

Item No. 16**SCHEDULE B**

APPLICATION NUMBER	CB/10/00406/FULL
LOCATION	Land Off Maple Close, Pulloxhill
PROPOSAL	Full: Change of use from Agricultural land to Residential Gardens. (Retrospective).
PARISH	Pulloxhill
WARD	Flitwick East
WARD COUNCILLORS	Cllrs James Jamieson & Andrew Turner
CASE OFFICER	Lisa Newlands
DATE REGISTERED	17 February 2010
EXPIRY DATE	14 April 2010
APPLICANT	Bellway Homes
AGENT	
REASON FOR COMMITTEE TO DETERMINE	At the request of Cllr A Turner due to the Parish Council's concern over wider implications and potential new development.
RECOMMENDED DECISION	Full Application - Granted

Site Location:

The application site is within the village of Pulloxhill and forms part of a wider development that is in the process of being constructed. The site in question is accessed off Maple Close to the south and Oak Drive to the north.

Planning permission was granted in January 2008 for the erection of 42 dwellings with garages and access road. This permission was subject to a landscape belt to the north-east and eastern boundaries of the site. The north-west boundary of the site is agricultural land, and it is this area that is the subject of this application.

The Application:

Planning permission is sought for the change of use of the land to the rear of numbers 57, 59, 60, 61, 62, 63, 64, 65, 66, and 68 (plots 6 - 15) on the north-western boundary from agricultural land to residential gardens. The land is shown as being allocated to numbers 66, 68 (plots 11 and 12) and the dwelling adjacent to 57 (plot 5). To the rear of number 60 (plot 15) the depth of the land is 6.012m, this increases to 13.743m at the rear of number 57 (plot 6) .

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

PPS1: Delivering sustainable development

PPS3: Housing

Regional Spatial Strategy

East of England Plan (May 2008)

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

Bedfordshire Structure Plan 2011

Not applicable

Core Strategy and Development Management Policies for Central Bedfordshire (North)

DM4: Development Within and Beyond Settlement Envelopes

Supplementary Planning Guidance

Not applicable

Planning History

MB/07/01338/FULL	Full: Erection of 42 dwellings, garages and access road. Granted. 09.01.2008
MB/07/00007/FULL	Full: Erection of 42 dwellings. Refused. 17.04.2007
MB/05/01444/FULL	Full: Erection of 42 dwellings. Granted. 18.04.2007
MB/05/00354/FULL	Full: Erection of 36 dwellings. Withdrawn. 23.08.2005
MB/04/00643/FULL	Full: Erection of 23 dwellings. Refused. 10.08.2004

Representations: (Parish & Neighbours)

Pulloxhill PC	Object to the application on the following grounds: <ul style="list-style-type: none">• The land has not been allocated to the various adjoining dwellings;• The area in question was previously the hedge line of the adjoining field;• The filling in of the ditch which has caused flooding elsewhere in the vicinity.
Flitton & Greenfield PC	Object to the application on the following grounds; <ul style="list-style-type: none">• Opposed to further expansion of the site;• Wary that such changes of use are a pre-cursor of larger and intrusive applications.
Adj Occupiers	No comments received

Consultations/Publicity responses

Site Notice 04.03.10

Determining Issues

The main considerations of the application are;

1. The principle of development
2. The impact of the proposal on the character of the surrounding area
3. Ownership issues

Considerations

1. The principle of development

Planning permission is sought for the change of use of land to the rear of numbers 57, 59, 60, 61, 62, 63, 64, 65, 66, and 68 (plots 6 - 15) on the north-western boundary from agricultural land to residential gardens.

Policy DM4 of the Core Strategy and Development Management Policies for Central Bedfordshire (North) allows for limited extensions to gardens.

This is a retrospective application and the land the subject of this application has been fenced off and allocated to numbers 66, 68 (plots 11 and 12) and the plot adjacent to 57 (plot 5)

In policy terms the principle of development is acceptable provided that it does not harm the character of the area.

2. The impact of the proposal on the character of the surrounding area

The land in question was previously agricultural land which bounded the development site. It has been fenced off and included within the gardens of numbers 66, 68 and the plot adjacent to number 57 (plot 5).

Due to the nature of the site and the proximity to the existing development, it is not considered that the change of use would have a detrimental effect on the character of the area, or the openness of the countryside.

Concern has been raised by the Parish Council in terms of a ditch within the land the subject of this application that has been filled in. Building Control have been involved and have advised that the works are fully in accordance with the original planning permission and that issues regarding drainage near the playing fields are due to obstructions elsewhere.

It is not considered that the change of use of the land would have a detrimental impact on the character of the area, or the openness of the countryside.

3. Ownership Issues

The Parish Council have raised concern over the ownership of part of the land the subject of this application. This is currently being investigated by the Council's Property Services as it appears some of the land in question may be owned by the Council. This is a civil matter and therefore cannot be considered as part of this application, however, an informative should be added to the decision advising the applicant of the ownership dispute and that this is a civil matter that may need to be resolved.

Reasons for Granting

The change of use of the land from agricultural to residential gardens would not have a detrimental impact on the character of the area, or the openness of the countryside. It is therefore in conformity with Policy DM4 of the Core Strategy and Development Management Policies for Central Bedfordshire (North)

Recommendation

That Planning Permission be granted

Notes to Applicant

1. The Local Planning Authority has been advised that there is a potential ownership issue relating to part of the land in this application. This is a civil matter that may need to be resolved with Central Bedfordshire Council Property Services.

DECISION

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