

Item No. 13

APPLICATION NUMBER	CB/15/03281/FULL
LOCATION	55 Jeans Way, Dunstable, LU5 4PW
PROPOSAL	Construction of 1 No. 1 bedroom detached house following demolition of attached garage
PARISH	Dunstable
WARD	Dunstable Icknield
WARD COUNCILLORS	Cllrs McVicar & Chatterley
CASE OFFICER	Debbie Willcox
DATE REGISTERED	01 September 2015
EXPIRY DATE	27 October 2015
APPLICANT	Mr Edwards
AGENT	Mr Girling
REASON FOR COMMITTEE TO DETERMINE	Called in by Cllr McVicar on the following grounds: <ul style="list-style-type: none">• Loss of light to garden• Over development of what is currently a semi-detached house• Overbearing to No. 42 Kingsbury Gardens• Out of keeping with surrounding properties
RECOMMENDED DECISION	Full Application - Recommended for Approval

Summary of Recommendation

The principle of development is considered to be acceptable. The proposed dwelling would relate acceptably to the character and appearance of the area and would not have an unacceptable, detrimental impact on the amenity of the occupiers of neighbouring dwellings. The parking provision is considered to be acceptable and it is not considered that the proposal would have a detrimental impact on highway safety. The proposal is therefore considered to be in accordance with the National Planning Policy Framework, policies BE8, H2 and T10 of the South Bedfordshire Local Plan Review, policies 1, 25, 27 and 43 of the emerging Development Strategy for Central Bedfordshire and the Central Bedfordshire Design Guide.

Site Location:

The application site comprises the curtilage of a two storey semi-detached dwelling located on the north side of Jeans Way, a built-up residential street within Dunstable. The Dunstable Downs are located to the immediate south of dwellings on the south side of Jeans Way.

The subject dwelling has an existing, attached, single garage and garden both to the side and rear. The site is flanked to the east by 57 Jeans Way, to the west by 53 Jeans Way and to the north by 42 Kingsbury Avenue. The streetscene comprises similar semi-detached dwellings, typically with blocks of semis being separated from each other by two single garage widths (circa 5m). The street has a grass verge with some street trees, including one outside the application site. The grass verge is punctured by vehicular crossovers.

The Application:

The application seeks planning permission for the demolition of the existing attached garage and the subdivision of the plot. A two storey, detached dwelling would be erected to the side of the existing dwelling. It would measure 5.4m wide by 7m deep and would be set on the same building line as the existing dwelling. The new dwelling would be set 1.5m away from the proposed boundary with the host dwelling and 1.5m away from the boundary with No. 53. The roof of the dwelling would match that of the host dwelling in design, height and angle of pitch, with a ridge height of 8m.

The proposed new dwelling would have a kitchen and a lounge on the ground floor and a bedroom and bathroom on the first floor. It would have a rear garden with an area of 37 square metres. The host dwelling would retain a rear garden of 49 square metres.

The proposed dwelling would be provided with one parking space on the property frontage that would be accessed by the existing vehicular crossover. Two parking spaces and a new crossover would be provided immediately in front of the existing dwelling.

RELEVANT POLICIES:

National Planning Policy Framework (2012)

South Bedfordshire Local Plan Review Policies

SD1 Sustainability Keynote Policy

BE8 Design Considerations

H2 Making Provision for Housing via "Fall-in" Sites

T10 Parking - New Development

(Having regard to the National Planning Policy Framework, the age of the plan and the general consistency with the NPPF, policies SD1, BE8 & H2 are still given significant weight. Policy T10 is afforded less weight).

Development Strategy for Central Bedfordshire (June 2014)

Policy 1 : Presumption in Favour of Sustainable Development

Policy 2 : Growth Strategy

Policy 19: Planning Obligations and the Community Infrastructure Levy

Policy 25: Functioning of the Network

Policy 27: Car Parking

Policy 29: Housing Provision

Policy 43: High Quality Development

Policy 59: Woodlands, Trees & Hedgerows

(The draft Development Strategy was submitted to the Secretary of State on the 24th October 2014. After initial hearing sessions in 2015 the Inspector concluded that the Council had not complied with the Duty to Cooperate. The Council issued judicial review proceedings on the 12th March 2015 against the Inspector's findings. At the Council's Executive Committee on 6th October 2015, Members agreed to recommend to Full Council (19th November 2015) that the Development Strategy be withdrawn and to discontinue legal proceedings. Once withdrawn no weight should be attached to the Development Strategy. However, its preparation was based on and supported by a substantial volume of evidence studies gathered over a number of years. These technical papers are consistent with the spirit of the NPPF and therefore will remain on

our web site as material considerations which may inform future development management decisions.)

