

Item No. 10**SCHEDULE B**

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| APPLICATION NUMBER | CB/09/05325/FULL |
| LOCATION | 10 MOUNT PLEASANT, ASPLEY GUISE, MILTON KEYNES, MK17 8LA |
| PROPOSAL | FULL: REPLACEMENT DWELLING. |
| PARISH | Aspley Guise |
| WARD | Woburn and Harlington |
| WARD COUNCILLORS | Cllr F. Chapman and Cllr B. Wells |
| CASE OFFICER | Clare Golden |
| DATE REGISTERED | 24 July 2009 |
| EXPIRY DATE | 18 September 2009 |
| APPLICANT | A & M Developments |
| AGENT | Knight Architecture & Design |
| REASON FOR COMMITTEE TO DETERMINE | AN APPLICATION FOR THE SAME SCHEME HAS PREVIOUSLY BEEN CALLED TO THE DEVELOPMENT MANAGEMENT COMMITTEE BY COUNCILLOR CHAPMAN. IT IS CONSIDERED APPROPRIATE IN THE PUBLIC INTEREST FOR THIS APPLICATION TO ALSO BE DETERMINED AT COMMITTEE. |
| RECOMMENDED DECISION | GRANT PLANNING PERMISSION |

Site Location:

The application site is located on the western side of Mount Pleasant, Aspley Guise. The site is within the South Bedfordshire Green Belt, and Area of Great Landscape Value and the rear of the site abuts a Conservation Area boundary. The local area is rural in appearance with views of the surrounding countryside evident from several vantage points. The site slopes from the rear to the front, and continues sloping downwards across Mount Pleasant, into a valley, giving the site views of the surrounding countryside. The application site is occupied by a detached bungalow with attached side garage. The dwelling house is a mirror of the adjacent dwelling No. 8.

The Application:

The proposal is for the demolition of the existing dwelling house, garage and rear outbuilding in order to construct a replacement dwelling. The proposed dwelling is one and a half storeys high with accommodation in the roof space. The dwelling would have four bedrooms. Access to the site would remain unchanged.

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

- PPS1 Delivering Sustainable Development
- PPG 2 Green Belts
- PPS3 Housing
- PPS7 Sustainable Development in Rural Areas

Regional Spatial Strategy

East of England Plan (May 2008)
Milton Keynes and South Midlands Sub-Regional Strategy (March 2005)

Bedfordshire Structure Plan 2011

Mid Bedfordshire Local Plan First Review 2005 Policies

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| CS3 | Areas of Great Landscape Value |
| GBT3 | Residential Development in the Green Belt |
| CHE11 | Conservation Areas |
| DPS5 | The Built Environment |
| DPS9 | The Built Environment |
| DPS11 | The Built Environment |
| DPS12 | Settlement Pattern and the Separate Physical Identity of Settlements |

Supplementary Planning Guidance

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| Design Guide for Residential Areas in Mid Bedfordshire (2004) | Adopted Technical Guidance 2004 |
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Planning History

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| 09/00530/FULL | FULL: Replacement dwelling. Withdrawn on 18.06.09. |
| 09/00530/FULL | FULL: Replacement dwelling. Refused on 11.03.09. |
| 08/00427/FULL | Full: New dwelling to replace existing. Withdrawn on 20.05.08. |

Representations: (Parish & Neighbours)

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| Aspley Guise Parish Council | No comments. |
| Adjacent Neighbours | Any comments received will be reported at the committee. Consultation period expires 22nd September 2009. |

Consultations/Publicity responses

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| Highways | Response awaited. |
| Archaeology | No objections. |

Determining Issues

The main considerations of the application are;

1. **Background**
2. **Impact on the Green Belt and Area of Great Landscape Value**
3. **Impact on the Character and Appearance of the Local Area**
4. **Impact on Neighbouring Amenity**
5. **Other considerations**

Considerations

1. Background

A planning application was withdrawn in May 2008 for the demolition of the existing dwelling, garage and rear outbuilding and erection of a replacement four bedroom dwelling. The application was withdrawn following concerns with the design of the proposal in respect of the height, front garage, relationship with the streetscene, and the impact on the residential amenities of the neighbouring property No. 12.

Following this, pre-applications discussions took place which sought to overcome the earlier concerns, the result of which was an application under MB/09/00053/FULL which was subsequently refused because of a lack of a Unilateral Undertaking. A further application, MB/09/00530/FULL for the same scheme was withdrawn on 18th June 2009 by the applicants who were unable to submit the Unilateral Undertaking- before the determination date.

