

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



please ask for Helen Bell
direct line 0300 300 4040
date 1 August 2013

NOTICE OF MEETING

DEVELOPMENT MANAGEMENT COMMITTEE

Date & Time

Wednesday, 14 August 2013 10.00 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 K C Matthews (Chairman), A Shadbolt (Vice-Chairman), P N Aldis,
A R Bastable, R D Berry, M C Blair, D Bowater, A D Brown, Mrs C F Chapman MBE,
Mrs S Clark, I Dalgarno, K Janes, D Jones, Ms C Maudlin, T Nicols, I Shingler,
B J Spurr and J N Young

[Named Substitutes:

L Birt, Mrs R J Drinkwater, Mrs R B Gammons, C C Gomm, Mrs D B Gurney,
R W Johnstone, J Murray, B Saunders, 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

N.B. The running order of this agenda can change at the Chairman's discretion. Items may not, therefore, be considered in the order listed.

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 17 July 2013
(previously circulated)

4. **Members' Interests**

To receive from Members any declarations of interest including membership of Parish/Town Council consulted upon during the application process and the way in which any Member has cast his/her vote.

REPORT

Item	Subject	Page Nos.
5	Planning Enforcement Cases Where Formal Action Has Been Taken To consider the report of the Director of Sustainable Communities providing a monthly update of planning enforcement cases where action has been taken covering the North, South and Minerals and Waste.	7 - 10

Planning and Related Applications

To consider the planning applications contained in the following schedules:

**Planning & Related Applications - to consider
the planning applications contained in the
following schedules:**

Item	Subject	Page Nos.
6	<p>Planning Application No. CB/13/01208/FULL</p> <p>Address : Land at New Road, Clifton, Shefford</p> <p>Erection of 73 dwelling including affordable housing, an equipped area of play, access and associated works.</p> <p>Applicant: Taylor Wimpey Ltd & Mr T Cook</p>	11 - 36
7	<p>Planning Application No. CB/13/01765/FULL</p> <p>Address : The Glebe, 16 Church Road, Henlow, SG16 6AN</p> <p>Erection of new dwelling</p> <p>Applicant: Mr & Mrs Jordan</p>	37 - 52
8	<p>Planning Application No. CB/13/01759/FULL</p> <p>Address : Thomas Whitehead Lower School, Angels Lane, Houghton Regis, Dunstable, LU5 5HH</p> <p>Construction of three classrooms and associated works</p> <p>Applicant : Thomas Whitehead Lower School</p>	53 - 64
9	<p>Planning Application No. CB/13/02189/FULL</p> <p>Address : Land Adj to Langley Cottage, High Street, Eggington, Leighton Buzzard, LU7 9PD</p> <p>Erection of horse stables and associated use of existing car parking area</p> <p>Applicant: Mr & Mrs Peck</p>	65 - 78

- 10 **Planning Application No.CB/13/01924/REG3** 79 - 90
- Address :** Land Adj to Goldfinch Road Leighton Buzzard
LU7 4BT
Construction of a pedestrian and cycle bridge
across the Swale channel
- Applicant:** Central Bedfordshire Council
- 11 **Planning Application No.CB/12/02110/FULL** 91 -
100
- Address :** 5 The Orchard, Houghton Conquest, Bedford,
MK45 3NR
Two story rear extension and single storey side
extension
- Applicant:** Mr & Mrs Litchfield-Goodman
- 12 **Planning Application No.CB/13/02192/FULL** 101 –
110
- Address :** Alameda Middle School, Station Road, Ampthill,
Bedford, MK45 2QR
- A two storey, ten classroom block to include office
stores, WC facilities and three group rooms; A new
hall for curriculum delivery and lunch time
provision; Expansion of the playground area to
provide a trim trail; Replacement and additional
parking; Coach turning facility; New canopies over
the existing quad areas; New gates and pupil
entrance; Internal reconfiguration for improved
facilities to support its SEN provision and
improvements to the technology resource.
- Applicant:** Alameda Middle School
- 13 **Planning Application No. CB/13/1987/FULL** 111 -
118
- Address :** Church End Lower School, Church Walk, Marston
Moretaine, Bedford, MK43 0NE
- Erection of temporary double classroom unit.
- Applicant:** Central Bedfordshire Council

14 **Planning Application No.CB/13/02203/FULL**

119 -
128

Address : 51 Greenway, Campton, Shefford, SG17 5BN

Proposed front & rear single storey extensions,
side & rear double storey extension and a new
vehicular access.

Applicant: Mr K Donovan

15 **Site Inspection Appointment(s)**

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 11 September 2013 having regard to the guidelines contained in the Code of Conduct for Planning Procedures.

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.

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Meeting: Development Management Committee
Date: 14th August 2013
Subject: Planning Enforcement cases where formal action has been taken
Report of: Director of Sustainable Communities
Summary: The report provides a monthly update of planning enforcement cases where formal action has been taken.

Advising Officer: Director of Sustainable Communities
Contact Officer: Sue Cawthra Planning Enforcement and Appeals Team Leader
(Tel: 0300 300 4369)
Public/Exempt: Public
Wards Affected: All
Function of: Council

CORPORATE IMPLICATIONS

Council Priorities:

This is a report for noting ongoing planning enforcement action.

Financial:

1. None

Legal:

2. None.

Risk Management:

3. None

Staffing (including Trades Unions):

4. Not Applicable.

Equalities/Human Rights:

5. None

Public Health

6. None

Community Safety:

7. Not Applicable.

Sustainability:

8. Not Applicable.

Procurement:

9. Not applicable.

RECOMMENDATION(S):

The Committee is asked to:

1. **To receive the monthly update of Planning Enforcement cases where formal action has been taken at Appendix A**
- 2.

Background

10. This is the update of planning enforcement cases where Enforcement Notices and other formal notices have been served and there is action outstanding. The list does not include closed cases where members have already been notified that the notices have been complied with or withdrawn.
11. The list at Appendix A briefly describes the breach of planning control, dates of action and further action proposed.
12. Members will be automatically notified by e-mail of planning enforcement cases within their Wards. For further details of particular cases in Appendix A please contact Sue Cawthra on 0300 300 4369. For details of Minerals and Waste cases please contact Roy Romans on 0300 300 6039.

Appendices:

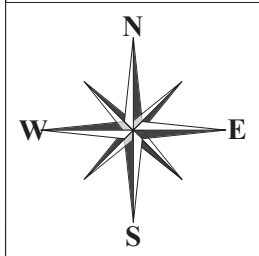
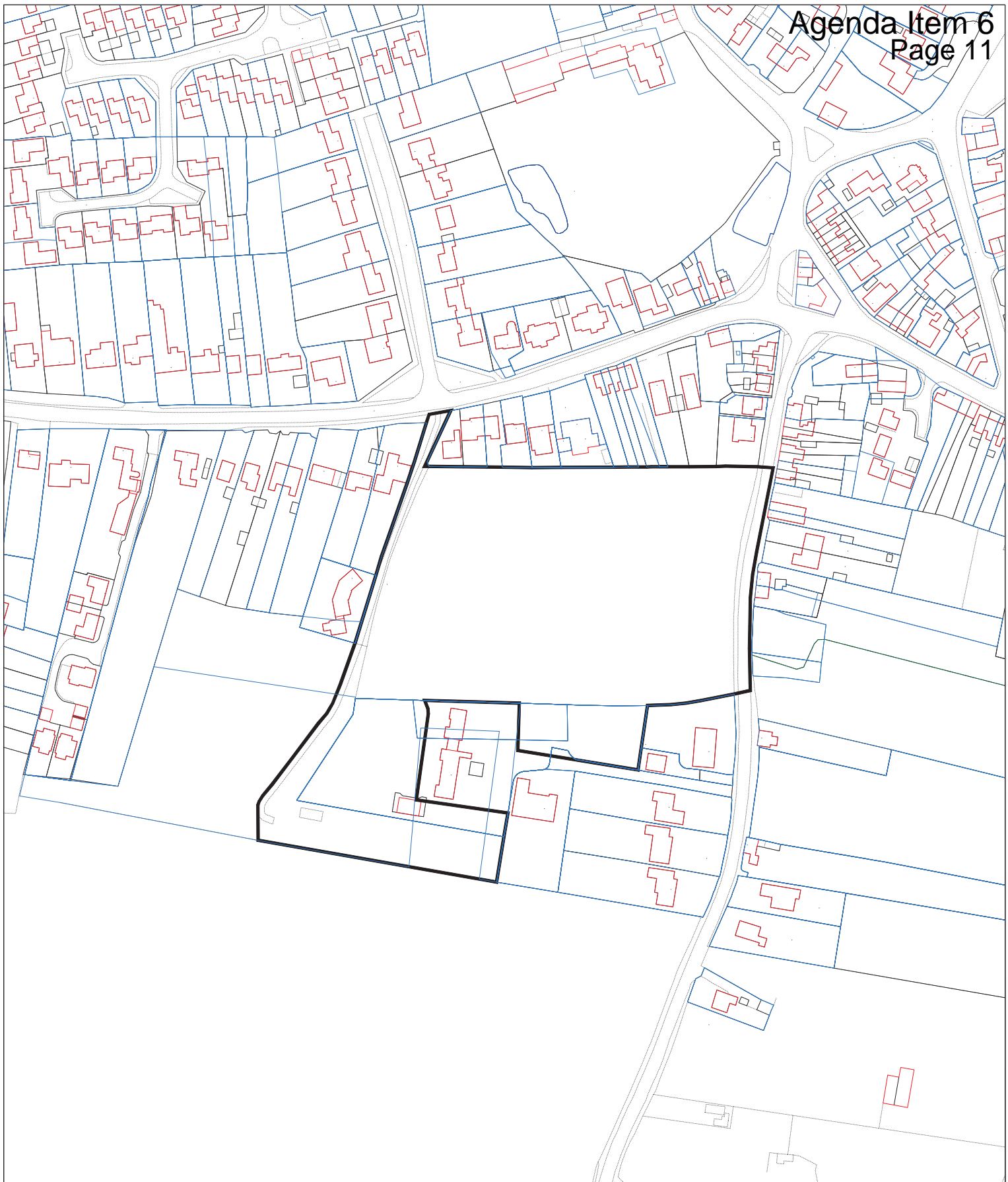
Appendix A – Planning Enforcement Formal Action Spreadsheet

Planning Enforcement formal action (DM Committee 14th August 2013)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
1	CB/ENC/10/0037	Land at 6 Sutton Road, Potton, SG19 2DS	Enforcement Notice - siting of mobile home for independent residential accommodation	31-Aug-12	01-Oct-12	01-Dec-12			Not complied	Legal letters sent, mobile home to be removed by 23/8/13
2	CB/ENC/10/0140	Land at 6 The Belfry, Luton. LU2 7GA	Enforcement Notices - change of use of land from amenity land to use as garden.	13-Sep-12	11-Oct-12	08-Nov-12	Appeal submitted 27/9/12			Await outcome of appeal
3	CB/ENC/10/0172	Land at 10-12 High Street, Shefford. SG17 5DG	Enforcement Notice - construction of an unauthorised wooden extention	19-Jun-13	19-Jul-13	19-Aug-13				Check complaince 19/8/13
4	CB/ENC/10/0189	Land adjacent to 17 The Causeway, Clophill Bedfordshire MK45 4RA	2 Enforcement Notices material change of use of the land to a caravan site and construction of hardstanding	10-Aug-11	08-Sep-11	07-Nov-11 and 08-Mar-12	Appeal dismissed, compliance extended			Planning application CB/13/00985/FULL to use adjoining land granted at Committee 19/6/13. Monitor compliance
5	CB/ENC/10/0440	Land at Foxbury Stables, Woodside Road, Woodside, Luton. LU1 4DQ	Enforcement notice, change of use to mixed use for keeping horses and for residential purposes.	21-Mar-13	18-Apr-13	18-Jan-14	Appeal submitted 17/4/13			Await outcome of appeal
6	CB/ENC/10/0659	Land at 106 Bury Road, Shillington, Hitchin SG5 3NZ	Enforcement Notice - change of use of garage and rear conservatory to a self contained dwelling unit.	25-Jun-13	25-Jul-13	25-Aug-13	Appeal submitted, not yet accepted by PINS			Await appeal
7	CB/ENC/11/0267	Land at White Gables Farm, Blunham Road, Charlton, Moggerhanger MK44 3RA	3 Enforcement Notices - 1. Canopy/ loading bay extension & lighting to grain store building 2. Use of land for storage/parking of haulage vehicles 3. Failure to comply with Conditions 10, 12, and 14 to MB/06/01599/FULL (grain store)	29-Apr-13	29-May-13	29-Jun-13	Appeals submitted 28/5/13			Await outcome of appeals - Inquiry 30/10/13
8	CB/ENC/11/0402	Land adjoining Greenacres, Gypsy Lane, Little Billington, Leighton Buzzard. LU7 9BP	2 Enforcement Notices 1 - unauthorised encroachment onto field 2 - unauthorised hard standing, fence and buildings	15-Oct-12	12-Nov-12	10-Dec-12			Not complied	Further action subject to Leg

Planning Enforcement formal action (DM Committee 14th August 2013)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
9	CB/ENC/12/0057	Land at The Drovers, Flitwick Road, Steppingley	Enforcement Notice - Terracing of land and installation of timber retaining walls	30-May-12	30-Jun-12	30-July-12 30-Aug-12	Appeal dismissed 24/10/12	24-Nov-12 and 24-Jan-13		Revised planning application for regrading land - CB/13/01384/FULL granted 23/7/13. Monitor compliance.
10	CB/ENC/12/0098	Land at 26-28 Station Road, Arlesey	S215 Notice - Untidy land storage of motor vehicles	15-May-13	15-May-13	12-Jun-13			Not complied	Further action
11	CB/ENC/12/0142	62 Bury Hill, Potton, SG19 2RZ	S215 Notice - Untidy land	26-Jul-13	26-Jul-13	26-Aug-13				Check compliance 26/8/13
12	CB/ENC/12/0159	Land at 20a Horslow Street, Potton Sandy. DG19 2NX	Enforcement Notice - change of use to holistic beauty parlour.	13-May-13	12-Jun-13	12-Aug-13				Check compliance 12/8/13
13	CB/ENC/12/0199	Plots 1 & 2 The Stables, Gypsy Lane, Little Billington, Leighton Buzzard LU7 9BP	Breach of Condition Notice Condition 3 SB/TP/04/1372 named occupants	15-Oct-12	15-Oct-12	12-Nov-12				Occupied temporarily, await outcome of appeal for Kingswood Nursery
14	CB/ENC/12/0330	Land to rear of The Farmers Boy PH, 216 Common Road, Kensworth, Dunstable LU6 2PJ	Enforcement Notice - raising and leveling of the land by the importation of waste material	08-Aug-12	10-Sep-12	10-Nov-12	Appeal dismissed 19/7/13	19-Sep-13		Appeal dismissed, check compliance 19/9/13
15	CB/ENC/12/0504	Land adj to Mileway House, Eastern Way, Heath and Reach	Enforcement Notice - use of land for siting of storage containers	03-May-13	03-Jun-13	03-Sep-13				Check compliance 3/9/13
16	CB/ENC/12/0633	Land at Plot 2, Greenacres, Gypsy Lane, Little Billington, Leighton Buzzard. LU7 9BP	Enforcement Notice - construction of timber building and the laying of hardstanding.	17-Jan-13	14-Feb-13	14-Mar-13				Further action to be taken subject to Legal.
17	CB/ENC/13/0083	Land Adjacent to Magpie Farm, Hill Lane, Upper Cladecote	Enforcement Notice - failure to comply with Condition 5 attached to planning permission MB/08/02009/FULL for avpsv/traveller site	27-Jun-13	27-Jul-13	27-Aug-13	Appeal submitted 26/7/13			Await outcome of appeal



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Date: 30:July:2013
Map Sheet No

Application No
CB/13/01208/FULL

Scale: 1:2500

Land at New Road, Clifton, Shefford

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Item No. 6

APPLICATION NUMBER	CB/13/01208/FULL
LOCATION	Land at New Road, Clifton, Shefford
PROPOSAL	Erection of 73 dwelling including affordable housing, an equipped area of play, access and associated works.
PARISH	Clifton
WARD	Arleseey
WARD COUNCILLORS	Cllrs Dalgarno, Drinkwater & Wenham
CASE OFFICER	Nikolas Smith
DATE REGISTERED	28 March 2013
EXPIRY DATE	27 June 2013
APPLICANT	Taylor Wimpey Ltd & Mr T Cook
AGENT	DLP Planning Ltd
REASON FOR COMMITTEE TO DETERMINE	A decision on this application was deferred by the Development Management Committee in June 2013 to allow an opportunity to address concerns raised by Members
RECOMMENDED DECISION	That planning permission should be granted subject to conditions and a s106 agreement

Summary of decision:

The development would, subject to conditions and planning obligations, cause no unacceptable harm to the appearance of the site or the character of the area, would cause no undue harm to living conditions at neighbouring properties, would result in acceptable standards of living accommodation for future occupiers and would cause no harm to the safe and free flow of traffic. The development would meet the specific site requirements of the Central Bedfordshire (North): Site Allocations DAD (2011) and would be in accordance with the National Planning Policy Framework (2012), the Central Bedfordshire Core Strategy and Development Management Policies (2009), Design in Central Bedfordshire (a guide for development) (2010) and Appendix F (Parking Strategy) of the Central Bedfordshire Transport Plan (2012).

Background:

This application was presented to the Development Management Committee in June with a recommendation for approval. Concerns were raised by Members of the Committee and by Ward Members and it was determined that a decision on the application should be deferred for one cycle so as to allow an opportunity to address the concerns raised. It was not possible for the application to return to Committee after one cycle because the Council needed to reconsult on amendments to the scheme.

In line with the comments raised at the Committee meeting in June, the proposal has been amended in the following ways:

- The two, two and a half storey buildings (containing a total of 12 units) in the North West corner of the site have been removed and replaced by 8, two-storey terraced houses. As a result, the number of units proposed would be 73 rather than 77.
- Garages at the site have been increased in size so that they meet the Council's up to date standards.
- There is to be a replacement hedge along the New Road side of the proposed play area so as to part mitigate the loss of the existing hedge along that boundary of the site.
- More of the hedge on the Eastern side of Harbrook Lane is to be retained.
- The garage serving Plot 1 has been moved so as to minimise the impact on existing trees at No 28 New Road.
- It is now recommended that contributions towards healthcare, Marston Vale and emergency services (a total of £119,240) be diverted towards highway projects in the local area.
- Proposed works to New Road would be amended to increase the amount of on-street parking opportunities and to introduce parking restrictions on the Broad Street/Shefford Road junction to try and prevent existing problematic parking.

In addition, the Transport Assessment and Tree Survey submitted with the application have been updated to reflect specific concerns raised during the committee meeting. These are described later in this report.

It is felt that these amendments to the scheme address the concerns raised by Members at the June Committee meeting and the application is recommended for approval, subject to conditions and a s106 agreement.

This application was originally called to the Committee by Cllr Drinkwater for the following reasons:

- 1) Access, highway safety and parking on and off the site;
- 2) Layout and design
- 3) Density and impact on the surrounding area

Site Location:

An area of land 2.62ha in area on the West side of New Road in Clifton. The New Road frontage is currently demarked by mature hedging and there is a private track running from Shefford Road that forms the Western edge of the application site. The site is characterised by existing hedging marking field boundaries.

To the North of the site are rear gardens serving houses on Shefford Road. To the East are houses and open countryside on the opposite side of New Road. To the South are No's 28, 28a, 30 and 32 New Road and open countryside beyond the extreme South of the site. To the West are No's 39 and 39a Shefford Road and open countryside lies to the South of those houses.

A number of people who live on New Road do not have off-street parking and park their cars on the road.

The Application:

Planning permission is sought for the erection of 73 dwellings made up of the following:

- Market Housing (50 units)
 - 4 x 2-bedroom houses
 - 24 x 3-bedroom houses
 - 22 x 4-bedroom houses (9 of which would be 4/5 bedroom houses)
- Affordable housing (23 units) (31.5%)
 - 1 x 1-bedroom dormer bungalow
 - 16 x 2-bedroom houses
 - 6 x 3-bedroom houses
- A Super Local Equipped Area of Play (SLEAP)
- Access from New Road

Relevant Policies:

National Planning Policy Framework (2012)

Local Policy

Central Bedfordshire Core Strategy and Development Management Policies (2009)

CS2	Developer Contributions
CS3	Healthy and Sustainable Communities
CS4	Linking Communities – Accessibility and Transport
CS5	Providing Homes
CS7	Affordable Housing
CS9	Providing Jobs
CS13	Climate Change
CS14	High Quality Development
CS17	Green Infrastructure
DM1	Renewable Energy
DM2	Sustainable Construction of New Buildings
DM3	High Quality Development
DM4	Development Within and Beyond Settlement Envelopes
DM9	Providing a Range of Transport
DM10	Housing Mix
DM14	Landscape and Woodland
DM15	Biodiversity
DM17	Accessible Green spaces

Site Allocations (North) Development Plan Document (2011)

Planning Obligations Supplementary Planning Document (2009)

Design in Central Bedfordshire (a guide for development) (2010)

Appendix F (Parking Strategy) Central Bedfordshire Transport Plan (2012)

Relevant Planning History:

There is no recent, relevant planning history at the site.

Consultation responses:

Neighbours were written to and press and site notices were published. The responses are summarised below:

Clifton Parish Council

- The development would conflict with local green infrastructure aspirations.
- The development would not be sustainable.
- There would be too many dwellings.
- The number and size of parking spaces would be wrong.
- Garden sizes would be wrong.
- Not enough play space would be provided.
- There is not enough capacity at the local school.
- The traffic, access and parking situation would be dangerous.
- Inadequate public consultation was carried out by the developer.

Neighbours

88 letters of objection and a petition containing 85 signatures on behalf of the Clifton Residents Association were received, commenting as follows:

- There would be overlooking at Nos 28 and 28a New Road if an existing hedge was removed.
- Introducing parking restrictions along New Road would be detrimental.
- The design of the development would be poor.
- The play space would be poorly located.
- There would be overlooking and a dominant impact at No 39 Shefford Road.
- The width of New Road is already problematic and the development would make the situation worse.
- There would be drainage and sewerage problems.
- The number of houses proposed is disproportionate to the size of the village.
- There should be no three storey buildings.
- Clifton does not have sufficient infrastructure to cope with the development.

- The road network would become dangerous.
- The play area could result in anti-social behaviour.
- There would be overdevelopment.
- The relationships between existing and proposed houses would be unacceptable.
- The retention of existing landscaping would undermine the quality of living accommodation.
- The loss of trees and hedging would be unacceptable.
- The access to the site should be from Shefford Road.
- Construction would be problematic for local residents.
- Not enough play space would be provided.
- The housing mix would be wrong.
- This site should not be developed.
- Affordable housing would not be dispersed properly.
- Harm would be caused to existing trees at No 28 New Road.

The Council consulted again once amended plans were received. Nine objections were received and they are summarised below:

- The development would be unsustainable.
- Too many houses are proposed.
- Houses and gardens would be too small.
- Traffic, including construction traffic would be problematic.
- There would be a cumulative impact on local highways.
- The existing traffic situation is bad.
- Access from New Road would not be appropriate.
- The local infrastructure could not accommodate these houses.
- Not enough on-street parking would be provided.
- Traffic travels quickly down New Road and it would be dangerous.
- The submitted information is inconsistent.
- The pedestrian link between the North West of the site and Harbrook Lane would create noise and disturbance.

It is anticipated that Clifton Parish Council will respond to the amended plans and its comments will be presented in the Late Sheet.