Supplementary Planning Guidance

Central Bedfordshire Design Guide: A Guide for Development:
Design Supplement 5: Residential Development, 2014
Design Supplement 7: Householder Alterations and Extensions

Relevant Planning History:

Application Number CB/13/03255/FULL
Description Construction of 1 x 4 bedroom detached house, demolition of existing garage
Decision Refused
Decision Date 16/01/2014

Application Number CB/14/02606/FULL
Description Construction of 1 No. 1 bedroom detached bungalow following demolition of attached garage
Decision Refused
Decision Date 02/09/2014

Application Number CB/14/02608/LDCP
Description Proposed loft conversion
Decision Lawful Development Certificate Granted
Decision Date 11/08/2014

Application Number CB/14/02609/FULL
Description Construction of 1 No. 1 bedroom attached bungalow following demolition of attached garage
Decision Refused
Decision Date 02/09/2014

Application Number CB/14/02613/FULL
Description Construction of 1 No. 1 bedroom attached house following demolition of attached garage
Decision Refused
Decision Date 02/09/2014

Consultees:

Dunstable Town Council Object as the proposal is considered to be over development of the site and not in keeping with the street scene.

Trees & Landscape Officer In recognition that there is no further encroachment of any vehicle crossover towards the highway tree, I have no objection to the application.

Highways Officer The new parking bay to the boundary of the existing property does not benefit from adequate visibility as this would be on third party land. As a result I recommend that these parking bays be moved 1.55m away from the southerly boundary so that adequate intervisibility can be

achieved. In a highway context I recommend that the supplied conditions and informatives be included if planning approval is to be issued.

Private Sector Housing

I have reviewed the planning application and have no comments to make. I feel that the proposed dwelling is small and that potentially there could be some crowding and space issues in the future due to the small size of the living room.

Other Representations:

40 Kingsbury Avenue,
Dunstable
42 Kingsbury Avenue,
Dunstable
53 Jeans Way,
Dunstable
37 Wyngate, Leighton
buzzard (daughter of
owner of 42 Kingsbury
Avenue)
4 Linford Mews,
Maldon, Essex

Object to the application for the following reasons:

- The dwelling would block light to the rear conservatory and garden of No. 42 Kingsbury Avenue and to No. 40 Kingsbury Avenue;
- The new dwelling would be overbearing to Nos. 40 and 42 Kingsbury Gardens, especially as the land is on a slope and the dwelling would be higher than Nos. 40 and 42;
- The windows may be frosted, but they could be opened, resulting in a loss of privacy to Nos. 40 and 42 Kingsbury Gardens;
- A loft conversion to the new dwelling would be permitted development and this would disrupt privacy to Nos. 40 and 42 Kingsbury Gardens;
- The development would block views of Blows Downs from Nos 40 & 42 Kingsbury Avenue;
- The construction period would provide months of noise and disruption which would affect the quality of life of neighbouring occupiers;
- The dwelling would not be in keeping with other properties in Jeans Way, it would constitute garden grabbing and cramming within a low density area;
- Insufficient garden space would be retained for No. 55 Jeans Way;
- The development only seeks to make money;
- There is insufficient parking proposed, which would encourage parking on the road or the verge;
- The proposal would result in the loss of lots of grass verge, which would have a detrimental impact on the streetscene;
- The garage is claimed to be blocked up but, at the date of writing, the house is advertised for sale with a garage;

Determining Issues:

1. **Principle of Development**
2. **Impact on the Character and Appearance of the Area**
3. **Impact on Neighbouring Amenity**
4. **Amenity of Future Occupiers**
5. **Highways Considerations**

