

Item No. 12

APPLICATION NUMBER	CB/17/02538/VOC
LOCATION	21 Arlesey Road, Stotfold, Hitchin, SG5 4HB
PROPOSAL	Variation of Condition No. 8 on planning application CB/15/02315/FULL dated 13/08/15. Slight adjustment to position of plots 1 & 2, slight adjustment to chimney design, removal of box window to plots 1 & 2, removal of side door and window to plots 1 & 2.
PARISH	Stotfold
WARD	Stotfold & Langford
WARD COUNCILLORS	Cllrs Dixon, Saunders & Saunders
CASE OFFICER	Thomas Mead
DATE REGISTERED	24 May 2017
EXPIRY DATE	19 July 2017
APPLICANT	Mr J McGuinness
AGENT	
REASON FOR COMMITTEE TO DETERMINE	Cllr Saunders - Location of adjusted foot print too close to neighbouring property and the gable end of the second plot is too intrusive on the adjacent property
RECOMMENDED DECISION	Variation of Condition - Granted

Reason for Recommendation:

Planning approval has already been granted for two bungalows on the site and the principle of the erection of two dwellings is acceptable. The development would not result in an unacceptable impact on the character of the area, an adverse impact on the residential amenity of neighbouring properties or highway safety. Therefore subject to conditions, the proposed development is in conformity with Policy DM3 of the Core Strategy and Development Management Policies (2009); and The National Planning Policy Framework.

Site Location:

The application site, No. 21 Arlesey Road is a detached, two-storey house on the South side of the road, opposite the junction with Vaughan Road. The house has been extended to the rear and there are outbuildings to the rear of the house, on the Eastern boundary of the site. To the west of the house is a vehicular access that leads to the site, which is currently under construction. There are a number of trees on the site, most significantly a mature Yew near to the rear of the house.

To the West of the house is No 23 Arlesey Road, a detached, modern bungalow with a defined, albeit open rear garden area. Further to the South of the site, where the site opens up to outdoor space associated with No 21, rear gardens serving No 29 Arlesey Road and No's 20 and 22 Heron Way share its Western boundary. Houses on Heron Way are detached and two-storey with relatively shallow rear gardens. The nearest point from the rear of No 22 to the site boundary is 8m away and the rear of No 20 is 12m. Both houses have ground and first floor rear facing

windows.

To the south of the site is a car parking area associated with St. Olives, a flatted development beyond the southern boundary of the land.

To the East of the site is No 19 Arlesey Road, a two-storey, semi-detached house with a long, narrow rear garden and beyond this is a two storey large building located to the rear of the existing housing fronting Arlesey Road. This building is known as Stotfold Social Club. The Arlesey Road street scene is quite varied with a number of different building types, including bungalows.

The site falls within the designated Settlement Envelope of Stotfold.

The Application:

The application seeks to vary condition 8 of the planning approval reference CB/15/02315/FULL dated 13/08/2015 which defines the approved plans for the development and seeks to adjust the positions of plot 1 by 0.2 metres to the east, and plot 2 by 0.4 metres to the west and proposes an amendment to the chimney design, and the removal of a box window and side door and windows in both plots 1&2.

As the dwellings previously permitted have not been built in the positions approved under application reference CB/15/02315/FULL, the applicant has provided an explanation as to why the buildings were built in the wrong position:

Planning consent for two new bungalows to be built behind 21 Arlesey Road (ref CB/15/02315/FULL) was approved on 17 August 2015.