Consultee responses:

Sustainable Transport	No objection
Play Officer	Provision of play space in line with policy requirements would be unduly onerous for a site of this size and the amount proposed would be acceptable. Some of the equipment would not be appropriate (a condition would require details of a revised scheme). Contributions towards outdoor sport, amenity space and indoor sports and leisure centres should be sought.
Housing Development Officer	No objection.
Highways	The access to the site would be safe. No objection subject to conditions.
Internal Drainage Board	No objection
Archaeology	No objection
Environment Agency	No objection subject to condition and informative
Public Protection	No objection subject to condition.
Trees and landscaping	A condition would be needed to ensure that the quality of the replacement hedge along New Road was high.
Ecology	Concerned about the loss of trees and hedgerows at the site because of their ecological value (a condition would require revised landscaping details and details of bat and bird boxes).
Urban Design Consultant	The layout complies with best practice urban design principles well. Traditional materials will be required to help create an identity at the site.

Determining Issues:

The considerations in the determination of this application are:

1. The principle of the development
2. Layout and appearance
3. Neighbours and living conditions
4. Traffic and parking
5. Drainage, flooding and sustainability
6. Other considerations
7. s106 and affordable housing
8. Conclusions

Considerations:

1. Principle of the development

This is part of a larger site (2.76ha rather than 2.62ha) allocated by Policy HA16 (land at New Road, Clifton) of the Site Allocations Development Plan Document for:

- A minimum of 80 dwellings
- The provision of a Neighbourhood Equipped Area for Play (NEAP) situated in an accessible location (1000m² of play space with 30m buffers)
- Provision of adequate access to the site

The application site is smaller (by around 5%) than the allocated site because No 32 New Road would be retained, rather than incorporated in to the scheme.

The proposed development would not entirely satisfy the objectives of the site allocation policy for two reasons; the number of units proposed would be below 80 (73) and a SLEAP rather than a NEAP would be provided at the site.

The applicant has satisfactorily demonstrated that notwithstanding the reduced size of this application site against the allocated site, to provide 80 units and 1000m² of play space (including the necessary 30m buffers) would result in a development more dense that would likely be found acceptable (in excess of 40dph).

As a result, this application proposes slightly fewer dwellings (73 rather than 80) and a reduced area of play space (550m² with 20m buffers rather than 1000m² and 30m buffers). The development would have a density of 28dph and that would be much more appropriate in a village location like this one.

The access to the site would be safe and adequate and will be described in greater detail later in this report.

Despite not meeting the prescribed criteria of the site allocation policy in full, the development would meet the objectives of that policy, i.e. the provision of housing and a play area able to cater for the needs of existing local residents and future occupiers at the site and the development would be acceptable in principle.

2. Layout and appearance

Layout

Currently, the Eastern edge of the site is marked by a mature hedge running along the New Road frontage. This would be lost and clearly, that would change the appearance of the site and the street scene. The existing hedge would be replaced by less extensive planting along the Eastern edge of the proposed play area. A rural character (open countryside) would be replaced by a semi-urban appearance and a number of local people have raised this as a concern. When a site is allocated for residential development, inevitably it will look quite different once developed and here, the location of the play area and its associated landscaping at the front of the site would help to mitigate the impact of the development.

The general layout at the site would be quite good with a rhythm and feeling of openness expected of a scheme of this density (28dph). Amendments to the scheme have resulted in the northwest corner of the site appearing less dominated by car parking than had been the case. The layout at Plots 24-37a at the West of the site would be less organised than might be ideal. Generally, though, the layout would be sound and would respond well to the site and to the policy requirement for a minimum number of dwellings. A number of local people have raised concerns that the layout would be less organic and more urban than they would have liked see. In places, that is the case but this site is allocated for a minimum of 80 dwellings and it would not be possible to accommodate a development with an extremely rural character in that policy context. The Council asked its urban design consultant for their opinion who felt that the layout responded well to the pressures at the site and that it was acceptable.

In addition to the hedge at the front of the site (that would now be partly replaced), some existing trees would be removed. A comprehensive landscaping scheme would be required by condition.

Concern has been expressed by some local people that too much of the hedgerow along the boundary between Harbrook Lane and the site would be removed. An amendment to the scheme would result in more of that hedge being retained.

Rear gardens, would, for the most part meet the Council's standards in terms of size and layout. All gardens would be around 10m deep and whilst some would be smaller than 50m², the proximity of the SLEAP at the front of the site would mitigate that. Larger houses would mostly be served by larger gardens. Amendments to the scheme have resulted in garages serving Plots 1-3 and 70-73 being moved further forward so that more rear garden would be available for outdoor recreation.

Design

The site does not fall within the Clifton Conservation Area, which begins nearer to the junction with Shefford Road and whilst it would have an impact on its setting, that impact would not be harmful because of the large area of

landscaped play space that would sit at the front of the site.

The applicant's Design and Access Statement explains the approach that has been taken in the design of the proposed buildings. The influence of existing local vernaculars is referred to and that influence is easier to see at some house types than others. The Council has sought notable amendments to the design of some of the buildings so that proportions and detailing would be improved. Concern was raised in consultation responses and at the June Committee meeting that previously proposed two and a half-storey tall flatted blocks would not be appropriate in this setting. In response, the scheme has been amended so that it would no longer include those buildings. Instead, 8 terraced units are proposed. The development would have a more modern design approach than neighbouring existing houses because they would be newer. The houses would be well designed and there would be a variety of house types that would help to create a sense of place and visual interest at the site. Good quality materials would be important in ensuring that the appearance of the site would be acceptable and a condition would secure those.

Play area

The play area would be smaller than the site allocation policy says that it should be (550m² rather than 1000m²). It is clear that the site, even if the whole allocation site had been put forward, could not comfortably accommodate a LEAP and at least 80 dwellings. The area of play proposed would be larger than would normally be expected of a site of this size (550m² rather than 400m²). It would be located at the front of the site where it could be easily accessed by existing Clifton residents as well as those that would live at the site. Local highway works that are described later in this report would improve pedestrian accessibility to the play area. Revised details of the specific equipment proposed would be sought by condition so as to ensure that it would be appropriate.

The impact of the development on the appearance of the site and the street scene, the layout of the development and the play space at the site would be acceptable.

3. Neighbours and living conditions

The distance between first floor windows and No's 27 - 37a Shefford Road to the North would be at least 21m, but for between Plots 66a-67a and No 33. There, the distance would be slightly lower but not unacceptably so. No's 11 - 29 Shefford Road would be far enough away from the proposed houses to prevent harm to living conditions there. The replacement of the proposed flatted blocks with two-storey terraced housing would allow for a more comfortable relationship with existing neighbours than would have been the case originally.

Plot 73 would be 14m away from No 17 New Road, to the East and across New Road but that relationship would be common between front/side facing windows across a highway. The impact of the development on the availability of parking for residents on New Road is described later in this report.

The side wall of No 12 New Road, to the North would be between 20 and 21m

from the nearest rear facing window at Plot 73, and that would be an acceptable relationship.

No 28, the Southeast of the site has a large rear garden and is set by around 14m from its Northern boundary with the site and around 25m from its Western boundary. There is an existing tall hedge along both boundaries with the site that would prevent any overlooking problems. Even if that hedge was removed, distances between the rear of proposed houses and the rear of No 28 would be in excess of 21m. If the hedge was removed, there would be some overlooking of the rear garden at No 28 but it would not be any greater than might be expected in a residential area. The impact of garaging serving Plots 1 and 2 would be largely mitigated by boundary treatment and amendments bringing those garages further forward would improve that relationship.

No 28a New Road is a two-storey dwelling at the rear of No 28. It seems to have been used as an annexe at some point but now appears to be in separate occupation from No 28. Separate Council Tax has been paid at the dwelling since 1996. It has first floor rear facing windows facing the boundary with the site. Amendments were sought to Plot 9a and it would now be a dormer bungalow with a front facing dormer. A rear facing roof window would be obscurely glazed and would serve a bathroom. These amendments would protect living conditions at both properties in the event that the existing tall boundary hedging was removed at any point in the future. No 28a would be able to look down in to the rear garden of Plot 9a but as a one bedroom house, it less likely to be occupied by a family and so this would be less problematic.

The nearest proposed house to No 34 would be across the existing access serving No 30 and would have no side facing windows. Plot 10 would be 21m away from No 30 New Road and would have no side facing windows that might present an adverse level of overlooking.

The rear garden at No 32 New Road would be overlooked by first floor windows at a number of the Plots but the garden there is very large and the impact would not be unacceptably problematic.

The rear garden of No 39 Shefford Road is long and runs parallel to the track leading from Shefford Road to the site. Plots 38 and 60a-63a would be between 10 and 12m away from the boundary with that garden at their nearest points but the retention of the existing hedge along Harbrook Lane would help to mitigate any impact. The relationship would be a common one in a residential area and would not be harmful.

No 39a Shefford Road fronts the track and so would face the site. Plot 39 would face it at a distance of at least 16m which would be acceptable for a face to face relationship, especially now that much more of the Harbrook Lane hedgerow would be retained. Currently, the occupiers at No 39a are able park their car along the full depth of the frontage with the track. Bollards at the end of Harbrook Lane would prevent vehicular traffic from the site from using it but would still allow the occupiers of No 39a to drive along it.

Concern has been raised that the link at the North West of the site to Harbrook Lane would result in noise, disturbance and litter problems, particularly for No's

37a and 39 Shefford Road. Clearly, use of the link would result in a level of activity but given that it would be one of two connections to the Lane (and arguably the less frequently used of the two), it is not felt that the level of disturbance would be significant. There would be no real opportunity to congregate there and the benefit of this link in so far that it would add permeability to the site and would promote walking and cycling would outweigh what would likely be a modest impact on nearby neighbours. No 39 Shefford Road does have a side facing window at ground floor level and people using Harbrook Lane would likely reduce privacy enjoyed by that window. That window already looks out on to Harbrook Lane and although it is currently used less than it would be, it is not a very private opening. Again, the use of Harbrook Lane would be a real benefit for future occupiers at the site and that would outweigh what would be a fairly modest impact on privacy. A condition would control lighting at the site and on Harbrook Lane and any impact on living conditions would be assessed when details were submitted post decision. The occupier at No 37a has requested that the location of the link to Harbrook Lane be moved so that it ran between Plots 38 and 60a. Whilst that location would be reasonably sound, it would require a break in the Harbrook Lane hedge and given that it is felt that the current proposed location would be acceptable, no amendment has been sought.

Overall, the development has been well designed to respond to adjoining buildings and no harm would be caused to living conditions at neighbouring properties.

4. Traffic and parking

Works to the highway

The applicant has submitted a Transport Assessment that sets out the likely impact that the development would have on the local highways network.

In response to concerns raised at the June Committee meeting, the applicant submitted a revised statement. Data from CBC surveys taken in 2011 (and factored up to reflect 2013 figures) and local surveys were used to predict the impacts that the development would have on the highways network. The report sets out that the proposed development may generate 42 vehicle movements in the AM peak (0800 - 0900) and 46 movements in the PM peak (1700 - 1800). The Assessment concludes that subject to measures described below, the impact would be an acceptable one. The Council's Highways Officers agree with these conclusions. In addition, Highways Officers are satisfied that access to and from the site would be safe.

The following highways works would be secured through the planning permission:

- The introduction of a 'give way' system to the South of No 38 New Road to reduce traffic speed.
- The introduction of a crossing point to the North of the site access, allowing convenient pedestrian access to the play area.
- The introduction of parking restrictions around the New Road/Shefford Road and the Shefford Road/Broad Street junctions.

- The introduction of a footpath along the Western side of New Road (although this would be narrow outside of No 8 New Road).

Initially, more dramatic parking restrictions and road widening were proposed but it was felt that this could result in an increase in vehicle speed along New Road and would unnecessarily limit the amount of local on-street parking.

A number of residents on New Road do not have on-site car parking provision and so rely on New Road for on-street parking. The introduction of parking restrictions would impact on the availability of parking spaces. Pressure would be less because the introduction of parking restrictions would be less than was initially proposed and 5 spaces are proposed in two lay-bys along the Eastern edge of the site. The applicant's Transport Assessment demonstrates that of 19 properties at the Northern end of New Road, 8 appeared to have no off-street parking provision. It sets out that there is currently only provision for around 13 cars to be legally parked and that assuming that each of the 8 houses had two cars, 16 spaces would be required. In addition to those provided in the proposed lay-bys, 12 cars could be parked on the stretch of New Road between the entrance to the site and the junction with Shefford Road, to the North. It is felt that the provision of a total of 17 spaces would allow for acceptable levels of on-street parking provision. 4 more spaces would be provided than could currently be legally accommodated and they would be in safe and convenient locations, controlled by yellow lines rather than being unregulated, as is currently the case.

The existing track leading from the West of the site to Shefford Road would be closed off for vehicular traffic in to the site (other than those used by occupiers of or visitors to No 39a Shefford Road) and used as a pedestrian and cycling link. This link would be useful in connecting the site to the surrounding roads and services and would allow existing Clifton residents an opportunity to easily access the play area.

Parking at the site

Parking at the site would be provided broadly in line with the Council's current parking standards. All of the units would be provided with at least the number of spaces that the standards say that they should be but for the terraced housing at the North West of the site (Plots 52-63a - 12 units) that would have a shortfall of 2 spaces overall. In addition to parking spaces that meet the standards, all but one of the 4 bedroom units would be provided with a double garage. Amendments to the scheme have resulted in garages being increased in size so that they met the Council's recent standards (3.2 x 7m internally). With these garages being used for parking, the amount of off-street parking provided by the scheme overall would be significantly in excess of the Council's standards. A number of the houses would be served by carports and details of these would be secured by condition. The Council's standards set out that 18 visitor parking spaces should be provided at the site. 16 would be provided (including a surplus of two spaces near to Plots 5a-12). Given the over provision of parking elsewhere at the site, a small shortfall in visitor numbers would not be unacceptable. Visitors would likely be able to park on Plot, and the play area would be served by 4 visitor spaces.

The traffic and parking situation at the site would be acceptable.

5. Drainage, flooding, and sustainability

Neither the Environment Agency or Internal Drainage Board has objected to the application. The EA has requested conditions that would ensure that drainage from the site was properly dealt with.

A condition would require details of how low-carbon and renewable energy sources would be used at the site.

6. Other considerations

Ecology

The Council's Ecologist is concerned that the loss of existing trees and hedges at the site would reduce the site's ecological value. As such, a revised landscaping scheme would be sought by condition and a condition would control the provision of bird and bat boxes.

Archaeology

The applicant has submitted a report that demonstrates, to the satisfaction of the Council's Archaeologist, that no harm would be caused to local archaeological heritage assets.

Trees

Concern had been raised that inadequate attention had been paid to existing trees near to the boundary with Plots 1 and 2 (with the garden of No 28 New Road). In response, a revised Tree Survey was undertaken and submitted. The garages serving Plots 1 and 2 are now proposed to be positioned further from that boundary and tree protection measures are proposed. The Council's Tree Officer is satisfied that these measures would be successful and a condition is recommended that would ensure that the recommendations set out in the report were fully complied with. The Tree Officer has considered the overall quality of those trees and does not consider them worthy of a Preservation Order.

7. s106 and affordable housing

31.5% (23 units) would be affordable and they would be a mix of one, two and three bedroom units. Whilst lower than the Council's policy suggests (26 units would be provided if 35% was proposed) that the provision should be, amendments to the scheme have been made to address concerns raised and that has resulted in fewer units being proposed. In order to achieve an acceptable scheme here, a small reduction in the amount of affordable housing proposed would be acceptable. The tenure mix would be determined through the s106 agreement.

Contributions would be made to mitigate the impact of the development on existing local infrastructure in line with the Council's Supplementary Planning Guidance. The following contributions would be made:

Education: £607,479.34
Sustainable Transport: £37,241
Health Facilities: £47,835
Leisure, Recreational Open Space and Green Infrastructure: £203,716
Community Facilities and Services: £580
Community Cohesion: £1,387
Waste Management: £3,358
Emergency Services: £16,494

Total: £918,090.34

These contributions would be acceptable.

Local highways works

Consultation responses has made it clear that there is a perception locally that further local highway works would be beneficial. Whilst it is felt that the highways works proposed would mitigate the impact of the development on the local highways network, it is important that the s106 agreement is local relevant. As such, it is recommended that the following contributions are redirected from the total above towards highways improvement in the locality:

Healthcare: £47,835
Marston Vale Community Forest (from Leisure, Rec and Open Space)L £54,906
Emergency Services: £16,499

Total: £119,240

8. Conclusions

The principle of residential development at this site is established as acceptable by the site allocation policy. Fewer units and a smaller area of play space than that set out in the policy is proposed but that is justified by the fact that a fully policy compliant scheme would have resulted in a density unlikely to have been found acceptable. The site is slightly smaller than that allocated but not to an extent that undermines the objectives of the site allocation policy. The design and layout at the site would be good and the amount and quality of play space would be acceptable. No harm would be caused to living conditions at neighbouring houses. The access to the site would be safe and works to the highway would mitigate the impacts of the development. Parking would be provided in excess of the Council's standards. There would be no other planning impacts and the impact of the development on existing local infrastructure would be properly mitigated. Affordable Housing would be provided at an acceptable level. The scheme has been amended so as to address the concerns raised by Members when the scheme was presented to the Development Management Committee in June 2013.

Recommendation:

That Planning Permission is granted subject to the satisfactory completion of a s106 agreement reflecting the terms set out in this report and the following conditions:

- 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 **No development shall commence at the site before a construction and environmental management plan has been submitted to and approved in writing by the Local Planning Authority which shall detail methods that all developers, contractors and subcontractors will employ and shall include:**

- **Details of traffic routes and points of access and egress to be used for the construction process,**
- **Measures of controlling dust created by the development**
- **Measures to be used to reduce the impact of noise arising from the noise generating activities on site in accordance with best practice set out in BS:5228:1997 'Noise and vibration control on construction and open sites.**
- **The sighting and appearance of the works compounds**
- **Wheel cleaning facilities for construction traffic.**
- **The hours of work**

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

Reason: to safeguard the amenities of adjoining occupiers, to protect the surrounding countryside, and prevent the deposit of materials on the highway.

- 3 **No development shall commence at the site before details of the type and location of bat and bird boxes to be located at the site have been submitted to and approved in writing by the Local Planning Authority. The details shall be carried out as approved before any unit at the site is occupied.**

Reason: To ensure that the impact of the development on the ecological value of the site is reduced.

- 4 **No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate**

the surface water run-off generated up to and including the 100 year critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include

- 1. Details of all elements (i.e. modelling reference labels, designs, diameters, gradients, dimensions, and so on of all pipes, inspection chambers, and flow control device(s)) of the proposed drainage systems should be provided as part of the detailed surface water drainage scheme.**
- 2. Overland flood flow routes and subsequent flood risk in the event of surface water system failure. It is essential the flood flow is routed away from vulnerable areas and property, and that the development remains “safe”.**
- 3. Clear details of the ownership and responsibility of maintenance of all drainage including pipe networks, control structures and SUDS elements for the lifetime of the development.**

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future users.

- 5 Notwithstanding the submitted details, no development shall commence at the site before details of the proposed play area at the site including the proposed equipment, layout and materials to be used together with a timetable for implementation, and details of future management has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved in accordance with the approved timetable.**

Reason: To ensure that adequate provision is made for play at the site.

- 6 No development shall commence at the site before details of how the development will achieve a reduction in carbon emissions of at least 10% more than required by current Building Regulations through the use of on-site or near-site renewable or low carbon technology energy generation have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

Reason: In the interest of sustainability.

- 7 **No development shall commence at the site before details of bin storage/collection point have been submitted to and approved by the Local Planning Authority. The details shall be carried out as approved prior to the occupation of any dwelling at the site.**

Reason: In the interest of amenity.

- 8 **Notwithstanding the submitted details, no development shall commence at the site before revised details of hard and soft landscaping at the site including details of the proposed replacement hedgerow on the New Road frontage have been submitted and approved by the Local Planning Authority. The details should include justification for the proposed loss of existing trees and hedgerows at the site and a timetable for the implementation, completion, management and maintenance of landscaping at the site. The details shall be carried out as approved.**

Reason: To ensure a satisfactory appearance at the site.

- 9 Car parking shall be provided in accordance with drawing 479/03 E prior to the occupation of the relevant residential unit and shall be provided in full prior to the occupation of the last residential unit at the site.

Reason: To ensure that adequate car parking is provided at the site.

- 10 **No development shall commence at the site before details and samples of materials to be used in the construction of external surfaces at the site have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

Reason: To ensure that the appearance of the site would be acceptable.

- 11 **No development shall commence at the site before details of boundary treatment to be used at the site has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

Reason: To ensure adequate privacy for future occupiers.

- 12 **No development shall commence at the site before details of existing and proposed site and slab levels and proposed cross sections through houses that border the site have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

Reason: To protect living conditions of at neighbouring and proposed properties.

- 13 The development shall be carried out strictly in accordance with recommendations set out in section 9 (and the corresponding plans and drawings) of the Tree Survey, Arboricultural Implications Assessment Report and Arboricultural Method Statement revised on 9th July 2013.

Reason: To ensure that trees near to the site are not unduly harmed by the development.

- 14 **Notwithstanding the details shown for indicative purposes on the plans (and within the Transport Assessment) submitted in support of the application, no development shall commence at the site before a scheme indicating the following measures has been submitted to and approved by the Local Planning Authority.**

- **Speed reduction measures along New Road**
- **Measures to control on-street parking along New Road and surrounding junctions.**
- **Provision of parking bays within the New Road frontage of the site but clear of the existing carriageway.**
- **Provision of a varying width footway along the west side of New Road to form a continuous pedestrian link from the site to the junction of New Road with Shefford Road.**

No dwelling shall be occupied until such time as the approved works have been implemented unless otherwise agreed by the Local Planning Authority.

Reason: To safeguard against any detrimental impact the development may have on existing vehicle movement and parking along New Road and to provide a safe route for pedestrians.

- 15 **Notwithstanding the submitted details, no development shall commence at the site before details of works to Harbrook Lane so that it would be improved to provide a safe and convenient link for pedestrians and cyclists between the site and Shefford Road and a vehicular route for occupiers and visitors to No 39a Shefford Road have been submitted to and approved in writing by the Local Planning Authority. The details shall include surfacing, drainage and lighting (if proposed). No dwelling shall be occupied until such time as the approved works have been completed unless otherwise agreed by the Local Planning Authority.**

Reason: To secure a satisfactory access appropriate to the development, in the interest of public safety and convenience.

- 16 No part of the development shall begin until visibility splays have been provided on both sides of the access between a point 2.4metres along the centre line of the access measured from the edge of carriageway and a point 43.0metres along the edge of carriageway measured from the intersection of the centre line of the access. The area contained within the splays shall be kept free of any obstruction.

Reason: To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access.

- 17 **No development shall commence at the site before detailed plans and sections of the proposed roads, including gradients and method of surface water disposal have been submitted to and approved by the Local Planning Authority and no building shall be occupied until the section of road which provides access has been constructed (apart from final surfacing) in accordance with the approved details.**

Reason: To ensure that the proposed road works are constructed to an adequate standard.

- 18 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any amendments thereto, the garage accommodation on the site shall not be used for any purpose, other than as garage accommodation, unless permission has been granted by the Local Planning Authority on an application made for that purpose.

Reason: To retain off-street parking provision and thereby minimise the potential for on-street parking which could adversely affect the convenience of road users.

- 19 **No development shall commence at the site before details of a wheel cleaning facility have been submitted to and approved in writing by the Local Planning Authority. The facility shall be 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 roadwork's 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.

- 20 **No development shall commence at the site before a scheme for the secure and covered parking of cycles on the site (including the internal dimensions of the cycle parking area, stands/brackets to be used and access thereto), calculated at one cycle parking space per bedroom and * short stay spaces per unit, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into**

use and thereafter retained for this purpose.

Reason: To ensure the provision of adequate cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport.

