

Item No. 12

APPLICATION NUMBER	CB/16/02821/FULL
LOCATION	Land to the Rear of 3 - 5a High Street, Langford, Biggleswade, SG18 9RP
PROPOSAL	Erection of detached bungalow, demolition of existing brick built shed.
PARISH	Langford
WARD	Stotfold & Langford
WARD COUNCILLORS	Cllrs Dixon, Saunders & Saunders
CASE OFFICER	Julia Ward
DATE REGISTERED	14 September 2016
EXPIRY DATE	09 November 2016
APPLICANT	The Salvation Army Hall
AGENT	Mr C Bailey
REASON FOR COMMITTEE TO DETERMINE	Call in from Ward Member (Councillor Saunders) on the grounds of: Call in from Ward Member (Councillor Saunders) on the grounds of:
	<ul style="list-style-type: none">* over-development;* highways safety grounds;* parking;* previous refusal due to historical conditions - site not appropriate. <ul style="list-style-type: none">• over-development;• highways safety grounds;• parking;• previous refusal due to historical conditions - site not appropriate.
RECOMMENDED DECISION	Full Application - Recommended for Approval

Site Location:

The application site is located at the rear of existing properties on the eastern side of High Street within the Settlement Envelope of the village of Langford.

The level site is currently an area of hardstanding behind the existing residential and commercial properties along High Street to the west and Station Road to the east. An existing single storey brick-built outbuilding is located in the north-western corner of the site. The site is bounded by high close-boarded fencing. The site is currently accessible from existing accesses from High Street and Station Road.

The Application:

This application is seeking planning permission for the erection of a detached 2-bedroomed bungalow following demolition of the existing garage building on the site. Vehicular access is from High Street via an existing access between 7 and 5A High Street. The proposed dwelling would have 2 no. car parking spaces to the south of the site and a garden area to the north of the site.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Core Strategy and Development Management Policies - North 2009

CS1 - Development Strategy

CS14 - High Quality Development

DM3 - High Quality Development

DM4 - Development within and beyond Settlement Envelopes

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)

Supplement 1 Placemaking in Central Bedfordshire

Supplement 5 Residential Development

Relevant Planning History:

Application Number CB/14/04036/FULL

Description Change of use from Salvation Army Hall to a dwelling. Part 1.5 storey rear extension and part single storey rear extension. Replacement fenestration.

Decision Granted

Decision Date 09/12/14

Consultees:

Parish/Town Council Langford Parish Council - Objects to the application for the following reasons:

1. Access is directly onto the busy High Street via a narrow gap of less than 2.7 metres, directly opposite are public parking bays restricting the road width and next to the exit is a busy shop and garage. A low level wall also prevents the visibility of children;
2. Currently access is limited to two residents and one office, the plans under consideration will increase this by a further 4 vehicles thus increasing the risk significantly;
3. We believe that an alternative access exists to the rear of the proposed property but this has been excluded from the plans submitted for some reason, whilst still difficult this appears to provide a better option;
4. The Council originally refused permission due to historical conditions, the developer's proposal includes an archaeological report which appears to support the council's conclusions;
5. The site proposed is inappropriate, it was previously a

builder's yard and not a garden as described. It is adjacent to 4 no. 1960's style concrete/ asbestos garages and the business premises of a windows company and vehicle repairers.

Highways

The proposed bungalow will be served via the existing access/ driveway that runs between nos. 5a and 7 High Street and currently provides access to the parking at the rear of the former Salvation Army Hall. No changes are proposed to this existing means of access to the highway. Two off-street car parking spaces are shown to be provided to the side of the proposed dwelling and the shared access driveway across the front enables the vehicles to enter, turn and leave in a forward gear. The on-site parking provision can therefore be deemed compliant with the Council's parking standards.

The proposed development of a two bedroomed dwelling in this location has the potential to generate four to six additional traffic movements per day. Given that the means of access and the off-street parking provision are deemed acceptable, it is considered that these can be satisfactorily accommodated on the local road network and the proposal is unlikely to have any adverse highway impacts, once completed.

It is recommended that conditions related to the provision of the shared access and parking spaces and details of cycle parking should be attached to any approval.

