

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



please ask for Helen Bell
direct line 0300 300 4040
date 16 February 2012

NOTICE OF MEETING

DEVELOPMENT MANAGEMENT COMMITTEE

Date & Time

Wednesday, 14 March 2012 11.00 a.m.

Venue at

Council Chamber, Priory House, Monks Walk, Shefford

Richard Carr
Chief Executive

To: The Chairman and Members of the DEVELOPMENT MANAGEMENT COMMITTEE:

Cllrs A Shadbolt (Chairman), P F Vickers (Vice-Chairman), P N Aldis, A R Bastable, R D Berry, D Bowater, A D Brown, Mrs C F Chapman MBE, Mrs S Clark, I Dalgarno, Mrs R J Drinkwater, Mrs R B Gammons, K Janes, D Jones, Ms C Maudlin, T Nicols, I Shingler and J N Young

[Named Substitutes:

L Birt, P A Duckett, C C Gomm, R W Johnstone, K C Matthews, J Murray,
B Saunders, B J Spurr, N Warren and P Williams]

All other Members of the Council - on request

MEMBERS OF THE PRESS AND PUBLIC ARE WELCOME TO ATTEND THIS MEETING

AGENDA

1. **Apologies for Absence**

Apologies for absence and notification of substitute members

2. **Chairman's Announcements**

If any

3. **Minutes**

To approve as a correct record the Minutes of the meeting of the Development Management Committee held on 29 February 2012.

(previously circulated)

4. **Members' Interests**

To receive from Members declarations and their **nature** in relation to:-

- (a) Personal Interests in any Agenda item
- (b) Personal and Prejudicial Interests in any Agenda item
- (c) Membership of Parish/Town Council consulted upon during the application process and the way in which any Member has cast his/her vote.

5. **Petitions**

To receive Petitions in accordance with the scheme of public participation set out in Annex 2 in Part 4 of the Constitution.

Planning and Related Applications

To consider the planning applications contained in the following schedules:

**Schedule A - Applications recommended
for Refusal - to be considered at 11.00am**

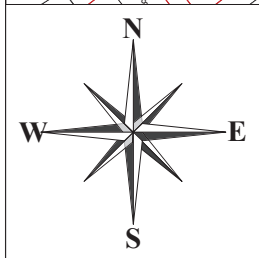
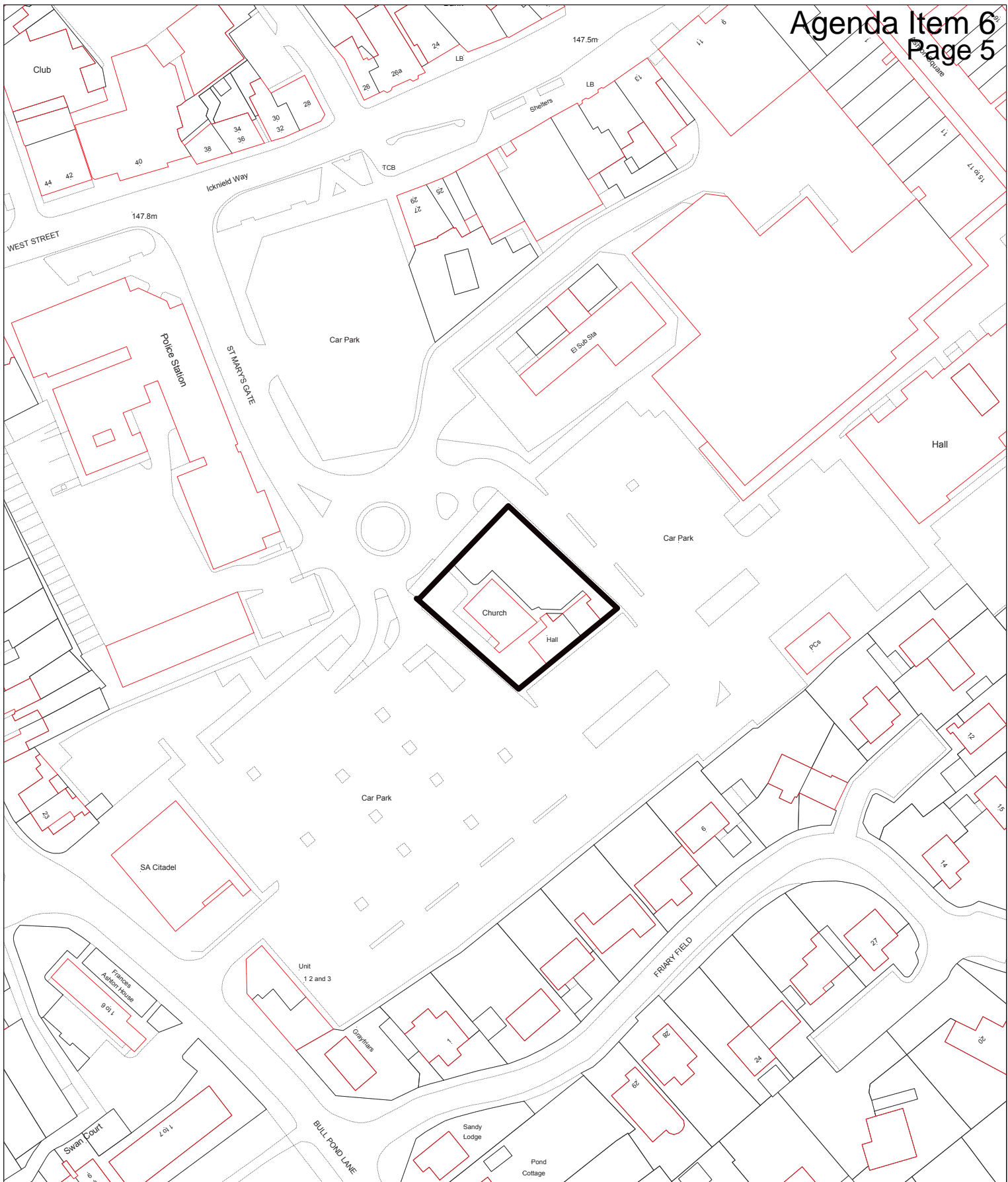
Item	Subject	Page Nos.
6	Planning Application No. CB/11/04262/FULL Address : Dunstable Baptist Church, St Marys Gate, Dunstable LU6 3SW Full: Erection of single storey extensions and alterations Applicant : Dunstable Baptist Church	* 5 - 20
7	Planning Application No. CB/11/04263/LB Address : Dunstable Baptist Church, St Marys Gate, Dunstable LU6 3SW Listed Building: Erection of single storey extensions and alterations. Applicant : Dunstable Baptist Church	* 21 - 32

**Schedule B - Applications recommended
for Approval - to be considered at 11.00am**

Item	Subject	Page Nos.
8	Planning Application No. CB/11/04291/FULL Address : 177 Cemetery Road, Houghton Regis, Dunstable LU5 5DF Resubmission of CB/11/03337/FULL – Proposed boundary fencing repositioning Applicant : Mr & Mrs Alexander	* 33 - 40
9	Planning Application No. CB/11/03834/FULL Address : 23 Leedon Furlong, Leighton Buzzard Two semi detached residential dwellings in the garden to the side of an existing dwelling. Applicant : Mr Wren	* 41 - 52

**Schedule B - Applications recommended
for approval - to be considered at 2.00pm**

Item	Subject	Page Nos.
10	<p>Planning Application No. CB/11/04362/FULL</p> <p>Address : Land to the rear of 3 Shannon Close, Lower Stondon</p> <p>Erection of dwelling (amended scheme pursuant to planning permission CB/10/02827/FULL)</p> <p>Applicant : Mr & Mrs March</p>	* 53 - 64
11	<p>Planning Application No. CB/11/04140/FULL</p> <p>Address : Land adjacent to 30 Ivel Road, Sandy SG19 1BA</p> <p>Demolition of existing garage and erection of detached house with associated works.</p> <p>Applicant : Mr & Mrs Gilpin</p>	* 65 - 76
12	<p>Planning Application No. CB/11/04141/CA</p> <p>Address : Land adjacent to 30 Ivel Road, Sandy SG19 1BA</p> <p>Conservation Area Consent: Demolition of existing garage and erection of detached house with associated works.</p> <p>Applicant : Mr & Mrs Gilpin</p>	* 77 - 82
13	<p>Site Inspection Appointment(s)</p> <p>In the event of any decision having been taken during the meeting requiring the inspection of a site or sites, the Committee is invited to appoint Members to conduct the site inspection immediately preceding the next meeting of this Committee to be held on 28 March 2012 having regard to the guidelines contained in the Code of Conduct for Planning Procedures.</p> <p>In the event of there being no decision to refer any site for inspection the Committee is nevertheless requested to make a contingency appointment in the event of any Member wishing to exercise his or her right to request a site inspection under the provisions of the Members Planning Code of Good Practice.</p>	*



© Crown Copyright. All rights reserved.
Central Bedfordshire Council
Licence No. 100049029 (2009)
Date: 10:February:2012
Grid Reference: 501799; 221690

Application No.
CB/11/04262/FULL

Scale: 1:1250

Dunstable Baptist Church, St Marys Gate, Dunstable, LU6 3SW

This page is intentionally left blank

Item No. 6

APPLICATION NUMBER	CB/11/04262/FULL
LOCATION	Dunstable Baptist Church, St Marys Gate, Dunstable, LU6 3SW
PROPOSAL	Erection of single storey extensions and alterations
PARISH	Dunstable
WARD	Dunstable Central
WARD COUNCILLORS	Cllr Mrs Hegley
CASE OFFICER	Gill Claxton
DATE REGISTERED	01 December 2011
EXPIRY DATE	26 January 2012
APPLICANT	Dunstable Baptist Church
AGENT	Kingswood Design Ltd
REASON FOR COMMITTEE TO DETERMINE	The application has been brought to Committee at the request of the Ward Councillor, Mrs Hegley on the grounds that this scheme overcomes previous concerns, is bringing Church facilities into line with modern expectation and disabled access requirements and realising the potential of the building while recognising its proximity to the listed building.
RECOMMENDED DECISION	Full Application - Refused

Site Location:

Dunstable Baptist Church lies on the south eastern side of St Mary's Gate, accessed from West Street. It is surrounded on three sides by the surface level Ashton Square Car Park. To the north west, on the opposite side of St Mary's Gate, lies the Police Station, while to the north east is the Wilkinson's store and the Ashton Square shopping development. To the south west and south east, beyond the car park, are residential properties in Friary Field.

The site lies within the designated Town Centre boundary but outside the Conservation Area.

The building comprises a Baptist Chapel, Church Hall and Charitable Bookshop. The premises is a Grade II Listed Building built in 1849 on the site of an earlier Meeting House building. It was Statutorily Listed in 1989. It is constructed of yellow brick in Flemish bond, below a gabled slate roof. It is built in a Classical style with gables, a three-bay front elevation framed by clasped pilasters and dentilled cornice; gauged red brick semi-circular arches over 30-pane sash windows flanking a blind window set above a classical doorway with pilasters and cornice. The interior comprises a complete set of furnishings with carved bench ends to pews, with a gallery on three sides with panelled balcony fronts and dadoes, reached by two flights of stairs. The hall/bookshop is a more modern addition to the south east of the Chapel with a short, flat-roofed link connecting the two buildings that was constructed in 1996.

The site is also the subject of a Tree Preservation Order - the South Bedfordshire District Council (Land at Dunstable Baptist Church, St Mary's Gate, Dunstable) Tree Preservation Order No. 10/2008.

The Application:

The application is being reported to Committee at the request of Ward Councillor Mrs Hegley.

Planning permission is sought for the erection of two single storey extensions and alterations.

One extension would be sited at the north eastern end of the hall building to allow the Church to reconfigure the Church and bookshop office; provide a repositioned toilet for the bookshop; provide new ladies and disabled toilet facilities, reconfiguring the gentlemen's toilets with an extension to the existing porch and removal of the existing toilets to create a new DDA compliant entrance lobby. The extension would measure a maximum 9.95m wide by 2.93m deep for the new office for the Church and bookshop plus toilet and 4.1m wide by between 1.457m and 2.6m deep for the lobby extension. There would be a pitched roof over the office and toilets to an eaves height of 3.0m and a ridge height of 5.6m. The new entrance lobby would be 2.3m to the eaves and 3.2m to the ridge with lead-covered flat roofs on either side of the apex.

The other extension would be situated on the south western elevation of the building and would seek to enlarge the Church Hall. It would be 2.5m wide by 7.2m deep, with a further enlargement to create a store room and shed. The store room addition would measure 2.35m wide by 2.1m deep and the shed, 1.89m wide by 1.3m deep. There would be an internal reconfiguration of the Hall to create a repositioned kitchen and boiler room/store room. The maximum height of the extension to the Hall, to the eaves would be 3.4m and the ridge, 5.6m. There would be lean-to roofs over the shed and the boiler room.

The proposed materials of construction would comprise Luton Grey facing bricks to match the existing, natural slate for the roof, timber windows and doors and black aluminium rainwater goods to match the existing.

The scheme has been modified since originally submitted with the omission of a proposed new path to the front of the new Church office extension through the graveyard. The existing path, to the east of the Chapel building, would remain but would be cut back and the slope adjusted up to the new entrance lobby door.

In addition to the Design and Access Statement, and Heritage Assessment the Baptist Church has put in two supporting statements: Statement of Need and Statement of Public Benefit.

In summary the main points of the Statement of Need are:

- The Church is growing and more involvement with the local community brings problems with overcrowding and inadequate facilities to meet today's requirements;
- The Church has looked at many schemes to refurbish and reorganise rooms within the current building but each scheme has limitations due to the constraints of the building. Changing rooms within the church hall impacts upon floorspace and loss of floorspace impacts upon the community activities resulting in some being curtailed or cancelled due to lack of space;
- The Church has a substantial membership (95 people) and attendance (130 people) plus numerous community groups: Sunday school, Bible class, Bible Study/Prayer, toddler group, youth groups, over 60's, ladies group, men's ministry. The Church also hosts coffee mornings for local charitable groups and committee meetings of Dunstable Town Council, thanksgiving lunch, fellowship lunches and various committee meetings along with school exhibitions for over

- 400 children;
- A church office is needed to cater for the needs of the expanded church community. The current office in the Christian Bookshop is cramped and does not meet the church's needs. The increasing congregation require the use of a church office for administration, photocopying, production of brochures, newsletters and so on. The church also need an office to administer the Food Bank programme and store the parcels;
- The entrance door does not comply with the DDA requirements;
- A unisex disabled toilet is needed;
- There is insufficient toilet provision;
- To access toilet facilities people have to walk outside which is not acceptable in cold or bad weather;
- Baby, toddler and young families groups need changing facilities;
- The size of the kitchen is not adequate to meet the needs of the community, in particular the over 60's seniors groups and in excess of 60 people regularly sit down for a Sunday fellowship lunch;
- The bookshop business is growing fast and more floor space is needed to improve stock profile and display;
- The bookshop wants to foster greater community links.

In summary, the main points of the Statement of Public Benefit are:

- Better facilities would be provided for the church community and the wider public;
- Improved working accommodation for the Church Administrator in order to enable meetings to be held, counselling and to allow for resources to be designed, printed and copied for the many and varied ministries of the church;
- Church office could be used as a meeting room for the church, guests and general public;
- Improve toilet provision for all users from toddlers and their families to the elderly;
- The setting up the Food Bank programme in Dunstable as part of the Big Society Initiative in Central Bedfordshire, working alongside Andrew Selous MP needs a church office and a collection room;
- Improve access to the church and church hall for wider public use;
- Provision of shared resources for the churches within Dunstable and the surrounding areas to meet the spiritual needs of the community;
- Provision of a Christian and community-based facility within the bookshop.

RELEVANT POLICIES:

National Policies (PPG & PPS)

PPS1 - Delivering Sustainable Development
PPS5 - Planning and the Historic Environment
PPS9 – Biodiversity & Geological Conservation

Regional Spatial Strategy

East of England Plan (May 2008)

ENV6 - The Historic Environment
ENV7 - Quality in the Built Environment

Milton Keynes and South Midlands Sub-Regional Strategy (March 2005)

South Bedfordshire Local Plan Review

BE8 - Design Considerations

Supplementary Planning Guidance

Design in Central Bedfordshire - A Guide for Development - adopted by the Luton & South Bedfordshire Joint Committee on 23/07/10.

