

Ms Lauren Rance
Planning Officer
Central Bedfordshire Council
Priory House
Monks Walk
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SG17 5TQ

12 December 2022

By Email: planning@centralbedfordshire.gov.uk

Dear Lauren,

Application No: CB/22/04134/FULL
Location: Mile Barn Farm, Hemel Hempstead Road, Dagnall, Berkhamsted, HP4 1QR.
Proposal: The redevelopment (including the demolition of existing buildings) of an employment site to deliver 9 residential units, office space and associated landscaping, parking, vehicle access arrangement and associated infrastructure.

I write further to Central Bedfordshire Council's ("CBC") letter dated 3 November 2022 relating to the third planning application for the above site.

Introduction

This reply has been subdivided into the following sections:-

- Executive Summary
- Development Management Committee (19 January 2022)
- Planning Meeting
- Application Paperwork
- Conclusions

(A) Executive Summary

In accordance with the latest version of the National Planning Policy Framework "NPPF" dated July 2021, due to its rural location within the Green Belt ("GB"), an Area of Outstanding Natural Beauty ("AONB") and within an Area of Great Landscape Value ("AGLV"), the only way that the proposed development can be given planning consent is if there are relevant and valid 'Very Special Circumstances' ("VSC") to justify the end development, which outweigh the harm and openness to the Green Belt.

Studham Parish Council ("SPC") is happy to leave the VSC debate to CBC's Planning Team to determine whether the necessary VSC can be established in respect of this application.

If there are VSC arguments which allow a redevelopment of the site, the Parish Council has no material issues with the residential/office development as proposed subject to planning

conditions; Section 106 monies allocation and the agreement on various matters such as highways access to the site, street lighting, footpath connectivity, superfast broadband, the impact on the River Gade and so on.

It is noted that this planning application has not been “called-in” by either Ward Councillor.

(B) Development Management Committee (January 2022)

As background, I attended the above Development Management Committee (“DMC”) meeting back in January 2022 and my then verbal statement was as follows:-

INTRODUCTION

My aim today is to provide the DMC with a local view on this revised planning application, noting that the Planning Officer’s report recommends refusal.

ORIGINAL POSITION

The Parish Council did not consider the original proposal, a large-scale urban housing estate, was appropriate. We stated that if the site was to be redeveloped, it should provide a smaller, residential scheme, more in keeping with an “agricultural” and rural location.

REVISED PROPOSAL

The Parish Council recognises the vastly improved scheme for Mile Barn Farm as submitted by the applicant, and this is a positive step forward. We understand that planning consent can only be granted if there are ‘Very Special Circumstances’ (VSC’s) which outweigh the harm to the Green Belt.

KEY ISSUES

Assuming that there are relevant and valid VSC’s, if the DMC are minded to grant planning consent, there are many issues to be resolved. These include:-

- *Limiting light pollution.*
- *Limiting the impact on the River Gade.*
- *Delivery of mature trees/landscaping around the boundary edge.*
- *Footpath connectivity to Studham and/or Dagnall.*
- *Provision of “Super-Fast” broadband and electric “car charging” facilities.*
- *Lack of transport links.*

However, I would like to highlight the following in particular:-

Point 1: Highways

Due to the rural and high-speed nature of this section of Hemel Hempstead Road, it is suggested that a central (filter) lane (from the south) should be constructed to make it safer for vehicles turning right into Mile Barn Farm. We consider the safety benefit would far outweigh the visual impact of such works.

Point 2: Design

The Parish Council liked the “farmstead” examples contained within the updated “Design & Access Statement”. These showed a courtyard design with country style and/or barn-like dwellings. We would also suggest that the applicant takes into account the relevant commentary within the ‘Chilterns Building Design Guide’.

Point 3: “Shared Surface”

There is a concern that residents (and visitors) would park immediately outside their homes, thus narrowing or blocking the roadway on-site. The Parish Council is keen to avoid on-street parking issues which have occurred on the “Bell Farm Close” development in the village core.

Point 4: Building Materials

The Parish Council are not sure that “buff” brickwork colour is suitable. If there is any development here, the building materials must be in keeping with the local landscape and existing housing stock.

Point 5: Section 106 Monies

If there is a redevelopment of the site, the Parish Council would like Section 106 monies allocated to footpath improvements and the Village Hall replacement fund.

CONCLUSION

Taking into account all of the relevant issues, the Parish Council cannot support the updated planning application at this point but accepts that the revised proposal has some merit. The Parish Council acknowledges that CBC’s Planning Team and the members of the DMC are best placed to decide if there are any relevant VSC’s in this case. We are of course happy to work with the developer (and CBC) to agree suitable changes to the proposal in order to make the redevelopment more appropriate for this location.

I can confirm that the applicant’s agent approached SPC in early July 2022 to say that they had updated the proposed development.

We responded by email dated 28 July 2022 outlining the following points:-

- The Parish Councillors were content with the proposed number of properties.
- The issue regarding traffic along the Leighton Buzzard Road did not appear to have been addressed.
- The Parish Council considers there should be a northbound filter lane to turn (right) into Mile Barn Farm.
- It was considered that street lighting would not be appropriate given its rural location.
- We felt that a “Public Consultation” about the proposed development would be useful, wherein the Parish Council would be prepared to facilitate a public presentation by the developer.

