications for such new occupational dwellings as they apply for agricultural and forestry dwellings.
- 1.30 Annex A of PPS 7 states that where a new dwelling is essential to support a new activity, whether on a newly-created unit or an established one, it should normally, for the first three years, be provided by a caravan, a wooden structure which can be easily dismantled, or other temporary accommodation.
- 1.31 It is considered that the proposed development seeks a dwelling on the basis of such a new activity and therefore the principle of such a dwelling should normally be provided by temporary accommodation. It is considered that the application seeks approval for a caravan which would only be considered to be acceptable on a temporary basis, in accordance with this guidance.
- 1.32 Annex A of PPS 7 states that applications for such accommodation should satisfy the following criteria:
- (i) clear evidence of a firm intention and ability to develop the enterprise concerned;
 - (ii) functional need;
 - (iii) clear evidence that the proposed enterprise has been planned on a sound financial basis;
 - (iv) the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and
 - (v) other normal planning requirements e.g. on siting and access, are satisfied.
- 1.33 In relation to test (i), it is considered that the existing site has been purchased by the applicant, the applicant currently has an established and well used business adjacent to the site, for which this application forms an expansion to, and the applicant has demonstrated through years of work on the neighbouring site, that they are clearly intending and capable of developing the enterprise concerned.
- 1.34 In relation to test (iii) it is considered that the enterprise has been planned on a sound financial basis. The site is currently used as an active aggregates site which has remained viable for many years and has the potential to continue its

operations. There are commercial incentives to develop the site for alternative use as an expansion to the existing Tourism and Caravan Storage enterprise at Henlow Bridge Lakes.

- 1.35 In the context of (ii) and the functional needs test, although superseded by the NPPG the former government guidance document: "The Good Practice Guide on Planning for Tourism", provides specific guidance for "staff accommodation" at tourist sites, whereby the guide advises:
- 1.36 "For many types of holiday parks, a residential managerial presence is often essential, to achieve a quality of service to the customer, security for the property, and to meet the obligations of health and safety regulations. Accommodation may also be needed for key members of staff. As far as possible suitably located existing dwellings should be used to meet these accommodation needs. But where there is not a feasible option, and particularly in locations where suitable housing is not available, or is unaffordable, it may be necessary to provide new, on-site accommodation for managerial and/or other staff. In such cases the conversion of any suitable available existing buildings should be considered first in preference to the construction of new and potentially intrusive housing development in the countryside".
- 1.37 This former government guidance with reference to the tests within Annex A of PPS 7 states: "There will be some cases where the nature and demands of the work concerned make it essential for one or more people engaged in tourism enterprise to live at, or very close to, the site if their work".
- 1.38 The applicant has detailed the need for constant security on site to provide regular late evening, early dawn and night checks in order to maintain site security. In addition, visitors sometimes arrive late at night due to break downs and hold ups, requiring staff to leave their homes to open up the site. The applicant claimed that employing night time staff 7 days a week would be costly and unviable. Also, without 24 hours cover the applicant stated that the quality of service would be reduced.
- 1.39 In the context of (ii) and (iii) it is noted that the existing Henlow Bridge Lakes site benefits from a permanent managers accommodation as approved under CB/14/03258/FULL, however due to the separation of this site to the existing site by the public right of way and the need to maintain security of a new separate vehicular entrance it is considered that additional accommodation on this site would be essential and in the context of this enlarged enterprise on this separate site.
- 1.40 When considering the above, it is considered that the principle for managers accommodation in the form of a Caravan, on a temporary basis in the first instance, would be justified and would accord with the thrust of the Development Plan policy, National Planning Policy and Planning Guidance. The latter is subject to the detail of the proposed development, as a whole, being considered acceptable in detail.

2. The intrinsic character and beauty of the Countryside and the significance Heritage Assets

- 2.1 The proposed area within the site to be developed largely consists of previously developed land and is dominated by bare ground. Within the proposed site area is a short spur or mound which is vegetated, however most of this is self-seeded scrub. This area is not illustrated for development on the

site layouts provided.

