

## **Item No. 9**

<b>APPLICATION NUMBER</b>	<b>CB/13/00810/FULL</b>
<b>LOCATION</b>	<b>4A Moor End Lane, Eaton Bray, Dunstable, LU6 2HW</b>
<b>PROPOSAL</b>	<b>Two storey side extension (Resubmission 12/04505)</b>
<b>PARISH</b>	<b>Eaton Bray</b>
<b>WARD</b>	<b>Eaton Bray</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Mrs Mustoe</b>
<b>CASE OFFICER</b>	<b>Vicki Davies</b>
<b>DATE REGISTERED</b>	<b>22 March 2013</b>
<b>EXPIRY DATE</b>	<b>17 May 2013</b>
<b>APPLICANT</b>	<b>Mr A Barber</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Called-in by Cllr Mrs Mustoe for the following reasons: 1. Overdevelopment. 2. Not in keeping with the character of surrounding buildings. 3. Increase of traffic problems in very narrow lane. 4. Lack of parking areas so turning point would be used for parking. 5. Lack of light to adjoining properties.</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Approval</b>

### **Recommended Reasons for Granting**

The proposed development would not detrimentally impact upon the character and appearance of the Area of Special Character or wider streetscene nor would there be any adverse impact on the amenities of neighbouring residents. The proposal would not result in any highway, parking or other issues. The scheme by reason of its siting and design is in conformity with Policies GB3, BE6, BE8, H8 and T10 of the South Bedfordshire Local Plan Review 2004, Policies 3, 4, 27 and 43 of the emerging Development Strategy for Central Bedfordshire and the National Planning Policy Framework. It is further in conformity with the technical guidance Design in Central Bedfordshire, A Guide for Development (2010).

### **Site Location:**

The site is located to the south of the centre of Eaton Bray on Moor End Lane which is accessed off Moor End. The application site is on the western side of Moor End Lane which is a no through road. The site is within the built up area of Eaton Bray excluded from the Green Belt and is in an Area of Special Character, as defined in the South Bedfordshire Local Plan Review.

## **The Application:**

In January 2012 planning permission was granted for the demolition of existing light industrial buildings and erection of two 3 bedroom dwellings and garages.

This application seeks consent for a two storey side extension to the dwelling known as 4a Moor End Lane. The extension would comprise of a drive through car port at ground floor and an enlarged bedroom 1 at first floor. The car port would allow cars to pass through to gain access to the garage to the rear of the property whilst also providing parking.

The extension would have an archway at ground floor level with a dormer window at first floor level.

The extension would be constructed over the driveway of the dwelling.

## **RELEVANT POLICIES:**

### **National Policy**

National Planning Policy Framework  
Section 7: Requiring Good Design

### **South Bedfordshire Local Plan Review Policies**

GB3 - Green Belt Villages  
BE6 - Control of Development in Areas of Special Character  
BE8 - Design Considerations  
T10 - Controlling Parking in New Developments  
H8 - Control of Extensions to Dwellings

*The NPPF advises of the weight to be attached to existing local plans for 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 broadly consistent with the Framework and significant weight should be attached to them except policy T10.*

### **Development Strategy for Central Bedfordshire Pre-Submission Version January 2013**

Policy 3 - Green Belt  
Policy 4 - Settlement Hierachy  
Policy 27 - Car Parking  
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  
Design Supplement 4: Residential Extensions and Alterations  
Design Supplement 7: Movement, Streets and Places

Central Bedfordshire Local Transport Plan: Appendix F - Parking Strategy

### Planning History

CB/12/04505/FULL	Extension to ground and first floor rear and side, car port and utility to ground floor. Withdrawn 18/2/13.
CB/12/03548/NMA	Non Material Amendment: to Planning Permission CB/11/04106/FULL - amendment sought to Plot 2 for the alteration of the dining room window to French doors and garage personnel door and window relocated to side elevation. Granted 18/10/12.
CB/12/03014/NMA	Non material amendment: amendment sought for plot 1 for the insertion of bullseye windows to both front and rear loft gables and change from bargeboards to corbelled brick verge details. Granted 17/9/12.
CB/12/01542/VOC	Variation of condition 15 of planning permission CB/11/04106/FULL - to improve the external appearance and enhance the aspect and functionality of the internal layouts. Plot 1. Granted 21/6/12.
CB/12/01248/NMA	Non material amendment: Amend front elevation ground floor window. Re-arrange internal layout. Provide provision for roof mounted PV panels to rear roof slope. Plot 2. Granted 19/4/12.
CB/11/04106/FULL	Proposed demolition of existing light industrial buildings and erection of two 3-bedroom dwellings and garages. Approved 12/1/12.
CB/11/02282/FULL	Proposed demolition of existing light industrial buildings and erection of two 3-bedroom dwellings and garages. Withdrawn 31/8/11

### Representations: (Parish & Neighbours)

Eaton Bray Parish Council	Recommend refusal on the grounds that: <ul style="list-style-type: none"><li>- overdeveloped for the site</li><li>- out of keeping/character</li><li>- traffic problems - increased traffic</li><li>- lack of parking</li></ul>
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The Parish Council have requested the application be called to Committee and a site visit made.

