

**Central
Bedfordshire
Council
Priory House
Monks Walk
Chicksands,
Shefford SG17 5TQ**



**TO EACH MEMBER OF THE
DEVELOPMENT MANAGEMENT COMMITTEE**

19 July 2011

Dear Councillor

DEVELOPMENT MANAGEMENT COMMITTEE - Wednesday 20 July 2011

Further to the Agenda and papers for the above meeting, previously circulated, please find attached the Late Sheet which contains consultations and submissions received since the Agenda was published:-

Late Sheet for the 2.00PM Session

3 - 16

Should you have any queries regarding the above please contact Democratic Services on Tel: 0300 300 4040.

Yours sincerely

Helen Bell,
Committee Services Officer
email: helen.bell@centralbedfordshire.gov.uk

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LATE SHEET

2.00 PM MEETING

DEVELOPMENT MANAGEMENT COMMITTEE – 20 JULY 2011

SCHEDULE A

Item 8 (Page 215-226) – CB/11/00664/FULL – The Old Church of St Vincent adjacent to the Recreation Ground, Tithe Farm Road, Houghton Regis.

Additional submissions from the applicant

Since the report on the main agenda was prepared the applicant has submitted a 'Tree Survey Report – Pre-development arboricultural survey and implications assessment', a Tree Constraints Plan, revised plans and additional information.

Tree Survey Report

The Tree Survey Report concludes that the primary arboricultural constraint to the development of this site is the group of three mature Ash trees located along the western site boundary that are the subject of the Tree Preservation Order - Central Bedfordshire Council, Land at former Church of St Vincent and adjacent to Tithe Farm Recreation Ground, Tithe Farm Road, Houghton Regis Tree Preservation Order No. 8/2011. The Tree Survey report identifies these trees as an important landscape feature in an otherwise urban setting. The trees are between 18m and 20m high and have crown spreads of up to 9m to the east toward the proposed development area.

There are two main implications for this group of trees when considering the proposed development which is to be located approximately 8m to the east of the trees. First, the building line encroaches into the root protection area (RPA) and the crown spreads of all three trees. This would have a significant impact on the root systems and would require significant pruning of the crowns in order to provide sufficient clearance for construction works to take place. Secondly the trees would cast significant shadow over the proposed nursing home, in particular the west elevation which would be affected for the greater part of the day and this factor could result in pressure to further prune the trees.

In order to mitigate the implications outlined above there are few options available. The proposed building could be resized and reconfigured to better accommodate the trees (the building line would need to be at least 10m from the centre of each tree) whilst some minor pruning, crown lifting and reduction of any particularly extended east facing lateral branches would alleviate some of the shading effects whilst also providing an additional area during the construction phase. In addition, some thought should be given to the design of the building whereby the size of the windows in the west elevation is maximised to admit as much natural light as possible.

Revised plans

The applicant acknowledges that introducing a tree protection area to meet the recommendations of the Tree Survey would mean reducing the footprint of the building. However a reduction in the number of bedrooms would jeopardise the viability of the scheme. Accordingly the revised plans propose a basement area under part of the footprint that would accommodate plant and other infrastructure. As a result of the additional cost involved in providing a basement, a further room has been included which makes a total of 41 bedrooms being proposed.

The development would still be two storeys in height. Parking for 17 vehicles would be provided.

Additional information

The applicant has confirmed that the application is for a convalescent/nursing home with an emphasis on treating those with dementia.

With regard to the selection of this site, the applicant's intention was to provide a nursing home that was accessible to the local community in Houghton Regis. The only other possible site in Houghton Regis where such a proposal could be accommodated are either earmarked for residential development (the site opposite the Chequers PH, commercial development and community facility (The Co-Operative site opposite Bedford Square) or on Houghton Road which has permission for a supermarket. The applicant does not believe that there are any suitable sites available within Dunstable.

Additional Consultation/Publicity Responses

Tree and Landscape Officer – additional comments are awaited and will be reported at the meeting

Additional Comments

The comments of the Tree and Landscape Officer are still awaited and will be reported at the meeting.

