

Item No. 13

APPLICATION NUMBER	CB/16/04456/FULL
LOCATION	Land adj to 2 Havelock Road Biggleswade Beds SG18 0DB
PROPOSAL	Erection of two 2-bedroom semi-detached dwellings.
PARISH	Biggleswade
WARD	Biggleswade North
WARD COUNCILLORS	Cllrs Jones & Mrs Lawrence
CASE OFFICER	Alex Harrison
DATE REGISTERED	22 September 2016
EXPIRY DATE	17 November 2016
APPLICANT	Central Bedfordshire Council
AGENT	Barford + Co.
REASON FOR COMMITTEE TO DETERMINE	Council's own development with an outstanding neighbour objection.
RECOMMENDED DECISION	Full Application - Approval recommended

Reason for recommendation:

The proposal for residential development is considered to be acceptable in light of the Core Strategy and Development Management Policies Document 2009. The site is within the settlement envelope. There would be no amenity harm to existing residents and the proposal provides suitable parking for proposed occupiers on the site.

Site Location:

The application site is an unkempt an undeveloped parcel of land within the settlement envelope of Biggleswade. It sits adjacent to neighbouring residential properties on all sides aside from the western boundary that abuts the highway.

The Application:

Full planning permission is sought for the construction of two dwellings on the site. The dwellings would be semi detached and each have two bedrooms. Each dwelling will have a private driveway off of Havelock Road, providing parking spaces for two vehicles.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Core Strategy and Development Management Policies - North 2009

CS1 Development Strategy

CS3 Healthy and Sustainable Communities

CS4 Linking Communities - Accessibility and Transport

CS5 Providing Homes

CS14 High Quality Development

DM2 Sustainable Construction of New Buildings

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)

Relevant Planning History:

Application Number	MB/03/00755/FULL
Description	Erection of detached three bedroom disabled person's bungalow with car port.
Decision	Approve
Decision Date	03/07/2003

Consultees:

Biggleswade Council	Town	It was resolved that Town Council raise no objection to this Application, provided the neighbours are consulted, and that any comments they may make are considered by CBC in their deliberations. In addition, the Council is to ensure that their guidelines on the size of the proposed extension to the principle dwelling are complied with in order to eliminate detriment in respect of light and privacy of adjacent residents.
Highways		Each property has two bedrooms and is provided with two parking spaces in tandem served via a dropped kerb footway crossover and cycle storage is available within the proposed sheds. The parking spaces lie between the proposed dwelling and the adjacent boundary fence and are shown to be 3.0m in width. This is sufficient to allow the doors to be opened on either side of the parked vehicle. Refuse storage is shown to be located in the rear gardens and there is sufficient space within each plot to

provide a suitable refuse collection point for use on collection days.

The on-site parking provision and servicing arrangements can therefore be considered acceptable in highway terms.

The proposed development of two No. two bedroom dwellings in this location has the potential to generate eight to ten 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 impact, once completed.

Ecology	No objection
Trees and Landscape	No objections to the proposal. Landscape and boundary treatment detail will be conditioned.
Internal Drainage Board	No comments received.

Other Representations:

Neighbours	1 letter received raising the following objections: <ul style="list-style-type: none">• Concerns over car parking due to high on street parking numbers in the area currently.• Existing parking on the street creates hazard for fire vehicles and ambulances.• Cars currently park on the path which is hazardous for pedestrians.
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Determining Issues:

The main considerations of the application are;

1. Principle
2. Affect on the Character and Appearance of the Area
3. Neighbouring Amenity
4. Highway Considerations
5. Other Considerations

Considerations

1. Principle

- 1.1 The site lies within the settlement envelope for Biggleswade. Policy DM4 states broadly that residential development will be supported in principle in these locations.
- 1.2 At the time of writing this report the Council cannot demonstrate a five year supply of deliverable housing land. This means that under the provisions made in paragraph 49 of the National Planning Policy Framework 2012, policies concerned with the supply of housing (including DM4, DM14, and CS16 of the

North Core Strategy) must be regarded as 'out-of-date', and that permission should be granted unless the harm caused "significantly and demonstrably" outweighs the benefits.

- 1.3 However, recent case law and legal advice advises that these policies should not be disregarded. On the contrary, 'out of date' policies remain part of the development plan, and the weight attributed to them will vary according to the circumstances, including for example, the extent of the five year supply shortfall, and the prospect of development coming forward to make up this shortfall.
- 1.4 At the time of writing the Council can demonstrate a supply of at least 97% of the five year requirement. The Council is confident that there is sufficient development coming forward in the short term to make up this shortfall. In this context it is reasonable to afford Policy DM4 a level of weight proportionate to this supply when considering the planning balance
- 1.5 In spite of the Council's housing land supply position the principle of development is considered to be acceptable given the location of the site within the settlement envelope.

2. Affect on the Character and Appearance of the Area

- 2.1 The character of the areas shows a mix of styles of dwelling. Most are two storeys in scale which has been replicated in this proposal. The semi detached nature of the dwellings is apparent and the proposal is in keeping with this although there is also a terrace of dwellings within the area. The roof form does not match the adjacent dwellings north of the site however the mix of character means that it is not a harmful impact.
- 2.2 The dwellings as proposed would integrate into the streetscene without being overly prominent in the street and as a result the proposal is not considered to have an adverse impact on the character of the area and is acceptable in this regard.