Planning History

CB/11/0423/LB	Concurrent application for listed building consent for the erection of single storey extensions and alterations
CB/10/03078/LB	Refusal of listed building consent for the erection of a single storey extension and internal alterations.
CB/10/03047/FULL	Refusal of permission for the erection of a single storey extension and internal alterations
SB/LB/03/0025	Listed building consent for repair/refurbishment of four main chapel side windows.
SB/TP/96/0803	Permission for single storey extension and alterations to chapel.
SB/LB/96/0032	Listed building consent for single storey extension and alterations to chapel.
SB/TP/89/0264	Permission for the erection of a front vestibule extension
SB/TP/81/0948	Approval of reserved matters for extension and alterations to form bookshop
SB/OUT/81/0507	Outline permission for an extension to the hall and conversion of part of existing hall to bookshop

Representations: (Parish & Neighbours)

Dunstable Town Council	No objection.
Christian Books	<p>Support the application as the church needs better facilities to serve the community.</p> <ul style="list-style-type: none"> • The extensions and alterations are long overdue as the current facilities are outdated and lacking in amenities. • The church needs to provide a means of allowing people to access toilet facilities without walking outside in the cold – the proposal to link the church hall and the chapel building is an important feature of the plans and provides vital access for the elderly within the community and the church needs to provide a unisex disabled toilet and proper facilities for families with children; • The kitchen facilities and church hall space needs enlarging for community use; • As tenants working in the bookshop attached to the church we witness the church hall in constant daily use by the local church community and fully support the Dunstable Baptist Church application to upgrade the facilities; • The design is in keeping with the current architecture and looks pleasing to the eye; • The church office will be beneficial in allowing the pastor to talk to and counsel people in private.

Occupier 8 Priory Road
Dunstable

Support the application

- Run one of the clubs for young people who use the hall and have hoped for a long time that facilities could be improved as the current ones are outdated and often impractical;
- The improvements would be beneficial and would allow us to attract more young people to the activities;
- Proposals would not only be beneficial to the members of the church but also the wider community who make use of the facilities throughout the week. It is hoped that their needs will be taken into account when considering the proposal.

Occupier 16 Drovers
Way, Dunstable

Support the application

- Am one of the Leaders of the Toddler Group that meets weekly in the hall during term time and have done so for over 20 years;
- We have on average between 18 and 25 adults meeting with anything from 1 to 3 pre-school children each;
- This is a popular and vitally important group meeting which provides craft activities for the children, refreshments and an opportunity for parents to talk and share tips and ideas;
- There is a need for much improved and modern facilities;
- Fathers and male carers are unable to change their children in an appropriate environment;
- It is felt that only making internal alterations in order to improve facilities would be detrimental as valuable hall space would be lost, which would restrict numbers and the type of activities that could be offered;

Occupier, 29 Hillyfields,
Dunstable

Support the application:

- Has been Church Administrator for the last 40 years until retirement;
- The office has been in my home. My successor is the manager of the Christian Bookshop and the church agreed that we should move the office into the bookshop to assist the new administrator combine both roles and to allow for an assistant to work with him. Before this takes place a larger office is needed;
- There is only one disabled toilet and baby-changing facility which is incorporated into the ladies toilet. This arrangement causes difficulties for males attending the site. It makes sense that while extending the office, that the church improves toilet facilities;
- The size of the hall cannot be reduced to accommodate these changes. Often during the year we have meetings at the hall where we cater for in excess of 70 people. The church is nearly full at Sunday services. Often both the church and the hall are in use at the same time, so the proposed

Occupiers of 37 Norcott Close, Dunstable, 50, 52 Half Moon Lane Dunstable, 33 Westminster Houghton Regis, 39 Longbrook Houghton Regis, 9 Wellhead Road, Totternhoe, 274 Common Road Kensworth and 6 Woodland Avenue, Leighton Buzzard

extensions are the only way forward.

All members of the church in support of the application for some or all of the following reasons

- The Bookshop has been an integral part of the Church's ministry and outreach into the local community since 1982. The bookshop serves local Christians of all denominations plus people of no particular faith. Being a specialist shop it attracts customers from a wide area. The business has outgrown the present facilities and is in urgent need of more space for stock, office administration; storage and staff areas;
- Financially the bookshop cannot afford to relocate and operate from another retail unit in the Town Centre;
- The extension would meet the needs of the bookshop and the Church generally;
- Community and local church would benefit from the application. The church is in constant use by the community but the current facilities are lacking with regard to toilet facilities, ability to visit the toilet from the church building as currently people have to walk outside; inadequate facilities for the disabled; lack of baby change facilities for men, no dedicated office for church business and a lack of church hall space for community events.
- Proposals would be beneficial to the church and the wider community
- The church office will be very beneficial as it will provide a private place for important meetings and counselling sessions. The office will also provide a focal point for the work of the church in the local community;
- Linking the church hall and the chapel building will provide vital access for Church members within the community;
- Kitchen facilities need upgrading due to the numbers and variety of users being catered for and should provide a safe environment from which to serve food;
- Extra facilities are also needed for the Sunday School, youth and toddler groups;
- Additional house building in Dunstable will create more demand for the Church and its activities

Occupiers of 1 and 8 Friary Field and 10 Priory Road Dunstable

Support the application. In addition to the points set out above, the following observations were also made:

- The proposed extensions seem suitable for the use of this building;
- Design appears sensitive to the building, will enhance it and make it more comfortable for those arriving for worship'

Consultation/Publicity responses

Archaeologist No objection, subject to the imposition of a standard archaeological investigation condition, should permission be granted.

Design and
Conservation Officer

Objects to the application and advises refusal.

Considers that the present scheme of proposed building extension

- has significant negative impact upon surviving churchyard yews
- removes a *balanced* and contained composition of principal building and hall annexe that respects its historic churchyard setting
- the proposed new north-west extension removes the frontage of the historic Sunday School building, and encroaches upon the churchyard and the east elevation of the chapel building, contrary to clear guidance in respect of the acceptability of built form and location of extension of the building group
- in addition to visual encroachment, the proposed new north-west extension entails removal of an existing window opening in the main chapel building, and some associated 'opening-up' of the structure of the chapel building itself, thus negatively impacting upon the building's architectural integrity

Taking into account the inappropriate design aspects of the proposed extensions, their consequent negative impact upon the listed Chapel, former Sunday School building and historic churchyard setting, along with their cumulative negative impact upon the wider setting of the Town Centre Conservation Area, finds the proposed development not only contrary to both Central Bedfordshire and English Heritage Design Guidance, but clearly contrary to PPS5 Policies HE 7.5, HE8, HE9 and HE 10, any wider public benefit notwithstanding.

Therefore has no hesitation in recommending refusal of the applications.

Adds that building an extension is the least favourable option in terms of the conservation of this recognised heritage asset (Chapel building, former school house and historic churchyard) and would urge the following: -

- a reconsideration of the rearrangement of internal space within the existing buildings (including use of the main Chapel building, when not in use for services)
- the option of an 'off-site' sharing of facilities with affiliated Church Groups
- the option of an 'off-site' relocation of some of the current (and anticipated) uses of the building (eg. the bookshop), to relieve the use-pressures on a site where significant historic environment planning constraints

apply.

English Heritage

Objects to the application and recommends refusal.

The Strict Baptist Church dates from 1849 and subsequently a second structure was erected at right angles to the original church. This appears for the first time on the 1901 OS survey and is labelled 'Sunday School'. The core of this Sunday School building still survives, though it has more recently been extended at its north eastern end to form the current bookshop and has been extended at its southwest end and joined to the original Church. In some respects the former Sunday School may be looked on as a curtilage listed structure, even though it is now joined to the principal building on the site. The Sunday School has therefore formed part of the historic composition on this site for well over 100 years and is of some architectural and historic significance in its own right.

The extension of greatest concern is the one described on the drawings as the front elevation. This extension takes the form of a new gable projecting into the original church yard, thereby creating an architectural form that rivals the original chapel. The new projecting entrance lobby that links across the original church is also inelegant and lacks the simplicity of the original porch. Not only is the architectural handling of this extension poorly conceived, the desirability of enclosing the principal elevation of the Sunday School, which is still discernible in spite of later additions and alterations, should also be questioned. The enclosure of the church yard by the church to one side and the Sunday school building on a second side is an important part of the setting of the listed building and any further changes in this location are likely to be undesirable and result in harm. I note that the main part of this extension will form an office for the church and bookshop with a w.c. alongside. One might question why a separate w.c. is required for the bookshop when there are ample toilets provided in the hall and it might be possible to accommodate the office in a mezzanine structure above these toilets at the eastern end of the hall. Such a reconfiguration could avoid the need for this extension.

The south western extension is of less concern. The architectural form maintains the linear nature already established for this range of buildings and the existing gable is of no architectural or historic interest. There may even be scope for a modest extension of this extension, say 600mm to off set loss of space on the other side. The only real concern with this aspect of the proposal is the shed which overlaps the side wall of the original church and appears to recreate a structure formerly in this location as evident from marks on the brickwork. That structure was not of any architectural or historic interest and it is not desirable to rebuild it now.

In conclusion, while there may be scope for some modest extension of the hall range at its south western end, it is considered that the north western extension is contrary to

Policy HE9 of PPS5 and would result in harm to a designated heritage asset. We are also not convinced that all other options for the addressing the requirements of the church community have been properly and rigorously examined.

Tree and Landscape Officer Originally raised a number of concerns regarding this application:-

- That the two Yew trees closest to the Church/Bookshop Office extension will require a Root Protection Area radius of 6.1m based on both specimens having a basal diameter of 610mm, measured immediately above the root flare (as required for multi-stemmed trees arising below 1,5m from ground level) as calculated under Table 2 of BS 5837 : 2005 "Trees in Relation to Construction". It is noted from the drawings that the building is to be located just 5m from these trees and therefore root damage will be incurred in recognition that the minimum distance is not being allowed for (the 20% offset which can sometimes be used cannot be allowed in this case as the trees are not deemed to be "open -grown" (Ref Section 5.2.4 of BS 5837 : 2005).
- That the path edge is being located on the edge of the existing canopy spread of the two Yew trees, which I have measured as being 2.8m from the centre of each trunk centre towards the new extension. Therefore, the position of the path will allow no room for new growth of these trees without causing pathway obstruction. This is especially significant in recognition that fastigate Yews tree do not accommodate pruning without causing severe canopy disfigurement.
- That the implication of implementing a new pathway into the Root Protection Area of the two Yew trees has not been adequately addressed by the applicant, and that a "no-dig" pathway based on a cellular confinement system, may not actually be compatible with surrounding pathway levels and entrance doorways.
- That the proposed new path is being built at a width of just over 1m, which I consider to be possibly inadequate for acceptable public access, and that any requirement for future pathway expansion will impose even further conflict with canopy encroachment, as any new pathway expansion can only go towards the canopy of the two Yew trees.

In view of the above concerns, it is my opinion that the application will inflict root damage on two Yew trees in recognition that insufficient provision has been made to recognise the designated Root Protection Areas stipulated under the recommendations found within BS 5837 : 2005 "Trees in Relation to Construction", and that the position of the associated new access path is likely to cause canopy conflict with trees deemed to be unable to accommodate remedial pruning without causing canopy disfigurement.

Looking at the revised plan, there is still an encroachment of 1100mm into the Root Protection Area (RPA) of the Yew trees caused by the new extension, which was one of my other concerns in addition to the proposed new path.

I still have grounds to retain my own objection after recognising that the RPA measurements are minimum requirements.

I therefore object to the application on the basis that it will lead to a reduction in the health and amenity value of two Yew trees protected by the South Bedfordshire District Council (Land at Dunstable Baptist Church, St Mary's Gate, Dunstable) Tree Preservation Order No. 10/2008, and included in Group G2.

Public Protection South No objection.

Building Control Access Officer There is a requirement for a level landing 1200 mm deep, clear of the door swing, at the top of the ramp.

Determining Issues

The main considerations in the determination of the application are:

1. Impact on the character, appearance and historical and architectural integrity of the Listed Building
2. Impact upon Yew trees protected by a Tree Preservation Order
3. Other matters

Considerations

1. Impact on the character, appearance and historical and architectural integrity of the Listed Building

PPS5 - Planning for the Historic Environment acknowledges the intrinsic importance of the historic environment by recognising buildings, designated sites, monuments and Conservation Areas as heritage assets. Policy HE9 of PPS5 sets out the presumption in favour of the conservation of designated heritage assets and Policy HE10 sets out the particular importance of the setting of designated assets.

The application property is a Grade II Listed Building. The building is dated 1849, replacing an early-18th century Meeting House. The Church Hall incorporates the originally freestanding Sunday School building, constructed at some time between the publication of the 1st and 2nd editions of the Ordnance Survey 1:2500 maps in 1880 and 1901 respectively. This incorporated building is in itself of social-historic interest, as part of a traditional grouping of Chapel and Sunday School, even if the School building itself is architecturally simple.

The chapel building itself and associated Hall range form an 'L-shaped' plan, within a recognisable churchyard setting. This managed plan-form maintains the architectural integrity of the building group within its churchyard setting, and maintains the hierarchical relationship between Chapel building and Hall annexe. The site is historically important and also of significant townscape quality, with its churchyard setting and associated trees.

The hall and the annexed group of buildings have been incrementally extended in the past, but significantly, and under the guidance of the former Bedfordshire County Council and South Bedfordshire District Council, along an axial 'spine' formed by the orientation of the ridge line of the former school building. The result is a managed architectural composition, within an historic churchyard setting, that maintains clean building-lines and carries an appropriate relationship of subservience with the main chapel building.

The Historic Environment Record (HER) includes a record of previous discussions between the Church and the former County and District Planning Authorities, and demonstrates the importance the Authorities have attached to the way the principal building (the chapel) relates to the subservient structure (the hall) in the context of its site setting. This shows that there has been consistent thought and effort in the containment of building extension within the corner of the site, with 'clean' building lines maintained, and the architectural integrity of Chapel and Hall annexe safeguarded. This approach has formed the basis of discussions between the Church and the Council and its predecessors over a number of years.

The current application seeks extension of the hall annexe in two directions in order to accommodate extended uses of the site by the Church community. The proposed extension at the site has been the subject of much discussion between this Council and the Church Group during the last 18 months. A previous scheme for a larger extension at the north eastern end of the hall bookshop was refused in December 2010 (CB/10/03047/FULL and CB/10/03078/LB). Following the refusal of both planning permission and listed building consent there were discussions between the applicant and officers to see if a mutually acceptable solution could be found. However, these discussions did not reach agreement.

The Design and Conservation Officer considers that the present proposed extensions are not acceptable as they would:

- have a significant negative impact upon surviving churchyard yews;
- removes a balanced and contained composition of principal building and hall annexe that respects its historic churchyard setting;
- the proposed new north-east extension removes the frontage of the historic Sunday School building, and encroaches upon the churchyard and the east elevation of the chapel building, contrary to clear guidance in respect of the acceptability of built form and location of extension of the building group;
- in addition to visual encroachment, the proposed new north-east extension entails removal of an existing window opening in the main chapel building, and some associated 'opening-up' of the structure of the chapel building itself, thus negatively impacting upon the building's architectural integrity;
- the proposed two-way extension adds to the cumulative bulk of the hall annexe, contrary to the baseline principles of proportionate extension (subservience), and harmony of form, set out in both English Heritage and Central Bedfordshire Design Guidance on building extension;
- the submitted proposals have not been supported by an adequate heritage impact assessment in respect of the Chapel and former Sunday School grouping and their historic churchyard setting;
- the submitted proposals and supporting information do not demonstrate adequate consideration of the use of available space within the existing buildings to accommodate some, if not all, of the proposed extended uses

of the site, particularly in respect of the available space within the map of the Chapel building itself when not in use for services.

We concur with the objections to the scheme as set out by the Design and Conservation Officer and English Heritage.

In terms of scale, mass and design, the proposed extension neither preserves nor enhances the recognised special architectural character of the chapel building, and its churchyard setting, and the wider contribution these make to the character of the area generally.

It is considered that the proposed extension would have an adverse effect on the character, appearance and historical and architectural integrity of the building.

The proposed development is contrary to PPS5 Policies HE 7.5, HE8, HE9 and HE 10 and Central Bedfordshire Design Guidance.

2. Impact upon Yew trees protected by a Tree Preservation Order

Although the path around the north eastern end of the bookshop and hall building has been omitted from the scheme, the Council's Tree and Landscape Officer remains concerned that the extension at the north eastern end of the building would have an adverse effect on the Root Protection area of two Yew trees, protected by the South Bedfordshire District Council (Land at Dunstable Baptist Church, St Mary's Gate, Dunstable) Tree Preservation Order No. 10/2008, and included in Group G2.

