

Item No. 10

APPLICATION NUMBER	CB/16/04933/FULL
LOCATION	19 Lincoln Way, Harlington, Dunstable, LU5 6NG
PROPOSAL	Two storey side and part two storey part single storey rear extension and new pitched roof over existing single storey side flat roof
PARISH	Harlington
WARD	Toddington
WARD COUNCILLORS	Cllrs Costin & Nicols
CASE OFFICER	Annabel Robinson
DATE REGISTERED	24 October 2016
EXPIRY DATE	19 December 2016
APPLICANT	Mr S Caldbeck
AGENT	Worth Planning and Design Ltd
REASON FOR COMMITTEE TO DETERMINE	The applicant is a senior manager at Central Bedfordshire Council
RECOMMENDED DECISION	Full Application - Refusal

Summary of Recommendation:

The planning application is recommended for refusal, the design of the two storey side extension would cause harm to the visual amenity of the streetscene, it would be located on an area of land outside the residential curtilage of the dwelling house, the extension would appear visually dominant within the open residential setting. The proposed access would cause harm to the junction of Monmouth Road and Lincoln Way. It is considered that this development would not be in accordance with Central Bedfordshire Core Strategy and Development Management Policies DM3, CS1, CS2, CS5, DM4, DM13, CS15, the design is not in accordance with the Central Bedfordshire Design Guide or the positive design strategy within the National Planning Policy Framework.

Site Location:

The site is the residential property 19 Lincoln Way, and an area of amenity land adjacent to the property in Harlington.

The dwelling house is a three bedroom detached mid 20th Century property, largely constructed from buff bricks, with a brown hanging tile frontage. The dwelling is on a corner plot with Monmouth Road. The site is enclosed by a low level retaining wall and close board fencing. Included within the redline is an area of land adjacent to the public highway forming open amenity space within the streetscene of Lincoln Way.

The parking for the property is to the rear of the site, there is space for a single car in front of a detached garage.

The area is characterised by wide grassy frontages set back from the streetscene, creating an open attractive appearance with a range of dwelling styles, with reasonably uniform set back.

The Application:

This is a full application for a two storey side extension, and a part single storey, part two storey rear extension and change from flat roof to pitched roof over single storey side extension.

RELEVANT POLICIES:

National Policy

National Planning Policy Framework (March 2012)

Core Strategy and Development Management Policies - North 2009

DM3 High Quality Development

CS14 High Quality Development

CS1 Development Strategy

Development Strategy

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

Supplementary Planning Guidance

Design in Central Bedfordshire: A guide for development

Planning History

None relevant to this application, no pre-application advice sought.

Representations:

(Consultations/Publicity/Neighbour responses)

Harlington Parish Council	HPC were in support of the application, however, asks that as part of any Planning Authority permission that it gives protection to the HPC amenity land to ensure that it does not get damaged during the construction process.
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Tree and Landscape Officer	I understand that two trees, previously located on private amenity land to the side of the property, have been felled where there was likely conflict with the proposed new extension, to the detriment of
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the visual amenity of the streetscene.

I am therefore unable to comment further regarding the potential adverse visual impact caused by this application proposal.

Highways
Development
Management

At present the property has three bedrooms with a garage and parking space within the Lincoln Way frontage. The extension will increase the number of bedrooms to 5 requiring the provision of additional parking to be design guide compliant.

The submitted plan is suggesting that a new vehicle access be provided at the junction of Monmouth Road with Lincoln Way to serve a hard surfaced area of front garden land that the application proposes be used for parking. Due to land ownership constraints the access would need to enter the highway at an acute angle and be located within the junction radius kerbs. Such an access would configuration and layout would lead to conditions detrimental to highway safety by conflicting manoeuvres and confusing use of indicators lights in the immediate vicinity of the junction.

In these circumstances I have no option but to recommend that the application, as submitted should not be granted planning approval for the following reason.

Reason for Refusal: This proposal does not incorporate appropriate access or provide adequate areas for parking and would introduce conflicting traffic movements in the immediate vicinity of an existing road junction detrimental to highway safety for both vehicular traffic and users of the footway contrary to Policy DM3.

