

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



please ask for Helen Bell
direct line 0300 300 4040
date 21 May 2014

NOTICE OF MEETING

DEVELOPMENT MANAGEMENT COMMITTEE

Date & Time

Wednesday, 4 June 2014 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, R D Berry,
M C Blair, A D Brown, Mrs C F Chapman MBE, Mrs S Clark, K M Collins,
Ms C Maudlin, T Nicols, I Shingler and J N Young

[Named Substitutes:

L Birt, D Bowater, Mrs B Coleman, I Dalgarno, R W Johnstone, D Jones and
B J Spurr]

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 7 May 2014.

(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	<p>Planning Enforcement Cases Where Formal Action Has Been Taken</p> <p>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.</p>	5 - 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	Planning Application No. CB/14/01271/FULL Address : 126A High Street, Clophill Demolition of bungalow, erection of 4 bed detached dwelling. Applicant : Mr D M Ward-Clarke	11 - 26
7	Planning Application No. CB/14/01184/FULL Address : Land South of Stotfold, Norton Road, Stotfold Erection of 1 No. 1 bed flat, 2 No. 2 bed flats, 151sq.m (gross internal A1 shop, parking spaces and parking bay on main street (resubmission of CB/13/01624/FULL). Applicant : Taylor Wimpey	27 - 40
8	Planning Application No. CB/14/01368/FULL Address : 20 Spring Close, Biggleswade Erection of new chalet bungalow with alteration to existing garage and parking. Applicant : Mr & Mrs D Bourke	41 - 56
9	Planning Application No. CB/14/01583/FULL Address : 165 Holme Court Avenue, Biggleswade Two storey side extension. Applicant : Mrs R Crisp	57 - 64
10	Land rear of 100 - 114 Common Road, Kensworth Update To receive an oral update on Land rear of 100 – 114 Common Road, Kensworth.	

11 **Bi Annual update on Development Management Performance**

65 - 70

To receive and consider a Bi Annual update of Development Management Performance.

12 **Houghton Regis North Site 1 Update**

To receive an oral update on the Houghton Regis North site 1.

13 **Site Inspection Appointment(s)**

Under the provisions of the Members Planning Code of Good Practice Members are requested to note that Site inspections will be undertaken on Monday 30 June 2014.

Meeting: Development Management Committee
Date: 4th June 2014
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 4th June 2014)

	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	Prosecuted and fined 19/2/14
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 withdrawn			Land sold, discussions to seek compliance. Planning application submitted, await outcome.
3	CB/ENC/10/0172	Land at 10-12 High Street, Shefford. SG17 5DG	Enforcement Notice - construction of an unauthorised wooden extension	19-Jun-13	19-Jul-13	19-Aug-13				Works have commenced but not completed, awaiting completion for full compliance
4	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 11/7/13			Appeal held in abeyance pending outcome of estate
5	CB/ENC/11/0234	Land at 31 Market Square, Leighton Buzzard. LU1 1EU	Enforcement Notice - installation of roller shutters and box housing	01-Mar-14	01-Apr-14	01-Jun-14				Check compliance 1/6/14
6	CB/ENC/11/0267	Land and grain store building at White Gables Farm, Blunham Road, Moggerhanger. MK44 3RA	Enforcement Notice 4 - change of use of land and grain store building to storage of materials and vehicles for haulage business	20-Nov-13	20-Dec-13	20-Jan-14	Appeal received			Await outcome of appeal
7	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	Costs of direct action to be obtained, await joint site visit.
8	CB/ENC/11/0499	Land at Erin House, 171 Dunstable Road, Caddington, Luton. LU1 4AN	Enforcement Notice - unauthorised erection of a double garage.	03-Sep-13	01-Oct-13	01-Dec-13	Appeal dismissed	27-Sep-14		Appeal dismissed, Enforcement Notice upheld, compliance extended
9	CB/ENC/11/0613	Land at Taylors Nursery, Taylors Road, Stotfold, Hitchin. SG5 4AQ	Enforcement Notice - change of use of the land for siting of a mobile home for residential purposes.	14-Nov-13	14-Dec-13	14-Jan-14 & 13-Apr-14				No compliance as yet. Planning application CB/13/04323/FUL to retain mobile home refused 21/2/14.
10	CB/ENC/11/0627	Land at Road Farm, How End, Houghton Conquest. MK45 3JS	Enforcement Notice - change of use of the land for the storage of building materials.	06-Sep-13	06-Oct-13	06-Dec-13	Appeal received 27/9/13			Await outcome of appeal - Inquiry

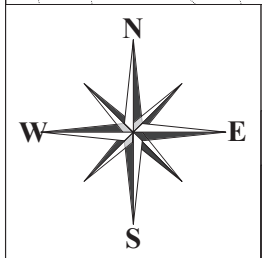
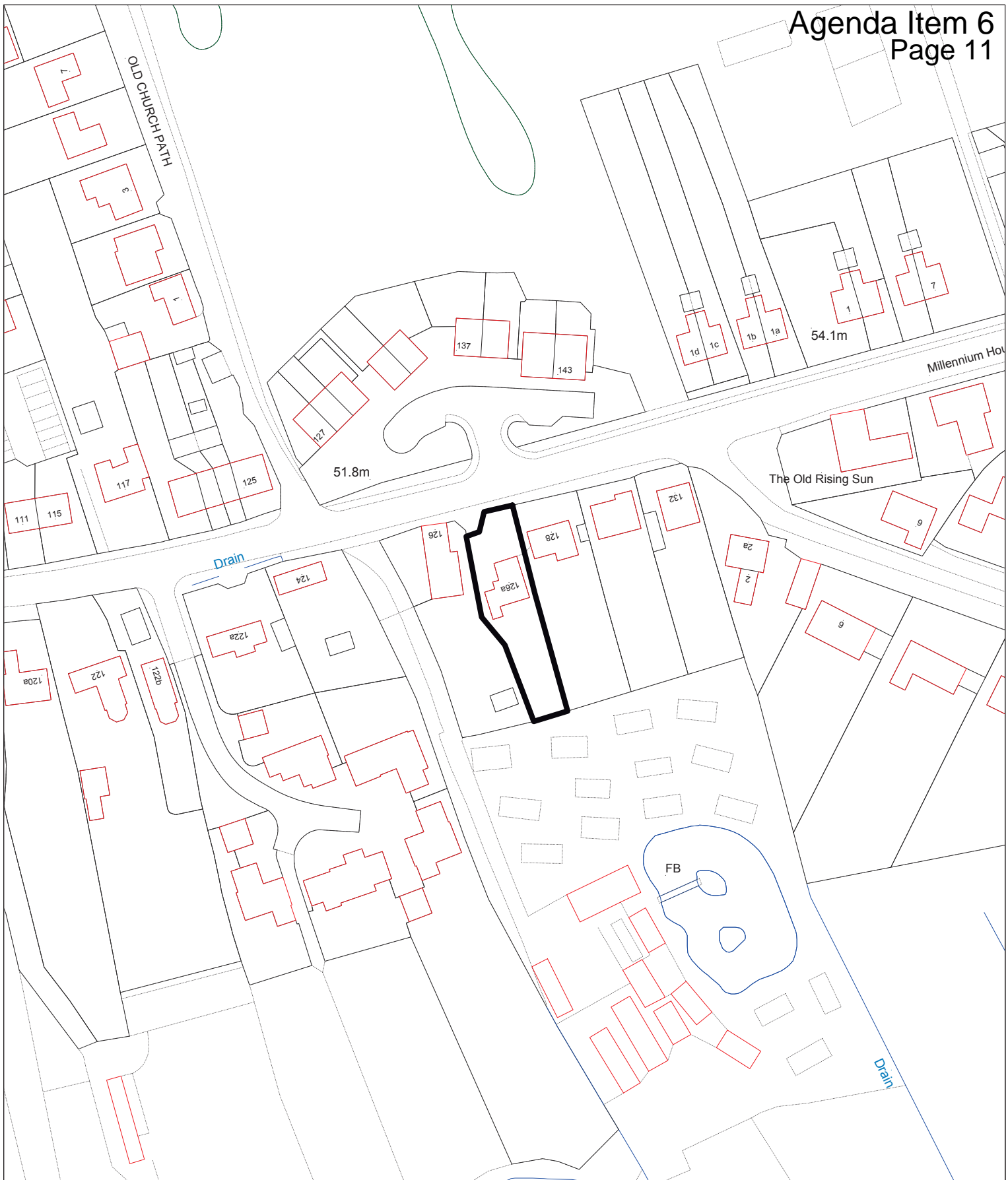
Planning Enforcement formal action (DM Committee 4th June 2014)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
11	CB/ENC/12/0079	Woodstock Cottage, 44 High Street, Flitton, MK44 5DY	Listed Building Urgent Works Notice - works to Listed Building	04-Feb-14	11-Feb-14					Awaiting schedule of works to be undertaken by owner.
12	CB/ENC/12/0098	Land at 22-28 Station Road, Arlesey	S215 Notice - Untidy land storage of motor vehicles	15-May-13	15-May-13	12-Jun-13			Not complied	To Court January 2014 - prosecuted and fined. Legal letter sent
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 - Hearing adjourned to May 2014
14	CB/ENC/12/0268	Land to the rear of 83 Leighton Road, Stanbridge, Leighton Buzzard LU7 9HW	Enforcement Notice - material change of use of the land to haulage yard.	21-Feb-14	21-Mar-14	various - up to 21-Aug-14			Part complied - use and hard standing	Check compliance up to 21/8/14
15	CB/ENC/12/0330	Land to rear of The Farmers Boy PH, 216 Common Road, Kensworth, Dunstable LU6 2PJ	Enforcement Notice - raising and levelling 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	Part level reduced	Discussions regarding use of land and full compliance
16	CB/ENC/12/0436	Flitwick Mill, Greenfield Road, Flitwick, MK45 5BE	Enforcement Notice - fence	10-Sep-13	10-Oct-13	10-Dec-13			In abeyance	In abeyance to end June 2014 pending discussions re submission of application for acceptable development.
17	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		01-Apr-14	Partial compliance	Compliance extended for re-seeding
18	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 hard standing.	17-Jan-13	14-Feb-13	14-Mar-13				Joint site visit to take place
19	CB/ENC/13/0120	Land at Bridge Street, Leighton Buzzard LU7 1AH	Enforcement Notice - Roller shutters and box housing	09-Jan-14	14-Feb-14	14-May-14				Awaiting planning application.
20	CB/ENC/13/0276	Land at Motorcycle track, south of, Billington Road, Stanbridge	Breach of Condition Notice - No more than 7 motorcycles shall use the track at anyone time	09-Apr-14	09-Apr-14	09-May-14			No further breaches	Monitor compliance
21	CB/ENC/13/0412	Land at 19a High Street South, Dunstable. LU6 3RZ	Enforcement Notice Change of use offices to bedsits	20-Jan-14	20-Feb-14	20-Aug-14				Check compliance 20/8/14. Declined to determine LDC application.

