

## **Item No. 17**

<b>APPLICATION NUMBER</b>	<b>CB/12/04342/FULL</b>
<b>LOCATION</b>	<b>Land To The Rear Of 152 - 156, St Neots Road, Sandy</b>
<b>PROPOSAL</b>	<b>Erection of 4 No. semi-detached dwellings and formation of associated access.</b>
<b>PARISH</b>	<b>Sandy</b>
<b>WARD</b>	<b>Sandy</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Aldis, Maudlin &amp; Sheppard</b>
<b>CASE OFFICER</b>	<b>Samantha Boyd</b>
<b>DATE REGISTERED</b>	<b>14 December 2012</b>
<b>EXPIRY DATE</b>	<b>08 February 2013</b>
<b>APPLICANT</b>	<b>L &amp; R Developments (Herts) Limited</b>
<b>AGENT</b>	<b>Medusa Design</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Cllr Aldis requests application goes to DMC because of objections from Town Council and neighbours on the grounds of overdevelopment, parking concerns and loss of sunlight amenity to neighbours.</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Granted</b>

### **Site Location:**

The site comprises a rectangular parcel of vacant land to the rear of nos. 154, 156 and 158 St. Neots Road, Sandy. The land was previously part of the rear gardens of these properties, however it has now been subdivided and has been the subject of past planning application for its redevelopment. The site has a frontage measuring approximately 24m facing onto Engayne Avenue, currently bound by tall conifers, and a depth measuring approximately 29m. The site adjoins the rear gardens of neighbouring properties to the north, east and west. Immediately adjacent, on the Engayne Avenue frontage is a local convenience store with residential use above.

The area is predominantly residential in character and comprises a mix of dwelling types, sizes, designs and ages.

### **The Application:**

Planning permission is sought for the erection of four semi detached properties. The properties would all be of a similar design; two storey with a pitched roof and a small entrance porch over the front access door. Plots 1 and 2 are three bedroom properties and plots 3 and 4 are the two bedroom properties. Plot 4 proposes a single storey rear projection along the north east boundary which would provide an extended utility area and each property has approximately 60sq m of rear garden space with a 6ft x 4ft timber shed for storage. To the front, plots 1 and 2 would have four parking spaces each, two on a paved surface and two on a grasscrete type surface. There is a similar arrangement for plots 3 and 4 however for these properties, three parking spaces each are proposed.

## **RELEVANT POLICIES:**

### **National Planning Policy Framework.**

#### **Core Strategy and Development Management Policies - North 2009**

CS2 Developer Contributions

CS7 Affordable Housing

DM4 Development within and Beyond Settlement Envelopes

DM3, CS14 High Quality Development

### **Supplementary Planning Guidance**

Design in Central Bedfordshire: A Guide for Development

Central Bedfordshire Local Transport Plan: Parking Strategy 2012

Planning Obligation Strategy 2008

### **Planning History**

MB/74/ 00091/OUT	Four Homes. Granted 20th June 1974.
MB/91/00536/OUT	One detached bungalow. granted 26th June 1991.
MB/01/00735/FULL	Erection of a two-storey Chalet-Style dwelling with detached double garage. Granted 5th July 2001.
MB/03/01166/OUT	Residential development: 2 pairs of semi-detached dwellings (All Matters Reserved). Refused 29th August 2003.
MB/03/02152/FULL	Erection of 2no. 3-bed semi-detached dwellings and 1no. 3-bed detached dwelling. Approved 30th January 2004.
MB/07/00206/Full	Erection of 5 terraced houses with associated parking and access. Refused 30th March 2007.
CB/09/06266/Full	Erection of 4no. 3 bed terraced dwellings with associated access and parking.
CB/10/01985/Full	Erection of 1 no. detached three bedroom dwelling and 2 no. semi detached 3 bedroom dwellings. Granted 30/1/10.

### **Representations:**

#### **(Parish & Neighbours)**

Sandy Town Council	Object - it is considered the erection of the 4 semi-detached dwellings with the layout of 14 parking spaces represents overdevelopment of this plot and a very tight fit. The Town Council is concerned that the layout of the parking (back to back) was not in practice likely to accommodate all the vehicles potentially associated with 4 dwellings and would result in on street parking. The site is near a busy junction with Engayne Avenue and the road is
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used by buses and pedestrians and motorists accessing the shop, nearby schools, old peoples accommodation and other facilities. The Council would be reluctant to see overflow parking from the houses onto this heavily used road and would suggest that if development is approved considerations should be given to conditions requiring parking restrictions.