- 21 **No development shall commence at the site before a scheme detailing access provision to and from the site for construction traffic that show what arrangements will be made for restricting such vehicles to approved points of access and egress has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be operated throughout the period of construction work.**

Reason: To ensure the safe operation of the surrounding road network in the interests of road safety.

- 22 **No development shall commence at the site before a scheme detailing provision for on-site parking for construction workers and deliveries 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.

- 23 Before first occupation of the approved development, all access and junction arrangement serving the development shall be completed in accordance with the approved in principle plans and constructed to the specification of the Highway Authority and Local Planning Authority's satisfaction.

Reason: To secure a satisfactory access appropriate to the development, in the interest of public safety and convenience.

- 24 **No development shall commence at the site before details of car ports at the site have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

Reason: To ensure that the appearance of the site and parking provision would acceptable.

- 25 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers [01 (Site Location Plan), 1 of 1 (Topographical Survey), JBA 13-53-02 rev A, JBA 13/53-01 rev B, JBA 13/53-03 rev A, 479/03 C, 479/04 B, HT-01 - 00, HT-02 - 01, HT-03-00, HT-04 - 01, HT-06 - 00, HT-07 - 01, HT-07/A - 00, HT-07/B - 00, HT-07/C - 00, HT-08 - 00, HT-09 - 01, HT-10 - 00, HT-11 - 00, HT-12 - 01, HT-13 - 01, HT-14 - 00, HT-15 - 01, HT-16 - 01, HT-17 - 01, HT-18 - 00, HT-19 - 00, HT-20 - 00, HT-21 - 00, HT-22 - 01, HT-23 - 00, HT-24 - 01, HT-25 - 00, HT-26 - 00, Foul and Surface Water Strategy, Tree Survey, Arboricultural Implications Assessment Report and Arboricultural Method Statement, Flood Risk Assessment, Phase II Geo-Environmental Assessment Report, Archaeological Geophysical Survey of

Land at Harbrook Lane, Clifton, Bedfordshire, Archaeological Desk Based Assessment, Archaeological Field Evaluation, Draft Heads of Terms, Energy Statement, Planning Statement (including Affordable Housing Statement), Preliminary Contamination Assessment Report, Statement of Community Involvement, Energy and Sustainability Report, Design and Access Statement, Measured Works Schedule Softworks only, Residential Travel Plan, Transport Assessment and Ecological Survey].

Reason: For the avoidance of doubt.

Notes to Applicant:

1. Groundwater flooding was not considered as part of the flood risk assessment. The risk of groundwater flooding should be considered at the detailed design stage, if underground storage is to be used, and appropriate mitigation measures taken based on this assessment.

Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SuDS). SuDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible. Ponds, reedbeds and seasonally flooded grasslands can be particularly attractive features within public open spaces.

2. [Groundwater and Contaminated Land](#)

We have reviewed the MLM Environmental Preliminary Contamination Assessment Report of 6 September 2012 (Ref: DMB/723732/R1), MLM Environmental Phase II Geo-environmental Assessment Report of 19 September 2012 (Ref: DMB/723732/R2) and MLM Environmental Foul and Surface Water Strategy drawing of 28 February 2013 (Ref: 615049/110) among other documents submitted with the application.

Following review of the above documents and our own information, we agree with the conclusion of the report that the site does not pose a significant risk to controlled waters, therefore we will not be providing detailed site-specific advice or comments with regards to land contamination issues for this site.

The developer should address risks to controlled waters from contamination at the site, following the requirements of the National Planning Policy Framework and the Environment Agency [Guiding Principles for Land Contamination](#).

3. [Environment Management](#)

The developer must apply the waste hierarchy in a priority order of prevention, re-use, recycling before considering other recovery or disposal options in accordance with environmental permitting regulations and in particular the Duty of Care. Further information can be obtained from your local Environment Agency office.

Excavated material arising from land development works can sometimes be classified as waste. For further guidance on how waste is classified, and best practice for its handling, transport, treatment and disposal please see our waste pages at <http://www.environment-agency.gov.uk/business/topics/waste/default.aspx>

Any facilities, above ground, for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipe work should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge into the bund. More information can be found in the Pollution Prevention Guidance 6 - Working at construction and demolition sites - at <http://www.environment-agency.gov.uk/static/documents/Business/EA-PPG6 - 03 2012 Final.pdf>

4. The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements and any Traffic regulation Orders. Further details can be obtained from the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
5. All roads to be constructed within the site shall be designed in accordance with Central Bedfordshire Council's publication "Design in Central Bedfordshire A Guide to Development" and the Department for Transport's "Manual for Streets", or any amendment thereto.
6. The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ . No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.

7. The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council's "Cycle Parking Annexes – July 2010".

8. The applicant is advised that no highway surface water drainage system designed as part of a new development, will be allowed to enter any existing highway surface water drainage system without the applicant providing evidence that the existing system has sufficient capacity to account for any highway run off generated by that development. Existing highway surface water drainage systems may be improved at the developer's expense to account for extra surface water generated. Any improvements must be approved by the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ

9. 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, Technology House, 239 Amphill Road, Bedford MK42 9BD.

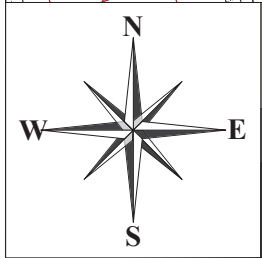
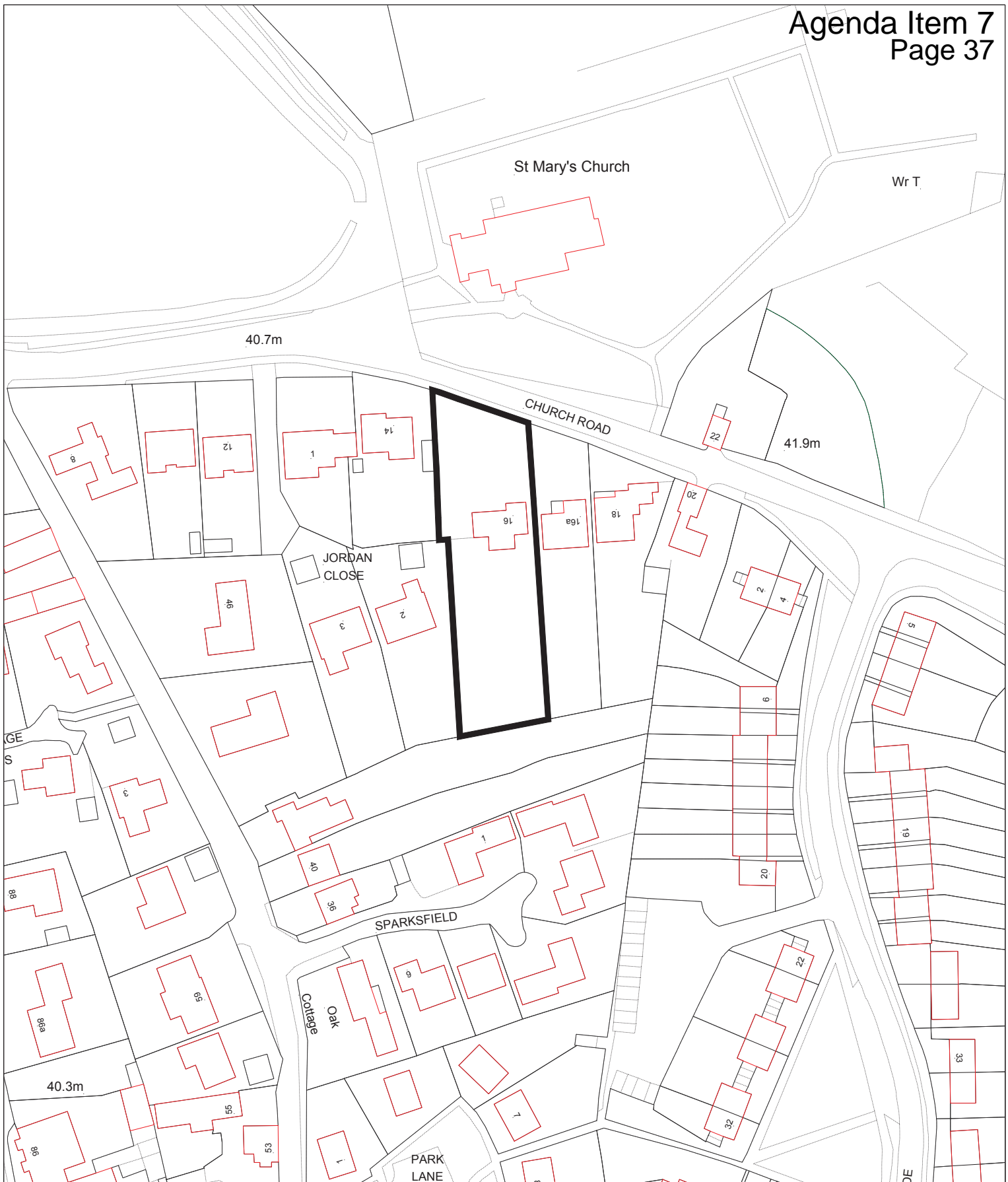
Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

DECISION

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Central Bedfordshire Council
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Date: 30:July:2013
Map Sheet No

Application No.
CB/13/01765/FULL

Scale: 1:1250

The Glebe, 16 Church Road, Henlow, SG16 6AN

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Item No. 7

APPLICATION NUMBER	CB/13/01765/FULL
LOCATION	The Glebe, 16 Church Road, Henlow, SG16 6AN
PROPOSAL	Erection of new dwelling
PARISH	Henlow
WARD	Arlesey
WARD COUNCILLORS	Cllrs Dalgarno, Drinkwater & Wenham
CASE OFFICER	Lauren Westley
DATE REGISTERED	01 July 2013
EXPIRY DATE	26 August 2013
APPLICANT	Mr & Mrs Jordan
AGENT	Mr R Bateman
REASON FOR COMMITTEE TO DETERMINE	Called in by Councillor Rita Drinkwater on the basis of scale, overdevelopment and overbearing impact to neighbouring properties and concern over access.

RECOMMENDED DECISION	Full Application - Approval
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Summary of Decision

The proposal, by reasons of its scale, design and location, would be in keeping with the character and appearance of the local area and the Henlow Conservation Area, would not have an adverse impact on the residential amenity of neighbouring properties and is acceptable in terms of highway safety. Therefore, the proposal is in accordance with the aims of the National Planning Policy Framework (2012), policies therefore by reason of its size, design and location, is in conformity with Policies CS2, CS14, CS15, DM3, DM4 and DM13 of the Core Strategy and Development Management Policies (2009) and technical guidance, Design in Central Bedfordshire: A Guide for Development (2010).

Site Location:

The application site is a residential plot, located within the Henlow Settlement Envelope. The site is occupied by a two storey detached dwelling, constructed around 1950, with a large rear garden. The western boundary of the site is well planted with hedging and trees and access to the site is available from Church Road.

The site itself is level, however there is a significant change in ground levels between the application site and the plots to the west, which are lower.

The site is located within the designated Henlow Conservation Area, and directly across the street from St Mary's Church, a Grade I listed building.

The Application:

The application seeks planning permission for the erection of a detached dwelling and garage in the rear garden area of the plot. The dwelling would be one and half storeys high, with front facing dormer windows. The dwelling would have three bedrooms, two on the first floor and one on the ground floor that would facilitate disabled use.

The garage is free standing and located to the rear of the proposed dwelling house.

Access to the property will be via a driveway to Church Road that will run along the western boundary of the site.

RELEVANT POLICIES:

National Planning Policy Framework (2012)

Section 7 - Requiring High Quality Design

Core Strategy and Development Management Policies - North (2009)

CS1 - Development Strategy

CS2 - Developer Contributions

CS14 - High Quality Development

CS15 - Heritage

DM3 - High Quality Development

DM4 - Development Within and Beyond Settlement Envelopes

DM13 - Heritage in Development

Supplementary Planning Guidance

Design in Central Bedfordshire: A Guide for Development (2010)

DS1 New Residential Development

Planning Obligations SPD (2009)

Henlow Conservation Area Appraisal (2009)

Planning History

MB/13/00302/FULL Erection of chalet bungalow

Withdrawn

MB/96/01390/FA Conservatory to rear

Approved: 27.11.1996

Representations

- | | |
|-----------------------------------|--|
| Henlow Parish Council | No response received. |
| Henlow Village Design Association | <p>Objection -</p> <ul style="list-style-type: none"> • Long access driveway, unsuitable for emergency use; • Existing and proposed driveways would dominate street view; • Tree survey identifies a number of issues and does not include current house plan or any detail of proposed planting on south or west boundaries which should be mandatory; • Lower lying neighbours could be put at risk and there should be adequate safeguards in place to mitigate against any land slippage. • Proposal does not comply with Design Supplement 1, p24 Boundary design and access for deliveries; Building line - too close to surrounding properties resulting in lack of privacy, minimal garden area and amenity space, overlooks properties; Characteristics - prefer smaller development with shared access; Plot - loss of existing trees, insufficient detail of replanting. |
| Neighbours
(Six responses) | <ul style="list-style-type: none"> • Drawings are incorrect, footprint of 2 Jordan Close is too small and therefore the relationship with 2 Jordan Close is wrong. No indication of the change in ground levels. • Non-compliance with Design Guide - DS1 and DS4. - Inadequate distance between rear of one property and front of another. <ul style="list-style-type: none"> -Development should not take place at expense or loss of positive aspects of character of street scene, or area as a whole, or unacceptable loss of amenity of the original house on the plot or its neighbours. -Within a conservation area -New development should avoid dominating existing building and have a sense of place and not be a road dominated development. • Window in 1st floor, directly overlooking 2 Jordan Cl and rear garden space and adversely impacts on other properties in Jordan Cl and Park Lane. • New design includes two front facing dormers as opposed to previous veluxes. Windows now look at a small angle into bedroom of 2 Jordan Close. Also look directly at rear of 16 Church Rd at a distance far less than 21m. A single storey rather than chalet development would remove these issues. • A large part of the current site which is laid to lawn and garden, will be covered by access roads and parking. The roads severely encroach on No. 16. • The proposal has minimal garden and amenity space due to overlarge footprint of the site. • Out of scale and overdevelopment, new dwelling would dominate the plot. • Concern over cutting down mature cedar tree in garden. It is |

main feature of the local area and should be protected by the Tree Preservation Orders that operate in the village. Its importance has been downplayed in arboricultural report.

- The applicant's plan shows new access running very close to western side boundary. The access road will place very substantial additional static and dynamic loads on the embankment for which there is minimal current retention. Some retaining walls are in place to protect No. 2 Jordan Cl but these would not have been designed assuming a vehicular access running along the edge of the embankment.
- A condition should be included on any approval to require an independent structural survey of the development's impact on the western embankment to be completed before the commencement of any works, to be submitted to the planning authority for approval.
- The increase in hard paved areas represents a massive increase in the potential for surface water to run down the western boundary and affect properties in Jordan Close. Condition should be included on any approval to ensure surface water is contained within the site.
- Concern about level of infill in Henlow, resident could move elsewhere rather than destroy vista.
- Church Road is a busy road, development would mean another access joining on to a narrow stretch.

Consultations/Publicity responses

CBC Highways No objection, subject to conditions.

CBC Trees and Landscaping No objection, subject to re-locating the driveway and conditions.

CBC Conservation No objection, subject to conditions.

Determining Issues

The main considerations of the application are;

1. Principle of development
2. Character, streetscene and appearance
3. Neighbouring amenity
4. Trees and landscaping
5. Parking and highways
6. Planning obligations
7. Other matters

Considerations

1. Principle of development

The site falls within the Henlow Settlement Envelope, where Policy DM4 (Development within and beyond settlement envelopes) states that the principle of residential development will normally be acceptable. Henlow is indicated as a Large Village, where small scale housing is encouraged provided it is commensurate with the scale of the settlement. However, the site (rear garden of No. 16) means that the proposal would be 'infill development' (small scale development utilising a vacant plot). On these sites, Policy DM4 states that this type of development should continue to compliment the surrounding pattern of development.

It is noted that there are several examples of 'infill' or 'backland' development in the local area, most notable Jordan Close to the immediate west and Sparksfield to the south. Jordan Close comprises three dwellings, two of which are located to the rear of dwellings in Church Road, and was approved in 1995. Sparksfield comprises 6 dwellings and was approved in 1986. As such the local area is characterised by a number of backland plots and this proposal would not be out of keeping with the surrounding pattern of development.

Design Supplement 1 (New Residential Development) of the Design Guidance also acknowledges that there may be a general justification for utilising underused land for housing, it reinforces the notion that the character of the area, in terms of plot coverage, landscape, building heights, privacy etc should be respected in the layout of new development.

Therefore, it is considered that the residential development of this plot is acceptable in principle, subject to detailed consideration of the layout and access, which is discussed further below.

2. Character, streetscene and appearance

The application site is located within the settlement envelope of Henlow and a predominantly residential area, with St Mary's Church and a playing field located to the north. In terms of the character of the area, as mentioned above, backland development is not out of keeping in the local area with several examples in close proximity to the application site. The site is within the Henlow Conservation Area and as such regard needs to be given to the impact that the proposal will have on the character of the conservation area. No's 16, 16A and 18 and the dwellings in Jordan Close are not positive buildings that contribute to the character of the conservation area, however they are neutral, background houses. No. 14 is a good example of an Arts and Craft style dwelling.

Though this part of the conservation area is relatively sensitive, the site for the proposed 1 and a half storey dwelling is tucked away in a backland location to the rear of No. 16 and thus would not have an especially significant impact on heritage assets in terms of paragraph 134 of the National Planning Policy Framework. That being said, the development should still be of a high standard of design. The amended design (from the initial application) is now acceptable, and has been modelled on the existing 1 and half storey dwellings to the west, in Church Road. The proposed dwelling will need to be constructed in suitable conservation materials. Conditions are to be imposed to ensure that acceptable materials are used.

The dwelling will be of a scale and appearance commensurate with surrounding dwellings, and the proposed plot sizes for the new dwelling and No. 16 will not

be dissimilar to those in the surrounding area.

Concerns have been raised about the increase in hard surfacing to the front garden area as a result of the access. Whilst it is appreciated that additional hardsurfacing will be required, subject to appropriate materials, this is not considered to be harmful to the character of the conservation area or the streetscene.

3. Neighbouring amenity

Relationship between proposal and No. 16

The proposed dwelling has been sited in the rear garden of No. 16 and as such regard needs to be given to the resulting amenity of the existing dwelling. It is noted that No. 16 benefits from a rear conservatory that is not shown on the submitted plans. The conservatory is located in the south west corner of the dwelling and projects roughly 1m further than the existing rear projection.

The proposed dwelling has been sited so as to allow a 21m distance between the front wall of the new dwelling and the rear wall of No. 16, this would be reduced to around 20m from the conservatory. The design guidance requires a 21m separation distance between first floor windows and this has been achieved. The slight reduction of this distance between the dwelling house and the conservatory is considered acceptable as the reduced distance would be for less than 3m, which is the total width of the conservatory.

No 16 will be provided with a 12m x 15m rear garden, a total area of 180m². This is considered a significant sized garden and is well above the recommended 50m² - 100m² given in the design guide. It is also larger than many of the surrounding gardens, particularly to the south of the site. As such is it considered that ample amenity space for the occupiers of No. 16 has been retained.

The new access will be located adjacent to the side flank wall of No. 16, which has two ground floor windows in the flank wall and the conservatory. Therefore regard should be given to the potential loss of privacy and noise and disturbance to the existing dwelling. The ground floor windows are small, secondary windows and as such will not be unduly affected by the siting of the access road. Boundary fencing may be required in order to ensure privacy from within the conservatory, but conditions requiring these details can be imposed. In terms of noise and disturbance, the erection of one dwelling is not expected to generate a significant number of car journeys, and as such it is considered that the erection of boundary fencing would ensure that any noise and disturbance would resulting from car journeys would be successfully mitigated.

As such, it is considered that the outlook, light, privacy and general amenity of No. 16 will be protected and that the proposal is in accordance with the guidance contained in the Design Guide.

Relationship between proposal and surrounding dwellings

The proposed dwelling is considered to have the biggest impact on the adjacent dwellings, No. 16A Church Road and No. 2 Jordan Close.

The dwelling has been sited 2m from the side boundary of No. 16A and as such will be clearly seen from the rear of this property. The proposed dwelling will be 18m (corner to corner) from No. 16a, however is offset so that direct overlooking will not occur. A window is proposed in the side flank wall, however the plans have been amended to sure that this window will remain obscure glazed and fixed shut, which will also be controlled by condition.

The proposal will result in a 7m long wall, 2m from the side boundary with No. 16a, to a height of 7.8m and as such regard should be given as to whether this will be overbearing when viewed from No. 16a. However given the separation distance from this dwelling, and that the wall is a gable end and therefore only reaches 7.8m at its peak, and reduces in height to either side of the ridge, the impact is considered acceptable. The dwelling will not result in a loss of outlook or light to the property.

The dwelling has been sited 6m from the boundary with No. 2 Jordan Close, with the garage 1m from the boundary. The submitted plans do not show the two storey rear extension on No. 2, which was approved in 2009. The two storey rear extension extends 5m from the rear wall of No. 2, bringing the rear wall of No. 2, to within 3m of the side boundary. It is also noted that the ground level of No. 2 is approximately 3m lower than the ground level of the proposed dwelling. Given the proximity of the two dwellings and the change in ground levels, regard needs to be given to the privacy, light and outlook of No. 2.

With regards to privacy, the front wall of the proposed dwelling, is roughly in line with the rear wall of No. 2, meaning that there can be no overlooking between the front windows of the proposed dwelling, and the rear windows of No. 2. The proposed first floor window in the side wall has been amended so as to be obscure glazed and fixed shut, which will also be controlled by condition. The driveway and garage will be sited close to the boundary, but given the existing boundary treatment (1.6m timber fence), it is not considered that there will be any loss of privacy as a result of future occupiers using the garage or driveway and would in any event be the same as the existing occupiers using their rear garden.

Given the change in ground levels, No. 2 is approximately 3m lower than the proposed dwelling, meaning that the first floor of No. 2 is roughly in line with the ground floor of the proposal. The top of the first floor window of No. 2 is just visible over the boundary fence when standing in the application site. As such, the proposal will have an impact on No. 2, but consideration needs to be given as to whether the impact is so unacceptable as to warrant refusing the application.

There is scope for the proposed dwelling to be considered overbearing when viewed from No. 2. However, on balance, it is considered that the relationship between the two dwellings will be acceptable. With a separation distance of some 8m, combined with the difference in ground levels, views of the proposed dwelling will be limited when viewed from the rear garden of No. 2. Views will be possible from the first floor window however they will be offset by the separation distance and boundary treatment. It is noted that the proposal is located to the south-east of No. 2, however given the height of the proposed dwelling and its set back from the boundary, it is unlikely that there will be any significant loss of

light.

The proposed garage will be much closer to the boundary, but remain further from the rear wall of No. 2. The garage will have a wall height of 2.2m, with a ridge height of 3.9m, taking into account the 1.6m timber fence and the 1m setback from boundary the garage is not considered to have a detrimental impact on the amenities of No. 2.

Given all of the above, on balance it is considered that whilst there may be an impact on No. 2, it is not considered to result in harm to the amenity of the property and an acceptable relationship between the two properties would be created.

Amenity of proposed dwelling

The proposed dwelling house will have approximately 140m² of rear garden space, orientated to the south. The design guidance requires between 50-100m² and as such, ample space has been provided for a three bedroom dwelling.

4. Trees and landscaping

Concerns were raised in the initial application regarding the proximity of the proposed access drive to trees on the west boundary of the site, and this appears to be unchanged.

A comprehensive tree survey and Arboricultural Method Statement (AMS) has now been supplied that identifies all tree on the site, their location, condition and root protection areas, and as can be seen from the supplied survey plan these areas are considerably compromised by the access road.