Planning Enforcement formal action (DM Committee 4th June 2014)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
22	CB/ENC/13/0413	Land at the rear of 37 Church Street, Clifton, Shefford SG17 5ET	Enforcement Notice - summer house, terrace, pond and swimming pool.	09-Dec-13	10-Jan-14	10-Mar-14	Appeal submitted			Await outcome of appeal
23	CB/ENC/13/0492	Land at Long Lake Meadow, High Road, Seddington, Sandy, SG19 1NU	Enforcement Notice - change of use of the land to a gypsy and traveller site	06-Mar-14	06-Apr-13	06-Jun-14	Appeal submitted 5/4/14			Await outcome of appeal
24	CB/ENC/14/0006	Land at Plot 1, Magpie Farm, Hill Lane, Upper Caldecote, Biggleswade. SG18 9DP	Enforcement Notice - Breach of condition 6 planning permission MB/05/01478/FULL, and condition 6 planning permission CB/13/01378/VOC	27-Jan-14	24-Feb-14	24-Mar-14	Appeal submitted			Await outcome of appeal - Hearing 19/8/14

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Central Bedfordshire Council
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Date: 20:May:2014
Grid Ref: 509239, 238246

Application No.
CB/14/01271/FULL

Scale: 1:1250

126A High Street, Clophill

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Item No. 6

APPLICATION NUMBER	CB/14/01271/FULL
LOCATION	126A High Street, Clophill, Bedford, MK45 4BL
PROPOSAL	Demolition of bungalow, erection of 4 bed detached dwelling.
PARISH	Clophill
WARD	Amphill
WARD COUNCILLORS	Cllrs Duckett, Blair & Smith
CASE OFFICER	Sarah Fortune
DATE REGISTERED	01 April 2014
EXPIRY DATE	27 May 2014
APPLICANT	Mr DM Ward-Clarke
AGENT	Mr L Butler
REASON FOR COMMITTEE TO DETERMINE	Called in by Councillor Paul Duckett on grounds of over development of the site
RECOMMENDED DECISION	Full Application - Approve

Summary of recommendation:

There are no policy objections to the principle of the erection of a dwelling on this an infill site in the built up area of the village of Clophill. The size, siting and design of the two storey house are considered to be in keeping with the character of the area and objections from neighbours have been fully considered in this revised scheme. The highways officer is not raising any objections to the access and parking arrangements. The development would be in accordance with the objectives of the National Planning Policy Framework (2012) and policies in the Core Strategy and Development Management Planning Document dated 2009 and the emerging Development Strategy for Central Bedfordshire dated 2013.

Site Location:

The site lies on the south side of High Street in the defined built up area of the village of Clophill. Clophill is classified as being a 'large village' in the Core Strategy and Development Management Planning Document dated 2009.

The site supports a modest sized, single storey bungalow which has two storey, detached houses on either side. The property to the west (number 126 High Street) is sited close to the road frontage and extends deeply into the site, whilst to the east (number 128 High Street) is set back from the road frontage.

The Application:

This application is in respect of the demolition of the single storey bungalow and its replacement with a two storey, four bedroomed house. The existing vehicular access into the site is to be widened.

RELEVANT POLICIES:

Core Strategy and Development Management Policies - North 2009

DM3 Amenity
DM4 Settlement Envelopes

Emerging Development Strategy for Central Bedfordshire dated 2013

Policy 4 Settlement Hierarchy
Policy 43 High Quality Development
Policy 38 Development in Settlement boundaries

National Planning Policy Framework (March 2012)

Supplementary Planning Guidance

Design in Central Bedfordshire A Guide for Development:

Supp 4: House Extensions and Alterations
Supp 1: New residential Development

Planning History - relevant

Application Site

CB/13/04358/FULL Demolition of existing 2 bed bungalow. Erection of 4 bed detached dwelling.
Withdrawn: 6/02/2014.

126b High Street Clophill

08/00686 Change of use of existing fitness studio to residential use.
Granted: 9/06/2008.
(This permission has not been implemented and has expired).

128 High Street
Clophill

MB/07/00660/FULL Two storey front/side extension and single storey rear extension.
Granted: 13/07/2007.

**Representations:
(Parish & Neighbours)**

Clophill P C Objects on grounds that the bungalow was originally planned and accepted for this very narrow site for a retired elderly couple. What was approved and built was the maximum reasonable size for this plot. The Parish Council objected to the previous withdrawn application and the

same objections apply to this revised slightly smaller and repositioned dwelling. The house is too large and dominant and overbearing for this very narrow site. It is over development, damages the street scene and overpowers number 128. It intrudes unacceptably on the privacy of the neighbours on both sides of the site. The loss of a small bungalow and its replacement with an executive type home will continue to de stabilise Clophill which is presently a balanced community but has an urgent need for more, not fewer, small dwellings - as per the recent Housing needs Survey. Four and five bedroomed dwellings are currently available for sale in the village and there are also two planned developments of four and five bedroomed houses approved in the LDF. Those sites have sufficient space, unlike this one which is unnecessary. When 126A High Street was offered for sale offers were made including from residents. Ask that it be determined by the Planning Committee if officers are minded to approve.

Neighbours

A total of 11 letters of objection received from neighbours on either side of the site and other residents in the village and beyond:

Four sets of objection letters received from four occupants of number 126 High Street raising concerns regarding: why is a large property now needed on the plot, the house is too big and is to be squeezed onto the plot, the size and height are overbearing and will affect privacy of next door properties, will result in loss of light into the neighbours kitchen/breakfast/utility room as it is south west of the neighbours kitchen as well as to other windows facing this plot, will result in loss of privacy to first floor bedroom window of 126, there has been overdevelopment of the neighbourhood in recent times and this has generated parking issues making it difficult to exit driveways safely, this will be a large house wedged between 126 High Street and 128 High Street and is unnecessarily increasing the density of housing even further.

Objections from occupants of number 128 High Street Clophill on grounds that the proposed dining room/lounge side windows will remove infringe on privacy to occupiers of number 128 High Street when using their dining room and patio. These side windows are not needed. It is unlikely that four vehicles could be parked safely in the space to the front of the proposed house which will lead to highway safety. Exiting the access will be difficult and to the detriment of highways safety especially as cars park on the other side of the road to the site. Overlooking of neighbours rooms leading to loss of privacy. It is unnecessary to bring forward the front building line. 126

High Street will be overlooked by the windows in the side elevation at loft level. The side elevation windows are not required as there are ample windows in the rear of the property to provide for natural light for the new occupiers and this will help protect some of the potential loss of privacy that the current plans indicate. The house next door at number 126 is an iconic 'sideways on' house in Clophill and is an easily observed landmark visible from east and west approaches. The main frontage of the site should be kept as present ie about 3 metres back from that shown on the submitted plan.

Objection from owner of fitness centre regarding intrusion on privacy of clients using the fitness centre and will lead to the business being ruined.

Other letters of objection regarding there is a demand for bungalows in the village, concerned that if the bungalow is demolished that there may be problems with asbestos and ask that an asbestos survey be undertaken. The existing bungalow on the site would be ideal for the elderly parents of the occupants of number 126 High Street to live in. The amenity of number 126 will be totally destroyed.

App Adv

Consultations/Publicity responses

Highways Officer	No objections subject to conditions being added to any planning consent.
E.H.O.	No comment
Minerals officer	No objections subject to comments.
Archaeology Officer	No objections

Determining Issues

The main considerations of the application are:

1. Background and Policy
2. Size, Siting and Design in relation to the character of the site and the visual amenities of the area generally
3. Impact on amenities of neighbours
4. Access, Parking and Other Considerations

Considerations

Human Rights issues

There are no relevant issues under the Human Rights Act.

Equality Act 2010

There are no relevant issues under the Equality Act

1. Background and Policy

The site lies in the built up area of the village and within the Settlement Envelope where there are no objections to the principle of demolishing a bungalow and erecting a replacement dwelling in accordance with Policy DM4 in the Core Strategy and Policy 38 in the Emerging Development Strategy for Central Bedfordshire as long as various criteria are satisfied - in particular it must be of a size and design that is in keeping with the character of the site and there must not be an undue adverse impact on the amenities of neighbours.

A number of concerns have been raised about the removal of a modest sized two bedroomed bungalow and its replacement with a two storey house. Whilst these concerns are appreciated - (as there is undoubtedly a need for more bungalows in the area primarily for occupation by the elderly) - there are no policies in the Core Strategy or Emerging Core Strategy which would sustain an objection based on such grounds.

2. Size, Siting and Design in relation to the character of the site and the visual amenities of the area generally

The existing single storey, two bedroomed bungalow is of modest size and is set back from the road with its front elevation being further back from number 126 High Street to the west of the site and the front projection of the new house being in line with the main front elevation of number 128 High Street to the east. It fills much of the width of the site having a width of 9.7 metres (approx) at its widest.

The replacement two storey house is to have a width of 9.7 metres and a main depth of 13 metres - and this depth includes a single storey rear addition having a depth of 3 metres. It has a ridge height of just over 8 metres which is less than that of number 126 High Street but very slightly higher than the ridge of number 128 High Street.

It is to be sited on the site so that there is a gap of between 0.9 metres and 1.1 metres on the east side up to the shared boundary with number 128 High Street and a gap of between 1.2 metres and 2.3 metres up to the shared boundary with number 126 High Street to the west of the site. However, in view of the fact that the houses on both sides are not built up to the shared boundaries there will be a gap of at least 1.9 metres between the side walls of the new house and the side walls of number 128 to the east and a gap of between 3.5metres and 4.4metres between the side wall of the new house and number 126 High Street to the west.

It is to be built on the site so that its front elevation is in line with the front elevation of number 128 High Street. This front elevation will be set back so as to be half way down the side elevation of number 126 High Street

The house is to have most of its primary windows to the front and rear. There are to be three ground floor lounge windows to the lounge/diner facing towards number 128 High Street and one first floor en suite window which is to be fitted

with obscure glass. On the side of the site are to be ground floor windows to the lounge and one to the kitchen and a bedroom window at first floor level.

There is to be a block paved drive filling most of the front area of the site and the access to be widened to allow for the parking of three cars and vision splay provided

Ground levels are to be lowered where necessary to ensure that the house does not have a ridge height greater than the ridge height of number 126 High Street. Whilst this proposed house is large, (and certainly much larger than the bungalow that exists at present). The property would be set back into the site and retaining adequate separation distance from the side boundary. It is felt that it is not over filling the width or depth of the site and that its siting, size and design will be in keeping with the appearance of this part of the street scene which is in the main characterised by large detached houses. Number 128 High Street has recently had a large side and rear extension.

It is considered that it therefore complies with policies in the Core Strategy and Development Management Planning Document dated 2009 and policies in the emerging Development Strategy for Central Bedfordshire dated 2013.

3. Impact on amenities of neighbours

A main area of consideration is with the impact of the proposed house on the amenities of occupiers of the houses on both sides of the site, on the fitness centre to the rear of number 126 High Street as well as on other neighbouring properties.

Number 126 High Street to the west of the site has windows in its side and east facing elevation (which face towards the application site). The proposed house is to be sited so that it is just to the rear of two windows in this side elevation which serve a kitchen/breakfast area on the ground floor. These windows are at a distance of two metres (min) from the side wall of the proposed house. There will be minimal loss of outlook and light into these windows. The first floor and ground floor east facing windows situated towards the rear of number 126 High Street are fitted with obscure glazing so the potential for overlooking from the three proposed lounge/dining room windows and the kitchen door in the west facing elevation will be minimal. There is also a fence along this shared boundary and this may be raised in height to 1.8m/2m as part of the details to be submitted under the boundary treatment condition and this will assist in reducing any potential for overlooking from the proposed ground floor kitchen window in the front north west corner of the new house towards the east facing kitchen window of number 126 High Street, Clophill

The plans indicate that there is to be a window to bedroom four in the west facing elevation and there may be some limited potential for overlooking from this towards number 126 High Street. However, a condition is to be attached requiring that this window be fitted with obscure glazing to its lower half with top opening window.

