



The countryside charity Bedfordshire

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9th December 2022

Registered Charity 1023435

Working locally and nationally to protect and enhance a beautiful, thriving countryside for everyone to value and enjoy.

For The attention of Mr Thomas Mead, Principal Planning Officer

Ref; CBC Planning Application - CB/22/04307/FULL, Land at Sundon Road, Lower Sundon, Change of use of land and development of new sports facility comprising the formation of three full sized pitches (including all-weather pitches with floodlighting), two junior pitches, clubhouse (including changing rooms, fitness suite and physio rooms, spectator seating and viewing areas, dining room with kitchen and bar, stewards living accommodation and ancillary storage etc), creation of new access off Sundon Road, parking provision, landscaping and associated works.

CPRE are aware that there have been changes made to the application since withdrawal of CB/19/04242, however, they are not considered to have addressed those principal reasons for our previous objection as expanded upon below, as they continue to represent inappropriate development in the Green Belt.

CPRE do not consider that the proposals put forward fall into the category of 'very special circumstances' or those of an 'exception' in relation to provision of facilities for 'outdoor sport'

and do not preserve the openness of the Green Belt or the setting of the Grade 1 listed building as required to do.

CPRE Bedfordshire, wish to **object** to this Planning Application on the following grounds.

1. Green Belt and the Local Plan

i) Central Bedfordshire Council has an adopted Local Plan and significant areas of countryside in this locality have been removed from the Green Belt following a three-stage assessment process, and those areas are now included within the adopted Local Plan. The NPPF states at Chapter 1 para2 *-Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.* The Local Plan has made appropriate allocations for outdoor sport and recreation within the area affected.

ii) It should be noted that there is a significant amount of development allocated within the area of Lower Sundon on land removed from the Green Belt via the Local Plan.

Local Plan Strategic Allocation 1 (SA1) North of Luton Urban Extension – 3,600 homes and associated infrastructure – SA1 is intended to be accessed via the new M1-A6 Link Road – the road suggested would be used for Luton residents to access the proposed site via Camford Way and the proposed connection between the Link Road and Sundon Road.

This site has been allocated to meet the unmet housing needs of Luton and SA1 includes amongst its principles of development

1 (f) Provision of leisure facilities, including

ii) outdoor sport, leisure and open space, in accordance with policy EE13.

Policy EE13: Outdoor Sport, Leisure and Open Space

On new residential development, the Council will:

1. Require the provision of open spaces and outdoor sports facilities in accordance with the Leisure Strategy standards (or more up to date evidence) and facility requirements, and

2. Require onsite open space and outdoor sports facilities to be an integral part of the development and incorporated into the design at an early stage.

Management and Maintenance

.... The developer must provide a management scheme which details the future ownership, management and maintenance of the site. Where the asset is to be adopted by the Local Authority or Town and Parish Council commuted sums will be paid for maintenance of the facility. c

It is evident that such provision could be made close to Luton on land already removed from the Green Belt, and also with direct access to Luton through the site, which would also have access to the busway extension – a more sustainable form of transport. It is evident from the

proposed car parking facilities that most journeys to the site are expected to be made by car/coach.

- 162 car parking spaces;
- 10 accessible parking spaces;
- An additional overflow parking area to provide approximately 40 spaces;
- Circa 18 short-stay cycle parking spaces;
- Motorcycle parking; and
- Minibus and coach parking spaces to cater for visiting teams

iii) The following information is supplied in documents supporting the application (covering letter)

Overall, the changes to the scheme have markedly reduced any impact. It is considered that the harm to the Green Belt and any other harm is now clearly outweighed by the acknowledged benefits of the proposed development.

These benefits include:

- *The continued survival of Luton Rugby Football Club;*
- *The provision of choice of clubs for local residents;*
- *The lack of any option to develop their existing site;*
- *The absence of any alternative sites;*
- *The existing demonstrable need for artificial grass pitches for other sports within Central Bedfordshire;*
- *The potential to provide wider community benefits, including:*
- *Expansion of the Club to increase number of youth and female teams etc;*
- *Increased access to opportunities for sport;*
- *Ability to accommodate other sports activities;*
- *Provision of social facilities for the local community, including bar, gym etc; and*
- *Provision of a new facility that will support existing and proposed communities.*

A number of these are addressed below in relation to viability and deliverability of this proposal.