Whilst it is noted that there are methods of constructing drives and paths within root protection areas of trees that in theory can be low impact construction and have minimal effect on the trees and these are acceptable within BS 5837 2012 Trees in Relation to Design, Demolition and Construction; these should really be a last resort and regard should be given to alternative solutions.

T2 Birch, T5 Beech, T8 Scots Pine and T10 Scots Pine are the trees of the best quality and therefore most important to retain, but which are also most likely to be affected. Both T8 and T10 are within 0.5m of the new access with T5 and T2 at approximately 2 metres.

It is considered that the best way to improve the situation is to utilise the extra 2m between the proposed access road position, and the house. This will effectively move the drive an additional 2m further from the trees. There is also scope to reduce the width of the drive by 0.5m to give extra clearance for the trees.

As such, revised plans have been sought that show the driveway relocated closer to No. 16, which will provide an additional 2m clearance space between the access drive and the existing trees. It is therefore considered that subject to conditions ensuring work is carried out in accordance with the submitted Tree Survey and Arboricultural Method Statement (AMS), the proposal is acceptable.

It is noted that objections have been received in relation to the removal of the

existing cedar tree in the rear garden. The tree (T15) is an early mature Atlantic Cedar. Historically this tree would appear to have lost a number of large limbs that have pulled out from the main stem, and as the tree matures further and increases in limb weight, this is likely to happen again. The tree has already had reduction work carried out on it in the past, to have weight removed from longer, lateral limbs. In order to retain the tree in a safe manner, particularly bearing in mind the proximity of the proposed new build, it would require regular reduction work to reduce the chances of further limb loss. The category rating on the survey is that of a C Category, as indicated in *BS 5837 2012 Trees in relation to Construction*, which is an assessment that the Council's Tree Officer agrees with. As such, there is no objection to the removal of this tree.

5. **Parking and highways**

The application proposes the erection of a three bedroom dwelling in the rear garden, with a new 5.5m wide vehicular access provided on the western side of the property. The driveway will serve the new property and also act as an egress for the existing dwelling. The new driveway will reduce to 3.0m in width after the initial 10m section.

The new driveway will terminate in a turning area large enough for use by ambulances and small service vehicles and will provide access to the three parking spaces and garage to serve the new dwelling. The retained driveway for the existing dwelling is long enough to park 4 or 5 vehicles. Thus the off street parking can be deemed compliant with the Council's parking standards.

Visibility at the proposed access is acceptable and conditions can be attached to ensure its continued provision.

A refuse day collection point will need to be provided closer to the highway boundary to avoid the need for refuse vehicles entering the site.

The proposed development is unlikely to have a material impact on the local road network once completed.

6. **Planning obligations**

New development like that proposed has implications on the capacity of local infrastructure. The Council's Planning Obligations Supplementary Planning Document (North) sets out contributions that would be required to mitigate those impacts. A Unilateral Undertaking has been submitted and agreed that demonstrates that financial contributions would be made to mitigate the impacts of the development in line with that document.

7. **Other Matters**

Stability of Embankment

An objection was received in relation the impact that the access road will have on the stability of the embankment, which runs close to the western boundary of the application site. A condition was suggested requiring an independent structural survey of the development's impact on the embankment.

Whilst the concern of the objection is noted, the issue of structural stability is not a material planning consideration and as such conditions requiring structural surveys could not be attached to any permission.

Surface Water

Objections have also been received in relation to surface water runoff as a result of the increase in hardsurfacing proposed. It is considered that conditions controlling surface water, and a requirement for it to be dealt with on site, will ensure that there will be no unacceptable impact arising from surface water.

Human Rights Act

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

Equality Act 2010

Based on the information submitted, there are no known issues raised in the context of the Equality Act and as such there would be no known implications.

Recommendation

That Planning Permission be GRANTED subject to the following:

RECOMMENDED CONDITIONS / REASONS

- 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 **No development shall commence unless and until details of the proposed materials to be used for the external finishes of the proposed**

dwelling, to include walls, roof, openings, rainwater goods and boundary treatments for the whole site, have been submitted to and approved in writing by the Local Planning Authority. The development shall then be completed in accordance with the approved materials.

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, the visual amenities of the locality and the Henlow Conservation Area, in accordance with policies DM3 and DM14 of the Core Strategy and Development Management Plan (2009).

- 3 No development shall commence unless and until details of the on site vehicular areas have been submitted to and approved in writing to the local planning authority. The details shall include the materials to be used and arrangements for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway. The details shall be installed on site and thereafter retained.

Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises, to protect adjacent properties from water run off, and to protect the visual amenities of the area, in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009).

- 4 No development shall commence unless and until details of the junction of the proposed vehicular access with the highway have been approved in writing by the Local Planning Authority. 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, in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009).

- 5 Prior to the commencement of the use, vehicle visibility splays shall be provided at the junction of the access with the public highway. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 43m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall, on land in the applicant's control, be kept free of any obstruction.

Reason: To provide adequate vehicle visibility between the existing highway and the proposed access, and to make the access safe and convenient for the traffic which is likely to use it, in accordance with policy DM3 of the Core Strategy and Development Management Plan (2009).

- 6 Prior to the occupation of the dwelling, a triangular pedestrian vision

splay shall be provided on each side of the new access drive and shall be 2.8m, measured along the back edge of the highway from the centre line of the anticipated vehicle path to a point 2.0m measured from the back edge of the footway into the site along the centre line of the anticipated vehicle path. The vision splay 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 pedestrian visibility between the existing highway and the proposed access, and to make the access safe and convenient for the traffic which is likely to use it, in accordance with policy DM3 of the Core Strategy and Development Management Plan (2009).

- 7 Prior to the occupation of the dwellings, details of bin storage/collection point shall be submitted to and approved by the Local Planning Authority and thereafter provided on site.

Reason: To avoid the long term storage of refuse containers on the highway so as to safeguard the interest of highway safety, in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009).

- 8 Prior to occupation of the dwelling, the first floor windows shown on the side elevations (east and west) of the proposed dwelling shall be permanently glazed with obscured glass, fixed shut and thereafter retained. No further windows or other openings shall be formed in the elevation.

Reason: To protect the privacy of the occupiers of adjoining properties, in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009).

- 9 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.

- 10 The Tree Survey, Arboricultural Impact Assessment and Method Statement dated May 2013 and supplied with the application shall be made available to all relevant parties dealing with the development. It should be followed completely and in the order of process identified. Specifically that prior to **any** work being carried out on site the access driveway construction is to be completed and supervised by the arboriculturist and that all tree protection fencing and ground protection is installed as detailed in the Tree Survey, Arboricultural Impact Assessment and Method Statement (May 2013).

Reason: To ensure the ongoing health and longevity of these important boundary trees, in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009).

- 11 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any amendments thereto, the garage accommodation on the site shall not be used for any purpose, other than as garage accommodation.

Reason: To retain off-street parking provision and thereby minimise the potential for on-street parking which could adversely affect the convenience of road users, in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009).

- 12 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 extensions to the building hereby permitted shall be carried out, nor the provision of any building or enclosure, swimming or ornamental pool, without the grant of further specific permission from the Local Planning Authority.

Reason: To control the external appearance of the building in the interests of the amenities of the area, in accordance with policies DM3 of the Core Strategy and Development Management Policies (2009).

- 13 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1204/01 Rev D and 1204/02 Rev B.

Reason: For the avoidance of doubt.

Notes to Applicant

1. **Any conditions in bold must be discharged before the development commences. Failure to comply with this requirement could invalidate this permission and/or result in enforcement action.**
2. 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.
3. 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.

Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

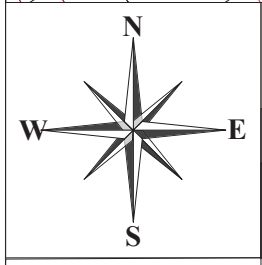
Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

DECISION

.....
.....



HOUGHTON REGIS



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Central Bedfordshire Council
Licence No. 100049029 (2009)
Date: 29:July:2013
Grid Reference: 501843; 224043

Application No.
CB/13/01759/FULL

Scale: 1:1250

**Thomas Whitehead Lower School, Angels Lane, Houghton Regis,
Dunstable, LU5 5HH**

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Item No. 8

APPLICATION NUMBER	CB/13/01759/FULL
LOCATION	Thomas Whitehead Lower School, Angels Lane, Houghton Regis, Dunstable, LU5 5HH
PROPOSAL	Construction of three classrooms and associated works
PARISH	Houghton Regis
WARD	Houghton Hall
WARD COUNCILLORS	Cllrs Mrs Goodchild & Jones
CASE OFFICER	Debbie Willcox
DATE REGISTERED	30 May 2013
EXPIRY DATE	25 July 2013
APPLICANT	The Governors
AGENT	Aedifice Partnership Ltd
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	Called in by Councillor Jones as he believes that the harm to the neighbouring Listed Building is outweighed by the public benefits of the scheme.
	Full Application - Refusal

Site Location:

Thomas Whitehead C of E Lower School is situated at the western end of Angels Lane, to the rear of Bedford Square and the Bedford Centre including the Public Library fronting Tithe Farm Road. Angels Lane also serves a row of terraced houses and the rear service area to Bedford Square shopping centre. To the south of the site is All Saints' Church, a Grade I Listed Building; to the west the rear gardens of residential properties on Bedford Road and to the north a service road serving garages to residential properties in Vicarage Road.

The single storey school buildings are located at the southern end of the site and comprise a single storey flat roofed building of buff/yellow brick construction with infill panels in some areas. The school is built around a central hall which serves as an assembly hall, dining area, sports/PE and drama hall. There are six classrooms leading from the hall, accommodating all of the children except Y4. The Nursery Unit forms part of the main school but has an independent entrance. There are hardplay facilities and playing fields situated to the north of the buildings. There are further areas of hard play to the south of the buildings. There is a good tree screen along the northern boundary and a number of trees in the south eastern corner of the site. The southern boundary with All Saints Church comprises a 1.8m high wall and the other boundaries are enclosed by a mix of close boarded and palisade fences, also at a height of 1.8m.

The Application:

Planning permission is sought for the erection of three additional classrooms, toilets and administration areas plus associated works at the southern end of the existing school building.

The extension would measure a maximum 39.4m wide by a maximum 6.8m deep with a height of 2.8m. The flank walls would contain mostly fenestration, while the long rear elevation would be punctured by a number of doors and windows. The extension would be connected to the main school by two corridors either side of the classroom formed in part from the new work and from the relocated ICT Suite. This would give the school three classrooms with an internal dimension of 57sq.m, a staff room of just under 30sq.m, staff work space and additional toilet facilities. The materials of construction would comprise facing bricks below a flat felt roof. All fenestration would be white.

The proposal is to enable the school to move from a lower school to a primary school. The school is currently a 1.5 form entry lower school with pupils aged between 3 and 9 (Nursery to Y4). From September 2013 it will become a 1.5 form entry primary school with an age range of 3 - 11 incorporating additional classes in Y5 and Y6. This change was approved by CBC on 16 April 2012. In order to operate as a 1.5 form entry primary school the school will need 11 classrooms. The school currently has 9 classroom sized spaces with 2 used for alternative purposes (SEN and parents' room) and one class housed in a portable building in the grounds. Sited to the west of the main school buildings is a standalone Pre-School facility operated separately to the school. The proposed three additional class bases will enable the school to create 12 classrooms with space to provide 11 classrooms and to reorganise the SEN and parents' room. The proposal would increase the capacity of the school from 264 children to 352 children (both figures including nursery capacity).

Relevant Policies:

National Planning Policy Framework (March 2012)

The National Planning Policy Framework (NPPF) was published on 27th March 2012 and replaced most of the previous national planning policy documents PPS's and PPGs. The following sections of the NPPF are considered relevant to this application.

Paragraphs 6 to 17 : Achieving Sustainable Development.
Section 4 - Promoting Sustainable Transport
Section 7 - Requiring good design.
Section 8 - Promoting healthy communities.
Section 12 - Conserving and enhancing the historic environment

South Bedfordshire Local Plan Review Policies

BE8 - Design Considerations
SD1 - Keynote Policy
T10 - Car parking in new developments

The NPPF advises of the weight to be attached to existing local plans for plans adopted prior to the 2004 Planning and Compulsory Purchase Act, as in the case of the South Bedfordshire Local Plan Review. Due weight can be given to relevant policies in existing plans according to their degree of consistency with the framework. It is considered that the Policies SD1 and BE8 are broadly consistent with the

framework and significant weight should be attached to them. Less weight should be attached to Policy T10

Development Strategy for Central Bedfordshire

Having regard to the National Planning Policy Framework, significant weight is given to the policies contained within the emerging Development Strategy for Central Bedfordshire, which is consistent with the NPPF. The draft Development Strategy is due to be submitted to the Secretary of State during 2013 and the following policies are considered relevant to the determination of this application:

Policy 1 - Presumption in Favour of Sustainable Development

Policy 2 - Growth Strategy

Policy 21 - Provision for Social and Community Infrastructure

Policy 26 - Travel Plans

Policy 27 - Car parking

Policy 43 - High Quality Development

Policy 45 - The Historic Environment

Policy 59 - Woodlands, Trees and Hedges

Supplementary Planning Guidance

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

Central Bedfordshire Local Transport Plan: Appendix F – Parking Strategy – endorsed by the Executive at the meeting of 02.10.12, with the following comments:

"1. That the Parking Strategy be endorsed, as amended to include the recommendations from the Sustainable Communities Overview and Scrutiny Committee, with the exception of the Overview and Scrutiny Committee's recommendation 2 that parking on grass verges not be permitted, as the published approach to parking in Central Bedfordshire.

2. That the parking standards set out in the Parking Strategy be endorsed as interim technical guidance for development management purposes."

Planning History

CB/12/01028/REG3	Permanent permission for the retention of temporary classroom portacabin (Application 07/1028).
SB/TP/07/01028	Permission for the erection of a Temporary Building for Pre-School Use Children's Centre and Facilities) - Temporary permission granted 30/10/2007 for a period of five years.
SB/TP/07/0543	Permission for the creation of a hard play area, erection of a boundary fence and formation of a new car park. (Re-submission of SB/TP/06/1309).
SB/TP/06/1309	Withdrawn application for the creation of a hard play area, erection of a boundary fence and formation of a new car park.
SB/TP/06/1303	Permission for the erection of an extension within courtyard area.

SB/TP/04/534	Permission for a single storey front extension to provide staff accommodation and alterations to nursery and new entrance.
SB/TP/93/349	Permission for the construction of a car park extension.
SB/TP/90/0005	Temporary permission for a 6-bay double classroom.
SB/TP/75/219a	Permission for the re-roofing of Assembly Hall and extensions.
SB/TP/75/219	Permission for the construction of a swimming pool.

**Representations:
(Parish & Neighbours)**

Houghton Regis Town Council	No objection.
Neighbours	The application was publicised by press and site notices and the direct notification of adjoining occupiers. No third party representations have been received as a result.

Consultations/Publicity responses

School Organisation and Capital Planning Team	<p>Comment as follows:</p> <ul style="list-style-type: none"> This proposal is to enable the school to extend its age range from 4-8 years to 4-11 years from September 2013. The move from a 1.5fe lower to a 1.5fe primary school was approved by Central Bedfordshire Council on 16 April 2012 and the additional class bases, toilets and administration areas proposed will provide essential capacity to allow for the change. The school will need 11 classrooms to operate as a 1.5fe primary school and currently has 9 classroom sized spaces, with 2 used for alternative purposes (SEN and parent's room). The proposed 3 additional class bases will make a total of 12, giving the school space to reorganise the alternative facilities currently contained within the 2 class bases into 1 and create the required total of 11 classrooms.
Sustainable Transport	The school is increasing pupil and staff numbers, so they need to address how to encourage sustainable access to the site as much as possible. A Travel Plan is required.
Tree and Landscape Officer	Objects to the application on the grounds that the impact on trees, both within the site and the adjacent churchyard has not been properly considered.
Highways	Recommends condition requiring the submission of a school travel plan.

Archaeologist

Comments as follows:

The proposed development site is located at the core of the historic settlement of Houghton Regis and has the potential to contain archaeological remains relating to the origins and development of the settlement. It is also immediately north of the medieval church and churchyard. There is evidence that medieval churchyards were often larger than the areas that became formalised in the post-medieval period. Therefore, the site has the potential to contain remains of Saxon and medieval burials.

Paragraph 128 of the NPPF states that local planning authorities should require applicants to describe the significance of any heritage assets affected by a proposal and where a site includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation. This application does not contain any information on the archaeological potential of the site or on the significance of the heritage assets with archaeological interest. It is, therefore, not possible to assess the impact of the proposal on archaeological remains or the significance of the heritage asset.

The applicant should submit an archaeological *Heritage Asset Assessment* comprising a desk-based assessment with a 500m radius area of search as soon as possible. However, it may be appropriate for the application to be withdrawn so that the *Heritage Asset Assessment* can be prepared and included in a resubmitted application. If the *Heritage Asset Assessment* is not supplied the application will be recommended refused on the grounds that the application is contrary to Paragraph 128 of the *National Planning Policy Framework*.

Conservation & Design
Officer

The proposed development extends built form of the existing school complex towards the north boundary of the historic churchyard of All Saints Church (Grade I listed). Development in this context of immediate designated historic asset setting needs to be considered in respect of impact upon both the church building itself and its associated churchyard, which itself is also an oasis of peace in a present busy townscape.

The character of the well-maintained churchyard is conveyed by through its shaded spaciousness, with a strong sense of enclosure provided by continuous brick boundary walling - both boundary enclosure and tree cover (both on-site and off-site) combine to impart an almost rural character to the churchyard which echoes its

historic origins.

I have noted the rather neutral impact of the existing school buildings adjoining the churchyard, resulting from the muted colour of constructional brick, the tree-screening and the robust form of boundary enclosure, and have noted the simple, single-storey extension proposed.

Given the importance that may be attached to them in respect of churchyard character, (and therefore to listed building setting), I take the view that providing there is no entailed loss or damage to either tree cover or boundary wall structure, I am satisfied that the proposed development, if carried out in carefully selected materials, will retain a 'neutral' impact upon churchyard and church character carried by the present structures, as noted.

Assuming that 'standard' Conditions controlling the use of appropriate constructional materials will be applied to any permission the LPA is minded to make, I therefore confirm no objection, *in principle*, to the proposed development.

English Heritage

In summary:

The proposal would harm the setting and significance of All Saints Church. The development would be visible from within the churchyard. Although the building is single storey and the design is simple, the increased density and impact on the Church is harmful.

The NPPF places great weight on the conservation of designated heritage assets and states that the more important the asset, the greater the weight should be. It also states that significance can be harmed by development within the setting of an asset. Any harm or loss should require clear and convincing justification.

In this instance the proposal would result in harm to the significance of the church. The School is positioned in the south east corner of the site with land to the north and the south west of the school building which could be developed to create the extra classrooms required. There is no explanation within the application as to why the extension could not be proposed in these locations. As there are alternative locations and opportunities to create these facilities within the site where there will be less impact on the setting of the church, the harm is not justified or outweighed by public benefit. The application should be refused.

Determining Issues

The main considerations in the determination of the application are:

1. **Principle of the Development**
2. **Design considerations, including impact on the setting of the adjacent Grade I Listed Church and churchyard and impact on trees**
3. **Archaeology**
4. **Highway and parking considerations**
5. **Impact on residential amenity**
6. **Other matters**

Considerations

1. Principle of the development

As part of its objective to promote healthy and sustainable communities, the Government is supportive of proposals that seek to create, expand or alter schools. Great weight should be given to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. (paragraph 72 of the NPPF).

As noted above, in this case, the proposed extension would facilitate the extending of the age range of the pupils from 3-9 years in lower school to 3-11 years in primary school. Because of this demonstrated need for expansion, the proposal is considered consistent with national advice and is therefore acceptable in principle.

2. Design considerations, including impact on the setting of the adjacent Grade I Listed Church and churchyard and impact on trees

The proposed extensions are modest in height and simple in design and would relate acceptably to the existing school buildings. However, the extension would extend the built form of the school closer to the Grade I Listed Church, creating a much stronger and more solid building line than currently exists. The full width of the extension would span the boundary of the Church, with a maximum separation distance between the extension and boundary of 2.2m and a minimum separation distance of 1.2m. It is considered that this increased density would have a detrimental impact upon the setting of the Grade I Listed Church and would consequently result in harm to the significance of the Church. The National Planning Policy Framework and Policy 43 of the emerging Development Strategy require the Council to give great weight to the conservation of the heritage asset, with a greater weight required for assets of greater importance. It is noted that the Church is Grade I Listed, placing it in the category of those buildings of exceptional interest and thus of great importance. While it is considered that the proposal would cause material harm to the setting and importance of the Church, it is not considered that the harm would be at the level termed "substantial harm". The National Planning Policy Framework instructs local planning authorities that when considering proposals which would result in less than substantial harm to the significance of a designated heritage asset, this harm should be weighted against the public benefits of the proposal.

In this case, while the public benefits of the scheme are recognised, it is considered that the applicant has not sufficiently explored potential mitigation

measures and alternative locations within the site to allow the public benefits to outweigh the harm to the significance of the Grade I listed church.

It is considered that the establishment of some planting, comprising trees and/or hedging to assist in screening the proposed extension from the churchyard would contribute to mitigating against the impact of the extension on the Church. There is an existing Ash tree on the boundary of the site and a group of trees, predominantly Ash in the south west corner of the site, which would aid in screening and softening views of the extension from the Church. However, no tree survey or landscaping scheme has been submitted and the Council's Tree and Landscape Officer has advised that the individual Ash tree will need removing as a result of the proposal and the group of Ash trees could also be destabilised by the proposal. The impact of the current proposal on the trees would thus result in a loss of screening between the school and the Church and would therefore increase the level of harm being caused to the setting of the Church.

These concerns have been put to the applicant and a site meeting has been arranged between the applicant, the planning officer and a representative from English Heritage with the aim of exploring the alternative locations and possible mitigation measures. This meeting will take place between the completion of this report and the Committee Meeting and the results of it will be reported on the Late Sheet.

Unless appropriate alternatives and/or mitigation measures can be agreed between the applicant, the Council and English Heritage, it is considered that the public benefits of the proposal would not outweigh the harm to the Grade I Listed Church and thus the proposal fails to conform with policy BE8 of the South Bedfordshire Local Plan Review, policies 43, 45 and 59 of the emerging Development Strategy for Central Bedfordshire Council and the National Planning Policy Framework.

3. Archaeology

It is noted from the comments of the Council's Archaeologist that an archaeological Heritage Asset Assessment has not been submitted and it has therefore not been possible to assess the likely impact of the development on the archaeological heritage assets on the site. This is contrary to the requirements of the National Planning Policy Framework and policy 45 of the emerging Development Strategy for Central Bedfordshire and on its own is considered to be sufficient to issue a refusal for the proposal. This Assessment was requested at an early stage of the application and has still not been received. Should the Assessment be received prior to the Planning Committee meeting, this will be reported to Members.

4. Highway and parking considerations

The proposal would result in an increase in the number of both staff and pupils, but there would be no change to access or parking arrangements. However, in light of the comments of the Highways Officer, it is considered that the proposal would not result in a material impact on highway safety, subject to the provision of a School Travel Plan, which would focus on promoting the use of sustainable methods of travel and reducing car use. Should planning permission be granted for this proposal, this should be controlled by condition.

5. Impact on residential amenity

As a result of the height, siting and design of the proposed extension, it would have no impact upon the amenity of neighbouring residents. This aspect of the proposal is therefore considered to conform with policies BE8 of the South Bedfordshire Local Plan Review and policy 43 of the emerging Development Strategy for Central Bedfordshire.

6. Other matters

Equality Act 2010

The Design and Access statement states that easy and safe site access will be maintained, but otherwise it is silent on issues of access. It is therefore suggested that, should planning permission be granted, an informative should be added to the decision notice bringing the notice of the applicant to their responsibilities under the Equality Act.