There is a bedroom window in the east facing side elevation of this neighbouring property at number 126 High Street which faces towards the open front garden

area of the proposed house. The previous scheme of development provided for a first floor bedroom window in the front elevation of the proposed house on the side of it nearest to this neighbour and this bedroom window has been replaced by a bathroom window fitted with obscure glazing in this revised scheme. The occupiers of Number 126 High Street are of the opinion that there will be the potential for overlooking from front facing windows in the proposed house into their east side facing first floor bedroom window. However, in view of the fact that there is a distance of 11 metres (approx) between this bedroom window and the nearest first floor front facing window (excluding the bathroom window) loss of amenity by way of overlooking will be minimal.

Number 128 High Street on the eastern side of the site has no windows in its west facing elevation which face towards the east side of the proposed new house. It does have a number of rear facing windows at both ground and first floor levels and a patio to the immediate rear of the house. The new house would be sited so that it is generally in line with the front elevation of this neighbouring house and the proposed two storey element is further beyond the rear two storey element of number 128 High Street. The rear single storey, pitched roof element of the proposed house is to extend 3 metres (approx) beyond this neighbour's rear elevation. The occupants of this property have raised objections to the proposed house on grounds that the three side facing windows of the lounge/dining room are to face towards their rear patio area and that this will result in loss of amenity by way of overlooking into the dining room and onto their patio. The applicant has been requested to remove these three side facing windows (as they do have rear facing ones in the new house) but they have declined to do so. However, a condition is to be attached to any planning permission requiring details of boundary treatment to be submitted for approval and any boundary treatment must be of a height that prevents the potential for overlooking into this patio and dining area of this neighbour.

Whilst there will be some loss of outlook to the nearest bedroom window of this neighbour by way of the two storey element of the new house extending beyond the two storey element of 128 High Street, this would not be sufficient as to sustain a refusal especially in view of the fact that number 128 High Street is a wide house with a number of rear facing bedroom windows, is sited on the east side of the application site so there will only be loss of direct sunlight later on in the day and given that the new dwelling would not extend beyond the existing bungalow.

With regards to the impact of this house on the fitness centre to the rear of the site (which has the benefit of a personal permission restricting it to use by the present occupants of number 126 High Street, Clophill) this fitness centre is at a distance of 14 metres (min) to the rear of the two storey element of the proposed house. The fitness centre is single storey in height and has two large windows which face towards number 126a - at a slight oblique angle. There is a tall conifer hedge along the side boundary of this fitness centre and along part of its rear boundary. Whilst it is accepted that there may be potential for a very limited amount of overlooking from the first floor rear facing bedroom windows of the proposed house towards these windows in the fitness centre it is considered that loss of amenity by way of overlooking will not be sufficient as to withhold planning permission on such grounds.

The mobile home on Sealawn Cattery is at some distance from the proposed

house so loss of amenity to these occupiers by way of overlooking, loss of outlook and noise will be very minimal.

Whilst the occupiers of the properties on either side of the site have raised a number objections, as outlined above these have been given very careful consideration but it is felt that loss of amenity to them will not be sufficient as to sustain a refusal. Conditions are recommended to remove Permitted Development rights in respect of the insertion of openings or extensions to the property. This will further protect the amenities of neighbours.

4. Access, Parking and other considerations

There is an existing dropped kerb into the site and this is to be widened and most of the area to the front of the house is to be block paved to provide parking for three cars. The highways officer is of the opinion that the access does not need to be widened to 7.5m and that a width of 5m will be adequate. He is not raising any objections to the proposal provided that conditions are attached to any consent which requires a 5m width of access, provision of vision splays, surfacing of the parking area, and the retention at all times of the garage for the parking of cars. In view of the concerns raised by neighbours about the existing problems with parking on the roads near to the site (and how this results in difficulties in exiting the properties so either side of the application site) the highways officer remains satisfied that the access and parking arrangements to this application site are satisfactory and meet highway standards especially since this is an existing vehicular access.

The archaeological officer has advised that the site is located in the historic core of the settlement of Clophill and early mesolithic occupation in the form of a distribution of flint artifacts located at the junction of the valley of the River Flit and the lower slopes of the Greensand ridge were found in an archaeological investigation undertaken in advance of development at a property immediately to the west of the site. These are heritage assets with an archaeological interest as defined by the NPPF. However, the nature and location of the proposed development are such that there is unlikely to be a major impact on archaeological remains or on the significance of the heritage asset with archaeological interest. There are no objections to this application on archaeological grounds.

There are no significant trees on the site.

A Unilateral Undertaking has been submitted with the application in respect of the provision of contributions towards off site facilities such as education. This is in conformity with the Obligations Strategy.

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 take place until details of materials to be used for the external finishes of the development have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance therewith.**

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match/complement the existing building(s) and the visual amenities of the locality.

- 3 Full details of both hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:-

- proposed finished levels or contours;
- materials to be used for any hard surfacing;
- planting plans, including schedule of size, species, positions, density and times of planting;
- cultivation details including operations required to establish new planting;
- details of existing trees and hedgerows on the site, indicating those to be retained and the method of their protection during development works.

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

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

- 4
- The scheme approved in Condition 3 shall be carried out by a date which shall be not later than the end of the full planting season immediately following the completion of the development. Thereafter the planting shall be adequately maintained for a period of five years from the date of planting. Any of the trees or shrubs or both which die or are removed, or which become severely damaged or seriously diseased (during the said period of five years) shall be replaced with trees or shrubs or both, as the case may be, of similar size and species to those originally required to be planted and the same shall be maintained until properly established.

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

- 5 **No building shall be occupied until the junction of the modified vehicular access with the highway 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.

- 6 Before the modified access is first brought into use, a triangular 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 foot way into the site along the centre line of the anticipated vehicle path. The vision splay so described and on land under the applicants control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

Reason: To provide adequate visibility between the existing highway and the proposed access and to make the accesses safe and convenient for the traffic that is likely to use it.

- 7 The proposed vehicular parking areas within the site shall be constructed and surfaced in a durable bound material before the premises are occupied . Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: 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 the highway.

- 8 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 purposes.

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.

- 9 Best practical means shall be taken at all times to ensure that all vehicles leaving the development site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway, in particular efficient means shall be installed prior to commencement of the development and thereafter maintained and employed at all times during construction of the development of cleaning the wheels of all lorries leaving the site.

Reason: To minimise the impact of construction vehicles and to improve the amenity of the local area.

- 10 Prior to the commencement of development 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 2 short stay spaces per unit, shall be 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. (See Notes to the Applicant).

Reason: To ensure the provision of adequate cycle parking to meet the

needs of occupiers of the proposed development in the interest of encouraging the use of sustainable modes of transport.

- 11 The refuse collection point indicated on the approved drawing no 100 Plan No 2 shall be fully provided prior to occupation of the dwelling and shall be retained thereafter.

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

- 12 Development shall not commence until 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.

- 13 Notwithstanding any provision of the Town and Country Planning (General Permitted Development Order) 1995 (or any Order revoking or re-enacting that Order with or without modification) no further extension or alteration shall take place to the dwelling hereby approved without the prior approval by way of a planning consent from the Local Planning Authority.

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

- 14 Notwithstanding any provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no further window or other opening shall be formed on the east and west facing elevations of the building without prior approval by way of a planning consent from the Local Planning Authority.

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

- 15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 1995, (or any Order revoking or re-enacting that Order with or without modification) no fence, wall, gate or other means of enclosure shall be erected unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of adjacent occupiers and the character and appearance of the area.

- 16 **No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved scheme before the building is occupied**

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

- 17 **Prior to the first occupation of the building the first floor window in the west facing elevation of the development shall be fitted with obscured glass of a type to substantially restrict vision through it at all times, and shall have a restriction on its opening. Details of the window shall have been previously submitted to and agreed in writing by the Local Planning Authority.**

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

- 18 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 100/Plan No 1, 100/Plan No 2 and 25314

Reason: For the avoidance of doubt.

Notes to Applicant

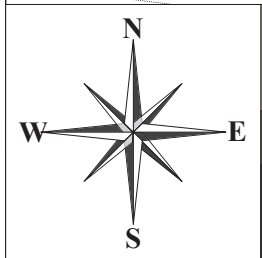
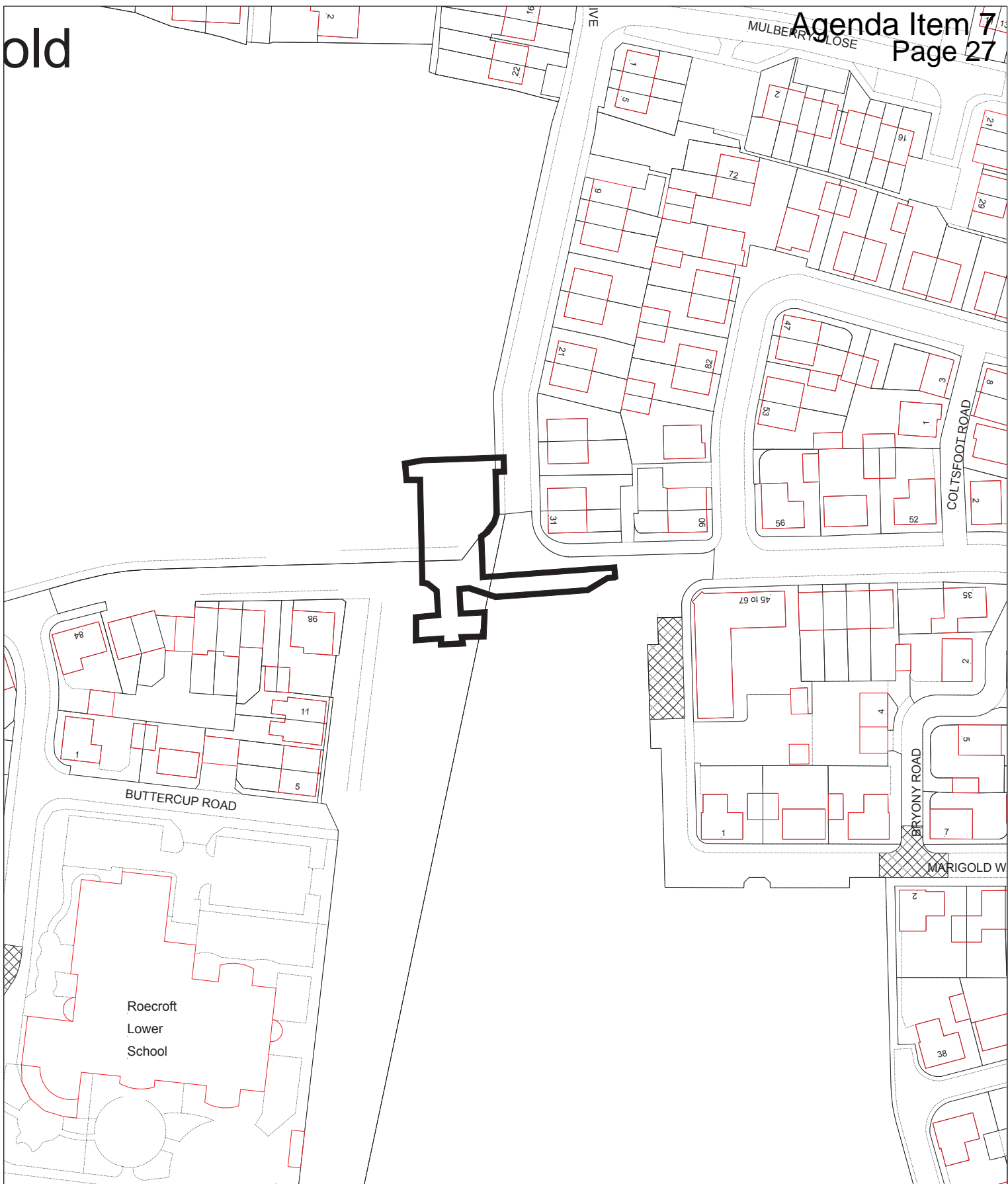
1. The applicant is advised that no works associated with the construction of the modified vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Central Bedfordshire Council's Highway Help Desk on 0300 300 8049. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.
2. The applicant is advised that photographs of the existing highway that is to be used for access and delivery of materials will be required by the Local Highway Authority. Any subsequent damage to the public highway resulting from the works as shown by the photographs, including damage caused by delivery vehicles to the works, will be made good to the satisfaction of the Local Highway Authority and at the expense of the applicant. Attention is drawn to Section 59 of the Highways Act 1980 in this respect.
3. The applicant is advised that the storage of materials associated with this development should take place within the site and not extend into the public highway without authorisation from the highway authority. If necessary further details can be obtained from Bedfordshire Highways (Amey), the District Manager (for the relevant area) via the Central Bedfordshire Council's Customer Contact Centre on 0300 300 8049.
4. 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"

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.