6. Other Issues

Considerations

1. Principle of Development

- 1.1 The application site is located within the built-up area of Dunstable where the principle of the provision of new housing by the development of infill sites is considered to be acceptable by Policy H2 of the South Bedfordshire Local Plan Review.
- 1.2 The new dwelling and its garden would result in the loss of a significant proportion of the garden of the host dwelling. Annex 2 of the National Planning Policy Framework specifically excludes residential gardens from the definition of previously developed land and therefore there is not a presumption in favour of the development of residential gardens. Paragraph 53 of the National Planning Policy Framework encourages local planning authorities to consider creating policies to resist the inappropriate development of residential gardens where development would cause harm to the local area.
- 1.3 As such, it is considered that there is neither a presumption in favour or against the development of residential gardens. Rather, decisions should be made on whether or not the proposed development would result in harm to the character and appearance of the area and whether they would comply with the requirements of policy H2 of the South Bedfordshire Local Plan Review.
- 1.4 Policy H2 states that the provision of new housing by development of infill sites, redevelopment, conversion and re-use of buildings; and sub-division of large residential properties will be approved where the proposal would:
 - (i) make efficient use of the site or building in terms of density and layout;*
 - (ii) not result in loss of open space of recreational or amenity value or potential;*
 - (iii) respect and enhance the character of the surrounding area;*
 - (iv) provide good quality living conditions for residents;*
 - (v) be readily accessible to public transport and local services;*
 - (vi) be acceptable in terms of highway safety and traffic flow;*
 - (vii) not result in unacceptable loss of employment land; and*
 - (viii) not unacceptably constrain development of adjoining land for an allocated or permitted use.*
- 1.5 The proposal would make efficient use of the site in terms of density and layout. It would not result in the loss of open space or recreational or amenity value or of employment land. The site is readily accessible to public transport and local services and would not unacceptably constrain the development of adjoining land. The other requirements will be considered in the appropriate sections below.
- 1.6 The planning history of the application site is also a material consideration in the determination of this application. Four previous applications have been refused for the erection of a dwelling in this location. It should be noted that the three latter applications were submitted and determined at the same time, with the three applications differing in the positioning, scale and type of dwelling.

1.7 Application reference no. CB/13/03255/FULL for a four bedroom detached dwelling was refused for the following four reasons:

1) The application site is too restricted in size for the proposed development which would appear cramped in relation to adjoining buildings and out of character with the surrounding area. The proposed development would also result in the removal of a highway tree and its removal would result in an adverse impact on the wider streetscene. The proposal is therefore contrary to the principles of good design set out in the Policies BE8 & H2 of the South Bedfordshire Local Plan Review, Policy 43 of the emerging Development Strategy for Central Bedfordshire, the National Planning Policy Framework and the Central Bedfordshire: A Guide for Development, Design Supplement 1, New Residential Developments.

2) The proposed development would, because of its size and layout result in additional overlooking and loss of privacy and loss of outlook to the occupiers of the adjoining property occupiers. The proposed development would therefore be detrimental to the amenity of the adjoining property occupiers in particular those at number 53 and 55 Jeans Way. The proposal is therefore contrary to the principles of good design set out in Policy BE8 of the South Bedfordshire Local Plan Review, Policy 43 of the emerging Development Strategy for Central Bedfordshire, the National Planning Policy Framework and the Central Bedfordshire: A Guide for Development, Design Supplement 1, New Residential Developments.

3) The applicant has not included adequate provision of space within the site for parking of vehicles clear of the highway. The development if permitted would therefore be likely to lead to additional on-street parking to the detriment of public and highway safety. The proposal is therefore contrary to Policy T10 of the South Bedfordshire Local Plan Review, Policies 27 & 43 of the emerging Development Strategy for Central Bedfordshire and Design in Central Bedfordshire: A Guide for Development, Design Supplement 7, Movement, Streets and Places .

4) The application is not accompanied by an acceptable completed legal agreement securing contributions towards existing local infrastructure. By reason of the omission of sufficient contributions for education, leisure and recreational open space and sustainable transport the proposal is contrary to the Central Bedfordshire Council's Adopted Supplementary Planning Guidance: Planning Obligations Strategy: South (2009) and policy 19 of the emerging Development Strategy for Central Bedfordshire.

1.8 The three 2014 applications were all refused for the following reasons:

2) The garden space proposed for the existing and additional dwelling would not be in compliance with the Internal & External Space Standards, Central Bedfordshire Design Guide Revision, March 2014 and would lead to unacceptable amenity space to the detriment of the quality of living accommodation for current and future residents and out of character to the locality where there are generous garden spaces in excess of 60 square metres. It is therefore considered that the development would be contrary to

Policy BE8 of the South Bedfordshire Local Plan Review, Policy 43 of the emerging Development Strategy for Central Bedfordshire, and the National Planning Policy Framework.