I can confirm that no public consultation has been undertaken.

(C) Planning Meeting

The “updated” planning application was reviewed at SPC’s monthly meeting held on Monday 5 December 2022. The developer attended the meeting.

We reviewed our formal response to the “second” planning application submitted on 7 December 2022.

The Parish Council discussed the application and concluded that they did not have any material issues with the much reduced (in size/layout) residential/office development as proposed but that any development would be subject to the usual planning test involving VSC, and whether the site was indeed suitable for residential dwellings.

The Councillors debated several issues.

Traffic Issues

CBC need to carefully review the highway access to/from Mile Barn Farm should there be any form of development thereon.

The Parish Councillors (whilst noting the reduced number of dwellings) remain of the opinion that a central turning (filter) lane (from the south) should be constructed to make it safer for cars/vehicles turning right into Mile Barn Farm at peak traffic times. Whilst this would increase the width of the highway to three lanes for a short distance, the safety benefit would outweigh the visual impact.

Light Pollution

There must be a planning condition to reduce light pollution from the development and protect against future changes to lighting provision on-site.

Footpath Connectivity

SPC is keen to make sure that there is a footpath link between Mile Barn Farm and Common Road, and to the north, towards Dagnall if possible.

Broadband

SPC believe that if the site is redeveloped, there should be a condition attached for the developer to provide superfast fibre/Broadband connection (and any other required communication connection) to each of the buildings thereon (including a 'fit for purpose' commercial office).

River Gade

Any development must not impact or disrupt the River Gade.

(D) Application Paperwork

It was noted that on the planning portal, the Planning Officer at CBC had received a significant number of "internal" replies: which will be no doubt considered when assessing this latest planning application.

Planning Statement [DLP Planning] – October 2022

We have reviewed this document. It is a useful summary.

Key points are:-

- The nearest bus stop is just over 1km away [**Para 2.6**].
- The site is surrounded by agricultural fields [**Para 2.8**].
- The site is located within Flood Zone 1 [**Para 2.9**].
- In planning terms, the site is washed over by Green Belt and lies within the Chilterns AONB [**Para 2.10**].
- To the north is Ravensdell Wood, a designated County Wildlife Site [**Para 2.13**].
- BW25 footpath is located to the south [**Para 2.14**].

- Lawful Development Certificate for Building/Land used for Class B uses granted 13 December 2021 [**Para 3.1**].
- Proposal is to provide 9 residential dwellings and 268 sq m of Class B1 office accommodation [**Para 4.2**].
- The residential road layout will feature an 8.8m shared surface arrangement [**Para 4.7**].
- In terms of parking provision, each residential unit have 3 allocated spaces (2 drive/1 garage), plus 4 visitor spaces whereas the office building will have 15 spaces (13 standard/2 disabled) [**Para 4.8**].
- The Central Bedfordshire Local Plan 2015-2035 was adopted on 22 July 2021 requiring 39,350 dwellings and 24,000 new jobs [**Para 5.4**].
- Policy SP4 (Development in the Green Belt) states that the redevelopment of brownfield sites might be acceptable if the redevelopment would not have a greater impact on the openness of the Green Belt [**Para 5.10**].
- The National Planning Policy Framework (“NPPF”) has been updated in July 2021 [**Para 5.25**].
- The Chilterns Building Design Guide (“CBDG”) was published in February 2010 to ensure that new building respects the natural beauty of the Chilterns [**Para 5.47**].
- The current application has evolved in response to the refusal of previous applications taking into account the scale of the development, the impact on the GB openness and the landscape provision [**Para 6.1**].
- The application is supported by many technical assessments [**Para 7.2**].

Chilterns Conservation Board (“CCB”)

SPC has read the feedback submitted by CCB.

We agree that CBC’s Planning Team need to be satisfied that the proposed development will not damage the high quality of landscape of the Chilterns Area of Outstanding Natural Beauty including the introduction of lighting into the dark landscape.

We agree that the site is not sustainable in terms of rural location; is outside of any recognised settlement boundary within the open countryside and will by definition be reliant on private cars for both the residential and office occupiers.

As a result, the car parking provision needs to be generous (above CBC’s policy guidelines) on-site.

(E) Conclusions

SPC are pleased that the applicant has taken into account feedback from relevant parties (including CBC) and have significantly re-designed their scheme for a second time.

The Parish Council did not consider that the original, urban housing estate in design and layout, proposal was appropriate for the subject site at Mile Barn Farm. At that time, SPC stated that if the site is to be redeveloped (in the future), it might be acceptable if (1) it provided limited new build residential in keeping with “agricultural” style in design and (2) only part of the site should be redeveloped.

The updated proposal is in line with this statement.

In accordance with the latest version of the NPPF (July 2021), due to its rural location within the Green Belt and AONB, the only way that the proposed development can be given planning consent is if there are relevant and valid VSC to justify the end development, which outweigh the harm and openness to the Green Belt.

Summary

Taking into account all of the relevant issues, the Parish Council is happy for CBC's Planning Team to grant or refuse planning consent as appropriate but taking into account the various matters outlined in this letter.

