

Item No. 11

SCHEDULE B

APPLICATION NUMBER	CB/11/01562/FULL
LOCATION	Land to the rear of 20 Baldock Road, Stotfold, Hitchin, SG5 4PB
PROPOSAL	Erection of two detached dwellings
PARISH	Stotfold
WARD	Stotfold & Langford
WARD COUNCILLORS	Cllrs Clarke, Saunders & Saunders
CASE OFFICER	Vicki Davies
DATE REGISTERED	28 April 2011
EXPIRY DATE	23 June 2011
APPLICANT	Ms Drury
AGENT	Robert Lombardelli Partnership Ltd
REASON FOR COMMITTEE TO DETERMINE	Request of Ward Councillor on the basis of impact of proposal on residential amenity, impact on streescene, overdevelopment of the site and lack of need for houses in Stotfold
RECOMMENDED DECISION	Full Application - Granted

Site Location:

The site is located on the northern side of Baldock Road close to the junction with Norton Road. To the west of the site is an established industrial premises. To the east, north and south is residential development. Immediately to the north of the site is open space and a children's play area. The site is within the settlement envelope for Stotfold and is not subject to any planning constraints.

The Application:

The application seeks consent for the erection of two detached dwellings. The dwellings are proposed to be erected to the rear of 20 Baldock Road in the large garden. The proposal is for one 3 bedroom dwelling and one 2 bedroom bungalow. The access to the new dwellings would be gained by the demolition of the existing garage to 20 Baldock Road. Each of the dwellings would be provided with 2 car parking spaces, one visitor's car parking space would also be provided. Three car parking spaces and a turning area would be provided in the front garden of the existing property to replace the garage to be demolished.

RELEVANT POLICIES:

National Policies (PPM & PPS)

PPS1: Delivering Sustainable Development

PPS3: Housing

Regional Spatial Strategy East of England Plan (May 2008)

Bedford shire Structure Plan 2011

No relevant policies

Central Bedford shire Council (North) Core Strategy and Development Management Policies 2009

CS1: Development Strategy

CS2: Developer Contributions

CS14: High Quality Development

DM3: High Quality Development

Supplementary Planning Guidance

Design in Central Bedford shire: A Guide for Development

Design Supplement 1: New Residential Development

Planning History

MB/04/00264/FULL Two storey rear extension and detached garage with playroom over. Refused 29/4/04

Representations: (Parish & Neighbours)

Stotfold Town Council	Object on the following grounds: the proposal by reason of its size and siting would constitute overdevelopment of the site, such that it would have an adverse impact on the character of the street scene, the proposed dwellings would constitute an unacceptable impact on neighbouring residential properties by reason of overbearing impact, loss of privacy and loss of outlook to houses. Garden land should not automatically be considered a brownfield site.
Neighbours	12 letters of objection have been received. The letters are in a standard letter format which have been signed and submitted by different residents. The issues raised in the letter are set out below:

Traffic noise and noise pollution

- peaceful evenings will be lost due to the additional parking spaces proposed
- the wall of the industrial building will reflect and amplify all noise from the cars
- car noise and fumes would exist on all four sides of number 20
- the acoustic survey only sets out that not a lot of noise was detected in the week of the survey

Access

- visibility onto Baldock Road would be restricted at the proposed driveway entrances

- the long shared drive is inappropriate for traffic use
- during the winter the driveways off Baldock Road are often unusable and more parking would take place on the highway
- increased parking on Baldock Road would increase congestion causing a highway safety issue
- risk of damage to the walls to the west side of number 20 due to cars manoeuvring and passing close to this boundary
- the access would be widened and an additional access created increasing risk to pedestrians and children

Density of Development

- the properties on Baldock Road have large gardens, the application would oppressively increase the density of development
- the application would represent overdevelopment with a new view of "layers" of roofs
- the proposal would change the character of the area by reducing the rear gardens

