

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

**This meeting
will be filmed.***



please ask for Leslie Manning
direct line 0300 300 5132
date 14 December 2017

NOTICE OF MEETING

DEVELOPMENT MANAGEMENT COMMITTEE

Date & Time

Wednesday, 3 January 2018 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), R D Berry (Vice-Chairman), M C Blair, Mrs S Clark, K M Collins, I Dalgarno, F Firth, E Ghent, C C Gomm, K Janes, T Nicols, T Swain and J N Young

[Named Substitutes:

Cllrs D Bowater, A D Brown, Mrs C F Chapman MBE, S Dixon, Ms C Maudlin, A Ryan 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.

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AGENDA

Welcome

1. **Apologies for Absence**

To receive apologies for absence and notification of substitute Members.

2. **Chairman's Announcements and Communications**

To receive any announcements from the Chairman and any matters of communication.

3. **Minutes**

To approve as a correct record, the minutes of the meeting of the Development Management Committee held on 6 December 2017 (copy to follow).

4. **Members' Interests**

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

Report

Item	Subject	Page Nos.
5.	Planning Enforcement Cases Where Formal Action Has Been Taken	7 - 12
	To consider the report of the Director of Regeneration and Business which provides a monthly update of planning enforcement cases where action has been taken.	

Planning and Related Applications

Prior to considering the planning applications contained in the following schedules Members will have received and noted any additional information relating to the applications as detailed in the Late Sheet for this meeting.

Item	Subject	Page Nos.
6.	<p>Planning Application No. CB/17/00981/OUT (Amphill)</p> <p>Address: Land north of Clophill Road, Maulden, MK45 2AE</p> <p>Outline Application: Erection of 21 dwellings with estate road.</p> <p>Applicant: Mrs Cowell and Mrs Donnelly</p>	13 - 28
7.	<p>Planning Application No. CB/17/01156/OUT (Amphill)</p> <p>Address: Land east of no. 13 Clophill Road, Maulden, Bedford, MK45 2AQ</p> <p>Outline Application: Residential development on land north of Clophill Road, Maulden including other associated works.</p> <p>Applicant: Aldbury Homes</p>	29 - 46
8.	<p>Planning Application No. CB/17/04939/VOC (Amphill)</p> <p>Address: 9 Silsoe Road, Maulden, Bedford, MK45 2AX</p> <p>Variation or removal of condition 6 of planning permission CB/16/05823/OUT. The condition is requested to be removed or restricted to 1.5 storeys with rooms in the roof with and agreed maximum ridge height.</p> <p>Applicant: Mr Jamieson</p>	47 - 58
9.	<p>Planning Application No. CB/17/04783/FULL (Biggleswade North)</p> <p>Address: 1 St Johns Street, Biggleswade, SG18 0BT</p> <p>Subdivision of annexe from main house to create a separate dwelling.</p> <p>Applicant: Ms H Turner</p>	59 - 68

10. **Planning Application No. CB/17/05259/FULL (Arlesey)**

69 - 76

Address: 4 Burgess Way, Henlow, SG16 6AX

Two storey front and rear extension. Single storey side extension.

Applicant: Mrs L Sorrell

11. **Late Sheet**

To receive and note, prior to considering the planning applications contained in the schedules above, any additional information detailed in the Late Sheet to be circulated on **2 January 2018**.

12. **Site Inspection Appointment(s)**

Under the provisions of the Members Planning Code of Good Practice, Members are requested to note that the next Development Management Committee will be held on **31 January 2018** and the Site Inspections will be undertaken on **29 January 2018**.

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Meeting: Development Management Committee
Date: 3rd January 2018
Subject: Planning Enforcement cases where formal action has been taken
Report of: Director of Regeneration and Business
Summary: The report provides a monthly update of planning enforcement cases where formal action has been taken.

Advising Officer: Director of Regeneration and Business
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**

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 3rd January 2018)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
1	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	Consultation on further action.
2	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			Not complied	Consultation on further action
3	CB/ENC/12/0508	Land at Site C, The Stables, Stanbridge Road, Great Billington, Leighton Buzzard, LU7 9JH	Enforcement Notice- Unauthorised creation of new access and erection of gates.	17-Nov-14	15-Dec-14	15-Mar-15 & 15-June-15			Not complied	No compliance. Legal advice being sought as to next steps.
4	CB/ENC/12/0521	Random, Private Road, Barton Le Clay, MK45 4LE	Enforcement Notice 2 - Without planning permission the extension and alteration of the existing dwelling on the land.	24-Aug-15	24-Sep-15	24-Mar-16 & 24-June-16		04-Apr-17	Not complied	The approved revised scheme for the provision of a flat roof dwelling (CB/17/02434/FULL) is in progress, and the whole of the unauthorised pitched roof with dormers and balconies has been demolished. The Enforcement notice is still in effect. The site is being regularly visited to check that the implementation of the 2017 permission accords with the approved drawings.
5	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			Not complied	Consultation on further action
6	CB/ENC/13/0336	The Stables, Dunstable Road, Toddington, Dunstable, LU5 6DX	2 Enforcement Notices - 1. Change of use from agriculture to a mixed use of agriculture, residential and retail sales and 2. building works for commercial purposes	11-Jul-14	15-Aug-14	15-Oct-14	Appeal dismissed.	02-May-17	Part complied	(Part complied) Residential occupation has ceased but fixtures and fittings remain. Appeals submitted to Planning Inspectorate related to lawful development certificate applications (CB/17/02161 & CB/17/02162)
7	CB/ENC/14/0485	Clifton House and outbuildings, Church Street, Clifton, Shefford, SG17 5ET	Repairs Notice - Listed Building in state of disrepair	08-Jan-15	08-Jan-15	08-Mar-15		08/04/2015	Not complied	To seek advice on how we are to progress this case if this is still considered to be required.

Planning Enforcement formal action (DM Committee 3rd January 2018)

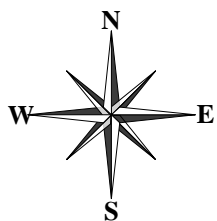
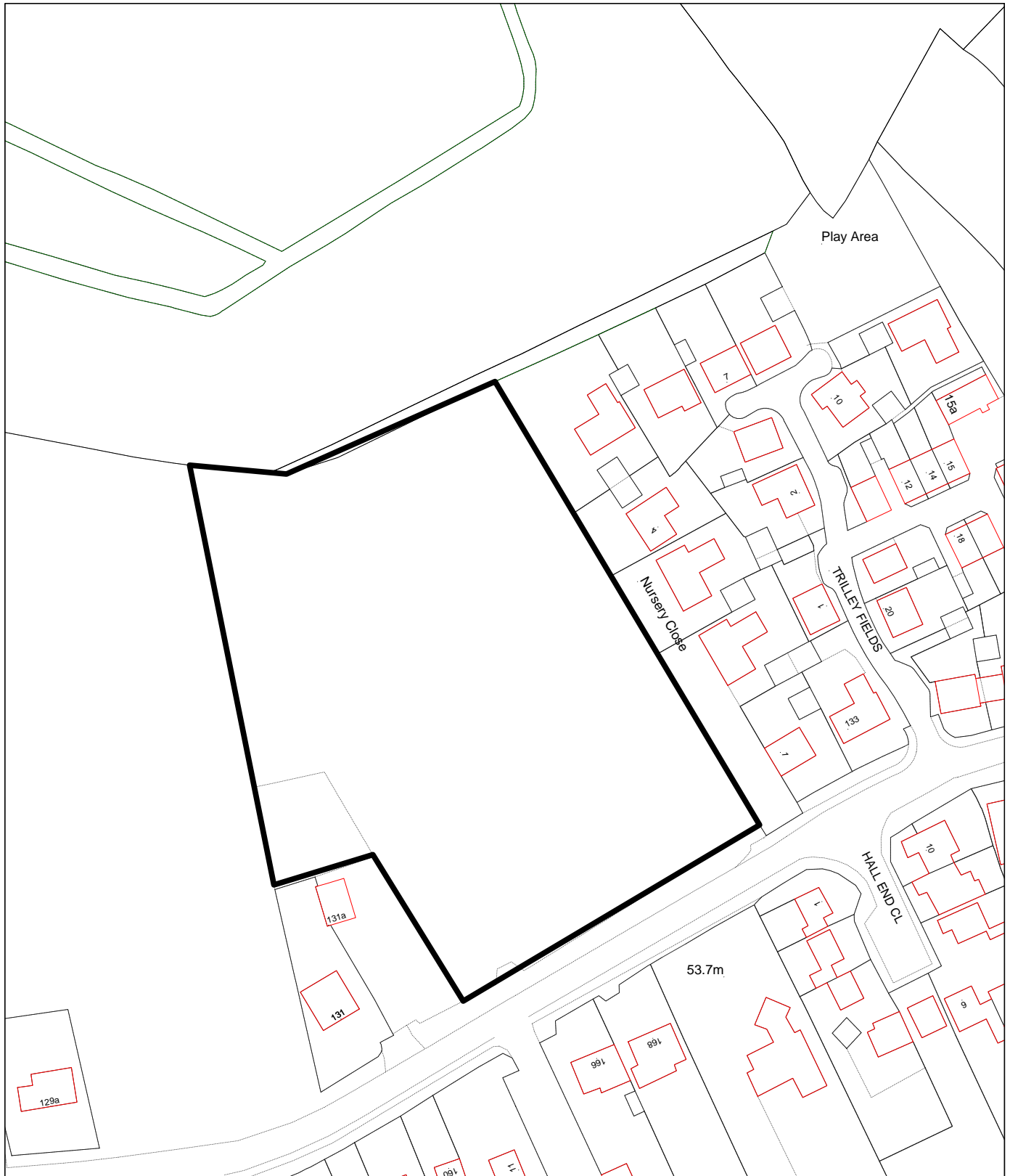
	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
8	CB/ENC/15/0140	Springbank, Bottom Drive, Eaton Bray, LU6 2JS	Enforcement Notice - Unauthorised wall	09-Nov-15	08-Dec-15	08-Feb-16	Appeal decision - Enforcement Notice upheld	27/09/2016	Not complied	Court case adjourned. Owner to complete works to comply with the Notice by 6th January 2018.
9	CB/ENC/15/0260	Gravenhurst Lane/A6, Silsoe	Section 215 notice - untidy land and buildings Enforcement Notice - material change of use to a caravan site with the stationing of two static mobile homes	06-May-16 07-Apr-17	08-Jun-16 08-May-17	08-Jul-16 08-Jul-17 08-Aug-17	 Appeal received 26/04/17		Part complied	Part compliance with the Section 215 Notice. Tyres and scrap removed. Appeal Inquiry 13/14th March 2018. Await outcome of Inquiry.
10	CB/ENC/15/0423	Land at, Astwick Road, Stotfold	Injunction served 22nd September 2015, continuation injunction served 5th October 2015 for unauthorised development for Gypsy and Traveller site. Enforcement Notice served 11/12/15	11-Dec-15	11-Jan-15	11-Jul-16 11-Oct-16	Appeal dismissed	02-Mar-17 02-Jun-17	Not complied	Continuation of Injunction granted 5/10/15 to prevent further unlawful development. Planning application refused. Injunction remains in place to prevent further development. Enforcement Notice remains in effect. Residential use has ceased. Owner has been reminded that the Enforcement requirements to remove the hard standing area and associated items is still required to be carried out. The site continues to be regularly monitored and flytipping of household items and green waste has commenced. Prosecution action against the non compliance with the Enforcement Notice has commenced.
11	CB/ENC/15/0466	Land at 13 Icknield Street, Dunstable, LU6 3AD	Enforcement Notice - the installation of a dormer	30-Nov-16	28-Dec-16	28-Jun-17				Works underway to comply with Enforcement Notice.
12	CB/ENC/15/0530	47 Hitchin Road, Stotfold, SG5 4HP	Section 215 Notice - untidy land	31-Aug-16	30-Sep-16	30-Oct-16			Not complied	Section 215 Notice not complied with. Lawful use certificate application submitted for parking of vehicles and use of rear garage for car repairs (CB/17/02115/LDCE) awaiting to be determined. Prosecution file with Legal to consider whether to take formal action.
14	CB/ENC/16/0016	Grooms Cottage, 5 West Hill, Aspley Guise, MK17 8DP	S215 Notice - Building in state of disrepair	16-Nov-16	16-Dec-16	16-Mar-17			Complied	Works have now been fully completed and the case is to be closed.