I trust the above is self-explanatory, but should you have any queries or questions, please let us know.

Yours sincerely,



Cllr Mark Poyner

Studham Parish Council
Chair of the Planning Committee

cc.

Cllr Kevin Collins – Ward Councillor at CBC
Cllr Eddie Perry – Ward Councillor at CBC
Cllr Bob Wilkin - SPC
Cllr Geoff Shute – SPC
Cllr Chrys Smith – SPC
Cllr Alan Wright – SPC
Cllr Lynne Smith – SPC
Cllr Mo Rashid - SPC
Mrs Sally Harrop – Clerk of SPC



Clerk to the Council

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Ms Gemma Davies
Senior Planning Officer
Central Bedfordshire Council
Priory House
Monks Walk
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Shefford
Bedfordshire
SG17 5TQ

19 December 2022

By Email: planning@centralbedfordshire.gov.uk

Dear Gemma,

Application No: **CB/22/04458/FULL**
Location: **Knoll House, Dunstable Road, Studham, Dunstable, LU6 2QJ.**
Proposal: **Residential redevelopment, demolition of existing car home and the erection of 8 dwellings with associated parking and amenity provision and alterations to existing access on Studham Lane.**

I write further to Central Bedfordshire Council's ("CBC") letter dated 23 November 2022 relating to this planning application.

Commentary

This "second" planning application for Knoll House was discussed by Studham Parish Council ("SPC") at our monthly Parish Council Meeting held on Monday 5 December 2022.

Neither the applicant nor their planning consultant attended that meeting, nor have they made any contact with Studham Parish Council which is very disappointing.

Having reviewed the relevant documents, the Parish Council can see little change from the "first" planning application which was subsequently withdrawn on 16 September 2022.

Conclusion

SPC remain of the opinion that we cannot support at all this planning application.

We therefore wish to again formally **OBJECT** to planning consent being granted and firmly request that CBC's Planning Team refuse the said application.

I attach in **Annex A**, a copy of our response on the "first" planning application dated 12 September 2022. These comments, views and observations all remain valid.

To repeat, the key issues are as follows.

Green Belt/Area of Outstanding Natural Beauty ("AONB")

SPC considers that the proposed development is an inappropriate development in the Green Belt; AONB and AGLV. Studham and the subject site fall within the Chilterns AONB and should be treated accordingly.

The proposal will undoubtedly cause significant harm to the character and appearance of the area including AONB; AGLV and the amenity of the neighbouring properties.

Class C2 Use (Residential Institutions)

The applicant rightly states that the use of the existing building is Class C2 use (known as Residential Institutions). This use class includes residential accommodation with elements of care being provided to people in need of it, residential schools, colleges or training centres, hospitals, and nursing homes.

As far as the SPC is concerned, the land surrounding the existing care home is maintained for the benefit of the residents living at Knoll House and in our view the land should be classified as "residential gardens" in planning context.

Previously Developed Land (PDL)

It noted that CBC consider the land subject to the planning application is not PDL and should be treated accordingly.

SPC agrees that the site is not PDL.

Planning Precedent

Any planning consent to knock down the care home and replace with 8 dwellings would create an unwanted planning precedent for Studham and for that matter elsewhere in Bedfordshire for similar proposals.

Highways/Landscape Value

SPC has concerns about access to/from the site via Studham Lane from Dunstable Road.

The two photographs (in Appendix 1 to Annex A) show the current condition and configuration of Studham Lane. If the roadway is to be widened, there are in excess of 10 trees along the (northern) boundary which would be lost. This is not acceptable to SPC and would change the look/feel of the area and adversely affect the landscape.

Whilst the access/exit is on the bend, the access is shared with the vehicular access to the adjacent residences, Hedgeside and Hollybush House. The road junction would need to be significantly upgraded should the site be redeveloped.

It is telling that the planning consent granted in June 2021 for CB/20/04426/FULL had a bespoke condition (No.5) relating to the access onto Dunstable Road.

Drainage

Significant surface water comes down Studham Lane into the drain located adjacent to Venture. This drain is very important to prevent Dunstable Road flooding and cannot be affected by any development plans.

This drain provision might have to be improved/expanded (at a cost to the developer) as part of development and/or change of use on the land in question.

Very Special Circumstances

In accordance with the guidance contained with the revised NPPF document, due to its location within the Green Belt and AONB, the only way that the proposed development can be given planning consent is if there are relevant and valid VSC to justify the end development, which outweigh the harm and openness to the Green Belt.

There are none.

Sustainability

If Knoll House ceases to be care home (as existing), it is considered that the existing building should be modified and/or re-configured for another community use or probably returned (in use terms) back to a residential dwelling.

There is absolutely no need to redevelop the whole site.

The Parish Council consider this to be an opportunistic planning application by the applicant.

Existing Planning Consent (CB/20/04426/FULL)

As the applicant now states that the care home is not viable (even if the extension to 27 bedrooms is constructed), the existing planning consent (CB/20/04426/FULL) granted is now effectively redundant.

As above, the Parish Council is not aware that the existing care home site has been offered to the market for the existing use.

Rural Exception Site

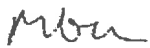
The Parish Council does not consider the site in question is an appropriate location for a rural exception site.