- 2.2 To the south of the site is a former lagoon or wash area, with existing trees and vegetation screening the development from the A507, landscape screening is indicated for enhancement in this location. To the east of the site is existing mature and dense landscaping with bunding, screening the site from the public right of way. To the west of the site is existing bunding and planting, screening views from Henlow across the adjacent agricultural field, this screening is illustrated as being proposed for additional planting. To the north of the development area, is land within the applicant's control which is heavily planted with trees and shrubs, and the applicant is proposing to provide 20 metre and 10-metre-deep landscaping buffers to be planted with native trees and shrubs. Further to the north is the Grade II* Listed Building known as Henlow Grange.
- 2.3 The site is located within the National Landscape Character Area 88 "Bedfordshire and Cambridge Claylands" and Local Landscape Area "Upper Ivel Clay Valley".
- 2.4 Although the site is not located within an area with a statutory landscape designation and the NPPF does not seek to protect the countryside for its own sake, caselaw (Cawrey Limited and the SoS for CLG [2016] EWHC 1198 (Admin)) has established that development proposals affecting parts of the countryside that are not subject to a statutory landscape designation, nevertheless come within the scope of the provisions of what is now paragraph 170b) of the NPPF.
- 2.5 Paragraph 107b) of the NPPF outlines that planning decisions should contribute to an enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside, the wider benefits from natural capital and ecosystem services.
- 2.6 Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires the local planning authority in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interests which it possesses.
- 2.7 Paragraph 192 of the NPPF states: In determining applications, local planning authorities should take account of:
 - a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c) the desirability of new development making a positive contribution to local character and distinctiveness.
- 2.8 Paragraph 193 and 194 of the NPPF continues that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

- 2.9 The house combines a formal classical structure with a decorative use of brickwork and illustrates architectural fashion on the early Georgian period. The house is five bays wide with a single storey wing to the south east and a two storey wing to the north west. Attached to the larger wing is the stable block which has seventeenth century origins but was re-worked when the house was built and then extended in the nineteenth century. It has been converted to accommodation. The entrance court to the house lies behind a fine screen of brick with decorative iron gates and railings which date from 1911. The house has been compromised by vast twentieth century extensions. The expansion of the village has eroded its countryside setting but it retains an attractive landscape setting (HER 6993). The house is grade II* and the stables and forecourt screen are grade II.
- 2.10 In accordance with paragraph 193 great weight is given to the conservation of these heritage assets. Consideration has been given to how these assets are experienced
- 2.11 It is noted that the site is located within the former parkland of Henlow Grange and that the site is considered to be within the historical setting of this Listed Building, as associated parkland. However, the screening and bunding that has been planted on land to the north of the site and east of the application site along the public right of way as well as to the west of the site has brought about a very significant change. Historically a small part of the site formed an Old Gravel Pit and the landscape would have been far more open with more formal tree planting along the public right of way towards The Grange, the stables and forecourt screen. There would have been clear indivisibility between the site and these heritage assets. However now there is very limited indivisibility between the site and The Grange, stable block and forecourt screen, as well as between the site and the wider original Parkland and wider views into the parkland. This screening has made the Park more enclosed and ensures the development would have very limited impact on how these assets are experienced and thereby the significance of those assets.
- 2.12 This landscape screen is key to any impact on the significance of The Grange, the stable block and forecourt screen. At the present time, the existence of the screen means that the proposed development would have very limited less than substantial harm to significance of the heritage assets.
- 2.13 It is considered that subject to conditions and S106 agreement to secure the landscaping implementation, retention and management, it is considered that the proposed developments would result in a low level of less than substantial harm to the significance of these assets, which includes their settings as well as any features of special architectural or historic interests which they possess.
- 2.14 Paragraph 196 of the NPPF states: "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use".
- 2.15 It is considered that the public benefits of the proposed development include the economic benefits of additional tourist accommodation, including increased local spending, which may include increased visits to the neighbouring Henlow Grange Health Spa, and thereby positively contributing to the retention of this asset for future generations. It is considered that the harm to the significance of heritage assets is clearly and convincingly justified that the public benefits

would outweigh the level of harm identified.