CPRE do not believe that any of those listed above would a) be commensurate with the NPPF Chapter 13 Protecting Green Belt Land – which states

137 the essential characteristics of Green Belts are their openness and their permanence.

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c) to assist in safeguarding the countryside from encroachment;

d) to preserve the setting and special character of historic towns

or Proposals affecting the Green Belt

147. Inappropriate development is, by definition harmful to the Green Belt

149 A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are

b) the provision of appropriate facilities (in connection with the existing use of land or a change of use of land) for outdoor sport, outdoor recreation, as long as the facilities preserve the openness of the Green Belt and do not conflict with the purpose of including land within it.

It is not sufficient for a proposal to be considered to result in little or no harm – which is in fact not the case here.

iv) Although Sport England have voiced some support of the proposals within the application they do raise issues including that of impact on the Church and the Flood lighting etc. as weighing against the site selected.

Sport England also published a document entitled **Sport in the Green Belt**

Within this they contrast those proposals that would be appropriate and those that would not. This application falls within the second category and their contention is supported by the outcome of appeal and call in decisions in relation to similar proposals that do not restrict themselves to the provision essential amenities for outdoor sport – such as ‘small changing facilities’ which can be considered as essential facilities.

The clubhouse contains more floorspace than would be ‘essential’ for outdoor sport. It includes provision for many non-essential facilities such as a 2 bedroom flat, a shop, physiotherapy rooms, numerous toilets and changing rooms and a bar with a 180 seat dining area. There are sliding doors that open up from the bar and dining area to the viewing platform – allowing noise and light to spill into the fields and there is no restriction of use in the evenings and weekends for parties, wedding receptions etc., which would be required to finance the club.

In particular, artificial pitches and floodlighting would affect the openness of the Green Belt and would not reflect the current agricultural use and appearance of the land or its current appearance in changing seasons. A building placed anywhere on site would restrict ‘openness’ – and the ‘agricultural building’ proposed does not appear to match any existing agricultural buildings and is unlikely to deceive the eye with inclusion of metal and glass.

An excerpt from a dismissed appeal for similar construction is relevant to this application in relation to the proposals including earth bunding. APP23635/A/01/1077892 -

The Appeal B scheme would result in the introduction of a pavilion building, which would markedly reduce spatial openness. While the pavilion’s size remains a matter to be dealt with under reserved matters, it would be a relatively large building given the necessary building footprint and height to accommodate the school’s and MHC’s requirements. A reduction in spatial openness would occur wherever the pavilion was sited within the field as the field is presently open in nature. Furthermore, the pavilion, sports pitches and associated fencing, sports lighting and paraphernalia would have a visual effect on openness.

40. The tree belt and vegetation cover along the site boundary, changes in levels through earth mounding, and proposed landscaping would restrict some views of the Appeal B development.

However, there would be a permanent and considerable change to the site's openness, which would be perceived spatially and visually

2. Viability and deliverability.

i) The applicant claims that the inability of the Luton Rugby Football Club to be able to find or afford premises within Luton's boundaries, and the fact that the current Club is failing financially, provides the very special circumstances to allow release of Green Belt land within the borders of the neighbouring authority.

ii) The application has been made in relation to land purchased by a third party, which could/may be sold to the applicant and is dependent on the successful sale of the current site of Luton Rugby Club. Although not a planning matter per se, as the issue had been raised within the planning application document it is one to be considered here, particularly in relation to the use of Green Belt and the impact on the setting of the historic church etc

iii) The Luton Rugby Club is in considerable financial difficulties and expects the relocation and build of the new facility to be funded by the proposed sale of the existing grounds for development.

iv) A substantial income for the Club is gained from the *'provision for social activities'* as demonstrated by the accounts provided. This gives little confidence in relation to the future 'success' of this business venture in such a sensitive location or its main purpose – which appears to be as a venue to provide income. A building of this scale and facilities. would be expensive to maintain. As it is some considerable distance from its current base it is not clear that the club would be relocating or 'beginning afresh'. It is not clear whether any grants or funding assistance have been sought for the current club.

v) Should permission be granted, there would also be a direct conflict with nearby Dunstable Rugby Club – a site located in the Green Belt. Planning Officers have commented on the need for provision on the proposed site to meet the needs of Houghton Regis North1 As an allocation in the Local Plan, it is assumed that provision for outdoor sport has been allocated in accordance with the LP Policies. If not, then steps should be taken to rectify that omission within the allocation: consideration could be given for the developers of that site to contribute to expanding the facilities of the existing Dunstable Rugby Club located nearby, to meet those needs rather than assume that relocation of a Luton Rugby Club would be the solution or would automatically address those needs.

