

Item No. 8

APPLICATION NUMBER	CB/16/01266/FULL
LOCATION	Land adjacent to The Green Man, High Street, Lidlington, Bedford, MK43 0RN
PROPOSAL	Erection of 3 no. 3 bed dwellings and 3 car garage.
PARISH	Lidlington
WARD	Cranfield & Marston Moretaine
WARD COUNCILLORS	Cllrs Morris, Matthews & Mrs Clark
CASE OFFICER	Lisa Newlands
DATE REGISTERED	31 March 2016
EXPIRY DATE	26 May 2016
APPLICANT	Gilmartins
AGENT	Mr Newitt
REASON FOR COMMITTEE TO DETERMINE	Called in by Cllr R Morris on the grounds of overdevelopment out of character with the village
RECOMMENDED DECISION	Full Application - Approval

Summary of Recommendation

The planning application is recommended for approval, it would be in accordance with Central Bedfordshire Core Strategy and Development Management Policies DM3, CS1, CS2, CS5, DM4, DM13, CS15. It would not have a significant impact upon the residential amenity of any adjacent properties, the significance or the setting of the adjacent Listed Building and would result in a new development suitable for the location. The running of the Public House would not be affected and sufficient parking would remain. It is considered that the design is in accordance with the Central Bedfordshire Design Guide and National Planning Policy Framework.

Site Location:

The application site is within the settlement envelope of Lidlington. Lidlington is identified as a small village in Policy CS1 of the Core Strategy and Development Management Policies for Central Bedfordshire (North). The site previously formed part of the car park for the The Green Man Public House which is a Grade II listed building. Planning permission has previously been granted for the erection of 2 dwellings on the site (Planning Reference CB/15/00777/FULL).

The Application:

Planning permission is sought for the erection 3 detached dwellings and a garage block. The scheme is a resubmission of a previous application which granted planning permission for 2 dwellings on the site (planning reference CB/15/00777/FULL). During the application process the scheme has been reduced from 4 dwellings to 3 dwellings in response to comments in relation to design and height of the dwellings. The proposal has also recently been revised to take account

of comments in relation to design of the proposed dwellings. The consultation period on the reconsultation expires on 5th September. Any additional comments not included in this report will be added to the late sheet.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Core Strategy and Development Management Policies - North 2009

DM3 Amenity
CS14 High Quality Development
CS15 Heritage
DM13 Heritage in Development
CS1 Development Strategy

Development Strategy

At the meeting of Full Council on 19 November 2015 it was resolved to withdraw the Development Strategy. Preparation of the Central Bedfordshire Local Plan has begun. A substantial volume of evidence gathered over a number of years will help support this document. These technical papers are consistent with the spirit of the NPPF and therefore will remain on our website as material considerations which may inform further development management decisions.

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

Relevant Planning History:

Application:	Planning	Number:	CB/15/00777/FULL
Validated:	03/03/2015	Type:	Full Application
Status:	Decided	Date:	27/05/2015
Summary:	Decision: Full Application - Granted		
Description:	Erection of 1 no. three bedroom and 1 no. four bedroom dwellings and reconfiguration of car park		

Application:	Planning	Number:	MB/04/01938/LB
Validated:	20/10/2004	Type:	Listed Building
Status:	Decided	Date:	15/12/2004
Summary:	Decision: Listed Building - Granted		
Description:	Listed Building Consent: raise central chimney to 1.8 metres above thatched ridge line.		

Application:	Planning	Number:	MB/04/01940/FULL
Validated:	20/10/2004	Type:	Full Application
Status:	Decided	Date:	15/12/2004
Summary:	Decision: Full Application - Granted		
Description:	Full: raise central chimney to 1.8 metres above thatched ridge line.		

Application:	Planning	Number:	MB/03/00912/ADV
Validated:	24/09/2003	Type:	Advertisement
Status:	Decided	Date:	24/09/2003
Summary:	Decision: Not proceeded with		

Description: Advertisement Consent: Standard Post Office lozenge.

Application:	Planning	Number:	MB/03/01660/ADV
Validated:	15/09/2003	Type:	Advertisement
Status:	Decided	Date:	24/11/2003
Summary:		Decision:	Advertisement - Granted
Description:	Advertisement Consent: Retrospective: Replacement signage, lanterns, lights and one pole mounted externally illuminated pictorial sign.		