- 2.16 The Landscape Officer, has raised concerns in relation to the species of planting proposed, it is considered that a condition, requiring the submission of a soft landscaping scheme that would ensure the species are acceptable within this context, that the proposed development would be acceptable in this context.
- 2.17 Concern has been raised in relation to the proposed fencing design, however it is considered that due to existing bunding and subject to soft landscaping, the proposed fencing would not be highly visible from outside of the development site.
- 2.18 It is considered that the proposed caravan storage use and the leisure caravan site could include external lighting. It is considered that subject to conditions, that would ensure any external lighting is appropriate in design, that the development would be acceptable in this context.
- 2.19 For the reasons outlined above it is considered, subject to conditions, that the proposed development would be acceptable within the context of conserving and enhancing the built historic environment. Furthermore; it is considered that, subject to conditions and a S106 agreement, the development would be of a high quality and would not cause harm to the character and appearance of the area more generally. The proposal would conform with Policies DM3, CS16, DM13 and CS15 of the Core Strategy for the North of Central Bedfordshire; Policies HQ1 and HE3 of the Submission Central Bedfordshire Local Plan; the Central Bedfordshire Design Guide; and the NPPF.

3. Biodiversity, Protected Species and trees

- 3.1 The proposed area within the site to be developed largely consists of previously developed land and is dominated by bare ground. Within the proposed site area is a short spur or mound which is vegetated, however most of this is self-seeded scrub sheltering a minor badger sett. This area is not illustrated for development on the site layouts provided. However; it will be necessary for a condition relating to site construction practices.
- 3.2 To the south of the site is a former lagoon or wash area. This is a manmade feature formerly used as an aggregate washing lagoon but is no longer in use, whereby water is no longer fed into this area. There are trees surround this feature including Alder and Willows, which represents the BRMC biodiversity network maps classification of this part of the site as wet woodland. However, the Preliminary Ecological Appraisal outlines that this feature is no longer in use as a washing lagoon and as such has dried up, without a supply of water, and the ground flora usually associated with this habitat type is no longer present.
- 3.3 The application indicates this former lagoon or water holding area to be filled with inert waste and mixed spoil generated through developing the site and then planted with wildflower species and trees to assist with screening the site and providing net gains for biodiversity. The applicant states that this will prevent this being transported off site by HGV vehicles and would achieve an enhancement that contributes in net gains in biodiversity as proposed as an enhancement opportunity in the Preliminary Ecological Appraisal.
- 3.4 The Council's Ecologist has raised concerns in relation to this element of the proposal stating that the loss of wet woodland habitat should be avoided where

possible. Notwithstanding this concern, it is considered that this wash area is no longer in use and as such the habitat conditions for the formation of wet woodland is no longer present on site. The Council's Ecologist has confirmed that this matter relates to the issue of net gain for biodiversity rather than protected species or habitats, whereby it is considered that subject to an ecological enhancement scheme, including suitable on and off site planting that a net gain for biodiversity could be achieved. Therefore; subject to conditions it is considered that the proposed development is acceptable within this context subject to conditions.

3.5 The Council's Arboriculturalist has identified that the site is covered by a 1953 Area Tree Preservation Order that would provide legal protection for all trees on site that existed at the time the Order was made.

3.6 Development of the site as proposed in the supplied plan would largely be within an area of land that has been used for site storage, mineral extraction and a builder's yard. Thereby the impact on trees should be minimal. However, it is considered necessary for a condition to require the submission of an Arboricultural Method Statement and Tree Protection Plan to ensure the trees to be retained will be retained throughout the development process in good order.

3.7 Furthermore, it is considered detailed landscape proposals and a Landscape Management Plan will be required to be provided by Condition.

3.8 For the reasons outlined above, subject to conditions it is considered that the proposed development would be acceptable within the context of Policies CS16, DM14 and DM15 of the Core Strategy and Development Management Policies, which seek to:

- conserved woodlands including ancient and semi-natural woodland, hedgerows and veteran trees;
- ensure that trees, woodland and hedgerows in the district will be protected by requiring developers to retain and protect such features in close proximity to building works. Any trees or hedgerows lost will be expected to be replaced; and
- protect or enhance biodiversity.

3.9 Furthermore; it is considered that the development would accord with Paragraph 107b) of the NPPF outlines that planning decisions should contribute to an enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside, the wider benefits from natural capital and ecosystem services, and 107d) which seeks to minimising impacts on and providing net gains for biodiversity.

3.10 A third party has raised concerns in relation to the absence of surveys for protected species including field mice, snakes and reptiles, however the Council's Ecologist has indicated that such surveys would not be required for development in this location.

4. Highway Considerations

4.1 No objection has been received from the Highway Authority. The Highway Authority have confirmed that the site access has the required visibility splays, which would be entirely within the highway boundary. The Highway Authority have also confirmed that the additional traffic can be accommodated on the highway network.