The amendments to the layout of the building and the associated visual change to the external appearance of the building along with the creation of an additional bedroom unit would normally be the subject of further publicity, re-notification of neighbours and re-consultation. However, as the revised plans were not received until Monday, 18th July 2011 it has not been possible to undertake this.

Additional/Amended Conditions

None.

Item 9 (Page 227-234) – CB/11/01920/FULL – 50 Drove Road, Biggleswade.

The applicants name has been miss-spelt and should be HILLYARD.

Additional Consultation/Publicity Responses

1. The Town Council raise no objection to the proposal.
2. A consultation response has been received from the neighbouring property (no. 52 Drove Road) in support of the application.

Additional Comments

Please see attached Appeal decision from a previous application reference CB/10/01722/FULL.

Additional/Amended Conditions

None.

SCHEDULE B

Item 10 (Page 235-246) – CB/10/04390/FULL – Land at Sandy Railway Station, Station Road, Sandy.

Additional Consultation/Publicity Responses

None.

Additional Comments

None.

Additional/Amended Conditions

None.

Item 11 (Page 247-254) – CB/11/01523/FULL – Woodlands, 55a Woburn Street, Ampthill, Bedford.

Additional Consultation/Publicity Responses

None.

Additional Comments

None.

Additional/Amended Conditions

None.

Item 12 (Page 255-262) – CB/11/01888/FULL – 10 Bedford Road, Lower Stondon, Henlow.

Additional Consultation/Publicity Responses

None.

Additional Comments

See attached letter received from Applicant.

Additional/Amended Conditions

None.

SCHEDULE C

Item 13 (Page 263-268) – CB/11/01517/FULL – Keepers Cottage, Beadlow, Shefford.

Additional Consultation/Publicity Responses

None.

Additional Comments

None.

Additional/Amended Conditions

None.

Item 14 (Page 269-276) – CB/11/01919/FULL – 2 Sandy Lane, Leighton Buzzard.

Additional Consultation/Publicity Responses

17 Sandy Lane (05/07/11):

- values local amenity land;
- fence not in-keeping with the character of the area; and

- enclosure would be detrimental to highway safety in terms of vehicle visibility and pedestrian safety.

Leighton-Linslade Town Council (11/07/11):

- RESOLVED that no objection to made to Application Ref CB/11/1919 2 Sandy Lane, but that Central Bedfordshire Council be asked to consider adding a condition to any planning consent granted, to ensure that if a hedge were to be planted behind the proposed fence, its height would be restricted.

E-mail received from the occupier of 9 Chiltern Gardens. (18/07/11):

- I will not be able to attend the Development Management Committee meeting being held tomorrow (20 July 2011) concerning the application. Nevertheless I still wish to register my continued **objection** to the planning application proposal to 'change the amenity land to residential garden by the erection of a 900mm fence'

Additional Comments

The applicant submitted additional documents on Friday 15th July which will be placed on desks for the members of the committee to view on the day of committee.

Additional/Amended Conditions

None.

Item 15 (Page 277-282) – CB/11/01605/FULL – 1 Churchill Way, Shefford.

Additional Consultation/Publicity Responses

None.

Additional Comments

None.

Additional/Amended Conditions

None.

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Appeal Decision

Site visit made on 15 September 2010

by Mr J P Sargent BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State
for Communities and Local Government

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

☎ 0117 372 6372
email: enquiries@pins.gov.uk

Decision date:
30 September 2010

Appeal Ref: APP/P0240/D/10/2133891

50 Drove Road, Biggleswade, Bedfordshire SG18 8HD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr David Hillyard against the decision of Central Bedfordshire Council.
- The application Ref CB/10/01722/FULL, dated 30 April 2010, was refused by notice dated 24 June 2010.
- The development proposed is to convert the existing single storey building roof to a mono-pitch roof, and also to accommodate a new hardwood conservatory on a brick base with a glass and slate roof at the rear of the property.