Summary

Taking into account all the relevant issues, the Parish Council cannot support at all this planning application and firmly considers that CBC's Planning Team should refuse any such consent.

I trust the above is self-explanatory, but should you have any queries or questions, please let us know.

Yours sincerely,



Cllr Mark Poyner

Studham Parish Council
Chair of the Planning Committee

cc.

Cllr Kevin Collins – Ward Councillor at CBC

Cllr Eddie Perry – Ward Councillor at CBC

Cllr Bob Wilkin - SPC

Cllr Geoff Shute – SPC

Cllr Chrys Smith – SPC

Cllr Alan Wright – SPC

Cllr Lynne Smith– SPC

Cllr Mo Rashid - SPC

Mrs Sally Harrop – Clerk of SPC

Annex A

Copy of Studham Parish Council's response dated 12 September relating to CB/22/02653/FULL



Clerk to the Council

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Email: clerk@studhamparish.co.uk

Ms Gemma Davies
Planning Officer
Central Bedfordshire Council
Priory House
Monks Walk
Chicksands
Shefford
Bedfordshire
SG17 5TQ

12 September 2022

Email to: planning@centralbedfordshire.gov.uk

Dear Gemma

Application No: **CB/22/02653/FULL**

Location: **Knoll House, Dunstable Road, Studham, Dunstable, LU6 2QJ.**

Proposal: **Residential redevelopment, demolition of care home and erection of 8 dwellings.**

I write further to Central Bedfordshire Council's ("CBC") letter dated 8 August 2022 highlighting the above planning application.

Introduction

This reply has been subdivided into the following sections:-

- Executive Summary
- Planning History
- Planning Meeting
- Very Special Circumstances
- Conclusions

I set out the information and our feedback as follows in accordance with the agreed extension of time.

(A) Executive Summary

Studham Parish Council ("SPC") have reviewed the relevant documents and following our discussion, we cannot support at all this planning application (in respect of the proposed size/configuration). We therefore wish to formally object to planning consent being granted and firmly request that CBC's Planning Team refuse the said application.

SPC is again disappointed that the applicant and their planning consultant have not spoken to the Parish Council, nor undertaken local consultation or explained the background situation before making the planning application. We urge them to do so.

(B) Planning History

The site was subject to a recent planning application [CB/20/04426/FULL]. This planning application was registered back in December 2020 and proposed a two storey extension to the existing care home.

SPC submitted our comments to CBC by email letter dated 12 January 2021.

Our then key points were:-

- It was highlighted that the existing care home is not "fit for purpose" and that we understood the need for internal improvement and the associated extension project.
- The proposal was to create a modern, upgraded, care home facility with a small overall increase in the number of available rooms (with en-suite facilities).
- We noted that the applicant had made no informal consultation with SPC or local residents.
- The extension would be considered inappropriate development in the Green Belt and AONB unless there were "Very Special Circumstances" ("VSC") to justify the development.
- SPC were generally supportive of the proposal.
- SPC wanted the applicant to undertake local consultation.
- SPC were concerned about the waste disposal from the facility.
- SPC were concerned that there was a current issue with a heating oil leak from the site.
- SPC highlighted that the access to/from Studham Lane is poor and is awkwardly configured.

SPC were happy for CBC's Planning Team to determine the application as appropriate as we considered that the proposal might potentially provide a VSC argument in terms of community use.

Although CBC's Planning Team stated that on balance, the development was considered acceptable (subject to conditions), Ward Councillor Cllr Eddie Perry "called in" the application to DMC for four reasons:-

1. The application will have an overbearing impact.
2. The application has safety concerns.
3. The design of the proposal is not acceptable.
4. The proposal will have a negative impact on the landscape.

The DMC approved the planning application (in June 2021) subject to 18 detailed conditions, and planning consent was granted on 4 June 2021.

Since this consent was granted, SPC have had no contact at all from the applicant or their planning agent. It was therefore a surprise for us to receive the current planning application from CBC.

From reading the detailed Planning Officer's report into CB/20/04426/FULL, the Parish Council is aware that Knoll House was previously a single residential dwelling. Planning consent was granted in November 1984 for the change of use to a "retirement home" with further building extensions granted planning permission in July 1986 and November 1988 respectively.

SPC have not seen any documentation for these 1980's consents and there might be relevant information and/or conditions therein.

What is interesting about the planning history for the site is that there have been three further planning applications submitted as follows:-

SB/91/00568 – Erection of one four bedroomed dwelling.

SB/96/00777 – A further sizeable extension to Knoll House.

SB/01/01057 – Erection of a front conservatory.

Each one was refused.

Finally, we note from the internal CBC consultation and the Planning Statement (by Maple Planning & Development Limited) that the site in question does not comprise previously developed land ("PDL") as residential gardens are excluded from that definition.

(C) Planning Meeting

SPC reviewed the relevant planning application documents at its monthly meeting held on Monday, 5 September 2022.

This meeting was not attended by a representative of the applicant.

We had several members of the public present; the relevant Ward Councillors and another developer (and his planning consultant) in attendance. In addition, SPC have received written representations from several parishioners who were unable to attend the meeting who are opposed to the proposed development.