- 4.2 Subject to conditions it is considered that the proposed development would be acceptable in the context of Car Parking, Highway Safety and highway capacity, in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009) and Policies T2 and T3 of the Submission Central Bedfordshire Local Plan, as well as the policies within the NPPF, in that context.
- 4.3 This development would increase the use of the existing 2 metre wide footpath/cycleway on the northern side of the A507 that leads in to Arlesey Station and the village of Henlow. The Highway Authority have requested a condition to secure widening this connection to 3 metres where possible. This connection is approximately 1 km in length and serves as a strategic connection, linking Henlow to the train station in Arlesey. The application relates to the provision of Caravan Storage which would not significantly increase use, due to the need for a vehicle to tow, thereby the justification for this condition relies on the trips generated by the 30 leisure holiday caravans and the managers accommodation.
- 4.4 It has been suggested by the developer that a proportionate financial contribution towards a widening scheme could be justified if a costed scheme is available to base a calculation for the level of contribution and if it is considered that the widening scheme is necessary for the development to be considered acceptable. However, no costed scheme has been provided.
- 4.5 When considering that this is an improvement to an exiting footpath/cycleway connection serving the site and the existing Henlow Bridge Lakes Facility, it is not considered that the acceptability of the proposal hinges on the delivery of this widening, as such it is considered that the proposed development is acceptable without such an improvement, and a refusal of planning permission could not be justified, thereby such an obligation or condition is not considered necessary failing the relevant tests.
- 4.6 For the reasons outlined above subject to the other suggested conditions by the Highway Authority it is considered that the proposed development is acceptable within this context.

5. Pollution

- 5.1 The Council's Pollution Officer has raised no objection subject to conditions relating to the submission of a validation report to ensure the effectiveness of the remediation implemented, to protect human health. Furthermore the Environment Agency has raised no objection to the application.
- 5.2 For the reasons outlined above it is considered that the proposed development would be acceptable subject to conditions, in the context of contamination.
- 5.3 The A507 is a source of traffic noise, the application includes a noise assessment which has been submitted. The Council's Pollution Officer has confirmed that Holiday let Caravans are not subject to a specific noise standard as this is a commercial enterprise, however the proposed managers accommodation would be subject to the noise standards applicable to a dwelling.

5.4 It is considered that the noise mitigation suggested in the submitted Environmental Assessment Report, would provide an acceptable mitigation for noise impacts. Thereby subject to conditions, that would secure a scheme for noise mitigation for the managers accommodation, it is considered that the development would be acceptable within this context.

6. Surface Water and Flood Risk

6.1 The Lead Local Flood Authority has raised no objection to the proposed development subject to conditions requiring the submission of a surface water drainage scheme for the approval of the Local Planning Authority as well as a scheme for the maintenance and management of the surface water drainage infrastructure.

6.2 It is considered that subject to conditions, the proposed development would be acceptable within this context, whereby the proposed development would not be at unacceptable risk of flooding from any source and would not result in an increased risk of flooding off site.

6.3 Details of Foul Drainage will also be required by condition, to ensure an acceptable scheme for Foul Drainage, in the context of Paragraph 020 of the National Planning Practice Guidance (Water supply, wastewater and water quality).

7. Other Considerations

7.1 Impact on the amenity and living conditions of neighbouring dwellings

7.2 The only neighbouring property in direct proximity to the site is The Lodge. When considering the proposed use in proximity to this neighbouring dwelling is holiday caravans, with significant landscaping between the caravans and this neighbouring dwelling, it is considered that the proposed development would not cause an unacceptable impact in relation to loss of light, outlook, privacy, noise/disturbance and over bearing impacts.

7.3 For the reasons outlined above it is considered that the proposed development is acceptable within this context, in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009) and Policy HQ1 of the Emerging Local Plan.

7.4 Sterilisation of Minerals

7.5 The site is a former Minerals Site, whereby the proposed development of the site has the potential to sterilise mineral resources, however the no objection to the proposed development has been raised by the Minerals and Waste Authority. Therefore it is considered that the proposed development is acceptable within this context.

7.6 Human Rights and Equality Act issues

7.7 Based on information submitted there are no known issues raised in the context of Human Rights / The Equalities Act 2010 and as such there would be no relevant implications.