Planning Enforcement formal action (DM Committee 3rd January 2018)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
15	CB/ENC/16/0170	Car Park, The Pack Horse Public House, Watling Street, Kensworth	Enforcement Notice - Material change of use of the land from car park to use for vehicle sales, storage, repairs and the siting of a touring caravan.	20-Apr-17	18-May-17	18-Jul-17			Part complied	Part compliance - caravan removed, vehicle servicing ceased, and almost all cars for sale removed.
16	CB/ENC/16/0216	Falcons Field, Lower Rads End, Eversholt, MK17 9EE	Enforcement Notice - Unauthorised construction of a tree house	08-Mar-17	08-Apr-17	08-May-17	Appeal received 28/03/17			Await appeal decision.
17	CB/ENC/16/0328	52 The Ridgeway, Flitwick, MK45 1DJ	Section 215 - Untidy Land	03-Oct-16	03-Nov-16	03-Dec-16		02-Jul-17	Not complied	Mr and Mrs Brooks pleaded guilty for a second time at Luton Magistrates' Court. They were given a fine of £250 each, a victim surcharge of £30 each and a contribution towards costs of £100 each. This is a total cost to them of £760.
18	CB/ENC/16/0331	Rear of Grange Nurseries, The Green, Beeston, SG19 1PG	Enforcement Notice - Unauthorised change of use from agriculture to use for the parking and storage of military vehicles, trailers, containers, structures, associated paraphernalia and the installation of a septic tank	03-Jul-17	03-Aug-17	03-Sep-17	Appeal submitted 02/08/17			Await outcome of enforcement notice appeal.
19	CB/ENC/16/0534	Lynmore House, Sharpenhoe Road, Sharpenhoe, MK45 4SU	Breach of Condition x2	22-Jun-17	22-Jun-17	22-Jul-17				Await update from The Planning Inspectorate regarding appeal against planning application CB/17/00183/FULL.
21	CB/ENC/16/0584	63 Katherine Drive, Dunstable, LU5 4NP	Enforcement Notice - Unauthorised change of use to gym	30-Jun-17	28-Jul-17	28-Aug-17				Some improvement regarding noise. Alternative premises identified and planning application submitted.
23	CB/ENC/17/0265	Gravenhurst Lane/A6, Silsoe	Enforcement Notice - Change of use, barn to residential	02-Aug-17	04-Sep-17	04-Oct-17	Appeal received 18/9/17			Appeal Inquiry 13th/14th March 2018. Await outcome of Inquiry
24	CB/ENC/17/0266	Gravenhurst Lane/A6, Silsoe	Enforcement Notice - Creation of Bund	02-Aug-17	04-Sep-17	04-Oct-17	Appeal received 18/9/17			Appeal Inquiry 13th/14th March 2018. Await outcome of Inquiry

Planning Enforcement formal action (DM Committee 3rd January 2018)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
25	CB/ENC/17/0333	Four Winds Garage, West End, Haynes, MK45 3QT	Enforcement Notice - Unauthorised erection of a timber structure above the A6 Café units	05-Oct-17	05-Nov-17	05-Dec-17				Planning application submitted under CB/17/04836/FULL which includes the works contained in the Enforcement Notice so no further action will take place until the application is determined.



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Date: 12:December:2017

Map Sheet No

Application No.
CB/17/00981/OUT

Scale: 1:1250

Land North of Clophill Road, Maulden, MK45 2AE

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Item No. 6

APPLICATION NUMBER	CB/17/00981/OUT
LOCATION	Land North of Clophill Road, Maulden, MK45 2AE
PROPOSAL	Outline: Erection of 21 dwellings with estate road
PARISH	Maulden
WARD	Amphill
WARD COUNCILLORS	Cllrs Duckett, Blair & Downing
CASE OFFICER	Matthew Heron
DATE REGISTERED	24 February 2017
EXPIRY DATE	30 May 2017
APPLICANT	Mrs Cowell and Mrs Donnelly
AGENT	Mr M Doodes
REASON FOR COMMITTEE TO DETERMINE	Objection from Maulden Parish Council

RECOMMENDED DECISION	Outline application – Recommend approval
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Summary of Recommendation

The proposal, for residential units outside of a settlement boundary, conflicts with the current settlement strategy of the Council (denoted by Policies CS1 and DM4). This weighs against the grant of permission.

It is acknowledged that there would be some harm to the landscape character. However, when considered in the round, the development represents a logical expansion to the settlement and would contribute significantly to the economic and social dimensions of sustainability.

In the overall balancing exercise required, the identified harm and conflict with the Development Plan would be significantly out-weighed by the benefits of this scheme, particularly when assessed against the National Planning Policy Framework as a whole.

Site Location:

The application site is located towards the western side of Clophill and is approximately 2k to the west of Maulden. The site itself is rectangular piece of predominately open agricultural land.

To the north of the site is Maulden Wood, a Site of Special Scientific Interest (SSSI) for acidic grassland and heathland interest and as a large part remains ancient woodland. To the east, the site adjoins a modern housing development, which comprises residential units constructed in a range of architectural styles. To the west, the site adjoins a piece of agricultural land.

The Application:

This application seeks outline planning permission, with all matters except access reserved, for the construction of 21 residential units.

RELEVANT POLICIES:

National Planning Policy Framework (March 2012)

Core Strategy and Development Management Policies - North 2009

Policy CS1 – Development Strategy

Policy CS2 – Developer Contributions

Policy CS7 – Affordable Housing

Policy CS13 – Climate Change

Policy CS14 – High Quality Development

Policy CS16 – Landscape and Woodland

Policy CS18 – Biodiversity and Geological Conservation

Policy DM2 – Sustainable Construction of New Buildings

Policy DM3 – High Quality development

Policy DM4 – Development Within and Beyond Settlement Envelopes

Policy DM10 – Housing Mix

Policy DM14 – Landscape and Woodland

Policy DM15 – Biodiversity

Local Plan

The Council is currently consulting on its Draft Local Plan (Regulation 18). The Plan outlines the overarching strategy for growth and also sets out more detailed policies which will be used to determine planning applications. A substantial volume of evidence gathered over a number of years supports this document. These technical papers are consistent with the aspirations of the National Planning Policy Framework and therefore will remain on the Council's website as material considerations, which will, along with the direction of travel of the Local Plan, inform development management decisions.

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

Relevant Planning History:

None relevant.

Consultees:

Maulden Parish Council

“Maulden Parish Council strongly object to this application on the following grounds:

- *Outside the Maulden Settlement Envelope*
- *Significant harm to the village character.*

- The village school is at breaking point and no meaningful school provision has been or can be provided by the addition of this quantity of houses.
- Draft CBC Local Plan will be published at the end of June and this application is untimely and improper prior to this publication.
- Considering the emerging Maulden Neighbourhood Plan and an emerging desire in the village to be involved in the NP, to build a significant settlement in this part of the village, we feel this application is premature and insufficient.
- Loss of green space and visual amenity.

In addition and without prejudice to the above objection the application makes mention of Development Infrastructure Contributions under Proposed Planning Obligations. Under section S106 Maulden Parish Council would propose the following provisions to be made and agreed with the developer:

Recreation and Open Strategy

- Improvements to existing facilities at Trilley Fields as well as on-site facilities identified in the proposed site plan.
- Increase and improvements to the facilities at the existing Brache Recreation Ground to benefit the whole village. New slides and additional facilities for the play area. New bench's to replace the old ones that have had to be removed due to wear and tear.

Outdoor Sport

As no on-site outdoor sports facilities would be appropriate on this development a contribution towards improvements to the changing rooms at the recreation ground, new toilet block and sports facilities/equipment for outdoor sports

School Places

As mentioned in our objection Maulden School is currently full so there is a need for more school places as a result of a development of this size. This needs to be addressed by the Local Education Authority.

Traffic Calming

Concern over road safety within the village has been expressed for many years by both MPC and local organisations. Vehicles speeding are a problem and various traffic calming options are being discussed between MPC/CBC. The increased traffic will only add to the problem in the rest of the village. Therefore a contribution to traffic calming measures in the village and a safe pedestrian crossing point adjacent to the village shop should be included.

Community Benefit Fund

This has been proposed for other developments in the village so the setting up a Community Benefit Fund and a contribution that could be used by MPC to fund local causes such as the extension to the Village Hall."

Consultees

Highways Team – No objection subject to relevant conditions.

Trees and Landscape – No objection subject to relevant conditions.

Ecology – No objection subject to relevant conditions.

SuDS – No objection subject to relevant conditions.

Bedfordshire and River Ivel Internal Drainage Board – No objection.

Waste Services – No objection.

Environment Agency – No objection.

Environmental Health – No objection subject to relevant conditions.

Fire and Rescue – No objection.

Affordable Housing Officer – No objection.

Local Residents

11 letters of objection have been received from surrounding addresses. Comments are summarised as:

- Harm to biodiversity.
- Harm to the character of the area.
- Increased traffic and congestion.
- Harm in terms of vehicular and pedestrian safety.
- Insufficient services (including school provision and healthcare).
- Limited need for additional housing.
- Noise and disturbance to living conditions during construction.
- Harm in terms of flooding.

The loss of views has also been referenced in above mentioned objections. The loss of views are not material planning considerations. Further, concern has been raised with regards to the possible precedent that this application would set for future development and also attention has been drawn to developments refused within the surrounding area. Each application is determined on its own individual merits with regards to its own particular circumstances. As such, limited weight is afforded to these concerns.

Determining Issues:

The main considerations of the application are:

1. The principle of the development
2. The quality of the design and the impact upon the character of the area

3. The impact upon living conditions
4. Highway safety and parking provision
5. Other material considerations
 - i) Sustainability
 - ii) Ecology
 - iii) Flooding and Drainage
 - iv) Affordable Housing and Contributions
 - v) Contaminated Land

Considerations

1. The principle of the development

- 1.1 The application site is located outside of the defined 'settlement envelopes' of Clophill and Maulden and the Council can currently demonstrate a five year supply of housing land.
- 1.2 It is acknowledged that the approach of Policy DM4 in seeking to control the principle of development beyond settlement boundaries is more restrictive than the balanced, cost/benefit, approach set out in the Framework. The balancing of harm against benefit is a defining characteristic of the Framework's overall approach. However, this policy also seeks to ensure development is channelled to more sustainable settlements, away from isolated rural locations which have limited access to services and facilities. In this respect, Policy DM4 is entirely consistent with the thrust of the Framework which seeks to promote sustainable social, economic and environmental development. Overall, it is considered that weight may still be attributed to this policy in the determination of this application as the Council seeks to deliver planned development in a sustainable manner.
- 1.3 The proposal, for residential units outside of a settlement boundary, conflicts with the current settlement strategy of the Council (denoted by Policies CS1 and DM4). This weighs against the grant of permission.

2. The quality of the design and the impact upon the character of the area

- 2.1 Policies CS14, DM3 and DM4 seeks to ensure proposals are of a high quality of design, respect the local context in which they are in, are appropriate in terms of scale and have an acceptable impact upon the landscape. Chapter 7 of the Framework emphasises the importance of good design in context and, in particular, paragraph 64 states permission should be refused for development of poor design that fails to improve the character and quality of an area and the way it functions.
- 2.2 The application site comprises an area of open agricultural land, adjacent to built residential form to the east, and is accessed off Clophill Road which bounds the site to the south. Though there is vegetation to the front of the site, views would be available of the proposed development from the public domain.

- 2.3 It is noted that concern has been raised from Landscape Officers regarding the loss of views of the woodland to the rear of the site and the loss of an open field which is considered to contribute positively to settlement character. However, the woodland to the rear is at an elevated position compared to vantage points along the access road and so views of vegetation to the north of the site would still be available. In any event, the loss of a particular view is afforded no weight in this balancing exercise.
- 2.4 The applicant has submitted a landscape and visual impact assessment which indicates that the proposal would not result in significant and demonstrable harm to the character of the area. The site is not an identified 'gap' in policy terms and comprises no discernible landscape features. Given the existence of built residential form immediately adjacent to the site to the east and opposite the site to the south, it is considered that this development proposes a logical expansion to the village.
- 2.5 The units would not be more than two storeys in height and sufficient space would be left about units to ensure that they did not appear cramped upon their plots. It is recommended that permitted development rights for extensions and roof alterations (including dormer windows) are withdrawn to ensure the development remains acceptable in terms of spacing and design. Furthermore, a Landscaping Plan could be secured to ensure that built form is appropriately softened.
- 2.6 Though the extent to which the development would be visible would depend upon details reserved for future determination, and it is anticipated that views of the units would be screened by established and proposed vegetation, it is acknowledged that the final form of the proposal would result in residential development on land predominantly absent of built form. This would not result in the merging of settlements or harm to the wider landscape character, but would add to the erosion of the countryside.
- 2.7 Overall, there would be some visual and landscape harm arising from the loss of the site's open and undeveloped character. However, this could be mitigated, through the appropriate management of elements reserved for future consideration and through conditions. As such, the proposal would not result in significant harm in this regard.

3. The impact upon living conditions

- 3.1 Policy DM3 aims to preserve neighbouring amenity. Furthermore, guidance in paragraph 17 of the NPPF is to always seek to secure high quality design and good standard of amenity for all existing and future occupiers of land and buildings.
- 3.2 Though the detailed layout and overall design of units is reserved for future consideration, it is considered that, given the size of the application site, units could be positioned and designed in such a way as to not result in significant and demonstrable harm to the living conditions of surrounding units. Furthermore, given the existence of surrounding residential units and the scale of the proposal, it is not considered that the access would result in significant harm in terms of increased noise and disturbance from vehicular movements associated with the development.

- 3.3 Furthermore, it is noted that specific concerns have been raised with regards to the impacts of the proposal in terms of noise and disturbance during construction. The construction of units must adhere to environmental health legislation (which, amongst other things, manages the hours of construction to appropriate times) and it is recommended that a Construction Management Plan is requested through condition. This would ensure that vehicular movements and methods of dust suppression are appropriately managed, in the interest of neighbouring living conditions. Overall, it is not considered that the proposal would result in significant harm in this regard.

4. Highway safety and parking provision

- 4.1 Guidance within the 'Design for Central Bedfordshire: A Guide for Development' states that, generally, one bedroom units will require one parking space, two and three bedroom units will require two parking spaces and four bedroom units will require three spaces.
- 4.2 Though plots seem large enough to accommodate sufficient off-road parking, the overall layout of units is reserved for future consideration. However, a condition requested by Highways Officers would ensure that parking provision is in accordance with the Council's standards applicable at the time of submission.
- 4.3 Turning to highway safety, on discussion with Highways Officers it is considered that the access to the site would be suitable and that vehicular movements associated with this development could be accommodated on the existing highway network.
- 4.4 As such, subject to the imposition of conditions requesting; a Construction Management Plan, details of off-street parking and cycle provision, details of the access road, footways, cycle ways and turning areas and ensuring the provision of a footway along the northern side of Clophill Road, the proposal is considered acceptable in this regard.