Application:	Planning	Number:	MB/03/01662/LB
Validated:	15/09/2003	Type:	Listed Building
Status:	Decided	Date:	24/11/2003
Summary:		Decision:	Listed Building - Granted
Description:	Listed Building Consent: Retrospective: Replacement signage, lanterns, lights and one pole mounted externally illuminated pictorial sign.		

Application:	Planning	Number:	MB/02/01431/LB
Validated:	02/10/2002	Type:	Listed Building
Status:	Decided	Date:	05/11/2002
Summary:		Decision:	Listed Building - Granted
Description:	Listed Building Consent: Erection of internal post office cubicle.		

Application:	Planning	Number:	MB/85/00027/FULL
Validated:	21/02/1985	Type:	Full Application
Status:	Decided	Date:	18/04/1985
Summary:		Decision:	Full Application - Granted
Description:	FULL: EXTENSION TO REAR OF LOUNGE BAR		

Consultees:

Parish/Town Council

Objection dated 4th May. The Parish Council object to the application on the following grounds:

- concerned regarding the impact on the commercial viability of the Public House, as it is the only Public House in the village;
- overdevelopment on such a small area of land;
- increase in proposed development makes the site unsustainable, possibility of 4 unsustainable houses without any local employment or infrastructure;
- impact on the street scene from the main thoroughfare of the village will be significantly changed in a detrimental way - object to these due to the impact on the street scene as they are not in keeping with the neighbouring dwelling. The Green Man is a Grade II listed building, so the street scene will be out of keeping for this rural, historic village;
- the alterations will result in additional surface water drain off from the site into Whitehall (a private road) or to the Village Hall;
- Already a number of parking issues with the changes to the car park, these will be heightened by additional housing. Insufficient off road parking for the public house users.

- The Green Man Public House has a residential component for which no parking provision has been made;
- The Council are concerned that some of the information provided within the previous application relating to this site is not accurate;
- The transport note has not been updated - the new car park is not functioning properly and the spaces are being used by others not in conjunction with the Public House - This has impacted on parking causing vehicles to park on the High Street;
- The requirement of the previous consent to mark out the car parking spaces by the Village Hall has not been complied with;
- the bus timetable information is out of date;
- the access document is inaccurate, the site has only been vacant since autumn 2015 when the developers fenced it off.

Highways Officer **No objection subject to conditions** and ensuring that the conditions on the previous application are linked to this application in relation to the marking out of the car park.

Conservation Officer **No objection subject to conditions** the proposed dwellings would be subsident to the listed building maintaining the linear character of the village.

Public Protection Officer **No objection subject to conditions** based on previous noise report I would require a noise mitigation scheme and the same conditions as before.

Archaeology **No objection subject to condition** requiring a written scheme of investigation prior to commencement.

Tree and Landscape Officer **No objection subject to conditions** in relation to tree protection measures, revised Arboricultural Impact Assessment and landscaping details.

Historic England **No comments to make**

Other Representations:

Neighbours One representation has been received:

40 Whitehall - Objection on the following grounds:

- they have a permission for a smaller scheme and it is clear that they are surreptitiously seeking incremental permission to fill the site;
- an existing condition on the previous consent in terms of laying out the parking area has been flagrantly ignored;
- the car park is full of scrap metal, logs and an abandoned vehicle; the parking adjacent to the village hall has not been marked out and is completely inaccessible due to it being used as a second hand car

- lot - as a result the parking has moved on to the High Street and Whitehall, creating a traffic hazard;
- Any building on the site will exacerbate the dangerous traffic situation on the High Street.

Determining Issues:

The main considerations of the application are;

1. Principle
2. Affect on the Character and Appearance of the Area
3. Impact on the Public House
4. Highway Considerations
5. Contributions & Affordable Housing
6. Other Considerations

Considerations

1. Principle

- 1.1 The application site previously formed part of the parking area for the Green Man Public House. It was fenced off following grant of planning permission for two dwellings on the site in autumn 2015. Lidlington is identified as a small village within Policy CS1 of the Core Strategy and Development Management Policies for Central Bedfordshire (North). In small villages development will be limited and Policy DM4 states that 'within settlement envelopes in small villages, development will be limited to infill residential development...'
- 1.2 The application site is within the settlement envelope for Lidlington and is considered to be infill development, therefore the principle of development is considered to be acceptable.