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Date: 20:May:2014

Map Sheet No

Application No.
 CB/14/01184/FULL

Scale: 1:1250

Land South of Stotfold, Norton Road, Stotfold

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Item No. 7

APPLICATION NUMBER	CB/14/01184/FULL
LOCATION	Land South Of Stotfold, Norton Road, Stotfold
PROPOSAL	Erection of 1 No. 1 bed flat, 2 No. 2 bed flats, 151sq.m (gross internal) A1 shop, parking spaces and parking bay on main street (resubmission of CB/13/01624/FULL)
PARISH	Stotfold
WARD	Stotfold & Langford
WARD COUNCILLORS	Cllrs Clarke, Saunders & Saunders
CASE OFFICER	Stuart Robinson
DATE REGISTERED	16 April 2014
EXPIRY DATE	11 June 2014
APPLICANT	Taylor Wimpey (South Midlands)
AGENT	APC Planning
REASON FOR COMMITTEE TO DETERMINE	Request by Councillor Brian Saunders in light of concerns expressed by Stotfold Town Council.
RECOMMENDED DECISION	Full Application - Granted

Site Location:

The application site comprises of a parcel of land within the Land South of Stotfold development. The application site lies near the centre of this development, neighbouring residential development. The site is located opposite a parcel of land identified for a community building and is located in close proximity to a recently constructed lower school.

The Application:

Outline planning permission (reference MB/02/00242/OUT) was granted in April 2006. This outline planning application provided planning permission for residential development of up to 650 dwellings, up to 2.27 Ha of employment land (Class B1), a neighbourhood centre, a shop (150 sq. metres), public open space and access. This application is made pursuant to the outline planning permission.

The application proposes the erection of 1 No. 1 bed flat, 2 No. 2 bed flats, 151 sq. metres (gross internal) A1 shop, parking spaces and a parking bay on the main street. The ground floor would include a shop, store room area and cycle store. The residential flats would be located on the first floor.

The building would be constructed on a corner plot, following the street to form an "L" shape. The elevation of the building facing Valerian Way would measure 7.5 metres in depth and 14.6 metres in width. The elevation facing Grange Drive would

measure 20.1 metres in width and 7.5 metres in depth. The building would measure 10.1 metres in maximum height. A stairwell would be located to the rear of the building, measuring 2.3 metres in width and 4.1 metres in length. A drive through, accessed off Grange Drive, would provide access to four parking spaces at the rear of the building.

RELEVANT POLICIES:

National Policies

National Planning Policy Framework (2012)

Core Strategy and Development Management Policies, November 2009

Policy CS14	High Quality Development
Policy DM3	High Quality Development
Policy DM4	Development Within and Beyond Settlement Envelopes

The Emerging Central Bedfordshire Development Strategy (January 2013)

Policy 21	Provision for Social and Community Infrastructure
Policy 27	Car Parking
Policy 38	Within and Beyond Settlement Boundaries
Policy 43	High Quality Development

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 2014.

Technical Guidance

Revised Central Bedfordshire Design Guide (2014)

Land South of Stotfold Design and Landscape Strategy Code (2007)

Land South of Stotfold Development Brief (2003)

Planning History

CB/13/01624/FULL	Planning application withdrawn: Erection of 1 No. 1 bed flat, 2 No. 2 bed flats, 151sq. metre (gross internal) A1 shop, parking spaces and parking bay on main street (resubmission of 12/00726/FULL).
CB/12/00726/FULL	Full application refused: Erection of a new building on 0.04ha site to include 1 No. 1 bed flat, 2 No. 2 bed flats, 151 sq. metres (gross internal) A1 shop and 4 No. car parking spaces together with parking bay on main street.
MB/02/00242/OUT	Outline application granted: Comprehensive development comprising up to 650 dwellings, up to 2.27 Hectares of employment land (Class B1 Business), neighbourhood centre, a shop (150 square metres), public open space

including sports pitches, equipped play areas and informal open space and access. All matters reserved except access.

**Representations:
(Parish & Neighbours)**

Stotfold Town Council The Town Council object on the following grounds:

The proposal shows inadequate provision of parking and service area within the curtilage of the shops/flats, and as the current Central Bedfordshire Council guidelines (DM3 of the Core Strategy and Development Management Policies Development Plan Document 2009 and the Design Supplement 7 of Design in Central Bedfordshire: A Guide for Development 2010) require that there should be sufficient off street parking to serve the development, and with 1 no. 1 bed and 2 no. 2 bed flats, there should therefore be a minimum of 5 parking spaces within the curtilage of the property.

We are aware that under the current application for a community building opposite the proposed development, the area shown within the planning application boundary is shown as dual use with the community building and shoppers/users of the flats. We feel that this dual usage will severely compromise the parking provision for the community building, being immediately outside that building and with associated difficulties in policing parking activities in the area.

We also object on health and safety grounds as visitors to the shop/flats would be crossing what will be a busy junction and route into the new development, together with deliveries to the shop from the lay by outside the proposed community building opposite. This is also a main safer route to Roecroft Lower School, and as such we would insist that the corner of Grange Drive and into Valerian Way (on both sides of the road) have double yellow lines to keep the road clear for pedestrian and other vehicle safety.

The hardstanding area between the shop front and the footway should be turned into the footway, and the area currently shown as footway on the plans should be utilised as additional parking bays to alleviate pressure on the 'shared' parking opposite and within the lay by opposite to be shared with delivery lorries.

Neighbours No comments received.

Consultations/Publicity responses

Waste Services

The following points need to be addressed:

- Bin provisions, the applicant has suggested individual bins, the Council will provide communal bins in the form of 2 x 660 litre bins, one for recycling and the other for domestic waste and three food waste caddies
- A secure bin store will need to be constructed in order to accommodate the above bins
- Each bin must be accessible without having to first move the other bins. This store is to be secured with a keypad in order to prevent misuse by the commercial premises.
- The bin store can be no further than 10 metres from the bin store to the middle of road Grange Drive Line, the applicant will need to confirm this and make any alterations necessary.
- The collection crew will collect the bins from the store on collection day and return them back to the store after emptying, to that end there will be no need for the collection point.
- The proposed gates will need to be unrestricted an collection day
- There will need to be parking restriction in front of the bin store to prevent access being restricted.

Highways

Once again in a highway context consideration of the proposal does not differ significantly from the previous proposals CB/12/00726 and CB/13/01624.

Since the previous schemes the applicants have identified additional parking and fundamentally the CBC parking standards for new development have been reviewed and that the provision proposed is more than compliant with the latest requirements. In these circumstances I am therefore content that in terms of parking demand there is not a justifiable reason to raise an objection on highway grounds.

In the event that a grant of planning permission is to be considered I recommend inclusion of two conditions to comply with the proposed parking layout and to produce a car parking management plan.

Internal Drainage Board

No comments.

Public Protection

I note that the applicant has not stated opening hours within the application. However, conditions 9 and 10 of

the Outline Planning Permission MB/02/00242/OUT limit the opening hours of the retail unit and delivery hours respectively. I would therefore advise that an informative is attached to any approval reminding the applicant that these conditions apply.

The applicant has not provided any details of refrigeration plant, equipment or machinery to be provided at the shop premises. Noisy plant, machinery or equipment could be detrimental to residential amenity.

I am concerned that the proposed residential flats will suffer detriment to amenity from noise from traffic along Main Street/ Grange Drive Link and customer noise from customers entering and leaving the shop and also noise from the Community Hall opposite. Flat 3 may suffer detriment from residents using the car parking access as their Kitchen/living/dining room is over the traffic access route. The proposed flats may also suffer detriment to amenity from noise from the commercial shop premises on the ground floor beneath them.

I would therefore advise that conditions, identifying that the details of all machinery and a scheme for limiting the transmission of noise, are attached to any approval.

Forest of Marston Vale

On behalf of the Marston Vale Trust please note that this planning application may be relevant for a contribution to the delivery of the Forest of Marston Vale as set out within the Mid Bedfordshire Planning Obligations Strategy 2008.

Determining Issues

The main considerations of the application are;

1. Principle of development
2. Design and impact on the local character
3. Neighbouring amenity
4. Traffic and parking
5. Public Protection
6. Planning Obligations

Considerations

1. Principle of development

The Land South of Stotfold site was allocated in the Mid Bedfordshire Local Plan.

Outline planning permission (reference MB/02/00242/OUT) was granted in April 2006. This outline planning permission provided for residential development of up to 650 dwellings, up to 2.27 Ha of employment land (Class

B1), a neighbourhood centre, a shop (150 sq. metres), public open space and access.

The principle of a shop within the site is supported further by the adopted Land South of Stotfold Development Brief (2003) and the adopted Design Code (2007), which identifies a shop in the location of the application site.

The site is located wholly within the Settlement Envelope for Stotfold. As such the Central Bedfordshire (North) Core Strategy identifies that the Council will approve housing, employment and other settlement related development commensurate with the scale of development. This stance is echoed by the emerging Development Strategy for Central Bedfordshire. As such the principle of flats above a ground floor shop within the application site is considered acceptable.

As such the proposal would be in accordance with Policy DM4 of the Core Strategy and Development Management Policies Development Plan Document, Policy 38 of the emerging Development Strategy for Central Bedfordshire, the Land South of Stotfold Development Brief and the Land South of Stotfold Design and Landscape Strategy Code and as such is acceptable in principle.

2. Design and impact on the local character

The proposed development would be located in a predominantly residential area, bordered by two storey residential properties. These dwellings vary in brick type, between buff and red brick. The proposed development would seek to maintain a similar design to the existing properties, matching the existing building materials. The proposed development would follow a similar style to the roof design of the neighbouring properties, however the design would include a steeply pitched roof on the corner of Valerian Way and Grange Drive. This design is considered to be complementary to the local character and would comply with the adopted Design Code's aim of creating a focal building in this location.

The development would follow the street, curving around the junction of Valerian Way and Grange Drive. As such the proposed development would be clearly visible within the streetscene. The development would be located 5.0 metres away from Valerian Way and 4.0 metres away from Grange Drive, following a similar frontage depth of the neighbouring residential properties. As such the form and massing would be considered complementary to the surrounding environment.

As such the proposal would be in accordance with Policies CS14 and DM3 of the Core Strategy and Development Management Policies Development Plan Document, Policy 43 of the emerging Development Strategy for Central Bedfordshire, the Revised Central Bedfordshire Design Guide, the Land South of Stotfold Development Brief and the Land South of Stotfold Design and Landscape Strategy Code and as such is considered acceptable.

3. Neighbouring amenity

The proposed development would be located approximately 12.0 metres away from the existing residential properties on Grange Drive and approximately 23.0

metres away from the nearest properties on Valerian Way. Planning permission has also been granted for residential development to the north and west of the site, which would result in residential properties adjoining the sides of the development.