Various views were expressed at the meeting but the key points were:

- It was agreed that the existing care home building was dated and not "fit for purpose".
- It was noted that the care home is unviable at less than 40 rooms. Therefore, why make the planning application in 2020 for a building providing just 27 rooms?
- The Parish Council is not qualified to comment on the lack of funding opportunities but it was noted that the existing care home has not been offered to the market for the existing use.
- It was noted that that CBC have stated that the site is not PDL.
- Since pre-planning advice was received by the developer, it was noted the number of houses has reduced from 9 to 8 dwellings. Why?
- It was mentioned that the site is a triangular shaped surrounded by trees and adjacent to Dunstable Road. There is housing opposite (on two sides).
- This site is one of three different plots of land in the immediate area which are or have been subject to potential development.
- There was criticism of the "Transport Statement". The Parish Council and local residents consider that any large scale residential development on the site will significantly increase vehicle movements from/to Dunstable.
- The existing vehicular movements are minimal, with one/two cars parked.
- It is noted that the residents of Knoll House do not drive or have cars.

- The access along Studham Lane is very narrow (see photographs in **Appendix 1**).
- Studham Lane is a well-used pedestrian route to/from Whipsnade.
- The sloping (and curved) driveway is awkward for the care home and is not suitable for a large scale residential development.
- Could there be a separate access from Dunstable Road?
- There is a key drainage provision on the highway at this point. Significant surface water comes down Studham Lane. If the site is redeveloped with more hard standing, this will potentially increase the volume of water entering the drain.
- The site is in the Green Belt, an Area of Outstanding Natural Beauty ("AONB") and an Area of Great Landscape Value ("AGLV").
- The site is on a slope and any new buildings on it will be very visible from Dunstable Road, the housing opposite and from Studham Lane/adjacent field.
- One resident stated that there are bats in the area.
- The proposed "terraced" and semi-detached housing is not reflected in the existing housing mix in the area.
- A redevelopment for two, large detached houses would be more in keeping.

Cllr Eddie Perry stated that he did not support the planning application for a number of reasons.

SPC are happy to leave CBC's Planning Team to expertly review and consider the various supporting documents such as biodiversity, ecological and arboricultural assessments.

(D) Very Special Circumstances

SPC note that no VSC have been outlined within the application.

It is noted from the Planning Officers report for the above mentioned CB/20/04426/FULL (see Paragraphs 6.4, 6.5, 6.6 and 6.7) that a recommendation for approval was given due to the "care home" use.

(E) Conclusions

These are as follows:-

Green Belt/Area of Outstanding Natural Beauty ("AONB")

SPC considers that the proposed development is an inappropriate development in the Green Belt; AONB and AGLV. Studham and the subject site falls within the Chilterns AONB and should be treated accordingly.

The proposal will undoubtedly cause significant harm to the character and appearance of the area including AONB; AGLV and the amenity of the neighbouring properties.

Class C2 Use (Residential Institutions)

The applicant rightly states that the use of the existing building is Class C2 use (known as Residential Institutions). This use class includes residential accommodation with elements of care being provided to people in need of it, residential schools, colleges or training centres, hospitals, and nursing homes.

As far as the SPC is concerned, the land surrounding the existing care home is maintained for the benefit of the residents living at Knoll House and in our view the land should be classified as

“residential gardens” in planning context.

Previously Developed Land (PDL)

It noted that CBC consider the land subject to the planning application is not PDL and should be treated accordingly.

SPC agrees that the site is not PDL.

Planning Precedent

Any planning consent to knock down the care home and replace with 8 dwellings would create an unwanted planning precedent for Studham and for that matter elsewhere in Bedfordshire for similar proposals.

Highways/Landscape Value

SPC has concerns about access to/from the site via Studham Lane from Dunstable Road.

We attach two photographs (in Appendix 1) showing the current condition and configuration of Studham Lane. If the roadway is to be widened, there are in excess of 10 trees along the (northern) boundary which would be lost. This is not acceptable to SPC, and would change the look/feel of the area and adversely affect the landscape.

Whilst the access/exit is on the bend, the access is shared with the vehicular access to the adjacent residences, Hedgeside and Hollybush House. The road junction would need to be significantly upgraded should the site be redeveloped.

It is telling that the planning consent granted in June 2021 for CB/20/04426/FULL had a bespoke condition (No.5) relating to the access onto Dunstable Road.

Drainage

Significant surface water comes down Studham Lane into the drain located adjacent to Venture. This drain is very important to prevent Dunstable Road flooding and cannot be affected by any development plans.

This drain provision might have to improved/expanded (at a cost to the developer) as part of development and/or change of use on the land in question.

Very Special Circumstances

In accordance with the guidance contained with the revised NPPF document, due to its location within the Green Belt and AONB, the only way that the proposed development can be given planning consent is if there are relevant and valid VSC to justify the end development, which outweigh the harm and openness to the Green Belt.

There are none.

Sustainability

If Knoll House ceases to be care home (as existing), it is considered that the existing building should be modified and/or re-configured for another community use or probably returned (in use terms) back to a residential dwelling.

There is absolutely no need to redevelop the whole site.

The Parish Council consider this to be an opportunistic planning application by the applicant.