The Yew trees make a significant contribution to the historical character of the church building, churchyard and to the visual amenities of the area, providing a strong focal feature within a relatively hard landscape environment.

The trees are also visible from the surrounding public highway, footpaths, major car parks and shopping areas and make a positive contribution to the locality, by providing a significant focal point within a large urban car park area, which serves the main town of Dunstable.

The application will therefore have a detrimental impact on the character and visual amenity of the area with the removal of planting historically associated with the church.

The proposal should also be refused with reference to the adverse impact on the setting of the Listed Building and locality generally arising from the likely adverse impact on the Yew trees.

3. Other matters

It is noted that the Baptist Church has submitted two statements: a Statement of Need and a Statement of Public Benefit in support of the application. There have also been many representations in support of the scheme from those who run groups and activities at the church, those who attend the church and other interested parties. These have been given careful consideration in the determination of this application.

While it is acknowledged that the church does perform an important function for both the church congregation and the wider community, it is not considered that this outweighs the harm that would be caused to the character, appearance, historical and architectural integrity of the building and adverse impact on

preserved trees should the proposed development take place.

Recommendation

That Planning Permission be REFUSED for the following:

- 1 The property is a Grade II Listed Building and the single storey extensions would, by reason of their scale, mass and design detract from and have an adverse impact upon the special architectural and historic interest, character and appearance of the building, its setting and the wider locality generally. The proposed development is, therefore, contrary to national advice and guidance given in PPS 5 - Planning for the Historic Environment and Policy ENV6 of the East of England Plan and Policy BE8 of the South Bedfordshire Local Plan Review.

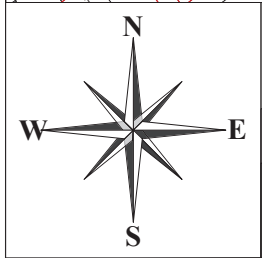
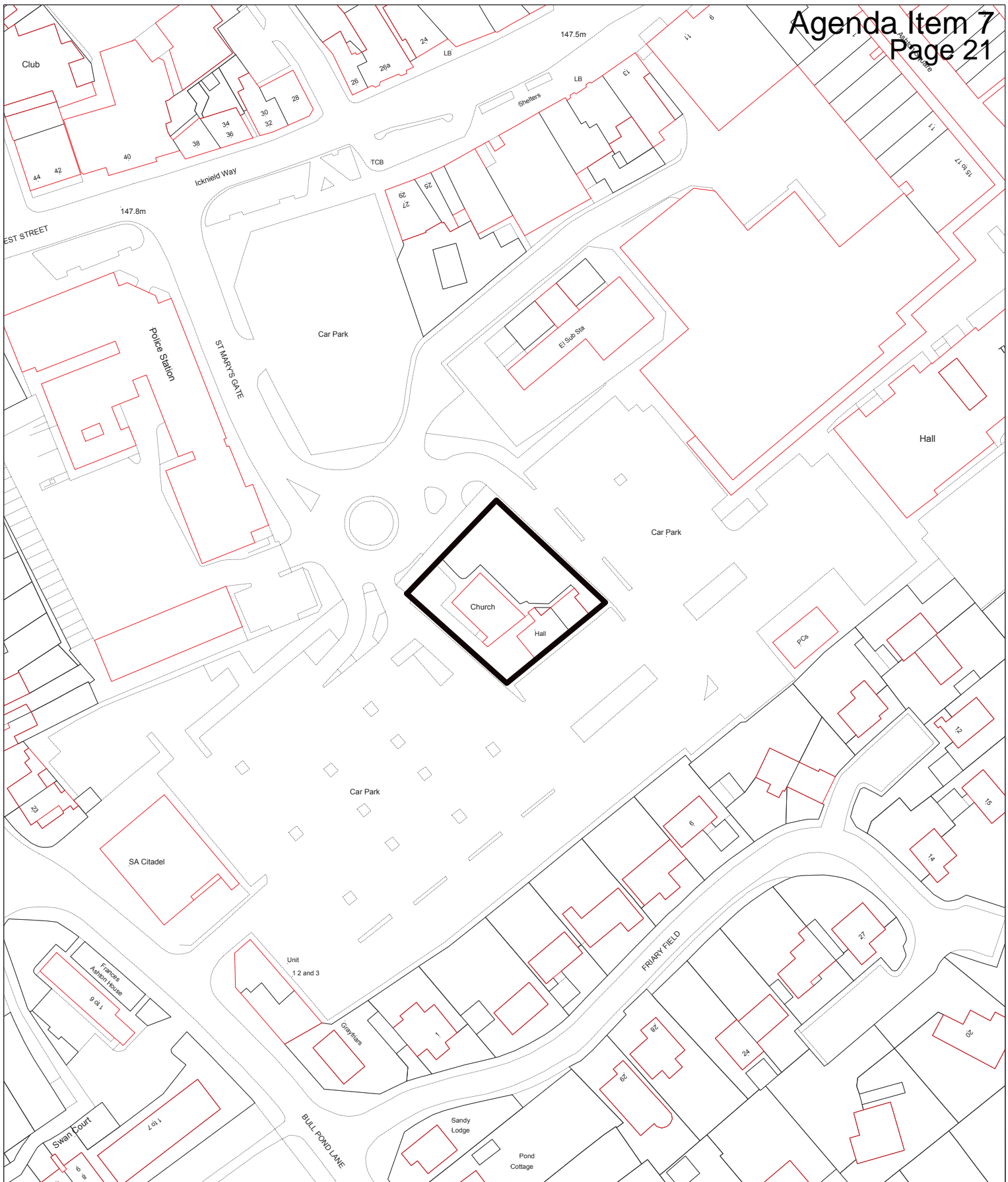
- 2 The proposed development would, by reason of the proximity of the proposed extension at the north eastern end of the hall building, be likely to have an adverse impact on the Root Protection Areas of two Yew trees which are protected by the South Bedfordshire District Council (Land at Dunstable Baptist Church, St Mary's Gate, Dunstable) Tree Preservation Order No. 10/2008. The proposals would be likely to have a reduction in the health and amenity value of two Yew trees to the detriment of the character, appearance and setting of the Grade II Listed Building and the wider locality generally. The proposal is, therefore, contrary to national advice and guidance in PPS5 - Planning and the Historic Environment and PPS9 – Biodiversity & Geological Conservation and Policy BE8 of the South Bedfordshire Local Plan Review.

Notes to Applicant

DECISION

.....
.....
.....
.....

This page is intentionally left blank



© Crown Copyright. All rights reserved.
Central Bedfordshire Council
Licence No. 100049029 (2009)
Date: 10:February:2012
Grid Reference: 501799; 221690

Application No.
CB/11/04263/LB

Scale: 1:1250

Dunstable Baptist Church, St Marys Gate, Dunstable, LU6 3SW

This page is intentionally left blank

Item No. 7

APPLICATION NUMBER	CB/11/04263/LB
LOCATION	Dunstable Baptist Church, St Marys Gate, Dunstable, LU6 3SW
PROPOSAL	Erection of single storey extensions and alterations
PARISH	Dunstable
WARD	Dunstable Central
WARD COUNCILLORS	Cllr Mrs Hegley
CASE OFFICER	Gill Claxton
DATE REGISTERED	01 December 2011
EXPIRY DATE	26 January 2012
APPLICANT	Dunstable Baptist Church
AGENT	Kingswood Design Ltd
REASON FOR COMMITTEE TO DETERMINE	The application has been brought to Committee at the request of the Ward Councillor, Cllr Mrs Hegley on the grounds that this scheme overcomes previous concerns, is bringing Church facilities into line with modern expectation and disabled access requirements and realising the potential of the building while recognising its proximity to the listed building.
RECOMMENDED DECISION	Listed Building - Refused

Site Location:

Dunstable Baptist Church lies on the south eastern side of St Mary's Gate, accessed from West Street. It is surrounded on three sides by the surface level Ashton Square Car Park. To the north west, on the opposite side of St Mary's Gate, lies the Police Station, while to the north east is the Wilkinson's store and the Ashton Square shopping development. To the south west and south east, beyond the car park, are residential properties in Friary Field.

The site lies within the designated Town Centre boundary but outside the Conservation Area.

The building comprises a Baptist Chapel, Church Hall and Charitable Bookshop. The premises are a Grade II Listed Building built in 1849 on the site of an earlier Meeting House building. It was Statutorily Listed in 1989. It is constructed of yellow brick in Flemish bond, below a gabled slate roof. It is built in a Classical style with gables, a three-bay front elevation framed by clasped pilasters and dentilled cornice; gauged red brick semi-circular arches over 30-pane sash windows flanking a blind window set above a classical doorway with pilasters and cornice. The interior comprises a complete set of furnishings with carved bench ends to pews, with a gallery on three sides with panelled balcony fronts and dadoes, reached by two flights of stairs. The hall/bookshop is a more modern addition to the south east of the Chapel with a short, flat-roofed link connecting the two buildings that was constructed in 1996.

The site is also the subject of a Tree Preservation Order - the South Bedfordshire

The Application:

The application is being reported to Committee at the request of Ward Councillor Mrs Hegley.

Listed building consent is sought for the erection of two single storey extensions and alterations.

One extension would be sited at the north eastern end of the hall building to allow the Church to reconfigure the Church and bookshop office; provide a repositioned toilet for the bookshop; provide new ladies and disabled toilet facilities, reconfiguring the gentlemen's toilets with an extension to the existing porch and removal of the existing toilets to create a new DDA compliant entrance lobby. The extension would measure a maximum 9.95m wide by 2.93m deep for the new office for the Church and bookshop plus toilet and 4.1m wide by between 1.457m and 2.6m deep for the lobby extension. There would be a pitched roof over the office and toilets to an eaves height of 3.0m and a ridge height of 5.6m. The new entrance lobby would be 2.3m to the eaves and 3.2m to the ridge with lead-covered flat roofs on either side of the apex.

The other extension would be situated on the south western elevation of the building and would seek to enlarge the Church Hall. It would be 2.5m wide by 7.2m deep, with a further enlargement to create a store room and shed. The store room addition would measure 2.35m wide by 2.1m deep and the shed, 1.89m wide by 1.3m deep. There would be an internal reconfiguration of the Hall to create a repositioned kitchen and boiler room/store room. The maximum height of the extension to the Hall, to the eaves would be 3.4m and the ridge, 5.6m. There would be lean-to roofs over the shed and the boiler room.

The proposed materials of construction would comprise Luton Grey facing bricks to match the existing, natural slate for the roof, timber windows and doors and black aluminium rainwater goods to match the existing.

The scheme has been modified since originally submitted with the omission of a proposed new path to the front of the new Church office extension through the graveyard. The existing path, to the east of the Chapel building, would remain but would be cut back and the slope adjusted up to the new entrance lobby door.

In addition to the Design and Access Statement and the Heritage Assessment required in accordance with PPS5, the Baptist Church has put in two supporting statements: Statement of Need and Statement of Public Benefit.

In summary the main points of the Statement of Need are:

- The Church is growing and more involvement with the local community brings problems with overcrowding and inadequate facilities to meet today's requirements;
- The Church has looked at many schemes to refurbish and reorganise rooms within the current building but each scheme has limitations due to the constraints of the building. Changing rooms within the church hall impacts upon floorspace and loss of floorspace impacts upon the community activities resulting in some being curtailed or cancelled due to lack of space;
- The Church has a substantial membership (95 people) and attendance (130

people) plus numerous community groups: Sunday school, Bible class, Bible Study/Prayer, toddler group, youth groups, over 60's, ladies group, men's ministry. The Church also hosts coffee mornings for local charitable groups and committee meetings of Dunstable Town Council, thanksgiving lunch, fellowship lunches and various committee meetings along with school exhibitions for over 400 children;

- A church office is needed to cater for the needs of the expanded church community. The current office in the Christian Bookshop is cramped and does not meet the church's needs. The increasing congregation require the use of a church office for administration, photocopying, production of brochures, newsletters and so on. The church also need an office to administer the Food Bank programme and store the parcels;
- The entrance door does not comply with the DDA requirements;
- A unisex disabled toilet is needed;
- There is insufficient toilet provision;
- To access toilet facilities people have to walk outside which is not acceptable in cold or bad weather;
- Baby, toddler and young families groups need changing facilities;
- The size of the kitchen is not adequate to meet the needs of the community, in particular the over 60's seniors groups and in excess of 60 people regularly sit down for a Sunday fellowship lunch;
- The bookshop business is growing fast and more floor space is needed to improve stock profile and display;
- The bookshop wants to foster greater community links.

In summary, the main points of the Statement of Public Benefit are:

- Better facilities would be provided for the church community and the wider public;
- Improved working accommodation for the Church Administrator in order to enable meetings to be held, counselling and to allow for resources to be designed, printed and copied for the many and varied ministries of the church;
- Church office could be used as a meeting room for the church, guests and general public;
- Improved toilet provision for all users from toddlers and their families to the elderly;
- The setting up the Food Bank programme in Dunstable as part of the Big Society Initiative in Central Bedfordshire, working alongside Andrew Selous MP needs a church office and a collection room;
- Improved access to the church and church hall for wider public use;
- Provision of shared resources for the churches within Dunstable and the surrounding areas to meet the spiritual needs of the community;
- Provision of a Christian and community-based facility within the bookshop.

RELEVANT POLICIES:

National Policies (PPG & PPS)

PPS5 - Planning and the Historic Environment

Regional Spatial Strategy

East of England Plan (May 2008)

ENV6 - The Historic Environment

ENV7 - Quality in the Built Environment

South Bedfordshire Local Plan Review

BE8 - Design Considerations

Supplementary Planning Guidance

Design in Central Bedfordshire - A Guide for Development - adopted by the Luton & South Bedfordshire Joint Committee on 23/07/10.

Planning History

CB/11/0422/FULL	Concurrent planning application for the erection of single storey extensions and alterations
CB/10/03078/LB	Refusal of listed building consent for the erection of a single storey extension and internal alterations.
CB/10/03047/FULL	Refusal of permission for the erection of a single storey extension and internal alterations
SB/LB/03/0025	Listed building consent for repair/refurbishment of four main chapel side windows.
SB/TP/96/0803	Permission for single storey extension and alterations to chapel.
SB/LB/96/0032	Listed building consent for single storey extension and alterations to chapel.
SB/TP/89/0264	Permission for the erection of a front vestibule extension
SB/TP/81/0948	Approval of reserved matters for extension and alterations to form bookshop
SB/OUT/81/0507	Outline permission for an extension to the hall and conversion of part of existing hall to bookshop

**Representations:
(Parish & Neighbours)**

Dunstable Town Council	No objection.
Neighbours	The application was publicised by press and site notices. No third party representations specific to this application have been received as a result.

Consultation/Publicity responses

Archaeologist	No objection, subject to the imposition of a standard archaeological investigation condition, should permission be granted.
Design and Conservation Officer	Objects to the application and advises refusal. Considers that the present scheme of proposed building extension <ul style="list-style-type: none"> • has significant negative impact upon surviving churchyard yews • removes a <i>balanced</i> and contained composition of principal building and hall annexe that respects its historic churchyard setting

- the proposed new north-west extension removes the frontage of the historic Sunday School building, and encroaches upon the churchyard and the east elevation of the chapel building, contrary to clear guidance in respect of the acceptability of built form and location of extension of the building group
- in addition to visual encroachment, the proposed new north-west extension entails removal of an existing window opening in the main chapel building, and some associated 'opening-up' of the structure of the chapel building itself, thus negatively impacting upon the building's architectural integrity

Taking into account the inappropriate design aspects of the proposed extensions, their consequent negative impact upon the listed Chapel, former Sunday School building and historic churchyard setting, along with their cumulative negative impact upon the wider setting of the Town Centre Conservation Area, I find the proposed development not only contrary to both Central Bedfordshire and English Heritage Design Guidance, but clearly contrary to PPS5 Policies HE 7.5, HE8, HE9 and HE 10, any wider public benefit notwithstanding.

I therefore have no hesitation in recommending refusal of the applications.

I would add that I consider building extension is the least favourable option in terms of the conservation of this recognised heritage asset (Chapel building, former school house and historic churchyard) and would urge the following: -

- a reconsideration of the rearrangement of internal space within the existing buildings (including use of the main Chapel building, when not in use for services)
- the option of an 'off-site' sharing of facilities with affiliated Church Groups
- the option of an 'off-site' relocation of some of the current (and anticipated) uses of the building (eg. the bookshop), to relieve the use-pressures on a site where significant historic environment planning constraints apply.

