

Item No. 13

APPLICATION NUMBER	CB/12/00605/FULL
LOCATION	65 Shefford Road, Clifton, Shefford, SG17 5RQ
PROPOSAL	Erection of Pool/Gym building and link to main house (retrospective)
PARISH	Clifton
WARD	Arlesey
WARD COUNCILLORS	Cllrs Dalgarno, Drinkwater & Wenham
CASE OFFICER	Samantha Boyd
DATE REGISTERED	13 February 2012
EXPIRY DATE	09 April 2012
APPLICANT	Mr Burton
AGENT	
REASON FOR COMMITTEE TO DETERMINE	Cllr Rita Drinkwater called in, this is a large building not now considered under permitted development.
RECOMMENDED DECISION	Full Application - Granted

Site Location:

65 Shefford Road is a large detached building within a substantial plot in a residential area of Clifton. The property has been extended in the past with two storey and single storey extensions and the plot subdivided in order to construct five residential properties at the rear. Part of the approval for the five dwellings includes a garage for No 65 at the rear of the plot and a turning area that is for use by No 65 and the dwellings at the rear.

The Application:

Retrospective planning permission is sought for an extension to the property which would house a swimming pool and gym linked into the main house.

RELEVANT POLICIES:

National Policies (PPG & PPS)

National Planning Policy Framework

Regional Spatial Strategy

East of England Plan (May 2008)

Central Bedfordshire Core Strategy and Development Management Policies (2009)

CS14, DM3 High Quality Development

Supplementary Planning Guidance

Design in Central Bedfordshire

Planning History

MB/07/00394/LDCP	Detached building to house swimming pool. Granted 12.03.07
MB/06/01485/Full	One and half storey side extension to include integral garage and one dormer to front and one to rear. 22/09/06
MB/06/01484/Full	Two storey rear extension. 18/09/06

To the rear of the property planning permission has been granted for 5 new dwellings with access via a private driveway to the side of No. 65 Shefford Road.

Representations: (Parish & Neighbours)

- Clifton Parish Council
- Object for following reasons -
- Information shown on plan 4302-1 is misleading and does not relate to any document in current CBC causing confusion to comment.
 - Pool/gym does not comply with original application (profile and height).
 - No record of formal changes to building therefore content of MB/07/00394 must still apply.
 - Submission does not comply with MB/07/00394.
 - Garage at rear of garden does not have planning permission.
 - Paved area to front of site is incorrect.

- Neighbours
- Three letters received, concerns summarised as -
- Overdevelopment of house that has had numerous extensions, development takes up half the garden.
 - Out of character with area.
 - Loss of amenity to surrounding properties.
 - Has a significant visual impact on garden of No. 67 Shefford Road due to height and length of building.
 - Noise from use of the building.

Consultations/Publicity responses

None required

Determining Issues

The main considerations of the application are;

1. Application background
2. The effect upon the character and appearance of the area
3. The impact on neighbouring amenity

Considerations

1. Application background

In 2007 a Lawful Development Certificate was granted for the construction of an outbuilding which would provide a covered swimming pool. The Lawful Development Certificate was assessed under the permitted development regulations current at the time. The building was to be sited not closer to the highway than the original dwelling, be 5m from the original dwelling, have a ridged roof with a total height of 4m and the total area of ground covered by the building would exceed 50% of the total area of the curtilage of the dwellinghouse.

There is some doubt when construction on the building began or when it was substantially complete however it has been constructed partly in accordance with the plans submitted with the LDC application but was extended closer to the dwelling, therefore it would have required planning permission due to the 5m rule. Changes to the General Permitted Development Order in 2008 removed the criteria relating to development being 5m from the existing dwelling however it introduced other restrictions on height and proximity to boundaries.

Following an investigation by Enforcement Officers it was established that the building requires planning permission based on the current Permitted Development Order as the roof of the building has more than two planes and is over 3m in height. Furthermore the building is now within 2m of the boundary, due to the access road for the new dwellings at the rear, and exceeds 2.5m in height. The development has been assessed and planning permission is required regardless of when it was constructed.

It is also proposed under this application to link the dwelling to the pool/gym building.

Given the above, this retrospective application seeks consent for the whole building which is now to be an extension to No. 65 Shefford Road and therefore should be considered as such.

2. The effect upon the character and appearance of the area

The proposed swimming pool/gym building extends 17m beyond the existing rear elevation of the dwelling. It has a width of just under 7m, a mansard design

roof to a total height of 4m, and an eaves height of around 2.5m. The extension would be linked to the main property via the existing small gym to the rear joining the two currently separate gym areas into one larger area.

The building would be constructed in cream colour bricks that match the new dwellings to the rear. The brickwork of the existing dwelling is painted white.

The building is wholly located to the rear of the property but it can be glimpsed from Shefford Road at the access point for the new dwellings. Occupiers of the new dwellings will have full view of the building when using the driveway to access the properties, however the side wall forms the boundary of No. 65 therefore it is not considered to be unreasonable to have an expanse of brickwork along the driveway forming the boundary wall.

The building takes up a large portion of the existing garden which has already been reduced in size by the subdivision of the plot. However the plot is of a considerable size, therefore adequate garden area remains to the rear of the property. The proposal is not considered to be overdevelopment of the site for this reason.

Overall it is considered that the proposal would not have an adverse impact upon the character and appearance of the area given its location to the rear of the property.

2. The impact on neighbouring amenity

No 67 Shefford Road is located to the west of the application site. The pool/gym building would be located on the eastern site of the application site and therefore separated from the neighbouring by the main garden area. There is approximately 11m between the site boundary and the western elevation of the pool building and given this distance the proposal is not considered to result in a loss of light or outlook to No.67. The building is single storey with glazed doors that would open onto the garden. Given the existing screening between the properties no adverse overlooking would occur.

No 1 Godfreys Lane (Plot 5 the new dwelling to the rear) is sited at some 21m from the proposal therefore while the building is visible, it would not result in an unacceptable impact on the living conditions of the occupants.

No 61 is the neighbouring property to the east of the application site. This property is separated from the proposal by the access way to the new dwellings at the rear. The property is also located at some distance from the pool/gym building therefore no adverse impact would occur.

Concern has been raised regarding noise from the swimming pool should the doors/windows be open. The building is for domestic use only therefore it is unreasonable to insist the doors/windows remain fixed shut. A certain amount of noise associated with a domestic garden is to be expected within residential areas. In order to ensure that the swimming pool and gym are not used commercially its future use can be restricted by a condition.

The building is considered to be sufficiently separated from neighbouring properties as such it is considered there would be no significant harm on amenity.

Recommendation

That Planning Permission be granted subject to the following:

- 1 The extension hereby permitted shall not be used other than for purposes ancillary to the residential use of the dwelling known as 65 Shefford Road Clifton.

Reason: To prevent the use of the building for commercial use in order to protect the amenities of the adjoining properties.

Reasons for Granting

The proposal would not have a negative impact on the character of the area or an adverse impact on the residential amenity of neighbouring properties therefore by reason of its site, design and location, the proposal is in conformity with Policy DM3 of the Core Strategy and Management Policies, November 2009; National Planning Policy Framework, Regional policies in the East of England Plan (May 2008) and the Milton Keynes and South Midlands Sub-Regional Strategy (March 2005).

Notes to Applicant

DECISION

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