Human Rights issues

The proposal raises no Human Rights issues

Recommendation

That Planning Permission be REFUSED for the following:

RECOMMENDED REASONS

- 1 The proposed extensions to the school, by way of their siting, design and lack of appropriate screening, would harm the setting of the Grade I Listed All Saints Church, to the detriment of its historical significance. This harm would not be sufficiently outweighed by the public benefits of the scheme and as such the proposal is contrary to policy BE8 of the South Bedfordshire Local Plan Review, policies 43 and 45 of the emerging Development Strategy for Central Bedfordshire and the National Planning Policy Framework.
- 2 The application contains insufficient information to allow an assessment of the impact of the proposal on archaeological heritage assets within the site. As such the proposal is contrary to policy 45 of the emerging Development Strategy for Central Bedfordshire and the National Planning Policy Framework.
- 3 The proposed development would result in the unacceptable loss of or harm to trees to the detriment of the character and appearance of the area and the setting of the Grade I Listed All Saints Church; as such the proposal is contrary to policy BE8 of the South Bedfordshire Local Plan Review and policies 43 and 59 of the emerging Development Strategy for Central Bedfordshire.

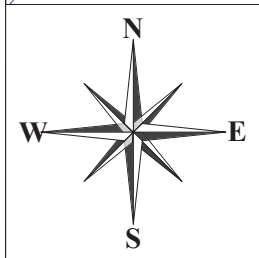
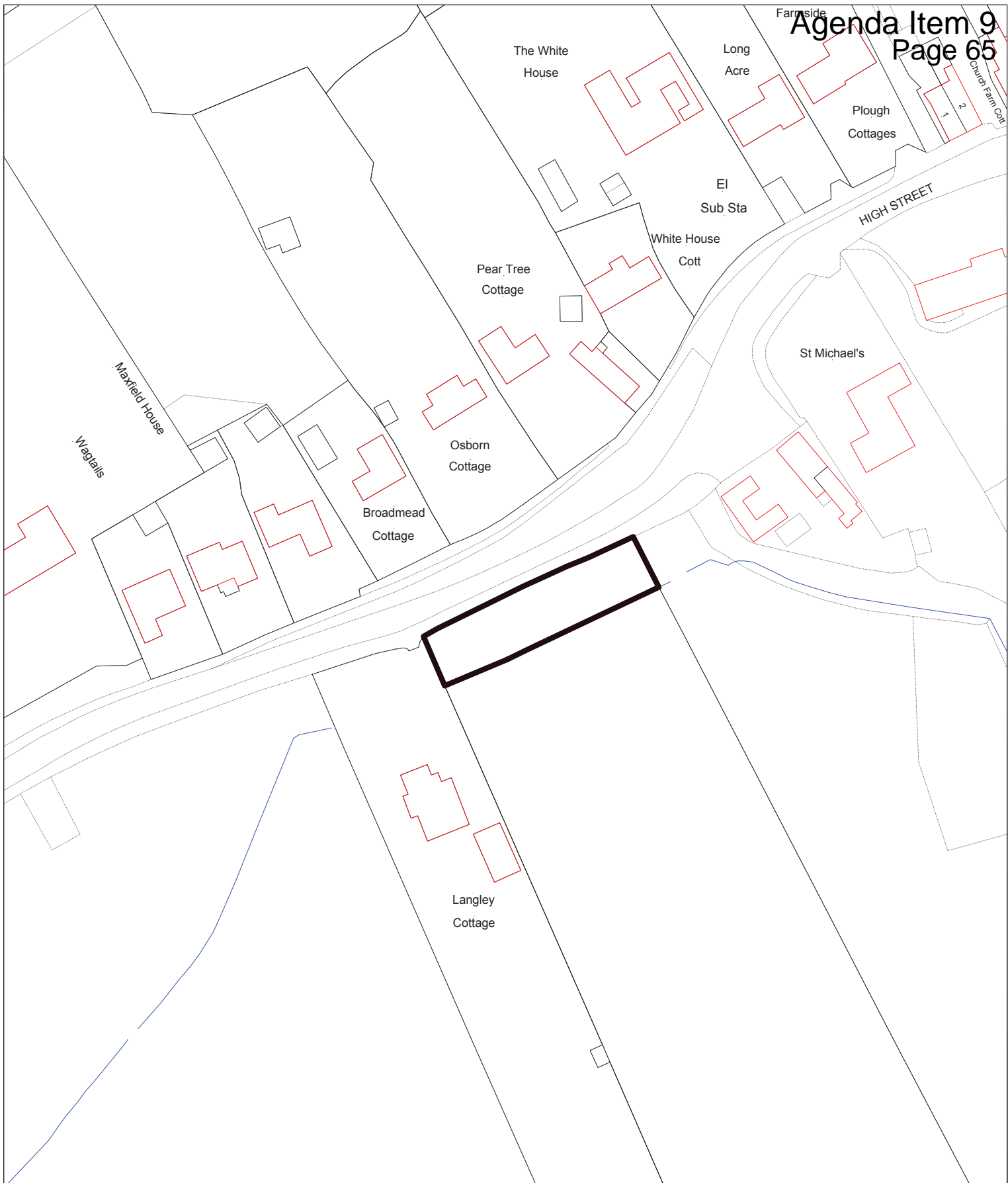
Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

Planning permission is recommended for refusal for this proposal for the clear reasons set out in this decision notice. The Council acted pro-actively through positive engagement with the applicant in an attempt to narrow down the reasons for refusal but fundamental objections could not be overcome. The applicant was invited to withdraw the application to seek pre-application advice prior to any re-submission but did not agree to this. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

DECISION

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Central Bedfordshire Council
Licence No. 100049029 (2009)
Date: 29:July:2013
Grid Reference: 495573; 225102

Application No.
CB/13/02189/FULL

Scale: 1:1250

Land adj to Langley Cottage, High Street, Eggington,
Leighton Buzzard, LU7 9PD

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Item No. 9

APPLICATION NUMBER	CB/13/02189/FULL
LOCATION	Land Adj to Langley Cottage, High Street, Eggington, Leighton Buzzard, LU7 9PD
PROPOSAL	Erection of horse stables and associated use of existing car parking area
PARISH	Eggington
WARD	Heath & Reach
WARD COUNCILLORS	Cllr Versallion
CASE OFFICER	Adam Davies
DATE REGISTERED	21 June 2013
EXPIRY DATE	16 August 2013
APPLICANT	Mr & Mrs Peck
AGENT	AZ Urban Studio
REASON FOR COMMITTEE TO DETERMINE	Cllr Versallion has requested that this application be referred to DMC regardless of Officers recommendation. Concerns are raised in relation to the scale of the building, parking and the storage of manure on site.
RECOMMENDED DECISION	Full Application - Refusal

Site Location:

The application site is located with the village of Eggington which is washed over by the South Bedfordshire Green Belt. The land also falls within Eggington Conservation Area.

The site comprises a rectangular parcel of land on the southern side of the High Street. The land is laid out as a car park to the adjacent woodland complex which is publically accessible as a 'woodland walk' under a permissible footpath agreement. The site is served by a single gated access from the High Street and is largely laid to earth with loose areas of stone aggregate. Areas of scrub growth have recently been cleared from the site, however the mature hedgerow and trees along the site frontage and the loose group of trees aligned along the rear boundary of the site have been retained.

The site is flanked by agricultural/paddock land immediately to the north east and the residential curtilage of Langley Cottage to the south west. A small watercourse runs along the southern boundary of the site within the adjacent woodland area. The application site, the woodland area to the south east and the neighbouring paddock beyond the adjoining residential property to the south west are all within the private ownership of the applicant. Langley Cottage is unrelated to the application site and is within separate ownership.

The Application:

Planning permission is sought for the erection of a stable building providing seven

stables arranged in a single row along the site frontage with the High Street. The building would measure 21 metres by 4.4 metres and a maximum of 3.2 metres in height. It would be of a timber construction with dark corrugated roofing and set on a concrete slab projecting beyond the footprint of the building to create a small yard area and drainage on the south east side of the stables. The yard area would be enclosed by post and rail fencing. Part of the existing parking area at the south western end of the site would be retained.

The submitted Design and Access/Planning Statement states that the building would be used to provide stable accommodation for the applicant's own family and others in the local area. It is stated that the site benefits from private access to the adjacent grazing field and direct access to an 80 acre network of private woodland with paths and cleared areas where horses may also be ridden. Officers' have requested further information regarding the nature of the proposed use and the planning agent has provided the following written comment: "The application is for a private stables, as opposed to a commercial livery stables or riding school or breeding centre. The stabling will be private as it will be used by the applicant's family or other private individuals wishing to stable horses, who can rent one or more stable units from the applicant. It is not a commercial operation."

RELEVANT POLICIES:

National Planning Policy Framework (NPPF)

Section 7: Requiring good design

Section 9: Protecting Green Belt land

Section 10: Meeting the challenge of climate change, flooding and coastal change

Section 11: Conserving and enhancing the natural environment

Section 12: Conserving and enhancing the historic environment

South Bedfordshire Local Plan Review Policies

Policy NE11 Controlling Horse-Related Development

Policy BE8 Design Considerations

Policy T10 Controlling Parking in New Developments

The NPPF advises of the weight to be attached to existing local plans for plans adopted prior to the 2004 Planning and Compulsory Purchase Act, as in the case of the South Bedfordshire Local Plan Review, due weight can be given to relevant policies in existing plans according to their degree of consistency with the framework. It is considered that Policy BE8 is consistent with the Framework and carries significant weight. Policies NE11 and T10 carry less weight but are considered relevant to this application.

Development Strategy for Central Bedfordshire

Policy 3: Green Belt

Policy 23: Public Rights of Way

Policy 24: Accessibility and Connectivity

Policy 27: Car parking

Policy 36: Development in the Green Belt

Policy 43: High Quality Development

Policy 44: Protection from Environmental Pollution

Policy 45: The Historic Environment

Policy 49: Mitigating Flood Risk

Policy 50: Development in the Countryside

Policy 55: Equestrian Development and Development related to the keeping and breeding of livestock

Policy 57: Biodiversity and Giodiversity

Policy 59: Woodlands, Trees and Hedgerow

Having regard to the National Planning Policy Framework, significant weight is given to the policies contained within the emerging Development Strategy for Central Bedfordshire, which is consistent with the NPPF. The draft Development Strategy is due to be submitted to the Secretary of State in 2013.

Supplementary Planning Guidance

Eggington Conservation Area Appraisal, March 2010

Design in Central Bedfordshire, A Guide for Development, Adopted 23 July 2010

Pre-Submission Core Strategy for Southern Central Bedfordshire adopted for Development Management purposes by Executive, August 2011.

CBC Emerging Parking Strategy, Appendix F, Central Bedfordshire Local Transport Plan, endorsed for Development Management purposes by Executive October 2012.

Planning History

There is no relevant planning history for the application site.

Representations:

Eggington Parish
Council

- The application should be refused.
- Several residents of Eggington have raised concerns regarding the proposal but do not wish to object themselves.
- There is a lack of adequate parking and turning space for vehicles including those towing horse-boxes. The proposal would give rise to parking along the High Street and associated highway problems.
- The application does not detail any storage space for animal feed or the arrangements for animal excrement which could otherwise result in the pollution of the adjacent watercourse.
- The building would be very close to the hedgerow along the site frontage and would not allow for maintenance of the hedge.
- It is stated that the applicant does not currently own any horses and it is considered that the proposal is intended to facilitate a commercial venture.
- There are no local facilities for horse riding and the High Street is unsuitable due to traffic volume.
- It is questioned why the building is not proposed to be located within the woodland area to the south east where trees could be removed to accommodate the stables.

- The proposal would not enhance the character of the Conservation Area.
- Concerns are raised regarding security and the risk that tack, feed and animals might encourage thefts in the area. The application does not detail any security lighting, although this would be harmful to residential amenity.

Neighbours

One objection has been received, summarised as follows:

- It is indicated that the proposal is not for commercial stables. This should be controlled by condition.
- No hours of use are provided. This should be controlled by condition to prevent noise disturbance from horse box movements during the night.
- There is insufficient parking and the proposal would lead to parking on the High Street.
- It is assumed there would be no permanent parking of horse boxes on the site.
- The application makes reference to drainage arrangements to prevent surface water entering the adjacent watercourse but does not provide waste management details.

One letter of comment has been received, summarised as follows:

- The ditch at the rear of the site should be kept clear at all times to ensure the garden at Langley Cottage is not subject to flooding.
- It is hoped that there would be only minimal disruption to the local power supply during the construction phase.
- Vehicular access to Langley Cottage should not be blocked at any time.
- As with the existing car park use, it is anticipated that the proposal would not affect the privacy of Langley Cottage.

Consultations/Publicity responses

Conservation and Design

The submitted application does not fully follow the pre-application guidance given in respect of the selection of constructional materials in the context of local character.

The key presumption of the NPPF that new development in the historic environment should make a positive contribution to local character is all the more relevant in this particular case, given the roadside location of the proposed development within the designated village Conservation Area.

I note that the finalised design includes stained weatherboarding, as advised, but note that a clear steer towards the appropriateness of a slate roof, in this context, has not been taken up and the corrugated sheeting put forward has been supported by an argument that previous (no doubt purely expedient) use of this material in the traditional farmsteads of the village has brought this material into the vernacular constructional 'palette' of the village Conservation Area.

This may be argued, but is clearly not the same, in outcome, as the NPPF aim that new development make a *positive contribution to local character and distinctiveness*.

The proposed roof cladding has also been argued on the basis that the use of slate is impractical in respect of the stabling facility to be offered, and would require a strengthened roof structure disproportionate to the simple structure proposed, with attendant cost implications.

In the context of the prominent, Conservation Area location of the proposed structure, the visual impact of the roof covering assumes particular importance.

Given the precise steer previously offered, and subsequent discussion, there seems to have been no consideration by Applicant or Agent, of available lightweight slate-effect roof cladding solutions available (a quick internet search suggests various solutions in this respect). This is disappointing.

In the context of visual impact, I am also uncomfortable about the emphasis placed upon the 'mediating factor' of hedge screening in the submission, and am conscious that the effectiveness of screening may be seasonal and reliant on a maintenance which is difficult, in any event, to secure through the Planning process.

The Applicant's Agent has left me in no doubt that my view regarding acceptable roof coverings for the proposed new building in this sensitive Conservation Area location is not shared by either himself or the Applicant, and further discussion on the matter has not proved positive.

Given the sensitivity of the location, and the key design-focused presumption of the NPPF regarding new development in the historic environment, I find the proposed structure does not adequately positively contribute to local character and distinctiveness, and **recommend refusal** as a result.

Trees and Landscaping	None received at time of drafting report.
Ecology	None received at time of drafting report.
Highways	The access should be hard surfaced for the first 5m from the edge of the highway boundary. The fence should be set back 5.0m from the edge of the nearside carriageway. There should be provision for a turning area of a horse box type vehicle (this will have to encroach into the blue land). Recommends conditions to deal with turning space and hard surfacing.
Bedford Group of Internal Drainage Boards	The Board has no objection to the development providing all storm water runoff is dealt with by means of soakaways and there is no storm water discharge to adjacent watercourse. In addition proper percolation tests must be conducted to ensure that soakaways can operate effectively on the development site.
Environment Agency	Arrangements for dealing with surface water are a matter for the Internal Drainage Board in this location. However, pollution prevention is within the Environment Agency's remit. The Environment Agency have reviewed the application and consider that planning permission could be granted to the proposed development as submitted if a scheme to appropriately store manure is secured by condition to prevent pollution of the water environment.
Public Protection	No objection. Recommends condition to prevent commercial uses.
Public Protection Land Contamination Officer	No comment.
Archaeology	<p>The proposed development site is located within the core of the medieval settlement of Eggington (HER 16879) and its extensive village green (HER 10841). Under the terms of the <i>National Planning Policy Framework</i> (NPPF) these are heritage assets with archaeological interest.</p> <p>At the time of the Domesday Survey of 1086 AD Eggington formed part of the Royal Manor of Leighton and did not have a separate entry. However, the origins of the settlement are likely to be in the Late Saxon period when a small settlement probably existed at the western end of the present village. During the medieval period the village grew eastwards from its original core and developed as a planned settlement around the green (HER 10841) created on the north side of the Thiodweg (HER 10843), a long distance trade routeway.</p>

The development of Eggington, so close to the parish boundary and the Thiodweg was a deliberate act likely to have been influenced by the economic benefits of having a settlement on an important trade route. Long established by the medieval period, the Thiodweg was used to transport salt and other valuable commodities.

The extent of the village green and its relationship with the medieval settlement are not clear, despite a number of surviving historic documents. However, in general terms during the medieval period development on village greens was strictly controlled, with only buildings or features relevant to the whole community being allowed. Cartographic sources also suggest the proposed development site may have been the site for the village stocks and well (HER 10783).

The proposed development site lies within an area that contains heritage assets with archaeological interest. However, as the *Design & Access Statement (incorporating Heritage Statement/Planning Statement)* submitted with this application indicates that the ground disturbance will not exceed 100mm (page 6) it is unlikely that there will be an impact on any surviving archaeological deposits present at the site. Consequently, I have no objection to this application on archaeological grounds.

Determining Issues

The main considerations of the application are;

1. Principle of development and impact upon Green Belt
2. Impact upon Conservation Area
3. Highways considerations
4. Drainage and pollution prevention
5. Neighbour amenity

Considerations

1. Principle of development and impact upon Green Belt

The application relates to an existing car park associated with the adjacent woodland complex. The site has very recently been cleared of areas of scrub growth across the parking area which indicates that the car park has not recently been subject to high levels of use. The land is publically accessible as a 'woodland walk' under a permissible footpath agreement. This is due to expire in 2015, although the applicant intends to continue to allow public access to the woodland area. As the car park and woodland area are within the private ownership of the applicant and the car park is not specifically protected under planning policy, no objection is raised in relation to the loss of the parking area in principle.

Within the Green Belt the provision of appropriate facilities for outdoor recreation, including proposals for horse-related development can be considered appropriate in principle where proposals are in accordance with SBLPR Policy NE11 and Policy 55 of the emerging Development Strategy for Central Bedfordshire.

Part A of Policy NE11 sets out that proposals of a commercial nature will not be permitted except where they can be accommodated within existing buildings and would not reduce the openness of the Green Belt, or unacceptably harm the character of the countryside. On the basis of the information provided, the proposal must be considered commercial as the stables would be available for rent. However, under the NPPF and the emerging Development Strategy for Central Bedfordshire there is no such presumption against a commercial equestrian development of this scale. Part A of Policy NE11 is not therefore considered to be consistent with the NPPF and as such the weight to be attached to Part A of Policy NE11 is diminished. It would be possible to prevent the use of the site as a commercial riding school or breeding centre by planning condition and, given the scale of the building and the number of stables proposed, it is considered that the renting out of the stables would not have a materially greater impact on the Green Belt than the use of the stables by the applicant's own family. As such an objection in relation to Part A of Policy NE11 could not be sustained in this instance.

In terms of the tests of Criterion B of Policy NE11 and emerging DS Policy 55, the proposal does not involve a new residential unit and it is stated that there is no ambition to achieve any associated dwelling. The applicant's adjoining land has an area greater than 3.5 hectares and therefore the proposed building would not provide more than one stable unit per 0.5 hectares of grazing land and would meet the general requirement regarding size as set out within Policy NE11. There are no other stable buildings on the applicant's grazing field to the west and the supporting information for the application states that there are no existing buildings available to the applicant which would be suitable for the proposed stabling. The proposal would not involve the subdivision of fields into smaller paddocks with separate stabling in each new area. The proposed building would not obstruct views across the site access into the open countryside to the south and would not appear intrusive within the wider landscape. The proposal is well related to a network of pathways and paddock land within the applicant's ownership where horses can be ridden. Detailed aspects relating to the impact upon Conservation Area character, the suitability of the retained parking and manoeuvring area and highway access and the impact on neighbour amenity will be addressed separately below.

In principle therefore, the proposal is not considered to be in conflict with Criterion B of Policy NE11 or Policy 55 of the emerging Development Strategy for Central Bedfordshire and is considered to represent an appropriate development in the Green Belt.

2. Impact upon Conservation Area

The proposed stables would occupy a prominent position within the core of the village, adjacent to the road at the front of the site. The character of this part of Eggington Conservation Area is partly defined by the loose 'ribbon' of built form along the High Street where development is generally grouped together along

the road. The building would be relatively wide but it would replicate the general proportions and form of existing agricultural buildings fronting the High Street at the eastern end of the village. Within the context of the neighbouring built form fronting the High Street, it is not considered that a new stable building in this location would be at odds with the general pattern of development within the village.

However it is important that the detailed design, finish and materials of the building are appropriate in this prominent location. In particular, the roof covering would be most visible in public views of the site from the High Street. The corrugated roof covering proposed does not follow pre-application advice given in respect of the selection of constructional materials and it is not considered that this would contribute positively to local character. Whilst there are examples of other buildings with corrugated roof coverings within the village, these are not considered a positive element of Conservation Area character which it would be appropriate to replicate in this case.

It is argued that the use of slate is impractical for the type of lightweight building proposed and that this would increase build cost. However the application does not demonstrate any consideration of available lightweight slate-effect roof cladding solutions available. The proposed stables would be set behind the mature hedgerow along the site frontage. The comments of the Tree and Landscape Officer have not yet been received. Whilst no concerns were raised at the pre-application stage regarding the implications for the adjacent hedge, it would not be possible to ensure that the hedge was maintained in perpetuity at its current height under a planning permission. As such this would not be sufficient to prevent an adverse visual impact upon the character of the Conservation Area. The application does not clarify why the stables are proposed to be located within the car park associated with the adjacent woodland complex rather than within the existing paddock land to the west which falls outside of the Conservation Area.

Given the corrugated roof covering proposed and their position, the proposed stables would appear as a prominent and obtrusive addition to the Conservation Area which would be to the detriment of the character of the locality. The proposal would not therefore enhance the character and distinctiveness of the area as required by SBLPR Policy BE8, emerging DS Policies 43 and 45 and the NPPF. Objections are therefore raised in this regard.

3. Highways considerations

Under the Council's emerging Parking Strategy, there are no maximum parking standards for this type of development. Highways have raised no objections to the proposal provided that the access is hard surfaced for the first 5 metres from the edge of the highway boundary and there is provision for a turning area for a horse box-type vehicle. This manoeuvring area would have to extend into the land outlined in blue to the south in order to achieve suitable space for larger vehicles to turn within the site and egress onto the highway in forward gear. As additional land is available within the control of the applicant, a suitable turning area could be secured by condition.

4. Drainage and pollution prevention

It is inevitable that the proposed stables would generate large quantities of horse

manure which would need to be stored on site. Storing large quantities of manure can have serious effects on the environment and if it is not stored correctly, the liquid run-off can have a serious impact on local water quality. This represents a significant consideration for this proposal due to the limited size of the site, the close proximity of the adjacent watercourse and the relationship to neighbouring residential properties.

Horse manure produced by commercial establishments is subject to separate control under the Environmental Permitting Regulations 2010. Therefore, separate to any planning permission, the applicant would have a duty of care to ensure that manure is stored, treated and disposed of in accordance with environmental health regulations. Manure heaps should not be located within 10 metres of a watercourse or within 50 metres of a well, spring or borehole. In this case, the site does not provide a suitable area to store manure without potential polluting effects on the watercourse. Therefore, the Environment Agency advises that a concrete base should be constructed so that pollutants are contained and do not drain away. It is recommended that this be secured by condition. Public Protection Officers have raised no objection to the proposal.

The adjacent watercourse falls within the jurisdiction of the Bedford Group of Internal Drainage Boards who raise no objection to the development providing all storm water runoff is dealt with by means of soakaways and there is no storm water discharge to the adjacent watercourse. This can be secured by condition.