- *Boundaries difficult to establish with broken and old fences.*
- *Building Regulations required wider cavities and resulted in the properties being positioned approximately 0-26cm closer to the East and West boundaries than the approved drawings.*
- *The new position of the dwelling lead to the removal of external features to mitigate the effect on No. 22 Heron Way.*
- *The side doors to the East and West elevations were removed and repositioned to open onto the circulation spaces between the two bungalows.*
- *In doing so, pedestrian activity such as bin movements, cycles etc. between the sides of the bungalows and the boundaries will be all but eliminated, resulting in a much quieter environment in the rear garden of 22 Heron Way.*

This application therefore is for an amendment to the drawings that formed part of condition 8 of the original approval and can be briefly summarised as follows:

- 1. Both front box windows to bedroom 3 have been removed.*
- 2. The side doors and 1 window have been removed.*
- 3. The velux roof lights to the kitchen have been removed.*
- 4. Access to the side and rear of the new properties has been relocated to the area between the two properties which has been increased in width. The gap between the properties being 2 x 96cm instead of the originally approved 2 x 78cm.*
- 5. Bin store relocated.*

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Core Strategy and Development Management Policies - North 2009

CS1	Development Strategy
CS7	Affordable Housing
CS14	High quality Development
CS16	Landscape and Woodland
DM3	High quality Development
DM4	Development Within and Beyond Settlement Envelopes
DM14	Landscape and Woodland

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)

Section 1	Placemaking in Central Bedfordshire
Section 5	Residential Development

Relevant Planning History:

Case Reference	CB/15/02315/FULL
Location	21 Arlesey Road, Stotfold, Hitchin, SG5 4HB
Proposal	Erection of 2 No. three bedroom single storey dwellings with detached garages.
Decision	Full Application - Granted
Decision Date	17/08/2015

Case Reference	CB/14/02697/FULL
Location	21 Arlesey Road, Stotfold, Hitchin, SG5 4HB
Proposal	Erection of two dwellings and detached garages.
Decision	Full Application - Granted
Decision Date	10/09/2014

Case Reference	CB/13/00096/FULL
Location	21 Arlesey Road, Stotfold, Hitchin, SG5 4HB
Proposal	Erection of 3 x 2 bedroom bungalows and 1 x 1 bedroom bungalow with associated access, parking and landscaping after the demolition of No 21 Arlesey Road.
Decision	Full Application - Refused
Decision Date	18/03/2013
Appeal Decision Date	30/10/2013
Appeal Decision	Planning Appeal Dismissed

Case Reference	CB/11/03601/FULL
Location	21 Arlesey Road, Stotfold, Hitchin, SG5 4HB
Proposal	Erection of 4 no. 2 bedroom bungalows with associated parking and landscaping
Decision	Full Application - Refused
Decision Date	15/12/2011
Appeal Decision Date	06/07/2012
Appeal Decision	Planning Appeal Dismissed

Consultees:

Stotfold Town Council	Object – the already permitted development was very congested relative to the size of the site. The actual construction to date is not in accordance with those original approved plans, making the proximity of the new buildings to each other and to neighbouring properties much closer than originally indicated. Planning guidelines require suitably wide access to the rear of the properties for conveying wheelie bins, bicycles or general access and this is prevented by the external chimney stacks and incorrect positioning of the actual buildings within the site. We therefore request that suitable enforcement action is taken to ensure original plans are adhered to.
Pollution Officer	No Comment Received
Highways Officer	No Objection
Trees and Landscape Officer	I would suggest that we do not agree additional parking beneath this tree because of likely impact on the rooting system of this tree in addition to issues of leaf litter/berry/bird fouling on parked cars

Other Representations:

Neighbours	2 Objections received, based on the following points: <ul style="list-style-type: none"> • Plans incorrect • Chimney is overbearing • Loss of Privacy • Loss of Sunlight • Chimney is dominating due to height • Cannot get bin or bike down the side of the house
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Considerations

1. Principle of Development

- 1.1 Stotfold is identified by Policy CS1 of the Core Strategy and Development Management Policies (2009) as a Minor Service Centre. Policy DM4 of the CSDMP (2009) also states that within the settlement envelopes of minor service centres, the Council will approve housing, employment and other settlement related development commensurate with the scale of the settlement, taking into account its role as a local service sector, and in compliance with any other relevant development plan policy.