Due to the location of the proposed building there would be no detrimental impact in terms of being unduly overbearing or through loss of light. The proposed development would include nine first floor windows, five of which would directly face the residents of Grange Drive. As the windows would be approximately 12.0 metres away from the resident's first floor front windows on Grange Drive there would not be a detrimental impact in terms of privacy.

Therefore it is considered that the proposal meets the requirements of Policies CS14 and DM3 of the Central Bedfordshire Council's Core Strategy and Development Management Policies Development Plan Document, Policy 43 of the emerging Central Bedfordshire Development Strategy and the Revised Central Bedfordshire Design Guide. As such the proposal is not considered to cause a detrimental impact in terms of loss of privacy, loss of light or result in noise or light pollution and is considered acceptable.

4. Traffic and parking

The Town Council have raised concerns that the level of parking provided within this planning application is inadequate. This matter has been raised previously, when considering application CB/12/00726/FULL. This application was refused at Development Management Committee as it was considered that the development would provide insufficient dedicated off street parking to the detriment of highway safety.

The current planning application identifies that four parking spaces would be provided to the rear of the shop front for the 2 No.2 bed flats. The application also identifies that there is a parking bay, with space for five cars, opposite the proposed building. One of these spaces would be allocated to the 1 bed flat, while the remaining four spaces would be in shared use between the shop and the community building. This would increase the level of car parking from application CB/12/00726/FULL by five parking spaces. As such the level of parking provision would comply with the Revised Central Bedfordshire Design Guide. In order to confirm the location and to adequately manage the car parking spaces, two conditions have been recommended should the application be approved.

The Town Council have also identified concerns regarding the proposed dual use of the parking spaces opposite the shop, identifying that there may be a detrimental impact to the use of the proposed community building and there may be issues regarding management of the parking spaces. While the community building application has yet to be determined, it is identified that this application proposes 27 parking spaces, with 22 dedicated to the community building. The peak use of the two buildings is expected to vary between the day, reducing any detrimental impact. The parking provision would comply with the Revised Central Bedfordshire Design Guide and, as such, the parking provision is considered acceptable.

The Town Council have also identified that, as the dual use parking spaces are

located opposite the proposed shop, on the other side of Valerian Way, there is concern regarding highway safety. While it is accepted that users would need to cross a 30 mph road to access the shop, it must be noted that there is a crossing point approximately 18.0 metres from the dual use car parking spaces. No concerns regarding highway safety have been raised by Highways Officers.

5. Public Protection

It is noted that the applicant has not stated opening hours within the application. Conditions 9 and 10 of the Outline Planning Permission MB/02/00242/OUT limit the opening hours of the retail unit and delivery hours respectively. As this is a separate, full application these conditions are proposed to be attached, should permission be granted.

A Public Protection officer has identified that the applicant has not provided any details of refrigeration plant, equipment or machinery to be provided at the shop premises. Concern has been raised by the officer regarding potential detriment to the residential amenity of the proposed residential flats due to the noise from traffic along Valerian Way and Grange Drive and the noise from customers entering and leaving the shop. Concern has also been raised about potential noise from the anticipated community building opposite. In order to address these points, conditions identifying the details of all machinery and a scheme for limiting the transmission of noise, are recommended should the application be approved.

6. Planning Obligations

The applicant will be required to enter into a Unilateral Undertaking to meet the requirements of the Council's Planning Obligations Strategy by contributing to local infrastructure. This will be completed prior to the issuing of any decision.

Human Rights issues

The proposal would not raise any Human Rights issues.

Equality Act 2010

The proposal would not raise any issues under the Equality Act.

Recommendation

That Planning Permission be granted subject to the following conditions and completion of a Unilateral Undertaking:

RECOMMENDED CONDITIONS / REASONS

- 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 until samples of the brick, render, roof tiles and wether boarding to be used for the external walls and roofs of the new building have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**

Reason: To control the appearance of the building in accordance with Policy DM3 of Central Bedfordshire Council's Core Strategy and Development Management Policies Development Plan Document and Policy 43 of the emerging Central Bedfordshire Development Strategy.

- 3 **No development shall commence until a scheme has been submitted for the written approval of the Local Planning Authority for limiting the transmission of noise between;**

- a) **the car parking access road and the built over first floor residential unit above (flat 3 kitchen/living/dining)**
- b) **the ground floor shop and the first floor residential units**
- c) **main street/grange drive link, external customer noise and the residential units.**

Any works which form part of the scheme approved by the Local Planning Authority shall be completed and the effectiveness of the scheme shall be demonstrated to the satisfaction of the Local Planning Authority before any permitted development is occupied, unless an alternative period is approved in writing by the Authority.

Reason: To ensure adequate insulation against transmission of noise from the car parking access road, ground floor shop and road traffic/customer noise in main street/grange drive link and the residential units and therefore provide an acceptable internal noise environment for future occupiers of the development in accordance with Policy DM3 of Central Bedfordshire Council's Core Strategy and Development Management Policies Development Plan Document and Policies 43 and 44 of the emerging Central Bedfordshire Development Strategy.

- 4 **The development hereby approved shall not be brought into use until details, including acoustic specifications, of all fixed plant, machinery and equipment such as compressors, generators, air conditioning units, refrigeration plant or plant and equipment of a like kind, installed within or external to the shop premises, have been submitted to and approved in writing by the Local Planning Authority.**

Reason: To safeguard the amenities of adjoining occupiers in accordance with Policy DM3 of Central Bedfordshire Council's Core Strategy and Development Management Policies Development Plan Document and Policies 43 and 44 of the emerging Central Bedfordshire Development Strategy.

- 5 **The development hereby approved shall not be occupied until details of bin**

storage, including the inclusion of communal bins, have been submitted to and approved in writing by the Local Planning Authority and the bin storage areas have been implemented in accordance with the approved details. The bin storage areas shall be retained thereafter.

Reason: In the interest of amenity in accordance with Policy DM3 of Central Bedfordshire Council's Core Strategy and Development Management Policies Development Plan Document and Policy 43 of the emerging Central Bedfordshire Development Strategy.

- 6 The development hereby approved shall not be brought into use until a car parking management plan has been submitted to and approved by the Local Planning Authority. The car parking provision hereby approved shall only be implemented in full accordance with the approved management plan.

Reason: To ensure the availability of car parking for the exclusive use of occupiers of the proposed residential units in accordance with Policy DM3 of Central Bedfordshire Council's Core Strategy and Development Management Policies Development Plan Document (2009) and Policy 27 of the emerging Central Bedfordshire Development Strategy (2013).

- 7 The proposed development shall be carried out and completed in all respects in accordance with the parking siting and layout illustrated on the approved plan No.08 870-SK10 Rev.I and defined by this permission and, notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995, (or any Order revoking or re-enacting that Order) there shall be no variation without the prior approval in writing of the Local Planning Authority.

Reason: To ensure that the development of the site is completed insofar as its various parts are interrelated and dependent one upon another and to provide adequate and appropriate access arrangements at all times in accordance with Policy DM3 of Central Bedfordshire Council's Core Strategy and Development Management Policies Development Plan Document (2009) and Policy 27 of the emerging Central Bedfordshire Development Strategy (2013).

- 8 The retail unit shall only be open to customers between the hours of 7.00am to 10.30pm Mondays to Saturdays and 7.00am to 10.00pm on Sundays and Bank Holidays.

Reason: To safeguard the amenities which the occupiers of neighbouring properties might reasonably expect to enjoy and accord with Policy DM3 of Central Bedfordshire Council's Core Strategy and Development Management Policies Development Plan Document and Policies 43 and 44 of the emerging Central Bedfordshire Development Strategy.

- 9 Deliveries by commercial vehicles shall only be made to or from the retail premises between 8.00am and 6.00pm Monday to Saturday, and at no time on Sundays, Bank or Public Holidays, without the prior agreement in writing of the Local Planning Authority.

Reason: To safeguard the amenities which occupiers of neighbouring properties might reasonably expect to enjoy and accord with Policy DM3 of Central Bedfordshire Council's Core Strategy and Development Management Policies Development Plan Document and Policies 43 and 44 of the emerging Central Bedfordshire Development Strategy.

- 10 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 08 870-SO01 Rev.C, 08 870-SK01 Rev.F, 08 870-SK02 Rev.C, 08 870-SK04 Rev.D, 08 870-SK05 Rev.D, 08 870-SK06 Rev.B, 08 870-SK07 Rev.C, 08 870-SK08, 08 870-SK10 Rev.I, 08 870-SK20 Rev.A and 08 870-SK21 Rev.A.

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.
2. Each bin must be accessible without having to move the other bins. This store should be secured with a keypad in order to prevent misuse by the commercial premises.
3. The proposed gates will need to be unrestricted on collection day. The collection crew will collect the bins from the store on collection day and return them back to the store after emptying, to that end there will be no need for a collection point.

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 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.

Reasons for Granting

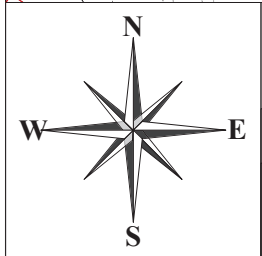
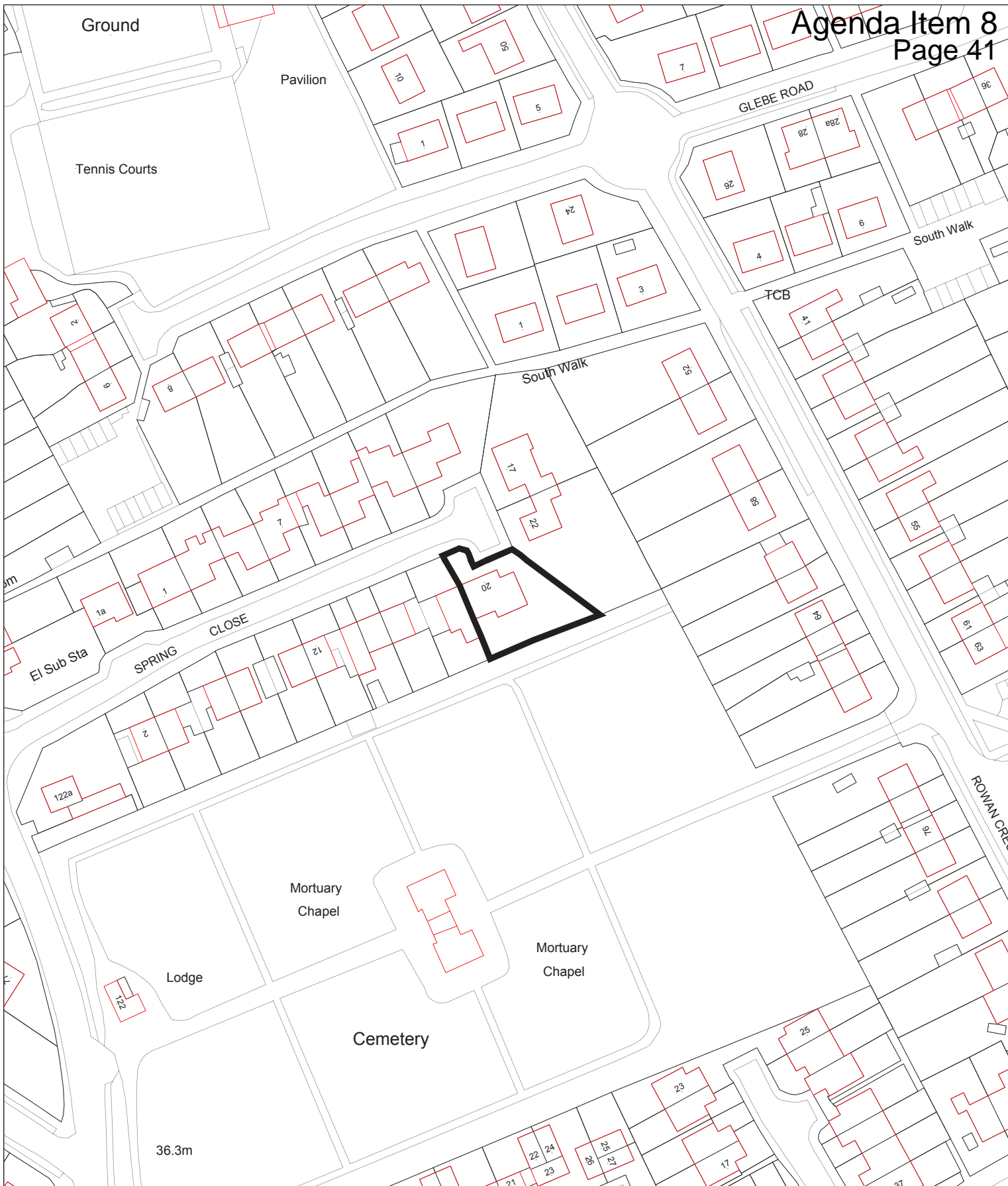
The principle of development has been established by the granting of outline planning permission (reference MB/02/00242/OUT) and is further supported by Policy DM4 of the Core Strategy and Development Management Policies Development Plan Document, Policy