Archaeology Officer

Archaeology Reference: HER/16982/WAB

The proposed development site lies partly within the historic core of the settlement of Church End, Langford (HER 17135) and under the terms of the *National Planning Policy Framework* (NPPF) this is a heritage asset with archaeological interest.

Langford is first documented in a will of 944 AD and the manor was also recorded in the Domesday Survey of 1086 AD. This strongly suggests that the origins of the settlement date back to the Saxon period.

It would appear that by the medieval period Langford was polyfocal in nature, with a number of separate but interlinked settlements (referred to as "ends") in the parish. These included Flexmore End, Water End and Church End. Church End, where the proposed development site is situated was the most substantial of the settlements. Church End takes its name from the medieval parish church of St Andrew (HER 1087, NHLE 1113840: Grade I). St Andrews Church has 13th century origins although the main body of the building is 14th century with 15th century additions. Until recently there

has been a physical separation between Church End and the rest of the village to the south, this separation disappeared as the village expanded in the 20th century.

There have only been a small number of archaeological investigations undertaken in Langford; however, archaeological deposits relating to the medieval settlement have been recorded in a number of locations within Church End. An archaeological investigation undertaken at Mushroom Farmhouse, Langford identified archaeological deposits relating to medieval settlement (Albion Archaeology 2012). Extensive archaeological deposits dating from the late Saxon through to the early medieval periods have also been found on the land adjoining the Wrestlers on Church Street (HER 19481).

In addition to the later Saxon and medieval archaeology recorded within Langford, small scale archaeological investigations at Pound Close found ditches, flint flakes, animal bone and human remains (HER 16117). These finds are undated, but suggest the presence of prehistoric occupation in the area which would fit in with a pattern found in similar topographical locations elsewhere in the Ivel Valley (BCAS 1992). These remains may also tie in with the record of a group of "British mounds" that were recorded in the area of Tithe Close in the 19th century (HER 1420); it has been suggested that these may have been prehistoric funerary monuments although no archaeological evidence to substantiate the existence of these features has been found.

This application is accompanied by an *Archaeological Desk-Based Assessment Report* (September 2016), which identified that the development site had the potential to contain buried archaeological remains related to the Saxon, medieval and post medieval development of the village and that the foundations and other associated groundworks for the development the potential to any surviving deposits within the area.

The proposed development will have a negative and irreversible impact upon any surviving archaeological deposits present on the site, and therefore upon the significance of the heritage assets with archaeological interest. This does not present an over-riding constraint on the development providing that the applicant takes appropriate measures to record and advance understanding of any surviving heritage assets with archaeological interest. This will be achieved by the investigation and recording of any archaeological deposits that may be affected by the development and the scheme will undertake a trial trench evaluation, which may be followed by further fieldwork if appropriate. The

archaeological scheme will include the post-excavation analysis of any archive material generated and the publication of a report on the investigations. In order to secure this scheme of works, please attach the following condition to any permission granted in respect of this application.

“No development shall take place until a written scheme of archaeological investigation; that includes the provision for post excavation analysis and publication, has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall only be implemented in full accordance with the approved archaeological scheme.”

Reason: This condition is pre-commencement as a failure to secure appropriate archaeological investigation in advance of development would be contrary to paragraph 141 of the *National Planning Policy Framework (NPPF)* that requires developers to record and advance of understanding of the significance of any heritage assets to be lost (wholly or in part) as a consequence of the development.

This request is in line with the requirements of Chapter 12 of the NPPF.

Pollution Team

No comments have been received at the time of writing the report. Any comments received will be reported at Committee.

Other Representations:

Neighbours

Objections have been received from the occupiers of the following addresses:

5 High Street - Objects to the application for the following reasons:

1. For at least the last 17 years the plot has been used as a builder's storage yard, not as a domestic garden as stated;
2. Access to the plot has been via the driveway between 30 Station Road and the Ivy Leaf Club;
3. The proposed access way is shared by residents of nos. 5, 5A, 7A, 7B and 7C who all contributed to the cost of laying tarmac around 11 years ago. On the advice of the then retained land owner, 25mm tarmac depth was regarded as sufficient due to the light use it would receive. There was no access to the rear of no. 3A via the access way between nos. 5A and 7. Increased flow of traffic will have an impact on the deterioration rate of the tarmac;
4. The land directly in front of the garages owned by nos.