The present application is therefore a re-submission of the same scheme submitted in both MB/09/00053/FULL and MB/09/00530/FULL. The Unilateral Undertaking has now been submitted and found to be acceptable by the Council.

2. Impact on the Green Belt and Area of Great Landscape Value

The application site is located outside a Settlement Area, within the South Bedfordshire Green Belt and an Area of Great Landscape Value. It is acknowledged that the site is within a Green Belt Infill Only Boundary. Limited residential infill development may take place in parts of these settlements where this would not unduly harm the character of the area or compromise the openness of the Green Belt or the purposes of including land within it.

'Infill development' is defined as occurring where the site comprises a vacant plot for not more than two dwellings in an otherwise substantially built up frontage; has a frontage and depth similar in character to the adjoining plots, and does not, by reason of shape, natural features, topography or location, detract from the character of the village or the surrounding development.

The proposed development is a replacement dwelling within the Green Belt. PPG2, paragraph 3.6 states that the replacement of an existing dwelling need not be inappropriate, providing the new dwelling is not materially larger than the dwelling it replaces. Policy GBT 3 of the Mid Bedfordshire Local Plan states that replacement dwellings are considered acceptable in principle.

The principle of the proposed replacement dwelling is therefore considered acceptable development within the Green Belt. Given the location of the site within the Green Belt Infill only boundary the key test is whether the proposal is appropriate to the local area. This issue will be discussed in detail in the following two sections of the report.

3. Impact on the Character and Appearance of the Local Area

The application site lies just outside of the conservation area. The streetscene is comprised of a mixture of dwelling types and architectural styles. The neighbouring property to the south, No.12 is a two storey, semi-detached dwelling which is considerably higher than the present dwelling and sits closer to the road. No. 8 to the south is a bungalow which closely matches the character and appearance of the existing application property, although it has been extended. Further to the north of the site, there are examples of one-and-a-half storey dwellings with dormer windows.

The application site has a considerable slope from the rear of the site to the front of the site, with Mount Pleasant being significantly lower than the front elevation of the existing dwelling house. The proposed dwelling would increase the height and building footprint, whilst bringing the building line closer to the street.

The main issues therefore are whether the scale and design of the proposed dwelling is considered to be in-keeping with the character and appearance of the streetscene and not unduly prominent.

With respect to the scale, the height of the proposed dwelling is considered to be a transition between the two neighbouring properties. The main ridge line of the proposed dwelling would be 0.8metres lower than No. 12 and 1.6metres higher than No.8. The use of a partially hipped roof is considered to help reduce the visual bulk of the proposal within the streetscene and when viewed from the two neighbouring properties. The width of the main house will be greater, however the existing single storey side garage will be removed and thus a separation of 0.7metres with the side boundaries of No. 8 and 1.5metres with No. 12 will remain. The footprint of the proposed dwelling would sit slightly further forward of the existing footprint and 1metre further forward of the neighbouring property to the north, No. 8. The bulk of the increase in footprint has been confined to the rear. It is considered that sufficient space around the proposed dwelling will be achieved.

With respect to the design, the proposed dwelling incorporates a partially hipped roof. This will help reduce the bulk of the roof and there are examples of dwellings with hipped roofs in close proximity to the site. The front of the dwelling incorporates a single storey front projection which is set lower than the main dwelling and provides a well defined front entrance. The proposed front projection would project slightly further than the existing front projection. The inclusion of two windows and a front door creates an active frontage which helps enhance the relationship with the streetscene.

The application site abuts a conservation area to the rear, however given the length of the rear garden, the proposal is not expected to have an undue impact on the views in or out of this area.

Subject to the use of appropriate materials, the proposed development is therefore considered to preserve the character and appearance of the streetscene.

4. Impact on Neighbouring Amenity

The two neighbouring properties potentially most affected by the proposal are No. 12 to the south and No. 8 to the north.

With regards to the adjacent property No. 12, the existing dwelling house has a flank wall, some 12.5metres long between 1.5metres - 3metres from the side boundary, with a general height of 2.5metres to the eaves and 4.3metres to the ridge.

The replacement dwelling presents a flank wall some 12.3metres long. A gap of at least 1.5metres would remain between the flank wall of the proposed dwelling and the side boundary with No. 12. The proposal would bring the new dwelling slightly closer to the boundary with No. 12, with a higher eaves and roofline. However, the flank wall would be broken up with varying roof heights. For example, the first 6.6metres facing No. 12 would be at single storey level, at a maximum of 5.5metres. Following this, the roofline slopes gently to a height of 6.5metres with a partially hipped roof. There are two ground floor windows proposed which will face on to the rear garden area of No.12. These windows serve an en-suite and living room. The proposed living room window would be of a small size and any views towards No.12 will be obscured by the existing hedge and planting along this boundary. The existing dwelling incorporated three windows on this flank wall and thus the proposed dwelling will not detrimentally add to the existing relationship between the two dwellings.