3) The application is not accompanied by an acceptable completed legal agreement securing contributions towards existing local infrastructure. By reason of the omission of sufficient contributions for education, leisure and recreational open space and waste, the proposal is contrary to the Central Bedfordshire Council's Adopted Supplementary Planning Guidance: Planning Obligations Strategy: South (2009) and Policy 19 of the emerging Development Strategy for Central Bedfordshire.

1.9 In addition, each application was refused for a reason relating to design. Application reference no. CB/14/02606/FULL was for a detached bungalow that would have been sited forward of the front building line of the main dwelling. It was refused for the following reason

1) The application site is too restricted in size for the proposed development and due to its siting forward of the strong building line would appear incongruous and cramped in relation to adjoining buildings. Opportunities have not been taken to enhance landscape features or to retain adequate green spaces between buildings and as such would be out of character with the surrounding area. In addition, the design and scale of the proposed bungalow would bear no relationship to the existing dwellinghouse and others within the immediate locality and thereby would be harmful to the visual amenities of the street scene and of nearby residents. The proposal is therefore contrary to the principles of good design set out in the National Planning Policy Framework, Policies BE8 & H2 of the South Bedfordshire Local Plan Review, Policy 43 of the emerging Development Strategy for Central Bedfordshire and the Central Bedfordshire Design Guide.

1.10 Application reference no. CB/15/02609/FULL was for an attached bungalow that would also have been located forward of the building line. It was refused for the following reason:

1) The application site is too restricted in size for the proposed development and due to its siting forward of the strong building line would appear incongruous and cramped in relation to adjoining buildings. Opportunities have not been taken to provide soft landscaping features forward of the dwellinghouses which are predominant to the area and as such would be out of character with the surrounding area. In addition, the design and scale of the proposed dwellinghouse would bear no relationship to the existing dwellinghouse or others within the immediate locality and thereby would be harmful to the visual amenities of the street scene and of nearby residents. The proposal is therefore contrary to the principles of good design set out in the National Planning Policy Framework, Policies BE8 & H2 of the South Bedfordshire Local Plan Review, Policy 43 of the emerging Development Strategy for Central Bedfordshire and the Central Bedfordshire Design Guide.

1.11 Application reference no. CB/15/02613/FULL was for a two storey attached dwellinghouse. It was refused for the following reason:

1) The application site is too restricted in size for the proposed development and due to its siting forward of the strong building line, the loss of spacing to the side and lack of subservience to the existing attached dwellinghouse would appear incongruous and cramped in relation to adjoining buildings. Opportunities have not been taken to enhance landscape features or to retain adequate green spaces between buildings and as such the development would be out of character with the surrounding area. The overall scale and bulk of the proposed dwellinghouse is exacerbated by the limited plot size and its design bears inadequate relationship to dwellinghouses within the immediate locality and thereby would be harmful to the visual amenities of the street scene and of nearby residents. The proposal is therefore contrary to the principles of good design set out in the National Planning Policy Framework, Policies BE8 & H2 of the South Bedfordshire Local Plan Review, Policy 43 of the emerging Development Strategy for Central Bedfordshire and the Central Bedfordshire Design Guide.

1.12 Whether or not the current application has overcome the previous reasons for refusal will be considered in the appropriate sections below.

2. Impact on the Character and Appearance of the Area

2.1 The impact of the proposed development on the character and appearance of the area is a key consideration in the determination of this application, both in terms of satisfying the relevant policies and in overcoming the reasons for refusal on the previous applications.

2.2 While the proposal would involve the development of a residential garden, it should be noted that the proposal would not comprise backland development, which can be intrinsically harmful to the character and appearance of an area. Rather it proposes an infill development that would have a frontage onto Jeans Way and would maintain the existing building line of dwellings in Jeans Way. The important consideration therefore, is whether or not the dwelling would appear out of character within the streetscene of Jeans Way.

