

**Item No. 16****SCHEDULE B**

<b>APPLICATION NUMBER</b>	<b>CB/09/05421/FULL</b>
<b>LOCATION</b>	<b>CENTRE POINT, 2A HIGH STREET, PULLOXHILL, BEDFORD, MK45 5HA</b>
<b>PROPOSAL</b>	<b>FULL: 1 NO. DORMER AND 1 NO. VELUX WINDOWS TO REAR ELEVATION.</b>
<b>PARISH</b>	<b>Pulloxhill</b>
<b>WARD</b>	<b>Flitwick East</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Turner &amp; Cllr Jamieson</b>
<b>CASE OFFICER</b>	<b>Julia Ward</b>
<b>DATE REGISTERED</b>	<b>13 July 2009</b>
<b>EXPIRY DATE</b>	<b>07 September 2009</b>
<b>APPLICANT</b>	<b>Mr J Le'Vien</b>
<b>AGENT</b>	<b>SMB Design Services</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Cllr Turner called in application due to intrusion on neighbours' privacy.</b>
<b>RECOMMENDED DECISION</b>	<b>FULL CONDITIONAL APPROVAL</b>

**Site Location:**

This application relates to a modern two storey detached dwelling located within the village of Pulloxhill. The property is located within the conservation area on the south-east side of High Street, opposite the junction with Greenfield Road. The property is in a prominent location at this junction, elevated above road level.

A two storey side extension is currently under construction at the property, having been allowed at appeal.

**The Application:**

The applicant is seeking consent for the erection of a dormer window to the rear of the house within the roofslope of the original part of the property and a velux window within the roofslope of the two storey side extension. The dormer be set 1 metre from the eaves of the roof and would be 1.4 metres wide and 1.8 metres high. The velux window would be set 0.9 metres above the eaves of the roof and would be positioned centrally within the roofslope.

**RELEVANT POLICIES:****National Policies (PPG & PPS)**

PPS1 - Delivering Sustainable Development  
PPS3 - Housing  
PPG15 - Planning and the Historic Environment

## Regional Spatial Strategy

East of England Plan (May 2008)

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

## Mid Bedfordshire Local Plan First Review 2005 Policies

DPS5 - Protection of Amenity

DPS6 - Criteria for Extensions

CHE11 - New Development in Conservation Areas

## Supplementary Planning Guidance

Extensions and Alterations: A Design Guide for Householders      Adopted 2004

## Planning History

MB/07/02052/FULL      Erection of two storey side extension - Refused 14/04/08 due to the bulk/ massing of the extension detracting from the character and appearance of the conservation area and loss of lights to windows at Stanley House (1 Church Road)

Allowed on appeal 31/12/08 - currently under construction

MB/07/01373/FULL      Erection of two storey side extension - Withdrawn 27/09/07

MB/07/00829/FULL      Erection of two storey side extension and 4 no. dormers in roofspace - Refused 06/07/07 due to overly large extension having a detrimental impact on the character and appearance of the conservation area and the house itself

## Representations: (Parish & Neighbours)

Parish/Town Council      Strongly objects to the installation of a dormer window to the rear of the building. The present rear windows already intrude upon the privacy of the rear neighbours and allowing a second, higher window will only make matters worse. A velux window would prevent a downward view into the neighbours' homes and gardens.

Neighbours      Two letters of objection have been received:

3 Orchard Road - Loss of privacy; already increase in overlooking from extension being built. The dormer window, together with the extension, would be out of keeping with the character and appearance of the conservation area.

2B High Street - Loss of privacy - already two additional upstairs windows to the house.

Loss of sunlight - already an overpowering and imposing structure.

Construction of the two storey extension is causing loss of privacy and disruption.

Proposal would be obtrusive

## **Consultations/Publicity responses**

No additional consultations undertaken

## **Determining Issues**

The main considerations of the application are;

1. Impact of the proposal on the character and appearance of the conservation area;
2. Impact of the proposal on the residential amenities of neighbouring occupiers;
3. Any other material planning considerations.

## **Considerations**

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

The erection of a rear dormer window of this size (that is having a roofspace of less than 50 cubic metres) would normally be permitted development. However, given that the property is located within a conservation area, the dormer window requires planning permission in this instance. In addition, a velux window would not normally require planning permission. However, the appeal decision for the two storey side extension to the house attached a condition withdrawing permitted development rights for any windows above ground floor level on the extension.

The windows would be located at the rear of the property and would not be visible from High Street. It is possible that there would be glimpses of the windows from Orchard Road to the south-east of the site. However, it is considered that the dormer window would be sufficiently subservient to the main roofslope and would appear in scale with the property itself. The applicant has confirmed that the dormer would be constructed in materials to match the existing dwelling. It is considered appropriate to attach conditions requiring all materials to be agreed and the velux window to be of a conservation style to ensure that the proposal does not detract from the character and appearance of the conservation area.

## **2. Impact of the proposal on the residential amenities of neighbouring occupiers**

The proposed loft conversion would comprise a bedroom served by the proposed dormer window and a storage area with the proposed velux window. It is acknowledged that the dormer window would allow an element of overlooking to adjacent gardens. However, it is considered that the dormer would not create any significant increase in overlooking that already exists from the first floor bedroom windows. The closest neighbouring window to the proposal is the side window of 3 Orchard Road which is located 21 metres away. This is considered an acceptable distance given the existing first floor bedroom windows in 2A High Street.

As stated above, the submitted plans indicate that the velux window would serve a storage room. It is therefore considered appropriate that this window is obscurely glazed to minimise any element of overlooking from this window. Should the applicant wish to add any further windows into the roofslope of the extension at a future date, planning permission would be required as the permitted development rights have been removed by the appeal decision for the two storey extension.

## **3. Any other material planning considerations**

It is considered that the disruption and loss of privacy associated with construction of the two storey side extension are not material planning considerations in this instance.

It is not considered that the proposal would cause any significant loss of light to adjoining properties given its subservient location within the roofslope of the house.

## **Reasons for Granting**

The proposal, by reason of its location within the roofslope and subservient appearance would not detract from the character and appearance of this part of the conservation area and would not have a detrimental impact on the residential amenities of neighbouring occupiers and is therefore in conformity with policies DPS5, DPS6 and CHE11 of the Mid Bedfordshire Local plan First Review (adopted 1995), PPS1 (Delivering Sustainable Development), PPS3 (Housing), and PPG15 (Planning and the Historic Environment).

## **Recommendation**

That Planning Permission be approved subject to the following:

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

Reason: To comply with Section 91 of the Town and Country Planning Act

1990 which is designed to ensure that a planning permission does not continue in existence indefinitely if the development to which it relates is not carried out.

- 2 **No development shall be undertaken until a scheme has been submitted to, and agreed in writing by, the Local Planning Authority setting out the details of the materials to be used for the external walls and roof. The development shall be carried out in accordance with the approved scheme.**

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

- 3 Notwithstanding the detail shown on the approved plans, the proposed velux rooflight shall be timber of Conservation style fitted flush to the surface of the roofing material unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect the external appearance of the buildings and the visual amenities of the area generally.

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

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

## DECISION

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