

Item No. 23

APPLICATION NUMBER	CB/12/01329/RM
LOCATION	Land off of Chapel Close, Clifton, Shefford, SG17 5YG
PROPOSAL	Details of reserved matters (appearance, landscaping, layout and scale) for the erection of 11 houses with associated parking and landscaping pursuant to outline planning permission CB/09/06296/OUT dated 30/11/2010 for residential development of up to 12 dwellings with all matters except access reserved
PARISH	Clifton
WARD	Arlesey
WARD COUNCILLORS	Cllrs Dalgarno, Drinkwater & Wenham
CASE OFFICER	Nikolas Smith
DATE REGISTERED	10 April 2012
EXPIRY DATE	10 July 2012
APPLICANT	Warden Developments Ltd
AGENT	Levitt Partnership
REASON FOR COMMITTEE TO DETERMINE	Cllr Drinkwater on the grounds of over development leading to a poor layout given the position within the village and surrounding area.
RECOMMENDED DECISION	Full Application - Granted

Site Location:

An area of 0.4 hectares (ha) north of Chapel Close, a cul-de-sac of eight two-storey, detached houses to the north of Shefford Road and within the Clifton Settlement Envelope. Houses on Chapel Close are designed consistently, but not identically. To the north and east are rear gardens serving detached houses on Pedley Lane and Spring Road respectively. To the southeast is an area of land for which planning permission has been granted for the erection of four detached houses (one of which would be near to the southern boundary of the site). To the southwest are gardens serving houses on Shefford Road and to the west are houses on Chapel Close, the nearest of which is No 7 (the extended side elevation of which joins the eastern boundary of the site) that has no windows facing towards the site. Near to the south western corner of the site is a domestic outbuilding.

Planning Context:

Outline planning permission was granted for up to 12 houses at this site in November 2010 (CB/09/06296/OUT). The principle of residential development and the access to the site were established as acceptable at that time. A s106 agreement setting out the contributions required to mitigate the impact of the development on existing local infrastructure and securing affordable housing formed part of that application and so would not be considered again now.

Conditions attached to the outline consent required the submission of additional details of layout, design, scale and landscaping (reserved matters) for approval and these details form this application.

The application site is slightly smaller than at outline stage (land to the rear of No's 106 and 108 Shefford Road no longer forms part of the site). An area of land in the northeast corner of the site (to the rear of No 47 Pedley Lane) is within the applicant's ownership but does not form part of the application site (because it did not at outline stage). It would likely provide additional private amenity space for one of the houses.

The Application:

Approval is sought for the following reserved matters, pursuant to outline consent for up to twelve houses at the site:

- Design;
- Layout;
- Scale; and
- Landscaping

There would be eleven houses at the site (three 3-bedroom, six 4-bedroom and two 5-bedroom). They would be arranged around a central 'hammerhead' type access road that would continue northwards from Chapel Close. There would be two detached houses with a north-south orientation on the western side of the entrance to the site and a detached house with a similar orientation on the eastern side of the access. There would be a detached house in both the northeast and southeast corner of the site and six houses between them, some of which would be connected by garaging. The eight houses at the east of the site would have an east-west orientation.

All of the houses at the site would have a rear garden, the smallest of which would be 71m² and the largest would be 207m². The average garden size across the site would be 120m².

Nine of the houses would have three parking spaces and two would have two spaces. Three visitor spaces would be provided across the site. Cycle parking would be provided at a ratio of one per bedroom either in garaging or in bike sheds and two visitor cycle spaces would be provided per house.

The houses would range between one storey (with accommodation in the roof space) and two storeys (with roof space accommodation). The site would be landscaped.

Relevant Policies:

National Planning Policy Framework (2012)

6. Delivering a wide choice of high quality homes
7. Requiring good design

Core Strategy and Development Management Policies (2009)

- DM3 High Quality Development
- DM4 Development Within and Beyond Settlement Envelopes
- DM10 Housing Mix

Design in Central Bedfordshire (a Guide for Development) (2010)

- DS1 New Residential Development
- DS7 Movement Streets and Places

Planning History:

CB/09/06296/OUT Residential development of up to 12 no. dwellings with all matters reserved except access

Approved: November 2010

Representations:

Clifton Parish Council No objection but the following suggestions:

- Has the impact of a third storey on some of the houses been assessed in terms of No's 7 – 21 Spring Road?
- Were best practice processes followed in terms of the submitted environmental assessment?
- How much of the highway would be adopted?
- Unclear whether the development would be illuminated.
- No provision for a play area.
- The Chapel Close/Shefford Road junction is already problematic. Could improvements be made to it?
- Clifton School is already oversubscribed.
- Could monies be spent on widening the footway between Clifton and Henlow?