2. Affect on the Character and Appearance of the Area

- 2.1 The proposed dwellings have been sited to the rear of the site, set beyond the rear of the Green Man Public House. This will maintain views of the Public House from the High Street coming from both directions along the road. The height and bulk of the garage block has been reduced and it is discreetly placed adjacent to mature landscaping. It is not considered that it would detract from views of the Public House when viewed from the High Street in both directions.
- 2.2 The site is screened from the adjacent road Greensand Ridge with mature planting. The levels drop across the site towards the Public House and the proposed scheme has taken this into account.
- 2.3 Given the siting of the proposed dwellings rear of the Public House, the adjacent screening and the design it is not considered that they would have a detrimental impact on the character and appearance of the surrounding area. The proposal is therefore in conformity with Policy DM3 of the Core Strategy and Development Management Policies for Central Bedfordshire (North).

3. Impact on the Public House

- 3.1 The previous permission included a reconfiguration of the existing parking arrangements for the Public House, using some of the rear garden to provide further parking for the Public House. An amenity area of approximately 4.5m x 10m will remain to the rear with some additional open space to the front. This was considered sufficient amenity space to serve the Public House and attractive to visitors. A condition would be imposed on the grant of planning permission to ensure that prior to the commencement of development the car park is configured in line with the previously approved plan.
- 3.2 Comments from both the Parish Council and residents have been taken into account in terms of the unauthorised use of the car park for use as a second hand car lot and non-compliance with previous conditions and these have been passed on to our Enforcement Team who are investigating the areas of concern.
- 3.3 The principle of the loss of the car park area has already been established under the planning history and therefore issues in terms of viability of the Public House have also previously been considered. There are a number of examples of situations where large Public House car parks have been reduced in size and they have remained viable.
- 3.4 Given the siting and design of the proposed dwellings, it is not considered that they would detract from the setting of the listed building or have a detrimental impact within the street scene that would be to the detriment of the listed building.

4. Highway Considerations

- 4.1 The Highways Officer has raised no objections to the proposed development providing that a condition is imposed on the grant of planning permission to ensure that the car park for the Public House is reconfigured in accordance with the previously approved layout. The car park area is within the red line plan - therefore it is considered appropriate to condition this in accordance with the details submitted under planning reference CB/15/00777/FULL. This will ensure that the appropriate level of parking is provided.

5. Contributions & Affordable Housing

- 5.1 As set out in National Planning Practice Guidance there are specific circumstances where contributions for affordable housing and planning obligations should not be sought from small scale and self-build development. This follows the order of the Court of Appeal dated 13 May 2016, which give legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014 and should be taken into account.
- 5.2 These circumstances are that;
- contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sqm.
- 5.3 The proposed development would fall within the circumstances highlighted above and therefore no affordable housing or S106 contributions are sought from this development.

6. Other Considerations

6.1 Noise

Concerns were raised previously by Public Protection in terms of noise from the Public House and the impact on the proposed dwellings. A noise assessment was undertaken for the previous scheme and submitted for comment. This assessment was considered acceptable subject to condition requiring a suitable noise mitigation scheme. It is therefore considered appropriate to condition a noise mitigation scheme for this proposal.

6.2 Human Rights issues

There are no Human Rights issues

6.3 Equality Act 2010

There are no issues under the Equality Act

Recommendation:

That Planning Permission be approved subject to the following:

RECOMMENDED CONDITIONS / REASONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 No development shall take place on the construction of the dwellings and garage block hereby approved until samples of the materials to be used for the external surfaces of the dwellings hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To control the appearance of the building in the interests of the visual amenities of the locality.
(Policy 43, DSCB)

- 3 **No development shall commence on the dwellings and garage block hereby approved until the parking area for the Public House has been provided and laid out in accordance with the details submitted for condition number 3 of planning permission CB/15/00777/FULL shown on drawing number 14.2062.103 P3. The parking area shall remain as set out in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.**

Reason & justification: To ensure that a suitable parking area is in

place for the Public House during the construction period and minimise any impact on the public highway.

- 4 **No development shall take place until a written scheme of archaeological investigation; that adopts a staged approach and includes post excavation analysis and publication, has been submitted to and approved in writing by the Local Planning Authority. The said development shall only be implemented in full accordance with the approved archaeological scheme.”**

Reason: To record and advance understanding of the heritage assets with archaeological interest which will be unavoidably affected as a consequence of the development.