- 1.2 Therefore, given the above and the existing planning permission on the land, the principle of two dwellings in this location is acceptable, subject to the development not causing harm to the character and appearance of the area, not causing harm to the amenity and living conditions of neighbouring dwellings, providing an acceptable standard of amenity and acceptable living conditions for the future occupants of the dwelling, and not causing a negative impact upon highway safety and providing an acceptable provision of car parking, in accordance with Policies DM3 and DM4 of the Core Strategy and Development Management Policies (2009).

2. Character and Appearance of the Area

- 2.1 The proposed site is located to the rear of Nos. 19 and 21 Arlesey Road, which would be tucked away from the public realm reducing the prominence of the proposed dwellings. The planning permission CB/15/02315/FULL granted planning permission for two dwellings, which are the same scale and size as what is being proposed under this application, with an amended siting and layout, and external features.
- 2.2 The construction of the two dwellings is substantially completed, however, plots 1 & 2 are built out of position compared with the approved siting, and have moved closer to the boundary to the east of plot 1 and to the west of plot 2. Whilst the repositioning of the plots closer to the boundary would reduce the space surrounding the dwellings, the properties are single storey in nature with a modest height and scale. It is considered that whilst the relocation of the development would reduce the amount of space around the boundaries of the bungalows as plot 2 would be moved by 0.40m closer to the western boundary, and plot 1 would be moved 0.20m from the eastern boundary, due to the scale and design of the dwellings with roofs sloping away from the boundaries with a modest height the impact caused would not be to an unacceptable degree.
- 2.3 Both plots would still fit well within the site, and would still allow for space between the dwellings and would not be considered an overdevelopment of the site, and therefore, for reasons outlined above, it is considered that the proposed development would not cause additional harm to the character and appearance of the area, in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009).

3. Amenity and Living Conditions of Occupiers of Neighbouring Dwellings

- 3.1 There are a number of residential dwellings surrounding the site on all boundaries. The nearest neighbouring dwelling to the site would be No. 22 Heron Way, which is located to the southwest of Plot 2. No. 22, is partly screened from plot 2 by its own detached garage to northeast of the site. Therefore, the change in siting of 0.4m would result in an additional impact, however, due to the scale and modest height of the new bungalow, and due to the minor movement of the development, that the additional impact caused to the dwelling would not be to an unacceptable degree, particularly as much of the development is screened by this neighbour's detached garage. The resiting of plot 2 would also not result in an unacceptable loss of light, outlook or privacy to No. 22 Heron Way.
- 3.2 The redesign of the chimney for plot 2 would be on the boundary of No. 22 Heron Way. The difference between the design approved under reference

CB/15/02315/FULL and the design submitted under this application is the depth of the chimney, which would appear wider to No. 22. However, the siting of the chimney is just beyond the detached garage, and would reduce the impact of the chimney on No. 22, and therefore it is considered that the change in design and depth of the chimney would cause an impact, but this impact would not be to an unacceptable degree or materially add to any, loss of light or outlook upon this neighbouring dwelling.

- 3.3 Due to the scale and modest height of the dwelling and chimney, in relation to the separation between plot 2 and any surrounding dwellings, it is considered that the change in siting and external design would not result in an adverse impact upon any other neighbouring dwelling.
- 3.4 To the east of the site is the rear garden of No. 19 Arlesey Road, and the Stotfold Social club would be located beyond that. The garden space impacted by the resiting and redesign of the plot 1 would not be considered as immediate private amenity space, and therefore it is considered that the amendments and alterations to plot 1 would not impact No. 19.
- 3.5 Nos. 9 to 12 The Vines would be sited 18 metres from plot 1, and located to the north of the Social Club. Due to the single storey nature and scale of the dwelling, it is considered that there would be no unacceptable loss of light, outlook, privacy or overbearing impact caused by plot 1 to these neighbouring dwellings.
- 3.6 Nos. 19 and 21 to the north of the site would be separated from plots 1 and 2 by 23 metres and 27 metres, and for this reason, and due to the single storey nature and modest height and design of the proposed new dwellings, it is considered that there would be no unacceptable adverse impact cause to these neighbouring dwellings, in relation to a loss of light, outlook, privacy or overbearing impact.
- 3.7 Therefore, for reasons outlined above, it is considered that the proposed development would not cause harm to the amenity and living conditions of neighbouring dwellings through the resiting and alteration to the external appearance, in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009).

