

SCHEDULE B

APPLICATION NUMBER	CB/10/01535/FULL
LOCATION	Land rear of 57, Cambridge Road, Sandy
PROPOSAL	Full: Erection of 2 No. one bedroom semi detached dwellings
PARISH	Sandy
WARD	Sandy
WARD COUNCILLORS	Cllr Nigel Aldis & Cllr Peter Blaine
CASE OFFICER	Annabel Gammell
DATE REGISTERED	07 May 2010
EXPIRY DATE	02 July 2010
APPLICANT	NJF Developments Ltd
AGENT	Levitt Partnership
REASON FOR COMMITTEE TO DETERMINE	Cllr Aldis requested the application be determined by Committee: grounds of overdevelopment, inadequate parking, loss of amenity to neighbours and too many residents using a shared access
RECOMMENDED DECISION	Full Application - Granted

Site Location:

The application site is land to the rear of 57 Cambridge Road in Sandy, this is an area of approximately 200 sqm, the land was formally residential garden land within the curtilage of number 57 Cambridge Road. Currently the site is enclosed by close board wooden fencing approximately 1.8 metres in height, the site is predominantly grass land with 5 trees and one bush. At the southern end of the site is a 1.5 storey height brick outbuilding and at the north of the site is a single storey brick garage, both of these have pitched roofs. The site is within the settlement boundary of Sandy which is considered a Major Service Centre in the Central Bedfordshire Core Strategy and Development Management Policies.

The site is accessed via Edward Close which is an existing private road, currently servicing 3 dwellings.

The Application:

This application seeks permission to construct two, one bedroom semi-detached residential dwellings with associated parking.

The site is approximately 200 square metres, and the proposed dwellings would be a chalet style properties which would have a combined ground floor area of approximately 63 square metres.

RELEVANT POLICIES:

National Policies (PPG + PPS)

- PPS 1 Delivering Sustainable Development (2005)
- PPS 3 Housing (2006)

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, November 2009

Policy CS2 - Developer Contributions

Policy CS5 - Providing Housing

Policy DM3 - High Quality Development

Policy DM4- Development Within and Beyond Settlement Envelopes

South Bedfordshire Local Plan Review Policies

Not applicable

Supplementary Planning Guidance

Design in Central Bedfordshire: A Guide for Development

Planning History

None

Representations: (Parish & Neighbours)

Sandy T.C
Neighbours:

No comments received

Four letters of objection were received in relation to this application:

Number 6 Malaunay Place:

- Loss of Natural Light: the height of the building will affect the light into the rear of this property.
- Noise Levels: This would increase the volume of traffic using the Edward Close access which is surfaced in gravel, the noise of walking and driving on gravel is audible from this property.

Number 3 Edward Close:

- Loss of amenity and over development
- The design is out of character
- Traffic and Access
- Emergency Services
- Surface Drainage/Flooding
- Refuse Collection

Number 2 Edward Close:

- Health and Safety - Access, Pedestrian,

Vehicular, Emergency Services.

- Children - Highway safety as children live in the close.
- Health - Surface Drainage insufficient
- Refuse Collection
- Density of development - too high
- Tandem Development
- Insufficient parking

Number 1 Edward Close:

- Access
- Over Development/ Tandem Development
- Character
- Discrepancy - issues over facing panels remaining and how cars will turn into proposed parking spaces
- Flooding
- Neighbour consultation - Concerns that the property was not listed under "neighbours and consultees"
- Maintenance of access road/drive

Consultations/Publicity responses

Site Notice Posted on 14.05.10:
Highways Department:
Conservation - Trees:

No comments received
No comments received
No comments received

Determining Issues

The main considerations of this application are:

1. The principle of development
2. The effect on the character of the local area
3. The impact that the proposal will have on the residential amenity of neighbouring properties
4. The highway safety implications
5. The planning obligations strategy
6. Any other implications

Considerations

1. Principle of Development

Sandy is considered a Major Service Centre in the Central Bedfordshire Core Strategy, "within the settlement envelopes of both major and minor service centres, the Council will approve housing" - Policy DM4 Core Strategy and Development Management Policies 2009. This is dependant upon ensuring that there would be no adverse impact upon the character of the area or on the residential amenity of neighbouring properties and that satisfactory access can be achieved.