Justification: This condition is required to be pre-commencement in order to record any heritage assets prior to development commencing and disturbing the ground.

- 5 The vehicular access serving the proposed dwellings shall be constructed and surfaced in a bituminous or other similar durable material as may be approved in writing by the Local Planning Authority for a distance of 5m into the site, measured from the highway boundary, before any of the new dwellings are occupied. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: To avoid the carriage of mud, gravel or other extraneous material or surface water from the site into the highway so as to safeguard the interest of the highway.

- 6 Before the development hereby permitted is first occupied or brought into use, the scheme for the parking, garaging and manoeuvring shown on Drawing No GM2-LT-001 P3 shall be laid out, drained and surfaced in accordance with details submitted to and approved in writing by the Local Planning Authority and those areas shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

- 7 The development hereby permitted shall not be occupied until a scheme for the parking of cycles on the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied and thereafter retained for this purpose.

Reason: To ensure the provision of cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport.

(Section 4, NPPF)

- 8 Details of a refuse storage and collection point located outside of the public highway shall be submitted to and approved by the Local Planning Authority prior to the occupation of any dwelling. The scheme shall be fully implemented prior to the parking provision being implemented and shall be retained thereafter.

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

- 9 Prior to occupation of the dwellings hereby permitted, the applicant shall submit in writing for the approval of the local planning authority a scheme of noise attenuation measures which will ensure that internal noise levels from external road traffic noise sources and from noise associated with the operation of the adjacent Public House shall not exceed 35 dB LAeq, 07:00 – 23:00 in any habitable room or 30 dB LAeq 23:00 – 07:00 and 45 dB LAmax 23:00-07:00 inside any bedroom, and that external noise levels from these same noise sources shall not exceed 55 dB LAeq, (1hr) in outdoor amenity areas. Any works which form part of the scheme approved by the local authority shall be completed and the effectiveness of the scheme shall be demonstrated before any permitted dwelling is occupied, unless an alternative period is approved in writing by the Authority.

Reason: To protect the amenity of future residential occupiers of the development.

- 10 The dwellings hereby approved shall not be occupied until a landscaping scheme to include all hard and soft landscaping and a scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.

Reason: To ensure an acceptable standard of landscaping.
(Policies 43 and 58, DSCB)

- 11 **Development shall not commence on the dwellings and garage block hereby approved until a revised Arboricultural Impact Assessment has been submitted to and approved in writing by the Local Planning Authority. The tree protection measures identified shall be carried out in accordance with the approved assessment.**

Reason & Justification: To protect the trees so enclosed in accordance with Section 8 of BS 5837 of 2012 or as may be subsequently amended. (Policies 43 and 59, DSCB)

- 12 The external lighting scheme for the reconfigured car park approved under condition 13 of planning permission CB/15/00777/FULL shall be implemented in accordance with the approved details prior to the occupation of the dwellings hereby approved.

Reason: To protect the amenity of and prevent light nuisance to future residents of the proposed development.

- 13 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers GMT-LT-001 P3; M1116.A.5.01.PA; M1116.5.02.PA; M1116.A.5.03.PA; M1116.A.5.04 PA; Heritage Statement (June 2016) 14.2062.107 P1; AIA

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 applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk, Tel: 0300 300 8049 quoting the Planning Application number. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.
3. The applicant is advised that, under the provisions of the Highways Act 1980, no structure, including lighting, signage, planting, boundary treatments and outdoor furniture shall be erected or installed in, under or overhanging the public highway and no window, door or gate shall be fixed so as to open outwards into the highway.

The Highway Authority has the power under Section 143 of the Highways Act 1980, to remove any structure erected on a highway

4. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, SG17 5TQ
5. The applicant is advised that photographs of the existing highway that is to be used for access and delivery of materials will be required by the Local Highway Authority. Any subsequent damage to the public highway resulting from the works as shown by the photographs, including damage caused by delivery vehicles to the works, will be made good to the satisfaction of the Local Highway Authority and at the expense of the applicant. Attention is drawn to Section 59 of the Highways Act 1980 in this respect.
6. The applicant is advised that the storage of materials associated with this development should take place within the site and not extend into within the public highway without authorisation from the highway authority. If necessary further details can be obtained from Bedfordshire Highways (Amey), District Manager (for the relevant area) via the Central Bedfordshire Council's Customer Contact Centre on 0300 300 8049.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, Article 35

The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.