Neighbours

Site and press notices were displayed. Eight responses were received from residents on Chapel Close, Spring Road and Pedley Lane.

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|----------------|---|
| 49 Pedley Lane | <ul style="list-style-type: none"> • Local schools are oversubscribed • Plot 3 should be redesigned so as to lessen its impact • There would be a loss of light and overshadowing • Differing ground levels could increase the impact of the development • There should be no windows overlooking gardens • There are inaccuracies in the Design and Access Statement |
| 7 Chapel Close | <ul style="list-style-type: none"> • Smaller terraced houses are not in keeping with large houses on Chapel Close |

- 7 Spring Road
- Houses would be nearer boundaries than shown at outline stage and this would make them more intrusive
 - Windows would cause overlooking to gardens and rear facing windows
 - The design would not be in keeping with the area
 - The number of additional people to the area would cause noise
 - Building work would be intrusive
 - There will be more traffic using Chapel Close
- 13 Spring Road
- There would be a loss of privacy
 - The school is already oversubscribed
 - There would be more cars that could potentially be dangerous
 - There would be a loss of local wildlife
- 9 Spring Road
- There would be a strain on local infrastructure (doctors and schools)
 - There would be a loss of privacy
 - There would be a loss of local wildlife
 - The roads are already very busy and there would be extra strain on them
 - There would be additional noise created by occupiers of the houses
- 11 Spring Road
- There would be strain on local facilities
 - There would be additional cars and traffic
 - There would be a loss of privacy and additional noise
 - There would be a loss of local wildlife
- 22 Chapel Close
- The houses should be designed in the same way as those on Chapel Close
 - There are inaccuracies in the Design and Access Statement
 - There should be a maximum of 10 houses at the site
 - There would be traffic and other noise created
 - The parking would be inadequate
 - Local infrastructure is already strained
 - Bungalows should be provided
- 17 Spring Road
- This proposal is different to the one that was given outline permission
 - There would be privacy problems
 - There are inaccuracies in the Design and Access Statement
 - There would be noise and disruption
 - Work has started at the site
 - Drainage details are required
 - Existing trees at the site should be retained

Consultee responses:

Highways	No objection subject to amendments (that have been made)
Trees and Landscaping	No objection subject to amendments (that have been made)
Ecology	No objection
Natural England	No objection

Determining Issues:

The considerations in the determination of this application are:

1. The principle of the development
2. Impact on the character of the area
3. The impact on living conditions at neighbouring houses
4. Traffic and parking
5. Ecology
6. Quality of the accommodation

Considerations:

1. The principle of the development

The principle of residential development at this site was established when outline consent was granted for up to 12 houses in 2010 (CB/09/06296/OUT). A s106 agreement was agreed as part of that application which would ensure that the impact of the development on existing local infrastructure would be mitigated.

The application site is smaller than at the time of that application (0.4025ha rather than 0.55ha) and as a result, the number of units proposed has decreased from 12 to 11. The density of the development would be slightly higher (27.3 rather than 21.8 dph) but would still sit broadly in line with the Council's indicative density guidance (that suggests that a village infill development might have a density of between 30 and 45 dph). A density nearer to 30dph reflects a more efficient use of the site than at the time of the outline application and that represents an improvement.

Policy DM10 (Housing Mix) of the Central Bedfordshire Core Strategy and Development Management Policies (CSDMP, 2009) states that all new housing developments should provide a mix of housing types, tenures and sizes in order to meet the needs of all sections of the local community. This development would provide a mix of 3, 4 and 5 bedroom houses and the level of affordable housing would be subject to the legal agreement that accompanied the outline planning permission.

Since the outline application was approved, the National Planning Policy Framework (NPPF, 2012) has been published and this further reinforces the duty on Local Planning Authorities to consider applications in the context of a

presumption in favour of sustainable development.

The outline planning permission (including the associated legal agreement), more efficient density of the site, the housing mix and advances in national policy since the time of the last decision confirm the acceptability in principle of the proposed development.