Subject to the appropriate conditions, the proposal is considered acceptable in relation to drainage and environmental pollution, having regard to emerging DS Policies 44 and 49 and national guidance contained within the NPPF.

5. Neighbour amenity

Subject to the above conditions and separate environmental health controls, it is not considered that the development would have adverse implications for neighbour amenity.

Recommendation

That Planning Permission be REFUSED on the following grounds:

RECOMMENDED REASONS

- 1 The proposed stables would occupy a prominent position within the core of the Eggington Conservation Area, adjacent to the road at the front of the site. Given the corrugated roof covering proposed and their location, the proposed stables would appear as a prominent and obtrusive addition to the Conservation Area which would be to the detriment of the character of the locality. The proposal would not therefore enhance the character and distinctiveness of the area and is thus contrary to Policy BE8 of the South Bedfordshire Local Plan Review 2004, Policies 43 and 45 of the emerging Development Strategy for Central Bedfordshire, the principles set out within the Eggington Conservation Area Appraisal, March 2010 and Design in Central Bedfordshire, A Guide for Development and national guidance contained within the National Planning Policy Framework.

Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

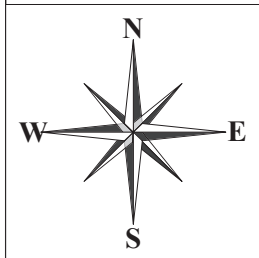
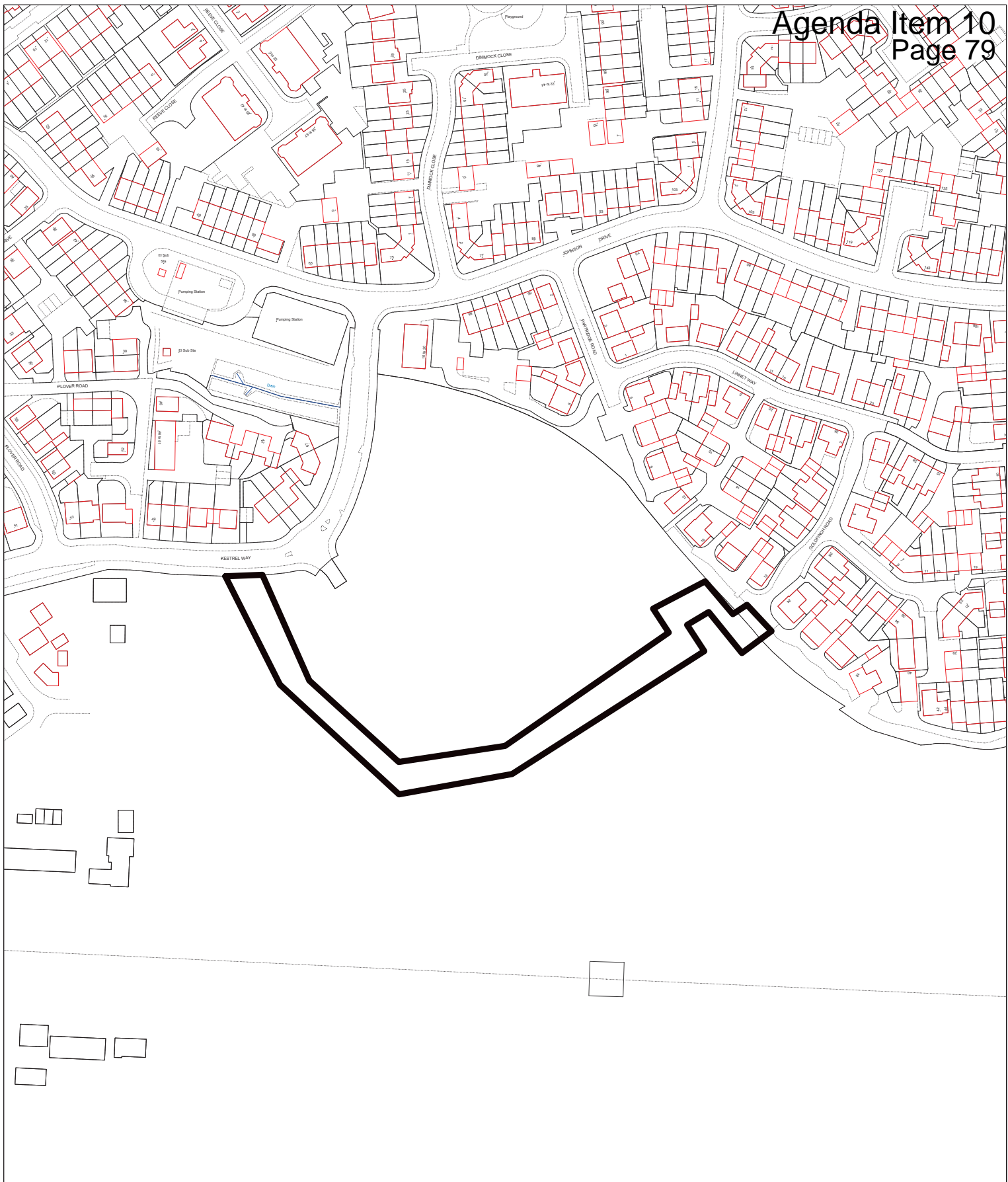
It is recommended that planning permission be refused for this proposal for the clear reason set out in this report. The Council acted pro-actively through early engagement with the applicant at the pre-application stage and during the determination process. This positive advice has however not been adequately followed and therefore the Council remains of the view that the proposal is unacceptable. The requirements of the Framework (paragraphs 186 and 187) have therefore been met in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

DECISION

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Central Bedfordshire Council
Licence No. 100049029 (2009)
Date: 29:July:2013
Grid Reference: 493222; 223724

Application No.
CB/13/01924/REG3

Scale: 1:2225

Land adj to Goldfinch Road, Leighton Buzzard, LU7 4BT

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Item No. 10

APPLICATION NUMBER	CB/13/01924/REG3
LOCATION	Land Adj to Goldfinch Road Leighton Buzzard LU7 4BT
PROPOSAL	Construction of a pedestrian and cycle bridge across the Swale channel
PARISH	Leighton-Linslade
WARD	Leighton Buzzard South
WARD COUNCILLORS	Cllrs Berry, Bowater & Dodwell
CASE OFFICER	Adam Davies
DATE REGISTERED	03 June 2013
EXPIRY DATE	29 July 2013
APPLICANT	Central Bedfordshire Council
REASON FOR COMMITTEE TO DETERMINE	Objections lodged to CBC application
RECOMMENDED DECISION	Regulation 3 - Approval

Reasons for Granting

The proposed bridge is an essential component of the public network of pathways to be provided through the residential estate and the adjoining public open space and would provide an element of public art to promote local distinctiveness and thereby enhance the public realm. The proposal would facilitate the separate provision of non-vehicular access to the rear of Leighton Linslade (Greenleas) Lower School from the north but would not have a harmful impact on the amenities of neighbouring residents and is not considered objectionable in relation to traffic and safety considerations as traffic associated with the school is to be managed through the implementation of a school travel plan in order to manage travel behaviour. The proposal is considered acceptable in relation to other relevant considerations and is therefore in conformity with Policy BE8 of the South Bedfordshire Local Plan Review, Policies 1, 22, 23, 24, 43 and 56 of the emerging Development Strategy for Central Bedfordshire, national advice contained in the National Planning Policy Framework and the supplementary planning guidance, 'Design in Central Bedfordshire, A Guide for Development', 2010.

Site Location:

The application relates to part of the former Pratts Quarry and South Leighton Buzzard development. The site comprises part a drainage swale and adjoining swale banks which will provide part of the drainage infrastructure for the development. The land lies to the west of Goldfinch Road, which, together with the adjoining housing development along Partridge Road and Linnet Way forms part of the recent housing development south of Johnson Drive. To the south east of the swale lies Site 15C for which reserved matters approval has recently been granted

for the erection of a total of 220 dwellings and the new Leighton Linlade (Greenleas) Lower School which is currently under construction. The application site also includes construction access via the adjoining residential development at Site 15C and part of the grassed verge at the south western end of Goldfinch Road.

The Application:

Planning permission is sought for the installation of a pedestrian and cycle bridge across the swale channel. The bridge is of a single-span design to be set on spread foundations and bearing plinths set into the bank on each side of the swale. It would measure a maximum of 14 metres by 2.5 metres with 1.4 metre high timber parapets incorporating hand-forged decorative steel panels depicting wildlife found around the site. The decorative panels would be galvanized and patented to leave a dull silver finish.

The bridge is designed to land on the 3 to 5 metre wide footway/cycle ways which are to be provided separately along each side of the swale channel. These will form part of a circular public route around the new lake leading from Kestrel Way to the west, along the northern side of the swale and around the lake area extending up to the southern corner of the site of the new lower school where the bridge is proposed to land. The bridge would provide a public link between the existing housing development north of the swale and the new housing areas to be constructed to the south. Subject to an additional point of access being provided as part of the adjoining lower school development, the bridge would also facilitate access to the rear of the new lower school from the housing areas north of the swale.

At present the swale land is fenced along the northern and southern boundaries and no public paths have yet been provided along the swale banks. There are currently two pathways to the northern boundary of the swale which have been provided as part of the housing development to the north. These are intended to connect the existing housing areas to the north with the northern swale-side path. One of the existing paths extends off Partridge Road. The other links to the swale boundary from Linnet Way. Under the reserved matters approval for the housing area, a third point of access is shown to be provided by the housing developer off Goldfinch Road. This third link, the swale-side paths and any additional access to the school are to be provided separately under the previous planning permissions and approvals for the surrounding area. These other public connections do not form part of the current application which relates solely to the proposed bridge.

The proposed bridge is to be provided by Central Bedfordshire Council as part of an investment of Section 106 monies secured for the locality and is to be procured as a joint project between Countryside Access Services and the Arts Development Team.

RELEVANT POLICIES:

National Planning Policy Framework (March 2012)

Section 4: Promoting sustainable transport

Section 7: Requiring good design

Section 8: Promoting healthy communities

Section 11: Conserving and enhancing the natural environment

South Bedfordshire Local Plan Review Policies

Policy BE8 Design Considerations

The NPPF advises of the weight to be attached to existing local plans for plans adopted prior to the 2004 Planning and Compulsory Purchase Act, as in the case of the South Bedfordshire Local Plan Review, due weight can be given to relevant policies in existing plans according to their degree of consistency with the framework. It is considered that the above policy is consistent with the Framework and carries significant weight.

Development Strategy for Central Bedfordshire

Policy 1: Presumption in Favour of Sustainable Development

Policy 22: Leisure and open space provision

Policy 23: Public Rights of Way

Policy 24: Accessibility and Connectivity

Policy 43: High Quality Development

Policy 56: Green Infrastructure

Having regard to the National Planning Policy Framework, significant weight is given to the policies contained within the emerging Development Strategy for Central Bedfordshire, which is consistent with the NPPF. The draft Development Strategy is due to be submitted to the Secretary of State in 2013.

Supplementary Planning Guidance

Design in Central Bedfordshire, A Guide for Development, Adopted 23 July 2010.

Pre-Submission Core Strategy for Southern Central Bedfordshire adopted for Development Management purposes by Executive, August 2011.

Planning History

SB/OUT/06/0869	Outline permission for up to 720 dwellings with site for single-storey lower school, associated play space, landscaping parking and access – Granted on appeal, Subject to Section 106 Agreement (Unilateral undertaking) (Site 15B, C, D).
SB/TP/08/1031	Permission for construction of swale and related engineering works with associated landscaping – Site 15B
CB/10/01214	Permission for construction of swale and related engineering works with associated landscaping – Sites 15C and 15D
CB/10/03014/RM	Approval of reserved matters for 230 dwellings (Site 15D).
CB/11/01585/RM	Approval of reserved matters for 34 dwellings (Site 15D).
CB/11/01879/RM	Approval of reserved matters for 34 dwellings (Site 15D).

Minerals & Waste

BC/CM/35/2004	Minerals permission for Pratts Quarry. Subject of a Section 106 Agreement
BC/CM/03/1574	Extension and restoration of Pratts Quarry to provide new and informal public open space and associated lake (BC/CM/03/29 refers) (Regulation 3).
BC/CM/18/1996	Minerals permission for Pratts Quarry

Representations:

Town Council

No objection.

Neighbours

22 objections have been received, summarised as follows:

- The bridge would result in additional traffic and associated safety problems on the adjoining roads due to parents making use of the additional access at the rear of the new lower school.
- There is a need for safety barriers to stop children running into the road and traffic management measures to deal with traffic on the adjoining roads.
- The roads to the north of the swale are unsuitable for additional traffic and parking due to their width, construction, the lack of separate footways and street lighting.
- The bridge will provide a meeting point encouraging litter and anti-social behaviour, including noise from motorcycles.
- The additional access point from Linnet Way is from a private driveway. Residents are responsible for the maintenance of this private land. Properties on the northern side of the swale were transferred to the new owners by the developer on the basis that there would be no public access through the site to the south. Additional traffic on this private land would increase the potential for damage to the roads and verges and the maintenance costs for the land owners.
- Concern about loss of privacy to residents due to the new connections to be created through the estate.

12 comments of support have been received, summarised as follows:

- The proposal would facilitate safe pedestrian access to the school for children and will encourage parents living locally to walk to the school with children rather than driving.
- The bridge would be used for cycling by local families.

Andrew Selous MP

Constituents have raised concerns that the proposal is unclear and has not been presented in a transparent manner and therefore the application should be referred to Development Management Committee. Requests concerns raised are considered in the assessment of the application.

Buzzcycles Leighton
Linslade

Support. Particularly given the art work on the balustrades. The width should be 2.5m and ideally 3m to conform to good practice. The relationship of cycle parking

to the school and the flows between also need some attention. Nevertheless, this bridge is vital as part of the development of the Ouzel Valley Park and Cycle Town network plus to give good walking and cycling routes around the new open space. We welcome the provision.

Consultations/Publicity responses

Sustainable Transport

Having read through the application documents for the construction of a bridge to cross the swale to provide pedestrian and cycling access from Goldfinch Road to the rear of the new Greenleas Lower School (Sandhills) I would like to positively endorse this proposal.

A bridge in this location will greatly enhance pedestrian and cycling access to the school which without this would be severely limited by having a sole point of access to the school from Kestrel Way. The type of facility will aid site accessibility and help to promote movement to and from the school site by sustainable mode.

By encouraging sustainable travel through this provision the benefits for local people will be multiple through preserving the local air quality, helping to limit polluting emissions as well as facilitating physical activity.

Support for this type of facility can be seen in Central Bedfordshire's Local Transport Plan (Walking strategy, Cycling strategy and Sustainable Modes of Travel to Schools and Colleges Strategy), and the Sustainable Communities Strategy. In addition further support for this type of measure to encourage physical activity is evidenced in NHS Bedfordshire's Physical Activity Strategy. It is also worthy of note that both the Education and Inspections Act (2006), and the New Planning Policy Framework (2012) both explicitly set out policy to encourage sustainable travel which the Swale bridge planning application clearly demonstrates.

Without the bridge the journey from the neighbouring residential areas will be significantly increased with a likely effect being that this journey to school is likely to be far less attractive on foot or bicycle and more attractive by car.

This proposal presents a fantastic opportunity which should be firmly grasped which will help to facilitate and set expectations regarding the travel culture preferred for pupils, parents and staff travelling to the new school site by sustainable means.

Owing to the points made above it can be concluded that the bridge across the swale is fundamental to encourage walking and cycling to school located within a sustainable transport exemplar site and therefore from a Transport Strategy perspective this application has support.

Highways Agency

No objection.

Voluntary and
Community Action

We support the proposed installation of the Swale bridge as it will further encourage walking and cycling across Sandhills, providing residents with improved access to community facilities, including the school and the Community House in Plover Road. We also applaud the involvement of residents in the design of the bridge, following a workshop held at the Community House earlier this year.

Minerals and Waste

It is noted that the precise crossing point over the swale as shown on the A3 colour plan dated 29 May 2013 accords with the final restoration drawing for the quarry (see drawing no 0329.1.2G in minerals planing scheme refs. CB/13/01816/MWS, CB/13/01820/MWS and CB/13/01822/MWS). The Design and Access / Planning Statement recognises that the bridge is an integral component of the public path network to be provided around the restored quarry land. From my team's perspective, the application does not raise any concerns.

Archaeology

No objection.

Determining Issues

The main considerations of the application are;

1. Principle of development
2. Public access, highways, parking and amenity considerations
3. Impact on character and appearance of locality
4. Other matters

Considerations

1. Principle of development

The proposed bridge is required to provide public access between the network of paths to be created around the public open space incorporating the swale land and the new lake to be created to the south east. The bridge would also provide a public link between the existing housing development north of the swale and the new housing areas to be constructed to the south. Subject to an additional point of access being provided as part of the adjoining lower school development, the bridge would facilitate access to the rear of the new lower school from the housing areas north of the swale. The bridge also represents an opportunity to provide an element of public art to promote local distinctiveness and thereby enhance the public realm.

The bridge has been shown indicatively in this broad location as part of various planning applications relating to the detailed layout of the adjoining housing areas and it has been a longstanding objective to provide a public link across the swale in this area over many years. In connection with this, two existing pathways to the swale land have already been provided as part of the housing developments built to the north of the swale; one from Partridge Road and one from Linnet Way. The reserved matters approval for this part of the estate also shows a third point of access from Goldfinch Road although, this pathway has not been provided by the housing developer and does not form part of the current proposal. The final position of the bridge as now proposed has been chosen to align with the approved layout for the adjoining housing and school developments and accords with the final restoration drawing for the quarry.

The bridge is an integral component of the public network of paths to be provided through the residential estate and the adjoining public open space and would provide an element of public art in the interests of local distinctiveness. The proposal is therefore considered acceptable in principle.

2. Public access, highways, parking and amenity considerations

At present there are two pathways to the north of the swale which have been provided as part of the Persimmon housing development. The third point of access shown to be provided from Goldfinch Road has not been provided by the housing developer. Neighbouring residents have advised that land at Goldfinch Road where a third point of access is to be provided, is now within private ownership and therefore it may no longer be possible to provide this link. Officers have requested clarification from Persimmon regarding the transfer of the land to residents in this area but have not received any response at time of drafting. Irrespective of this, following the final restoration of the quarry land the existing paths are to be connected to new public routes running through the public open space incorporating the swale and the lake. Additional points of access to the network of pathways around the swale and lake would also be provided from Kestrel Way to the west and from the new housing to the south. The proposed bridge would provide a public route across the swale between the neighbouring housing areas and would facilitate non-vehicular access to the rear of the new lower school from the housing areas north of the swale. This is subject to a secondary, rear access to the school being provided separately.

Neighbouring residents have raised concerns regarding additional traffic and parking along the surrounding roads to the north as a result of the proposed bridge being provided. It is important to note that, irrespective of the outcome of the current application a secondary, rear access to the school and public access to the swale land are to be provided under the previous planning permissions and approvals granted for the area. However it is understood that parking provision and on-street parking in general has been a concern locally within the residential area and any future development should not add unnecessarily to these concerns. As part of the planning permission for the school development, there is a requirement for the school to encourage sustainable modes of transport in order to reduce the use of the private car for trips to and from the school. The school is required to work with the Council to ensure that an effective school travel plan is in place and subject to suitable management and controls. There would be an ongoing commitment for the effectiveness of the

Travel Plan to be monitored and evolve over time so that the school works with parents to manage travel behaviour. In principle the proposal should reduce parent vehicle movements and parking in the estate by providing a convenient non-vehicular route for residents, particularly given the school's local catchment area.

As school traffic is to be managed closely through the implementation of the school travel plan, it is not considered that the level of resulting traffic on the adjoining roads would have a harmful impact on the amenities of neighbouring residents and the proposal is not considered objectionable in relation to traffic and safety considerations.

3. Impact on character and appearance of locality

The structural elements of the bridge development have been designed by Amey to meet relevant British Standards and highway design requirements and to accommodate locally inspired artistic elements as part of the final detailing. Workshops have been undertaken with local residents to help inform the final design. The bridge would include nine forged steel panels on each side depicting rushes, reeds, sand martins and other local wildlife. It is considered that the bridge would contribute positively to the character of the public open space to be provided and would reinforce the sense of place and local distinctiveness of the area as required by Local Plan Review Policy BE8 and Policy 43 of the emerging Development Strategy for Central Bedfordshire.

4. Other matters

Officers have discussed the proposal with the Environment Agency with regard to the drainage function of the swale and in relation to the potential for any increase in flood risk. The Environment Agency have confirmed that there should be no objection raised in these respects provided the bridge is of a single-span design which does not interfere with the swale channel itself. The bridge design has been specifically developed to meet this requirement and no concerns are therefore raised in terms of the implications for the drainage function of the swale.

Concerns are raised that the position of the proposed bridge is unclear as the application includes a number of historic planning drawings which show the bridge indicatively in various positions along this part of the swale. These plans have been submitted to show the planning history for the surrounding area and that the provision of the bridge has been a long term objective for the area throughout the various planning stages. For this reason, the planning history for the area is also set out within the detailed Design and Access/Planning Statement. Officers have previously met with neighbouring residents prior to the planning application in order to explain the proposal and, where any confusion has arisen during the determination period, Officers have discussed the application directly with neighbouring residents.

Recommendation

That Planning Permission be GRANTED subject to the following:

RECOMMENDED CONDITIONS

- 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 development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 100049029 and 606367-001-001.

Reason: For the avoidance of doubt.

