

## **Item No. 13**

**APPLICATION NUMBER** CB/13/00101/FULL  
**LOCATION** 113 Camberton Road, Linslade, Leighton Buzzard, LU7 2UW  
**PROPOSAL** Single storey front extension and demolition of existing side brick boundary wall. Erection of 1.8m fence to extend rear and side garden to enclose grassed amenity land. (Re-Sub 12/3791).  
**PARISH** Leighton-Linslade  
**WARD** Linslade  
**WARD COUNCILLORS**  
**CASE OFFICER** Heidi Antrobus  
**DATE REGISTERED** 16 January 2013  
**EXPIRY DATE** 13 March 2013  
**APPLICANT** Mr & Mrs L Silva  
**AGENT** Mr Ian Johnson  
**REASON FOR COMMITTEE TO DETERMINE** The Agent is an employee of CBC  
**RECOMMENDED DECISION** Full Application - Refused

### **Site Location**

The property is a modern two storey detached 3 bedroom dwelling that is located on a set back open corner plot that is adjacent to a pedestrian footpath. The property has a frontage of between 3 and 1.7 metres and a 12.4 metre long rear garden. The rear of the garden is enclosed by a brick boundary wall which is set back by between 4 to 6.5 metres from the pedestrian footpath and the rear corner of the wall is set at a 45 degree angle to the neighbouring property of No. 83.

In front of the rear boundary wall of the corner plot is an open grassed frontage of amenity space which has a width of between 4 to 6.5 metres. The property has a single garage and 3 off street car parking spaces. The property is located within an established residential area within the Linslade settlement envelope.

### **Planning Proposal**

Single storey front extension and demolition of existing side brick boundary wall. Erection of 1.8m fence to extend rear and side garden to enclose grassed amenity land. (Re-Sub 12/3791).

### **RELEVANT POLICIES:**

#### **National Policies**

National Planning Policy Framework (2012)

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

## South Bedfordshire Local Plan Review Policies (2004)

BE8	Design Considerations
H8	Extensions to Dwellings
R12	Protecting Recreational Open Space

*The NPPF advises of the weight to be attached to existing local plans adopted prior to the 2004 Planning and Compulsory Purchase Act as in the case of the South Bedfordshire Local Plan Review. Due weight can be given to relevant policies in existing plans according to their degree of consistency with the framework. It is considered that the above policies are consistent with the Framework and carry significant weight.*

## Development Strategy for Central Bedfordshire (2013)

Policy 40	Other Areas of Open Space within Settlements
Policy 43	High Quality Development

*(Having regard to the National Planning Policy Framework, significant weight is given to the policies contained within the emerging Development Strategy for Central Bedfordshire, which is consistent with the NPPF. The draft Development Strategy is due to be submitted to the Secretary of State in May 2013. )*

## Supplementary Planning Guidance

Design in Central Bedfordshire. A Guide for Development (2010)

D.S.4	Residential Alterations and Extensions
D.S.7	Movement, Streets and Places

Central Bedfordshire Local Transport Plan : Appendix F – Approach to Car Parking 2012.

## Planning History

CB/12/ 03791 Full      Withdrawn - Erection of a single storey front extension and two storey side extension.

## Representations: (Parish & Neighbours)

Leighton–Linslade Town Council	None received at present
Adjacent Occupiers	None

## Consultations/Publicity responses

Highways	Will update at Development Management Committee Meeting
Rights of Way	No Comment. The application site does not effect any recorded Public Right of Way. There is however an alleyway that runs adjacent to the property that is understood is maintained by Highways.
Environment Agency	No Objection
Bedfordshire and Ivel Internal Drainage Board	No Comment

## **Determining Issues**

1. Pre Application Discussions
2. Formal Application Discussions during Submission
3. Principle of Development
4. Impact on the Character and Appearance of the Area
5. Design
6. Impact on neighbouring residential amenity
7. Highways

## **Considerations**

### **1. *Pre Application Discussions***

The applicant previously submitted a planning application for a front extension and a two storey side extension which did not meet the planning policy and residential design requirements so the planning application was withdrawn (Ref CB/12/03791).