Neighbouring/
Local properties

No comments received

Determining Issues

The main considerations of the application are:

- 1. Principle of Development**
- 2. Impact on the character and appearance of the surrounding area**
- 3. Impact on amenities of neighbouring properties**
- 4. Access and Parking**
- 5. Any Other Considerations**
- 6. Conclusions**

Considerations

1. Principle of Development

- 1.1** The site is completely within the defined settlement envelope of Harlington, where the principle of residential extension and development are considered acceptable, subject to normal planning considerations.
- 1.2** It is judged that the principle of a residential extension is acceptable in accordance with CS1 of the Core Strategy and Development Management Policy Document 2009.
- 1.3** It appears as though there is an area of land adjacent to the dwelling house which is within the applicants ownership, outside the curtilage of the dwelling house that has been enclosed by low level picket style fencing, the fencing has been erected for less than 4 years. The use of the land adjacent to the residential dwelling house is in dispute, it appears as though the land is associated with the grassed area of amenity land to the side of the dwelling, the levels of the land are the same, which is higher than the dwelling house, where there is a boundary wall which forms the side of the residential curtilage. No Lawful Development Certificate has been applied for to establish the use of the land as residential, and no application to change the use of this piece of land has been applied for.

It is considered that the principle of building on amenity land in this area has not been established, as no application for a change of use has been made it is considered that it is not appropriate to extend the dwelling house onto this raised area of amenity space.

2. Impact upon the character and appearance of the surrounding area

- 2.1** The proposed side extension would extend beyond the residential curtilage of the property, it is accepted that the whole area is within the ownership of the applicant; however the historic curtilage is clearly defined by the existing low level brick wall, not by the recently erected picket fencing. In addition the former lack of boundary treatment between the proposed site and the further area of grassed amenity land highlights the use of the land as amenity land adjacent to the public highway. No change of use has been applied for, so this is considered to be a residential extension proposed on grass amenity land.
- 2.2** The side extension would be located on an area of grass amenity land adjacent to the residential property. Due to the scale of the extension it would be highly prominent within the streetscene. The area of land is at a higher level than the dwelling house. The side extension would be some 4 metres in width; it is considered that it would create a bulky form of development at a raised level within the streetscene further adding to the prominence. It is considered that the side extension, due to its scale on an area of land currently open in character would have a detrimental impact upon the character and appearance of the area

resulting in an unsuitable form of development. The character of the area is defined by wide open areas of green space within the streetscene, including corner plots and grassed areas in front of driveways, it is judged that this would result in a harmful form of development out of character with the immediate area.

- 2.3** It is considered that the rear extension, although would be visible from Lincoln Way, would be unlikely to have a significant or unacceptable impact upon the character or appearance of the area.

3. Impact upon amenities of neighbouring properties

- 3.1** The closest residential property would be 15 Monmouth Way, it is considered due to the corner plot that no other residential property would be affected by this development.

The development has been considered in terms of impact upon light, outlook, privacy, and the causing of an overbearing impact.

3.2 Light amenity

3.2.1 Side extension:

As this would be on an area of land away from neighbouring property, although visible from many properties, it is considered that it would not have a significant impact in terms of light amenity to the adjacent properties.

Rear extension:

The neighbouring property at 15 Monmouth Road has side facing glazed windows at first floor level, in addition to a patio area adjacent to the site. It is considered due to the massing and orientation (due south) of the adjacent property it is likely that there would be some impact upon the light amenity to these windows and this patio area. It is considered that as the two storey element of this development has been set away from the neighbouring boundary, the impact would be limited, and not considered to be so substantial to be judged detrimentally harmful.

3.3 Outlook/Overbearing Impact

3.3.1 Side extension:

As this would be on an area of land away from neighbouring property, although visible from many properties, it is considered that it would not have a significant impact in terms of the outlook of the adjacent properties.