Privacy and Amenity

- the occupants of the proposed dwellings would have views across neighbouring gardens and into houses
- the exit of cars from the site would adversely effect the privacy of houses in The Coppins and would be effected by the lights from the cars
- car headlights would shine into neighbouring properties
- lights from the proposed dwellings and external lighting on the site would compromise the privacy of number 20 and 22

Design

- the development is out of character with the Edwardian and Victorian houses around it
- the proposed materials would be out of keeping
- the dwellings would be part of Baldock Road not Mill Meadow

Trees and Wildlife

- lighting would have an adverse impact on wildlife
- there is a Mulberry tree on the site which would be effected and should be protected

Consultations/Publicity responses

Public Protection

Noise

The Sound Solution noise assessment indicates that the site falls within PPM 24 Planning and Noise NEC B for both day and night as a result of a combination of road traffic noise from the A507 and A1M and Industrial Noise from Ironcraft Industrial Estate at 18 Baldock Road with

road traffic noise being dominant during rush hours and Industrial noise during the mid morning and afternoon periods. It also indicates that the industrial noise is daytime only. NEC B states "Noise should be taken into account when determining planning applications and, where appropriate, conditions imposed to ensure an adequate level of protection against noise"

The report concludes that BS8233: 1999 good internal standards can be achieved by the use of appropriate acoustic standard glazing and ventilation in the dwellings. It does not discuss external standards but the officer is mindful of the fact that the proposed site is already a residential garden and therefore the proposal intensifies the number of noise receptors rather than introducing a receptor where there currently is none.

Although the proposed dwellings may suffer some detriment to amenity from road traffic and industrial noise, based on the submitted report the officer does not consider that it severe enough to object to the proposed development and recommends a condition requiring the details of noise mitigation measures to be submitted and approved before the development is commenced.

Contaminated land

Notwithstanding the fact that the proposed development site is currently a residential garden the site is immediately adjacent to industrial units and may be affected by contamination, particularly along the boundary. The officer therefore advises that a condition is attached to any approval requiring the Local Planning Authority to be contacted if any contamination is found.

Highway Control	Development	No comments yet received - any comments and the implications of them will be reported to Committee on the Late Sheet
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Determining Issues

The main considerations of the application are;

1. The principle of development;
2. The effect on the character of the Streetscene;
3. Impact on Amenities of Neighbouring Properties
4. Highway Considerations
5. Trees and Ecology
5. Other Issues

Considerations

1. The principle of development

Clifton is classified as a Minor Service Centre within Policy CS1 of the Central Bedfordshire Adopted Core Strategy and Development Management Policies (2009) where development will be focussed.

The application site is within the settlement envelope for Stotfold and as such Core Strategy policy DM4 supports housing, employment and other settlement related development commensurate with the scale of the settlement.

PPS3: Housing sets out that the most efficient use of land should be made and that housing development should be focussed in the first instance on previously developed land (PDL). The PPS was amended in 2010 to remove residential garden land from the definition of PDL. This change leaves the decision as to the suitability of garden land for housing development to the Local Authority. The application site is a very large garden measuring around 1100 metres square, which equates to 0.11 hectares. Housing developments aim to achieve 34 dwellings per hectare, therefore 3 dwellings to 0.1 of a hectare would be appropriate. It is not considered that the proposal is unacceptable due to its current use as garden land. The letter of objection sets out that the change to the PPS provides Local Authorities with an increased facility to decline permission.

As the application site is within the settlement envelope of a minor service centre the proposal is considered acceptable in principle subject to no conflict with any other relevant policies set out elsewhere in the Core Strategy.

2. The effect on the character of the Streetscene

Core Strategy policy DM3 requires that new development is appropriate in scale and design to its setting and should contribute positively to creating a sense of place and respect local distinctiveness through design and use of materials. The policy also states that development should provide hard and soft landscaping appropriate in scale and design to the development and its setting.

The proposed dwellings would be located to the rear of the existing dwelling known as 20 Baldock Road. It would be possible to see the proposed house from Baldock Road albeit along the 30 metre driveway. No clear views of the bungalow would be possible from any public viewpoint.