38 of the emerging Development Strategy for Central Bedfordshire, the Land South of Stotfold Development Brief, the Land South of Stotfold Design and Landscape Strategy Code and the National Planning Policy Framework.

The proposed erection of 1 No. 1 bed flat, 2 No. 2 bed flats, 151 sq. metres A1 shop, parking spaces and parking bay, by reason of the siting, design, scale would complement the local surroundings and would not result in a loss of light, privacy or overshadowing or be prejudicial to highway safety as considered by Policies CS14, DM3 and DM4 of the Core Strategy and Development Management Policies Development Plan Document, Policies 27, 38 and 43 of the emerging Development Strategy for Central Bedfordshire and the National Planning Policy Framework. The development is in further conformity with technical guidance the Revised Central Bedfordshire Design Guide, the Land South of Stotfold Development Brief and the Land South of Stotfold Design and Landscape Strategy Code.

DECISION

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Central Bedfordshire Council
Licence No. 100049029 (2009)
Date: 19:May:2014
Map Sheet No

Application No.
CB/14/01368/FULL

Scale: 1:1250

20 Spring Close, Biggleswade, SG18 0HL

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Item No. 8

APPLICATION NUMBER	CB/14/01368/FULL
LOCATION	20 Spring Close, Biggleswade, SG18 0HL
PROPOSAL	Erection of new chalet bungalow with alteration to existing garage and parking
PARISH	Biggleswade
WARD	Biggleswade North
WARD COUNCILLORS	Cllrs Jones & Mrs Lawrence
CASE OFFICER	Samantha Boyd
DATE REGISTERED	23 April 2014
EXPIRY DATE	18 June 2014
APPLICANT	Mr & Mrs D Bourke
AGENT	Stephen Wood
REASON FOR COMMITTEE TO DETERMINE	Cllr Call in - Cllr Lawrence. 1 Contrary to Policy - on limits eg: boundary 3 Overdevelopment - Too large, bungalow is single storey. 4 Overbearing - Overlooks neighbour 7 Design - Compromise on many counts.
RECOMMENDED DECISION	Full Application - Approval Recommended subject to the completion of a Unilateral Undertaking.

Reason for Recommendation:

The proposal would not have a detrimental impact on the character of the area or an adverse impact on the residential amenity of neighbouring properties and is acceptable in terms of highway safety and the Planning Obligation Strategy, therefore by reason of its size, design and location, is in conformity with Policies CS2 and DM3 of the Core Strategy and Management Policies, November 2009; and The National Planning Policy Framework 2012. It is further in conformity with the Supplementary Design Guide: Design in Central Bedfordshire, 2014.

Site Location:

The application site is a semi detached property at the end of Spring Close, a cul de sac of residential properties in Biggleswade. The property sits within a corner plot at the end of the hammer head of the cul de sac. To the rear lies the old cemetery of Biggleswade and there are residential properties either side.

The Application:

Planning permission is sought for the erection of a 2 bedroom chalet bungalow linked to the existing dwelling at No. 20 Spring Close.

During the application process revised plans have been received reducing the proposal from a three bed dwelling to a two bedroom property.

The application follows a previous submission for a two storey, three bedroom

dwelling which was withdrawn by the applicant following concerns over the impact the proposal would have on the amenities of the neighbouring property given the height and siting of the property.

RELEVANT POLICIES:

Core Strategy and Development Management Policies - North 2009

CS1: Development Strategy

CS2: Developer Contributions

CS14 & DM3: High Quality Development

DM4: Development Within and Beyond Settlement Envelopes

National Planning Policy Framework (March 2012)

Supplementary Planning Guidance

Design in Central Bedfordshire (March 2014)

Planning Obligation Strategy (2008)

Planning History

CB/14/00473/Full Erection of a three bedroom two storey dwelling. Withdrawn

Representations:

(Parish & Neighbours)

Biggleswade Town
Council

Object to application as it would have an detrimental effect on the neighbours causing loss of light and privacy.

Neighbours

Four letters of objection received - summarised as follows:

Not much different to previous application. If the proposal went ahead, the roofline of the new building would only be slightly lower than the previously approved house and would therefore still adversely impact the open aspect of the neighbourhood and would still be significantly out of keeping with the existing symmetry of the cul de sac. In addition the new dwelling would still be likely to exacerbate the existing parking and access problems associated with the tuning area at this end of the cul de sac, especially at evenings and the weekends.

Out of keeping with area, all house are similar and this one will look odd. There are two garages between existing houses - there will be hardly any space between the proposed house and next door. Parking will be worse in street. Light will be affected that falls on side of property. Only has a slight reduced height that previous application.

Dwelling out of keeping with area. If goes ahead insist on designated parking for operatives and delivery vehicles which does not include blocking drive. construction hours should be limited to not commencing before 8am and finishing by 6pm and between 9 am and 1pm Saturdays and not on Sundays at all. Inconvenience parking and noise concern greatly.

Strongly object to application, submitted plans not consistent, side elevation does not illustrate the single storey section of building, plans refer to three bedroomed house, and not a chalet bungalow. The application has the same footprint as the original application no significant alterations have occurred. By reasons of close proximity to property there would be unacceptable level of overlooking and loss of privacy to first floor bedrooms, adverse impact on current levels of daylight. No 22 has acquired Right to Light as there has been a window opening for 20 years. Will affect our property from first floor and ground floor by overshadowing and will block light to two bedroom windows. Will over shadow dining area and block light to French windows, will also block light to large portion of garden. Proposed rear window will overlook decking area creating loss of privacy, For past 52 years property has not been overlooking. (HRA8 Right to a private life). There will be windows to the front which will affect the privacy of our upstairs front windows, dormer style windows are out of keeping. All existing properties have double garage scape between them, this will be reduced to 2m between the existing property and proposed. Concern over future use of flat roof area - this could be a balcony or terrace. There will be limited back gardens and the proposed property has no front garden which is out of keeping with the close. Concern over additional traffic. There is not enough space for three parking spaces. There will be additional vehicles parked on the road. On road parking outside the proposed property will be lost due to dropped kerb and new access. The additional property will cause further congestion. There will only be 2m between proposed property and our property -not clear from plans. Proposal does not comply with Policy DM3. It will have an unacceptable impact on living conditions.

Consultations/Publicity responses

Highways

I refer to the above full application for which you have requested my comments. I would advise as follows:

The application proposes the erection of a two bedroom chalet style building on land adjacent to No. 20 Spring

Gardens and is similar in highway terms to that submitted under withdrawn application CB/14/00473/FULL.

The existing property is a two bedroom dwelling with two garages to the side served via a wide forecourt driveway/hardstanding area. It is proposed to utilise one of the existing garages and part of the existing driveway forecourt to serve the new dwelling. Thus the new dwelling is provided with the recommended number of three parking spaces under the Council's recently revised standards.

The existing dwelling is shown to be served via the other existing garage and its forecourt together with a new parking space formed to the front of the dwelling, thus providing three spaces in total. However there is a discrepancy in the submitted plans, as there is insufficient room between the front of the existing dwelling and the footway around the turning area for a full length parking space to be provided clear of the highway; i.e. the front face of the existing dwelling is not set back 5m from the turning area. Therefore any vehicle parked in this proposed parking space would be caused to overhang the public highway which cannot be considered acceptable in highway terms.

However there is sufficient room in the garden area to the front of the existing dwelling for a full size parking space to be provided clear of the highway. I have therefore recommended a condition to secure this in order that there is appropriate provision of off-street parking to serve the existing dwelling.

The proposed development of an additional property has the potential to generate some 6 to 8 vehicle movements per day. It is considered that these can be satisfactorily accommodated on the local road network and the proposal is unlikely to have any adverse impact, once completed.

Therefore in a highway context I recommend that the following conditions be included if planning approval is to be issued:

- 1 Before the development hereby permitted is commenced, details of a scheme showing the provision of three off-street parking spaces to serve the existing/retained dwelling shall be submitted to and approved by the Local Planning Authority. The details to be approved shall include the proposed materials for construction and arrangements shall be made for surface water

from the site to be intercepted and disposed of separately so that it does not discharge into the highway. The approved scheme shall be implemented and made available for use before the development hereby permitted is occupied and that area shall not be used for any other purpose.

Reason:

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

- 2 Development shall not begin until details of the junction of the modified/widened vehicular access with the highway to serve the new parking area have been approved by the Local Planning Authority and the new dwelling shall not 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.

- 3 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.

- 4 Before development begins, a scheme for the secure and covered parking of cycles on the site to serve both dwellings (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 2 short stay spaces per unit, shall be 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.

Determining Issues

The main considerations of the application are;

1. The principle of the development
2. The effect on the character and appearance of the area
3. The impact on neighbouring amenity
4. Highway considerations
5. Other relevant planning considerations

Considerations

1. The principle of the development

Policy CS1 lists Biggleswade as a Major Service Centre. Policy DM4 states that:

Within the Settlement Envelopes of both Major and Minor Service Centres, the Council will approve housing, employment and other settlement related development commensurate with the scale of the settlement, taking account of its role as a local service centre.

The application site lies within the Settlement Envelope where proposals for new development will be considered acceptable in principle, subject to compliance with any other relevant policy.

2. The effect on the character and appearance of the area

The proposed dwelling would be located to the side of the existing dwelling at No 20. The existing double garage is to be split so that one side of the garage will be for No. 20 with the proposed dwelling partly constructed over the existing garage resulting in an integral garage for the new property. At single storey level the properties would be linked by the garage. At second floor there would be a space of around 3.5m between the buildings.

The proposed dwelling is designed to be a chalet style bungalow. The eaves are low at 2.5m and the overall ridge height would be 6.5m. Two bedrooms and a bathroom would be located in the roof space served by dormer windows, three to the front and one at the rear. At ground floor level, the proposal extends to within 900mm of the boundary shared with No. 22. The boundary is angled therefore at ground floor level a section of the proposed dwelling would have a flat roof and would extend 12.5m along the boundary. The first floor of the building would be set away from the boundary by 1m at the front and 7m at the

rear.