Decision

1. I dismiss the appeal.

Main issue

2. The main issue with this case is whether the proposed conservatory would adversely affect the living conditions of the residents at 52 Drove Road.

Reasons

3. This dwelling and the adjoining house, No 52, each have a part single storey, part 2-storey wing projecting off the rear elevation. The proposed conservatory would occupy the gap that exists between the wing on the Appellant's property and the boundary with No 52. It would be some 6.27m in length, and its eaves would be higher than the fence that currently separates the 2 dwellings.
4. The proposal would not have any appreciable effect on sunlight or daylight in the adjoining property due to its size and the aspect of the houses. However, given the length and height of the conservatory, in my opinion it would be unduly dominant when seen from the yard area at No 52 that lies between the boundary and the wing of that dwelling. It would also appear as a striking, dominant structure when looking from the ground floor rooms of No 52 that have windows onto the yard. As a result, I consider it would enclose the rear of this neighbouring house to an unacceptable extent and so it would unreasonably harm the living conditions of those residents.
5. In coming to this view I appreciate that the boundary fence and the wing on the Appellant's house already enclose the rear of the neighbours' property to some degree. However, I consider that any current sense of enclosure is not as great as would be created by the proposal, because the fence is lower than the eaves of the conservatory while the wing is set further back and is not as long. Therefore, when compared to the effect of the existing arrangement the

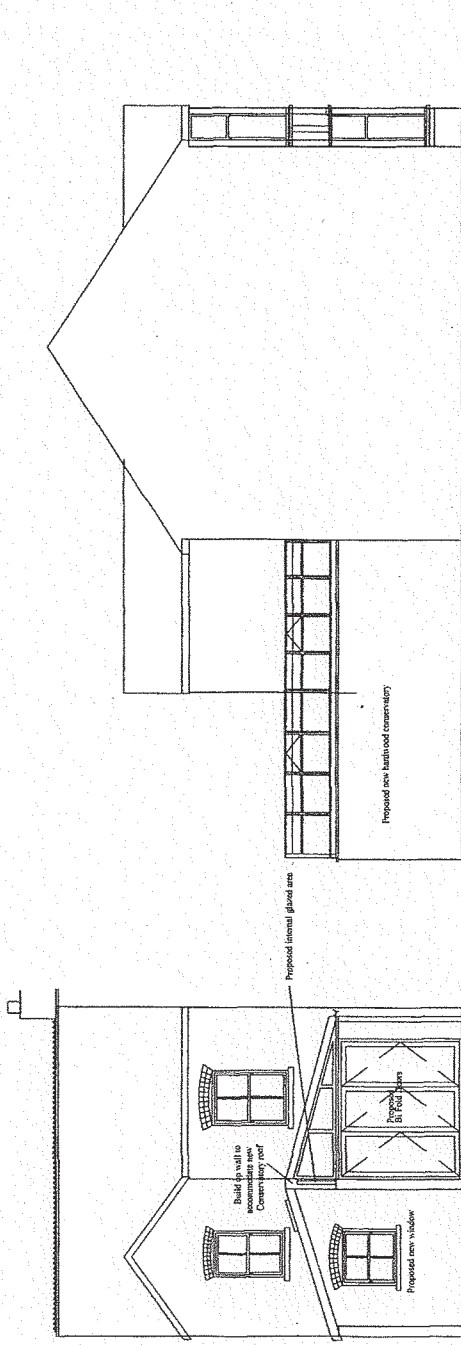
additional impact of the scheme before me would be sufficient to render it unacceptable. It is likely that this proposal would remain at the site after the existing occupiers of No 52 had ceased to live next door, and while they have no objections to the work this does not justify allowing the appeal. I have noted the conservatory at a property to the north, but I am unaware of the background to that scheme and the weight I can afford it is limited. Finally, I do not question that the design of the development would be well related to that of the existing house, but any benefit this offers would not be sufficient to overcome my concerns.

6. Accordingly, I conclude that the proposal would detract unacceptably from the living conditions of the residents at No 52, and so would conflict with Policy DM3 in the Council's *Core Strategy and Development Management Policies DPD*. Therefore the appeal should be dismissed.