English Heritage

Objects to the application and recommends refusal.

The Strict Baptist Church dates from 1849 and subsequently a second structure was erected at right angles to the original church. This appears for the first time on the 1901 OS survey and is labelled 'Sunday School'. The core of this Sunday School building still survives, though it has more recently been extended at its north eastern end to form the current bookshop and has been extended at its southwest end and joined to the original Church. In some respects the former Sunday School may be looked on as a curtilage listed structure, even though it is now joined to the principal building on the site. The Sunday School has therefore formed part of the historic composition on this site for well over 100 years and is of some architectural

and historic significance in its own right.

The extension of greatest concern is the one described on the drawings as the front elevation. This extension takes the form of a new gable projecting into the original church yard, thereby creating an architectural form that rivals the original chapel. The new projecting entrance lobby that links across the original church is also inelegant and lacks the simplicity of the original porch. Not only is the architectural handling of this extension poorly conceived, the desirability of enclosing the principal elevation of the Sunday School, which is still discernible in spite of later additions and alterations, should also be questioned. The enclosure of the church yard by the church to one side and the Sunday school building on a second side is an important part of the setting of the listed building and any further changes in this location are likely to be undesirable and result in harm. I note that the main part of this extension will form an office for the church and bookshop with a w.c. alongside. One might question why a separate w.c. is required for the bookshop when there are ample toilets provided in the hall and it might be possible to accommodate the office in a mezzanine structure above these toilets at the eastern end of the hall. Such a reconfiguration could avoid the need for this extension.

The south western extension is of less concern. The architectural form maintains the linear nature already established for this range of buildings and the existing gable is of no architectural or historic interest. There may even be scope for a modest extension of this extension, say 600mm to off set loss of space on the other side. The only real concern with this aspect of the proposal is the shed which overlaps the side wall of the original church and appears to recreate a structure formerly in this location as evident from marks on the brickwork. That structure was not of any architectural or historic interest and it is not desirable to rebuild it now.

In conclusion, while there may be scope for some modest extension of the hall range at its south western end, it is considered that the north western extension is contrary to Policy HE9 of PPS5 and would result in harm to a designated heritage asset. We are also not convinced that all other options for the addressing the requirements of the church community have been properly and rigorously examined.

Public Protection South	No objection.
Building Control Access Officer	There is a requirement for a level landing 1200 mm deep, clear of the door swing, at the top of the ramp.

Determining Issues

The main considerations in the determination of the application are:

1. Impact on the character, appearance and historical and architectural integrity of the Listed Building
2. Other matters

Considerations

1. **Impact on the character, appearance and historical and architectural integrity of the Listed Building**

PPS5 - Planning for the Historic Environment acknowledges the intrinsic importance of the historic environment by recognising buildings, designated sites, monuments and conservation areas as heritage assets. Policy HE9 of PPS5 sets out the presumption in favour of the conservation of designated heritage assets and Policy HE10 sets out the particular importance of the setting of designated assets.

The application property is a Grade II Listed Building. The building is dated 1849, replacing an early-18th century Meeting House. The Church Hall incorporates the originally freestanding Sunday School building, constructed at some time between the publication of the 1st and 2nd editions of the Ordnance Survey 1:2500 maps in 1880 and 1901 respectively. This incorporated building is in itself of social-historic interest, as part of a traditional grouping of Chapel and Sunday School, even if the School building itself is architecturally simple.

The chapel building itself and associated Hall range form an 'L-shaped' plan, within a recognisable churchyard setting. This managed plan-form maintains the architectural integrity of the building group within its churchyard setting, and maintains the hierarchical relationship between Chapel building and Hall annexe. The site is historically important and also of significant townscape quality, with its churchyard setting and associated trees.

The hall and the annexed group of buildings have been incrementally extended in the past, but significantly, and under the guidance of the former Bedfordshire County Council and South Bedfordshire District Council, along an axial 'spine' formed by the orientation of the ridge line of the former school building. The result is a managed architectural composition, within an historic churchyard setting, that maintains clean building-lines and carries an appropriate relationship of subservience with the main chapel building.

The Historic Environment Record (HER) includes a record of previous discussions between the Church and the former County and District Planning Authorities, and demonstrates the importance the Authorities have attached to the way the principal building (the chapel) relates to the subservient structure (the hall) in the context of its site setting. This shows that there has been consistent thought and effort in the containment of building extension within the corner of the site, with 'clean' building lines maintained, and the architectural integrity of Chapel and Hall annexe safeguarded. This approach has formed the basis of discussions between the Church and the Council and its predecessors over a number of years.

The current application seeks extension of the hall annexe in two directions in

order to accommodate extended uses of the site by the Church community. The proposed extension at the site has been the subject of much discussion between this Council and the Church Group during the last 18 months. A previous scheme for a larger extension at the north eastern end of the hall bookshop was refused in December 2010 (CB/10/03047/FULL and CB/10/03078/LB). Following the refusal of both planning permission and listed building consent there were discussions between the applicant and officers to see if a mutually acceptable solution could be found. However, these discussions did not reach agreement.

The Design and Conservation Officer considers that the present proposed extensions are not acceptable as they would:

- have a significant negative impact upon surviving churchyard yews;
- removes a balanced and contained composition of principal building and hall annexe that respects its historic churchyard setting;
- the proposed new north-east extension removes the frontage of the historic Sunday School building, and encroaches upon the churchyard and the east elevation of the chapel building, contrary to clear guidance in respect of the acceptability of built form and location of extension of the building group;
- in addition to visual encroachment, the proposed new north-east extension entails removal of an existing window opening in the main chapel building, and some associated 'opening-up' of the structure of the chapel building itself, thus negatively impacting upon the building's architectural integrity;
- the proposed two-way extension adds to the cumulative bulk of the hall annexe, contrary to the baseline principles of proportionate extension (subservience), and harmony of form, set out in both English Heritage and Central Bedfordshire Design Guidance on building extension;
- the submitted proposals have not been supported by an adequate heritage impact assessment in respect of the Chapel and former Sunday School grouping and their historic churchyard setting;
- the submitted proposals and supporting information do not demonstrate adequate consideration of the use of available space within the existing buildings to accommodate some, if not all, of the proposed extended uses of the site, particularly in respect of the available space within the main Chapel building itself when not in use for services.

We concur with the objections to the scheme as set out by the Design and Conservation Officer and English Heritage.

In terms of scale, mass and design, the proposed extension neither preserves nor enhances the recognised special architectural character of the chapel building, and its churchyard setting, and the wider contribution these make to the character of the area generally.

It is considered that the proposed extension would have an adverse effect on the character, appearance and historical and architectural integrity of the building.

The proposed development contrary to PPS5 Policies HE 7.5, HE8, HE9 and HE 10 and Central Bedfordshire Design Guidance.

2. Other matters

It is noted that the Baptist Church has submitted two statements: a Statement of Need and a Statement of Public Benefit in support of the application. These have been given careful consideration in the determination of this application.

While it is acknowledged that the church does perform an important function for both the church congregation and the wider community, it is not considered that this outweighs the harm that would be caused to the character, appearance, historical and architectural integrity of the building should the proposed development take place.

Recommendation

That Listed Building Consent be REFUSED for the following:

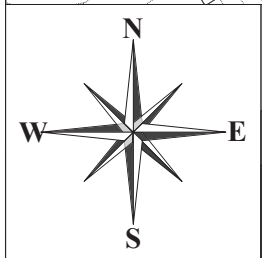
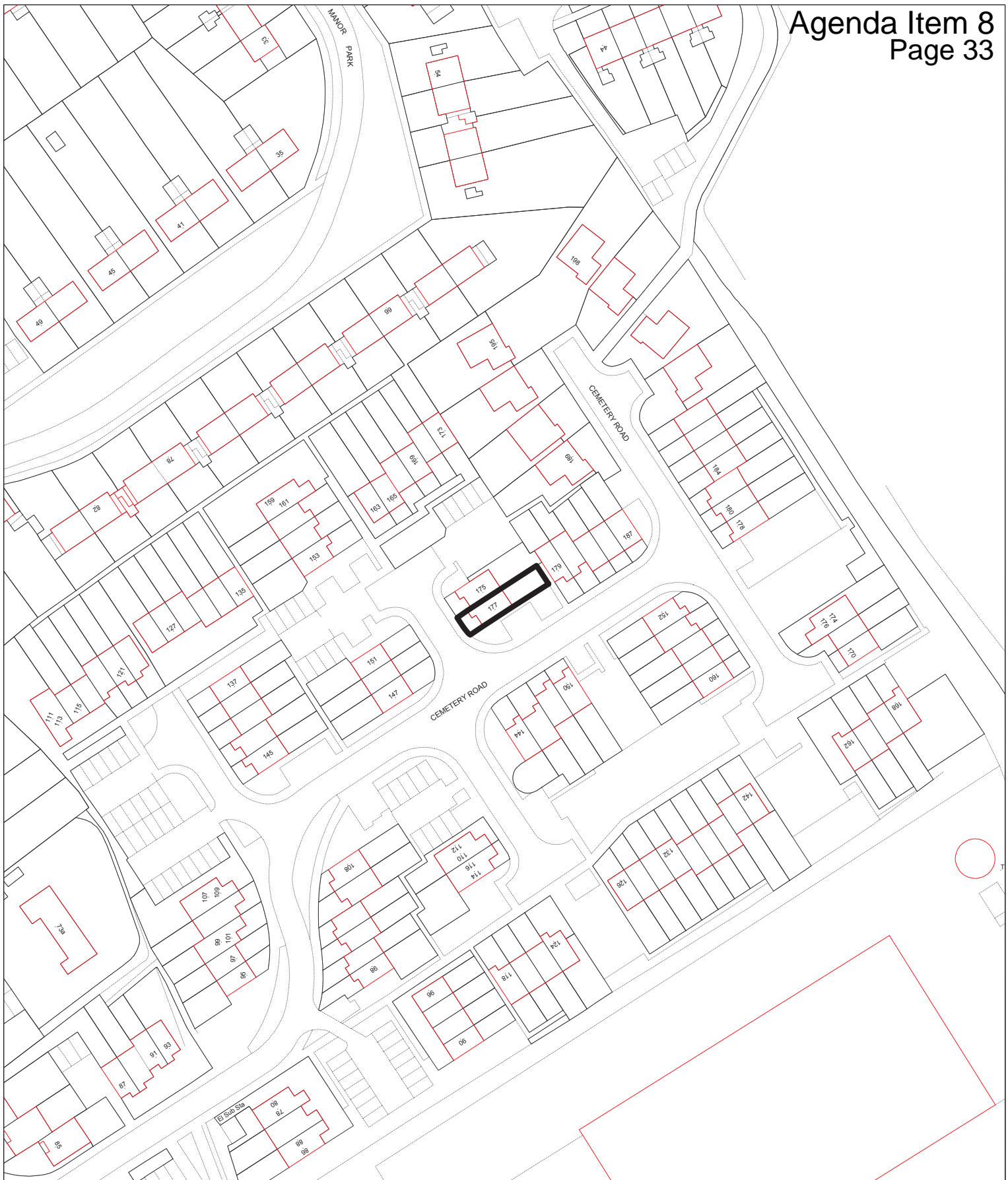
- 1 The property is a Grade II Listed Building and the single storey extensions would, by reason of their scale, mass and design detract from and have an adverse impact upon the special architectural and historic interest, character and appearance of the building, its setting and the wider locality generally. The proposed development is, therefore, contrary to national advice and guidance given in PPS 5 - Planning for the Historic Environment and Policy ENV6 of the East of England Plan and Policy BE8 of the South Bedfordshire Local Plan Review.

Notes to Applicant

DECISION

.....
.....
.....
.....

This page is intentionally left blank



© Crown Copyright. All rights reserved.
Central Bedfordshire Council
Licence No. 100049029 (2009)
Date: 13:February:2012
Map Sheet No

Application No.
CB/11/04291

Scale: 1:1250

177 Cemetery Road, Houghton Regis, Dunstable, LU5 5DF

This page is intentionally left blank

Item No. 8

SCHEDULE B

APPLICATION NUMBER	CB/11/04291/FULL
LOCATION	177 Cemetery Road, Houghton Regis, Dunstable, LU5 5DF
PROPOSAL	Resubmission of CB/11/03337/FULL - Proposed boundary fencing repositioning
PARISH	Houghton Regis
WARD	Houghton Hall
WARD COUNCILLORS	Cllrs Mrs Goodchild & Jones
CASE OFFICER	Donna Lavender
DATE REGISTERED	02 December 2011
EXPIRY DATE	27 January 2012
APPLICANT	Mr & Mrs Alexander
AGENT	J M Bygate Designs Ltd
REASON FOR COMMITTEE TO DETERMINE	Called in by Councillor D Jones on grounds of the in principle unacceptable enclosure of amenity land
RECOMMENDED DECISION	Full Application - Granted

Site Location:

The application site consists of semi-detached dwellinghouse located on a corner plot of Cemetery Road in the town of Houghton Regis. The site is flanked to the north by 175 Cemetery Road and to the east by 179 Cemetery Road.

The Application:

Permission is sought for the enclosure of part of an area of amenity land to the side of the property to provide additional garden space. The amenity land is mainly covered in Laurel hedging and trees whilst an adjoining area has been covered with hardstanding which had been previously used for parking. The 1.65 metre high existing boundary fence is proposed to be moved outwards 1.88 metres and replaced by 1.8 metre high fencing enclosing an area of 1.8 metres in width by 6 metres in depth. The remaining 4.3 metres width of amenity land to the road would be retained, including a Rowan tree and Laurel planting.

RELEVANT POLICIES:

National Policies (PPG & PPS)

PPS1 (Delivering Sustainable Development)

Regional Spatial Strategy

East of England Plan (May 2008)

ENV7 (Quality in the Built Environment)

SS1 (Achieving Sustainable Development)

Bedfordshire Structure Plan 2011

None

South Bedfordshire Local Plan Review Policies

BE8 (Design Considerations)

R12 (Recreation Open Space)

Supplementary Planning Guidance

Central Bedfordshire Design Guide: A Guide for Development 2010

Planning History

SB/TP/81/0503	Outline permission for the erection of houses on Land off Cemetery Road
SB/TP/81/1170	Approval of Reserved Matters for residential development of 98 houses, 22 flats and 3 bungalows.
CB/11/03337/FULL -	Refusal of boundary fencing repositioning

Representations:

(Parish & Neighbours)

Town Council	Houghton Regis Town Council (14/12/11) - Objects on the grounds that the land to be enclosed is thought to be classified as amenity land.
Neighbours	Verbal objection from occupiers of 179 Cemetery Road, H/regis, further to their written objection on the previous planning application - Objects on grounds that: <ul style="list-style-type: none">• The land is classed as amenity land• The alterations would detrimentally affect an existing mature tree

Consultations/Publicity responses

1. CBC Trees and Landscape Officer (30/12/11) -	Objects to the granting of permission due to the fact that the fence position would cut through the middle of a Rowan tree within the existing municipal amenity land.
---	--

Further comments received on 07/02/12 in response to revised plans - Objection withdrawn due to relocation of the fence, subject to the imposition of conditions.

Determining Issues

The main considerations of the application are;

1. **Principle of Development**
2. **Affect on the Residential Amenity**
3. **Landscape Considerations**

Considerations

1. Principle of Development

Policy R12 of the South Bedfordshire Local Plan Review states that planning permission will not normally be given for the development of amenity space, but

exceptions would be considered where the new use is essential for the improvement, enhancement or enlargement of an existing area and where only a small part would be lost. The determination of this application should therefore be based on balancing the need to preserve amenity land against development, with any positive impact upon the residential amenity enjoyed by the applicants and any long term enhancement that could follow from the changed management of an area of amenity land.

A previous planning application was applied for and refused under planning reference CB/11/03337/FULL, which proposed to enclose a larger proportion of the amenity land and the existing Rowan tree. The application was refused as it was considered that the amount of land proposed to be enclosed would detrimentally affect the character of the streetscene and would likely set a precedent that the Authority would be unlikely to be able to resist similar developments.