In addition PPG 3 encourages the use of previously developed land and

maximising the use of land in urban areas. This is judged to be a sustainable location for new dwellings as it is within close proximity to Sandy town centre, which has local amenities, bus stops and Sandy railway station. The traditional building line of Cambridge Road in this location has already been altered by the creation of Edward Close which is comprised of three residential properties approximately 70 metres off Cambridge Road. This development would be between the traditional line of houses on Cambridge Road and the properties of Edward Close. It is considered that the principle of residential development in this location is acceptable.

2. Character and Appearance of the Local Area

The proposed dwellings are located on a small site between the previously developed Cambridge Road and Edward Close. It is considered that views of it from Cambridge Road would be limited because the dwellings would be located to the rear of number 57. The dwellings would be visible from views along the private road Edward Close. It is considered that in such a discreet location the addition of this pair of dwellings would not have a negative impact upon the character or appearance of the local area.

Semi detached properties are considered appropriate for the location, Sandy has a range of housing types, but the land is not large enough to support dense development. The area around the site is a mixture with semi-detached, flats and detached properties to the south, terraces to the south west, semi-detached to the east and detached properties to the north. Therefore the character of semi-detached properties is judged to be in keeping with housing in the local area.

The materials that are proposed are red facing brick work with brown interlocking tiles, which are considered appropriate as they are similar in appearance to the bricks and tiles used on the dwellings in Edward Close. The scale of the development would be 1.5 storeys which would be a similar height to the outbuilding which would be immediately adjacent to the proposed dwellings.

The design of the dwellings is considered simple yet appropriate, the dwellings would have a maximum height of 7.6 metres, which is lower than the roofline's of the surrounding dwellings on Edward Close, there would be two front and two rear facing dormer windows, as the roof space is designed as living accommodation this is judged to be appropriate.

It is considered that the design of the dwellings in this location would be acceptable and in accordance with policy DM3 of the Core Strategy and Development Management Policies, 2009.

3. Residential Amenity of Neighbouring Properties

To the north of the site are detached dwellings 6 Malaunay Place, 1-3 Edward Close, to the south west there are properties on Cambridge Road adjacent numbers 53, 55, 55A, 57, 57A and 59. It is considered that this development would not cause a significant impact upon any of these properties in terms of:

Loss of light:

The proposed dwellings would not significantly impact upon the light into any residential property, there are outbuildings between the proposed dwelling and the closest adjoining neighbours to the south, the outbuilding would predominantly screen the dwellings from these properties. The proposed dwelling is only 1.5 stories which would further reduce the impact upon light. The closest neighbouring property would be approximately 15 metres away to the north west, there is currently a single storey garage on the boundary with this dwelling, it is judged that because of the height of the proposed houses and the distance from this dwelling it would not have a significant impact upon the light into this dwelling. Number 1 Edward Close is approximately 20 metres away set behind an existing brick built garage, it is considered that the light would not be significantly affected to this or any other dwelling because of the proposed development.

Overbearing impact:

Due to the setting of the building within the plot it is considered that it would not create an overbearing impact upon any residential dwellings. There is over 6 metres between the boundary of the site and the north facing elevation, and 9 metres between the south facing elevation and the boundary. Though it is acknowledged that the building would be almost on the eastern boundary as this adjoins the access road it is considered that this area would not be developed in the future and separation between built development would be maintained.

Loss of privacy:

The location of the windows has been designed to minimise impact upon the adjacent dwellings, the first floor windows are all dormer style, which would have a relatively low visual aspect, direct views north would be partially screened by the existing garage furthermore these windows are proposed to be obscure glazed and views south would be blocked by the outbuilding. The first floor windows are not side facing, which would further reduce its impact upon neighbouring dwellings.