The house would be two storey standing approximately 8 metres to the ridgeline. The dwelling would have a pitched roof finished in mixed dark red interlocking concrete tiles. The walls would be mixed light red bricks at ground floor level and cream smooth render at first floor. The dwelling would have a pitched roof over the porch and a bay window detail on the western part of the front elevation to add interest. The property would have 3 bedrooms.

The bungalow would be "L" shaped and would measure 4.2 metres to the ridgeline. The dwelling would have a pitched roof finished in grey interlocking concrete tiles. The walls would be mixed light red bricks.

The dwellings are considered to be appropriate in scale to their setting to the rear of a large 4 bedroom house. The dwellings are not cramped on the site and their size is appropriate for the space available. The design of the house would reflect the design of the existing dwelling at 20 Baldock Road and takes the design cues of the bay window and porch. The house is not considered to be an outstanding example however the site is not within a Conservation Area or any other designation, the design of the house is therefore considered acceptable. The bungalow has been designed to respond to the site and the design is

considered satisfactory. The proposed materials are acceptable in principle however it is considered that better quality materials would improve the visual appearance of the dwellings. A condition can be added to any planning permission granted requiring details of the materials to be submitted for approval.

The site layout plan shows that there would be sufficient space for soft landscaping to the front of the dwellings around the car parking spaces. The layout also allows for the retention of a mature Mulberry and Lime tree within the site. A condition should be added to any planning permission granted requiring the submission of a full, detailed landscaping scheme.

The objection letter sets out that the development is out of character with the Edwardian and Victorian houses around it, the proposed materials would be out of keeping and the dwellings would be part of Baldock Road not Mill Meadow. The design of the proposed dwellings is considered appropriate for the location which is not subject to any conservation constraint. The design of the house reflects the design cues of the existing dwellings. The proposed materials could be of better quality and therefore it is considered that a condition should be added requiring details of materials to be submitted. The dwellings would be part of Baldock Road and not Mill Meadows and it is considered that subject to a condition dealing with materials that they would be in keeping with the general character of the area.

Overall it is considered that the appearance of the proposed dwellings would be acceptable and that there would not be any significant adverse impact on the character and appearance of the area.

3. Impact on Amenities of Neighbouring Properties

Core Strategy policy DM3 states that new development should respect the amenities of nearby residents.

A significant number of concerns raised by objectors relate to residential amenity.

The proposed bungalow would be 14 metres from the neighbouring dwelling at 22 Baldock Road and the proposed house would be over 26 metres. The bungalow would have one obscure glazed window in the southern elevation and three windows in the eastern elevation. As the bungalow would be single storey the windows would be at ground floor level and boundary treatments would obscure views from the bungalow to the dwelling at 22 Baldock Road. A condition requiring details of boundary treatment could be attached to any permission granted to ensure that suitable fencing would be in place. A condition should also be added to ensure that no first floor windows are inserted into the bungalow. The house is proposed to have three windows on the southern elevation which could provide some views towards 22 Baldock Road. The two windows on the eastern side of the front elevation would be obscured glazed. The third window would be on the western side would be a bay window for a bedroom, views from this window would be over 30 metres from the rear elevation of 22 Baldock Road at an angle. It is not considered that views from the bungalow or house would have a significant adverse impact on the privacy of the occupiers of 22 Baldock Road.

The closest resident to the north of the application site would be 15 metres away on Mill Meadows. Neither of the two proposed dwellings would overlook any dwellings as to the rear of the application site is a children's play area and open space. To the west of the site is an industrial premises, none of the windows of the unit look into the application site. No views into the industrial premises would be possible from the proposed dwellings.

Objectors comment that the car parking spaces, traffic movements and car headlights would adversely effect their privacy. Some of the parking spaces would be within 2.5 metres of the fence between 20 and 22 Baldock Road. No planning permission would be required for the applicant to demolish the existing garage and park cars in the rear garden at present. It is not considered that the proximity of the two car parking spaces to the fence would have an adverse impact on privacy or amenity due to the boundary fencing and limited number of vehicle movements that two dwellings would generate. The letter comments that the dwellings opposite the site on The Coppins would be adversely effected by the headlights off cars leaving the driveway. The nearest dwelling on the opposite site of Baldock Road would be 21 metres from the end of the driveway. The dwellings opposite do not have any ground floor windows in the side elevation facing the site and the gardens are protected by a solid brick wall.