5. Other material considerations

(i) Sustainability

- 5.1 The Framework adopts a broad definition of sustainable development in that it states that the policies in paragraphs 18 – 219, taken as a whole, constitute the Government's view of what sustainable development means in practice. The Framework also establishes that the purpose of the planning system is to contribute to the achievement of sustainable development, which includes economic, social and environmental dimensions.

Social

- 5.2 The proposal would make a small but valuable contribution to the existing housing stock. Given that one of the key aims of the Framework is to significantly boost the supply of housing, the proposal is considered sustainable in this regard and significant weight in favour of the proposal is attached to this factor. Further, it is noted that there has been concern raised with regards to

there not being the services within Clophill and Maulden to support this development. However, both settlements are defined as a Large Villages within Policy CS1 and have a number of services and facilities. Taking this into account, and given the statutory duty of relevant bodies to provide services (such as health and education) it is considered that there are sufficient services with the Large Village to accommodate the additional units.

Economic

- 5.3 The proposal would also result in economic benefits, through the purchase of materials and services in connection with the construction of the dwellings and an increase in local household expenditure. The proposal is considered sustainable in this regard, which again weighs in favour of the grant of permission.

Environmental

- 5.4 It is acknowledged that the proposal would result in some (moderate) harm to the character of the rural setting. However, the proposal is within close proximity to services and facilities and, overall, the development would not be environmentally unsustainable.

(ii) Ecology

- 5.5 The presence of protected species is a material consideration, in accordance with the National Planning Policy Framework (paragraphs 118-119), Natural Environment & Rural Communities (NERC) Act 2006 (section 40), Wildlife and Countryside Act 1981, Conservation of Habitats and Species Regulations 2010 as well as Circular 06/05. Furthermore, Policy CS18 seeks to support the maintenance and enhancement of habitats and states that development that would fragment or prejudice the biodiversity network will not be supported.
- 5.6 The site lies in the Greensand Ridge Nature Improvement Area (NIA) and as such development would be expected to deliver net gains for biodiversity. The proposals include a considerable 'buffer' to the adjacent SSSI and, on discussion with Ecology Officers, it is considered that the development could achieve a net gain in this regards.
- 5.7 To ensure that this gain is secured, it is recommended that a conditions is imposed ensuring that the development is in accordance with the details contained in the submitted October 2016 Ecological Appraisal and revision F of the indicative masterplan for the site.

(iii) Flooding and Drainage

- 5.8 Policy CS13 seeks to ensure that proposals incorporate suitable drainage infrastructure. It is acknowledged that concern has been raised with regards to the proposal being susceptible to and increasing the risk of flooding.
- 5.9 However, the site lies wholly within Flood Zone 1 – indicating a low probability of flooding. Further, on discussion with internal Drainage Engineers, it is considered that, subject conditions requesting the submission of a detailed Surface Water Drainage Plan and an associated maintenance plan, the

proposal would not increase the risk of flooding to the surrounding area and proposed units would not be susceptible to such risks. Subject to the imposition of this requested condition, and as there is no objection from the Environment Agency, the proposal would be acceptable in this regard.

(iv) Affordable Housing and Contributions

5.10 Policy CS7 states that development of four or more dwellings should provide an element of affordable housing and Policy CS2 seeks to secure appropriate contributions.

5.11 **The applicant has legally agreed to provide 35% affordable housing (7 affordable units). Further to this, the Strategic Housing Market Assessment (SHMA) has a tenure split requirement from sites** meeting the affordable housing threshold as being 73% affordable rent and 27% intermediate tenure. The applicant has also agreed to provide 5 units of affordable rent and 2 units of intermediate tenure in line with the SHMA. As such, the development is acceptable in this regard.

5.12 It is noted that the Parish Council has requested financial contributions for various local projects. However, no other financial contributions have been requested from relevant consultees. As such, it is not considered reasonable to request additional contributions from the applicant.

(v) Contaminated Land

5.13 Given the existing agricultural use of the site, on discussion with Public Protection it is considered that there may be some risk to human health through ground contamination. As such, it is recommended that a conditions is imposed requiring the developer to keep a watching brief during constructions. Subject to the imposition of this condition, any unexpected contamination can be reported and appropriately remediated.

6. Overall Planning Balance

6.15 The proposal, for residential units outside of a settlement boundary, conflicts with the current settlement strategy of the Council (denoted by Policies CS1 and DM4). This weighs against the grant of permission.

6.16 It is acknowledged that there would be some harm to the landscape character. However, when considered in the round, the development represents a logical expansion to the settlement and would contribute significantly to the economic and social dimensions of sustainability.

6.17 In the overall balancing exercise required, the identified harm and conflict with the Development Plan, would be significantly out-weighed by the benefits of this scheme, particularly when assessed against the Framework as a whole.

Recommendation:

That Outline Planning Permission be GRANTED subject to the following:

RECOMMENDED CONDITIONS / REASONS

- 1 Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 4 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans; Site Location Plan (scale of 1:1250 & 3206_DR_001 Rev. F.

Reason: To identify the approved plans and to avoid doubt.

- 5 The development shall not commence until a Construction Management Plan has been submitted to and approved, in writing, by the Local Planning Authority. The statement shall include:

- i) waste management measures;
- ii) details of site compounds, offices and areas to be used for the storage of materials;
- iii) methods and details of dust suppression during construction;
- iv) proposals to minimise harm and disruption to the adjacent local area from ground works, construction noise and site traffic.
- v) construction traffic routes

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

Reason: In the interest of highway safety and the living conditions of

surrounding properties.

- 6 The dwellings hereby approved shall not be occupied until details of the bin storage areas have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and retained in accordance with details approved in this regard.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS14, DM3 and DM14 of the Core Strategy and Development Management Policies 2009.

- 7 No development shall take place until a landscaping scheme to include all hard and soft landscaping and a scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.

Reason: To ensure an acceptable standard of landscaping.
(Sections 7 & 11, NPPF)

- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order amending or re-enacting that Order with or without modification) no development within Schedule 2, Part 1, Classes A and B shall take place.

Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding the character of the area, in accordance with Policies CS14, DM3 and DM4 of the Core Strategy and Development Management Policies 2009.

- 9 Prior to the commencement of the development hereby approved full engineering details of the proposed 5.5m wide access road junction with Clophill Road as shown indicatively on the submitted plans shall be submitted to and approved by the Local Planning Authority and no dwelling shall be occupied until the junction has been constructed in accordance with the approved details.

Reason: In order to minimise conditions of danger, obstruction and inconvenience to users of the highway and of the proposed internal access road.

- 10 The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall include plans and sections of the

proposed access road(s), footways, cycleways, turning areas, etc. to accord with the Council's published standards.

Reason: To ensure a satisfactory means of access between the proposed dwellings and the public highway and to ensure that the proposed dwellings can be properly serviced.

- 11 No dwelling shall be occupied until a 2.0m wide footway has been constructed on the northern side of Clophill Road between the proposed site access and the bus stop at the eastern end of the site frontage in accordance with details of a scheme to be submitted to and approved by the Local Planning Authority. Any Statutory Undertakers equipment or street furniture shall be re-sited to provide an unobstructed footway.

Reason: In the interests of road safety and pedestrian movement.

- 12 The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall illustrate a scheme for the provision of off-street parking and cycle storage in accordance with the Council's published standards.

Reason: To enable vehicles to draw off and park clear of the highway, thus minimising conditions of danger, obstruction, and inconvenience to users of the highway and of the premises and to ensure cycle parking is appropriate.

- 13 All ecological measures and/or works shall not be carried out other than in accordance with the details contained in the October 2016 Ecological Appraisal and drawing no. 3206_DR_001 Rev. F.

Reason: In the interest of biodiversity, in accordance Policy CS18 of the Core Strategy and Development Management Policies 2009.

- 14 No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment (Rev B Jan 2015) and Drainage Strategy Report (Rev A – Dec 2015) has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall include provision of attenuation for the 1 in 100 year event (+40% allowance for climate change) and restriction in run-off rates and volumes to at or below greenfield, using suitable drainage principles. The scheme shall include details of a site specific ground investigation report (in accordance with BRE 365 standards) to determine the infiltration capacity of the underlying geology and the ground water level, as well as details of how the system will be constructed including any phasing of the scheme, and how it will be managed and maintained after completion. The final detailed design including proposed standards of operation, construction, structural integrity and ongoing maintenance shall be compliant with the 'Non-statutory technical standards for sustainable drainage systems' (March 2015, Ref: PB14308), 'Central Bedfordshire Sustainable Drainage Guidance' (Adopted April 2014, Updated May 2015), and recognised best practise including the

Ciria SuDS Manual (2016, C753).

The scheme shall be implemented in accordance with the approved final details before the development is completed, and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with para 103 NPPF.

- 15 Prior to the first occupation of the dwellinghouses hereby approved, a finalised 'Maintenance and Management Plan' for the entire surface water drainage system, inclusive of any adoption arrangements and/or private ownership or responsibilities, shall be submitted to and approved in writing by the local planning authority. The development shall be in accordance with this approved plan.

Reason: To ensure that the implementation and long term operation of a sustainable drainage system (SuDS) is in line with what has been approved, in accordance with Written Statement HCWS161.

- 16 During any ground works on the site a Watching Brief shall be kept to monitor any potentially contaminated material. Should any such material be encountered, the development must cease immediately and the Council must be informed without delay and an appropriate course of action agreed in writing. Subsequently, the development shall continue in accordance with this agreed course of action until completed.

Reason: To minimise the risk to human health through ground contamination.

INFORMATIVE NOTES TO APPLICANT

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35

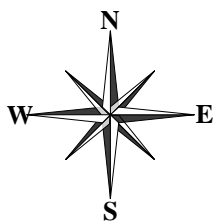
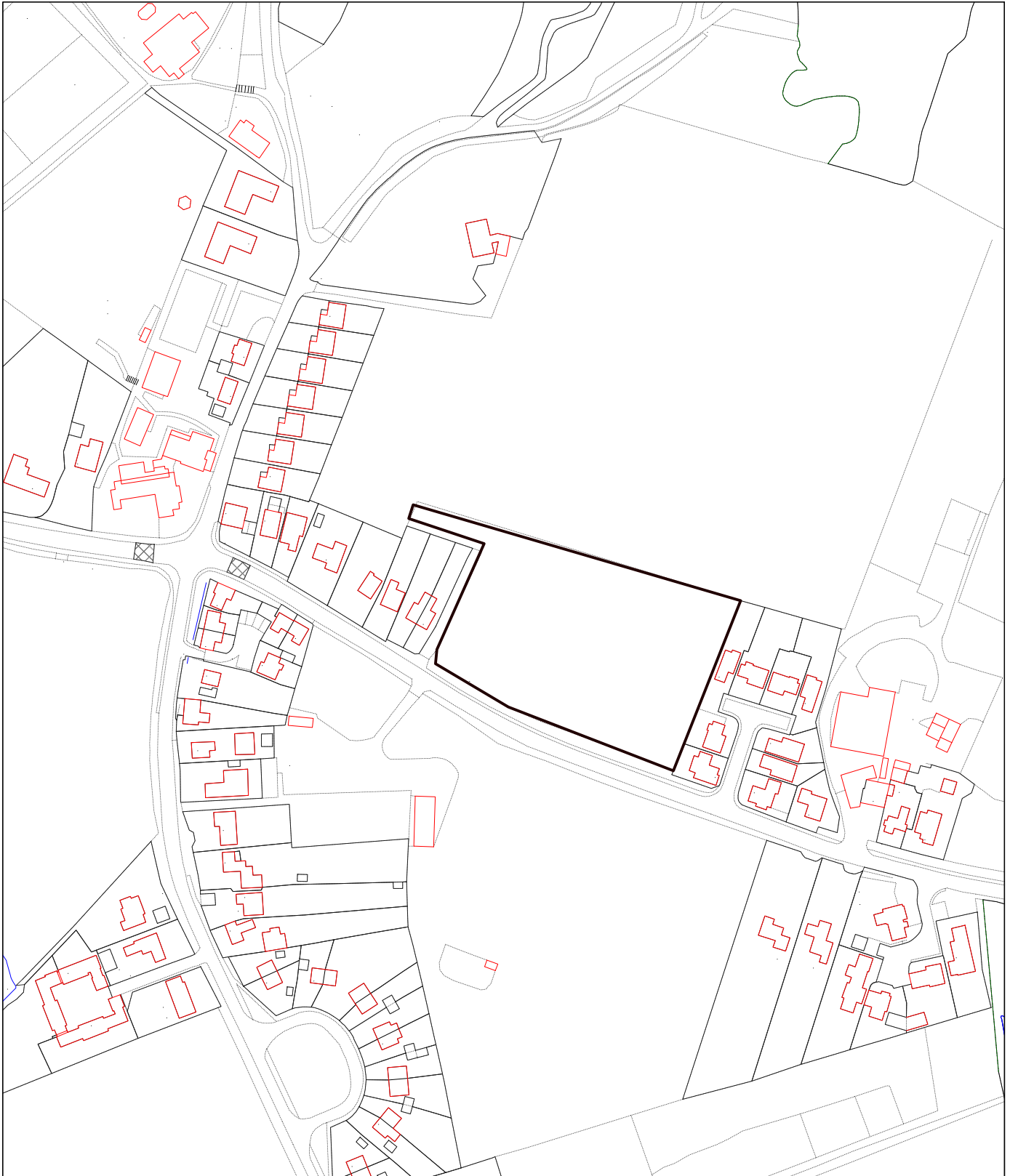
Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

DECISION

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Date: 12:December:2017

Map Sheet No

Application No.
CB/17/01156/OUT

Scale: 1:2500

Land East of No.13 Clophill Road, Maulden, Beds. MK45 2AQ

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Item No. 7

APPLICATION NUMBER	CB/17/1156/OUT
LOCATION	Land East of No. 13 Clophill Road, Maulden, MK45 2AQ
PROPOSAL	Outline: Residential development including other associated works
PARISH	Maulden
WARD	Amphill
WARD COUNCILLORS	Cllrs Duckett, Blair & Downing
CASE OFFICER	Matthew Heron
DATE REGISTERED	08 March 2017
EXPIRY DATE	07 June 2017
APPLICANT	Aldbury Homes
AGENT	David Coles Architects
REASON FOR COMMITTEE TO DETERMINE	Objection from Maulden Parish Council
RECOMMENDED DECISION	Outline application – Recommend approval subject to satisfactory completion of legal agreement

Summary of Recommendation

The proposal, for residential units outside of a settlement boundary, conflicts with the current settlement strategy of the Council (denoted by Policies CS1 and DM4). This weighs against the grant of permission.

