

**Item No. 14****SCHEDULE B**

<b>APPLICATION NUMBER</b>	<b>CB/09/06200/FULL</b>
<b>LOCATION</b>	<b>Land Adjacent To Crown Cottage, Market Square, Potton</b>
<b>PROPOSAL</b>	<b>Full: Erection of 3 bedroom detached dwelling with detached carport.</b>
<b>PARISH</b>	<b>Potton</b>
<b>WARD</b>	<b>Potton</b>
<b>WARD COUNCILLORS</b>	<b>Cllr D Gurney and Cllr A Lewis</b>
<b>CASE OFFICER</b>	<b>Samantha Boyd</b>
<b>DATE REGISTERED</b>	<b>07 October 2009</b>
<b>EXPIRY DATE</b>	<b>02 December 2009</b>
<b>APPLICANT</b>	<b>Moatside Properties Ltd</b>
<b>AGENT</b>	<b>Fitch Butterfield Associates</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Cllr Lewis request. Infringement of privacy of the occupants of 5 Orchard Close which backs onto the site.</b>
<b>RECOMMENDED DECISION</b>	<b>Grant Planning Permission</b>

**Site Location:**

The site is centrally located within Potton, just off the Market Square. The site is adjacent to Crown Cottage and once formed part of the residential curtilage of this property. The surrounding area comprises residential properties in Orchard Close, Meeting Lane and King Street, and is close to The Old Coach House Hotel.

The site is accessed from the Market Square through the car park of the hotel. It is elevated above the car park level by a retaining wall on the southern boundary and has a ramped access into the site. Boundary walls enclose the site to the west and north boundaries.

This site is within the Potton conservation area.

**The Application:**

Planning permission is sought for a detached three bedroom dwelling and a detached double car part.

This application seeks a number of amendments to a previous permission granted under reference 04/02074/Full dated 6/1/2005 for a three bedroom bungalow with an integral garage. The approved bungalow is unconventionally designed and has a front and rear section linked by a lower height section parallel to the site boundary. The buildings take the form of a 'U' shape providing a courtyard area to the centre of the site. The dwelling is positioned in the western half of the site; to the east is the amenity space and access to the garage which is integral to the bungalow.

The proposed amendments to the original planning permission are discussed below.

## **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)**

**Bedfordshire Structure Plan 2011**

**South Bedfordshire Core Strategy and Development Management Policies (North Area) (Nov 09)**

CS15, DM13 Heritage in Development  
CS5 Providing Homes  
DM3 High Quality Development

### **Supplementary Planning Guidance**

Design Guide for Mid Bedfordshire  
Planning Obligation Strategy

### **Planning History**

04/02074/Full                      Erection of three bedroom bungalow with integral double garage. Approved 11/11/04

### **Representations: (Parish & Neighbours)**

Potton Town Council              No comment

Neighbours                          Two letters received objecting to the proposal on the grounds of - greater proportion of site occupied by buildings, scale of roof and proximity to neighbouring property, original roof pitch more elegant in design, harm to conservation area, levels of site not clear on plans; internal layout altered from previous approval, first floor would include windows that overlook garden.

### **Consultations/Publicity responses**

Archaeology Officer              No objections - Archaeological investigation undertaken in 2008 failed to find any deposits.

## **Determining Issues**

The main considerations of the application are;

1. The principle of the development
2. The impact upon the character and appearance of the conservation area.
3. The impact upon the neighbouring amenities
4. Any other considerations

## **Considerations**

### **1. The principle of the development**

The site lies within the centre of Potton and as such new residential development is supported subject to the development satisfying the criteria within Policy DM3.

The principle of the development has been established under planning permission 04/02074/Full granted on 6 January 2005 for a three bedroom detached dwelling.

This application seeks an amendment to the original planning permission however in principle the proposal is acceptable.

### **2. The impact upon the character and appearance of the conservation area**

The site is located just off the Market Square, but is set well back from the street frontage separated by a large gravelled parking forecourt and positioned between existing residential dwellings.

The overall design of the proposal has not significantly changed from the previous approval. The proposal now proposes a detached carport to the north east corner of the site in place of the approved integral garage, and the roofline in the front section and rear section of the dwelling has been altered to include accommodation in the first floor.

The detached carport is considered to be of a design suitable for a conservation area, with an open front and a pitched roof that slopes down to 1.5m in height at the rear. It is 4.5m to ridge height with a footprint of 36 sq m. The carport is to be clad in horizontal boarding under a natural slate roof. Given that the garage is set well back into the site, it would not form part of the street scene and therefore would not adversely impact upon the character and appearance of the conservation area.

There are no significant changes to the overall footprint of the previously approved dwelling. The internal alterations provide a more useable space within the building. The front section of the dwelling has been amended to include one bedroom and an ensuite in the first floor. A small dormer window has been

added to the front and rear elevations of this section. To provide the space for bedroom accommodation the roof has been raised by 450mm and the pitch changed from 55 degrees to 45 degrees. Similarly, in the rear section of the dwelling the roof has been raised by the same amount and the pitch altered to provide a second bedroom and ensuite. A dormer window has been included in the elevation which faces the central courtyard area of the dwelling.