## Neighbours

3 letters have been received in response to the application.

One in favour of the application which sets out the following reasons for support. The supporter is the prospective purchaser of the dwelling.

- the extension would add no more than 170sqft to a dwelling of over 1000sqft.
- the extension would provide much needed additional storage space.
- the existing parking and turning spaces are adequate and as such would not increase traffic flow.
- the extension should not materially alter the appearance of the property or obstruct any neighbouring properties views.

Two letters have been received against the application setting out the following reasons for objection.

- the property was built as a cottage style dwelling but the proposed extension will look like a "box or two tier portacabin" attached to the side of the building.
- the proposed extension will become more of an eyesore than the development is already.
- our interpretation of a two storey extension is of a ground floor living accommodation or garage plus a room above. Why should this carport have a solid wall? Surely it should have brick piers strong enough to support a room above. Our observation believes that a further application, over and above the extension in question, will be made to infill the rear access way and join the rear garage to the carport. A door or window at the front will be added converting the garage/carport into extra living accommodation.
- we feel that the lane has now been degraded with a tarmac parking area for these two houses plus block paving taking up the whole area at the side of 4A, we can imagine this becoming a mini car park/dumping area.
- in a lane the size of Moor End Lane, any development should be in keeping with the immediate area, the buildings on this development are already overbearing and out of character and have caused nuisance and inconvenience to the residents and general public using the lane.

- question why the original plan shows an ensuite bathroom without a frosted window and whether it was always the intention to extend the dwelling.
- the building of the houses has already taken a year, how long will it be before we can consider this unpleasant, inconvenient and worrying episode complete?
- parking is a nightmare.
- there would be a lack of light to the property at 5-7 Moor End Lane.
- if the extension is permitted the turning area will become a parking space or visitors parking bay.
- the lane is narrow and there is nowhere to turn around.
- the Council should note the person in favour of the application is the purchaser of the property.

### **Consultations/Publicity responses**

Internal Drainage Board    No response received to date. Any response received will be added to the Late Sheet.

### **Determining Issues**

The main considerations of the application are;

1. Principle of Development
2. Impact on Character and Appearance of the Conservation Area & Streetscene
3. Impact on Amenities of Nearby Residents
4. Archaeology
5. Highways, Access and Parking

### **Considerations**

#### **1. Principle of Development**

The site is within the built up area of Eaton Bray which is excluded from the Green Belt. The principle of residential development is therefore acceptable in terms of Green Belt policy.

South Bedfordshire Local Plan Review (SBLPR) policy BE6 sets out the requirements relating to Areas of Special Character. The policy sets out that planning permission will not be granted for redevelopment to higher densities, subdivision of large plots, infilling, backland development or larger extensions which would result in the loss of gardens or give rise to an over intensive level of development in a way which would unacceptably harm the special character of the area. As the proposal would not constitute redevelopment at a higher density or a subdivision of a large plot it is not considered to be in conflict with those purposes of policy BE6.

The principle of the proposal is acceptable subject to consideration of the impact of the proposed extension which will be examined below.

## **2. Impact on Character and Appearance of the Streetscene**

In addition to the considerations of policy BE6 above, the South Bedfordshire Local Plan Review policy BE8 sets out that new development should be appropriate in scale, size, massing, design, orientation, materials and overall appearance. Emerging Development Strategy for Central Bedfordshire (DSCB) policy 43 also supports high quality development.

South Bedfordshire Local Plan Review policy H8 which relates to extensions to dwellings states that the design of extensions should take full account of the character of the site and its surroundings.

The application site is clearly visible within the streetscene of Moor End Lane, however this is a small, narrow cul de sac on which there are a limited number of dwellings. The application site would not be clearly visible from outside of the lane and would not impact on the wider streetscene.

The dwelling to be extended is of traditional design with a pitched roof and is finished using a red multi brick, with brick detailing to windows and natural slate to the roof. The proposed extension would match the existing dwelling in terms of materials and design.

The scale, size and massing of the extension is considered appropriate for the Area of Special Character not leading to an over intensive level of development. Thus, it has been designed to be subservient to the host dwelling with a lower ridgeline, being set back from the front elevation and the dormer window being smaller than the existing ones.

Objectors comment that the extension would be overbearing and out of character. The extension is modest in size compared to the original dwelling and would not result in the dwelling being too large for the plot or larger than the majority of the other dwellings in the vicinity.