Notes to Applicant

- 1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

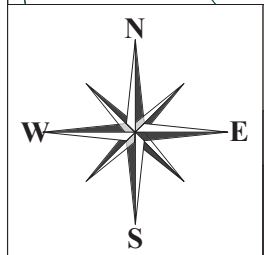
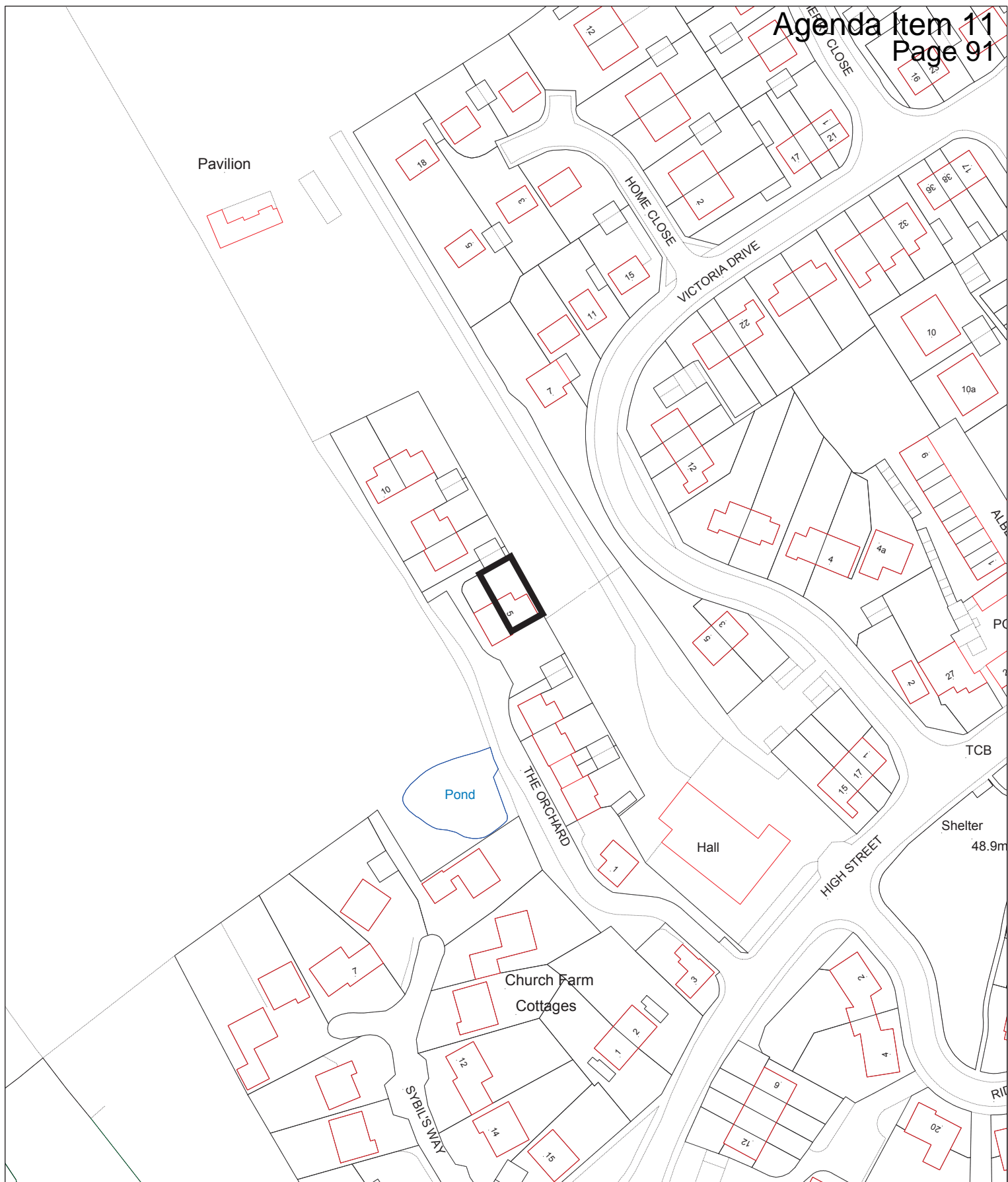
Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

Planning permission has been recommended for approval for this proposal. Discussion to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

DECISION

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Central Bedfordshire Council
Licence No. 100049029 (2009)
Date: 30:July:2013
Map Sheet No

Application No.
CB/13/02110/FULL

Scale: 1:1250

5 The Orchard, Houghton Conquest, Bedford, MK45 3NR

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Item No. 11

APPLICATION NUMBER	CB/13/02110/FULL
LOCATION	5 The Orchard, Houghton Conquest, Bedford, MK45 3NR
PROPOSAL	Two storey rear extension and single storey side extension
PARISH	Houghton Conquest
WARD	Houghton Conquest & Haynes
WARD COUNCILLORS	Cllr Mrs Barker
CASE OFFICER	Lauren Westley
DATE REGISTERED	19 June 2013
EXPIRY DATE	14 August 2013
APPLICANT	Mr & Mrs Litchfield-Goodman
AGENT	JPT Design Consultants
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	Called in by Councillor A Barker as the proposal is considered overdevelopment. Full Application - Approval

Summary of Decision

The proposal, due to its size, location and design, would be in keeping with the character and appearance of the dwelling house and surrounding area, and would not have an adverse impact on the amenity of neighbouring properties. Therefore, the proposal is in accordance with the aims of the National Planning Policy Framework (2012), policies CS14 and DM3 of the Core Strategy and Development Management Policies (2009) and the technical guidance - Design in Central Bedfordshire: A Guide for Development (2010).

Site Location:

The application site is located on the northern side of the High Street, in a small modern development of 10 dwellings now called The Orchards. The site itself is part way down the development, comprising a residential plot that adjoins the village hall land to the east and the rest of the residential development to the north, south and west. The site is occupied by a two storey semi detached dwelling house, constructed in red brick, with parking to the front.

The Application:

The application seeks full planning permission for a single storey side extension and two storey rear extension to the dwelling house. The extension will facilitate a larger lounge room and new garden room on the ground floor and new dressing room on the first floor. The single storey side extension will have a mono-pitched roof, extending 1.015m from the existing side flank wall, to bring the dwelling to the eastern boundary line, and extend 8.7m - the length of the dwelling. The two storey rear extension will have a rear facing gabled roof, and will 'infill' a corner section of the dwelling house, effectively only projecting past the existing rear wall of the

dwelling by 1.070m, with a width of 4.2m.

RELEVANT POLICIES:

National Planning Policy Framework (2012)

Section 7 – Requiring Good Design

Core Strategy and Development Management Policies - North (2009)

CS14 – High Quality Design

DM3 – High Quality Design

Supplementary Planning Guidance

Design in Central Bedfordshire: A Guide for Development (2010)

DS7 Residential Alterations and Extensions

Planning History

MB/03/00881/FULL Erection of eleven dwellings with garages and parking spaces.

Granted: 10.05.2004

Representations

Houghton Conquest Parish Council The Parish Council objects to the application on the following grounds:

- Planning permission MB/03/00881/FULL stated that in view of the limited garden depths, the dwellings would be unlikely to be suitable for extension.
- Maple tree in close proximity to extension and there is concern that root damage during construction may kill the tree, which could lead to subsidence.
- Access to oil tank for regular refilling would not be readily available.
- There is a covenant on the properties that place an obligation on residents not to cause a disturbance to neighbours, construction in such a small area is likely to cause disturbance.

Neighbours
(Four responses received)

- Detrimental to the look of the cul-de-sac, be out of character and set a precedent.
- Proposal significantly reduces the size of the rear garden and as such is an overdevelopment of the site.
- Adjacent tree that may need to be pruned and damage to the roots could cause die back and affect foundations and lead to subsidence.
- Covenant in place requiring the consent of the Management Company before works are carried out, not to obstruct shared accessways and not to cause inconvenience or disturbance to amenity of owners and occupiers.
- Previous planning permission removed PD rights and a note advised that future extensions would be unlikely due to limited garden depth.

- The car parking spaces can not be used for building equipment or materials. The road is narrow and privately owned and construction work will cause significant disruption and possibly damage to road.
- No consideration has been given to oil deliveries.

Consultations/Publicity responses

Trees and Landscape and There is one maturing Maple, within approx 2.5 metres of the site boundary. The tree is in fair condition with good vigour. It would seem that in the past the canopy has been reduced back from the property boundary, probably at the request of the applicant with regards to leaf/light issues.

The proposed extension will be up to the boundary and as a result it is likely that further requests to prune back will be asked for.

It is likely that roots from the Maple will encroach into the area of the foundations and as a result would be severed if conventional strip foundations are used. However, the trees are not covered by Tree Preservation Order and as such, the roots could be severed as a matter of course up to the boundary line of the property.

If the extension was permitted, a condition could be attached to require the use of minipile foundations or similar low impact foundations, which would ensure root damage does not occur. However it is my opinion that due to the ongoing issues of leaves, light and litter that will occur in the future as the tree continues to mature, the proposal is unviable.

Determining Issues

The main considerations of the application are;

1. Character, appearance and streetscene
2. Residential amenity
3. Tree issues
4. Other Matters

Considerations

1. Character, appearance and streetscene

The proposed development comprises a minor extension to an existing two storey dwelling house. The application site is effectively 'tucked' into a corner of the development, as it is set back behind No. 6 when viewed from The Orchards. The proposed side extension, which will extend 1m from the side flank wall of the dwelling will be well screened behind the existing dwelling and limited views of this extension will be possible from The Orchards. The two storey rear extension will be visible from the rear of the property, when viewed

over the rear garden of the property and the rear garden of No. 6. However the views of the proposal, from The Orchards and the surrounding dwellings, will be relatively limited and off-set by the existing dwelling, attached dwelling, and surrounding detached garages, and fencing. As such, the proposal is not considered to have a detrimental impact on the character and appearance of the development, or the street scene.

As the proposal will be visible from the adjacent village hall land, which is used to provide access to the village playing fields. Regard should be given to the views of the proposal from this vantage point. The proposal will extend to the boundary line with this land and run along the length of the boundary for 8.7m, and as such will be clearly visible when viewed from this land. However, the extension will be seen with the backdrop of the rest of the residential development and as such will not appear out of place.

The proposal has been designed to match the existing roof slopes and styles of the existing building and will be constructed in materials to match. As such, the proposal is considered acceptable and is in accordance with policies CS14 and DM3 of the Core Strategy and Development Management Policies (2009), and Design in Central Bedfordshire: A Guide for Development (2010).

2. Residential amenity

Due to the location and size of the proposal, it is not considered to have a detrimental impact on surrounding residential amenity. The side extension will effectively infill the space between the existing dwelling house and the boundary with the village hall land and as such will not impact on any surrounding dwellings. The two storey rear extension primarily infills a corner of the dwelling, only extending past the rear wall of the original dwelling by 1m. This has ensured that the light, outlook and privacy of the attached dwelling, No. 6, remains unaffected. The two storey rear extension will result in an additional first floor window that will have views over the rear gardens of No.s 7 and 8, however given the existing first floor window, and the existing detached garage between the boundaries of No. 7 and No.5, no material adverse impact is expected.

The rear extension will 'infill' an area of land to the rear of the existing dwelling house and as such it will reduce the amount of available amenity space at the rear of the dwelling. However due to this layout, the rear garden depth has largely been retained. The proposed extension will only encroach an additional 1m from the existing rear wall of the dwelling house, providing a minimum garden depth of 6m, increasing to 7m. It is noted that the available amenity space will be approximately 50m², which is in accordance with the Council's Design Guidance. It is also noted that the amount of amenity space provided remains more than what is currently provided at the attached dwelling No. 6 and adjacent dwelling No. 7, who both have less than 50m². As such, it is considered that the adequate amenity space will be retained and that the extension will not result in an overdevelopment of the plot.

Given the above, the proposal is considered acceptable and is in accordance with policies CS14 and DM3 of the Core Strategy and Development Management Policies (2009), and Design in Central Bedfordshire: A Guide for Development (2010).

3. Tree issues

The site itself does not benefit from any significant planting, however, adjacent to the proposal, on the village hall land, is a row of Maple trees, running perpendicular from the dwelling house. The nearest one being approximately 2.5m from the boundary of the site. Concern has been raised that these trees will be affected by the development, in particular that damage to roots may cause the tree to die, and subsequent subsidence issues.

The trees are not covered by a Tree Protection Order and are not sited within a Conservation Area, as such they do not benefit from any level of protection and their removal could occur without the consent of the Council. As such, if any tree roots currently exist within the boundaries of the application site, they can lawfully be removed by the owner as they constitute trespass. Therefore, regardless of this application, any existing roots can be removed at any time.

Whilst the tree officer has suggested that a condition requiring low impact foundations are used in order to ensure that the tree roots are not affected, under planning legislation regard needs to be given to the reasonableness of such a condition (Condition Circular 11/95). Given that the roots could be removed prior to the commencement of development, it is not considered reasonable to require the extension, which is only 1m closer to the trees than the existing dwelling, to be constructed with low impact foundations.

It is noted that the tree officer has indicated that the development may give rise to additional pressure to prune the tree as it matures. It is considered that this may very well be likely, however in itself would not be a reason for refusal as the trees themselves are not protected.

In terms of any resulting structural stability/subsidence issues that the removal of the roots may result in, these matters are outside the control of planning and planning legislation as they are dealt with by Building Control legislation. Therefore, the stability of the structure and impact that the tree roots may have on this are dealt with at this stage of the development, and are not a material planning consideration.

4. Other matters

It is noted that several of the objections referred to the original planning permission for the development and in particular an Informative attached to the permission. The Information states;

'The future occupiers of the dwellings hereby permitted are advised that in view fo the limited garden depth available to the properties, it is unlikely that they will be suitable for extension in the future'.

However, this is purely an advice note and would not stop an applicant submitting a planning application for an extension to a dwelling house. Now that an application has been submitted, it needs to be assessed on its merits, as is the case for all planning applications.

There are also several objections relating to the covenants on the property and their restrictions in terms of seeking consent for alterations, causing disturbance and maintaining access to shared areas. Covenants are not a material planning

consideration. They are a legal restriction between the parties entered into them and if they are breached, it is for the parties of the agreement to resolve the matters. Following on from this, there were also objections to the issue of construction vehicles and building materials restricting access or causing disturbance. Again, this is not a material planning consideration for a household extension and should issues arise they would need to be resolved through either the covenant, or other civil action - in the event that trespass occurs.

References were also made to the future deliveries of oil to the site, as the tank is apparently located in the rear garden. This is also not a material planning consideration. How deliveries are made, and whether they are done in a safe manner would be the responsibility of the oil provider and the applicants themselves.

Human Rights Act

Based on the information provided there are no known issues raised in the context of the Human Rights Act and as such there would be no relevant implications.

Equality Act

Based on the information provided there are no known issues raised in the context of the Equality Act and as such there would be no relevant implications.

Recommendation

That Planning Permission be GRANTED subject to the following:

RECOMMENDED CONDITIONS / REASONS

- 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 All external works hereby permitted shall be carried out in materials to match as closely as possible in colour, type and texture, those of the existing building.

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 building(s) and the visual amenities of the locality.

- 3 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers JPT/GOOD/0613/001.

Reason: For the avoidance of doubt.

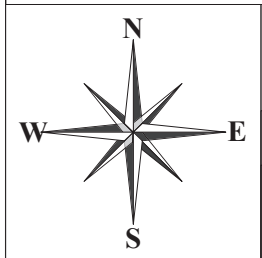
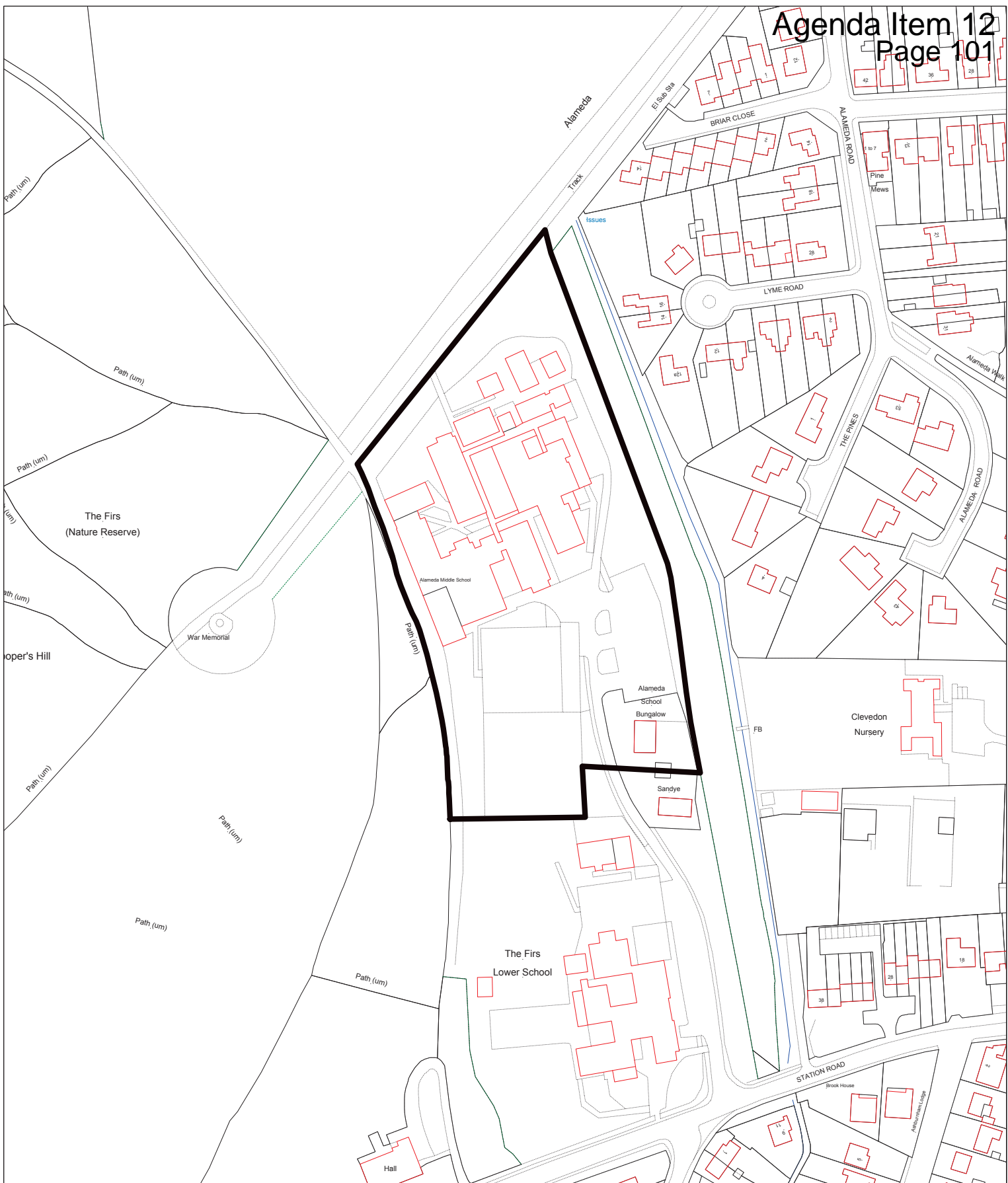
Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

Planning permission has been recommended for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

DECISION

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Date: 29:July:2013

Grid Ref: 503355, 237591

Application No.
CB/13/02192/FULL

Scale: 1:2225

Alameda Middle School, Station Road, Ampthill, Beds. MK45 2QR

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Item No. 12

APPLICATION NUMBER	CB/13/02192/FULL
LOCATION	Alameda Middle School, Station Road, Ampthill, Bedford, MK45 2QR
PROPOSAL	A two storey, ten classroom block to include office stores, WC facilities and three group rooms; A new hall for curriculum delivery and lunch time provision; Expansion of the playground area to provide a trim trail; Replacement and additional parking; Coach turning facility; New canopies over the existing quad areas; New gates and pupil entrance; Internal reconfiguration for improved facilities to support its SEN provision and improvements to the technology resource.
PARISH	Ampthill
WARD	Ampthill
WARD COUNCILLORS	Cllrs Duckett, Blair & Smith
CASE OFFICER	Annabel Gammell
DATE REGISTERED	24 June 2013
EXPIRY DATE	23 September 2013
APPLICANT	Alameda Middle School
AGENT	DLA Town Planning Ltd
REASON FOR COMMITTEE TO DETERMINE	The site is on land which CBC owns, this development is categorised as a major due to the amount of floorspace proposed and there has been an objection from the town council.
RECOMMENDED DECISION	Full Application - Granted

Recommended Reason for Granting

The proposal is in conformity with Policies DM3, CS14, CS15 of the Development Management Policies of the Core Strategy Adopted 2009, or Policies 1, 4, 21, 38, 43 and 45 of the Central Bedfordshire Development Strategy (draft), as it does not have an adverse impact upon the character or appearance of the surrounding area and does not seriously harm the amenities of neighbours and there is no unacceptable impact upon the character and appearance of the street scene or general locality. It is also in accordance with The National Planning Policy Framework, and 'Design in Central Bedfordshire', Adopted 2010.

Reason for committee to determine – The site is on land which Central Bedfordshire Council owns, this development is categorised as a major due to the amount of floor space proposed and there has been an objection from the Town Council.

Site Location:

The application site lies to the north of Station Road and south of Woburn Street within the settlement envelope for Ampthill. The site comprises of a range of modern school buildings forming Alameda Middle School which is located just north of The Firs Lower School. The site is constrained by built development and the Alameda Walk, the large proportion of the existing site is covered in single storey school buildings, constructed in a utilitarian adhoc style, largely of buff brick with a mix of flat and dual pitched roofs.

The Application:

This application seeks permission for a two storey, 10 classroom block to include offices, stores, WC facilities and group rooms, a new hall, expansion of playground, installation of trim trail, replacement and additional parking provision, coach turning provision, canopies over existing court yard areas, gates and pupil entrance, internal reconfiguration in the main school building.

The building would be constructed in 3 phases, with 6 classrooms and ancillary rooms as the 1st phase, the hall as the 2nd phase, and an additional 4 classrooms as the 3rd phase. The phasing will depend on budget and pupil numbers, however phase 1 would be intended for pupils starting September 2015.

The classroom block would be at the frontage of the school, on an area of existing parking, the parking would be relocated to the rear of the school site, in the place of existing temporary classroom units.

RELEVANT POLICIES:

National Policies

National Planning Policy Framework

Core Strategy/Development Management Policies

DM3: Protection of Amenity

CS14: High Quality Development

CS15: Heritage in Development

Central Bedfordshire Development Strategy (Draft)

Policy 1 – Presumption in favour of sustainable development

Policy 4 – Settlement Hierarchy

Policy 21 - Provide Community Infrastructure

Policy 38 – Within and Beyond Settlement Boundaries

Policy 43 – High Quality Development

Policy 45- Historic Environment

Supplementary Planning Guidance

'Design in Central Bedfordshire'. Adopted SPD Design Guide, 2010

Planning History

CB/10/00953/FULL	Retention of two single and one double classroom units for a temporary period. Granted.
CB/09/01198/FULL	Single storey side entrance. Additional works to extend existing enclosed hard surface play area. Granted.
MB/04/00913/CC	Installation of two double temporary classroom units and one single temporary classroom unit. Granted.
BC/CC/2003/19	Extensions to form hall, music room, science labs and 5 classrooms and relocated 2 temporary classrooms. Granted.

Representations: (Parish & Neighbours)

Amphill Town Council Support the principle of extending the school, however the design is out of keeping with the adjacent conservation area, it is considered wholly inappropriate, concerns over drainage, and the assess for coaches, concerns for tree protection, concerns over construction worker parking/traffic managements during busy times.

Neighbours No comments received.

Consultations/Publicity responses

Education Department This extension to the school site, is completely supported, and necessary to provide middle school places within the Amphill area.

Environmental Health No comments.

Highways No objections conditions to be recommended on the late sheet

Tree and Landscape No objections

Determining Issues

The main considerations of the application are;

1. **Principle and Background**
2. **Impact on the visual amenity of the surrounding area**
3. **Impact on the residential amenities of neighbouring properties**
4. **Other matters to be considered**

Considerations

1. Principle and Background

Within the Central Bedfordshire Core Strategy and Development Management Document (2009) Section 3.19.12 indicates the New Development required for Ampthill, this includes 118 Homes built between 2001-2008, 291 Planned for Homes, and a requirement for an additional 250-500 New Homes. Alameda Middle School is the only middle school within Ampthill, and it has a requirement to expand to meet the additional need for the housing in the local area. Section 106 money has been collected for education purposes; this funding would facilitate the expansion of the school site.

The school has been relying on temporary classroom accommodation, however this is only considered appropriate development when it could be considered that the need for the structures is temporary for example a spike in pupil number. Where possible a permanent solution should be found. It is evident that with the amount of new housing being constructed in Ampthill that school expansion is necessary.

2. Design and Impact on the visual amenity of the surrounding area

Design

The school has been significantly extended since its original construction, and in a piecemeal way, this has led to the school site being predominantly covered in single storey buildings. Due to pressure on the existing site, it is judged appropriate to allow a 2 storey building, as this is an economical use of the space available. The building has been design to maximise the use of the existing car parking area, which is at the front of the site. Other areas of the school site were considered, but for the size of the building required this location offered the most flexibility. The existing parking area would be relocated to the rear of the school on the area of existing temporary classroom units.

The building has been designed to be constructed in 3 phases to meet the needs of the growing school. With the additional pupil numbers there would not be enough space within the existing hall for lunch times and games lessons, therefore an additional hall would be needed. Due to the sports curriculum the additional height is required on this part of the building. It is considered that the design of the existing school is of utilitarian brick work. This new building would represent a new phase in the school's history. It is designed to have a modern appearance with contrasting horizontal and vertical lines to separate the phases and create an interesting and functional learning environment. Coloured panels have been chosen by the school to contrast with the brick built traditional buildings on the site. It is judged that although this does not match, it would be appropriate within the setting. The school is a learning environment for middle school age children, and it is considered that a bright colourful modern building would be more inspiring than a standard brick built construction.

Part of the application is linking canopies over the existing quads and court yards within the existing school, as the school is constructed in separate buildings, the canopies would provide a dry route system from different sections

of the school to facilitate a safe joined up school.