It is acknowledged that there would be some harm to the landscape character. However, when considered in the round, the development represents a logical expansion to the settlement and would contribute significantly to the economic and social dimensions of sustainability.

In the overall balancing exercise required, the identified harm and conflict with the Development Plan would be significantly out-weighed by the benefits of this scheme, particularly when assessed against the National Planning Policy Framework as a whole.

Site Location:

The application site is located to the east of Maulden and comprises a rectangular arable field accessed off Clophill Road to the south.

The site is bound to the north by agricultural land and to the east and west by residential form.

The Application:

This application seeks outline planning permission, with all matters except access reserved, for the construction of 14 residential units.

RELEVANT POLICIES:

National Planning Policy Framework (March 2012)

Core Strategy and Development Management Policies - North 2009

Policy CS1 – Development Strategy

Policy CS2 – Developer Contributions

Policy CS7 – Affordable Housing

Policy CS13 – Climate Change

Policy CS14 – High Quality Development

Policy CS16 – Landscape and Woodland

Policy CS18 – Biodiversity and Geological Conservation

Policy DM2 – Sustainable Construction of New Buildings

Policy DM3 – High Quality development

Policy DM4 – Development Within and Beyond Settlement Envelopes

Policy DM10 – Housing Mix

Policy DM14 – Landscape and Woodland

Policy DM15 – Biodiversity

Local Plan

The Council is currently consulting on its Draft Local Plan (Regulation 18). The Plan outlines the overarching strategy for growth and also sets out more detailed policies which will be used to determine planning applications. A substantial volume of evidence gathered over a number of years supports this document. These technical papers are consistent with the aspirations of the National Planning Policy Framework and therefore will remain on the Council's website as material considerations, which will, along with the direction of travel of the Local Plan, inform development management decisions.

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

Relevant Planning History:

None relevant.

Consultees:

Maulden Parish Council

Initial Comment

Maulden Parish Council strongly object to this application on the following grounds:

- *Outside the Maulden Settlement Envelope*
- *Significant harm to the village character.*

- The village school is at breaking point and no meaningful school provision has been or can be provided by the addition of this quantity of houses.
- Draft CBC Local Plan will be published at the end of June and this application
- Considering the emerging Maulden Neighbourhood Plan and an emerging desire in the village to be involved in the NP, to build a significant settlement in this part of the village, we feel this application is premature and insufficient.
- Loss of green space and visual amenity.

In addition and without prejudice to the above objection the application makes mention of that the applicants will enter into a S106 Agreement with appropriate contributions towards community facilities and consequently Maulden Parish Council would propose the following provisions to be made and agreed with the developer:

Recreation and Open Strategy

- Provision of on-site facilities. None are identified in the proposed site plan.
- Increase and improvements to the facilities at the existing Brache Recreation Ground to benefit the whole village. New slides and additional facilities for the play area. New bench's to replace the old ones that have had to be removed due to wear and tear.

Outdoor Sport

As no on-site outdoor sports facilities would be appropriate on this development a contribution towards improvements to the changing rooms at the recreation ground, new toilet block and sports facilities/equipment for outdoor sports

School Places

As mentioned in our objection Maulden School is currently full so there is a need for more school places as a result of a development of this size. This needs to be addressed by the Local Education Authority.

Traffic Calming

Concern over road safety within the village has been expressed for many years by both MPC and local organisations. Vehicles speeding are a problem along Clophill Road in the area of the proposed development and various traffic calming options are being discussed between MPC/CBC. The increased traffic will only add to the problem along Clophill Road and the rest of the village. Therefore a contribution to traffic calming measures in the village and a safe pedestrian crossing point adjacent to the village shop should be included.

Community Benefit Fund

This has been proposed for other developments in the village so the setting up a Community Benefit Fund and a contribution that could be used by MPC to fund local causes such as the extension to the Village Hall.

Subsequent Comments

With reference to the amendments to this application, whilst recognising that the number of dwelling has been reduced from 23 to 14, the revised plan does not overcome the previous objections and consequently Maulden Parish Council strongly object to the amended application on following basis:

- * Outside Maulden Settlement Envelope. Settlement envelopes serve to prevent coalescence between settlements and to protect the separate character and identify physical identity of the village.*
- * Significant harm to the village character and an unacceptable impact on the settlement envelope.*
- * Loss of green space and visual amenity.*
- * No community benefit for Maulden*
- * CBC “call for sites” assessment has excluded the site (ALP151) in the Draft Local Plan as not suitable for development. CBC comments correspond with MPC view as follows: the site is mostly Grade 2 agricultural land and lies between two distinctly separate settlement envelopes. Development here would fill in a gap in the settlement pattern which is distinctive and unique to the historical pattern of Maulden, development could have an unacceptable impact on the character of the settlement.*

Consultees

Highways Team – No objection subject to relevant conditions.

Trees and Landscape – No objection subject to relevant conditions.

Ecology – No objection subject to relevant conditions.

SuDS – No objection subject to relevant conditions.

Bedfordshire and River Ivel Internal Drainage Board – No objection.

Waste Services – No objection.

Environmental Health – No objection subject to relevant conditions.

Fire and Rescue – No objection.

Affordable Housing Officer – No objection.

Local Residents

10 letters of objection have been received from surrounding addresses. Comments are summarised as:

- Harm to living conditions, in terms of loss of light, noise and disturbance and overlooking.
- Harm in terms of highway safety.
- Insufficient services within surrounding settlements.

- Insufficient parking provision.
- Insufficient contributions from proposed development to local services.
- Harm to the character of the area.

The above mentioned objections also have regard to the increase in house prices and the loss of views as a result of the development. These are not material planning considerations and are afforded no weight in the determination of this application.

Sewerage capacity has also been questioned. Services for the proposal in this regard will be thoroughly assessed during an application made to comply with Building Control. Objections in this regard carry little weight.

Finally, it is noted that concern has been raised with regards to harm to existing property during construction, harm to road conditions and the restriction of rights of access. These form legal issues and, as such, fall outside of the remit of planning.

Determining Issues:

The main considerations of the application are;

1. The principle of the development
2. The quality of the design and the impact upon the character of the area
3. The impact upon living conditions
4. Highway safety and parking provision
5. Other material considerations
 - i) Sustainability
 - ii) Ecology
 - iii) Flooding and Drainage
 - iv) Affordable Housing and Contributions
 - v) Contaminated Land

Considerations

1. The principle of the development

- 1.1 The application site is located outside of the defined 'settlement envelopes' of Clophill and Maulden and the Council can currently demonstrate a five year supply of housing land.
- 1.2 It is acknowledged that the approach of Policy DM4 in seeking to control the principle of development beyond settlement boundaries is more restrictive than the balanced, cost/benefit, approach set out in the Framework. The balancing of harm against benefit is a defining characteristic of the Framework's overall approach. However, this policy also seeks to ensure development is channelled to more sustainable settlements, away from isolated rural locations which have limited access to services and facilities. In this respect, Policy DM4 is entirely consistent with the thrust of the Framework which seeks to promote sustainable social, economic and environmental development. Overall, it is considered that

weight may still be attributed to this policy in the determination of this application as the Council seeks to deliver planned development in a sustainable manner.

- 1.3 The proposal, for residential units outside of a settlement boundary, conflicts with the current settlement strategy of the Council (denoted by Policies CS1 and DM4). This weighs against the grant of permission.

2. The quality of the design and the impact upon the character of the area

- 2.1 Policies CS14, DM3 and DM4 seeks to ensure proposals are of a high quality of design, respect the local context in which they are in, are appropriate in terms of scale and have an acceptable impact upon the landscape. Chapter 7 of the Framework emphasises the importance of good design in context and, in particular, paragraph 64 states permission should be refused for development of poor design that fails to improve the character and quality of an area and the way it functions.
- 2.2 The application site comprises an area of open agricultural land, adjacent to built residential form to the east and west, and is accessed off Clophill Road which bounds the site to the south. Though there is established vegetation to the front of the site, views would be available of the proposed development from certain vantage points along Clophill Road.
- 2.3 The site is not an identified 'gap' in policy terms and comprises no discernible landscape features. Given the existence of built residential form immediately adjacent to the site and as a large section of open space would be left within the middle of the site, it is considered that this development proposes a logical expansion to the village.
- 2.4 The units would not be more than two storeys in height and sufficient space would be left about them to ensure that they did not appear cramped upon their plots. It is recommended that permitted development rights for extensions and roof alterations (including dormer windows) are withdrawn to ensure the development remains acceptable in terms of spacing and design. Furthermore, a Landscaping Plan could be secured to ensure that built form is appropriately softened and that there is no further fragmentation of existing hedgerows.
- 2.5 Though the extent to which the development would be visible would depend upon details reserved for future determination, and it is anticipated that views of the units would be screened by established and proposed vegetation, it is acknowledged that the final form of the proposal would result in residential development on land predominantly absent of built form. This would not result in the merging of settlements or harm to the wider landscape character, but would add to the erosion of the countryside.
- 2.6 Overall, there would be some visual and landscape harm arising from the loss of the site's open and undeveloped character. However, this could be mitigated, through the appropriate management of elements reserved for future consideration and through conditions. As such, the proposal would not result in significant harm in this regard.

3. The impact upon living conditions

- 3.1 Policy DM3 aims to preserve neighbouring amenity. Furthermore, guidance in paragraph 17 of the NPPF is to always seek to secure high quality design and good standard of amenity for all existing and future occupiers of land and buildings.
- 3.2 Though the detailed layout and overall design of units is reserved for future consideration, it is considered that, given the size of the application site, units could be positioned and designed in such a way as to not result in significant and demonstrable harm to the living conditions of surrounding units. Furthermore, given the existence of surrounding residential units and the scale of the proposal, it is not considered that the access would result in significant harm in terms of increased noise and disturbance from vehicular movements associated with the development.
- 3.3 Furthermore, it is noted that specific concerns have been raised with regards to the impacts of the proposal in terms of noise and disturbance during construction. The construction of units must adhere to environmental health legislation (which, amongst other things, manages the hours of construction to appropriate times) and it is recommended that a Construction Management Plan is requested through condition. This would ensure that vehicular movements and methods of dust suppression are appropriately managed, in the interest of neighbouring living conditions. Overall, it is not considered that the proposal would result in significant harm in this regard.

4. Highway safety and parking provision

- 4.1 Guidance within the 'Design for Central Bedfordshire: A Guide for Development' states that, generally, one bedroom units will require one parking space, two and three bedroom units will require two parking spaces and four bedroom units will require three spaces.
- 4.2 Though plots seem large enough to accommodate sufficient off-road parking, the overall layout of units is reserved for future consideration. However, a condition requested by Highways Officers would ensure that parking provision is in accordance with the Council's standards applicable at the time of submission.
- 4.3 Turning to highway safety, on discussion with Highways Officers it is considered that the access to the site would be acceptable and that the required visibility splays can be achieved. Subject to conditions requesting; details of the access junction, a traffic calming scheme, details of access road(s), footways, cycleways and turning areas with any forthcoming reserved matters application and ensuring that a 2m wide footway is constructed, no objection has been raised in this regard.

5. Other material considerations

(i) Sustainability

- 5.1 The Framework adopts a broad definition of sustainable development in that it states that the policies in paragraphs 18 – 219, taken as a whole, constitute the Government's view of what sustainable development means in practice. The

Framework also establishes that the purpose of the planning system is to contribute to the achievement of sustainable development, which includes economic, social and environmental dimensions.

Social

- 5.2 The proposal would make a small but valuable contribution to the existing housing stock. Given that one of the key aims of the Framework is to significantly boost the supply of housing, the proposal is considered sustainable in this regard and significant weight in favour of the proposal is attached to this factor. Further, it is noted that there has been concern raised with regards to there not being the services within Clapham and Mauden to support this development. However, both settlements are defined as a Large Villages within Policy CS1 and have a number of services and facilities. Taking this into account, and given the statutory duty of relevant bodies to provide services (such as health and education) it is considered that there are sufficient services with the Large Village to accommodate the additional units.