One objector questioned why the car port had a solid side wall and that the aim was clearly to convert the car port into further living accommodation. A previous application for the extension was submitted but withdrawn following officer advice. The previous application showed the first floor extension supported on brick pillars which gave the impression that the first floor was "floating" and was considered to be unacceptable in design terms. The side wall of the car port was requested to be made solid to give the extension a more acceptable appearance. A condition was attached to the original planning permission for the dwelling requiring the garage and driveway to be retained for parking, a similar condition can be added to any permission granted for the extension to ensure the car port is not converted into living accommodation.

Overall it is considered that the proposed extension would be appropriate in terms of size, scale, massing, materials and overall appearance in accordance with SBLPR policies BE6, BE8 and H8 and DSCB policy 43.

### **3. Impact on Amenities of Nearby Residents**

SBLPR policy BE8 and DSCB policy 43 require that new development does not have an unacceptable adverse impact on general or residential amenity or privacy. SBLPR policy H8 also sets out that extensions should not result in any significant overshadowing or loss of daylight, sunlight, privacy or visual amenity to neighbouring properties or their residents.

The design of the extension with no side facing windows would ensure that there was no adverse impact on the privacy of neighbouring residents and those on the opposite side of Moor End Lane. The extension would include a dormer at first floor level which would provide the dwelling with a total of three dormer windows, it is not considered that the additional window would have any unacceptable impact on privacy of surrounding properties.

The distance between the extension and other dwellings on Moor End Lane would mean that there was no adverse impact as a result of overbearing. The occupant of 5-7 Moor End Lane objects to the application and states that the extension would result in a loss of light to their property. The application site is on the opposite side of the road to 5-7 Moor End Lane and the distance between the extension and objectors property would be at least 14 metres. Due to the relationship and distance between the application site and objectors property it is not considered that the proposal would lead to any unacceptable loss of light.

Overall it is considered that the proposal would not have an unacceptable impact on residential or general amenity or privacy and accords with the relevant parts of SBLPR policies BE8 and H8 as well as DSCB policy 43.

### **4. Archaeology**

The site is within an area of archaeological sensitivity and a locally identified heritage asset. The original application for the dwellings was accompanied by the appropriate heritage asset assessment and the permission subject to a condition requiring a scheme of archaeological investigation to be submitted and undertaken. The required scheme has been submitted, approved and implemented for the whole site and therefore there is no need to require further archaeological works to be undertaken.

### **5. Highways, Access and Parking**

Planning permission was granted for the dwelling with the provision of 2 off-street parking spaces. In addition a turning space has been provided to the south of the application site as Moor End Lane had no turning area.

The extension has been designed to ensure that the two parking spaces, one in the garage and one on the driveway within the car port, would be retained. Whilst the level of parking is consistent with Design Supplement 7 it is acknowledged that it is lower than that set out in the Local Transport Plan appendix F. The three bedroom dwelling has been built and has two car parking spaces and this proposal would not increase the number of bedrooms. Therefore, whether this application is granted planning permission or not would not change the level of parking the dwelling currently enjoys.

Objectors comment that the turning area will become a dumping area or car park for visitors. The turning area has been provided in line with the planning

permission granted for the two dwellings and is not subject to consideration as part of this application. Nevertheless as the level of car parking at the dwelling would not change it is not considered that there is any justification behind the assertions that the turning area would become a car park.

It is considered therefore that the proposal complies with SBLPR policy T10, DSCB policy 27 and Design in Central Bedfordshire: A Guide for Development, Design Supplement 7.

## **Recommendation**

That the planning application be APPROVED subject to the following:

### **RECOMMENDED CONDITIONS**

- 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 All external works hereby permitted shall be carried out in materials to match as closely as possible in colour, type and texture, those of the existing building.

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match the existing building and the visual amenities of the locality.

(Policies BE8 & H8 SBLPR and policy 43 DSCB).

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order) the opening in the front elevation of the car port shall be retained and shall not be enclosed or infilled without the express permission of the Local Planning Authority and the car port accommodation on the site shall not be used for any purpose, other than as car port accommodation, unless permission has been granted by the Local Planning Authority on an application made for that purpose.

Reason: To ensure that parked vehicles do not adversely affect the safety and convenience of road users by causing obstruction and by overhanging the adjoining public highway and to retain off-street parking provision and thereby minimise the potential for on-street parking which could adversely affect the convenience of road users.

(Policy T10 SBLPR and policy 27 DSCB).



- 4 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers AJB/12/60B.

Reason: For the avoidance of doubt.

**Notes to Applicant**

1. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the reason for any condition above relates to the Policies as referred to in the South Bedfordshire Local Plan Review (SBLPR) and the emerging Development Strategy for Central Bedfordshire (DSCB).
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.

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

It is recommended that planning permission be 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.

**DECISION**

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