The proposal herein would result in the enclosure of a smaller portion of amenity land measuring only 1.8 metres in width by 6 metres in depth and would not result in the enclosure of the existing mature Rowan tree. The proposal would also entail the reinstate most of the Laurel hedging that was once removed from the amenity land to provide hardstanding for a car parking space. It is considered that whilst the enclosure would reduce the area of amenity land and thereby potentially reduce the visual amenity function of the land, the proposed replacement Laurel hedging would seek to enhance the amenity land which would not be enclosed by reinstating the type of planting which is well established in the locality. The planting would also seek to mitigate the impact of the relocated fence panels and the relocation would allow for the Rowan tree to be retained, which contributes to the amenity function within the locality.

2. Affect on the Residential Amenity

Due to the siting of the proposed fence, there would unlikely be an adverse impact on the occupiers of the adjacent dwellinghouse in terms of loss of light or overshadowing.

3. Landscape Considerations

Objections were previously received on the recently refused planning application, in relation to the potential loss of the mature Rowan tree. The Rowan tree was planted as part of the original landscape scheme provided for the benefit of the whole estate and therefore its retention is essential in retaining the established landscape setting.

The original plans would have meant the loss of this tree however revised plans have been received which will ensure the retention of this tree and the Tree and Landscape Officer has therefore withdrawn his objection, subject to the imposition of conditions in relation to the trees retention.

4. Other Issues

Precedent

Planning permission was refused for the previous planning permission, as it was considered that the amount of land proposed to be enclosed and the high boundary fencing would not only detract from the character of the streetscene

but would also set a harmful precedent, which would make it difficult for the Planning Authority to resist similar developments.

The amount of land now proposed to be enclosed is much smaller and there are few opportunities within the streetscene whereby this enclosure could be replicated exactly. The proposed landscaping on a part of the amenity land which is currently hardstanding, would make a positive contribution to the character of the streetscene, by reinforcing the Laurel hedging which is prevalent within the area. The applicant has also demonstrated special circumstances for their reasoning in requiring this land to be enclosed which relates to the additional requirement for garden space for their disabled child. We are therefore satisfied that any permission to enclose a portion of land would not set a harmful precedent.

Recommendation

That Planning Permission be GRANTED subject to the following:

- 1 The development 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 Consent is only being granted in recognition that the Rowan tree, as marked for retention on the "Proposed Floor Plan, Elevation and Site Plans" (Drawing 203-PL-010 Rev.C), shall be successfully retained without incurring any damage due to abrasion, cutting, scraping, nailing or excavation of the trunk or buttress roots during the course of construction and installation of the fence and fence posts. Any pruning of the branches of this tree shall only be undertaken with the written approval of the Local Planning Authority, both during the course of development and for a period of 5 years after completion of development.

REASON: To ensure the successful retention of the Rowan tree, which was planted as part of the original landscape scheme provided for the benefit of the whole estate, in order to mitigate against the loss of open-plan landscaping caused by this development, by maintaining the health, stability, natural appearance and visual amenity of this tree, still being retained in the remaining area of open -plan landscaping.

- 3 The planting and landscaping scheme shown on approved Drawing No. 203-PL-010 Rev C shall be implemented by the end of the full planting season immediately following the completion and first use of the development (a full planting season shall mean the period from October to March). The trees, shrubs and grass shall subsequently be maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season and maintained until satisfactorily established.

Reason: To ensure a satisfactory standard of landscaping.
(Policy BE8 S.B.L.P.R)

- 4 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, 203-SU-001 & 203-PL-010 Rev C.

Reason: For the avoidance of doubt.

Reasons for Granting

The enclosure of part of the amenity land would not have a detrimental impact on the character of the area or an adverse impact on the residential amenity of neighbouring properties and is acceptable in terms of highway safety therefore by reason of its site, design and location, is in conformity with Policies R12 & BE8 of the South Bedfordshire Local Plan Review 2004 and Policy ENV7 in the East of England Plan (May 2008) and Planning Policy Statement 1 (2005). It is further in conformity with the technical guidance Design in Central Bedfordshire, a Guide for Development, 2010.

Notes to Applicant

1. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the Council hereby certify that the proposal as hereby approved conforms with the relevant policies of the Development Plan comprising of the Regional Spatial Strategy for the East of England (the East of England Plan and the Milton Keynes and South Midlands Sub-Regional Strategy), Bedfordshire Structure Plan 2011 and the South Bedfordshire Local Plan Review and material considerations do not indicate otherwise. The policies which refer are as follows:

East of England Plan (May 2008)

ENV7 (Quality of the Built Environment)

SS1 (Achieving Sustainable Development)

South Bedfordshire Local Plan Review

BE8 (Design Considerations)

R12 (Recreation Open Space)

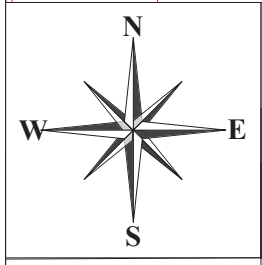
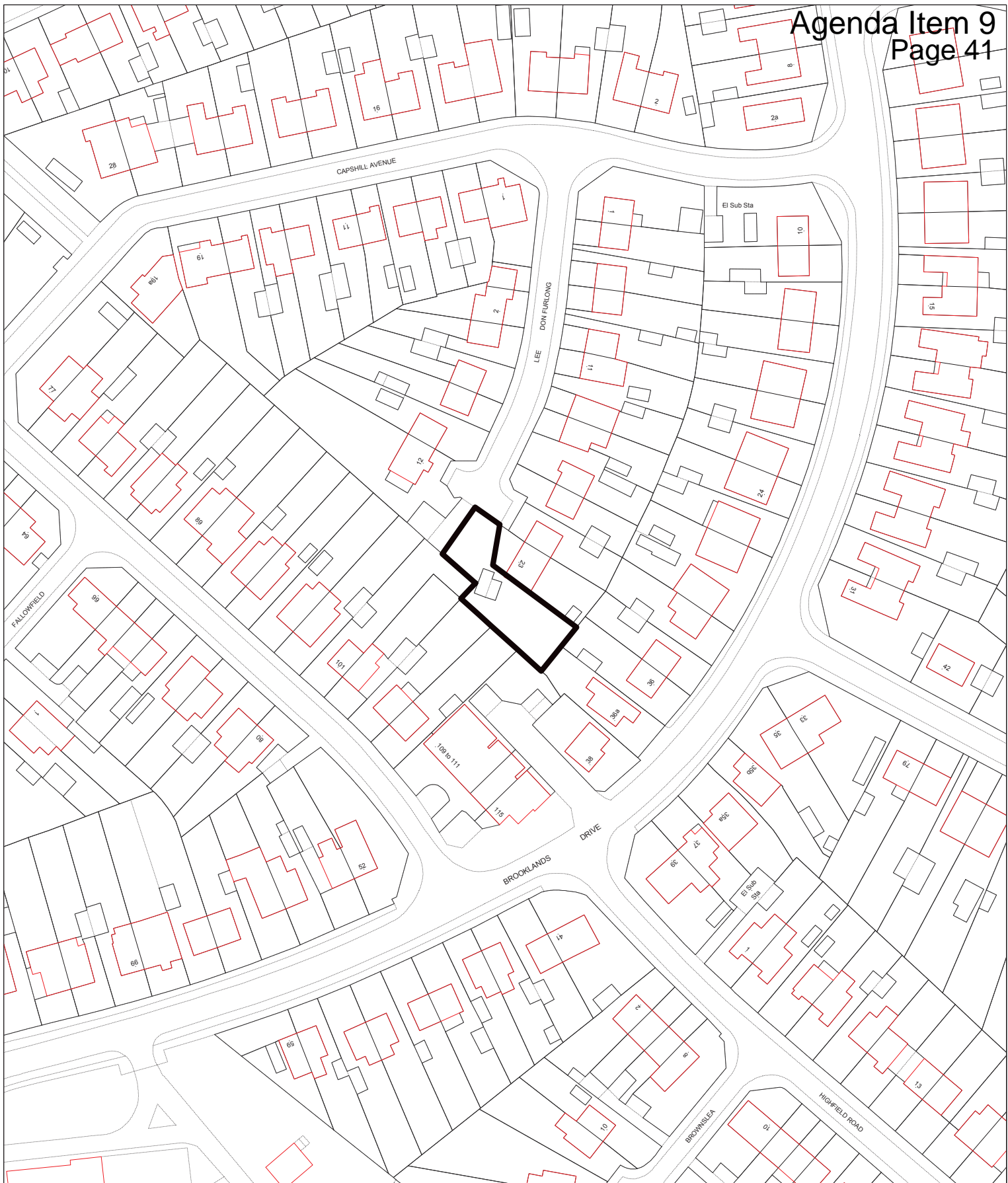
2. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the reason for any condition above relates to the Policies as referred to in the Regional Spatial Strategy (RSS), Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).
3. 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.

4. 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.

DECISION

.....

.....



© Crown Copyright. All rights reserved.
Central Bedfordshire Council
Licence No. 100049029 (2009)
Date: 10:February:2012
Grid Reference: 493286; 225175

Application No.
CB/11/03834/FULL

Scale: 1:1250

23 Leedon Furlong, Leighton Buzzard, LU7 3PP

This page is intentionally left blank

Item No. 9

APPLICATION NUMBER	CB/11/03834/FULL
LOCATION	23 Leedon Furlong, Leighton Buzzard, LU7 3PP
PROPOSAL	Two semi detached residential dwellings in the garden to the side of an existing dwelling.
PARISH	Leighton-Linslade
WARD	Leighton Buzzard South
WARD COUNCILLORS	Cllrs Berry, Bowater & Dodwell
CASE OFFICER	Nicola McPhee
DATE REGISTERED	02 December 2011
EXPIRY DATE	27 January 2012
APPLICANT	Mr Wren
AGENT	Gotzheim Associates
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	Called in by Cllr Amanda Dodwell on grounds of neighbour concerns regarding parking and access to the site.
DECISION	Full Application - Granted

Site Location:

No. 23 is a semi-detached house located in the south-eastern corner of Leedon Furlong which is a cul-de-sac off the southern side of Capshill Avenue. The property has a large side garden measuring 13.0m wide and 23.0m deep, together with a substantial area to the front which has a width of 10.0m, a depth of 13.6m and extends approximately half way across the width of the turning head at the end of the cul-de-sac.

Attached to the side of the house is a single storey flat roofed extension whilst within the side garden, slightly forward of the front elevation of the house is a detached garage.

The Application:

Planning permission is sought for the erection of two semi-detached, two bed houses within the side garden of number 23 Leedon Furlong, the proposed dwellings having a width of 9.2m, a depth of 9.2m and incorporating a pitched roof with a height of 8.1m.

Five parking spaces would be provided to the front of the properties, the access to the parking area being shared with the existing house.

RELEVANT POLICIES:

National Policies (PPG & PPS)

PPS1 - Delivering Sustainable Development.

PPS3 - Housing.

PPG13 - Transport.

Bedfordshire Structure Plan 2011

None.

South Bedfordshire Local Plan Review Policies

BE8 - Design and Environmental Considerations.
H2 - Provision of Housing via "Fall-in" Sites.
T10 - Parking in New Developments.

Supplementary Planning Guidance

Central Bedfordshire Design Guidance.
Central Bedfordshire Council Planning Obligations Strategy.

Planning History

Application:	Planning	Number:	CB/10/01716/FULL
Validated:	03/06/2010	Type:	Full Application
Status:	Decided	Date:	15/10/2010
Summary:		Decision:	Full Application - Granted
Description:	Erection of detached dwelling		

Representations: (Parish & Neighbours)

Leighton-Linslade Town Council (29/12/11): No objection.

Neighbours:

- 12 Leedon Furlong (04/01/12)
 - Increase parking problems in the close
 - Out of character
 - Incongruous materials proposed
- 13 Leedon Furlong (02/02/12)
 - Objection due to traffic congestion
- 15 Leedon Furlong (02/02/12)
 - Objection due to parking congestion
- 19 Leedon Furlong (05/02/12)
 - Objection due to parking congestion
- 6 Leedon Furlong (05/02/12)
 - Objection due to parking congestion

Consultations/Publicity responses

Environmental Officer (30/12/11)	Health	Standing advice applies.
Highways (22/12/11 & 1/02/12)	Officer	22/12/11- Objection due to insufficient off-street parking provision 01/02/12- Removal of objection subject to the imposition of conditions

Determining Issues

The main considerations of the application are;

1. Policy Considerations
2. Principle of development.
3. Impact on residential development.
4. Access and parking.

Considerations

1. **Policy Considerations**
Policies BE8 and H2 of the South Bedfordshire Local Plan Review require

developments to complement and harmonise with local surroundings, carefully consider the setting of any development and to have no unacceptable adverse effect upon general or residential amenity and privacy whilst also making an efficient use of land. Developments must also be readily accessible to public transport whilst also being acceptable in terms of highway safety and traffic flow.

PPS1 stresses the importance of good design within planning, stating that “Good design is indivisible from good planning” (para 33) and; “Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted.” (para 34).

PPS3 reiterates the advice contained within para 36 of PPS1 in that developments must take the opportunities available for improving the character and quality of an area (para 13). This means creating or enhancing “a distinctive character that relates well to the surroundings and supports a sense of local pride and civic identity” (para 16).

The PPS3 Revision

The Government has amended Planning Policy Statement 3: Housing (PPS3) with the following changes:

- The national indicative minimum density of 30 dwellings per hectare is deleted from paragraph 47.
- Private residential gardens are now excluded from the definition of previously developed land in Annex B

The exclusion of private residential gardens from the definition of previously developed land at a national level will now mean that development proposals for residential development on private residential gardens may be contrary to the guidance and will therefore be unacceptable in principle. However the Council must consider all other relevant material planning considerations to assess whether or not such considerations outweigh the policy. Other material planning considerations are likely to include:

- scale and character,
- the demand for additional housing,
- whether there is an existing valid planning permission,
- the scope for highway improvements,
- and the opportunity to make efficient use of the land.

It is for the Council to determine how much weight is given to these other relevant material planning considerations, treating each application on its own merits.

2. Principle of development.

Permission was granted for a single detached dwelling in 2010.

Whilst it is recognised that the site currently comprises the side garden of the existing property and recent government advice incorporates a presumption against what is commonly referred to as 'garden grabbing', it is considered that this site is of a size which is comparable with other properties in the area, both in Leedon Furlong and the adjoining Brooklands Drive and Waterdell.

Other properties in Leedon Furlong are predominantly semi-detached, as such this pair of semis would be in-keeping with the prevailing character. In addition, the site is located at the end of the cul-de-sac where it is considered that the proposed houses would respect the character of the area.

3. Impact on residential development.

The relationship between the proposed dwellings and the immediately adjoining properties is such that there would be no significant adverse impact either in terms of overbearing appearance, overlooking or loss of privacy. Properties in Waterdell to the south-west have garden depths of some 22m. The south-west facing side elevation of the proposed houses contain a window to the stair and hallway. These circumstances together with the existence of tree/hedgerow screening on the common boundary would ensure that there would be no loss of amenity to the occupiers of those adjoining properties. In order to ensure that privacy is maintained, a condition will be imposed to prevent the installation of side facing windows as 'permitted development'. Adjoining properties to the rear in Brooklands Drive have rear garden depths of between 10m and 15m, which provide back-to-back distances of 23m and 28m.

The Central Bedfordshire Design Guide gives a 'rule of thumb' back-to-back distance of 21m, this development would fall well within these parameters.

Having regard to this relationship and the presence of existing screening on the common boundary, which will be conditioned to be retained, there would be no adverse impact on the amenity upon neighbouring properties. The nearest properties on the opposite side of the cul-de-sac would be some 30m distant and would not be adversely affected by the proposal.

4. Access and parking.

The proposed dwellings would be provided with five on-site car parking spaces to the front of the property. Number 23 can accommodate three parking spaces, one in a garage and the other two on the driveway.

Although the width of Leedon Furlong is somewhat restricted and it is recognised that there may be on-street parking problems at present, the access and parking arrangements are in accordance with the Central Bedfordshire Design Guidance, Supplement 7 and as such are considered to be acceptable to serve the proposed development.

Recommendation

That Planning Permission be GRANTED subject to the following:

- 1 The development 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 The existing trees and hedgerows shall be retained and protected in a manner to be approved in writing by the Local Planning Authority and shall not be destroyed, uprooted, felled, lopped or topped without the previous written consent of the Local Planning Authority. Any trees or hedgerows removed without such consent or dying or being severely damaged or becoming seriously diseased shall be replaced by trees or hedgerow

specimens of such size and species as may be agreed with the Local Planning Authority. Such trees or hedgerow specimens shall subsequently be maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season and maintained until satisfactorily established.