Economic

- 5.3 The proposal would also result in economic benefits, through the purchase of materials and services in connection with the construction of the dwellings and an increase in local household expenditure. The proposal is considered sustainable in this regard, which again weighs in favour of the grant of permission.

Environmental

- 5.4 It is acknowledged that the proposal would result in some (moderate) harm to the character of the rural setting. However, the proposal is within close proximity to services and facilities and, overall, the development would not be environmentally unsustainable.

(ii) Ecology

- 5.5 The presence of protected species is a material consideration, in accordance with the National Planning Policy Framework (paragraphs 118-119), Natural Environment & Rural Communities (NERC) Act 2006 (section 40), Wildlife and Countryside Act 1981, Conservation of Habitats and Species Regulations 2010 as well as Circular 06/05. Furthermore, Policy CS18 seeks to support the maintenance and enhancement of habitats and states that development that would fragment or prejudice the biodiversity network will not be supported.
- 5.6 The site lies in the Greensand Ridge Nature Improvement Area (NIA) and as such development would be expected to deliver net gains for biodiversity. The proposals include a considerable 'buffer' to the adjacent SSSI and, on discussion with Ecology Officers, it is considered that the development could achieve a net gain in this regard.
- 5.7 To ensure that this gain is secured, Ecology Officers have recommended the imposition of a condition requiring an Ecological Enhancement Strategy. Subject to the imposition of this condition, no objection has been raised by Ecology Officers and the proposal would be acceptable in this regard.

(iii) Flooding and Drainage

- 5.8 Policy CS13 seeks to ensure that proposals incorporate suitable drainage infrastructure. It is acknowledged that concern has been raised with regards to the proposal being susceptible to and increasing the risk of flooding.
- 5.9 However, the site lies wholly within Flood Zone 1 – indicating a low probability of flooding. Further, on discussion with internal Drainage Engineers, it is considered that, subject conditions requesting the submission of a detailed Surface Water Drainage Plan and an associated maintenance plan, the proposal would not increase the risk of flooding to the surrounding area and proposed units would not be susceptible to such risks. Subject to the imposition of this requested condition, the proposal would be acceptable in this regard.

(iv) Affordable Housing and Contributions

- 5.10 Policy CS7 states that development of four or more dwellings should provide an element of affordable housing and Policy CS2 seeks to secure appropriate contributions.
- 5.11 The applicant has agreed to provide five affordable units (four affordable rent and one unit of intermediate tenure) in line with policy requirements. At present, there is no legal agreement to secure this. As such, this application is presented to the Committee for approval subject to securing this appropriate agreement in due course.
- 5.12 It is noted that the Parish Council has requested financial contributions for various local projects. However, no other financial contributions have been requested from relevant consultees. As such, it is not considered reasonable to request additional contributions from the applicant.

(v) Contaminated Land

- 5.13 Given the existing agricultural use of the site, on discussion with Public Protection it is considered that there may be some risk to human health through ground contamination. As such, it is recommended that a condition is imposed requiring the developer to keep a watching brief during constructions. Subject to the imposition of this condition, any unexpected contamination can be reported and appropriately remediated.

6. Overall Planning Balance

- 6.15 The proposal, for residential units outside of a settlement boundary, conflicts with the current settlement strategy of the Council (denoted by Policies CS1 and DM4). This weighs against the grant of permission.
- 6.16 It is acknowledged that there would be some harm to the landscape character. However, when considered in the round, the development represents a logical expansion to the settlement and would contribute significantly to the economic and social dimensions of sustainability.

6.17 In the overall balancing exercise required, the identified harm and conflict with the Development Plan, would be significantly out-weighed by the benefits of this scheme, particularly when assessed against the Framework as a whole.

Recommendation:

That Outline Planning Permission be GRANTED subject to the following:

RECOMMENDED CONDITIONS / REASONS

- 1 Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 4 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans; 16216 (D) 001 & 16216 (D) 002 Rev. C

Reason: To identify the approved plans and to avoid doubt.

- 5 The development shall not commence until a Construction Management Plan has been submitted to and approved, in writing, by the Local Planning Authority. The statement shall include:

- i) waste management measures;
- ii) details of site compounds, offices and areas to be used for the storage of materials;
- iii) methods and details of dust suppression during construction;
- iv) proposals to minimise harm and disruption to the adjacent local area from

ground works, construction noise and site traffic.
v) construction traffic routes

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

Reason: In the interest of highway safety and the living conditions of surrounding properties.

- 6 The dwellings hereby approved shall not be occupied until details of the bin storage areas have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and retained in accordance with details approved in this regard.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS14, DM3 and DM14 of the Core Strategy and Development Management Policies 2009.

- 7 No development shall take place until a landscaping scheme to include all hard and soft landscaping and a scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.

Reason: To ensure an acceptable standard of landscaping.
(Sections 7 & 11, NPPF)

- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order amending or re-enacting that Order with or without modification) no development within Schedule 2, Part 1, Classes A and B shall take place.

Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding the character of the area, in accordance with Policies CS14, DM3 and DM4 of the Core Strategy and Development Management Policies 2009.

- 9 No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment and Drainage Strategy (March 2017) and assessment of the hydrological and hydrogeological context of the development and the expected outfall extent, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include provision of attenuation for the 1 in 100 year event (+40% allowance for climate change). Any revisions to the

agreed strategy shall be fully justified and approved before the development is completed and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan. Details of how the system will be constructed including any phasing of the scheme, and how it will be managed and maintained after completion will also be included.

The scheme shall be implemented in accordance with the approved final details before the development is completed, and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with para 103 NPPF.

- 10 Prior to the first occupation of the dwellinghouses hereby approved, a finalised 'Maintenance and Management Plan' for the entire surface water drainage system, inclusive of any adoption arrangements and/or private ownership or responsibilities, shall be submitted to and approved in writing by the local planning authority. The development shall be in accordance with this approved plan.

Reason: To ensure that the implementation and long term operation of a sustainable drainage system (SuDS) is in line with what has been approved, in accordance with Written Statement HCWS161.

- 11 During any ground works on the site a Watching Brief shall be kept to monitor any potentially contaminated material. Should any such material be encountered, the development must cease immediately and the Council must be informed without delay and an appropriate course of action agreed in writing. Subsequently, the development shall continue in accordance with this agreed course of action until completed.

Reason: To minimise the risk to human health through ground contamination.

- 12 No development shall take place until an Ecological Enhancement Strategy (EES) has been submitted to and approved in writing by the local planning authority. The EES shall include the following:

- a) Purpose and conservation objectives for the proposed works informed by a review of the ecological assessment.
- b) Review of site potential and constraints.
- c) Detailed design(s) and/or working method(s) to achieve stated objectives.
- d) Extent and location/area of proposed works on appropriate scale plans.
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- g) Persons responsible for implementing the works.
- h) Details of initial aftercare and long-term maintenance.

The EES shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: In the interest of biodiversity, in accordance Policy CS18 of the Core Strategy and Development Management Policies 2009.

- 13 Prior to the commencement of the development full engineering details of the proposed 5.5m wide access road junction with Clophill Road as shown indicatively on the submitted plans shall be submitted to and approved by the Local Planning Authority and no dwelling shall be occupied until the junction has been constructed in accordance with the approved details.

Reason: In order to minimise conditions of danger, obstruction and inconvenience to users of the highway and of the proposed internal access road.

- 14 Prior to the commencement of the development a traffic calming scheme along Clophill Road shall be approved by the Local Planning Authority and no dwelling shall be occupied until that scheme has been constructed in accordance with the approved details.

Reason: In order to minimise conditions of danger, obstruction and inconvenience to users of the highway and of the proposed internal access road.

- 15 The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall include plans and sections of the proposed access road(s), footways, cycleways, turning areas, street lighting, etc. to accord with the Council's published standards.

Reason: To ensure a satisfactory means of access between the proposed dwellings and the public highway and to ensure that the proposed dwellings can be properly serviced.

- 16 No dwelling shall be occupied until a 2.0m wide footway has been constructed on the northern side of Clophill Road across the whole of the site frontage in accordance with details of a scheme to be submitted to and approved by the Local Planning Authority. Such details shall include new street lighting. Any Statutory Undertakers equipment or street furniture shall be re-sited to provide an unobstructed footway.

Reason: In the interests of road safety and pedestrian movement.

- 17 No dwelling shall be occupied until visibility splays have been provided on each side of the junction of the proposed access road with the public highway. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access road from its junction with the channel of the public highway and 59m measured from the centre line of the proposed estate road along the line of the channel of

the public highway. The vision splays required shall be provided and defined on the site by or on behalf of the developers and be kept free of any obstruction.

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

- 18 Before the new road access junction is first brought into use, any existing access within the frontage of the land to be developed, not incorporated in the access hereby approved shall be closed in a manner to the Local Planning Authority's written approval.

Reason: In the interest of road safety and to reduce the number of points at which traffic will enter and leave the public highway.

- 19 The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall illustrate a scheme for the provision of off-street parking and cycle parking in accordance with the Council's published standards.

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

- 20 The supporting documentation to be submitted for approval of reserved matters in connection with this development shall include a construction method statement which incorporates details of:

- The hours of construction work and deliveries;
- Parking of vehicles for site operatives and visitors;
- Loading and unloading of plant and materials;
- Storage of plant and materials used in constructing the development;
- Construction traffic routes; and
- Details of the responsible person who can be contacted in the event of a complaint.

All works shall be undertaken in accordance with the approved details.

Reason: To ensure the safe operation of the surrounding road network during the construction period.

INFORMATIVE NOTES TO APPLICANT

1.

1. 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 Central Bedfordshire Council's Highway Help Desk, Tel: 0300 300 8049.

2. The applicant is advised that as a result of the development, new highway street lighting will be required and the applicant must contact the Highways Agreements Officer, Highways Contract Team, Community Services,, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford

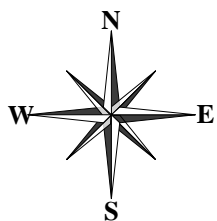
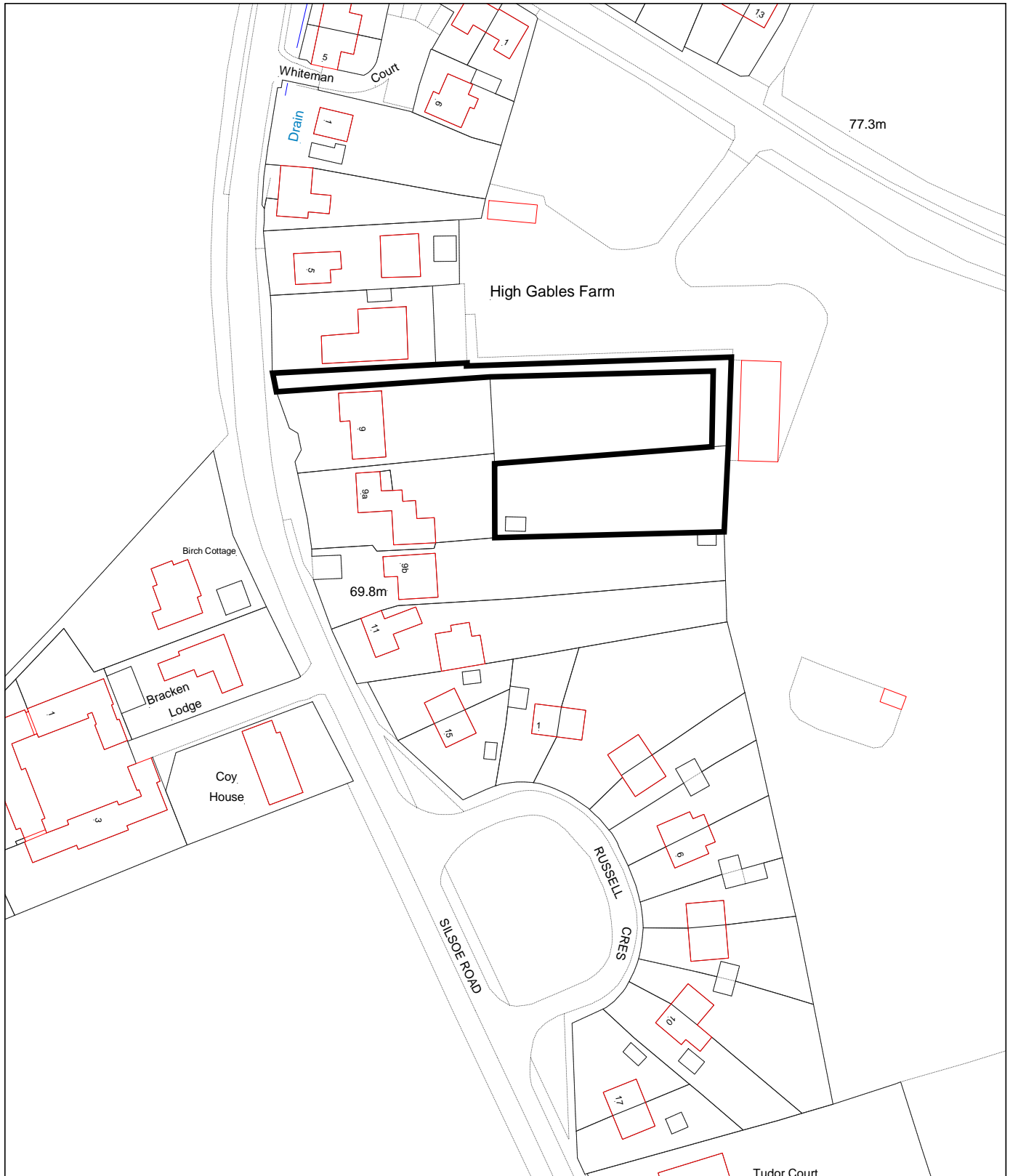
SG17 5TQ for details of the works involved, the cost of which shall be borne by the developer. No development shall commence until the works have been approved in writing and the applicant has entered into a separate legal agreement covering this point with the Highway Authority.