Recommendation:

That Planning Permission be **GRANTED** subject to a Section 106 Agreement to secure off site landscape maintenance and management and the following 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 Notwithstanding the detailed drawings submitted, the Managers Accommodation and 30 Leisure Holiday Caravans/Lodges hereby approved shall meet the definition of a caravan as set out in the Caravan Sites Act 1968, Part 3, Section 13. This shall include compliance with the size criteria for a mobile home being that it shall not exceed a length of 18.2888m, width of 6.096m and with an internal height of living accommodation not exceeding 3.048m.

Reason: The approval is granted on the basis of the caravan units not constituting operational development.

- 3 The 31 Caravans/Lodges consisting of the 30 Leisure Holiday Caravans/Lodges and Managers Accommodation, hereby approved, shall be sited in accordance with drawing reference 2018-1050 rev F.

Reason: To enable the Local Planning Authority to control the layout.

- 4 The Managers Accommodation to be sited in location: 1, as illustrated by drawing number 2018-1050 rev F and required by Condition 3 of this permission, shall be occupied by a manager or member of staff in connection with the operation of the Leisure Holiday Caravan Site.

Reason: The accommodation hereby approved is accepted on the basis that it is essential for the operation of the leisure facility, and would otherwise form inappropriate development in the open countryside, in accordance with Policies CS1 and DM4 of the Core Strategy and Development Management Policies 2009; the Emerging Local Plan and the NPPF.

- 5 The Managers Accommodation hereby permitted shall be removed and the site restored to such a condition as may be agreed beforehand in writing by the Local Planning Authority, within a period of 3 years from the date of this permission, unless a further period is otherwise agreed by the Local Planning Authority.

Reason: To enable further consideration of the requirement for a continuation of such on site accommodation based on the future needs of the business or otherwise to ensure that the site is restored to a suitable condition/use.

- 6 The Leisure Holiday Caravans/lodges to be stationed in locations: 2; 3; 4; 5; 6; 7; 8; 9; 10; 11; 12; 13; 14; 15; 16; 17; 18; 19; 20; 21; 22; 23; 24; 25; 26; 27; 28; 29; 30; and 31, as illustrated by drawing number 2018-1050 rev F and required by Condition 3 of this permission, shall be occupied for holiday purposes only, and shall not be occupied as a person's sole, or main place of residence.

The Leisure Holiday Caravans/lodges hereby approved shall not be occupied by an individual person(s) for a period of time that exceeds 28 consecutive days and nights.

The owners/operators of the site shall maintain an up-to-date register of the names of all owners/occupiers of individual caravans/lodges on the site, and of their main home addresses, and shall make this information available at all reasonable times to the local planning authority.

Reason: To ensure that the approved holiday accommodation is not used for unauthorised permanent residential occupation, and thereby would not result in the provision of independent residential dwellings in an unsustainable location and place unmitigated pressure on local school, health and social infrastructure, in accordance with Policies CS1, CS2 and DM4 of the Core Strategy and Development Management Policies 2009; the Emerging Local Plan and the NPPF.

- 7 The Caravan Repair and Maintenance Workshop hereby approved shall only be used for ancillary purposes in connection with the Caravan Storage and Leisure Holiday Caravan use hereby approved.

Reason: To avoid the proliferation of buildings unrelated to the need of this site within the open countryside, in accordance with Policy DM4 of the Core Strategy and Development Management Policies 2009; the Emerging Local Plan and the NPPF.

- 8 **No development shall commence until an Arboricultural Report and Tree Constraints Plan, detailing the trees to be retained and those to be removed as well as methods to be undertaken to protect retained trees during construction including details and methods for construction activities within close proximity to any retained trees. The development and works shall be carried out in full accordance with the details within the approved Arboricultural Report and Tree Protection Plan. All tree works shall be carried out in accordance with BS 3998 Recommendations for Tree Work (2010) (as amended).**

Reason: This condition is pre commencement to ensure the protection of retained trees, in accordance with Policies CS16, DM14, DM15 and DM3 of the Core Strategy and Development Management Policies (2009); Policy EE4 of the Emerging(s) Local Plan; and the NPPF.