Reason: To comply with Section 197 of the Town and Country Planning Act 1990 and to safeguard existing trees on site.
(Policy BE8, S.B.L.P.R).

- 3 **Development shall not begin until details parking arrangement for 5 cars within the confines of the site has been approved by the Local Planning Authority and no building shall be occupied until those parking spaces have been constructed in accordance with the approved details.**

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

- 4 **Before development begins, a scheme for screen fencing and/or screen walling shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained.**

Reason: To safeguard the amenity of adjoining residents.
(Policy BE8, S.B.L.P.R).

- 5 **Before development begins, the position of the dwelling hereby permitted shall be pegged out on site and its position approved in writing by the Local Planning Authority.**

Reason: To enable consideration to be given to the precise layout of the development.
(Policy BE8, S.B.L.P.R).

- 6 **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows shall be inserted into the south-west facing flank elevation of the dwelling hereby permitted.**

Reason: To protect the amenity of neighbouring residents.
(Policy BE8, S.B.L.P.R).

- 7 **Before development begins and notwithstanding any details submitted with the application, details of the materials to be used for the external walls and roofs of the proposed building 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.
(Policy BE8, S.B.L.P.R).

- 8 **Development shall not begin until details of the improvements to the junction of the proposed vehicular access with the highway have been approved by the Local Planning Authority and no building shall 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 premises

- 9 Before the dwelling hereby permitted is first occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

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

- 10 Before the access is first brought into use a triangular vision splay shall be provided on each side of the new access and shall measure 1.8m along the fence, wall, hedge or other means of definition of the front boundary of the site, and 1.8m measured into the site at right angles to the same line along the side of the new access drive. The vision splays so described and on land under the applicant'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 existing highway and the proposed access(es), and to make the access(es) safe and convenient for the traffic which is likely to use it (them).

- 11 The maximum gradient of the vehicular access shall be 10% (1 in 10).

Reason: In the interests of the safety of persons using the access and users of the highway.

- 12 Before the premises are first occupied, the bin storage/collection point shown on drawing number 3055-PL-1.02 Rev B shall be constructed and thereafter retained for purpose.

Reason: In the interest of amenity.

- 13 **Development shall not begin until details of secure cycle storage for residents and cycle parking for visitors have been approved by the Local Planning Authority and no building shall be occupied until the said storage and parking have been constructed in accordance with the approved details.**

Reason: In order to promote sustainable modes of transport.

- 14 **No development shall commence until a wheel cleaning facility has been provided at all site exits in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The wheel cleaner(s) shall be removed from the site once the roadworks necessary to provide adequate access from the public highway have been completed (apart from final surfacing) to the satisfaction of the Local Planning Authority.**

Reason: In the interests of the amenity and to prevent the deposit of mud or other extraneous material on the highway during the

construction period.

- 15 **Development shall not commence until a scheme detailing provision for on site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.**

Reason: To ensure adequate off street parking during construction in the interests of road safety

- 16 The access shall have a minimum width of 4.5m

Reason: In the interest of road safety and for the avoidance of doubt.

- 17 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 3055-PL-1.01, 3055-PL-2.01 & 3055-PL-1.02 Rev B.

Reason: For the avoidance of doubt.

Reasons for Granting

The proposal would not have a detrimental impact on the character of the area or an adverse impact on the residential amenity of neighbouring properties and is acceptable in terms of highway safety therefore by reason of its site, design and location, is in conformity with Policies BE8, T10 and H2 of the South Bedfordshire Local Plan Review 2004; Planning Policy Statement 1 (2005), Planning Policy Statement 3 (2006), Regional policies in the East of England Plan (May 2008). It is further in conformity with the technical guidance Design in Central Bedfordshire, a Guide for Development, 2010.

Notes to Applicant

1. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the Council hereby certify that the proposal as hereby approved conforms with the relevant policies of the Development Plan comprising of the Regional Spatial Strategy for the East of England (the East of England Plan and the Milton Keynes and South Midlands Sub-Regional Strategy), Bedfordshire Structure Plan 2011 and the South Bedfordshire Local Plan Review and material considerations do not indicate otherwise. The policies which refer are as follows:

East of England Plan (May 2008)

ENV7 Quality in the Built Environment

Bedfordshire Structure Plan 2011

None

South Bedfordshire Local Plan Review

BE8 Design Considerations

H2 Fall-In Sites

T10 Parking New Developments

2. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the reason for any condition above relates to the Policies as referred to in the Regional Spatial Strategy (RSS), Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).
3. 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.
4. The applicant/developer is advised that this permission is subject to a legal obligation under the provisions of Section 106 of the Town and Country Planning Act 1990.
5. 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, Technology House, 239 Ampthill Road, Bedford MK42 9BA 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.
6. 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 Council in its capacity as Agent Highway Authority.
7. 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, P.O. Box 1395, Bedford, MK42 5AN.
8. 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. (HN xi)

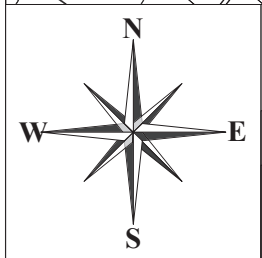
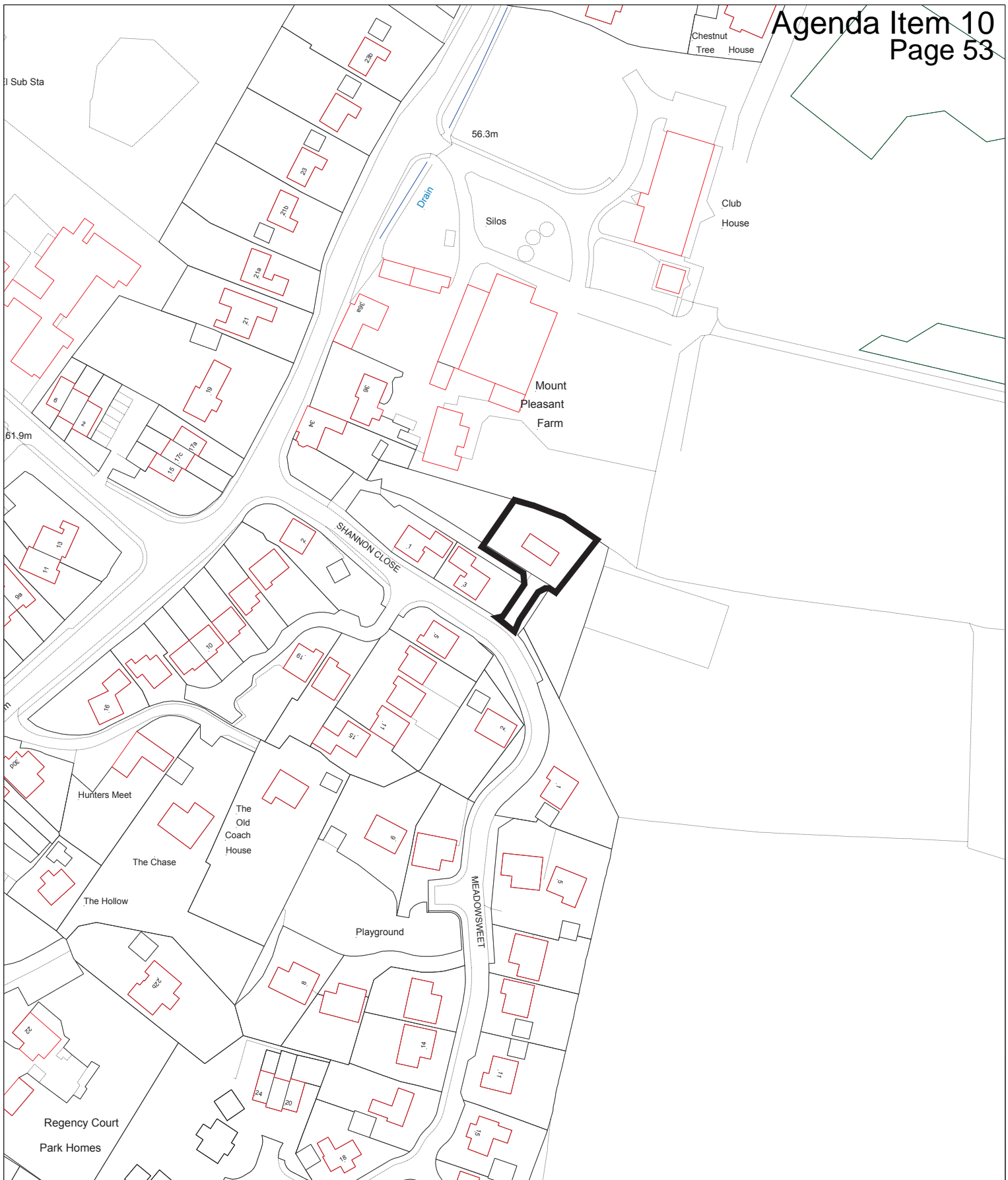
DECISION

.....
.....

.....

.....

This page is intentionally left blank



© Crown Copyright. All rights reserved.
Central Bedfordshire Council
Licence No. 100049029 (2009)

Date: 14:February:2012

Grid Reference: 515649, 234973

CB/11/04362/FULL

Scale: 1:1700

Land to the Rear of 3, Shannon Close, Lower Stondon

This page is intentionally left blank

Item No. 10

APPLICATION NUMBER	CB/11/04362/FULL
LOCATION	Land To The Rear Of 3, Shannon Close, Lower Stondon
PROPOSAL	Erection of dwelling (amended scheme pursuant to planning permission CB/10/02827/FULL)
PARISH	Stondon
WARD	Arleseey
WARD COUNCILLORS	Cllrs Dalgarno, Drinkwater & Wenham
CASE OFFICER	Richard Murdock
DATE REGISTERED	12 December 2011
EXPIRY DATE	06 February 2012
APPLICANT	Mr & Mrs March
AGENT	Partners In Planning Ltd
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	Request by Councillor Drinkwater on the grounds that the development extends beyond the settlement envelope and may be overdevelopment of the site
	Full Application - Granted

Site Location:

The application site is the land to the rear of no. 3 Shannon Close in Lower Stondon. It is currently undeveloped but was formerly occupied by a mobile home and is immediately adjacent to a stable block owned by the applicant. The site is adjoined by a recently constructed dwelling to the west and no. 3 Shannon Close to the south. To the north is Mount Pleasant Golf Course.

The wider surrounding area comprises residential development to the south in Meadowsweet, linear development along Station Road to the west and the golf course and open countryside further to the east.

The Application:

This application seeks full planning consent for the erection of a detached dwelling. This is an amended scheme for one plot that was previously approved as part of a two dwelling scheme. That scheme included two no. two bed detached properties with associated parking. One of those dwellings has been constructed and is now occupied by the applicant.

This application now proposes a three bed detached property. The proposed dwelling has an increased footprint which is predominantly single storey with a very modest two storey element. This results in some minor changes to the elevation treatment on the south facing elevation to reflect internal changes.

The parking provision remains as per the previous approval with two spaces provided to the front of the proposed dwelling. The access has also been widened and the turning head adjusted slightly.

RELEVANT POLICIES:

National Policies (PPG & PPS)

PPS1 (Delivering Sustainable Development)

PPS3 (Housing)

Central Bedfordshire Core Strategy and Development Management Policies (2009)

CS1; CS2, CS14, DM3 and DM4

Supplementary Planning Guidance

DS1 Design Guide for Central Bedfordshire (January 2010)
Planning Obligations Strategy (2009)

Planning History

MB/95/01380/FULL	Change of use of land from agricultural to form extension to private garden. Withdrawn 15th December 1995.
MB/95/1350X/FULL	Change of use of land from agricultural to form extension to private garden. Approved 9th January 1996.
02/01570/FULL	Change of use of agricultural land to paddocks for grazing horses. Erection of block of three stables following removal of existing hut. Approved 4th November 2002
03/00279/FULL	Formation of open air riding arena for private use and covered shelter to rear of existing stables. Approved 21st November 2003
04/01225/FULL	Temporary use of land for stationing mobile home for use by two elderly and inform family members. Approved as a personal permission 29th July 2004
CB/10/00703/FULL	Erection of 2no. 2-bedroom detached dwellings. Refused 16th April 2010.
CB/10/02128/FULL	Erection of two dwellings (amended scheme, following the refusal of planning application CB/10/00703/FULL). Withdrawn 26th August 2010.
CB/10/02827/FULL	Erection of two dwellings (amended scheme following refusal of planning application CB/10/00703/FULL). Approved 24th September 2010.

In addition to the planning history, on 17th January 2006 the Secretary of State for the Environment, Food and Rural Affairs confirmed an Order made by Bedfordshire County Council to stop up part of public footpath no. 46. Prior to the order, the footpath extended along the north side of nos. 1 and 3 Shannon Close and through the middle of the current application site. This was stopped up and the footpath now

runs along Shannon Close itself. The order was made on the basis that it was in the interests of the owners of no. 3 Shannon Close.

**Representations:
(Parish & Neighbours)**

Parish/Town Council	No comments received. The case officer has contacted the Parish Council to seek their comments and any comments will be updated verbally
Neighbours	One letter of objection on grounds of the number of variations to the scheme and the site becoming quite heavily developed. Should approval be given, it would make a mockery of planning procedures. Would create a precedent for any applicant to extend an existing permission into a larger property.

Consultations/Publicity responses

CBC Highways	No objection subject to conditions relating to access width, vision splays, set back of access gates, surfacing, turning space, cycle parking, refuse collection point and on site parking for construction workers.
CBC Rights of Way	Seek confirmation regarding fencing adjacent to the footpath. Concern regarding sunlight reaching the path and the path being unusable in the winter months. Request contribution towards surfacing this stretch of footpath.
CBC Play Beds & River Drainage Board	<p>No comments to make</p> <p>This site is partially within the Board's drainage district where the ground conditions are likely to be a marly chalk formation. The applicant has indicated that surface water runoff from the proposals will use a sustainable drainage system of soakaways. The soakaways should be designed and constructed to Building Research Establishment Digest 365 in order that the soakaways adequately drain. Please include a suitably worded condition in any planning permission which may be granted.</p> <p>The applicant should note that if discharge of surface water is to be to a ditch/watercourse within the Board's drainage district, the prior formal consent of the Board will be required.</p>
Ramblers	No comments received

Determining Issues

The main considerations of the application are;

1. Principle of development
2. Character and appearance of the area
3. Amenity of adjoining properties

4. Highway considerations
5. Planning Obligations
6. Other Issues

Considerations

1. Principle of development

The principle of a dwelling in this location has been established by the previous grant of planning consent in 2010. The plot, the subject of this application, is on the edge of the Settlement Envelope as defined within the Local Development Framework and the footprint of previously approved dwelling extending to the edge of that boundary.

This application seeks an increase in the size of the approved dwelling through a single storey element with a modest first floor addition above. These elements extend over the edge of the Settlement Envelope and into land designated as open countryside for the purposes of applying planning policy.

Having regard to the Settlement Envelope and the details of the amended proposal, the proposal would by its nature conflict with Policy DM4 which, seeks to direct new residential development within Settlement Envelopes.

However, it is not considered sufficient or reasonable to refuse an application simply because part of the proposal is beyond the Settlement Envelope. The harm that would result from the development needs to be demonstrated. Normally, for development in the countryside this would relate to an adverse impact upon the character and appearance of the area or an unsustainable form of development.

It is also appropriate to consider that if the dwelling was constructed as approved the Council would in all likelihood not object to the principle of extending the property, in the same way that any other extension to a property within the open countryside is considered on its merits.

Therefore, whilst it is accepted that part of the proposed dwelling is beyond the Settlement Envelope, the key consideration in this case is whether the proposal would result in any harm to the character and appearance of the area.

2. Character and appearance of the area

The site is currently a vacant plot. To the west is a recently constructed dwelling no. 3A Shannon Close, to the south west is no. 3 Shannon Close and to the south east is a stable clock owned by the applicant. To the north is Mount Pleasant Golf Course and its associated buildings. The applicant currently lives in no. 3A but it is understood that they intend to live in the dwelling, the subject of this application.

The immediate surrounding area is therefore characterised by existing built development on three sides. There is a line of mature landscaping on the other side of the northern boundary of the site comprising a 4m high hedge.

The visual impact of the previously approved dwelling has been assessed and

considered acceptable. The primary consideration in this application is therefore whether the addition floorspace would result in the larger dwelling having an adverse impact upon the character of the area.