2. Impact on the character of the area

The NPPF (2012) states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

This objective is reflected locally in Policy DM3 (High Quality Design) of the CSDMP (2009) where it states that new development should be appropriate in scale and design to their setting and should contribute positively to creating a sense of place. More detailed guidance is provided by Design Supplement 1 (New Residential Development) of Design in Central Bedfordshire (a Guide for Development) (DCB, 2010).

The layout of the site would be logical, arranged around the centre of the site and facing in towards it. Overwhelmingly, houses would be set back from the road with landscaping to the front and this would help to create an openness at the site. Plot 11 (on the eastern side of the entrance) would be much nearer to the road and would be orientated differently to the other houses but it would be the lowest building (one storey with accommodation in the roof) and would be set well in from the entrance to the site. Further, it would be to the north of its garden and so trees and landscaping would soften the impact of that house on the street scene.

The houses would have elements of consistency in their design but the housing mix would ensure that the street scene was an interesting and vibrant one. Aspects of the design would be taken from nearby houses on Chapel Close but as a fairly isolated site at the end of the small cul-de-sac, there would be little gained from designing replicas of neighbouring houses and the design implications of accommodation in many of the roof spaces (dormer windows, roof lights and steeper roof pitches) would not cause any harm to the street scene because of the nature of the site.

The landscaping would be appropriately designed and the Council's Landscape Officer has sought amendments, that have been made, to the arrangement and species of planting.

The development would cause no harm to the appearance of the site or the street scene.

3. The impact on living conditions at neighbouring houses

CSDMP (2009) Policy DM3 (High Quality Development) states that new development should respect the amenity of surrounding properties. Further guidance is provided by Design Supplement 1 (New Residential Development) of DCB (2010).

The nearest neighbours to the north, on Pedley Lane would be No's 49 and 51. Plot 3, in the northeast corner of the site would be set in from the boundary with the rear garden of that house by between 1.2 and 1.6m and the nearest part of the house would be at least 13.4m away from the nearest part of No 49. The occupier at that house sought amendments to the design of Plot 3 in order to minimise the perceived impact and in response, the applicant has altered the roof of the proposed two-storey side element of that house to a half hip, rather than a gable. The occupier of No 49 has raised concern over differing levels at the application site and their own garden. A condition attached to the earlier outline consent sought details of levels prior to commencement and so the Council will be able to ensure that living conditions are not harmed at that house as a result of the development when those are submitted. Subject to levels, the distance between the house at Plot 3 and the rear of No 49 would ensure that no serious harm would be caused through a loss of light or shadowing of the garden. There would be no side facing windows facing No 49 and whilst the flank wall of the proposed house would clearly be visible from the rear of that house, it would not be so near or tall as to appear overbearing.

There would be a garage, with a hipped roof near to the boundary with No 51 and that would not be so tall as to cause harm to living conditions there.

Houses to the east on Spring Road would be separated from the housing by their own and the proposed gardens. The proposed houses would be sited between 8.5 and 12.5 away from the eastern boundary of the site and there would be at least (and in most cases, significantly more than) 21m between the rear of the existing and proposed houses. This distance (especially when taken together with existing and proposed landscaping on that boundary), would ensure that no harm would be caused to living conditions at houses on Spring Road. There would be some overlooking of gardens but no more than is commonplace in residential areas, generally.

Planning permission has been granted for four houses on land to the south of the site. The northern most of those houses would be built broadly parallel to the flank elevation of Plot 10 and it would have a side facing window. There would be no side facing windows at the proposed house and the approved house would be separated from the main body of the proposed Plot 10 by a single storey garage attached to the side of that house. This separation would ensure that no harm would be caused to living conditions at that house, if and when it is built.

The rear wall of Plot 11 would be built near to the northern boundary of the rear garden serving No 106 Shefford Road, to the south but that garden is almost 70m long and that distance would prevent harm being caused to living conditions there.

The nearest neighbour to the west would be No 7 Chapel Close, that whilst adjoining to application site, has no side facing windows. This, together with the set in from the boundary of the nearest proposed house would ensure that there would no loss of privacy. Although the nearest proposed house would be set forward of No 7, the main body of that house would be separated from the site by a side extension. This would prevent any harm to outlook or any loss of light.