Residents also raise concern over external lighting for the proposed dwellings. It is not considered that external lighting would have any significant adverse impact on the amenities of nearby residents. Nevertheless a condition could be added to any planning permission granted requiring the details of external lighting to be submitted and approved before installation.

Due to the layout of the proposed dwellings and existing properties and the distance between the houses it is not considered that there would be any significant adverse impact on residential amenity by reason of overlooking or overbearing.

The application site is bounded to the west by Ironcraft Industrial Estate and therefore the future residents could be effected by noise from the industrial buildings. The Environmental Health Officer comments that the submitted noise assessment indicates that the site falls within PPM 24 Planning and Noise NEC B for both day and night as a result of a combination of road traffic noise from the A507 and A1M and industrial noise from Ironcraft Industrial Estate at 18 Baldock Road. Road traffic noise being dominant during rush hours and industrial noise during the mid morning and afternoon periods. The report also indicates that the industrial noise is daytime only. PPM 24 NEC B states "Noise should be taken into account when determining planning applications and, where appropriate, conditions imposed to ensure an adequate level of protection against noise."

The report concludes that BS8233:1999 good internal standards of noise can be achieved by the use of appropriate acoustic standard glazing and ventilation in the dwellings. The report does not discuss external standards but the officer is mindful of the fact that the proposed site is already a residential garden and therefore the proposal intensifies the number of noise receptors rather than introducing a receptor where there currently is none.

Although the proposed dwellings may suffer some detriment to amenity from

road traffic and industrial noise, based on the submitted report the officer does not consider that it is severe enough to object to the proposed development and recommends a condition requiring the details of noise mitigation measures to be submitted and approved before the development is commenced. On this advice from the Environmental Health Officer it is not considered that any detriment by reason of noise would be of such a level to warrant refusing planning permission.

The objection letter raises concern regarding noise from cars. It is not considered that given the level of existing background noise from the industrial estate and road noise that the noise from a small number of additional vehicle movements would give rise to an unacceptable level of noise.

Overall it is considered that subject to conditions there would be no significant adverse impact on the amenities of existing or future residents which would warrant refusing planning permission. The proposal therefore complies with the relevant part of Core Strategy DM3.

4. Highway Considerations

The proposed dwellings would be accessed via a driveway on the western side of the site. The driveway would be provided by demolishing the existing garage. Two car parking spaces would be provided for each of the two dwellings plus one visitors space within the site. This level of parking is in accordance with Design Supplement 7: Movement, Streets and Places and is satisfactory. The issue of increased on-street parking was raised in the objection letter. It is considered that sufficient parking within the site is proposed and that although it is not possible to prevent on-street parking there would not be any need for the new residents to park on Baldock Road when an appropriate level of parking would be provided within the site. The existing dwelling at 20 Baldock Road would lose its garage but three parking spaces would be provided within the front garden of the site. This level of parking is in accordance with Design Supplement 7 and is acceptable.

Car parking spaces should be 2.4m by 4.8m in order to comply with Design Supplement 7. The spaces shown in the application are not large enough. There is however sufficient space around the car parking spaces shown to accommodate slightly larger spaces, which could be secured by condition.

Turning areas have been provided within the application site and front garden of the existing property in order that cars can enter and leave the site in a forward gear. No comments have yet been received from Highways Development Control and it cannot be confirmed that the turning areas are sufficient for delivery vehicles or emergency service vehicles. Should a larger turning area be required it is considered that there is space within the application site for this to be provided. The provision of turning areas could be secured by condition.

The driveway would be over 20 metres long which is more than the distance a refuse vehicle will reverse and is over the carry distance for a refuse bin. The application therefore proposes a hardstanding area at the entrance to the site for the storage of bins on collection day.