Neighbours

One letter received from property in St Neots Road - would like to see a 2m fence between the garden and properties to be constructed for privacy and as there would be more noise from neighbours.

### **Consultations/Publicity responses**

Highways

No objections subject to conditions

Tree and landscape officer

No objection to removal of conifers, no further trees on site to be retained, site would benefit from landscaping scheme.

Site notice dated 11/1/13

### **Determining Issues**

The main considerations of the application are;

1. Principle
2. The effect on character and appearance of the area
3. The impact on neighbouring amenity
4. Highway considerations
5. Other material considerations

### **Considerations**

#### **1. Principle**

The application site is located within the Settlement Envelope for Sandy, which is classed as a Major Service Centre for development management purposes under Policy CS1 of the Core Strategy and Development Management Policies. Policy DM4 states that within Settlement Envelopes of Major Service Centres proposals for new residential development will be considered acceptable where it is commensurate with the settlement in which it is located. The general principle of residential development in this location is therefore acceptable. Aside from the policy support, the principle re-development of this site has been established under the previous planning permissions, most recently in 2010 for two semi detached three bedroom properties and one detached four bedroom dwelling.

The approved plans, reference CB10/01985/Full are relevant to this proposal and are referred to throughout this report. Therefore the plans have been included on the Powerpoint presentation for Members information.

## **2. The effect on the character and appearance of the area**

The proposed dwellings are located in a residential area that is of mixed character. Engayne Avenue comprises terraced properties, semi detached and flats all of mixed appearance and with a close relationship to one another, while in St Neots Road there are older cottages and semi detached hipped roof dwellings with a more spacious layout.

The design of the proposal is not out of keeping with the character of the immediate surroundings as the area is completely varied.

Concern has been raised as four dwellings are felt to be overdevelopment of the site. In terms of footprint, the proposal is not dissimilar to the previous approval for three dwellings. The proposed site plan clearly marks the position of the previously approved dwellings and the plans are attached for reference. Therefore in terms of the layout of the buildings and having regard to the previous approved application, the proposal is considered to be acceptable.

## **3. The impact on neighbouring amenity**

The layout of the proposed development is such that plot 4 would be 1m from the rear boundary fence of No's 15, 17 and 19 Engayne Avenue and approximately 9 -10m from their rear elevations. The two storey section of plot 4 would be off set from the rear elevation of No.15 therefore only the single storey rear projection would be directly to the rear. The single storey rear extension is designed with a lean to roof against a parapet wall that runs along the boundary for 4.5m. No. 15 would have full view of the 3.5m high parapet wall, however given its height and distance from the rear elevation, it is not considered to be overbearing or result in significant loss of light.

The single storey section has been included in the design to reduce overlooking onto the rear of the proposed dwellings from No. 15, 17 and 19. It partly replicates a single storey off shoot that was approved as part of Plot 3 (the detached dwelling) under the previous planning permission. However the roof configuration is different and the depth of the extension reduced.

No windows are proposed in the flank elevation of Plot 4 that would directly face the rear windows of 15, 17, and 19. Whilst there may be some overlooking of the rear gardens of the adjacent properties, in a residential area such as this some overlooking is expected. The proposal is not considered to have an adverse impact on the amenities of No. 15, 17 and 19 Engayne Avenue.

The convenience store and its residential flat above are located approximately 10m to the north east and as such would not be adversely affected by the proposal.

Properties in St Neots Road are sited at some distance from the proposed dwellings, separated by long rear gardens and existing outbuildings.

As stated earlier the proposal is not significantly different to what has previously been approved on the site.

No adverse impact on the amenities of the adjacent occupiers is considered to occur as a result of this proposal.

#### **4. Highway considerations**

Each property is shown to be provided with two no. 2.5 x 5.m tandem parking spaces constricted in blacktop and two no. 2.5 x 5.0m tandem spaces alongside constructed in grasscrete or similar. Such provision exceeds the Council's recently endorsed parking standards.