No 22 Chapel Close would be separated from the site by a rear garden serving a house on Shefford Road and that distance would prevent harm being caused to living conditions at that house.

The layout, scale and design of the development would ensure that no harm would be caused to living conditions at neighbouring houses.

4. Traffic, parking and refuse

CSDMP (2009) Policy DM3 (High Quality Development) states that new development should provide adequate areas for parking and servicing. Further guidance is provided by Design Supplement 7 (Movement, Streets and Places) of DCB (2010). This states that at least two parking spaces should be provided for a three bedroom house and at least three spaces should be provided for a four or five bedroom house. Visitor parking should also be provided and cycle parking should be provided at a rate of one per bedroom (plus visitor spaces at two per house).

The Council's Highways Officers are satisfied that the proposed extension to Chapel Close that would serve the houses would be safe and would allow cars to turn and exit and forward gear. Parking would be provided in line with the Council's standards (the majority of the houses would have three car parking spaces in garages or on forecourts) and cycle parking would also be provided in accordance with the Council's standards.

Waste storage and collection points would ensure that refuse and recycling would be handled and disposed of appropriately.

The scale of the development would not result in so many new residents in the area so as to cause undue pressure on local roads.

The development would not result in parking or traffic problems in the area and refuse would be properly accommodated within the scheme.

5. Ecology

CSDMP (2009) Policy DM15 (Biodiversity) states that development should protect local wildlife interests or mitigate any harm that is caused to them.

Conditions are attached to the outline permission requiring details related to habitat and wildlife protection and the Council will be able to consider those details when they are formally submitted. The Council's Ecologist is satisfied with the proposed scheme, notwithstanding the details that would be submitted prior to commencement.

Officers are aware that the site was cleared prior to either outline approval or the approval of reserved matters and that a number of local people are unhappy about this. Because the trees at the site were not protected and because some species are protected by law, the Local Planning Authority had no powers to have prevented this from happening and it is not a material planning consideration of this application.

6. Quality of the accommodation

Design Supplement 1 (New Residential Development) of DCB (2010) outlines the Council's expectations in terms of amenity space provision. Rear gardens serving family houses should be on average, 100m² and no smaller than 50m².

The majority of the gardens serving the houses would be larger than 100m² and none would be smaller than 50m². The average size of gardens at the site would be 120m².

All of the gardens would be private and usable (the garden serving Plot 11 would be irregularly shaped but that would not prevent it from being properly used by a family).

All of the houses would have a dual aspect and rooms would receive good outlook and daylight.

The quality of the accommodation that would be provided at the site would be good.

Recommendation:

That Planning Permission be granted subject to the following conditions:

- 1 The cycle parking, car parking, landscaping and bin storage areas shall be provided prior to the occupation of any of the units and shall be permanently retained thereafter.

Reason: To ensure that adequate parking and waste collection facilities are provided for future occupiers.

- 2 **Prior to the commencement of 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. 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 The turning space for vehicles illustrated on the approved Plan (100 B) 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.

4 **Development shall not commence until a scheme detailing access provision to and from the site for construction traffic, which details shall show what arrangements will be made for restricting such vehicles to approved points of access and egress has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be operated throughout the period of construction work.**

Reason: To ensure the safe operation of the surrounding road network in the interests of road safety.

5 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 further window or other opening shall be formed on any elevations of any of the plots hereby approved.

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

6 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 extensions or outbuildings other than those shown on the approved drawings shall be formed at the site without the written approval of the Local Planning Authority.

Reason: To protect the amenities of occupiers of neighbouring properties and living conditions for future occupiers.

7 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 100 B, 101, 102, 103, 104 A, 105, 106, 107, 108 A and 110.

Reason: For the avoidance of doubt.

Reason for approval:

The development would cause no harm to the appearance of the site or the street scene, would cause no harm to living conditions at neighbouring houses and would cause no harm to the safe and free flow of traffic. It would be in accordance with the objectives of the National Planning Policy Framework (2012), Policies DM3 (High Quality Development), DM4 (Development Within and Beyond Settlement Envelopes), DM10 (Housing Mix) and DM15 (Biodiversity) of the Central Bedfordshire Core Strategy and Development Management Policies (2009) and Design Supplements 1 (New Residential Development) and 7 (Movement, Streets and Places) of Design in Central Bedfordshire (a Guide for Development) (2010).

Notes to Applicant

DECISION

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