Existing Planning Consent (CB/20/04426/FULL)

As the applicant now states that the care home is not viable (even if the extension to 27 bedrooms is constructed), the existing planning consent (CB/20/04426/FULL) granted is now effectively redundant.

As above, the Parish Council is not aware that the existing care home site has been offered to the market for the existing use.

Rural Exception Site

The Parish Council does not consider the site in question is an appropriate location for a rural exception site.

Summary

Taking into account all the relevant issues, the Parish Council cannot support at all this planning application and firmly considers that CBC's Planning Team should refuse any such consent.

We hope you find these comments useful to your consideration of the planning application.

Yours sincerely



Cllr Mark Poyner

Studham Parish Council
Chair of the Planning Committee

cc

Cllr Kevin Collins – Ward Councillor at CBC

Cllr Eddie Perry – Ward Councillor at CBC

Cllr Bob Wilkin - SPC

Cllr Geoff Shute – SPC

Cllr Chrys Smith – SPC

Cllr Alan Wright – SPC

Cllr Lynne Smith– SPC

Cllr Mo Rashid - SPC

Mrs Sally Harrop – Clerk of SPC

APPENDIX 1

Photographs (Studham Lane) – September 2022





Clerk to the Council

Mrs Sally Harrop
32 The Orchard
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Email: clerk@studhamparish.co.uk

Ms Gemma Davies
Senior Planning Officer
Central Bedfordshire Council
Priory House
Monks Walk
Chicksands
Shefford
Bedfordshire
SG17 5TQ

16 December 2022

By Email: planning@centralbedfordshire.gov.uk

Dear Gemma,

Application No: **CB/22/04464/DOV**
Location: **Shires End, Clements End Road, Studham, Dunstable, LU6 2NG.**
Proposal: **Variation of condition numbers 2, 3 & 18 of planning permission**
 CB/18/00339/FULL (Demolition of existing buildings and removal of hard
 standing and erection of 3 detached dwellings) variations to the proposed
 and external building materials and overall fenestration.

I write further to Central Bedfordshire Council's ("CBC") letter dated 18 November 2022 relating to the Variation of Condition request.

Commentary

This application was discussed at our monthly Parish Council Meeting held on Monday 5 December 2022, a meeting which the applicant attended.

Although Studham Parish Council has no material concern with the revised style and design of each bungalow, we note that the size of each dwelling has increased significantly from 2,198 sq ft to 2,707 sq ft (including the 'green energy storeroom'). This is equal to a 23% increase in overall ground floor area when compared with the existing planning consent.

We also note that each plot has no garage provision (as before), with surface car parking to the front of each dwelling.

As to the height of the “revised” dwellings, this is marginally higher than the existing planning consent, but not materially so.

Conclusion

Accordingly, the Parish Council is happy with the style/design of the revised building (including the sunken roof plant area) but will leave Central Bedfordshire Council to decide on whether the overall increase in size/square footage is appropriate.

I trust the above is self-explanatory, but should you have any queries or questions, please let us know.

Yours sincerely,



Cllr Mark Poyner

Studham Parish Council
Chair of the Planning Committee

cc.

Cllr Bob Wilkin - SPC
Cllr Geoff Shute – SPC
Cllr Chrys Smith – SPC
Cllr Alan Wright – SPC
Cllr Lynne Smith– SPC
Cllr Mo Rashid - SPC
Mrs Sally Harrop – Clerk of SPC



Clerk to the Council

Mrs Sally Harrop

32 The Orchard

Kings Langley

Herts

WD4 8JR

Email: clerk@studhamparish.co.uk

Ms Jade Moss
Planning Officer
Central Bedfordshire Council
Priory House
Monks Walk
Chicksands
Shefford
Bedfordshire
SG17 5TQ

24 December 2022

By Email: planning@centralbedfordshire.gov.uk

Dear Jade,

Application No: CB/22/04453/FULL

Location: Land Rear of Plot 6, Clements End Farm, Clements End Road, Studham LU6 2NG.

Proposal: Change of use of land to paddock and erection of field horse shelter

I write further to Central Bedfordshire Council's ("CBC") letter dated 28 November 2022 relating to this planning application.

Background

This application was discussed at a Parish Council Planning Meeting held on Monday 12 December 2022, a meeting which the applicant attended.

This planning application followed the withdrawn application (by Troy Homes) registered as CB/22/01658/FULL.

SPC were unimpressed with the previous planning application for the reasons set out in our then reply, and for reference I attach a copy of Studham Parish Council's ("SPC") response to CBC's Planning Team dated 14 June 2022 in **Annex A**.

We can confirm that SPC have received feedback from residents objecting to the proposal.

Comments

It is agreed that the land in question is currently agricultural land, and that planning consent is required.

Planning Creep

The Parish Council had and still have a major issue with “planning creep” for agricultural land adjacent to a Previously Developed Land (“PDL”) site which has been redeveloped for 8 residential dwellings [CB/219/00148/FULL].

Landscape Visual Impact

It remains our view that if the planning application [CB/19/00148/FULL] had included a change of use of the surrounding agricultural land to paddock, we would have objected at that time. We consider the indirect consequences of such a change of use including the likely requirement for additional fencing/outbuildings to have a material impact on the visual landscape view/scene (notwithstanding any landscaping condition).