It is considered that the amendments sought in this planning application would not significantly change the general appearance of the previously approved dwelling.

Overall it is considered that the proposal would not result in any adverse harm to the visual appearance of the surrounding area and would preserve and enhance the character and appearance of the conservation area.

### **3. The impact on neighbouring amenities**

The proposed dwelling would be sited along the western boundary, adjacent to the rear gardens of No.5 Orchard Close and No. 1 Orchard Close. The western elevation is proposed to be 22m long and sited 5m from the boundary. The front section of the proposed dwelling is sited slightly closer to the boundary (3.8m distance from the boundary). The gable end of this section is 6m to ridge height and is 5m in width at 3.8m off the boundary. The roof of this section increases to 6.7m for the remainder of the front wing. The ridge height of the main single storey section which runs parallel to the boundary is 5.4m in height for 11.5m. Where this section meets the rear wind the height rises to 6.7m to the ridge.

Given that the siting and scale of the dwelling was considered to be acceptable in the original application, it is the impact of raising the roofline, changes to the fenestration and the erection of the carport that should be considered with regard to this application.

The roofline has been raised by 450mm on the front and rear wings. There has been some reduction in height on the single storey section that links the front and rear sections of the dwelling. The roof pitch has been altered to increase the space for the accommodation in the roof. It is considered that these changes to the roof pitch would not result in a significant impact upon the amenities of the properties adjacent to the western boundary.

The alterations to the internal layout of the building have resulted in some changes to the fenestration. The insertion of the dormer windows to the roof space would not result in any adverse loss of privacy as the front window would face onto the Hotel car park and the remaining windows face onto the courtyard area of the proposed dwelling. A small patio area to the west of the proposed dwelling has raised some concern regarding loss of privacy, however the gardens is screened by a boundary wall therefore the loss of privacy would not be significant.

The proposed carport is to be sited in the north east corner of the application site where it will have no adverse impact upon the amenities of the adjacent properties. It may result in some light loss to the rear part of No. 14's garden. Given that the additional dormer window in the north elevation is sited some 18m from the rear boundary of the application site, it is a sufficient distance from

the properties at the rear to ensure that there will be no loss of privacy.

Overall it is considered that the proposed would not adversely affect the amenities of the adjacent occupiers.

#### **4. Any other considerations**

##### **Access**

Access to the site is through the car park adjacent to the Hotel, off Market Square. The Highways Authority have been consulted on the proposal and have no objections to the scheme.

##### **Archaeology**

The Council's archaeologist has been consulted on the proposal as the development lies within an archaeologically sensitive area. An archaeological investigation undertaken in 2008 within the site area failed to find any significant surviving archaeological deposits therefore there is no objection to the proposal.

##### **Planning Obligation Strategy**

Given that the proposed dwelling was granted permission in 2005, prior to the adoption of the Planning Obligation Strategy and that there is no increase in the amount of bedrooms, the development does not qualify for contributions under the Strategy. Furthermore, as planning application 04/02074/Full was granted permission on 6/01/05 with a five year time limit, the permission has not expired.

##### **Reasons for Granting**

The proposed new dwelling would not impact detrimentally upon the character and appearance of the surrounding area or upon the amenities of the neighbouring properties. The scheme therefore, by reason of its site, design and location, is in conformity with Planning Policy Statement 1 (2005), PPG15 Planning and the Historic Environment (1994), East of England Plan (May 2008), Milton Keynes and South Midlands Sub-Regional Strategy (March 2005), Policies CS15, DM13, CS5 and DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (North) (Nov 09)

##### **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 **Prior to the development hereby approved commencing on site details of the final ground and slab levels of the dwellings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties, the location of which shall first be agreed in writing with the Local Planning Authority. Thereafter the site shall be developed in full accordance with the approved details.**

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

- 3 **Prior to the commencement of the development a scheme shall be submitted for written approval by the Local Planning Authority setting out the details of the materials to be used for the external walls and roof of the dwelling and garage hereby approved. 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.**

- 4 The turning space for vehicles illustrated on the approved drawing No. 1356/17 shall be constructed before the development is first brought into use.

Reason: To enable vehicles to draw off, park and turn outside the highway limits thereby avoiding the reversing of vehicles on to the highway.

- 5 The landscaping of the site shall be implemented in accordance with the scheme shown on the approved drawing No. 1356/13A unless otherwise agreed in writing by the Local Planning Authority.

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

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

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

- 7 The boundary treatment shall be implemented in accordance with the approved drawing No. 1356/13A unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the appearance of the completed development and

the visual amenities of the locality.

- 8 Notwithstanding any provision of the Town and Country Planning (General Permitted Development Order) 1995 (or any Order revoking or re-enacting that Order with or without modification) no works shall be commenced for the extension of the building or any material alteration of its external appearance including the insertion of windows at first floor level or within the roofspace until detailed plans and elevations have been submitted and approved in writing by the Local Planning Authority.

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

### **Notes to Applicant**

1. The requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Highways, P.O. Box 1395 Bedford. MK42 5AN.
2. The applicant is advised that photographs of the existing highway that is to be used for access and delivery of materials will be required by the Local Highway Authority. Any subsequent damage to 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.

### **DECISION**

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