Loss of outlook:

Currently the area is a garden area, screened off by fencing, the properties would not create a bulky form of development, they would not directly abut any existing residential dwelling. It is considered that the dwellings would be of a high enough design standard to ensure the outlook of any property with a view of the dwellings would not be adversely effected. It would ensure spaces between the houses and other forms of the built environment this is due to the buildings location central within the site.

Letters of objection:

As there were a number of objections and some issues arise from more than one objectors the issues raised have been addressed individually.

- Loss of Natural Light: the height of the building will affect the light into the rear of this property.

There would be a single storey garage between the proposed dwellings and number 6 Malaunay Place. The height of the proposed dwellings would be 7.6 metres and the properties would be approximately 15 metres apart. As number 6 Malaunay Place is north west of the proposed dwelling and there is already a single storey garage adjacent to the development site it would not have a significant impact upon the light into the rear of this neighbouring dwelling.

- Noise Levels: This would increase the volume of traffic using the Edward Close access which is surfaced in gravel, the noise of walking and driving on gravel is audible from this property.

Gravel is considered to be a sustainable material to surface vehicular areas, this is because of drainage. Though there is a noise created when there is movement over gravel it is not judged to be at a level that would cause a significant impact on residential amenity. The dwellings are south of this neighbouring property and therefore it is judged that vehicle and pedestrian movements would not increase significantly in the gravel area immediately adjacent to the property, which would be the area around number 1 Edward Close.

- Loss of amenity and over development/Density of development - too high

As Sandy is a Major Service Centre, where there is a precedent for approving housing development, providing it is sustainable, there would be no adverse impact upon the character of the area or on the residential amenity of neighbouring properties and that satisfactory access can be achieved. There would not be any significant overlooking issues caused by this development, satisfactory distances are achieved between the proposed and existing dwellings. It is not judged that this would be an overdevelopment of the land, it is a satisfactory size of plot for the dwellings proposed, there would be private amenity space attached to both properties and parking provided. It is considered that it would not result in a loss of residential amenity or cause an overdevelopment of the land.

- The design is out of character

Cambridge Road has a housing mixture, there are some detached, semi-detached and terrace properties and some are subdivided into flats, because of this variation it is considered appropriate to consider a small pair of semi detached properties. These would not be designed as family homes, as they are 1 bedroom properties they do not require the same level of amenity space as a "family home" would. It is considered that although number 57 would not have a large garden, it would retain a court yard area, which could be formally enclosed, this would provide an amenity area for that property. There is also a large outbuilding on this land, should this be removed this area could also be used as amenity land. This is not an area of visual sensitivity the materials chosen are considered to be appropriate in this location.

- Traffic and Access/Insufficient parking/Children/Emergency Services - Highway safety as children live in the close.

As these are small dwellings proposed within a sustainable location it is

considered that 1 parking space per dwelling is appropriate, this in accordance with the technical guidance *Design in Central Bedfordshire, Design Supplement 7 Movement, Streets and Place*. In addition to this there is secure cycle parking indicated within the curtilage of each dwelling, this is also in accordance with this guidance. This access was considered suitable for the 3 dwellings of Edward Close, it is appropriate for five dwellings to be serviced by an access of this type. Although numbers 57 and 59 use the access it is judged that this is not the main access to these properties and therefore the additional dwellings would increase the number of dwellings serviced to five. At the top of the access the area around the existing dwellings becomes wider, it is considered that there is sufficient visibility around the existing dwellings and the additional houses would not significantly impact upon the current situation.

- Surface Drainage/Flooding/SUDS

This is not an area of high flood risk, the surfacing to be used around the dwellings would be appropriate to ensure natural drainage. The access road is gravelled, the proposed parking area would be SUDS approved block and the rear gardens would be grass. However this is a building control issue.

- Refuse Collection

A collection point has been indicated on the plan, this is at a distance of 25 metres from the access of Cambridge Road. The carry distance appropriate for off street refuse collection is 15 metres. Although this area does not comply with the carry distance it is judged that an increase of two bins on the pavement of Cambridge Road would be acceptable.