The additional play space is to provide additional outside play areas to accommodate the increased pupil numbers on the site. The trim trail would allow for a varied exercise and activity programme for the school.

Impact upon the visual amenity and character of the surrounding area

The school grounds are set back approximately 120 metres from Station Road, and the building would be some 130 metres set back. It is considered that the side elevation of the new hall building from this distance would have no significant impact upon the character or appearance of the streetscene in Station Road.

It would be possible to obtain views of the buildings between the mature trees from Alameda Walk. However, its visual impact would be mainly limited from within the site. The Alameda Walk is part of the Ampthill Conservation Area, it is considered that this building would preserve the views of the adjacent Conservation Area. The existing school buildings are currently single storey and of standard brick construction, it is not within the Conservation Area. It is accepted that the new building would be visible, however it is considered that the modern addition would add interest to the school site, and not detract from the character or appearance of the Conservation Area. The new school building would be located approximately 125 metres from the Conservation Area.

3. Impact on the residential amenities of neighbouring properties

The nearest residential properties not associated with the adjacent lower school or school site would be approximately 40 metres to the east. Due to this distance and the good level of screening afforded to the rear of these properties, the proposals will not significantly impact on the residential amenities of these properties. The building would be adjacent to the middle school bungalow, it is considered that although the new building would be two storey, the amenity of the occupier of the bungalow and the adjacent bungalow known as "Sandye" but associated with the Firs Lower School would be maintained. The development has been considered in terms of loss of light, the causing of an overbearing impact, loss of outlook and impact upon privacy.

No comments have been received from any neighbouring properties in relation to this application.

4. Other matters considered relevant to the application

Highways:

Pre application advice was undertaken prior to the planning application being submitted, this included working on the parking area and the coach turning area. The site is extremely constrained, and therefore it is necessary to maximise the space available. A coach turning area would be provided towards the front of the new building and its operation would be a school management consideration, to ensure there would not be a conflict with visitor parking. Car travel to and from the site would be discouraged by the school travel plan. The highway officer is satisfied that the provision of the replacement school parking area, and the new

coach turning area would be appropriate for the development.

Trees and Landscape:

The Alameda Walk has a large number of mature trees, this building has been designed to respect root protection areas. It is considered that the trees could be suitably safeguarded during the construction of the building, and associated areas. Conditions relating to the protection of trees adjacent to the site are recommended.

Human Rights issues

There are no known Human Rights issues.

Equality Act 2010

There are no known issues under the Equality Act.

Town Councils Concerns

Out of keeping with the adjacent conservation area, it is considered wholly inappropriate

This area is covered above, the site is not with the Conservation Area, and although it may be partly visible, it is considered to have a neutral impact. It is considered that the development would not harm or detract from the Conservation Area.

Concerns over drainage

This site would need to comply with Building Regulations regarding suitable drainage on the site. The Environment Agency have been consulted and any comments received will be reported to the Committee.

Access for coaches

The Highway Officer is satisfied that the coach turning area is suitable for the number of buses and the frequency that the coaches would be using the site. The School would have to manage the access arrangements at the start and end of the school day, however there would be a pedestrian entrance on the opposite side of the access to the coach turning area.

Concerns for tree protection

The Tree Officer is satisfied that the root protection areas would be safeguarded, the building and ancillary works have been designed to fit around existing protected trees, and those within the adjacent Conservation Area.

Concerns over construction worker parking/traffic managements during busy times

As this is an existing school site, it would be the schools preference and intention for the large proportion of the works to be undertaken within school

holidays, therefore access to the site would not conflict with the busy times on Station Road.

Recommendation

That Planning Permission is granted subject to the following:

RECOMMENDED CONDITIONS / REASONS

- 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 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 The Arboricultural Method Statement supplied with the application should be adhered to in terms of root protection and management of trees on site during construction.

Reason: To ensure the health and longevity of trees both on and off site throughout development.
- 4 **No works shall commence on site until a landscaping scheme to include any hard surfaces, species, sizes and densities of planting and earth mounding has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March).**

Reason: To ensure a satisfactory standard of landscaping.
- 5 **Before development begins, details of the levels of the existing ground and proposed ground levels shall be submitted to and approved in writing by the Local Planning Authority, and development shall thereafter be implemented accordingly.**

Reason: To produce a satisfactory relationship between the various elements of the scheme and adjacent properties, to protect the trees around the proposed car parking area.

- 6 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 13039 (D) 011, site plan, 13039 (D) 010, 13039 (D) 013, 13039 (D) 080, TPP/AMSSRAB/010A, 13039 (D) 005, 13039 (D) 012, 13039 (D) 051, 13039 (D) 050, 13039 (D) 052, 13039 (D) 053, 13039 (D) 081, 13039 (D) 110, P01, 13039 (D) 082.

Reason: For the avoidance of doubt.

Notes to Applicant

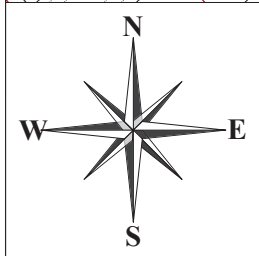
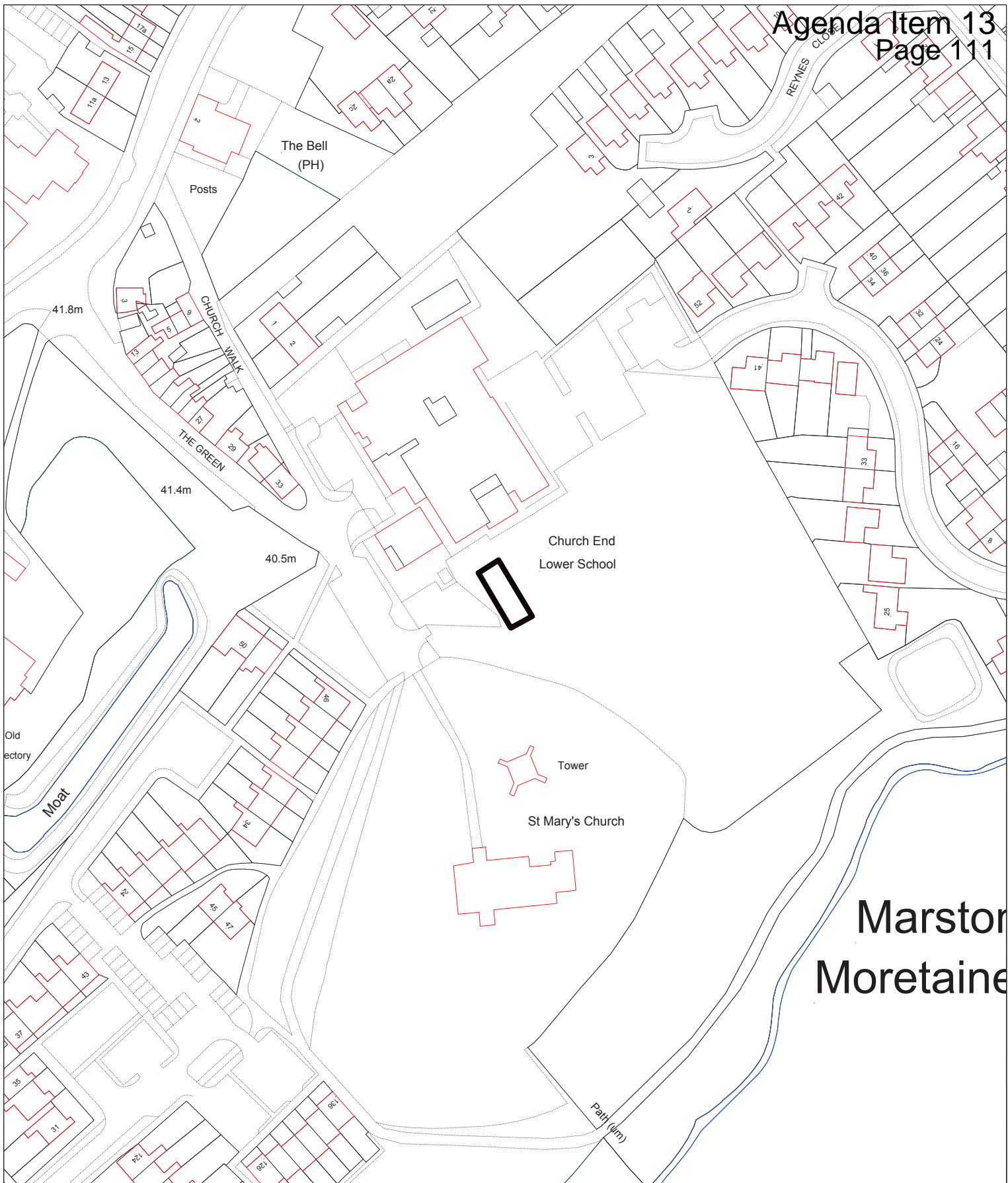
1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

Reasons for Granting

The proposal is in conformity with Policies DM3, CS14, CS15 of the Development Management Policies of the Core Strategy Adopted 2009, or Policies 1, 4, 21, 38, 43 and 45 of the Central Bedfordshire Development Strategy (draft), as it does not have an adverse impact upon the character or appearance of the surrounding area and does not seriously harm the amenities of neighbours and there is no unacceptable impact upon the character and appearance of the street scene or general locality. It is also in accordance with The National Planning Policy Framework, and 'Design in Central Bedfordshire', Adopted 2010.



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Date: 29:July:2013
Map Sheet No

Application No.
CB/13/01987/FULL

Scale: 1:1500

Church End Lower School, Church Walk, Marston Moretaine, Bedford

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Item No. 13

APPLICATION NUMBER	CB/13/01987/FULL
LOCATION	Church End Lower School, Church Walk, Marston Moretaine, Bedford, MK43 0NE
PROPOSAL	Erection of temporary double classroom unit.
PARISH	Marston Moretaine
WARD	Cranfield & Marston Moretaine
WARD COUNCILLORS	Cllrs Bastable, Matthews & Mrs Clark
CASE OFFICER	Annabel Gammell
DATE REGISTERED	06 June 2013
EXPIRY DATE	01 August 2013
APPLICANT	CBC
AGENT	Central Bedfordshire Council
REASON FOR COMMITTEE TO DETERMINE	The site is on land owned by CBC, an objection has been received.
RECOMMENDED DECISION	Full Application - Granted

Site Location:

The application site is Church End Lower School located on Church Walk in the village of Marston Moretaine. Church Walk is a predominantly residential lane which leads to St Mary's Church, a Grade I Listed building to the south.

Church End Lower School comprises a group of 1970s single storey and two storey flat roof buildings constructed in buff brick. The school's playground is located to the south of these buildings adjacent to the church yard of St Mary's.

The site is located within the settlement envelope and within an area of Important Open Space in the Adopted Core Strategy.

The Application:

This application seeks permission for the erection of a single storey double temporary classroom unit.

RELEVANT POLICIES:

National Policies

National Planning Policy Framework

Core Strategy/Development Management Policies

DM3: Protection of Amenity
DM5: Important Open Space

Supplementary Planning Guidance

'Design in Central Bedfordshire' Adopted Design Guidance, 2010: DS4 - Residential Alterations and Extensions.

Planning History

MB/07/01602/CC	County Council: Alterations and extension to form new office. No Objection to County Matter.
MB/07/00302/CC	County Council: Extension to form a classroom and proposed covered area. No objection.
MB/05/00621/CC	County Council: Single storey extension to form a classroom, store and cloakroom. No objection.
MB/04/00249/CC	County Council: Extension to existing nursery. No objection.

Representations: (Parish & Neighbours)

Marston Moretaine Parish Council	No objection.
Neighbours	One letter of objection received in relation to parking on Church Walk.

Consultations/Publicity responses

Site notice	No representations received.
Internal Drainage Board	No objections
Archaeology	No objections
Environment Agency	No objections.
Sport England	No objection.
Public Protection	No objection.
Highways	Comments to follow on the late sheet

Determining Issues

The main considerations of the application are;

1. **Background and Principle**
2. **Impact on the character and appearance of the surrounding area**
3. **Impact on residential amenities of neighbouring properties**
4. **Impact upon the highway**

Considerations

1. Church End Lower School is the only Lower School within Marston Moretaine, the site is constrained by residential development. Due to a large number of dwellings being constructed at Marston Park, there has been an increase in

pupil numbers, this temporary classroom is intended as a temporary solution. The Marston Park development will accommodate a new Lower School.

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

The proposed building would be screened by existing buildings on the site and from surrounding semi-mature trees which would help reduce the visual impact of the building from the end of Church Lane and within the church yard. It would be visible within the streetscene, however it is considered that on a school site for a temporary period of time, it would not have a significant impact upon the character or appearance of the area.

The application site also lies within an area of Important Open Space classified in the Adopted Core Strategy. Policy DM5 advises that where a proposal would result in the loss of Important Open Space, planning permission will only be granted for development where this would not have an unacceptable adverse impacts on its value either in visual or functional terms. The proposed building would be modest in size and used in relation with the existing activity on the site, it is considered as this would be for a temporary period of time, it is judged acceptable. It is not considered that this proposal would result in an unacceptable encroachment, to the detriment of the visual or functional value of the land.

The proposal will therefore preserve the character and appearance of the surrounding area in accordance with Policies DM3 of the Adopted Core Strategy.

3. Impact on residential amenities of neighbouring properties

Due to the good degree of separation between this part of the site and residential properties to the east and west, the proposal will preserve the residential amenities of neighbouring properties in accordance with Policy DM3 of the Adopted Core Strategy. This has been considered in terms of impact upon light, the causing of an overbearing impact, and any loss of privacy.

4. Impact upon Highway

The temporary classroom represents a temporary spike in pupil numbers, until Marston Park Lower School is constructed. The recommendation is made pending highway comments, and would be subject to change.

5. Other considerations

Human Rights issues

There are no known Human Rights issues.

Equality Act 2010

There are no known issues under the Equality Act

Recommendation

That Planning Permission be **Granted** subject to comments from the Highway Officer:

RECOMMENDED CONDITIONS / REASONS

- 1 The permission hereby granted shall be limited to a temporary period of 2 years commencing from the date of this permission after which date the temporary classroom unit shall be removed. The area on which the temporary unit was located shall then be reinstated to its former condition within a period of six months of the date of removal.

Reason: In the interests of visual amenity. The building is constructed of short lived materials only which are prone to deterioration.

- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, number 3001.

Reason: For the avoidance of doubt.

Notes to Applicant

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

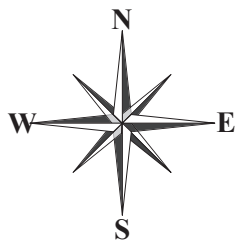
Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

Reasons for Granting

The proposal is in conformity with policies DM3 and DM5 of the Core Strategy and Development Management Policies document, November 2009 as the proposal does not seriously harm the amenities of neighbours, there is no unacceptable impact upon the character and appearance of the street scene or general locality and there would be no unacceptable loss of Important Open Space. It is also in conformity with The National Planning Policy Framework and Design in Central Bedfordshire: A Guide for Development.

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Date: 31:July:2013

Map Sheet No

Application No.
CB/13/02203/FULL

Scale: 1:1250

51 Greenway, Campton, Shefford, SG17 5BN

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Item No. 14

APPLICATION NUMBER	CB/13/02203/FULL
LOCATION	51 Greenway, Campton, Shefford, SG17 5BN
PROPOSAL	Proposed front & rear single storey extensions, side & rear double storey extension and a new vehicular access.
PARISH	Campton/Chicksands
WARD	Shefford
WARD COUNCILLORS	Cllr L Birt & Cllr T Brown
CASE OFFICER	Lauren Westley
DATE REGISTERED	11 July 2013
EXPIRY DATE	05 September 2013
APPLICANT	Mr K Donovan
AGENT	MJH Architectural Services & Design
REASON FOR COMMITTEE TO DETERMINE	Applicant is related to a member of staff for Central Bedfordshire Council
RECOMMENDED DECISION	Full Application - Approval

Summary of Decision

The proposal, by reason of its location, design and size, is in keeping with the character and appearance of the dwelling, would have a positive impact in the street scene and would not result in an adverse impact on neighbouring amenity. As such, the proposal is in accordance with the aims of the National Planning Policy Framework (2012), policies CS14 and DM3 of the Core Strategy and Development Management Policies (2009); and technical guidance, Design in Central Bedfordshire: A Guide for Development (2010).

Site Location:

The application site is located on the north-western side of Greenway, within the settlement envelope of the village of Campton. The site is occupied by an un-extended, two storey, semi detached dwelling house and detached rear garage.

Access to the site is via a shared driveway with adjacent dwelling No. 53.

The Application:

The application seeks consent for a single storey front extension, two storey side to rear extension and single storey rear extension to the dwelling house. The detached rear garage will be removed from the site and replaced with an integral garage and a new crossover will be provided to allow for a new access and associated driveway to the site.

The extensions will allow for an additional bedroom on the first floor, making the dwelling a four bedroom house, and an enlarged kitchen, diner and lounge, as well as integral garage on the ground floor.

RELEVANT POLICIES:

National Planning Policy Framework (2012)

Section 7 - Requiring good quality design

Core Strategy and Development Management Policies - North (2009)

CS14 - High Quality Development

DM3 - High Quality Development

Supplementary Planning Guidance

Design in Central Bedfordshire: A Guide for Development (2010)

DS4 Residential Extensions and Alterations

Planning History

None

Representations

Campton and Chicksands Parish Council No response received

Neighbours No response received

Consultations/Publicity responses

CBC Highways No objection, subject to conditions.

CBC Public Protection - Contaminated Land No response received.

Determining Issues

The main considerations of the application are;

1. Character, appearance and street scene
2. Neighbouring amenity
3. Parking and highways

Considerations

1. Character, appearance and streetscene

The proposed extensions to the dwelling house are significant as they will result in a front, side and rear extension to the original dwelling house. However, they are considered to be well designed so as to represent an improvement to the overall appearance of the dwelling.

The single storey front extension will create a more attractive front entrance to the dwelling, with a hipped roof proposed over the front entrance and garage door.

The two storey side extension will extend at the same ridge line and building line as the original dwelling. Whilst the design guidance does encourage side extensions to be stepped down and back from the original buildings, in this instance the proposal is considered acceptable as the attached dwelling (No. 49) already benefits from a two storey side extension which extends the roof line and front wall of the existing building. Therefore, to step this extension down and back would un-balance the semi's. Furthermore, the design guidance raises concerns that extensions that are not stepped back will result in a change of brick colour that can detract from the appearance of the dwelling, however in this case, the original building is rendered and the extension will be treated in the same way. The proposed side extension remains less than half the width of the original building, and will have a hipped end roof to the same angle as the existing roof. It is therefore considered that the proposed two storey side is in keeping with the character and appearance of the original dwelling.

The rear extension is part single storey, part two storey and extends for the full width of the original dwelling and the proposed side extension. The two storey element will have a hipped end roof and the single storey element will be a flat roof, with roof lanterns to allow for maximum light into the room. The extensions are considered to have been design so as to remain in keeping with the style and scale of the original building and as such are considered acceptable.

There are also several examples of similar developments within the local area, most notable at No. 49 (attached) and No. 55, both of which benefit from two storey rear extensions.

The proposed extensions are therefore considered to be in keeping with the character and appearance of the original dwelling and the local area and will have a positive impact on the street scene.

2. Neighbour amenity

The proposals are considered to have an acceptable impact on both adjoining properties.

In relation to No. 49 (attached), the proposed single storey rear extension will extend along the shared boundary by 5m, however it will abut an existing two storey rear extension on No. 49. Given that the proposal is single storey along this boundary, the proposal is not considered to have an impact on the light, outlook or privacy of this dwelling. To the front, the extension will project 2.1m from the front wall of the dwelling, but remain 2.6m from the boundary with No. 49. As such the light and outlook from the front window of No. 49 will not be affected.

In relation to No. 53, the proposed side extension will extend to 1m from the boundary and be two storeys in height. This will bring the dwelling significantly closer to the boundary with No. 53. However, the only window in the side flank wall of No. 53 is a ground floor window to a bathroom and as such is not a protected window. In any event, only one of the 45° lines would be intersected

and as such, even if the window was to a habitable room, the proposal would still be considered acceptable. From the rear elevation, the two storey wall will extend 5m past the existing rear wall of No. 53, but will remain stepped back 5m from No. 53. As such, both 45° lines will remain intact ensuring that light and outlook to the property will be protected. The extension will also abut an existing outbuilding, sited along the boundary of No.53. A side facing window is proposed in the ground floor elevation of the extension, however it will be high level, obscure glazed and fixed shut which will ensure that it will not impact on the amenity of the adjacent dwelling. A condition is recommended to ensure this. The proposal also includes two roof lights in the side roof slope, however these are to provide light into the first floor bathroom (and not space in the loft) and as such will be well above the head height of anyone using the bathroom. As such, no outlook from the roof lights will be possible. Given all of the above, the proposal is not considered to have a detrimental impact on the outlook, light or privacy of this dwelling.

The site benefits from a large rear garden and as such ample amenity space will remain on site for the occupiers of the dwelling.

3. Parking and highways

The application proposes the demolition of an existing single garage and the removal of two car parking spaces, which are to be replaced an extension which includes the provision of a single integral garage. The proposal also includes the provision of a new vehicular access and the provision of four new car parking spaces located at the front of the property. The proposal also results in the conversion of a three bedroom dwelling to a four bedroom one.

The new proposed access is satisfactory in its geometry and its driver and pedestrian visibility provision.

Car parking requirement for the proposal accounts for the provision of four on site car parking spaces. The proposed integral garage is below the required standards to accommodate a car, storage and cycle parking. In addition three of the proposed car parking spaces are located in front of the garage, making the garage impossible to be accessed independently of the three car parking spaces. Accordingly, it is better to discount the garage as a parking space.

Car parking provision is therefore the four car parking spaces shown in front of the building on Drawing No A3/SK3 titled Ground Floor. The aforementioned drawing also illustrates an area fronting the car parking spaces suitable for on site turning manoeuvres, which are considered satisfactory.

Therefore, subject to conditions, the proposal is acceptable in highway terms.

Human Rights Act

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

Equality Act

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

Recommendation

That Planning Permission be GRANTED subject to the following:

RECOMMENDED CONDITIONS / REASONS

- 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 occupation of the development hereby approved, details of the surfacing and surface water drainage of the new access and on site vehicular parking areas shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the details of how surface water drainage from the site will be intercepted and disposed of separately so that it does not discharge into the highway. The access and on site vehicular parking areas shall then be constructed on site in accordance with the approved details, prior to the occupation of the completed development.**

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site into the highway so as to safeguard the interest of highway safety, and in order to minimise danger, obstruction and inconvenience to users of the highway and of the premises, in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009).

- 3 Prior to the occupation of the development hereby approved, the proposed vehicular access shall be constructed in accordance with the details shown on drawing no. A3/Sk6.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises, in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009).

- 4 All external works hereby permitted shall be carried out in materials to match as closely as possible in colour, type and texture, those of the existing building.

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 building and the visual amenities of the locality, in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009).

- 5 The high level window shown on the ground floor of the northern facing side flank elevation, on Drawing No. A3/Sk1, shall be glazed with obscured glass, and thereafter retained as such.

Reason: To protect the privacy of the occupiers of adjoining properties, in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009).

- 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 additional windows shall be inserted into the north or south facing side elevations of the proposed extensions.

Reason: To protect the amenity of neighbouring residents, in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009).

- 7 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers A3/Sk1, A3/Sk2, A3/Sk3, A3/Sk4, A3/Sk5, A3/Sk6 and A3/Sk7.

Reason: For the avoidance of doubt.

Notes to Applicant

1. The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to 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.
2. **Any conditions in bold must be discharged before the development hereby approved is occupied. Failure to comply with this requirement could invalidate this permission and/or result in enforcement action.**

Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

DECISION

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