

Item No. 14

APPLICATION NUMBER CB/12/03999/FULL
LOCATION 37 Moor Lane, Maulden, Bedford, MK45 2DJ
PROPOSAL Retrospective approval for a garage extension to a dwelling.
PARISH Maulden
WARD Ampthill
WARD COUNCILLORS Cllrs Duckett, Blair & Smith
CASE OFFICER Dee Walker
DATE REGISTERED 08 November 2012
EXPIRY DATE 03 January 2013
APPLICANT Mr Swan
AGENT Braund Technical Services
REASON FOR COMMITTEE TO DETERMINE Development partially on highway land under CBC control

RECOMMENDED DECISION Full Application - Granted

Recommendation

That Planning Permission be APPROVED subject to the following:

- 1 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any amendments thereto, the garage accommodation on the site shall not be used for any purpose, other than as garage accommodation, unless permission has been granted by the Local Planning Authority on an application made for that purpose.

Reason: To retain off-street parking provision and thereby minimise the potential for on-street parking which could adversely affect the convenience of road users.

- 2 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 the building hereby approved.

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

- 3 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 11/1152/01, 11/1152/02, 11/1152/03, 11/1152/04, 11/1152/05.

Reason: For the avoidance of doubt.

- 4 Within **one month** of the date of this permission, arrangements shall be made and implemented for surface water drainage from the garage hereby approved to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: To avoid the carriage of surface water from the building into the highway so as to safeguard the interest of highway safety.

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. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. 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

In conclusion, the scheme by reason of its site, design and location would not harm the character and appearance of the area or have an adverse impact on the residential amenity of neighbouring properties. As such the proposal is in conformity with Policy DM3 of the Central Bedfordshire Adopted Core Strategy and Development Management Policies 2009; National Planning Policy Framework. It is further in conformity with the Design in Central Bedfordshire: A Guide for Development - *Design Supplement 4: Residential Alterations and Extensions* (2009). It is therefore considered **acceptable** and that planning permission should be granted subject to conditions.

Notes to Applicant

1. This permission is granted under the provisions of Section 73A of the Town and Country Planning Act 1990.
2. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
3. Notwithstanding any grant of permission under the Town and Country Planning Act the applicant is advised that the garage building hereby permitted has been partially constructed on land forming part of the public highway and the land shall remain public highway and declared on any Land Charge Search unless the highway rights are formally extinguished by Magistrates Court Order under Section 117 of the Highways Act 1980.

[Notes:-

1. In advance of consideration of the application the Committee received representations made under the Public Participation Scheme.
2. In advance of consideration of the application the Committee were informed of updates contained within the late sheet which included:-
 - Additional condition 4 above dealing with water run off
 - Additional note 3 to the applicant regarding highway ownership
 - Additional comments from the Highways Authority regarding the highway ownership of 1m strip of land.]