- 9 **Notwithstanding the details submitted, no development shall commence until a Landscaping Scheme for all hard and soft landscaping within the red line area of the site as defined by drawing number 2018-1050 rev F, has been submitted to and approved in writing by the Local Planning Authority. The Landscaping scheme shall include:**

- **details of all surfacing materials, boundary treatments, as well as species and densities of all planting;**
- **replacement tree or hedgerow planting for any to be removed as identified by Condition 7;**
- **timescales/triggers/phasing for the implementation and completion of all landscaping; and**
- **a Landscaping Management and Maintenance Plan for all on site landscaping.**

Thereafter; the approved landscaping scheme shall be carried out in full accordance with the approved details and shall be maintained and managed in accordance with the approved landscape management and maintenance plan.

Reason: This condition is prior to commencement, to secure an acceptable landscaping scheme and ensure the implementation, completion, management and maintenance of on site landscaping, to mitigate impacts of the development on the intrinsic character and beauty of the Countryside and the significance of heritage assets, as well as to achieve a net gain for biodiversity, in accordance with Policy CS15, CS16, DM14 and DM15 of the Core Strategy and Development Management Policies (2009); the Emerging Local Plan; and the NPPF.

10 Notwithstanding the details submitted, no development shall commence until a detailed Landscaping Scheme for all off site soft landscaping in accordance with the principles illustrated on Drawing Number 2018-1050 rev F, has been submitted to and approved in writing by the Local Planning Authority. The Landscaping scheme shall include:

- the location, species and densities of all planting; and
- timescales/triggers/phasing for the implementation and completion of all landscaping.

Thereafter; the approved landscaping scheme shall be carried out in full accordance with the approved details.

Reason: This condition is prior to commencement, to secure an acceptable landscaping scheme and ensure the implementation and completion of off site landscaping, to mitigate impacts of the development on the intrinsic character and beauty of the Countryside and the significance of heritage assets, as well as to achieve a net gain for biodiversity, in accordance with Policy CS15, CS16, DM14 and DM15 of the Core Strategy and Development Management Policies (2009); the Emerging Local Plan; and the NPPF.

11 Notwithstanding the details submitted; no development shall commence until details of the existing and final ground levels for the site consisting of topographical surveys, has been submitted to for the approval in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: This condition is prior to commencement, to ensure impacts of the development on the intrinsic character and beauty of the Countryside and the significance of heritage assets would be acceptably mitigated, in accordance with Policy CS15, CS16, DM14 and DM15 of the Core Strategy and Development Management Policies (2009); the Emerging Local Plan; and the NPPF.

12 No development shall take place until an ecological enhancement strategy (EES) for the creation of new wildlife features such as hibernacula; habitat creation; the erection of bird/bat and bee boxes; and tree, hedgerow, shrub and wildflower planting/establishment, has been submitted to and approved in writing by the local planning

authority. The content of the method statement shall be informed by an up to date Ecological Appraisal of the site and include the:

- a) purpose and objectives for the proposed works;
- b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c) extent and location of proposed works shown on appropriate scale maps and plans;
- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) persons responsible for implementing the works;

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

Reason: Details required prior to the commencement of development to ensure development is ecologically sensitive and secures biodiversity enhancements that are integrated into the development in accordance with the National Planning Policy Framework.

- 13 No development shall commence until a detailed surface water drainage scheme, to manage surface water run off from the development for up to and including the 1 in 100 year event (+40%CC) for the scheme has been submitted to and approved in writing by the Local Planning Authority. The discharge rate from the development will be limited to the equivalent 1 in 1 year rate, or an appropriate rate as agreed by the Bedford Group of Internal Drainage Boards or sewage undertaker. The final detailed design shall be based on DEFRA's Non-statutory technical standards for sustainable drainage systems (March, 2018), and shall be implemented as approved. Any variation to the connections and controls indicated on the approved details which may be necessary at the time of construction would require the resubmission of those details to the Local Planning Authority for approval.

Reason: This condition is pre commencement, to ensure the approved system will function to a satisfactory minimum standard and prevent the increased risk of flooding both on and off site, in accordance with the NPPF.

- 14 No development shall take place until a Maintenance and Management Plan for the entire surface water drainage system, inclusive of any adoption arrangements and/or private ownership or responsibilities, has been submitted to and approved in writing by the Local Planning Authority. Thereafter the surface water drainage system shall be maintained and managed in full accordance with the approved scheme.

Reason: Details are required prior to the commencement of development to ensure the designed surface water drainage scheme would be managed and maintained for the long term and would remain operational, thereby ensuring the development would not increase flood risk on or off the site, in accordance with the NPPF.