3. The applicant is advised that in order to comply with the Conditions of this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Highways Agreements Officer, Highways Contract Team, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ. Tel., 0300 300 5268 *May need to be amended to suit decision notice.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35

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) Order 2015.

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Date: 12:December:2017

Map Sheet No

Application No.
CB/17/04939/VOC

Scale: 1:1250

9 Silsoe Road, Maulden, Bedford, MK45 2AX

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Item No. 8

APPLICATION NUMBER	CB/17/04939/VOC
LOCATION	9 Silsoe Road, Maulden, Bedford, MK45 2AX
PROPOSAL	Variation of condition 6 of planning permission
	CB/16/05823/OUT
PARISH	Maulden
WARD	Amphill
WARD COUNCILLORS	Cllrs Duckett, Blair & Downing
CASE OFFICER	Matthew Heron
DATE REGISTERED	12 October 2017
EXPIRY DATE	30 May 2017
APPLICANT	Mr Jamieson
AGENT	DA Architectural Services
REASON FOR	Councillor is applicant
COMMITTEE TO	
DETERMINE	
RECOMMENDED	Recommend variation approved
DECISION	

Summary of Recommendation

This application seeks to vary condition 6 of outline planning permission CB/16/05823/OUT to allow for the construction of a one and a half storey unit at the site.

The impacts of the above mentioned variation have been considered on the character of the area and the living conditions of the occupants of surrounding units.

The overall design and form of the building granted outline permission would be managed through conditions imposed on the previous application (to be re-imposed for clarity) and also through the consideration of matters reserved for future determination.

As such, and given the distance of the plot from surrounding residential units, the proposed variation is considered acceptable in terms of the above mentioned key material planning considerations and therefore complies with identified local and national policy.

Site Location:

The site has an area of around 0.1ha and is on the east side of Silsoe Road, to the rear of No 9a. It includes an area for access running eastwards from Silsoe Road between No's 7 and 9.

The land rises notably from Silsoe Road to the site so that the site is on higher ground than the properties that front the road.

The land between the access and the main body of the site is open and undeveloped. To the north and east of that land are agricultural buildings that form

part of High Gables Farm. To the west are rear gardens serving properties on Silsoe Road. Russell Crescent, to the south extends further eastwards than other properties on Silsoe Road, which are generally linear in layout.

The site, but for the access, falls within the Maulden Settlement Envelope.

The Application:

This application seeks the variation of condition 6 of planning permission CB/16/05823/OUT to allow for a one and a half storey unit. This condition states:

Any application for reserved matters shall be for a single storey dwelling with no accommodation in the roof space.

Reason: To protect the character and appearance of the area and living conditions at neighbouring properties in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

RELEVANT POLICIES:

National Planning Policy Framework (March 2012)

Core Strategy and Development Management Policies - North 2009

Policy CS14 – High Quality Development

Policy CS16 – Landscape and Woodland

Policy DM2 – Sustainable Construction of New Buildings

Policy DM3 – High Quality development

Policy DM4 – Development Within and Beyond Settlement Envelopes

Policy DM14 – Landscape and Woodland

Local Plan

The Council is currently consulting on its Draft Local Plan (Regulation 18). The Plan outlines the overarching strategy for growth and also sets out more detailed policies which will be used to determine planning applications. A substantial volume of evidence gathered over a number of years supports this document. These technical papers are consistent with the aspirations of the National Planning Policy Framework and therefore will remain on the Council's website as material considerations, which will, along with the direction of travel of the Local Plan, inform development management decisions.

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

Relevant Planning History:

CB/16/05823/OUT - Outline application: Erection of one dwelling with up to four bedrooms at Land at the rear of 9A Silsoe Road, Maulden. Granted.

Consultees:

Maulden Parish Council

“The condition is requested to be removed or restricted to 1.5 storeys with rooms in the roof with an agreed maximum ridge height.

Recommendation – Maulden Parish Council strongly object to the removal of this condition on the basis:

- This would give permission for the dwelling to be two-storey which would impact on neighbouring properties.*
- The condition was agreed between Maulden Parish Council and CBC Planning to protect the appearance of the area and the living conditions of neighbouring properties.*
- A single storey dwelling was approved at High Gables under CB/15/03296/OUT after appeal and so a removal of the restriction would affect the character of this area.*
- It would set a precedent for applications from the above mentioned single storey dwelling and also the new dwelling applied for at the rear of 9 Silsoe Road under CB/17/04031/OUT awaiting decision.*

Note –

MPC requested, in the event of approval, the same conditions be applied to this dwelling as applied to CB/16/05823/OUT.”

It is noted that the Parish Council has raised concern with regards to the precedent the approval of this application may set for future development. Each application is determined upon its own individual merits based on its own unique circumstances. As such, this element of the above objection carries no weight in the determination of this application.

Consultees

None.

Local Residents

On letter of objection has been received from a surrounding address. This objection has regard to concern with approving the previous application which has been considered by Committee. No material planning considerations have been raised which relate specifically to this S73 application.

Determining Issues:

The main planning issues with this application are:

1. Whether it is acceptable, in the interests of the character of the area and living conditions, that the condition be varied or removed; and

2. Other Material Considerations

Considerations

1. Whether it is acceptable, in the interests of the character of the area and living conditions, that the condition be varied or removed

Character of the area

- 1.1 Policies CS14, DM3 and DM14 seeks to ensure proposals are of a high quality of design, respect the local context in which they are in, are appropriate in terms of scale and have an acceptable impact upon the landscape. Chapter 7 of the Framework emphasises the importance of good design in context and, in particular, paragraph 64 states permission should be refused for development of poor design that fails to improve the character and quality of an area and the way it functions.
- 1.2 The previous application concluded that the development would not result in an unacceptable impact on the character of the area, subject to the imposition of conditions requesting; details of ground, ridge and slab levels of the building, a method statement for tree retention at the site, that the building shall be single storey level only and the removal of permitted development rights for extensions, roof alterations (including dormer windows), outbuildings and hard surfaces.
- 1.3 This application seeks to vary or remove the condition restricting this development to single storey level only as the applicant wishes to include habitable rooms at first floor level. Details of the proposed dwellinghouse are still reserved for future consideration and views of the site are somewhat restricted from the public domain.
- 1.4 Given the size of the plot and with regards to the nature of surrounding residential form (which comprise dormer windows to front), it is considered that a one and a half storey unit could be accommodated on the site without resulting in a visually prominent feature or disrupting the rhythm of existing development. Furthermore, it is recommended that the relevant conditions identified above, imposed in the interest of the character of the area, are again imposed. As such, the overall ridge height of the property will be assessed through condition in any event to ensure the scale of the building is appropriate.
- 1.5 Taking all of the above into account, it is considered that varying condition 6 of application ref. CB/16/05823/OUT to allow for the construction of a one and a half storey unit would not result in significant and demonstrable harm to the character of the area. This variation is therefore appropriate and would not contravene identified local or national policy in this regard.

Living Conditions

- 1.6 Policy DM3 aims to preserve neighbouring amenity. Furthermore, guidance in paragraph 17 of the NPPF is to always seek to secure high quality design and good standard of amenity for all existing and future occupiers of land and buildings.

- 1.7 Again, it should be noted that this application seeks to vary an existing outline planning permission with all matters reserved. As such, the detailed design of the proposed dwellinghouse will be reserved for future determination.
- 1.8 Notwithstanding the above, indicative plans were submitted to inform the previous outline application. These demonstrate that a unit could be positioned at the site in excess of 25m away from High Gables Farm to the north and in excess of 40m from the rear elevations of Nos. 9 and 9a Silsoe Road.
- 1.9 The overall design and form of the building will be managed through conditions requesting details of the scale of the unit imposed to the previous application (to be re-imposed for clarity) and also through the consideration of matters reserved for future determination. With regards to all of the above, it is considered that a one and a half storey unit could be positioned upon the site without resulting in significant and demonstrable harm to living conditions, in terms of overbearing, overlooking and loss of light.
- 1.10 It is therefore considered that varying condition 6 of application ref. CB/16/05823/OUT to allow for the construction of a one and a half storey unit would be appropriate and would not contravene identified local or national policy in this regard.

2. Other Material Considerations

- 2.1 Issuing any permission under Section 73 of the Act is tantamount to issuing a new permission for the entire development. As a consequence, any decision notice should replicate all previous conditions which are still relevant. There are no other new material considerations since the original permission which are relevant to this decision.

Conditions

Drainage

- 2.2 Application ref. CB/16/05823/OUT was approved subject to a condition requesting details of a surface water drainage strategy. In the interests of flooding and drainage, it is considered reasonable to 'carry forward' this condition.

Highway Safety

- 2.3 Application ref. CB/16/05823/OUT was approved subject to conditions requesting a Construction Management Plan and details of the access, vehicle parking, cycle provision and refuse collection with any forthcoming reserved matter application.
- 2.4 In the interests of highway safety, parking provision and appropriate refuse collection, it is reasonable to 'carry forward' these conditions.

3. Overall Planning Balance

- 3.1 This application seeks to vary condition 6 of outline planning permission CB/16/05823/OUT to allow for the construction of a one and a half storey unit at the site.
- 3.2 The impacts of the above mentioned variation have been considered on the character of the area and the living conditions of the occupants of surrounding units.
- 3.3 The overall design and form of the building granted outline permission would be managed through conditions imposed on the previous application (to be re-imposed for clarity) and also through the consideration of matters reserved for future determination.
- 3.4 As such, and given the distance of the plot from surrounding residential units, the proposed variation is considered acceptable in terms of the above mentioned key material planning considerations and therefore complies with identified local and national policy.

Recommendation:

That the variation of condition 6 to allow for the construction of a one and a half storey unit be GRANTED subject to the following:

RECOMMENDED CONDITIONS / REASONS

- 1 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans associated with application ref. CB/16/05823/OUT; Jmsn. 1 300, Jmsn. 1 301, Jmsn. 1 302 and Jmsn. 1 303 rev. A.

Reason: To identify the approved plans and to avoid doubt.

- 2 No development shall commence at the site before details of the layout, scale, appearance, access and landscaping, including boundary treatments (hereinafter called "the reserved matters") relating to the development approved under application ref. CB/16/05823/OUT have been submitted to and approved in writing by the local planning authority. The development shall be carried out as approved.

Reason: To comply with Article 3 of the Town and Country Planning (General Development Procedure) Order 2015.

- 3 An application for approval of the reserved matters associated with application ref. CB/16/05823/OUT shall be made to the local planning authority not later than three years from the date of this identified previous outline permission.

Reason: To comply with Section 92 of the Town and Country Planning Act

1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 4 The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved under application ref. CB/16/05823/OUT.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 5 Any application for reserved matters under application ref. CB/16/05823/OUT shall include details of the existing and final ground, ridge and slab levels of the buildings. The details shall include sections through both the site and the adjoining properties and the proposal shall be developed in accordance with the approved details.

Reason: To ensure that an acceptable relationship results between the new development and adjacent buildings and public areas in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009).

- 6 **No development shall take place at the site before a Method Statement detailing how retained trees and hedgerows will be protected at the site has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

Reason: To ensure that trees and hedgerows are properly protected at the site in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 7 **Any application for reserved matters shall be for a one and a half storey dwelling only.**

Reason: To protect the character and appearance of the area and living conditions at neighbouring properties in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 8 **No development shall take place at the site before details of the method of disposal of surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

Reason: To ensure that drainage arrangements at the site are acceptable in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 9 **Notwithstanding the provisions of the Town and Country Planning**

(General Permitted Development) (England) Order 2015 (or any Order amending, revoking or re-enacting the Order with or without modification) no development shall be carried out within Class A, B, E and F of Part 1 of Schedule 2 to that order.

Reason: To protect the character and appearance of the area and living conditions at neighbouring properties in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 10 **No development shall commence at the site before a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority.**

Reason: To ensure that the impacts of construction on the highways network and living conditions at neighbouring properties are controlled in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 11 Any application for the approval of reserved matters shall include:

- An access no less than 3.2m wide
- Vehicle parking and garaging in accordance with the council standards applicable at the time of submission inclusive of a visitor parking space
- Cycle parking and storage in accordance with standards applicable at the time of submission
- A vehicular turning area within the curtilage of the site suitable for a service/delivery vehicle (6.25m length) inclusive of tracking diagrams
- A refuse collection point at the site frontage, clear of the public highway and any visibility splays

Reason: To ensure that access arrangements into, out of and within the site are acceptable and in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

INFORMATIVE NOTES TO APPLICANT

1. 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. The applicant is advised to liaise with the Council's Building Control Team and the Fire Service to discuss measures to minimise the risk of fire in the event that fire vehicles are not able to access the site.
3. 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.

4. 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 Highways Help Desk tel: 0300 300 8049

5. 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.

6. 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".

7. The applicant is advised that no private surface water drainage system designed as part of a new development, will be allowed to enter any existing highway surface water drainage system.