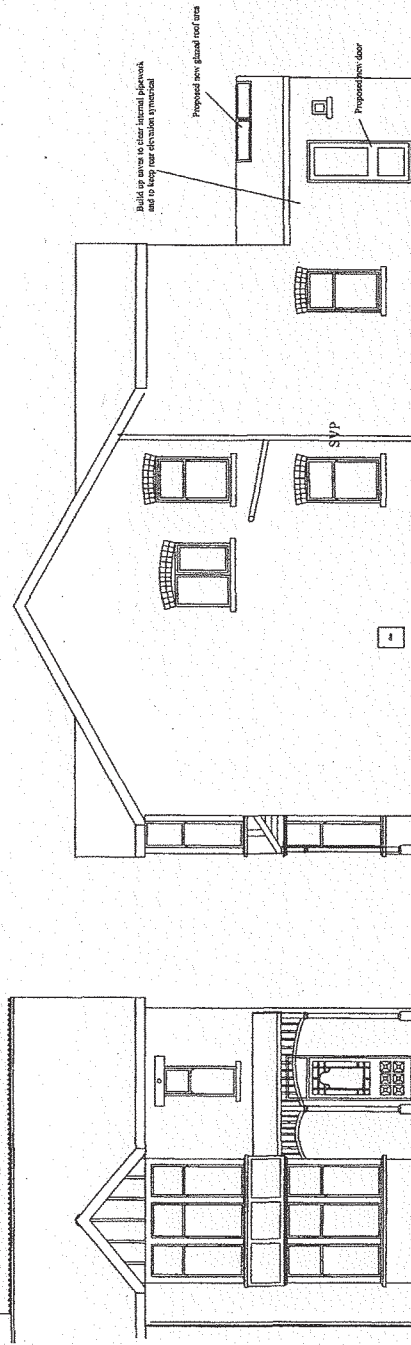
J P Sargent

INSPECTOR

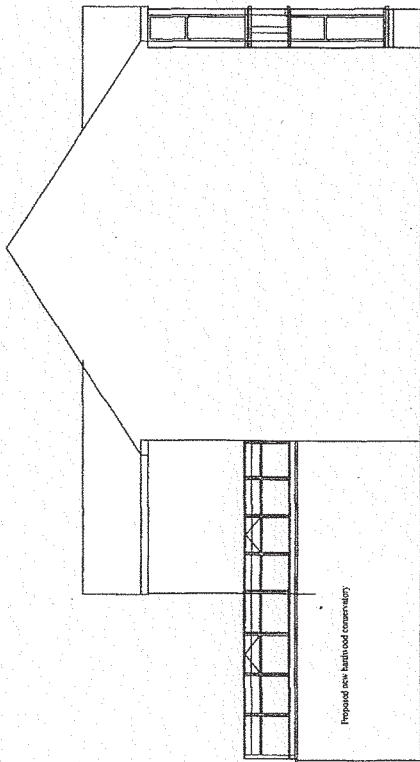
APPEAL PROPOSAL



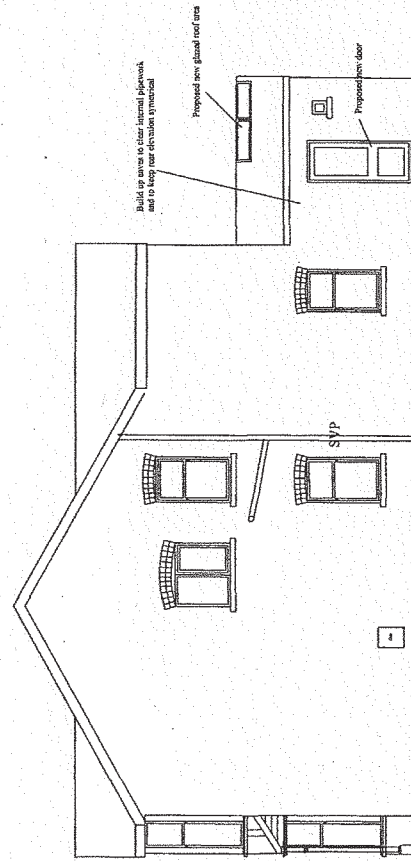
Rear elevation



Front Elevation



Left elevation



Right elevation

10/01722

Drwg 0002b
Proposed Elevations
50 Drove Road Biggleswade SG18 8HD
Scale 1:100

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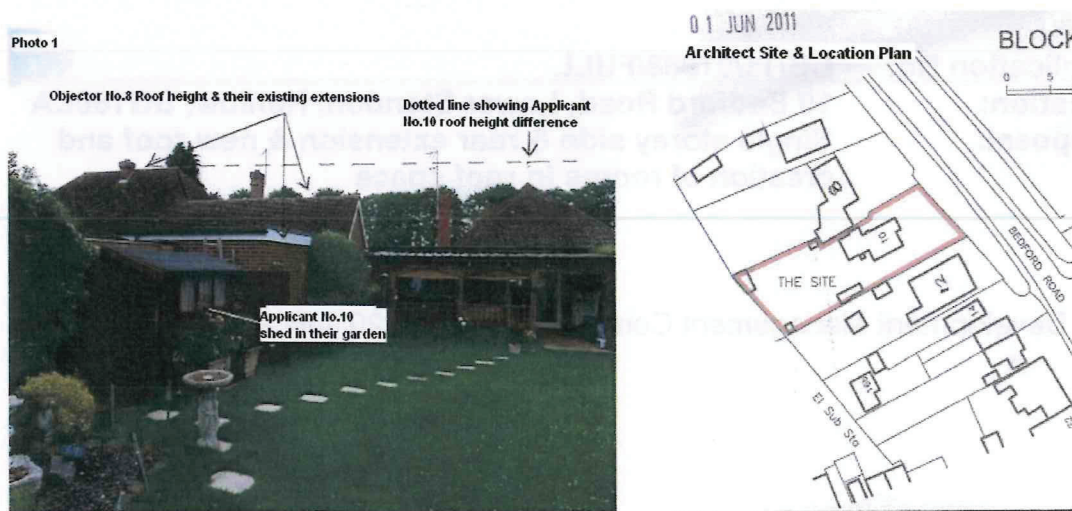
Application No: CB/11/01888/FULL
Location: 10 Bedford Road, Lower Stondon, Henlow, SG166EA
Proposal: Single storey side & rear extension & new roof and creation of rooms in roof space

For Development Management Committee Meeting 20 July 2011.

As an active part of the community by sponsoring Langford FC and our son playing for them for over 4 years, we moved to No.10, Bedford Road, Lower Stondon just over a year ago.

I am registered disabled with Bedfordshire Council; due to osteoporosis I have been advised that I will require wheelchair assistance in the near future. Also due to the current economic climate our son now lives with us and will soon be joined by his partner who is expecting our 1st grandchild.

Our home is currently overshadowed by our neighbours at No.8 and No.12, we are the, lowest roofed and least developed bungalow of the 5 bungalows in our road, clearly shown in **Photo 1** below and we are **not** increasing our existing roof height just the angle of the current pitch slightly. As our neighbours have similar developments to our proposal we feel that our home is also a suitable site for this particular development.



In March this year we submitted our original planning application for an extension to our home to accommodate our change of circumstances. We worked hard to ensure the design; appearance and layout of the plans were in-keeping with the neighbouring properties.

After individual consultations with both sets of neighbours, **only** Larry & Sybil at No.8 raised concerns specifically regarding:

- Potential invasion of privacy into their back garden;
- Potential overbearing

Eddie & Row at No.12 support our application (see enclosed letter).

In April, Larry & Sybil gained support from Stondon Parish Council; unfortunately I was unaware of this meeting so I was not represented.

Sarah Fortune, Planning Officer, advised us that our planning application was to be refused on the grounds of the **only** valid objection of potential of overshadowing to No.8.