There do not appear to be any significant highway issues which could not be dealt with by condition however this cannot be confirmed until the comments of

the Highways Development Control Officer are received. The comments of the officer and any implications of these will be reported on the late sheet.

5. Other Issues

Following the adoption of the Planning Obligations Strategy SPD on 20 February 2008 and the adoption of Core Strategy policy CS2, the Council requires either a Unilateral Undertaking or an agreement under S106 of the Town and Country Planning Act 1990 be submitted with the planning application.

This application was submitted in April 2011 and as such the proposal would attract Planning Obligations. A legal agreement in the form of a Unilateral Undertaking has not yet been submitted. It is anticipated that a satisfactory legal agreement will be provided in compliance with the Central Bedfordshire Council's Adopted Supplementary Planning Guidance: Planning Obligations Strategy (2008) and policy CS2 of the Core Strategy. However until a satisfactory legal agreement has been submitted no planning permission should be issued.

The objection letter raised the issue that there were some mature trees on the site which should be retained. The application plans show the existing Lime tree and Mulberry tree being retained. A condition can be added to any planning permission granted requiring details of tree protection to be submitted and approved before development commences. In addition a condition requiring a full, detailed landscaping plan will be added to any consent in order to secure an appropriate level of planting.

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 **Before the development hereby permitted is commenced 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 Before development begins, a landscaping scheme to include any hard surfaces and earth mounding shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season and maintained until satisfactorily established.

Reason: To ensure a satisfactory standard of landscaping.

- 4 Before development begins, including any ground clearance or excavation, substantial protective fencing, the details of which shall first be approved in writing by the Local Planning Authority, shall be erected around the Lime Tree and Mulberry Tree within the application site and the fencing shall be retained at full height and extent until the development is substantially completed. No materials shall be stored or deposited and no mixing of materials shall take place within the area so protected.

Reason: To protect the trees so enclosed in accordance with Section 8 of BS 5837 of 2005 or as may be subsequently amended.

- 5 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.

- 6 Before the development hereby permitted is commenced details of all existing and proposed boundary treatments shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of residential and visual amenity.

- 7 Development shall not begin until a scheme for protecting the proposed dwellings from Road Traffic Noise and Industrial Noise has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of noise mitigation measures, including window glazing and room ventilation provisions. Any works which form part of the scheme approved by the Local Planning Authority shall be completed before any permitted dwelling is occupied unless an alternative period is approved in writing by the Authority.

Reason: to protect the amenity of future occupiers of the dwellings.

8 If during any site investigation, excavation, engineering or construction works evidence of land contamination is identified, the developer shall notify the Local Planning Authority without delay. Any land contamination identified shall be remediated to the satisfaction of the Local Planning Authority to ensure that the site is made suitable for its end use.

Reason: In order to protect the amenity of and prevent harm to site workers and future occupants of the proposed development.

9 No external lighting shall be installed without the prior written approval of the Local Planning Authority.

Reason: To protect the amenity of neighbouring properties.

10 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 windows shall be inserted into the roof of the proposed bungalow.

Reason: To protect the amenity of neighbouring residents.

11 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1608-000, 1608-001, 1608-002A, 1406-004, 1608-003 & 1608-005.

Reason: For the avoidance of doubt.

Reasons for Granting

The proposed development would not detrimentally impact upon the character and appearance of the streetscene nor would there be any significant adverse impact on the amenities of neighbouring residents. There are no highway safety issues and subject to an acceptable unilateral undertaking being submitted the proposal is satisfactory. The scheme therefore, by reason of its site, design, materials and location, is in conformity with Planning Policy Statement 1 (2005), Planning Policy Statement 3 (2006) and Planning Policy Statement 7 (2004) and Policies CS2, CS14, DM3 and DM4 of the Core Strategy and Development Management Policies, November 2009. It is further in conformity with the Central Bedfordshire Supplementary Technical Guidance "Design in Central Bedfordshire, A Guide for Development".

Notes to Applicant

1. This permission is subject to a legal obligation under Section 106 of The Town and Country Planning Act 1990.

DECISION

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