Rear extension:

It is considered that an extension of this size, at a higher level than 15 Monmouth Road would appear prominent when viewed by the

residents from this property. It is considered that due to the scale of the extension and the orientation of the dwellings the extension would appear dominant when viewed from the rear/side windows and patio area of the adjacent properties, but not so dominant a refusal on these grounds would be sustained in the context of surrounding development and proposed off-setting from the boundary.

3.4 Privacy

3.4.1 Side extension:

There are no significant privacy concerns relating to the side extension, the views achievable from the additional windows would overlook the streetscene.

Rear extension:

Included within the application would be an additional side facing window within the north facing elevation of the existing dwelling house. It is marked on the plan (WPD-041-16-2) as “obscured” it would form 1 of 2 windows within a bedroom with an obscured window. Both windows on this plan for this bedroom are marked as obscured. It is not desirable to require bedrooms to have obscurely glazed windows, as the living accommodation within these rooms would be compromised. It is considered however this matter could be controlled by condition, and therefore would not form a reason for refusal. It is judged that should this development be found acceptable the first floor window within the north facing (side) elevation should be obscured, however the window within the east facing (rear) elevation could be clear glazed. It is considered on balance that with the imposition of suitable conditions the privacy of adjacent occupiers could be safeguarded.

4. Access and Parking

4.1 Access

4.1.1 It is considered that the access arrangements are not acceptable. It has been designed to avoid crossing the open amenity space owned by the Parish Council, although if the area of amenity land owned by the Parish Council is the whole grassed area in front of number 19 Lincoln Way the proposed cross over would have to be over the land. The inconsistency with the plan has been highlighted with the agent. The design of the junction to “miss” the amenity land at the frontage would produce a skewed access at the front immediately adjacent to the junction of Monmouth Road and Lincoln Way.

It is considered that the proposed access arrangements would be so close to the junction with Monmouth Road and Lincoln Way, that it would interfere with the use of this junction causing a potential hazard to the public highway. It is considered that this access is unacceptable.

4.2 Parking

- 4.2.1** The current parking arrangement is to the rear of the dwelling house, there is one garage, some 6 meters in depth, with one parking space to the front of the garage, there are no restriction to on street parking. It is considered that should the extensions be constructed, but the proposed access arrangements and frontage parking be found unacceptable there would be insufficient off street parking for a 5 bedroom dwelling house. Due to the size of the garage, it would not be considered a suitable off street parking space in accordance with the Central Bedfordshire Design Guide.

5. Any Other Considerations

5.1 Human Rights issues:

- 5.1.1** It is the officers understanding that the proposal would raise no Human Rights issues.

5.2 Equalities Act 2010:

- 5.2.1** It is the officers understanding that the proposal would raise no issues under the Equality Act 2010.

6. Conclusions

- 6.1** It is considered that the proposal is unacceptable. The design and location of the proposed side extension being located on amenity land would appear dominant and bulky within the streetscene causing harm to the character and appearance of the area. In addition the proposed new access arrangements would cause a hazard to the users of the junction between Monmouth Road and Lincoln Way.

Recommendation

That Planning Permission is refused for the following reasons:

RECOMMENDED CONDITIONS / REASONS

- 1 The proposal represents an undesirable form of development inappropriate to and at variance with the prevailing form of development in the vicinity. The design of the two storey side extension would cause harm to the visual amenity of the streetscene. It would be located on an area of land outside the residential curtilage of the dwelling house, the extension would appear

visually dominant on a prominent corner site and within an open residential setting. The proposal would be harmful to the character and appearance of the area contrary to the design principles with the Central Bedfordshire Design Guide, DM3 of the Central Bedfordshire Core Strategy and Development Management Policy Document, and the National Planning Policy Framework.

- 2 This proposal does not incorporate appropriate access or provide adequate areas for parking and would introduce conflicting traffic movements in the immediate vicinity of an existing road junction detrimental to highway safety for both vehicular traffic and users of the footway contrary to Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies, and The National Planning Policy Framework.

INFORMATIVE NOTES TO APPLICANT

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 in an attempt to narrow down the reasons for refusal but fundamental objections could not be overcome. The applicant was invited to withdraw the application to seek pre-application advice prior to any re-submission but did not agree to this. The Council has therefore acted pro-actively 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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