- 5 and 5A when fully occupied will severely restrict the turning ability of any site construction vehicles;
5. I understand that there is a significant interest in some archaeological finds on the site. What are the plans for recovering/ preserving these artefacts?;
6. The proposed access way narrows down to less than n 3 metres. The access/ egress point from the High Street is opposite on-street parking and the visibility when existing is poor due to the limited field of vision. Both restrict the turning circle of any larger vehicles. These factors would almost certainly pose a risk to pedestrians and other road users. It would be wholly unsustainable for construction traffic to use this access;
7. There is no provision for on-site parking for construction workers. The on-road parking is limited so where are the workers going to park?

The access/ egress point to the site is totally unsuitable. A better solution would be to use the driveway between 30 Station Road and the Ivy Leaf Club.

5A High Street - Objects to the application for the following reasons:

1. The access shown on the location map and site plan has never been in regular use either for the application plot or for rear access to the Salvation Army Hall. The Hall did not have any rear access until the owner purchased the rear gardens of nos. 22 and 24 Station Road;
2. The plot has not been used as a domestic garden as stated on the application but as storage, and both this area and the rear gardens of no's 22 and 24 Station Road are regularly accessed via the drive between 30 Station Road and the Club. The proposed access is shown on the application as being between 5A and 7 High Street. This access has not been used by them;
3. The access as shown is a shared access for the 5 residents of no, 5 and 5A whose garages and parking spaces form part of the drive and no. 7A, 7B and 7C who have parking spaces off the access. 11 years ago, the shared users paid to have it re-surfaced. The width narrows between 5 A and 7 to less than the minimum width for a shared driveway. The walls of the buildings are only 2.7 metres apart;
4. Additionally, the visibility for the pedestrian footpath in front of 5A and 7 is very restricted and the road access point has poor vehicular visibility. Whilst the application is for a new house with 2 parking spaces, it also appears to include a new access for the The Salvation Army parking to use this access, This property has never used this access before, as stated above, it has always used the access onto Station Road;

5. The proposed demolition, archaeological works and construction works will all require vehicles to pass up the access between 5A and 7 High Street, according to the application. There is inadequate turning space for materials delivery lorries within the site and the drive is too narrow for such deliveries to be made from High Street. There is no parking provision for workers and construction vehicles within the site as the bungalow is sited close to the access point;
6. There is no statement for wheel cleaning for construction vehicles so mud is probably going to be spread beyond the boundary of the plot onto the shared driveway;
7. The application should be withdrawn and re-submitted with the access changed to the existing drive used by the plot and the Salvation Army Hall, between 30 Station Road and the Club.

Determining Issues:

The main considerations of the application are:

1. **Principle of the development**
2. **Impact of the proposal on the Character and Appearance of the Area**
3. **Neighbouring Amenity**
4. **Other considerations**

Considerations

1. Principle of the development

The application site is located within the defined Settlement Envelope boundary of Langford. Policy CS1 of the Core Strategy and Development Management Policies (2009) identifies Langford as a Large Village. Policy DM4 states that within Settlement Envelopes of Large Villages, small scale housing uses will be permitted. It is therefore considered that the principle of a new dwelling within the Settlement Envelope boundary is acceptable, subject to the proposal meeting the criteria of policy DM3 of the Core Strategy.

2. Impact of the proposal on the character and appearance of the area

2.1 The proposed dwelling is single storey and would be located to the rear of existing properties along High Street and Station Road. The property would not be visible from either road and therefore it is considered that the proposal would not have a significant impact on the character and appearance of the streetscene along this part of High Street and Station Road.

2.2 The information submitted with the application indicates that the proposed dwelling would be constructed from reclaimed yellow facing brickwork, blue/ grey roof slates and white upvc windows. It is considered appropriate to attach a condition requiring full details of proposed materials to be submitted prior to the commencement of development to ensure that the proposed dwelling appears acceptable within the context of the existing properties surrounding the site.