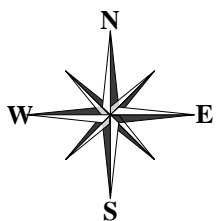
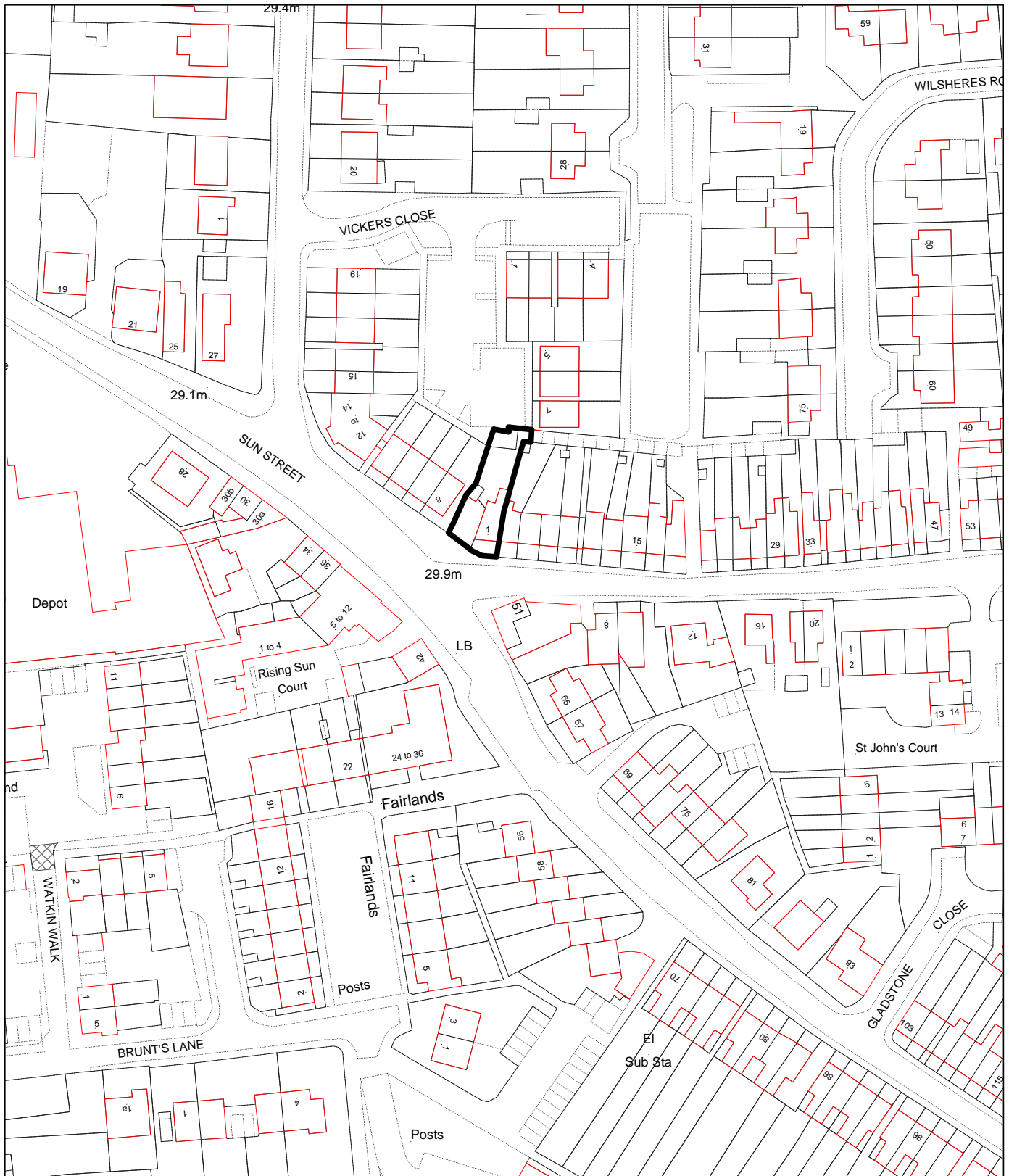
Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35

Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

DECISION

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Date: 12:December:2017

Map Sheet No

Application No.
CB/17/04783/FULL

Scale: 1:1250

1 St Johns Street, Biggleswade, SG18 0BT

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Item No. 9

APPLICATION NUMBER	CB/17/04783/FULL
LOCATION	1 St Johns Street, Biggleswade, SG18 0BT
PROPOSAL	Subdivision of annexe from main house to create a separate, dwelling.
PARISH	Biggleswade
WARD	Biggleswade North
WARD COUNCILLORS	Cllrs Stephen Watkins & Mrs Lawrence
CASE OFFICER	Thomas Mead
DATE REGISTERED	03 October 2017
EXPIRY DATE	28 November 2017
APPLICANT	Ms H Turner
AGENT	DLP Planning Ltd
REASON FOR COMMITTEE TO DETERMINE	Call in from Cllr Watkins on the following grounds: The garden space for the proposed dwelling is deemed insufficient but this is not against any adopted or published standard. The garden shortfall is only 2 square metres against the recommended standard. This could be addressed by a reduction of the space provided to the proposed dwelling. The bedroom of the proposed dwelling does have access to natural light (and ventilation)
RECOMMENDED DECISION	Full Application - Refusal

Reason for Recommendation:

The proposed development would result in a poor living standard through the insufficient external garden space and the poor quality of light output into the bedroom within the unit. The proposed development would also result in an insufficient garden space for the existing dwellinghouse, No. 1 St Johns Street with the space remaining being short of the prescribed external space standards outlined within the Central Bedfordshire Design Guide, and therefore for this reason, it is considered that the development would be contrary to Policy DM3 of the Core Strategy and Development Management Policies (2009); and The National Planning Policy Framework.

Site Location:

The application site consists of a two storey end of terrace dwellinghouse, and its curtilage which contains a detached building, located to the north of St Johns Street, and to the northeast of Sun Street. The site lies within the settlement envelope of Biggleswade.

To the east of the site is No. 3 St Johns Street, and to the northwest of the site is No. 8 Sun Street. To the northeast of the site is No. 7 Vickers Close.

The Application:

The application seeks planning permission for a change of use of the detached outbuilding to a separate dwellinghouse. The application is made retrospectively due to the unit being occupied currently as an individual and separate dwellinghouse without planning permission, by residents unrelated to the main dwellinghouse, and this application therefore seeks planning permission to regularize the use as a lawful use.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Core Strategy and Development Management Policies - North 2009

CS1	Development Strategy
CS7	Affordable Housing
CS14	High quality Development
CS16	Landscape and Woodland
DM3	High quality Development
DM4	Development Within and Beyond Settlement Envelopes
DM14	Landscape and Woodland

Local Plan

The Council is currently consulting on its Draft Local Plan (Regulation 18). The Plan outlines the overarching strategy for growth and also sets out more detailed policies which will be used to determine planning applications. A substantial volume of evidence gathered over a number of years supports this document. These technical papers are consistent with the aspirations of the National Planning Policy Framework and therefore will remain on the Council's website as material considerations, which will, along with the direction of travel of the Local Plan, inform development management decisions.

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

Relevant Planning History:

Case Reference	CB/13/03343/NMA
Location	1 St Johns Street, Biggleswade, SG18 0BT
Proposal	Non Material Amendment to Part first floor extension to the rear and pitched roof to existing single storey rear extension approved on CB/13/01922/FULL, dated 01/08/2013 amendment sought: retain flat roof to the existing single storey rear extension.
Decision	Non-Material Amendment - Granted
Decision Date	17/10/2013

Case Reference	CB/13/01922/FULL
Location	1 St Johns Street, Biggleswade, SG18 0BT
Proposal	Part first floor extension to the rear and pitched roof to existing single storey rear extension.

Decision	Full Application - Granted
Decision Date	01/08/2013

Consultees:

Biggleswade Town Council	<p>It was RESOLVED that the Town Council OBJECT to this planning application on the following grounds:</p> <ul style="list-style-type: none"> • Overdevelopment; • Lack of amenity space; • Lack of natural light; • Highways safety due to increased vehicular access on a corner
Archaeology Officer	<p>The proposed development site lies at the northern end of the historic core of the town of Biggleswade (HER 17124) and under the terms of the National Planning Policy Framework (NPPF) this is a heritage asset with archaeological interest. However, the nature of the proposals is such that there will be no impact upon any surviving archaeological remains. Consequently, there would be no archaeological objection to this application.</p>

Other Representations:

Neighbours	No third party neighbour responses have been received.
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Considerations

1. Principle of Development

- 1.1 Policy CS1 of the Core Strategy and Development Management Policies (2009) identifies Biggleswade as a Major Service Centre. Policy DM4 of the Core Strategy therefore determines that within settlement envelopes of Major Service Centres, that the Council will approve housing, employment and other settlement related development commensurate with the scale of the settlement.
- 1.2 As of 1st October 2017, the Council have demonstrated that they have a robust five year supply of deliverable housing, and now have a provision of 5.94 years. Therefore, policies which refer to the supply of housing within the development plan (such as Policies DM4, DM14 and CS16) are attributed full weight in the determination of such applications for housing.
- 1.3 Paragraph 14 of the NPPF states that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.
- 1.4 The site lies within the settlement envelope of Biggleswade, in a sustainable location which is well connected to the centre of the town and therefore has sufficient access to services such as schools, shops and other forms of infrastructure, thereby making the location sustainable in accordance with paragraph 14 of the NPPF.

- 1.5 Therefore, it is considered that the proposed development would be acceptable in principle, subject to the proposed development causing no harm to the character and appearance of the area, causing no impact upon the amenity and living conditions of occupiers of neighbouring dwellings, providing an acceptable living standard and provision of amenity for the future occupiers of the dwelling, providing sufficient car parking and contributing positively to the safety of the highway and its users, in accordance with Policy DM4 of the Core Strategy and Development Management Policies (2009).

2. Character and Appearance of the Area

- 2.1 The application seeks to change the use of an existing detached outbuilding from ancillary purposes to an independent dwelling, and would see no structural changes or alterations. Therefore the proposal would not result in any additional engineering or construction works. For this reason it is considered that the proposed development would not cause any harm to the character and appearance of the area, in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009).

3. Amenity and Living Conditions of Occupiers of Neighbouring Dwellings

- 3.1 The proposed change of use would see a split in the planning unit, with a fence separating the unit and creating space for the proposed dwelling. The provision of garden space remaining for the main host dwelling, No. 1 St Johns Road would be 40 square metres. The Councils external space standards outlined within the Central Bedfordshire Design Guide (2014) require that for a 2 bedroom dwellinghouse, that 50 square metres of external garden space be provided with a minimum depth of 10 metres, and therefore the garden remaining for No. 1 St Johns Street would be below the Councils space standard, and therefore would result in an insufficient provision of amenity space for the occupiers of the main dwelling.
- 3.2 Due to the single storey nature and modest height, it is considered that the structure would not give rise to an unacceptable loss of light, outlook, privacy or overbearing impact upon any neighbouring dwelling. However, the amenity space of the proposed new planning unit would be in close proximity to the rear gardens of No. 1 St Johns Street, and other rear gardens in the locality. Being in such close proximity and due to the relationship between the gardens being interlocked, it is considered that the proposed change of use would give rise to an unacceptable increase in noise and disturbance to the amenity and living conditions of neighbouring dwellings.
- 3.3 Therefore, for reasons outlined in paragraph 3.1, the proposed splitting of the planning unit would leave the main host dwelling, No. 1 St Johns Street with an insufficient provision of amenity space and would result in an unacceptable increase in noise and disturbance, and therefore a unacceptable living standard for the occupiers of the dwelling, contrary to Policy DM3 of the Core Strategy and Development Management Policies (2009), section 7 of the NPPF and would be further contrary to the Councils external space standards outlined within the Central Bedfordshire Design Guide (2014).

4. Amenity and Living Conditions of future occupiers of Neighbouring Dwellings

- 4.1 The proposed development would see the change of use of a building used for

ancillary purposes to functions of the main dwellinghouse, to a separate and independent dwellinghouse. The unit would have one bedroom, and therefore the Council do not prescribe internal or external space standards. However, paragraph 17 of the NPPF states that all new development should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings, and that the space provided should be usable.

- 4.2 The unit would be left with a garden space measuring 4 metres in depth, and 8 metres in width, totalling 32 square metres. It is considered that the external space provided is insufficient, and would therefore provide the residents of the unit with a poor standard and provision of amenity space and living standards. The unit would be situated at the foot of the rear garden of No. 1, and would be separated by the two storey dwellinghouse by 8 metres, and therefore it is considered that the unit would be overlooked by the main dwelling and other surrounding neighbouring dwellings, and subsequently would not be considered to be private space. The main dwelling features a bedroom window in the rear elevation of No. 1 which would overlook the space to an unacceptable degree.
- 4.3 The unit would have one bedroom which is considered to be a habitable room, which only has one source of light serving the room in the form of a high velux window, close to the ridge of the unit. This is considered to be an insufficient provision of light serving the room, and would subsequently result in a poor living condition and substandard outlook within the structure for the future residents of the unit.
- 4.4 Therefore, as a whole, it is considered that the external and internal space provided within the dwellinghouse would result in a poor living standard and provision of amenity space for the future residents of the unit, contrary to Policy DM3 of the Core Strategy and Development Management Policies (2009).

5. Car Parking and Highway Safety

- 5.1 The unit would provide one bedroom as part of the internal layout of the proposed dwelling, and therefore one on site car parking space would be required. The scheme has provided 2 spaces, which are located adjacent to the car parking spaces for the existing dwellinghouse. It is considered that the space provided would be insufficient to accommodate 2 spaces, and that only one can be provided, which would still satisfy the Councils Car Parking Standards outlined within the Central Bedfordshire Design Guide (2014), and the existing dwelling would still provide 2 spaces which also satisfies the Standards.
- 5.2 The intensification of the use of the site, and the increased number of vehicular movements to and from the site would create more movement over the public footpath. However, visibility over the footpath is achievable and therefore the development would not give rise to any adverse impacts upon the safety of the users of the highway.
- 5.3 Therefore, for reasons outlined above, it is considered that the proposed development would be acceptable in the context of Car Parking and Highway Safety, in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009), and would further accord with design principles outlined within the Central Bedfordshire Design Guide (2014).