The applicant subsequently undertook pre application discussions which confirmed that the proposed rear extension would be classed as Permitted Development and the proposed single storey front extension and proposed demolition of the rear / side boundary wall, enclosure of the side and part open frontage and construction of a 1.8 boundary fence would require planning permission and be subject to the relevant consultations.

### **2. *Formal Application Discussions during Submission***

The agent is an employee of the Council so the planning application is be required to be determined at the Development Management Committee. Following the submission the agent / applicant was advised that the demolition of the existing side/ rear brick boundary wall and the enclosure of the corner plot grassed amenity space which fronted the pedestrian footpath would not meet the required policy and design requirements and therefore the proposal would need to be amended to remove this element and the remainder proposal would just include the front extension or the applicant had the choice to withdraw the current planning application. The agent confirmed that the applicant did not wish to amend the proposal and does not wish to withdraw the application and would like the application to be heard at the Development Management Committee.

### **3. *Principle of Development***

The property is an existing residential property which is located within the established residential area of Linslade. The principle of appropriate residential development would be acceptable providing the proposals would meet the requirements of the National Planning Framework (NPPF), Policies 40 and 43 of the emerging Central Bedfordshire Development Strategy (2013), Policies BE8, H8, R12 of the South Bedfordshire Local Plan Review (2004), the requirements of the Central Bedfordshire Council's Supplementary Guidance – A Guide for Development Design Supplement 4: Residential Alterations and Extensions and the Central Bedfordshire Local Transport Plan : Appendix F – Approach to Parking (2012).

### **4. *Character and Appearance of the Area***

The open grassed corner plot currently has an open spacious and verdant character. The rear of the boundary wall is set back at a 45 degree angle so there is a clear view of the frontages and front elevations of the neighbouring properties of No. 83 and 85 of which the occupiers have a view of the open grassed land and can look out along the pedestrian footpath.

The proposed demolition of the existing brick boundary wall, the construction of a 1.8 metre timber fence enclosing the majority of the open grassed amenity space of approximately over 80 sqm would result in a loss of a valuable grassed amenity space.

It is considered that the proposal would change the character of the street scene and result in a loss of openness.

The proposed timber fence would project out 3.4 metres from the existing corner of the side elevation, it would enclose the existing side elevation and would project out 6.5 metres in front of the neighbouring properties of No. 83 and 85 Camberton Road.

Based on the recent planning application (ref -CB/12/03791) that was subsequently withdrawn, it would be reasonable to conclude that this open grassed amenity space is being enclosed with a timber fence in order to accommodate a 2 storey side extension to the property.

Paragraph 64 of the National Planning Framework states that permission should be refused for development which is of a poor design and that fails to take account of the opportunities available for improving the character and quality of an area and the way it functions. It is therefore considered that the proposed demolition of the existing boundary wall and the provision of a 1.8 metre boundary fence enclosing the open grassed amenity land would be harmful to the design and character of the existing street scene and footpath of Camberton Road and this would be contrary to the NPPF, Policies 40 and 43 of the emerging Central Bedfordshire Development Strategy (2013), Policies B.E.8 and R.12 of the South Bedfordshire Local Plan Review (2004) and it would not meet the requirements of the Central Bedfordshire Council's Supplementary Guidance – A Guide for Development Design Supplement 4: Residential Alterations and Extensions (2010).

## **5. Design**

The previous planning application submission CB/12/03791 proposed a two side storey extension and a single storey front extension across the existing frontage and across the proposed frontage of the property. This previous application was withdrawn due to its inappropriate design, impact on the street scene and impact on the neighbouring amenity.

The current planning submission drawings show the provision of the single storey rear extension to the property and the provision of a set of ground floor double doors on the side elevation which has been confirmed by the Council would be classified as Permitted Development.

There is a proposed single storey front extension with a mono pitch roof containing one roof light which would form a ground floor W.C./ Shower room, entrance hall and repositioned front entrance. The single storey extension would measure 0.8 x 1.3 metres. This element of the proposal would be considered as acceptable in design terms.