3. Neighbouring Amenity

3.1 The proposed dwelling would be single storey with a hipped roof (4.9 metres to the ridge of the roof, 2.3 metres to eaves height). Two parking spaces would be

provided to the south of the building and a garden area measuring 60.5 sq. metres would be located to the north of the building. The dwelling would comprise two bedrooms, a hallway, a bathroom and a kitchen/ lounge area. No habitable room windows are proposed on the eastern elevation along the boundary with properties in Station Road, although a bathroom window is proposed on the elevation. The site is currently bounded by a close-boarded wooden fence. An existing pathway runs along the eastern boundary of the site giving pedestrian access to properties along Station Road. Existing business units, including a windows manufacturer and vehicle bodywork premises, are located to the south of the site.

- 3.2 It is considered that given the distance of 12 metres between the proposal and the rear elevations of houses in Station Road, together with no habitable room windows on the eastern elevation, and 21 metres between the proposal and the existing houses in High Street, the proposal would not result in any overlooking or loss of privacy to adjoining residents. In addition, given the single storey nature of the dwelling, the proposal would not result in any significant overshadowing, overbearing impact or loss of light to surrounding properties.
- 3.3 It is noted that there is an existing window on the side elevation of 5A High Street facing the access into the site. It is considered that given that there are existing vehicular movements into and out of the area to the rear of these properties adjacent to the application site, the proposal would not result in any significant additional noise and disturbance to the occupiers of 5A High Street.
- 3.4 It is considered relevant and necessary to attach a condition to any approval requiring full details of all landscaping and boundary treatments to be submitted to, and agreed by, the Local Planning Authority prior to the commencement of development to ensure that the all boundary treatments will appear in keeping with the surrounding properties.
- 3.5 The Central Bedfordshire Design Guide (2014) (Supplement 5 - Residential Development) advises that an acceptable garden area for a two bedroomed dwelling is 50 square metres with a minimum depth of 10 metres. Ideally both the minimum area and minimum depth should be met. However, it is recognised that in certain circumstances, such as infill sites, this may not be possible. In these cases, one of the standards should be met. In this instance, a 10 metre depth is not proposed (9.1 metres by 6.9 metres). However, as the proposed garden would be of an appropriate square metre in accordance with the same technical guidance, in this instance the garden size is considered acceptable.
- 3.6 Given the position of the dwelling and the size of the proposed garden area, it is considered relevant and necessary to attach a condition removing permitted development rights for extensions to the property to ensure that adequate garden space is maintained.
- 3.7 It is noted that the proposed dwelling will be located in close proximity (36 metres) to existing commercial premises to the south of the site. Whilst this proposed location is not ideal, there are existing residential properties already in close proximity to the site, some of which are closer to the commercial premises, and it is therefore considered that the introduction of a further residential unit in this location would not result in a detrimental impact on the existing residential amenities of surrounding residents, nor on the amenities of the future occupiers

of the proposed dwelling. Any comments from the Pollution Team will be reported at Committee.

4. Other Considerations

4.1 Highways issues

The highways officer has not raised any objection to the proposal. Whilst it is acknowledged that the existing access from High Street is only 2 metres wide at its narrowest point, it is clear that the access is currently used by vehicular traffic using the existing garages to the rear of the site, parking for the commercial premises along High Street and 1 no. parking space for the dwelling formerly known as the Salvation Army Hall. It is considered that the additional traffic movements created by a two bedroomed dwelling would not result in any significant additional impact on the local road network or pedestrian/ highway safety in the area.

It is noted that the highways officer has recommended a condition be attached for the provision of cycle parking at the premises. However, given that the proposal is for a single dwelling and there is clearly space for cycle parking within the curtilage of the site, it is considered that this condition would be unnecessary in this instance to make the proposal acceptable in planning terms.

4.2 Impact on historic character and appearance of the area

The application site is not located in a conservation area and there are no listed buildings adjoining the site edged red. However, the proposed development site lies partly within the historic core of the settlement of Church End, Langford (HER 17135) and under the terms of the *National Planning Policy Framework* (NPPF) this is a heritage asset with archaeological interest.