3. NPPF 2021 Conserving and Enhancing the Historic Environment

i) CPRE believes that the design, scale and intended use of the clubhouse and extensive parking provision, flood lighting etc. makes this inappropriate development within the Green Belt and is contrary to clauses within the NPPF 2021 in that respect.

ii) NPPF 16 applies. *Considering potential impacts*

Para 199 requires that *great weight should be given the asset's conservation (the more important the asset the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*

Para 200 a) - *Any harm to, or loss of, the significance of a designated heritage asset from development within its setting should require clear and convincing justification.*

Para 200 b) considers Grade 1 listed buildings to be *assets of the highest significance*. This was recognised when deciding on the route of the M1-A6 Link Road.

It is inconceivable that this development should be permitted so close to the Church particularly when considering the facilities are designed for use as a venue for non-sporting events and the floodlighting.

iii) HE has indicated that they object to the application on this basis. Although accepting this is less than substantial harm, they consider the setting of the Grade 1 C14 (some C13 features) Church of St Mary would be adversely affected by the proposals – which would significantly alter the existing and historic agricultural setting. The introduction of floodlighting and artificial pitches – which would be visible from the church - plus the use of the clubhouse for social events/car parking etc. would be a considerable and detrimental change.

iv) It should also be noted that the landscape within which this field sits, is part of the Chiltern Hills and lies within the setting of the Chiltern Hills AONB. This is also Best and Most Versatile Agricultural Land Grade 2 with some small areas of Grade 3a. There is also an adjacent SSSI. This all contributes to the setting of the Church and the nature of its surrounds.

v) The site is beside a graveyard associated with the Church. The same Appeal quoted above, made reference to this circumstance when dismissing it. In relation to this Appeal, Sport England stated that *On amenity issues the Inspector and Secretary of State were in agreement. Noise disturbance would be caused to some local residents during matches and practice on certain pitches, particularly during the week. Disturbance would also be caused to visitors to an adjacent cemetery, who should be able to expect 'a good degree of tranquility'.*

4. NPPF-2021 Section 15. Conserving and enhancing the natural environment

i) The proposed site is identified in the Landscape Character Assessment as 10B Houghton Regis – North Luton Rolling Chalk Farmland. Lower Sundon is identified as an historic settlement and the Church of St Mary as *an important local landmark*. Lower Sundon is associated with *smaller fields or closes, often with earthworks*.

ii) para 174 . *Planning policies and decisions should contribute to and enhance the natural and local environment by:*

a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or

identified quality in the development plan);

b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;

iii) The proposals to add an artificial bund and tree and hedge planting to screen the views and address noise impacts on residents, would take many years to establish and would also impact the openness of this land and change the nature of the setting of the Church. There will be a large loss of Green Belt land on the outskirts of Luton, including part of the AONB. This development would be a further incursion into the remaining Green Belt and countryside, reducing the gap between the Land North of Luton and Sundon Village, which will already be impacted by the M1 A6 Link Road and the RFI at Sundon Quarry. This is an area where historic paths such as the Icknield Way and John Bunyan's Trail are features that attract tourists and walkers from across the country – slowly being degraded and interrupted by development, noise and light pollution.

iii) CPRE support the opinion of the CBC Officer within the previous Pre-App advice submitted, and as previously referenced by the applicant, and refuse the proposed development as it would continue to constitute inappropriate and unnecessary development in the Green Belt.

Finally, please note that in our submissions in respect of the proposed development, while we have taken every effort to present accurate information for your consideration, as we are not a decision maker or statutory consultee, we cannot accept any responsibility for unintentional errors or omissions, and you should satisfy yourselves on any facts before reaching your decision.

John D English

For & on behalf of CPRE Bedfordshire

NB; References used in our Representation;-

- A. Natural England Technical Information Note TIN049, Agricultural Land Classification: Protecting the best and most versatile agriculture land.
- B. Government 25year Plan BMV, Statement of Intent.