When Sarah and the Assistant Director of Planning site visited we asked advice on how to best resolve Larry & Sybil's objection. With more than

adequate space between our external lounge wall and No.8's home, they advised that we could still extend our lounge by 1.5 metres without overshadowing No.8. We decided **NOT** to extend towards Larry & Sybil's home as shown clearly on our revised plans in front of you.

To keep good relations with Larry & Sybil, we withdrew our original application we have ensured our revised planning application resolves their objections raised by closely with the Planning Office. The Planning Office is satisfied that the **only** valid previous objection has been extinguished; therefore we did not consult with Larry & Sybil further.

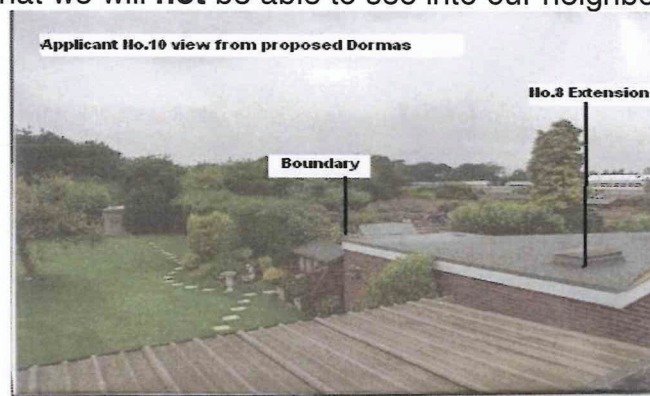
The Planning Office Ok'd sketches of our revised intentions and we instructed our Architect to submit our revised plans on 01 June that we are now asking you to approve.

Samantha Boyd, 2nd Planning Officer, site visited on 13 June advising that as Eddie & Row, at No.12, already have dorma windows a strong precedence has already been set, shown in **Photo 2**.



Unfortunately, Larry & Sybil have once again submitted their **same** objections. On 22 June, the Parish Council reviewed statements by Larry & I but abstained from decision, neither supporting Larry nor I.

Regarding the potential loss of privacy, **Photo** below taken from our roof shows clearly that we will **not** be able to see into our neighbour's garden



There has been brief mention of our revised plans not being in keeping with the area but all neighbouring properties are all very different & individual. We would be grateful if you approve our plans.

Thank you
Mr & Mrs P. Donald.
10 Bedford Road, Lower Stondon, Henlow, Beds.

12 Bedford Road,
Lower Stondon,
Henlow,
Bedfordshire
SG166EA

Applicant No: CB/11/01888/FULL

Location: 10 Bedford Road, Lower Stondon, Henlow, SG166EA

Proposal: Single storey side & rear extension & new roof and creation of rooms
in roof space

We feel that Kathy & Paul's home is suitable for this particular development as they have carefully ensured that the design, appearance and layout of the proposed plan is in-keeping with the rest of the neighbouring detached bungalows as much as possible. This could not have been an easy task as all immediately neighbouring bungalows are very different in looks and layouts.

With regards to the proposed new roof and creation of rooms in roof space, there will not be any overshadowing or loss of privacy issues caused by the proposed application, due to our bungalow (No.12) and the neighbours, bungalow (No.8) already having much higher roof lines to Kathy & Paul's (Applicant No.10). If anything we both overshadow No.10.

Kathy & Paul have confirmed that the height of their roof will not be increased.

We already have a chalet bungalow with dormer windows to the side and rear of our property which have been in place for over 12 years. We do not have any objections to Kathy & Paul's proposed plans.

With regards to the single storey side extension, this is to be built towards our home **only** now since the original plans were revised. As Kathy & Paul have enough spare land and we have a wide driveway between our properties, we are in favour of the proposed plans.

Kathy & Paul became our neighbours over a year ago although they have been contributors to the local community for over 4 years. They are a welcomed part of our village.

Yours sincerely,

Mrs R Bentley
12 Bedford Road
Lower Stondon,
Henlow
Beds
SG166EA