2.3 As previously noted, Jeans Way is comprised predominantly of two storey, semi-detached dwellings of 1930s design, with typical spacing of some 5m between the flank walls of blocks, although in some cases this has been eroded by the erection of two storey side extensions. The application site is therefore unusual within the streetscene as the spacing between the flank wall of No. 55 and the flank wall of the unattached neighbour at No. 53 is currently approximately 10.5m, more than twice the typical spacing between blocks.

2.4 The proposed dwelling would retain spacing of 1.5m to the flank wall of No. 55 and some 4m to the flank wall of No. 53. It is considered that the dwelling would have slightly less spacing than is customary within the streetscene, however, it is considered that the current proposal would retain sufficient spacing that it would not appear unduly cramped within the streetscene.

2.5 The proposed dwelling would be detached, which would not accord with the prevailing character of the streetscene. However, in every other way, the proposed dwelling has been designed to reflect the character and appearance of the surrounding dwellings. In terms of scale, height, building line, roof design, detailing and fenestration, the proposed dwelling corresponds closely

to the host dwelling at No. 55 and the other dwellings within the streetscene.

- 2.6 The site layout indicates that elements of landscaping would be retained to the property frontage, including lawns to both plots. A street tree which was threatened by application reference no. CB/13/03255/FULL would be retained, along with the verge in front of the proposed new dwelling. It is acknowledged that an additional crossover would be required, which would result in some erosion to the expansion of verge, however, on its own, it is not considered that the impact of this on the character and appearance of the area would be significant.
- 2.7 The proposal would result in smaller rear garden sizes to both dwellings than is characteristic within the area. The impact of this on the amenity of future occupiers will be discussed further in Section 4 below. In terms of the impact of this on the character of Jeans Way, it is noted that the gardens would have the same depth as the existing rear gardens of Nos. 55 & 57. Therefore, officers do not consider that the smaller gardens would have a significant impact on the character and appearance of Jeans Way.
- 2.8 On balance, it is considered that this revised scheme, with its consistent building line, sympathetic detailed design, spacing to the boundaries and landscape features would not have a detrimental impact on the essential character and appearance of Jeans Way and the surrounding area. The proposal is therefore considered to accord with policies H2 and BE8 of the South Bedfordshire Local Plan Review, policy 43 of the emerging Development Strategy for Central Bedfordshire and the Central Bedfordshire Design Guide.

3. Impact on Neighbouring Amenity

- 3.1 The proposed dwelling has been sited such that it would not result in any loss of light or privacy and would not appear overbearing to occupiers of the host dwelling or the unattached lateral neighbour at No. 53 Jeans Way.
- 3.2 The objections raised by neighbouring occupiers will be addressed below:
- 3.3 The dwelling would block light to Nos. 40 and 42 Kingsbury Gardens
The application site is located to the south and west of Nos. 40 and 42 Kingsbury Avenue. However, the proposed dwelling would have a height of 8m and would be located 12m away from the rear conservatory and thus would not block a notional 45 degree line taken from the conservatory. The Council's Design Supplement 7 indicates that this level of light loss is acceptable. The proposed dwelling would result in the loss of some afternoon and evening sun to the rear garden of No. 40 during the winter months; there would be limited loss of daylight to the garden as a result of the separation distance, which is 5.7m at its smallest point. This level of light loss is not considered to be sufficient to justify refusal for the proposed development. The dwelling would be located too far away to have a material impact on light reaching No. 40, which is situated beyond No. 42.
- 3.4 The dwelling would be overbearing to Nos. 40 and 42 Kingsbury Gardens
Again, the separation distance of 5.7m between the proposed dwelling and the boundary with No. 42 indicates that the proposal would not appear unacceptably overbearing. It is noted that the existing dwelling at No. 55 is

located the same distance away from the boundary and is closer to the rear elevation of No. 42 than the proposed dwelling. It is not considered that the proposed dwelling would result in a worsening of the existing situation. Again, the dwelling would be too far away to appear unacceptably overbearing on the occupiers of No. 40.

3.5 Loss of privacy to Nos. 40 and 42 Kingsbury Gardens

The proposal has been designed to have no clear glazed first floor windows facing the rear gardens of Nos. 40 and 42, with the only window serving a bathroom. It is considered appropriate that a condition be imposed requiring that this window be obscure glazed and fixed closed, with the exception of an opening section to be located a minimum of 1.7m above the floor level of the room in which it is situated. It is also considered appropriate to remove permitted development rights for the installation of additional windows in the rear elevation of the new dwelling at both first floor and roof level and the to remove permitted development rights for the creation of a rear dormer. Subject to these conditions, it is not considered that the proposal would have an unacceptable impact on the privacy of neighbouring occupiers.