- 15 No external lighting shall be installed within the site until details of the external lighting fixtures: design, location, height, orientation, luminance and

operational details and have been submitted to and approved in writing by the Local Planning Authority.

Reason: To mitigate impacts of the development on the intrinsic character and beauty of the Countryside and the significance of heritage assets, in accordance with Policy CS15, CS16, DM14 and DM15 of the Core Strategy and Development Management Policies (2009); the Emerging Local Plan; and the NPPF.

- 16 The Managers Accommodation hereby approved shall not be first occupied until a scheme of measures for protecting the sound sensitive premises from road noise sources has been submitted to and approved in writing by the Local Planning Authority. Thereafter the Managers Accommodation shall not be first occupied until the approved scheme of measures to protect that premises from noise has been implemented in accordance with the approved details, and shown to be effective. Thereafter the approved measures for protecting sound sensitive premises shall be retained in perpetuity.

Reason: to safeguard the amenity and living conditions of future occupiers of dwellings and sound sensitive uses, in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009); Policies HQ1 and CC8 of the Emerging Local Plan; and the NPPF.

- 17 No occupation of any permitted building or caravan shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:

A Validation Report by means of which the effectiveness of the remediation implemented in accordance with the asp environmental assessment report dated February 2019 shall be demonstrated to the Local Planning Authority (to incorporate photographs and depth measurements).

Any unexpected contamination discovered during works should be brought to the attention of the Planning Authority.

Reason: To protect human health and the environment.

- 18 The development shall not be brought in to use until the junction of the proposed vehicular access with the highway has been provided in accordance with the approved details.

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

- 19 No building shall be occupied until cycle storage has been provided and the vehicle parking spaces have been properly surfaced and marked out/provided in accordance with the approved drawing. The spaces shall thereafter be kept available for parking at all times.

Reason: To minimise the potential for on-street parking and thereby safeguard the interest of the safety and convenience of road users.

- 20 No development shall commence until a triangular vision splay has been provided on each side of the new access, which shall measure 4.5m along the fence, wall, hedge or other means of definition of the front boundary of the site, and 215m measured into the site at right angles to the same line

along the side of the new access drive. The vision splays so described and on land under the applicant's control shall be maintained free of any obstruction above the adjacent carriageway level.

Reason: This condition is pre commencement to provide adequate visibility between the existing highway and the proposed access(es), and to make the access(es) safe and convenient for the traffic which is likely to use it (them).

21 **No development shall take place, including any works of demolition, until a Construction Traffic Management Plan, associated with the development of the site, has been submitted and approved in writing by the Local Planning Authority which will include information on:**

- (A) The parking of vehicles**
- (B) Loading and unloading of plant and materials used in the development**
- (C) Storage of plant and materials used in the development**
- (D) The erection and maintenance of security hoarding / scaffolding affecting the highway if required.**
- (E) Wheel washing facilities**
- (F) Measures on site to control the deposition of dirt / mud on surrounding roads during the development.**
- (G) Footpath/footway/cycleway or road closures needed during the development period**
- (H) Traffic management needed during the development period.**
- (I) Times, routes and means of access and egress for construction traffic and delivery vehicles (including the import of materials and the removal of waste from the site) during the development of the site.**

The approved Construction Management Plan associated with the development of the site shall be adhered to throughout the development process.

Reason: This condition is pre commencement, in the interests of safety, protecting the amenity of local land uses, neighbouring residents and highway safety.

22 **No development shall commence until a Foul Drainage Scheme to serve the development has been submitted to for the approval in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme.**

Reason: Details are require prior to the commencement of development to ensure an acceptable scheme for Foul Drainage, in the context of Paragraph 020 of the National Planning Practice Guidance (Water supply, wastewater and water quality).

23 **The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: 2018-1050 rev F; 2018-1036 Rev C; and 2018-1037 Rev C.**

Reason: To identify the approved plan/s and to avoid 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. The British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoils that are moved or traded and should be adhered to. The British Standard for Subsoil, BS 8601 Specification for subsoil and requirements for use, should also be adhered to.

There is a duty to assess for Asbestos Containing Materials (ACM) during development and measures undertaken during removal and disposal should protect site workers and future users, while meeting the requirements of the HSE.

Applicants are reminded that, should groundwater or surface water courses be at risk of contamination before, during or after development, the Environment Agency should be approached for approval of measures to protect water resources separately, unless an Agency condition already forms part of this permission.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, 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 (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

DECISION

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