The other element of the proposal involving the construction of the 1.8 metre timber fence in order to enclose approximately over 80 sqm of the open grassed amenity space on a corner plot would be considered to be out of keeping with the character and appearance of the existing property and the wider street scene. The proposal would result in an unacceptable loss of valuable amenity space to the estate.

The original estate design included this open grassed land as open grassed amenity space and the rear garden of this property was defined as being located within the existing brick boundary wall. Policy R12 of the South Bedfordshire Local Plan Review (2004) aims to protect recreational open space and the policy defines that this policy is intended to include proposals for the incorporation of amenity areas and spaces into private gardens.

Therefore it is considered that the proposals would not meet the requirements of Section 7 of the NPPF and would not meet the requirements of the Policies 40 and 43 of the emerging Central Bedfordshire Development Strategy (2013), Policies BE8 and R12 of the South Bedfordshire Local Plan Review (2004) and the Central Bedfordshire Council's Supplementary Guidance – A Guide for Development – Design Supplement 4: Residential Alterations and Extensions and Design Supplement 7 - Movement, Streets and Places (2010).

## **6. *Impact on neighbouring residential amenity***

It is considered that the construction of the proposed 1.8 metre timber fencing in front of the neighbouring properties of No.83 and 85 would be harmful to their visual amenity. Currently the neighbouring properties have an open view of the grassed frontage all the way along the footpath. This fencing would project by 6.5 metres and would enclose the neighbouring property of No.83 and would be overbearing and reduce light to the ground floor front elevation of No.83 and No.85.

The development would be sited too close to the neighbouring properties of No.83 and No.85 Camberton Road and the proposed timber fencing would be harmful to the residential and visual amenity of the neighbouring occupiers. As such the development is contrary to the requirements of the National Planning Policy Framework (2012) and would not meet the requirements of Policies 40 and 43 of the emerging Central Bedfordshire Development Strategy (2013), Policy BE8 of the South Bedfordshire Local Plan Review (2004) and the Design in Central Bedfordshire. A Guide for Development Design Supplement 4: Residential Alterations and Extensions (2010).

## **7. *Highways***

To be reported at Development Management Committee

### **Recommendation**

That Planning Permission be REFUSED for the following reasons:

- 1 The proposal would result in a substantial loss of amenity space which currently forms an open frontage to the corner plot of No.113 Camberton Road. The proposal would therefore not meet the requirements of the

National Planning Policy Framework (2012) and would not meet the requirements of Policies 40 and 43 of the emerging Central Bedfordshire Development Strategy (2013), Policies R12 and BE8 of the South Bedfordshire Local Plan Review (2004) and the Design in Central Bedfordshire. A Guide for Development Design Supplement 4: Residential Alterations and Extensions (2010).

2 The proposal is considered to be out of character with the existing property of No.113 Camberton Road and the wider street scene of Camberton Road due to the proposed set forward location of the proposed timber boundary fencing which is highly visible from the street scene of Camberton Road and the adjacent pedestrian footpath that runs along side the side of the property and the rear garden. The proposal would therefore not meet the requirements of the National Planning Policy Framework (2012) and would not meet the requirements of Policy 43 of the emerging Central Bedfordshire Development Strategy (2013), Policy BE8 of the South Bedfordshire Local Plan Review (2004) and the Design in Central Bedfordshire. A Guide for Development Design Supplement 4: Residential Alterations and Extensions (2010).

3 The development would be sited too close to the neighbouring properties of No.83 and 85 Camberton Road and the proposed timber fencing would be harmful to the residential and visual amenity of the neighbouring occupiers, by reason of overbearing and loss of light. As such the development is contrary to the requirements of the National Planning Policy Framework (2012) and would not meet the requirements of Policy 43 of the emerging Central Bedfordshire Development Strategy (2013), Policy BE8 of the South Bedfordshire Local Plan Review (2004) and the Design in Central Bedfordshire. A Guide for Development Design Supplement 4: Residential Alterations and Extensions (2010).

**Notes to Applicant**

**DECISION**

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