3. Neighbouring Amenity

- 3.1 The proposed dwellings have been designed to take account of the impact on neighbouring properties. To the south the rear garden of 67 Lawrence Road backs onto the application site. The side elevation of the proposal would sit within view of the existing rear windows and garden area of this property. At its closest point the neighbouring dwelling is at least 10 metres from the boundary of the application site, some 13 metres from the dwelling itself and this is considered to be a suitable distance to ensure the proposal is not overbearing to a harmful extent. The first floor side windows proposed are annotated to state they will be fitted with obscure glazing however given the surrounding gardens it would be necessary to require them to be either fixed shut or top third opening to avoid overlooking. As a result there is not considered to be harmful impact to No 67 and 69 Lawrence Road.
- 3.2 To the north of the site lies 2 Havelock Road. As above the gable faces the site with a bathroom window at first floor. However the orientation of the scheme matches this dwelling and as a result the proposal, while being visible from this property, will not harmfully impact on these occupiers.

- 3.3 The rear outlook of the dwelling will look towards the rear private gardens of 71 and 73 Lawrence Road. At first floor level two windows serving the second bedrooms of both proposed units will look out to the east over these garden areas. The siting of the dwelling provides a distance of 9 metres to the rear boundary which is under the recommended distance of 10 metres as set out in the Design Guide. While there will be an overlooking impact to these gardens it is not to the immediate garden area and while it is not ideal it is not considered that the extent of overlooking is harmful to substantiate a reason for refusal in this instance.
- 3.4 With regards to other neighbouring dwellings in this area the proposal is not considered to adversely affect the amenity of any occupiers and as a result the development is considered to be acceptable in this regard.

4. Highway Considerations

- 4.1 The dwellings will be served by individual driveways that directly access Havelock Road. The driveways will allow for two spaces per unit in a tandem arrangement. The nature of Havelock Road is such that not all homes have off street parking and the street is therefore subject to parking from residents. The comments from the neighbouring resident are noted however the scheme as proposed provides parking in accordance with the standards set out in the Design Guide and therefore it is considered that provision is made to ensure there would be no need to future occupiers of these properties to park on the street, even though it is an area not subject to parking controls. Any concerns raised by the neighbouring resident would not be exacerbated by this proposal.
- 4.2 No objection is raised by the Highway Officer subject to a number of conditions and therefore the proposal is not considered to have a detrimental impact on highway safety or convenience.
- 4.3 The comments from the neighbouring objector are noted however it is noted that they refer to the street as an existing scenario which cannot be given weight when looking at the merits of this application, a scheme that provides suitable on plot parking.

5. Other Considerations

5.1 Human Rights/Equality Act 2010

The proposal has been considered against the above Acts and based on the information provided; there are no issues to consider.

Recommendation:

That Planning Permission is granted subject to the following:

RECOMMENDED CONDITIONS / REASONS

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

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

- 2 No development shall take place relating to the construction of the dwellings hereby approved until details of the materials to be used for the external walls and roofs 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.

- 3 Prior to the occupation of the dwellings hereby approved 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 scheme shall include the provision of residential amenity space in accordance with the adopted Design Guide. 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.
(Policy DM3 CSDMP)

- 4 Prior to the occupation of the first of the dwellings hereby approved details of a bin storage/refuse collection point located outside of the public highway shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details prior to the occupation of the approved dwelling.

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

- 5 The dwelling hereby permitted shall not be occupied until the access, parking areas and turning area shown on drawing number 778 01A 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 enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

- 6 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 first dwelling hereby approved is occupied and be thereafter retained.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.
(Policy DM3 CSDMP)

- 7 Neither of the dwellings hereby permitted shall be occupied until the proposed dropped kerb footway crossover providing access to it has been formally constructed in accordance with Central Bedfordshire Council's Specification for vehicular access.

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

- 8 Before either of the dwellings hereby permitted are first occupied, the scheme for access and parking shown on Drawing No 2983/02 shall be laid out, drained and surfaced in accordance with details shown on the submitted plan and those areas shall not thereafter be used for any other purpose.

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

- 9 Notwithstanding the details in the approved plans, prior to the first occupation of the dwellings hereby the first floor windows in the side elevations serving the ensuite bathrooms shall be fitted with obscured glass of a type to substantially restrict vision through it at all times, and restriction on its opening, details of which shall have been previously submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and thereafter be retained as such.

Reason: To safeguard the amenities of occupiers of adjoining properties.

- 10 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, Drawing Numbers 01 Rev B and 02 Rev A.

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.

2.
 1. The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk, Tel: 0300 300 8049 quoting the Planning Application number. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.
 - 2 The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, SG17 5TQ
 - 3 The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council's "Cycle Parking Annexes – July 2010".
 - 4 The applicant is advised that parking for contractor's vehicles and the storage of materials associated with this development should take place within the site and not extend into within the public highway without authorisation from the highway authority. If necessary the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk on 03003008049. Under the provisions of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of construction of the development hereby approved.

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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