The applicant sought to meet the Council's parking standards without the need to cover the whole frontage of the site with hardstanding.

Planning permission was granted in July 2010 for the erection of three dwellings on the site under reference CB/12/01985. The proposal will result in a slight increase in traffic movements to and from the site above that previously approved but the increase is considered minimal and can readily be accommodated on the local road network.

No objections to the scheme have been raised by Highway Officers.

#### **5. Other material considerations**

##### Viability

The application proposed four dwellings therefore in accordance with Policy CS one unit should be for affordable housing. The applicant has submitted a Viability Assessment in support of the claim that the development is economically unviable with the provision of an affordable unit and the contributions required under the Planning Obligation Strategy. The Assessment demonstrates that the scheme would have a return of approximately 7.5% without taking into account the affordable housing unit. However the applicant has agreed to pay the contributions that were agreed during the determination of application CB/10/01985 which is £24,795. The calculations for the current proposal amounts to £28,210 resulting in a difference of £3,415.

The contributions include an amount towards off site affordable housing provision with the remainder being shared between each contribution area on a percentage based sum.

##### Landscaping

The site itself has a substantial line of mature Leyland Cypress that were obviously planted as a boundary treatment on the south border with Engayne Avenue some time ago. These have now matured to a height of approximately eight metres with minimal maintenance carried out on them. As part of the application these trees would need to be removed and there would be no objections to that proposal.

There are no other trees or vegetation of any significance on the site that should be retained. Although the site would benefit from some soft landscaping, there is limited scope on the frontage of the site to provide any landscaping due to the parking area therefore it is not considered necessary to include a landscaping condition.

## **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 **No development shall commence until details have been 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 **No development shall commence on site until 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. 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 **No development shall commence until details have been submitted to the Local Planning Authority and approved in writing indicating the positions, design, materials and type of boundary treatment to be erected within and on the edges of the site. The approved scheme shall be fully implemented in accordance with the approved details before the development is first occupied and thereafter retained.**

**Reason: To safeguard the amenity of the adjacent occupiers.**

- 5 **Development shall not begin until details of the junction of the proposed vehicular access with the highway have been approved the Local Planning Authority and no dwelling shall be occupied until the junction has been constructed in accordance with the approved details.**

**Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises.**

- 6 Before each individual access is first brought into use, a triangular vision splay shall be provided on each side of the new access drive and shall be 2.8m measured along the back edge of the highway from the centre line of the anticipated vehicle path to a point 2.0m measured from the back edge of the footway into the site along the centre line of the anticipated vehicle path. The vision splay so described and on land under the applicant's control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

Reason: To provide adequate visibility between the existing highway and the proposed access and to make the access safe and convenient for the traffic that is likely to use it.

- 7 Visibility splays shall be provided at the junction of the access with the public highway before the development is brought into use. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 43m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall, on land in the applicants control, be kept free of any obstruction.

Reason: To provide adequate visibility between the existing highway and the proposed access and to make the access safe and convenient for the traffic that is likely to use it.

- 8 Before the dwellings are occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises

- 9 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(s) shall be formed on the first floor side elevations of Plot 1 and Plot 4.

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

- 10 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 works shall be commenced for the extension of the dwellings, or the erection of any building or structure within their curtilage, until detailed plans and elevations have been submitted

to and approved in writing by the Local Planning Authority.

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

- 11 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1134/11/03, 1134/11/02 rev C, 1134/11/01 Rev D.

Reason: For the avoidance of doubt.

### **Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31**

Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

### **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 and is acceptable in terms of highway safety therefore by reason of its size, design and location, is in conformity with Policies CS2, CS14, DM3 and DM4 of the Core Strategy and Management Policies, November 2009; and The National Planning Policy Framework. It is further in conformity with Design in Central Bedfordshire, a Guide for Development, 2010 and the Planning Obligation Strategy 2008. .

### **Notes to Applicant**

1. The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to write to Central Bedfordshire Council's Highway Help Desk, Technology House, 239 Ampthill Road, Bedford MK42 9BD quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.



The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, Technology House, 239 Ampthill Road, Bedford MK42 9BD.

**DECISION**

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