The additional floorspace proposed is predominantly single storey with a very modest two storey element and a balcony. Given the existing landscaping on the northern boundary of the site and the built form of development adjoining the plot, the single storey addition will not be visible to the wider surrounding area. Given the modest size of the first floor addition, it is not considered that this would be visually prominent particularly against the background of other built development which comprises the new dwelling, no. 3A and the adjoining stable block. The proposed dwelling will be contained between those buildings.

In light of these considerations, it is not considered that the additional floorspace and overall increased size of dwelling would result in a harmful form of development that would adversely impact upon the character and appearance of the area. Therefore, whilst part of the dwelling is outside of the Settlement Envelope it is not considered that any reason for refusal on the grounds of visual impact could be substantiated.

Each planning application is assessed on its own merits and in this particular case, it is not considered that the form of development proposed would be so harmful.

3. Amenity of adjoining properties

The principal residential properties that may be affected by this proposal, are Numbers 1, 3 and 3B Shannon Close. The applicants currently own no. 3 and live at Number 3B and it is understood that it is their intention to move onto this plot adjacent to their stables.

The previous application was considered acceptable with regard to the impact upon adjoining properties. Therefore, the assessment of this application focuses on any changes as a result of the additional floorspace.

The amendments to highlight within the footprint of the previously approved dwelling are an additional bedroom window in the side (west facing) elevation, removal of two first floor windows on the rear (north facing) elevation serving a dressing room and a bedroom and an additional bedroom window on the front (south facing elevation).

The additional floorspace includes a orangery at ground floor which is predominantly glazed, a utility room with two east facing windows, a first floor bedroom window (south facing) and a balcony with doors which open towards the east.

It is considered that no.1 Shannon Close will not be affected. The only change to any elevation facing that property is an additional bedroom window which is further away than those already approved. Similarly, no. 3A will not be affected as the additional window in the elevation facing that property is no closer than those previously approved.

The only other property that may be affected is no. 3. The additional windows

on the south facing elevation that look towards no. 3 are a sufficient distance of 9m away from that boundary so as not to result in any unacceptable overlooking or loss of privacy. Similarly, the balcony is sited some 14m away from the boundary with no. 3 and this is considered acceptable to maintain acceptable levels of privacy.

The additional floorspace by virtue of its position will have no unacceptable impact upon adjoining properties in terms of an overbearing impact, loss of daylight or sunlight.

The proposal is therefore considered acceptable in this regard.

4. Highway considerations

The access arrangements remain as per the previous planning permission apart from a minor change to widen the access and amend the turning head within the site. The highways officer has raised no objections subject to the imposition of conditions.

The proposal is therefore considered acceptable.

5. Planning Obligations

No planning obligations are due as part of this application. The replacement of a two bed property with a three bed property does not generate the need for any additional financial contributions. The contributions secured as part of the previous planning approval have also been paid in full.

6. Other Issues

The comments raised by the Rights of Way Officer are noted but they are not directly related to this application as the footpath falls outside of the application site and the boundary treatment affecting the footpath is therefore not subject to consideration in this instance.

The comment raised in the objection concerning overdevelopment of the site has been addressed within this report. On balance the proposal is considered acceptable given the scale of additional floorspace proposed.

Recommendation

That Planning Permission be approved subject to the following conditions:

- 1 The development hereby approved shall be commenced within three years of the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 which is designed to ensure that a planning permission does not continue in existence indefinitely if the development to which it relates is not carried out.

- 2 **Prior to the commencement of development a scheme shall be submitted for written approval by the Local Planning Authority setting out the details of the materials to be used for the external walls and roof. The development shall be carried out in accordance with the approved scheme.**

Reason: To protect the visual amenities of the building and of the area generally.

- 3 **Prior to the development hereby approved commencing on site details of the final ground and slab levels of the dwellings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties, the location of which shall first be agreed in writing with the Local Planning Authority. Thereafter the site shall be developed in full accordance with the approved details.**

Reason: To ensure that a satisfactory relationship results between the new development and adjacent buildings and public areas.

- 4 Before the premises are occupied all on site vehicular areas shall be surfaced in a stable and durable manner in accordance with details to be approved in writing by the Local Planning Authority. Arrangements shall be made 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.

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 satisfactory parking of vehicles outside highway limits

- 5 Details of a refuse collection point located outside of the public highway shall be submitted to and approved by the Local Planning Authority prior to the occupation of the dwelling. The approved scheme shall be implemented prior to occupation of the dwelling and retained at all times thereafter.

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

- 7 The access shall have a minimum width of 4.7m.

Reason: In the interest of road safety and for the avoidance of doubt and to allow a two way flow of traffic to/from the access.

- 8 Before the proposal is occupied a triangular vision splay shall be provided on the north-west side of the access and shall measure 1.8m along the fence, wall, hedge or other means of definition of the front boundary of the site, and 1.8m measured into the site at right angles to the same line along the side of the access drive. The vision splays so described and on land under the applicant'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 existing highway and the access, and to make the access safe and convenient for the traffic which is

likely to use it.

- 9 The development shall not be brought into use until the turning space for vehicles illustrated on drawing no. 11/124/01 has been constructed within the curtilage of the site in a manner to be approved in writing by the Local Planning Authority. The turning space shall be retained and remain unobstructed thereafter.

Reason: To enable vehicles to draw off, park and turn outside of the highway limits thereby avoiding the reversing of vehicles on to the highway.

- 10 Full details of both hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:-
- (i) materials to be used for any hard surfacing;
 - (ii) planting plans, including schedule of size, species, positions, density and times of planting;
 - (iii) details of existing trees and hedgerows on the site, indicating those to be retained and the method of their protection during development works.

The development shall be carried out in accordance with the approved details.

Reason: In order to ensure that the landscaping is carried out within a reasonable period in the interest of the visual amenities of the area.

- 11 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development whichever is the sooner; and any trees or plants which within a period of 5 years of completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority give written consent to any variation.

Reason: In the interests of the visual amenities of the site and the area generally.

- 12 **Prior to the commencement of development a scheme setting out measures for protecting all trees, shrubs and other natural features during construction work shall be submitted to and approved in writing by the Local Planning Authority. No work shall commence on site until all trees, shrubs and features to be protected are fenced with 2.3 high weldmesh fencing securely mounted on standard scaffolding poles driven firmly in the ground in accordance with BS 5837:2005;**

- **for trees and shrubs the fencing shall follow a line 1.0m outside the furthest extent of the crown spread, unless otherwise agreed in writing by the Local Planning Authority;**
- **for upright growing trees at a radius from the trunk not less than 6.0m, or two thirds of the height of the tree whichever is the greater;**
- **for other natural features along a line to be approved in**

writing by the Local Planning Authority.

Such fencing shall be maintained during the course of the works on the site. No unauthorised access or placement of goods, fuels or chemicals, soil or other materials shall take place inside the fenced area.

Reason: To safeguard the existing trees on the site in the interests of visual amenity.

- 13 The (parking area) shall be constructed using a “no-dig” method of construction as outlined in Arboricultural Practice Note no.1 (Driveways close to trees).

Reason: To ensure the protection of trees and hedgerows to be retained, and in particular to avoid unnecessary damage to their root systems.

- 14 **Prior to the commencement of development a scheme shall be submitted for written approval 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(s) are occupied in accordance with a timescale agreed in writing with the Local Planning Authority.**

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.

- 15 Notwithstanding any provision of the Town and Country Planning (General Permitted Development Order) 1995 (or any Order revoking or re-enacting that Order with or without modification) no extension(s) shall be formed without the written approval of the Local Planning Authority.

Reason: To protect the amenities of occupiers of neighbouring properties.

- 16 Notwithstanding any provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no further window or other opening shall be formed on the first floor side-(south) elevation of the dwelling, adjacent to the boundary of Number 3 Shannon Close.

Reason: To protect the amenities of occupiers of adjoining properties at Numbers 3 Shannon Close, Lower Stondon.

- 17 **Details of surface water drainage for the site shall be submitted to and approved in writing by the Local Planning Authority before any work on the site commences. The drainage works shall be constructed in accordance with the approved plans before any part of the development is brought into use.**

Reason: To ensure that adequate surface water drainage is provided to prevent water pollution and flooding.

- 18 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans,

Reason: For the avoidance of doubt.

Reasons for Granting

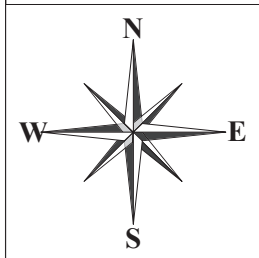
The proposed development whilst not being wholly within the settlement envelope of Lower Stondon, would it have a detrimental impact on the character and appearance of the surrounding area nor would it have a detrimental impact on the residential amenities of any neighbouring properties; as such the proposal is in conformity with PPS3, and Policies CS1, CS2, CS14, DM3, and DM4 of the Core Strategy and Development Management Policies for Central Bedfordshire (North).

Notes to Applicant

1. The applicant should note that if discharge of surface water is to be to a ditch/watercourse within the Board's drainage district, the prior formal consent of the Board will be required.

DECISION

.....
.....



© Crown Copyright. All rights reserved.
Central Bedfordshire Council
Licence No. 100049029 (2009)

Date: 13:February:2012

Grid Reference: 517476, 248801

CB/11/04140/FULL

Scale: 1:1750

Land adjacent to 30 Ivel Road, Sandy, SG19 1BA

This page is intentionally left blank

Item No. 11

APPLICATION NUMBER	CB/11/04140/FULL
LOCATION	Land adj. to 30 Ivel Road, Sandy, SG19 1BA
PROPOSAL	Demolition of existing garage and erection of detached house with associated works.
PARISH	Sandy
WARD	Sandy
WARD COUNCILLORS	Cllrs Aldis, Maudlin & Sheppard
CASE OFFICER	Clare Golden
DATE REGISTERED	07 December 2011
EXPIRY DATE	01 February 2012
APPLICANT	Mr & Mrs Gilpin
AGENT	Arnold Gilpin Associates Ltd.
REASON FOR COMMITTEE TO DETERMINE	Councillor Aldis has called this application to Committee on the grounds of over development and impact on the streetscene
RECOMMENDED DECISION	Full Application - Granted

Site Location:

The application site lies to the south of the High Street in Sandy, on Ivel Road. The site presently comprises of land adjacent to No. 30 Ivel Road and comprises of a single storey, detached garage, and access. The site forms a corner plot to the south of a bend in the road. It is bound to the west by a parcel of land with trees and scrub on it, which lies adjacent to a bridle way and footbridge over the River Ivel which bounds the site to the south.

The site is surrounded by residential properties to the north and east, with open fields to the south of the River Ivel, and the playing fields of Sandy Place Academy to the north west.

The site is located within the settlement envelope and within the Sandy Conservation Area. The site is located outside of the Flood Zone.

The Application:

This application seeks permission to erect a three bedroom detached dwelling.

RELEVANT POLICIES:

National Policies (PPG & PPS)

- PPS1: Delivering Sustainable Development
- PPS3: Housing
- PPS5: Planning for the Historic Environment
- PPS9 : Biodiversity
- PPS25: Development and Flood Risk

Core Strategy/Development Management Policies that supersede the Saved Local Plan Policies

CS1: Location of New Residential Development
 CS2: Developer Contributions
 CS4: Accessibility and transport
 CS5: Location of New Residential Development
 DM3: Protection of Amenity
 CS15/DM13: Heritage
 CS18 & DM15: Biodiversity

Supplementary Planning Guidance

Design in Central Bedfordshire: A Guide for Development, Adopted January 2010
 Design Supplement 1: New Residential Development
 Design Supplement 5: The Historic Environment
 Design Supplement 7: Movement, Streets and Places

Planning History

CB/11/04141/CA Conservation Area Consent: Demolition of existing garage and erection of detached house with associated works.
Pending consideration - recommended for approval.

**Representations:
(Parish & Neighbours)**

Sandy Town Council **Object** to the application on the following grounds:

- Inappropriate development
- Impact on the streetscene
- Overdevelopment of the site
- Loss of parking

Adjacent Neighbours No comments received.

Consultations/Publicity responses

Site notice posted on 14.12.11	No comments received.
Advertised on 16.12.11	No comments received.
Archaeology	No objections.
Conservation and Design	No objections subject to conditions requesting further details of the proposed materials.
Highways	No objections subject to conditions relating to surfacing and visibility.
Rights of Way Officer	No comments received.
Environment Agency	No objections.
Internal Drainage Board	No comments received.
Ecology	Requested a Biodiversity survey to be submitted prior to the application being determined.
Tree and Landscape	No objections subject to a scheme for replacement tree

Determining Issues

The main considerations of the application are;

1. **Principle of the development**
2. **Impact on the character and appearance of the surrounding area**
3. **Impact on residential amenity of neighbouring properties**
4. **Any other matters relevant to the application**

Considerations

1. Principle of the development

The site lies within the settlement envelope for Sandy wherein the principle of residential development is generally acceptable subject to certain detailed considerations. Sandy is classified as a Major Service Centre in the Core Strategy and Development Management Policies Development Plan Document (DPD) where policies CS1, CS5 and DM4 are applicable.

There are no objections to the principle of infill development within Sandy as proposed in this application as long as various other criteria are satisfied, in particular the size of the site needs to be adequate, there must be sufficient on site parking, the design of the proposed house must be in keeping with its surroundings and there must not be an unduly adverse impact on the amenities of neighbours.

2. Impact on the character and appearance of the conservation area and surrounding area

The application site is wholly located within the Sandy Conservation Area where new development must preserve or enhance the character and appearance of the area, in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, PPS5: Planning for the Historic Environment and in accordance with Policies CS15 and DM13 of the Adopted Core Strategy.

Ivel Road is characterised by small-scale development such as small cottages with low ridge heights and brick outbuildings behind. Towards the south of Ivel Road, 20th Century infill development begins to visually dominate the area, although the west side of the road retains a more spacious, and traditional character.

The location of the application site is considered to be sensitive in relation to the character of the area and surrounding landscape, where it forms part of the rural/urban edge with the water meadows and river within its setting. A dwelling in this location therefore will be visually prominent and must be respectful in terms of scale, design and detailing, to the character and appearance of this part of the conservation area.

Scale, Siting and Design:

The proposed dwelling has been designed so that whilst it has a contemporary

appearance, it incorporates traditional features such as a brick plinth, simple window proportions and painted render, characteristic of the surrounding area. The scale of the building is relatively modest in relation to the surrounding development and the simple detailing is considered to complement the character and appearance of the surrounding development.

In terms of its siting within the plot, the dwelling would form a vista to this part of Ivel Road, but would still maintain views of the open fields to the south. The dwelling would be set back from the front boundary in line with the front of No. 30 Ivel Road to the east. The dwelling would be sited close to both side boundaries of the plot which gradually widens to the south.

The proposed dwelling would be located close to the east side boundary with no. 30, although a distance of 1.5metres which gradually widens to the south would be retained and the new dwelling would be located just under 4metres away from the closest part of No. 30's building. In terms of the character of the surrounding development in relation to plot sizes and distances from boundaries, this degree of separation is considered to be acceptable to ensure that the proposal would not result in an overdevelopment of plot. The new dwelling would also be set forward of the main bulk of No. 30, helping to provide a visual break in the relationship between the two dwellings when viewed together. For these reasons, the proposed siting of the dwelling is considered to preserve the character and appearance of the conservation area and general streetscene.

Landscaping:

The site contains a number of trees amongst the general scrub on the plot. The proposal would involve the loss of the majority of these trees, although the Council's Tree and Landscape Officer has confirmed that they are not particularly high grade trees and there is no objection to the proposed removal. It is noted however, that they do provide visual amenity in this area and form a prominent feature within this corner. The proposal seeks to retain the most important tree, a Maple tree to the front of the site and proposes a number of additional high grade trees to front and rear of the dwelling. The proposed replanting landscaping scheme is considered to be sensitive to the context of the existing and surrounding development and would preserve the character and appearance of the conservation area, and general streetscene.

Subject to details of the materials to be used for the new development, the proposal is considered to be acceptable to preserve the character and appearance of the conservation area and general streetscene in accordance with Policies CS15, DM3 and DM13 of the Adopted Core Strategy and guidance in 'Design in Central Bedfordshire', in particular, 'New Residential Development' and 'The Historic Environment' in the Council's Adopted Design Guide.

3. Impact on residential amenity of neighbouring properties

The neighbouring property considered to be potentially most affected by the proposal is No. 30 Ivel Road, the neighbouring property to the east, also within the applicant's ownership.