3.6 Loss of views of Blows Downs from Nos. 40 and 42 Kingsbury Gardens

The loss of view is not a material planning consideration and is therefore not relevant to the determination of this application.

3.7 Impact of construction period

It is acknowledged that the construction period is likely to provide temporary disruption to neighbouring residents in terms of noise and disturbance. However, these impacts would be temporary and are not considered sufficient to justify the refusal of this application.

3.8 The development would be out of keeping with Jeans Way

This has been addressed in section 2, above.

3.9 Insufficient garden space retained for 55 Jeans Way

This is addressed in section 2, above and section 4, below.

3.10 The development only seeks to make money

The motives of the applicant are not a material planning consideration and are therefore not relevant to the determination of this application.

3.11 Insufficient parking

This is addressed in section 5, below.

3.12 Loss of grass verge

This is addressed in section 2, above.

3.13 Blocking up of the garage

The application claims that the existing garage is blocked up internally, yet the property has been marketed with a garage. While it is true that the garage is currently blocked internally, this could be reversed. However, this is not material to the determination of this application.

3.14 In conclusion, on balance it is considered that the proposal would not have an unacceptable impact on the amenity of neighbouring occupiers. The proposal is therefore considered to be in conformity with policies H2 and BE8 of the South Bedfordshire Local Plan Review, policy 43 of the emerging Development Strategy for Central Bedfordshire and the Central Bedfordshire Design Guide.

4. Amenity of Future Occupiers

4.1 Consideration should also be given as to whether the proposal would provide acceptable levels of amenity to future residents of both the proposed new dwelling and the host dwelling.

4.2 The proposed new dwelling would have a rear garden of only 37 square metres and would leave No. 55 with a rear garden of only 49 square metres. This is a larger allowance for No. 55 than was previously afforded under the schemes that were refused in 2014.

4.3 Design Supplement 5 of the Central Bedfordshire Design Guide sets out minimum internal and external space standards for new housing. There is no minimum external space standard for one bedroom dwellings and while the proposed garden is small, it is usable and the dwelling would be not occupied by a family. It is therefore considered that the provision for the new dwelling is acceptable.

4.4 However, the host dwelling comprises a family home and therefore, the Design Supplement expects a minimum of 60 square metres of rear garden. While the provision is larger than the schemes that were previously refused, it still does not comply with the requirements of the Design Supplement.

4.5 However, very careful judgement should be given as to whether or not sufficient weight can be given to this consideration to refuse the application. On 27 March 2015 a written material statement was published by the government which altered national planning policy to prevent the setting and use of local technical standards for new housing as of 01 October 2015. From this date, local planning authorities are directed to apply the Nationally Described Space Standard instead. However, the Nationally Described Space Standard does not set standards for external space. In this policy context, officers do not consider that the size of the garden that would be retained by No. 55 would be so inadequate that it would fail to provide acceptable living standards to occupiers to the extent that it would outweigh the presumption in favour of sustainable development enshrined within the National Planning Policy Framework, policy SD1 of the South Bedfordshire Local Plan Review and policy 1 of the emerging Development Strategy for Central Bedfordshire.

4.6 The internal space of the proposed dwelling would conform with the standards set out within the Nationally Described Space Standard and therefore would provide an acceptable level of amenity to future occupiers.

4.7 The proposal is therefore considered to conform with policies BE8 and H2 of the South Bedfordshire Local Plan Review and policy 43 of the emerging Development Strategy for Central Bedfordshire.

5. Highways Considerations

- 5.1 Following receipt of the comments of the Highways Officer a revised layout plan has been submitted showing adequate visibility splays for the parking spaces.
- 5.2 The proposal provides one parking space for the proposed one bedroom dwelling and two parking spaces for the existing three bedroom dwelling, which is in accordance with the Council's parking standards. It is noted that a lawful development certificate has been approved for a loft conversion to the host dwelling, which would include a fourth bedroom, however, this has not been implemented and thus very little weight can be given to this consideration. Furthermore, the Council's parking standards state the dwellings with four or more bedrooms should have three parking spaces, one of which can be on-street. There is on-street parking available on Jeans Way and therefore, the enlarged dwelling would still be compliant with these standards. As such, the proposal is in accordance with the Council's parking standards and it is considered that it would not have a detrimental impact on the safety and capacity of the highway network.