4. Amenity and Living Conditions of future occupiers of Neighbouring Dwellings

- 4.1 The two proposed detached bungalows would contain three bedrooms each, and garden space to the rear of the dwelling. Paragraph 17 of the NPPF states that all new development should seek to ensure high quality design and a good standard of amenity for all existing and future occupants of land and buildings, and the space provided must be a useable and liveable space. The bedrooms provided as part of the scheme would be considered to be useable and liveable, with a window serving each bedroom allowing an acceptable amount of light to each room, and therefore would provide an acceptable living standard for the future occupiers. The habitable rooms on the ground floor of the proposed dwellings would also provide a sufficient amount of useable and habitable space to create an acceptable living and amenity standard for the future residents.
- 4.2 The Central Bedfordshire Design Guide (2014) states that for a three bedroom

development, that the dwelling must be provided with 60 square metres of garden space, with a depth of 12 metres. Whilst the depth of the garden would be less than 12 metres in places and with the retention of protected trees it would fall short in sections, however, the overall space provided for amenity for plot 1 would be 140 square metres, and plot 2 would provide 155 square metres, and therefore the space provided for garden space would well exceed the requirements of the Design Guide (2014) and would be acceptable.

- 4.3 Therefore, for reasons outlined above, it is considered that the proposed development would provide sufficient amenity and living conditions for the future occupiers of the dwelling, and therefore would be acceptable, in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009).

5. Car Parking and Highway Safety

- 5.1 The proposal would take access from Arlesey Road. To ensure the access is wide enough to accommodate vehicles the nearest corner of the existing dwelling is to be chamfered at ground floor level to allow additional width. This is considered to be acceptable from a highways point of view and formed part of the extant consented scheme on the site.
- 5.2 The dwellings would both benefit from two on site parking spaces in front of the dwelling on the hardstanding, and in the detached garages provided, and for a three bedroom dwellinghouse, this would satisfy the Councils Car Parking Standards outlined within the Central Bedfordshire Design Guide (2014). The scheme would also provide two parking spaces for No. 21 Arlesey Road, just beyond the initial access, which would also satisfy the parking standards and therefore the scheme is acceptable in relation to car parking.
- 5.3 Therefore, it is considered that the proposed development would be acceptable in relation to car parking and highway safety, in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009) and would further accord with design principles outlined within the Central Bedfordshire Design Guide (2014).

6. Equality and Human Rights

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

Recommendation:

That a Variation of Condition 8 of the planning permission CB/15/02315/FULL be
GRANTED

RECOMMENDED CONDITIONS / REASONS

- 1 **Within 3 months of the date of this planning permission, details of the existing and final ground levels for the external areas of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties. Thereafter**

the site shall be developed in full accordance with the approved details.

**Reason: To ensure that an acceptable relationship results between the new development and adjacent buildings and public areas.
(Policy DM3 of the Core Strategy and Development Management Policies (2009) and Section 7 of the NPPF)**

- 2 Notwithstanding the details in the approved plans, none of the dwellings hereby approved shall 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.

- 3 None of the dwellings hereby approved shall be occupied until a scheme has been submitted for approval in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected which shall include acoustic fencing on the western boundary of the site. The boundary treatment shall be completed in accordance with the approved scheme before the buildings are occupied and be thereafter retained.

Reason: To safeguard the amenities of the neighbouring occupants and the future occupiers of the buildings.

- 4 The alterations to the corner of the existing property at No 21 Arlesey Road shall be carried out in accordance with the approved plans prior to the first occupation of the development hereby approved.

Reason: In the interest of highway safety.

- 5 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 13157-22 Rev A and 13157-20 Rev B

Reason: To identify the approved plans 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.

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 (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

DECISION

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