The other neighbouring properties, in particular, No.s 28 and 29 Ivel Road, are

considered to be so adequately removed from the proposal for it not to cause harm to the occupiers of these properties in terms of loss of light, privacy, outlook or by appearing overbearing.

Overbearing Impact and outlook:

There would be a distance of 4metres between No. 30 Ivel Road and the proposed dwelling, and this would be at the narrowest point to the front, adjacent to the single storey element of No. 30. A 2metre walkway runs adjacent to the west side elevation of No. 30 and lies within the boundary of this property. The new dwelling would be sited a further 1.5metres (at the narrowest point) away from the side boundary with this walkway, providing a degree of separation of 4metres at the narrowest point and 7metres at the widest point. The only first floor windows on this side elevation would be sited at least 6metres away from the closest part of the new dwelling. This is considered to be a sufficient degree of separation between both dwellings to ensure that the new dwelling would not appear overbearing or cause significant harm to the outlook afforded to No. 30.

Loss of privacy:

No. 30 has two first floor windows on the west facing side elevation. The proposed dwelling would not contain any windows on this elevation however, and further provides a 4.5metre parapet wall to screen the balcony proposed to the rear. The design of the dwelling would therefore prevent any potential overlooking of this property or loss of privacy afforded to the occupiers of No. 30, and the future occupiers of the proposed dwelling.

Loss of light:

The proposed dwelling and No. 30 have south facing rear elevations, and there is a good degree of separation between them. By reason of this distance, and orientation of the buildings, the proposal would not result in a loss of light to the occupiers of No. 30.

Outdoor Amenity Space:

The proposed dwelling would have an irregular shaped rear garden area which would be 9metres at the deepest point and 5.5metres at the narrowest. Overall, the rear garden would have a width of 17metres and the total amount of amenity space would exceed 100m² in accordance with the Council's standards in the Adopted Design Guide. This level of outdoor amenity space is considered to be acceptable to ensure that there is sufficient useable space around the dwelling for future occupiers.

The proposal would therefore preserve the residential amenities of occupiers of neighbouring properties and future occupiers of the dwelling, in terms of loss of privacy, loss of outlook, causing an overbearing impact or loss of light, in compliance with Policy DM3 of the Development Management Policies of the Core Strategy, and guidance in 'Design in Central Bedfordshire', in particular, 'New Residential Development' and 'Town Centre and Infill Development' in the Council's Adopted Design Guide.

4. Any other matters relevant to the application

Highway Safety:

The proposed dwelling would have three bedrooms and thus require a minimum of two on-site parking spaces, in accordance with the Council's Adopted Design Guidance. Three on-site parking spaces are proposed to the front of the dwelling and thus this accords with the Council's parking standards.

The site will be served by the existing access which will require modification and improvement and the Council's Highways Officer is satisfied that this can be achieved by means of a condition.

Subject to conditions relating to reconstruction/resurfacing of the proposed vehicular access, visibility at the access, surfacing and the location of construction worker's parking, the proposal will not have a material impact on the safe operation of the highway.

Ecology:

The application site contains a number of trees which could have the potential to provide roosting opportunities for bats, particularly as the site is located on the river corridor of the River Ivel. The site also borders the River Ivel County Wildlife site. The Council's Ecologist has therefore requested that a Biodiversity survey be carried out to ensure that the proposals do not impact on a protected species, with the results submitted prior to determining the application. The applicant's are undertaking this survey, but at the time of writing the report, the results have not yet been submitted. The result of this survey will be reported on the Committee Late Sheet. Provided that the results of the survey satisfactorily show that there would be no harm caused to biodiversity as a result of the proposal, the proposal will be acceptable in terms of the aims of Policies CS18 & DM15: Biodiversity, of the Adopted Core Strategy, Development Management Policies.

Planning Obligations Strategy:

The proposal creates one three bedroom dwelling which falls within the criteria of the Planning Obligation Strategy, and therefore, contributions for Local Infrastructure are required and take place in the form of a Unilateral Undertaking submitted by the applicant.

The Planning Obligation Strategy is an adopted Supplementary Planning Document and is therefore a material consideration in the determination of the planning applications. A Unilateral Undertaking has been submitted and accepted and therefore, is in accordance with the Supplementary Planning Document: Planning Obligation Strategy (2008).

There are no further issues.

Recommendation

That Planning Permission be **Granted** subject to the following:

- 1 The development hereby approved shall be commenced within three years of the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 which is designed to ensure that a planning permission does not continue in existence indefinitely if the development to which it relates is not carried out.

- 2 **Prior to the commencement of development, details and samples of materials to be used for the external finishes of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance therewith.**

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match/complement the existing buildings and the character and appearance of the conservation area, in accordance with Policies DM3, CS15 and DM13 of the Adopted Core Strategy, Development Management Policies, 2009, and PPS5.

- 3 **Prior to the development hereby approved commencing, on site details of the final ground and slab levels of the dwellings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties, the location of which shall first be agreed in writing with the Local Planning Authority. Thereafter the site shall be developed in full accordance with the approved details.**

Reason: To ensure that a satisfactory relationship results between the new development and adjacent buildings and public areas.

- 4 **Development shall not begin until details of a scheme showing the reconstruction/resurfacing of the proposed vehicular access at its junction with the highway have been approved by the Local Planning Authority and the dwelling shall not be occupied until the access has been constructed in accordance with the approved details. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.**

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

- 5 Before the access is brought into use an area of land across the whole of the site frontage measuring at least 2.4m from and parallel to the nearside edge of the adjacent road carriageway shall be provided and thereafter be kept free of all obstruction to visibility.

Reason :To provide adequate visibility between the existing highway and the

proposed access and to make the access safe and convenient for the traffic that is likely to use it.

- 6 Before the premises are occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

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

- 7 **Development shall not commence until a scheme detailing provision for on-site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.**

Reason: To ensure adequate off street parking during construction in the interests of road safety.

- 8 Notwithstanding any provision of the Town and Country Planning (General Permitted Development Order) 1995 (or any Order revoking or re-enacting that Order with or without modification) no works shall be commenced for extensions or alterations, including new windows, and structures within the residential curtilage of the approved new dwelling until detailed plans and elevations which form a valid planning application have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the amenities of occupiers of neighbouring properties.

- 9 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: A003AD(0)05; A003AD(0)06; A003AD(0)04; A003AD(0)03; A003AD(0)9; A003AD(0)08; A003AD(0)07; A003AD(0)01; A003AD(0)02;.

Reason: For the avoidance of doubt.

Reasons for Granting

The proposed dwelling would not have a negative impact on the character or appearance of the conservation area or an adverse impact on the residential amenity of neighbouring properties. The proposal is acceptable in terms of highway safety, and biodiversity and therefore, by reason of its site, design and location, is in conformity with Policies CS1, CS2, CS4, CS5, DM3, CS15, DM13, CS18 and DM15 of the Core Strategy and Management Policies, November 2009; Planning Policy Statement 1, Planning Policy Statement 3, Planning Policy Statement 5, Planning Policy Statement 9, and Planning Policy Statement 25. It is further in conformity with the technical guidance Design in Central Bedfordshire, a Guide for Development, 2010.

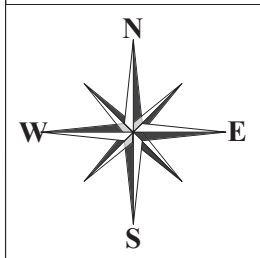
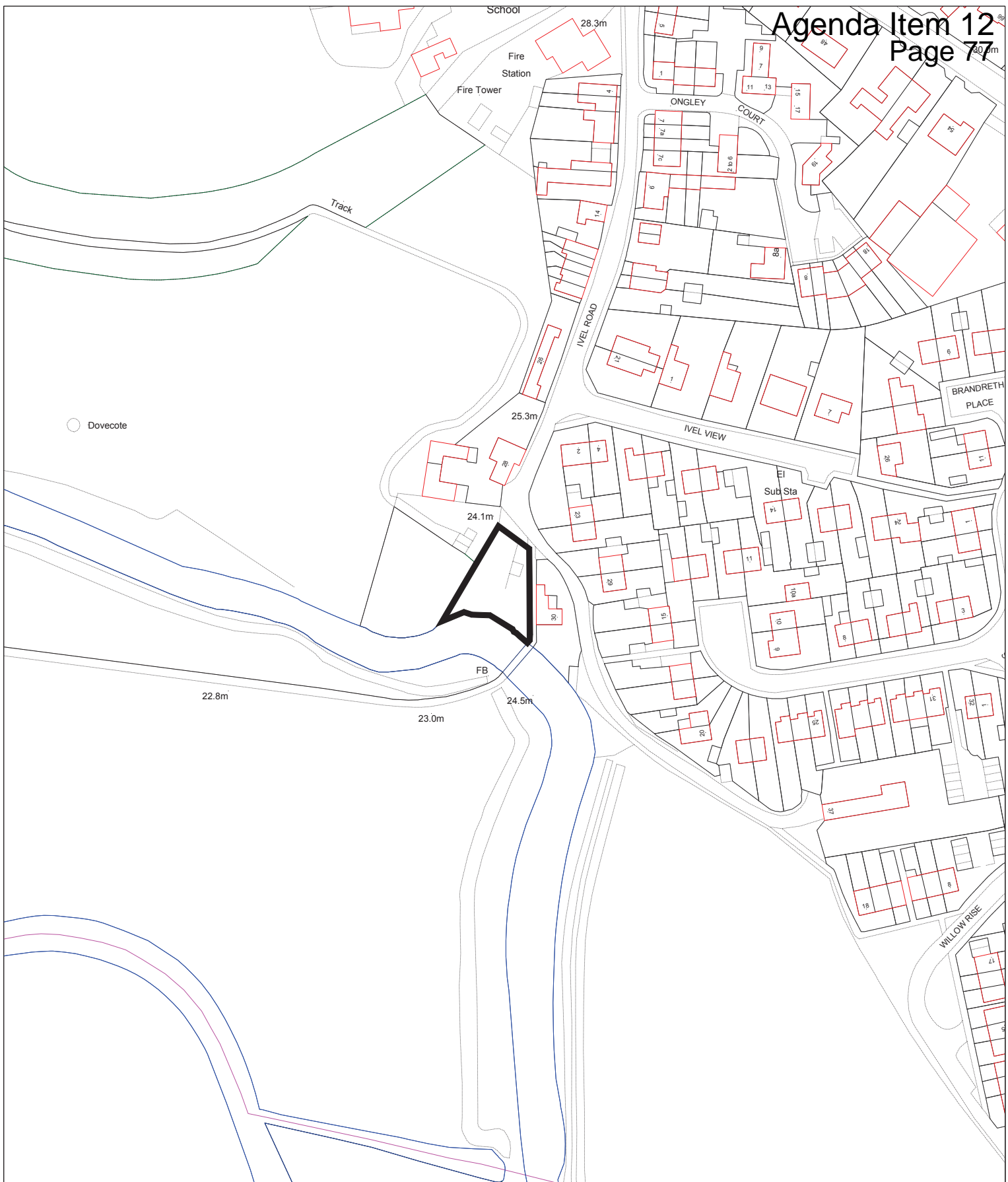
Notes to Applicant

1. Please note the following advisory comments from the Environment Agency:
 - The proposal is situated over a Principal aquifer.
 - Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer.
 - Where soakaways are proposed for the disposal of uncontaminated surface water, percolation tests should be undertaken, and soakaways designed and constructed in accordance with BRE Digest 365 (or CIRIA Report 156), and to the satisfaction of the Local Authority. The maximum acceptable depth for soakaways is 2 metres below existing ground level. Soakaways must not be located in contaminated areas. If, after tests, it is found that soakaways do not work satisfactorily, alternative proposals must be submitted.

DECISION

.....
.....

This page is intentionally left blank



© Crown Copyright. All rights reserved.
Central Bedfordshire Council
Licence No. 100049029 (2009)

Date: 13:February:2012

Grid Reference: 517476, 248801

CB/11/04141/CA

Scale: 1:1750

Land adjacent to 30 Ivel Road, Sandy, SG19 1BA

This page is intentionally left blank

Item No. 12

APPLICATION NUMBER	CB/11/04141/CA
LOCATION	Land adj. to 30 Ivel Road, Sandy, SG19 1BA
PROPOSAL	Conservation Area Consent: Demolition of existing garage.
PARISH	Sandy
WARD	Sandy
WARD COUNCILLORS	Cllrs Aldis, Maudlin & Sheppard
CASE OFFICER	Clare Golden
DATE REGISTERED	07 December 2011
EXPIRY DATE	01 February 2012
APPLICANT	Mr & Mrs Gilpin
AGENT	Arnold Gilpin Associates Ltd.
REASON FOR COMMITTEE TO DETERMINE	Councillor Aldis has called the application to Committee on the grounds of overdevelopment and impact on the streetscene
RECOMMENDED DECISION	Conservation Area - Granted

Site Location:

The application site lies to the south of the High Street in Sandy, on Ivel Road. The site presently comprises of land adjacent to No. 30 Ivel Road and comprises of a single storey, detached garage, and access. The site forms a corner plot to the south of a bend in the road. It is bound to the west by a parcel of land with trees and scrub on it, which lies adjacent to a bridle way and footbridge over the River Ivel which bounds the site to the south.

The site is surrounded by residential properties to the north and east, with open fields to the south of the River Ivel, and the playing fields of Sandy Place Academy to the north west.

The site is located within the settlement envelope and within the Sandy Conservation Area.

The Application:

This application seeks Conservation Area consent to demolish the existing single storey garage on the site.

RELEVANT POLICIES:

National Policies (PPG & PPS)

PPS5: Planning for the Historic Environment

Policies of the Adopted Core Strategy, Development Management Policies, 2009

DM3 - High Quality Development
CS15/DM13 - Heritage

Supplementary Planning Guidance

Design in Central Bedfordshire: A Guide for Development, Adopted January 2010
Design Supplement 5: The Historic Environment

Sandy Conservation Area Appraisal, 2003

Planning History

CB/11/04140/FULL Erection of a detached dwelling. **Pending consideration - recommended for approval.**

Representations: (Parish & Neighbours)

Sandy Parish Council The comments received relate to the Full application (CB/11/04140/FULL) which **Object** to the application on the following grounds:

- Inappropriate development
- Impact on the streetscene
- Overdevelopment of the site
- Loss of parking

Adjacent Neighbours No comments received.

Consultations/Publicity responses

Site notice posted on 14.12.11 No comments received.

Advertised on 16.12.11 No comments received.

Conservation and Design No objections.

Determining Issues

The main considerations of the application are;

- 1. Impact on the character and appearance of the conservation area**

Considerations

- 1. Impact on the character and appearance of the conservation area**

The application site is located within the Sandy Conservation Area where all new development must preserve or enhance the character and appearance of the area in line with Policies CS15 and DM13 of the Adopted Core Strategy, Development Management Policies, 2009 and PPS5: Planning for the Historic

Environment, 2010.

The existing garage is a modern structure constructed of concrete and fibre cement sheeting, with a pressed steel door. The building is not considered to make a positive contribution to the character or appearance of the conservation area, and thus the demolition of this building is not considered to result in harm to the character or appearance of the conservation area.

Subject to the redevelopment of the site with a proposal that preserves and enhances the character and appearance of the conservation area, there is no objection in conservation terms to the demolition of this building, in accordance with Policies DM3, DM13 and CS15 of the Core Strategy and Development Management Policies, 2009 and the technical guidance Design in Central Bedfordshire, a Guide for Development, and Planning Policy Statement 5, 2010.

Recommendation

That Conservation Area Consent be **granted** subject to the following:

- 1 The development hereby approved shall be commenced within three years of the date of this permission.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, to ensure that this consent does not continue in existence indefinitely if the development to which it relates is not carried out.

- 2 The demolition of the existing building will be carried out in one single building operation and all resulting debris shall be removed from the site within one month of the demolition.

Reason: To ensure that an unsightly cleared site is not created to the detriment of the character and appearance of the conservation area.

- 3 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: A003AD(0)03; A003AD(0)02; A003AD(0)01.

Reason: For the avoidance of doubt.

Reasons for Granting

The proposal to remove the existing building would preserve the Sandy Conservation Area. The scheme therefore, by reason of its site, design and location, is in conformity with Planning Policy Statement 5 (2010), and Policies DM3, CS15, and DM13 of the Core Strategy and Development Management Policies, November 2009. It is further in conformity with the technical guidance Design in Central Bedfordshire, a Guide for Development, and Sandy Conservation Area Appraisal, 2003.

DECISION

.....
.....

This page is intentionally left blank