It is not considered that the proposal would result in a loss of privacy, light or create an overbearing impact on the occupiers of No.12.

In terms of the impact of the proposal on the residential amenities of No. 8, the main issue is considered to be whether the proposal would result in an unacceptable loss of daylight and sunlight to this property and outlook.

No. 8 was originally constructed as one of a pair of bungalows with No. 10. This property was extended to the north with a single storey extension. A single storey carport addition has also been added to the property close to the side boundary with the application property. This structure is presently used for storage and hanging washing rather than for a vehicle and has a semi-transparent side elevation and roof.

There is one window on the south, side elevation facing the application site which serves a small kitchen. This is the only window in the kitchen. The existing carport structure presently obscures this window and the outlook from it, although some light does penetrate through it into the kitchen. However, it should be noted that light appears to enter mainly through the roof as the existing 1.8metre closeboarded fence presently restricts the amount of light that could enter through the side wall of this structure.

The proposed dwelling would breach the 25 degree rule test which is used to assess the impact of new development on the amount of light afforded to side facing windows of habitable rooms in neighbouring properties. This test considered the impact of the proposed dwelling on the amount of light afforded

to the kitchen. The property faces in a southerly direction and thus the amount of morning sunlight will be reduced by the proposed development. Although there would be a reduction in the amount, daylight will still penetrate through the roof of the carport structure. Overall, there would be a reduction in the amount of light afforded to the kitchen of No. 8 as a result of the proposal. A half hipped roof has been proposed to reduce the bulk of the roof to help reduce the amount of light lost to No.8. However, the kitchen affected is not considered to be a 'habitable room', as defined in the Council's Adopted Technical Guidance.

It is considered therefore that, unlike a living room for example, which is used more frequently for longer periods of time, a reduction in the amount of light to a kitchen would not have as much of a greater impact on the enjoyment of the dwelling house. As this window does not serve a habitable room, as outlined in Adopted Technical Guidance, and is presently mostly obscured by an existing structure, it is not considered that a recommendation of refusal on this basis would be defensible. Furthermore, no objection has previously been raised on this ground, and it would be inappropriate to introduce this now as a reason for refusal.

In terms of outlook, the outlook from the existing kitchen window is presently obscured by the carport structure, and thus it is not considered the proposed new dwelling would result in a loss of outlook from this window.

Views of the proposed new dwelling would be visible from the lounge of No.8 but due to the distance of 8metres between this property and the proposed new dwelling, and the gradual reduction in height of the roofline to the rear, it is not considered that the proposed new dwelling would have an overbearing impact in views from this room.

5. Other considerations

Following the adoption on 20 February 2008 of the Planning Obligations Strategy Supplementary Planning Document, the Council requires a financial contribution for developments of one or more dwellings, as well as replacement dwellings where there would be an increase in the number of bedrooms of two or more. A unilateral agreement is therefore required for this proposal, which is an increase by two bedrooms, prior to the granting of planning permission. This contribution would go towards local infrastructure such as educational facilities, sustainable transport, health facilities and recreational open space in the Aspley Guise area.

A Unilateral Undertaking has been submitted to the Council and found to be acceptable. The final signed copy is awaited.

The consultation period with Highways expires on 22nd September 2009. Conditions have been included as on previously withdrawn application. An update will be given at the meeting.

Reasons for Granting

The scheme, by reason of its site, design and location, is in conformity with Planning Policy Guidance: PPS1: Delivering Sustainable Development, PPS2 Green Belts,

PPS3 Housing, Planning Policies CS3, GBT3, CHE11, DPS5, DPS9, DPS11, and DPS12 of the Mid Bedfordshire Local Plan 2005, and East of England Plan (May 2008), Milton Keynes and South Midlands Sub-Regional Strategy (March 2005).

Recommendation

That Planning Permission be granted subject to the following:

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

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

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

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

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

- proposed finished levels or contours;
- materials to be used for any hard surfacing;
- planting plans, including schedule of size, species, positions, density and times of planting;
- cultivation details including operations required to establish new planting;

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

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

- 4 **A scheme shall be submitted for written approval by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved scheme before the building is occupied.**

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

- 5 Before the premises are occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits.

Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

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

- 6 Before the new dwelling is first occupied, the front boundary of the site shall be set back in line with the front boundary illustrated by the red line of the application site, clear of the highway.

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

DECISION

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