6. Other Considerations

6.1 Affordable Housing and Section 106 considerations

The proposed development falls below the threshold at which affordable housing is required. The Council no longer has a Supplementary Planning Document that assesses the requirements for Planning Obligations and has not yet introduced a Community Infrastructure Levy and, as such, each application is considered on its merits to determine whether site specific planning obligations are required to make the development acceptable. In this case, it is considered, based on the small scale and the location of the development that there are no site specific planning obligations required to make the development acceptable in planning terms.

6.2 Human Rights issues:

The proposal raises no Human Rights issues.

6.3 Equality Act 2010:

The proposal raises no issues under the Equality Act 2010.

Recommendation:

That Planning Permission be APPROVED subject to the following:

RECOMMENDED CONDITIONS

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

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

- 2 Prior to the commencement of the construction of the new dwelling details of the materials to be used for the external walls and roofs of the dwelling hereby approved shall be 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.

(Policies BE8 & H2, SBLPR and Policy 43, DSCB)

- 3 No work shall take place on the construction of the new access onto Jeans Way until details of the junction have been submitted to and approved in writing by the Local Planning Authority. The new dwelling shall not be occupied until the junction has been constructed in accordance with the approved details.

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

(Policy BE8, SBLPR and Policy 43, DSCB)

- 4 Visibility splays shall be provided at both private means of access from the individual properties within the site onto Jeans Way. These vision splay shall be provided on each side of the access drives and shall be 2.8m measured along the back edge of the new highway from the centre line of the anticipated vehicle path to a point 2.0m measured from the back edge of the footway into the site along the centre line of the anticipated vehicle path. The vision splays so described and on land under the dwelling occupier's control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

Reason: To provide adequate visibility between the individual accesses and Jeans Way, and to make the accesses safe and convenient for the traffic which is likely to use them.

(Policy BE8, SBLPR and Policy 43, DSCB)

- 5 The premises shall not be occupied until details of the construction and surfacing of the on site vehicular areas have been submitted to and approved in writing by the Local Planning Authority. These details shall include arrangements for surface water drainage from the site to soak away within the site so that it does not discharge into the highway or into the main drainage system. The vehicular areas shall be constructed in accordance with the approved details before the new dwelling is first occupied.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site so as to safeguard the interest of highway safety and reduce the risk of flooding and to minimise inconvenience to users of the premises and ensure acceptable parking of vehicles outside highway limits .

(Policy BE8, SBLPR and Policy 43, DSCB)

- 6 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.

(Policy BE8, SBLPR and Policy 43, DSCB)

- 7 **No development shall take place until a scheme detailing provision for on site parking for construction workers and deliveries for the duration of the construction period and a method statement of preventing site debris from being deposited on the public highway have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.**

Reason: The condition must be pre-commencement to ensure adequate off street parking and to prevent blockage of the public highway during the construction period in the interests of road safety.

(Policy BE8, SBLPR and Policy 43, DSCB)

- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows shall be inserted into the first floor of the rear elevation or the proposed rear roof slope of the proposed dwelling, and no rear dormers shall be constructed without the grant of further specific planning permission from the Local Planning Authority.

Reason: To protect the privacy of neighbouring residents.

(Policies BE8 & H2, SBLPR and Policy 43, DSCB)

- 9 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 55/1BED-D/01, 55/1BED-D/02, 55/1BED-D/03, 55/1BED-D/04/R1, 55/1BED-D/05, 55/1BED-D/06/R1 .

Reason: To identify the approved plans and to avoid doubt.

Notes to Applicant

1. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the South Bedfordshire Local Plan Review (SBLPR) and the emerging Development Strategy for Central Bedfordshire (DSCB).
2. 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.
3. 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 write to Central Bedfordshire Council's Highway Help Desk, Priory House,

Monks Walk, Chicksands, Shefford, Bedfordshire, SG17 5TQ quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. 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.

- 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, Bedfordshire, 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.

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

It is recommended that planning permission be granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage 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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