- Tandem Development

The letter referred to HO6 of the Mid Beds Local Plan, this document has been superseded by The Core Strategy and Development Management Policies, 2009. There is no directly transferable policy, but Policy DM4 - Development Within and Beyond Settlement Envelopes defines infill development as "small scale development utilising a vacant plot which should continue to complement the surrounding pattern of development." It is considered that although this is development behind a previously developed housing line, it is acceptable because it meets this and the sustainability criteria within policy DM4.

- Discrepancy - issues over facing panels remaining and how cars will turn into proposed parking spaces

The plan indicated that a distance of approximately 9 metres of the existing fence panels would remain, this would enclose the rear garden of the eastern property. There would be no fencing enclosing the parking area, to enter or exist the spaces, cars would have to turn slightly into the area to the north of the parking area. It is noted that the applicant should have indicated this area within the red line boundary to avoid confusion and establish land ownership. The access road is largely within the ownership of 2 Edward Close, it would be a civil matter to establish rights of access over this area of land.

- Neighbour consultation - Concerns that the property was not listed under

"neighbours and consultees"

As an adjoining property to the application site this dwelling was consulted, this letter was sent on the 11th May 2010.

- Maintenance of access road/drive

This road is within the ownership of number 2 Edward Close, the use and maintenance of this area is a civil matter between the residents of Edward Close and any users of Cambridge Road.

4. Highways Implications

No comments have been received from the Highways Department. These comments will be represented on the late sheet.

5. Planning Obligation Strategy

The proposed development would form two one bedroom houses which falls within the criteria of the Planning Obligation Strategy therefore contributions for Local Infrastructure is required and takes place in the form of a Unilateral Undertaking submitted by the applicant.

The Planning Obligation Strategy is an adopted Supplementary Planning Document and is therefore a material consideration in the determination of the planning applications. A Unilateral Undertaking has been submitted with this application, this document is currently being considered by the Council's legal team, should it be satisfactory it would be in accordance with the Supplementary Planning Document: Planning Obligation Strategy (2008).

6. Other Implications

Permission number MB/02/00706/OUT - Erection of three no. four bed dwelling houses with double garages:

This application was granted in 2002 for the dwellings now within Edward Close, as a note to the applicant it was stated that "...should any additional adjacent land come forward for residential development that development in the form of detached houses is unlikely to be acceptable." It is considered that every application should be judged upon its own merits and in accordance with current planning policy and guidance, though this information was added by Mid Beds District Council in 2002 it does not prejudice the current decision that is being taken. A planning application cannot be refused or prejudiced by any guidance attached to a decision that was made which precedes the submission of the current application.

Sustainability:

This development would be in a highly sustainable location because of its close proximity to Sandy town centre. This development would be within walking distance of Sandy train station and bus stops as well as the local amenities of Sandy. As the dwellings would be one bedroom properties one parking space is judged to be sufficient as it would not be expected that there would be

significant traffic generation because of the development. It is demonstrated on plan number 04A that there is planning cycle parking within the sheds, this would encourage sustainable forms of transportation.

Reasons for Granting

The proposal for two dwellings in this location is considered to be acceptable because the dwellings and associated area would not have a negative impact on the character of the area or an adverse impact on the residential amenity of neighbouring properties, it is acceptable in terms of highway safety and therefore by reason of its site, design and location, is in conformity with Policies CS2, CS5, DM3, and DM4 of the Core Strategy and Management Policies, November 2009; Planning Policy Statement 1 (2005), Planning Policy Statement 3 (2006), Regional policies in the East of England Plan (May 2008) and the Milton Keynes and South Midlands Sub-Regional Strategy (March 2005). It is further in conformity with the technical guidance Design in Central Bedfordshire, a Guide for Development.

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 **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. 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 **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.

- 4 The windows shown on Drawing No 04A in the first floor of the north facing elevation shall be permanently glazed with obscured glass.

Reason: To protect the privacy of the occupiers of adjoining properties.

- 5 Notwithstanding the provisions of the Town and Country Planning (General

Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows shall be inserted into the side facing elevations of the proposed dwellings.

Reason: To protect the amenity of neighbouring residents.

- 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.

DECISION

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