Having reviewed the Planning Statement (see Paragraph 2.4), it seems that the developer (Troy Homes) has not (as yet) planted the required hedgerow/green landscaping around the residential development and also appears to have installed a green security fencing enclosing current agricultural land around the PDL site including the land involved in this planning application.

This needs to be investigated by CBC.

Requirement

Turning to the subject planning application for land rear of Plot 6 at Clements End Farm, we note the personal circumstances outlined by applicant (personal, not commercial use) and their requirement to relocate their two Shetland Ponies (essentially pets) to their new home in Studham.

Size

We are told that the land in question comprises circa one acre in total and this is the minimum size required for a change of use from agricultural to paddocks (for equine use).

We consider the two Miniature Shetland ponies to be suitable for this land, not full-sized horse/horses.

This site also has an access route to/from dwelling house, and no further access route is required.

Shelter/Outbuilding

If planning permission is granted for the change of land use, the requirement for a suitable shelter/outbuilding seems entirely appropriate for that use.

Land North of Eagle Field [CB/22/01957/FULL]

The Parish Council is aware that the planning application at “Land North of Eagle Field, Clements End Road [CB/22/01957/FULL] was refused by CBC on 15 November 2022.

It is noted that planning consent was refused as the “site lies within the South Bedfordshire Green Belt and the proposal would comprise inappropriate development within the Green Belt and would be harmful by reason of inappropriateness, significant loss of openness and by conflict with the purposes of including land within the Green Belt. Very special circumstances that would outweigh the identified harm have not been demonstrated in this case. The proposal is therefore contrary to Section 13 of the National Planning Policy Framework”.

We note that this was, in part, a commercial use; was not linked to the adjacent dwelling (Eagle Field) and in fact had a separate access route. The subject application is therefore different.

Conclusion

This is two parts.

CB/22/04453/FULL

The Parish Council are happy for CBC’s Planning Team to decide this planning application as appropriate taking into account that the land is situated in the Green Belt (“GB”); Area of Outstanding Natural Beauty (“AONB”) and within an Area of Great Landscape Value (“AGLV”).

As part of their decision, CBC’s Planning Team needs to review if there are any Very Special Circumstances (“VSC”) arguments to justify the change of use from agricultural land to paddocks.

If CBC are minded to grant planning consent, the Parish Council would request (1) this consent to be personal to the applicant (and is to be restricted to Shetland Ponies use only); (2) that the land is automatically returned to agricultural use classification if the land is not occupied by such Shetland Ponies with all outbuildings removed immediately therefrom and (3) it should be subject to the housing development being completed in accordance with the planning consent granted (for CB/19/00148/FULL) including all the relevant conditions, such as landscaping/hedgerow works.

The Parish Council do not want CBC to provide a planning precedent for the other dwellings on the estate or elsewhere in Studham. As outlined before, the Parish Council does not want such agricultural land to be changed to paddock and/or garden use without very good reason.

CB/19/00148/FULL

The Parish Council are very concerned that the developer has (to date) redeveloped the original PDL site for 8 residential dwellings but appears to have not followed (or completed) various conditions for that approval.

We urgently want CBC to review the development works in this regard and in particular the issues relating to the removal of trees from site, and the lack of hedgerow/landscaping surrounding the original PDL site.

There also appears to be a green security fence on the adjacent agricultural land.

Has this got planning consent? Please confirm.

I trust the above is self-explanatory, but should you have any queries or questions, please let us know.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'M Poyner', is written over a light blue horizontal line.

Cllr Mark Poyner

Studham Parish Council
Chair of the Planning Committee

cc.

Cllr Kevin Collins – Ward Councillor CBC

Cllr Edie Perry – Ward Councillor CBC

Cllr Bob Wilkin - SPC

Cllr Geoff Shute – SPC

Cllr Chrys Smith – SPC

Cllr Alan Wright – SPC

Cllr Lynne Smith– SPC

Cllr Mo Rashid - SPC

Mrs Sally Harrop – Clerk of SPC

Annex A

Copy of Studham Parish Council's response dated 14 June relating to CB/22/01658/FULL



Clerk to the Council

Mrs Sally Harrop
32 The Orchard
Kings Langley
Herts
WD4 8JR

Email: clerk@studhamparish.co.uk

Jade Moss
Planning Department
Central Bedfordshire Council
Priory House, Monks Walk
Chicksands, Shefford
Bedfordshire SG17 5TQ

14th June 2022

Email to: planning@centralbedfordshire.gov.uk

Dear Jade

<u>Application No:</u>	CB/22/01658/FULL
<u>Location:</u>	CLEMENTS END FARM, CLEMENTS END ROAD, STUDHAM LU6 2NG
<u>Proposal:</u>	Change of use: of agricultural land to paddock

Members of the Studham Parish Council reviewed the above application documents on Monday 6th June 2022.

WE STRONGLY OBJECT TO THIS PLANNING APPLICATION.

The Parish Council have looked at and discussed in detail the information provided. We disagree with the reasoning for this change of use request.

Previously Developed Land

To start with, the Parish Council do not like "*planning creep*" and this change of land use should have been included within the original planning application which received planning consent for 8 new dwellings [CB/19/00148/FULL].