The proposed dwelling would provide two parking spaces on the frontage of the site and one in the garage, however the garage is below the recommended depth of 7m and therefore is not considered to be a parking space.

In terms of amenity space, the proposed dwelling would have a small garden depth of just 4m. However at 12m in width the overall rear amenity space would amount to approximately 48 sqm. Similarly the existing dwelling would also have a reduced amenity area resulting in a rear garden space of 60 sq m. While the garden depths are narrow, there are no neighbouring properties that back on to the rear of the site. The rear of the dwellings overlook the graveyard separated by a 1.5m brick wall and a number of mature and semi-mature trees including an ornamental horse Chestnut and Irish Yew. Despite the small gardens, the proposal is considered to have an acceptable amount of amenity space for a two bedroom dwelling. The Central Bedfordshire Design Guide (March 2014) advises that a 2 bedroom property should provide a private gardens space with a minimum area of 50 sq m however this is based on a garden width of 5m therefore a short fall of 2 sq m is not considered to be unacceptable in these circumstances.

From the front the proposed dwelling would be set back from the front elevation of the existing dwelling to sit in the corner of the street. It would be subservient to the existing dwellings given its ridge height would be 1m lower than No 20. It would clearly be visible within the street scene and would remove the existing space between the building at this end of the road, however as it would be tucked away at the end of the cul de sac, the proposed dwelling is not considered to result in a significant adverse impact on the street scene and therefore is compliant with Policy DM3 of the Core Strategy and Development Management Policies Document (2009).

3. The impact on neighbouring amenity

The property primarily affected by the proposal is the adjacent dwelling No 22 Spring Close. No 22 is a two storey property to the side of the application site with the front elevation facing onto Spring Close. The property has been extended at single and two storey levels and sits within a large corner plot with generous side and rear gardens. The side elevation closest to the proposed development includes bedroom windows and patio doors and windows on the ground floor.

Privacy

The flank wall of the proposed dwelling is side on to the rear garden of No .22. There are no windows proposed that would overlooking the garden area. In the ground floor flat roof section of the proposal, a utility door is proposed however this would be screened by the existing 1.8m fence that runs along the shared boundary. There would be no loss of privacy to the side windows or garden area of No. 22.

A dormer window is proposed to the rear of the dwelling however this would be at an angle to the garden area of the No. 22 and well away from any windows. There would be no adverse loss of privacy from the rear dormer window.

The side extension of No 22 includes bedroom windows that face the front. The dormer windows in the proposed property would be located at a right angle to the neighbouring windows and in fairly close proximity (around 4.5m between closest windows). The proposed dormer window closest to No .22 would serve a bathroom and would therefore be obscurely glazed reducing the potential to overlook. While there would be some element of overlooking between the front elevation windows due to their location, it is not considered to be so significant that it would warrant refusal on loss of privacy grounds given that the front windows of No. 22 are within the public domain.

The proposal is not considered to result in a loss of privacy to an unacceptable level.

Loss of light

The proposed dwelling would be located to the south west of No. 22 and it's garden area. The gable roof would be around 6.5m to ridge with low eaves and a side gable depth of approximately 12m. There would be an element of shadowing to the side elevation windows and a small section of the garden of No 22 towards the latter part of the day. However No. 22 has a generously sized garden which extends some 18m eastwards from the proposed dwelling and also wraps around the rear of No. 22.

While there would be an impact from the proposed dwelling given its siting to the south west, the impact would only be on the area of land immediately to the side of No. 22 close to the shared boundary. On balance it is not considered that the proposal would result in a significant loss of light such that it would adversely affect the living conditions of the neighbouring occupants. It is noted from site visit that there are a number of timbers sheds and structures adjacent to the shared boundary on the side of No 22 therefore much of the shadowing would be to these structures.

Overbearing impact

The side elevation of the proposed dwelling would be sited close to the shared boundary. The ground floor flat roof section would be approximately 900mm from the boundary and would have an overall height of 2.9m. While visible above the existing 1.8m boundary fence, this section of the proposal would not result in any overbearing impact on the neighbouring property. The gable wall of the proposed dwelling would be set off the boundary by 1m at the front and 7m at the rear, due to the angle of the boundary. The main impact of the proposed dwelling would be near the front, where it is closest to the neighbouring property. The gable wall of the proposed dwelling would clearly have an impact on the neighbouring property given it's location, however the impact would be limited to the garden area and windows in the immediate area adjacent to the boundary. Given that No 22 has a large plot with gardens extending away from the proposed development, any overbearing impact is considered to be limited and therefore not considered to be so significant that it would warrant refusal on these grounds.

Overall, while there would be some impact on the amenities of No. 22, the impact is not considered to be significant such that it would result in harm to the living conditions of the occupants. Therefore the proposal would comply with Policy DM3 of the Core Strategy and Development Management Policies Document (2009).

Given the size of the site and the proximity of the proposed dwelling to the neighbouring property, it would be wise to remove permitted development rights for extensions, external alterations and outbuildings.

No other neighbouring properties affected by the proposal.

4. Highway considerations

There are no objections from a highways point of view subject to the conditions listed above. With regard to cycle parking, it is not considered reasonable to attach a condition requiring a single two bedroom dwelling and the existing dwelling to provide 9 cycle parking spaces between them. Each property has access to the rear and/or garage space therefore parking of cycles can be accommodated at the properties if required.

Concern has been raised from a neighbour relating to existing parking problems in the cul de sac. It is felt that the proposed dwelling would exacerbate the problem and lead to additional street parking at busy times. These comments are noted however adequate on plot parking has been provided for both the existing and the proposed dwelling, therefore a refusal reason could not be sustained on these grounds.

5. Other relevant planning considerations

Planning Obligation Strategy

The proposal qualifies for developer contributions under Policy CS2 and the Planning Obligation Strategy. A draft Unilateral Undertaking has been submitted for the full contributions sought however a signed version has yet to be submitted and approved by the Council's Legal Team.

Tree and Landscape

Along the graveyard boundary there are a number of mature and semi mature trees including an ornamental horse Chestnut and Irish Yew. These trees would be unaffected by any proposal for a building within the footprint shown.

There would be no objections to the proposal however some additional landscape detail could be sought via a condition, although obviously limited.

Human Rights/Equality Act 2010

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

no relevant implications.

There are no further issues relevant to this application.

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 on site until a scheme has been 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 **No development shall commence until details of the final ground and slab levels of the dwelling hereby approved has been submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties. Thereafter the site shall be developed in full accordance with the approved details.**

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

- 4 **No development shall commence until full details of both hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. These details shall include:-**

- **boundary treatments;**
- **materials to be used for any hard surfacing;**
- **planting plans, including schedule of size, species, positions, density and times of planting;**
- **cultivation details including operations required to establish new planting;**
- **details of existing trees and hedgerows on the site, indicating those to be retained and the method of their protection during development works.**

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

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

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

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

- 6 **No development shall commence until details of a scheme showing the provision of three off-street parking spaces to serve the existing/retained dwelling has been submitted to and approved by the Local Planning Authority. The details to be approved shall include the proposed materials for construction and arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway. The approved scheme shall be implemented and made available for use before the development hereby permitted is occupied and that area shall not be used for any other purpose.**

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

- 7 **No development shall commence until details of the junction of the modified/widened vehicular access with the highway to serve the new parking area has been approved by the Local Planning Authority and the new dwelling shall not 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.

- 8 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.

- 10 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 or external alterations to the building hereby permitted shall be carried out without the grant of further specific permission from the Local Planning Authority.

Reason: To control the external appearance of the building and protect the amenities of adjacent occupiers.

- 11 Notwithstanding the provisions of Part 1 Class E of Schedule 2 to the Town and Country (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no buildings or other structures shall be erected or constructed within the curtilage of the property without the grant of further specific permission from the Local Planning Authority.

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

- 12 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 20SC/17, 20SC/12B, 20SC/13C, 20SC/15C, 20SC/16A, 20SC/11, 20SC/14.

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 contact Central Bedfordshire Council's Highway Help Desk, Tel: 0300 300 8049 quoting the Planning Application number. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.

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 Ampthill Road, Bedford MK42 9BD.

2. The applicant and the developer are advised that this permission is subject to a legal obligation under Section 106 of the Town and Country Planning Act 1990.

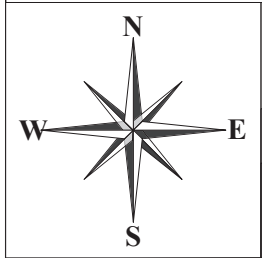
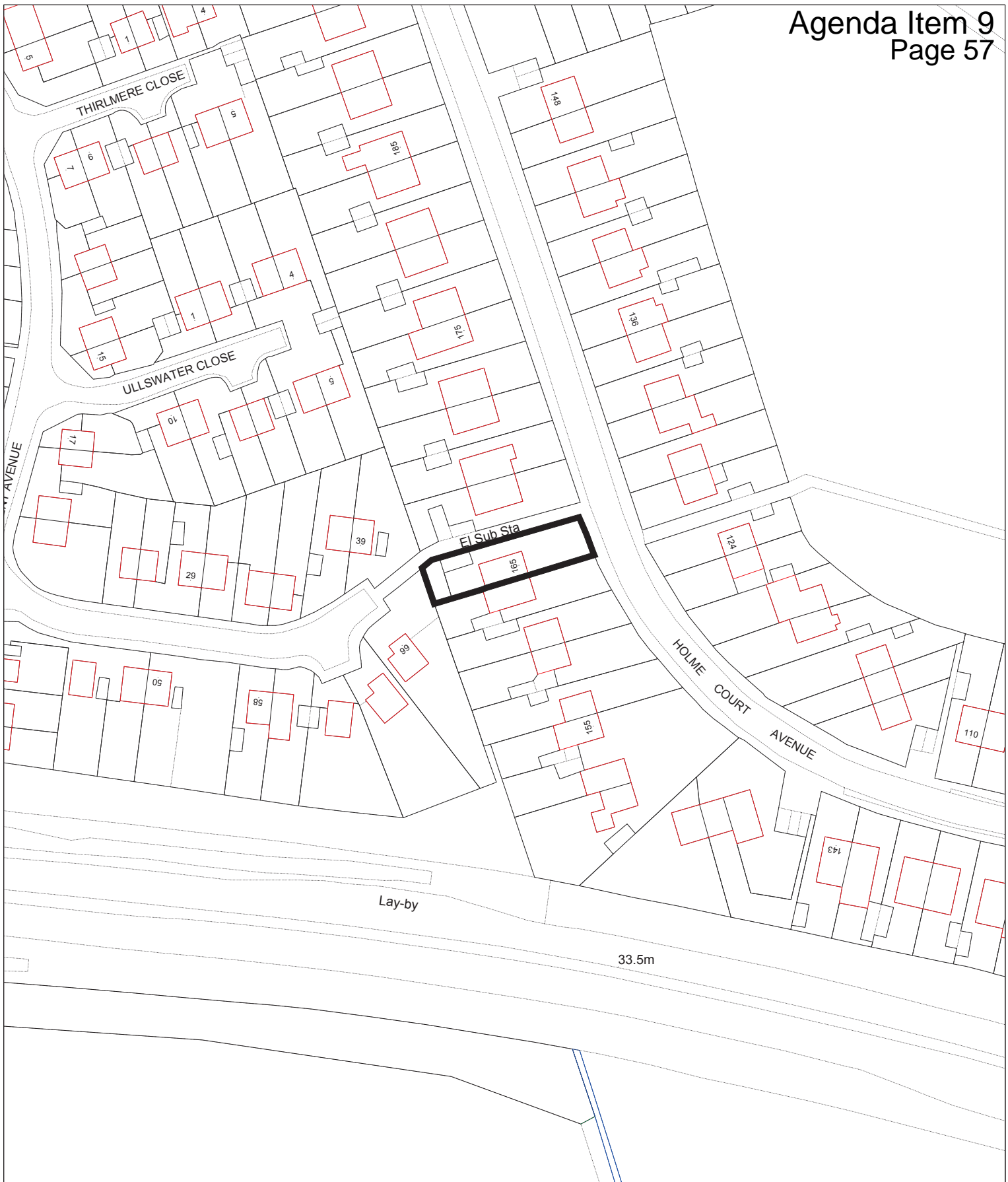
Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31