6. Equality and Human Rights

- 6.1 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 **REFUSED**

RECOMMENDED CONDITIONS / REASONS

- 1 The external amenity and garden space provided for the proposed dwelling would be considered to be insufficient to provide the occupiers with a good quality of living. The external amenity and garden space would be overlooked by the main dwelling No. 1 St Johns Street due to the close proximity between the two units. The proposed bedroom would have one high velux window providing light into the unit, which is also considered to allow an acceptable provision of light into the room and would also result in a substandard outlook and would also contribute to the poor standard of living for the occupants of the unit, and therefore the proposed development would cause harm to the amenity and living conditions of future occupiers of the unit, contrary to Policy DM3 of the Core Strategy and Development Management Policies (2009) and section 7 of the NPPF.
- 2 The splitting of the planning unit into two individual dwellings would leave the existing dwellinghouse with an external garden and amenity space which would be short of the prescribed Design Guide Standards, and therefore the existing dwellinghouse, No. 1 St Johns Street, would be left with a poor and unacceptable living standard, contrary to Policy DM3 of the Core Strategy and Development Management Policies (2009) and would be further contrary to design guidance outlined within the Central Bedfordshire Design Guide (2014).
- 3 Due to the intensification of the use of the site, it is considered that the proposed development would give rise to an unacceptable harmful increase in noise and disturbance to the occupiers of all adjoining dwellings, contrary to Policy DM3 of the Core Strategy and Development Management Policies (2009).

INFORMATIVE NOTES TO APPLICANT

1. Please note that the unnumbered drawings submitted in connection with this application have been given unique numbers by the Local Planning Authority. The numbers can be sourced by examining the plans on the View a Planning Application pages of the Council's website www.centralbedfordshire.gov.uk.

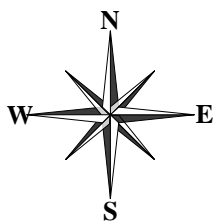
Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35

The Council acted pro-actively through positive engagement with the applicant in an attempt to narrow down the reasons for refusal but fundamental objections could not be overcome. The applicant was invited to withdraw the application but did not agree to this. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

DECISION

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Date: 13:December:2017

Map Sheet No

Application No.
CB/17/05259/FULL

Scale: 1:1250

4 Burgess Way, Henlow, SG16 6AX

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Item No. 10

APPLICATION NUMBER	CB/17/05259/FULL
LOCATION	4 Burgess Way, Henlow, SG16 6AX
PROPOSAL	Two storey front and rear extension. Single storey side extension
PARISH	Henlow
WARD	Arlesey
WARD COUNCILLORS	Cllrs Dalgarno, Shelvey & Wenham
CASE OFFICER	Thomas Mead
DATE REGISTERED	01 November 2017
EXPIRY DATE	27 December 2017
APPLICANT	Mrs L Sorrell
AGENT	
REASON FOR COMMITTEE TO DETERMINE	Call in from Cllr Shelvey on the following grounds: Overdevelopment - Prominent front extension, overbearing impact upon property No. 2, and the design would alter the streetscene.
RECOMMENDED DECISION	Full Application - Approval

Reason for Recommendation:

The development would not result in an unacceptable impact on the character of the area, an adverse impact on the residential amenity of neighbouring properties or highway safety. Therefore subject to conditions, the proposed development is in conformity with Policy DM3 of the Core Strategy and Development Management Policies (2009); and The National Planning Policy Framework.

Site Location:

The application site consists of a two storey detached dwellinghouse, and its curtilage, located to the north of Burgess Way. The site lies within the settlement envelope of Henlow.

To the east of the site is No. 2 Burgess Way, and to the west is No. 8 Mill Close. To the north of the site is No. 5 Mill Close.

The Application:

The application seeks planning permission for the construction of a number of extensions and alterations to the dwellinghouse, which would include a two storey front and rear extension, and a single storey side extension. The two storey front extension would project 5 metres beyond the wall forming the principal elevation of the dwellinghouse, and would have a height of 7.2 metres and an eaves height of 5 metres. The two storey rear extension would project 2.7 metres beyond the rear elevation of the dwellinghouse, and would have a height of 6.4 metres with an eaves height of 5 metres. The proposed single storey side extension would project 2.8 metres beyond the wall forming the side elevation of the dwellinghouse and would have a lean to roof, and a height of 3.5 metres, and an eaves height of 2.5 metres.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Core Strategy and Development Management Policies - North 2009

DM3 High Quality Development
CS14 High Quality Development

Local Plan

The Council is currently consulting on its Draft Local Plan (Regulation 18). The Plan outlines the overarching strategy for growth and also sets out more detailed policies which will be used to determine planning applications. A substantial volume of evidence gathered over a number of years supports this document. These technical papers are consistent with the aspirations of the National Planning Policy Framework and therefore will remain on the Council's website as material considerations, which will, along with the direction of travel of the Local Plan, inform development management decisions.

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

Relevant Planning History: None

Consultees:

Henlow Parish Council No response received

Other Representations:

- | | |
|------------|--|
| Neighbours | <p>One objection received from No. 2 Burgess Way on the following grounds:</p> <ul style="list-style-type: none">• The extension to the side will totally block out the light from our bedroom as we only have a side window in that room. It will also block the light to our downstairs toilet and hall way.• The proposed extension to the front of the house will block the light coming into our kitchen and hallway.• We also feel that the house will not be in keeping with the rest of the close. |
|------------|--|

Considerations

1. Character and Appearance of the Area

- 1.1 Due to the location of the proposed two storey front extension, it is considered that this aspect of the proposed development would be highly visible from the public realm and from the highway. The proposed front extension is made up of two forward facing gable ends, one of which is the same height as the existing dwelling and one which is set down from the ridge of the main dwellinghouse,

and therefore would appear as a subservient addition to the host dwellinghouse, in accordance with design principles outlined within the Central Bedfordshire Design Guide (2014). The building line of dwellings running along the north of Burgess Way are staggered, with the application site being set back from that of No. 2, and therefore reducing the prominence of the extension. The site does not lie within a Conservation Area of area of special character, and therefore the front aspect of the development would be acceptable.

- 1.2 The single storey side extension would also be visible from the public realm. Due to the scale and modest height, as well as the nature of the design of the side extension sloping towards the main dwellinghouse, it is considered that this aspect of the proposed development would be acceptable.
- 1.3 The two storey rear aspect of the proposed development would not be highly visible from the public realm or highway. The extension would be set down from the ridge of the main dwellinghouse, and therefore would also form a subservient addition to the main dwellinghouse, in accordance with design principles outlined within the Design Guide (2014) and would be acceptable.
- 1.4 Therefore subject to conditions that would ensure that the materials used for the construction of the proposed development would match those of the main host dwellinghouse, it is considered that the proposed development as a whole would not cause harm to the character and appearance of the area, in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009), section 7 of the NPPF and would further accord with design principles outlined within the Central Bedfordshire Design Guide (2014).

2. Amenity and Living Conditions of Occupiers of Neighbouring Dwellings

- 2.1 Due to the location of the proposed two storey front extension and two storey rear extension, it is considered that the principal dwellings affected by the development would be No. 8 Mill Close and No. 2 Burgess Way. The proposed front extension would have a depth of 5 metres, which would project just beyond the rear building line of No. 8 Mill Close. The extension is set off the boundary by 1 metre, with an access to the side of the extension. No. 8 also has an access way between the side elevation and the boundary, also with metre gap, and a pitched plastic sheet roof covering the walkway. The proposed front aspect of the proposed development would therefore comply with the 45 degree rule of thumb and would comply with the orientation of the sun, and for this reason, it is considered that this aspect of the proposed development would not give rise to an unacceptable overbearing impact, nor would it result in an unacceptable loss of light, outlook or privacy to No. 8.
- 2.2 The development would result in three windows at first floor level in the west facing side elevation of the dwelling. The three resultant windows would serve a walk in wardrobe, and two en suite bathrooms, and therefore, it is reasonable and necessary to condition these windows to be obscurely glazed to maintain the privacy of the neighbouring dwelling and the occupiers of the host dwelling.
- 2.3 The two storey rear extension would project 2.7 metres beyond the wall forming the rear elevation of the dwellinghouse, which would also project 4.5 metres beyond the front building line of No. 8 Mill Close. The proposed development would be north facing and would therefore comply with the orientation of the

Sun, and would comply with the 45 degree rule of light guidance, and therefore it is considered that this aspect of the proposed development would not cause an unacceptable loss of light to the neighbouring dwelling. Due to the modest projection of the rear extension and set in from the boundary of the site, it is considered that this aspect of the proposed development would also not give rise to an unacceptable loss of privacy, outlook or overbearing impact upon this neighbouring dwelling.

- 2.4 Neighbouring dwelling No. 2 Burgess Way is set forward from the application site, and the proposed two storey front extension would project forward to meet the front building line of this neighbouring dwelling. The front extension would be set in from the boundary of No. 2 by 2.5 metres and therefore would not adversely impact the window in the side elevation at first floor. Therefore it is considered that this aspect of the proposed development would not give rise to an unacceptable loss of light, outlook, privacy or overbearing impact upon this neighbouring dwelling.
- 2.5 Due to the scale and modest height and projection of the single storey side extension, and due to the windows impacted at ground floor in the side elevation of the neighbouring dwelling would serve a utility room, and a kitchen which is not considered to be a habitable room, it is considered that this aspect of the development would not give rise to an unacceptable loss of light, outlook, privacy or overbearing impact on No. 2 Burgess Way. The proposal would include a first floor side window, which would be a bay window serving the landing of the dwellinghouse and would be sited almost directly opposite a first floor window in the side elevation of No. 2 Burgess Way. However, this window is obscurely glazed already, and therefore it would also be necessary to ensure the privacy of the occupier of the bedroom is maintained by conditioning the glass in the new side window to be obscurely glazed.
- 2.6 The two storey rear extension would be set in from the boundary of No. 2 Burgess Way by 5.5 metres, and would project up to the rear building line of No. 2. For this reason, it is considered that the proposed development would not give rise to an unacceptable loss of light, outlook, privacy or overbearing impact upon this neighbouring dwelling.
- 2.7 Therefore, for reasons outlined above, it is considered that the proposed development as a whole would not cause unacceptable harm to the amenity and living conditions of occupiers of any neighbouring dwelling, in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009), section 7 of the NPPF and would further accord with design principles outlined within the Central Bedfordshire Design Guide (2014).

3. Car Parking and Highway Safety

- 3.1 The proposed development would not result in any additional bedrooms within the dwelling, but would however result in the loss of on site car parking space upon the forecourt of the dwelling, and would reduce the internal garage space from two cars to one. The Councils Car Parking Standards outlined within the Central Bedfordshire Design Guide (2014) require that for a 4 bedroom detached dwellinghouse, 3 on site car parking spaces should be provided. The development would maintain one garage space, and would maintain 2 on site car parking spaces upon the forecourt of the dwellinghouse, and therefore, it is

considered that the site would satisfy the Councils Parking Standards, and the proposed development would be acceptable in the context of Car Parking and Highway Safety, in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009) and would further accord with design principles outlined within the Central Bedfordshire Design Guide (2014).

4. Equality and Human Rights

- 4.1 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**

RECOMMENDED CONDITIONS / REASONS

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 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 the existing building in the interests of the visual amenities of the locality.
(Policy DM3 of the Core Strategy and Development Management Policies (2009) and Section 7, NPPF)
- 3 The northeast facing first floor bay window in the side elevation of the development hereby permitted shall be permanently fitted with obscured glass of a type to substantially restrict vision through it at all times and shall be non-opening, unless the parts of the window(s) which can be opened are more than 1.7m above the floor of the room in which the window is installed.

Reason: To safeguard the privacy of occupiers of adjoining properties
(Section 7, NPPF)
- 4 The three first floor windows in the west facing side elevation of the development hereby permitted shall be permanently fitted with obscured glass of a type to substantially restrict vision through it at all times and shall be non-opening, unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed.

Reason: To safeguard the privacy of occupiers of adjoining properties
(Section 7, NPPF)

- 5 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 2017/07, 2017/08, 2017/09, 2017/10, 2017/11, 2017/12, 2017/13 Rev A.

Reason: To identify the approved plans and to avoid doubt.

INFORMATIVE NOTES TO APPLICANT

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

2. **Will a new extension affect your Council Tax Charge?**

The rate of Council Tax you pay depends on which valuation band your home is placed in. This is determined by the market value of your home as at 1 April 1991.

Your property's Council Tax band may change if the property is extended. The Council Tax band will only change when a relevant transaction takes place. For example, if you sell your property after extending it, the new owner may have to pay a higher band of Council Tax.

If however you add an annexe to your property, the Valuation Office Agency may decide that the annexe should be banded separately for Council Tax. If this happens, you will have to start paying Council Tax for the annexe as soon as it is completed. If the annexe is occupied by a relative of the residents of the main dwelling, it may qualify for a Council Tax discount or exemption. Contact the Council for advice on **0300 300 8306**.

The website link is:

<http://www.centralbedfordshire.gov.uk/council-tax/bands/find.aspx>

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35

Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

DECISION

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