If it had been, we would have objected to it then (as we do now) as not being appropriate in planning terms and as the land in question was not (and is still not) Previously Developed Land ("PDL").

Please find attached a copy of Studham Parish Council's formal response to CB/10/00148/FULL dated 25 February 2019. You will note the photographs included therein and the lack of commentary by the then applicant in respect of the surrounding land.

Very Special Circumstances

There are no Very Special Circumstances ("VSC") for this proposal.

Housing Development Design/layout

The land in question (outlined in red) is situated to the rear of 7 of the 8 housing plots at Clements End Farm off Clements End Road. There is no bespoke access from the highway network thereto (it must be via the housing development) and the design/layout of the dwellings under construction does not provide suitable vehicular access to the land for the stated "paddock use".

We consider that this planning application is one which simply aims to assist the selling of the residential dwellings on the new housing development rather than the stated "paddock" for recreational equine (horse) use.

Increased Vehicular Movements

If planning consent was granted and the "paddock" was actually used/occupied by horses, such use would increase vehicular movement on the housing development and onto/off Clements End Road.

With the planned Equestrian Development further along Clements End Road, the Parish Council remain deeply concerned about the traffic; highway and health/safety risk here.

Equine Use

The Parish Council has no direct expertise on equine matters as such but when reviewing the planning application, we looked at several external resources including The British Horse Society's ("BHS") website [www.bhs.org.uk] for guidance.

There seems to be a number of factors which make the proposal inappropriate.

Minimum Land Requirements

It states that the BHS recommends a ratio of one horse per 0.4 to 0.6 hectares on permanent grazing (1 to 1.5 acres per horse). The planning application provides no information on the relevant size of the land in question, but it states that if planning consent is granted, it will allow future homeowners to purchase a section of land adjoining the housing development for recreational equine use.

In short, the land in question is not large enough for such a use.

Adequate Water Supply

There is no such water supply, or other associated services.

Shelter/Outbuilding Requirements

If planning consent was granted, this would potentially lead to outbuildings being built on the land. This is not something that the Parish Council can support.

We fundamentally object to any further outbuilding/stable/shed construction outside of the original “red line” outlining the housing development area for CB/19/00148/FULL.

Fencing/Gates

Likewise, fencing/gates would no doubt be required to “section” off the different paddocks. This would adversely damage the landscape value in this location, and this is again not something that the Parish Council would want to see, nor can support.

Plot 5 Clements End Farm

Finally, we wish to highlight that Strutt & Parker are currently marketing Plot 5 on the housing development at £1.75m. We attach the relevant four-page marketing brochure [March 2022].

It states on the second page: “A brand new detached family home in a charming, convenient location, with 10 acres of adjacent paddocks”. This “paddock” is shown on the last page outlined in red.

The Parish Council is not aware that this additional area (10 acres) has planning consent for a change of use from agricultural use to paddock. Can you confirm?

You will further note that the land subject to the planning application [CB/22/01658/FULL] is shown within the marketing brochure subdivided for each plot.

Conclusion

Studham Parish Council strongly requests that the Planning Team at Central Bedfordshire Council refuse planning consent for the proposed change of use from agricultural land to “paddock” use.

Yours sincerely,



Sally Harrop
Clerk to Studham Parish Council



Clerk to the Council

Mrs Sally Harrop
32 The Orchard
Kings Langley
Herts
WD4 8JR

Email: clerk@studhamparish.co.uk

Andy Jones – Trees & Landscape Officer
Planning Department
Central Bedfordshire Council
Priory House, Monks Walk
Chicksands, Shefford
Bedfordshire SG17 5TQ

22nd November 2022

Email to: planning@centralbedfordshire.gov.uk

Dear Andy

Application No:	CB/TRE/22/00572
Location:	2 Holywell Road, Studham, Dunstable, LU6 2PA
Proposal:	Works to trees protected by Tree Preservation Order: Reduce all six of the protected Oak Trees (shown by blue circles), particularly the trees overhanging the house. Trees protected by TPO 4/1973 and falling in G5 and A2

Members of Studham Parish Council reviewed the above application documents on Monday 21st November.

The Parish Council have no material issues with this application and are confident that it will be determined as appropriate.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'S Harrop'.

Sally Harrop
Clerk to Studham Parish Council



Clerk to the Council

Mrs Sally Harrop
32 The Orchard
Kings Langley
Herts
WD4 8JR

Email: clerk@studhamparish.co.uk

Andy Jones – Trees & Landscape Officer
Planning Department
Central Bedfordshire Council
Priory House, Monks Walk
Chicksands, Shefford
Bedfordshire SG17 5TQ

6th December 2022

Email to: planning@centralbedfordshire.gov.uk

Dear Andy

Application No:	CB/TRE/22/00610
Location:	Strathyre, Swannells Wood, Studham, LU6 2QB
Proposal:	Works to a tree protected by a Tree Preservation Order SB/84/00014: fell triple stemmed Beech Tree to ground level. The tree has cavities.

Members of Studham Parish Council reviewed the above application documents on Monday 5th December.

The Parish Council have no material issues with this application and are confident that it will be determined as appropriate.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Sally Harrop'.

Sally Harrop
Clerk to Studham Parish Council