It is therefore considered necessary and relevant to attach a condition to any approval requiring the applicant to submit a full archaeological survey prior to the commencement of development to ensure that the development will not have any adverse impact on any archaeological remains in the area.

4.3 Neighbours' concerns

Concerns raised on highways grounds are discussed above. Whilst the site may also be accessed via Station Road, this access does not form part of this application and therefore cannot be considered as part of this application. In any event, this access is shared with the existing commercial premises to the south of the site and may not be suitable for further access to a residential premises.

The concerns raised regarding construction workers' parking and wheel cleaning during construction works, as well as access to the site during construction, are noted. It is accepted that there would be an impact to local residents during construction work. However, this would be a temporary impact and would not warrant refusal of the application. It is considered that conditions requiring temporary parking for construction workers and wheel cleaning would be unreasonable and unenforceable in this instance given that the proposal is for a single dwelling. Any nuisance caused on the public highway would be dealt with under separate planning legislation. In addition, access for construction vehicles would be a civil matter between the owners of the access and the applicant.

4.4 Human Rights/ Equality issues

Based on the information submitted, there are no known issues raised in the context of Human Rights legislation/ The Equality Act 2010 and, as such, there would be no relevant implications.

Recommendation:

That Planning Permission be Recommended for APPROVAL 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 **No development shall take place, notwithstanding the details submitted with the application, until details of the materials to be used for the external walls and roof of the development 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.
(Section 7, NPPF)**

- 3 **Prior to the commencement of development, a scheme shall be submitted for approval in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved scheme before the building is occupied and be thereafter retained.**

**Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.
(Section 7, NPPF)**

- 4 **The dwelling hereby permitted shall not be occupied until the shared access driveway, parking areas and turning area shown on approved drawing ref: P001 have been laid out, drained and surfaced in accordance with details previously 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 provide a satisfactory means of access and 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.

- 5 **No development shall take place until a written scheme of archaeological investigation that includes the provision for post**

excavation analysis and publication, has been submitted to, and approved in writing by, the Local Planning Authority. The development hereby approved shall only be implemented in full accordance with the approved archaeological scheme.

Reason: A failure to secure appropriate archaeological investigation in advance of development would be contrary to paragraph 141 of the National Planning Policy Framework (NPPF) that requires developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) as a consequence of the development.

- 6 Notwithstanding the provisions of Part 1, Class A of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions to the building hereby permitted shall be carried out without the grant of further specific planning permission from the Local Planning Authority.

Reason: To control the external appearance of the building/s in the interests of the amenities of the area.
(Section 7, NPPF)

- 7 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 eastern flank elevation of the proposed dwelling, without the grant of further specific planning permission from the Local Planning Authority.

Reason: To protect the privacy of neighbouring residents.
(Section 7, NPPF)

- 8 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers CBC/001; CBC/002; P001; P002

Reason: To identify the approved plan/s and to avoid doubt.

INFORMATIVE NOTES TO APPLICANT

1. Please note that the unnumbered drawings submitted in connection with this application have been given unique numbers by the Local Planning Authority. The numbers can be sourced by examining the plans on the View a Planning Application pages of the Council's website www.centralbedfordshire.gov.uk.

2. **Will a new extension affect your Council Tax Charge?**

The rate of Council Tax you pay depends on which valuation band your home is placed in. This is determined by the market value of your home as at 1 April 1991.

Your property's Council Tax band may change if the property is extended. The Council Tax band will only change when a relevant transaction takes place. For example, if you sell your property after extending it, the new

owner may have to pay a higher band of Council Tax.
If however you add an annexe to your property, the Valuation Office Agency may decide that the annexe should be banded separately for Council Tax. If this happens, you will have to start paying Council Tax for the annexe as soon as it is completed. If the annexe is occupied by a relative of the residents of the main dwelling, it may qualify for a Council Tax discount or exemption. Contact the Council for advice on **0300 300 8306**.
The website link is:

<http://www.centralbedfordshire.gov.uk/council-tax/bands/find.aspx>

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35

Discussion with the applicant to seek an acceptable solution was not necessary in this instance. 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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