The Council acted pro-actively through positive engagement with the applicant 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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Date: 20:May:2014
Map Sheet No

Application No.
CB/14/01583/FULL

Scale: 1:1250

165 Holme Court Avenue, Biggleswade, SG18 8PB

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Item No. 9

APPLICATION NUMBER	CB/14/01583/FULL
LOCATION	165 Holme Court Avenue, Biggleswade, SG18 8PB
PROPOSAL	Two storey side extension
PARISH	Biggleswade
WARD	Biggleswade South
WARD COUNCILLORS	Cllrs Lawrence & Woodward
CASE OFFICER	Benjamin Tracy
DATE REGISTERED	23 April 2014
EXPIRY DATE	18 June 2014
APPLICANT	Mrs R Crisp
AGENT	
REASON FOR COMMITTEE TO DETERMINE	Applicant is a Member of Staff within the Development Management Department

RECOMMENDED DECISION **Full Application - Approval**

Summary of Recommendation

The proposal would not have a negative impact on the character and appearance of the area or an adverse impact on the residential amenity of neighbouring properties, therefore by reason of its size, design and location, the proposal is in conformity with Policies DM3 and CS14 of the Core Strategy and Management Policies, November 2009; and The National Planning Policy Framework. It is further in conformity with the technical guidance Central Bedfordshire Design Guide, 2014.

Site Location:

The site consists of a two storey semi detached dwelling house and its curtilage, located to the west of Holme Court Avenue, Biggleswade. The property currently benefits from a detached garage to the rear of the dwelling house and a single storey rear extension.

To the south of the site is the similarly designed attached neighbouring property known as No. 163 and to the north of the site is the neighbouring bungalow known as No. 167 which is separated from the site by a public footpath.

The Application:

The application is for a two storey side extension and a garden wall, previously granted planning permission on the 28th April 2011 under reference number CB/11/00972/FULL. The extension would project 3.25 metres from the wall forming the northern side elevation of the dwelling house and would measure: 7.865 metres deep; 7.9 metres high; and would have an eaves height of 5.5 metres (as measured from ground level).

The extension would form a car port at ground floor and would have a first floor

double casement window in the front wall, two first floor single casement windows in the wall forming the northern side elevation and a first floor single casement window in the rear wall.

The proposed garden wall would measure 2.4 metres high and would be sited to the rear of the dwelling house, fronting the public footpath.

RELEVANT POLICIES:

National Planning Policy Framework (March 2012)

Core Strategy and Development Management Policies (November 2009)

CS14 High Quality Development
DM3 High Quality Development

Central Bedfordshire Design Guide (March 2014)

Planning History

CB/11/00972/FULL Full: Two storey rear extension.
Decision: Planning Permission Granted.
Decision Date: 28/04/2011

MB/90/01649/FULL Full: Two storey side extension.
Decision: Planning Permission Granted.
Decision Date: 04/12/1990

**Representations:
(Parish & Neighbours)**

Biggleswade Town Council It was resolved that the Town Council raise no objection to this application provided the neighbours are consulted and that any comments they make are considered by CBC in their deliberations. In addition, the Council is to ensure that their guidelines on the size of the proposed extension to the principle dwelling are complied with in order to eliminate detriment in respect of light and privacy of adjacent neighbours.

Neighbours No response received

Consultations/Publicity responses

Highways Development Control This application for extensions to this existing semi-detached property has very little highway impact. Sufficient parking will be retained, no alteration to the existing access is required and traffic generation is unlikely to change to any significant degree.

If the grant of planning permission is to be considered please include the following advice note.

AN/. The applicant is advised that the storage of materials associated with this development should take place within the site and not extend into within the public highway without authorisation from the highway authority. If necessary the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk on 03003008049. Under the provisions of Section 59 of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of the construction of the development.

Determining Issues

The main considerations of the application are;

1. Appearance
2. Neighbours
3. Highway Safety and Car Parking
4. Equality and Human Rights

Considerations

1. Appearance

It is considered that the proposed boundary wall would be of an appropriate design and scale. Therefore it is considered that the wall would not cause harm to the character and appearance of the area.

The proposed two storey side extension would be visible within the street scene of Holme Court Avenue. The extension is considered to be in proportion with the original dwelling.

The two storey side extension would be located on the northern side of the dwelling with a set back of approximately 0.2 metres between the side of the extension from the northern boundary of the curtilage. This distance is considered to be sufficient to ensure separation between the development and adjacent dwellings, as there is a public footpath adjacent creating additional visual separation between the properties.

The proposed extension would appear as a subservient addition to the original dwelling house, whereby the ridge line would be 0.2 metres lower than the ridge line of the existing house, and the front elevation would be set back 0.4 metres from the existing front elevation. Therefore subject to a condition that would ensure the external materials match the house, it is considered that the proposed development would not cause harm to the character and appearance of the area.

The development as a whole is therefore considered to be in accordance with Policy DM3 of the Core Strategy and Development Management Policies, November 2009, the National Planning Policy Framework and in further accordance with the Central Bedfordshire Design Guide 2014, in this context.

2. Neighbours

Due to the scale and location of the proposed development in relation to the separation between the proposed development and the attached neighbour No. 163, it is considered that the proposed development would not cause an unacceptable impact in relation to loss of light, outlook, overshadowing or an overbearing impact upon this neighbouring property. Furthermore; when considering the location of fenestration in relation to No. 163 it is considered that the proposed development would not cause an unacceptable impact in relation to the privacy of the occupiers of No. 163. Therefore it is considered that the proposed development would not cause harm to the amenity or the living conditions of No. 163.

Although the proposed development would extend towards the neighbouring property No. 167 to the north of the site, a separation of approximately 7 metres would be retained due to the location of the adjoining public footpath. Therefore when considering the scale of the proposed extension and the separation between the proposed development and No. 167, it is considered that the proposal would not cause an unacceptable impact in relation to loss of light, overshadowing, outlook or an overbearing impact upon this neighbouring property.

The proposed development includes the installation of two first floor single casement windows in the wall to form the northern side elevation of the extension. Although No. 165 currently features two clear windows in the side wall of the original dwelling house, the proposed development would project closer to the neighbouring property No. 167 and would provide views to the immediate private amenity space of this neighbouring property. Therefore it is considered that a condition would be required to protect the privacy of this neighbouring property. Therefore subject to conditions, it is considered that the proposed development would not cause harm to the amenity or the living conditions of No. 167 or any other neighbouring property.

The development is therefore considered to be in accordance with Policy DM3 of the Core Strategy and Development Management Policies, November 2009, the National Planning Policy Framework and in further accordance with the Central Bedfordshire Design Guide 2014, in this context.

3. Highway Safety and Car Parking

The proposed development would generate an additional fourth bedroom, whereby the Council's car parking standard requires the provision of a minimum of three car parking spaces. Sufficient car parking would be retained to meet the Council's standard and would result in no alteration to the existing vehicular access, therefore it is considered that the proposed development is acceptable in the context of Highway Safety and Car Parking Provision.

4. Equality and Human Rights

Based on information submitted there are no known issues raised in the context of Human Rights/ The Equalities Act 2010 and as such there would be no relevant implications.

Recommendation

That Planning Permission be **GRANTED** subject to 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 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 first floor windows in the north facing elevation of the development hereby permitted shall be fitted with obscured glass of a type to substantially restrict vision through it at all times, and fixed shut up to a height of 1.7 metres above the finished floor level.

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

- 4 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers [CBC/001; P.001.; and P.002.].

Reason: For the avoidance of doubt.

Notes to Applicant

1. The applicant is advised that the storage of materials associated with this development should take place within the site and not extend into within the public highway without authorisation from the highway authority. If necessary the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk on 03003008049. Under the provisions of Section 59 of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of the construction of the development.
2. While the Council has no indication of any ongoing contamination, the mapped electricity substation site to the north of the application site cotheoreticallyally pose a risk to safe and secure use of development. Regard should be given to undertaking a soil survey, and any indications of potential problems should be forward to the Contaminated Land Officer,

Andre Douglas, for advice, on 0300 300 4004 or
andre.douglas@centralbedfordshire.gov.uk

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.

DECISION

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Meeting: Development Management Committee

Date: 4th June 2014

Subject: Development Management Performance Statistics

Report of: Interim Assistant Director of Planning

Summary: The report provides a bi-annual update of Development Management Performance

Advising Officer: Director of Planning

Contact Officer: Andrew Davie Interim Assistant Director of Planning
(Tel: 0300 300 8307)

Pubic/Exempt: Public

Wards Affected: All

Function of: Council

CORPORATE IMPLICATIONS

Council Priorities:

This is an information report for noting Development Control Performance Statistics

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 a six monthly update of Development Control Performance Statistics at Appendix B

Background

- 10 There has been improved performance in the number of applications determined within target time in all three statutory class categories compared with the same Quarter 1 (Apr-Jun) & Quarter 2 (Jul-Sep) periods in 2012. Major applications have increased from 34% to 60%; Minor applications from 71% to 78% and Other applications from 92% to 93%.

There continues to be been improved performance in the number of applications determined within target time in all three statutory class categories compared with the same Quarter 3 (Oct-Dec) & Quarter 4 (Jan-Mar) periods in 2012/13. Major applications have increased from 41% to 62%; Minor applications from 80% to 88% and Other applications from 92% to 95%.

Overall Performance in the number of applications determined has improved in all three statutory classes when making comparison between 2012/13 and 2013/14. Major applications have increased from 38% to 61%; Minor applications from 75% to 83% and Other applications from 92% to 94%.

11. The introduction of Agreements to Extension of Time for applications.

For most, it is expected that applications can be dealt with within the 8, 13 or 16 week statutory period, but for some applications a bespoke timetable is appropriate. This is accepted by government and the provisions of the Growth

and Infrastructure Act that brings in the power to designate poor performing authorities, also recognises that where council and applicants agree, the timetable for dealing with major development applications can be extended beyond 13 or 16 weeks so long as the council and the applicant agree. Provided the council is then able to meet the new agreed date, an application will be counted as satisfying the timeliness requirement for major development applications.

There are strong economic development arguments that positive planning – effective development management - requires councils to have systems that can deliver all of good quality developments with proper consideration of all the relevant material considerations within a timetable for delivering a decision on a planning application.

- 12** Introduction of new Permitted Development rights for Larger home extensions and Prior Approval for Changes of Uses came into force on 30 May 2013.

60 Permitted Development and 46 Prior approval applications registered 30 May to 31 March 2014.

- 13** Planning Performance Agreements and Pre-application advice;

6 new Planning Performance Agreements received in Quarters 3 & 4 of 2013/14.
12 new Planning Performance Agreements received in Year 2013/14.

Charging for householders' pre-application advice commenced in April 2013 – 67 advice requests validated in Quarters 1 & 2 of 2013/14 and 74 requests validated in Quarter 3 & 4.

- 14** There has been an increase in the numbers of applications received in Quarter 3 & 4 compared with 2012/13. 2,179 received in 2012/13 and 2,260 received in 2013/14.

Appendices:

Appendix B – Development Control Performance

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