

Item No. 8

APPLICATION NUMBER	CB/13/01850/FULL
LOCATION	18 Chapel Road, Flitwick, Bedford, MK45 1EA
PROPOSAL	Erection of detached 2 bed bungalow with ancillary double garage and new crossover for No18.
PARISH	Flitwick
WARD	Flitwick
WARD COUNCILLORS	Cllrs Mrs Chapman, Gomm & Turner
CASE OFFICER	Sarah Fortune
DATE REGISTERED	14 June 2013
EXPIRY DATE	09 August 2013
APPLICANT	Mrs J Stevens
AGENT	FOD Ltd
REASON FOR COMMITTEE TO DETERMINE	Called in by Councillor Fiona Chapman on grounds of overdevelopment of the site and loss of amenity to neighbours.
RECOMMENDED DECISION	Full Application - Approval

Recommended reasons for granting

There are no policy objections to the principle of the erection of a dwelling in this backland position in accordance with policies DM3, DM4 and CS1 in the Core Strategy and Development Management Planning Document dated 2009 and policies 38 and 43 in the emerging Development Strategy for Central Bedfordshire dated 2013. There will be limited impact on the amenities of neighbours and there are no highway objections. The proposal complies with the Core Strategy and Development Management Planning Document dated 2009, the emerging Development Strategy for Central Bedfordshire dated 2013 and the NPPF.

Site Location:

The site lies on the west side of Chapel Road in the residential built up area of the town of Flitwick. Number 18 Chapel Road is a detached, older style house which lies towards the front of the site and has a deep rear garden.

There are older houses and cottages on both sides of the site and a bungalow on the other side of the road. To the rear are detached houses within a housing estate which was built about thirty years ago and is known as Millards Close.

The Application:

This application is for the demolition of the long brick and timber barn and the smaller barn to the rear of the house and the erection of a detached two bed roomed bungalow with ancillary double garage in the rear garden of the existing older style house.

The existing access to the site is to be used to serve this new bungalow. In addition, there is to be a new vehicular crossover for number 18 Chapel Road in the centre of the site frontage and this is to serve two parking spaces for number 18 Chapel Road.

RELEVANT POLICIES:

Core Strategy and Development Management Policies - North 2009

DM3 Amenity
DM4 Development within and beyond Settlement Envelopes
CS1 Development Strategy

Emerging Development Strategy for Central Bedfordshire 2013

Policy 43 High Quality Development
Policy 38 Development beyond and within Settlement Envelopes.

National Planning Policy Framework (March 2012)

Supplementary Planning Guidance

Design in Central Bedfordshire A Guide for Development 2009:
Supp 3: Town Centre and infill Development.

Planning History - relvant

CB/12/03173/FULL	Full: Erection of two bedroomed bungalow with ancillary double garage and new crossover for number 18 Chapel Road. Withdrawn: 6/11/2012
CB/12/01312/FULL	Erection of detached dwelling with detached double garage and detached double garage for Number 18 Chapel Road. Refused: 25/05/2012

Representations: (Parish & Neighbours)

Flitwick Town Council	Support with reservations: concerns regarding the lack of amenity space within the existing plot if the development goes ahead. Overdevelopment and access/egress were also concerns raised by members.
Neighbours	3. Object on grounds that will have a serious impact on standard of living, detrimental impact on amenity of neighbours and visual impact of development, over

development, noise, smell, adverse impact on trees on the site, overlooking, overshadowing, loss of light, it is not similar to the neighbouring properties and does not fit in with the scale of surrounding development, lack of garden areas, contrary to planning policies and it does not respect the local context and street pattern and the scale and proportions of surrounding properties. Would have overbearing impact on neighbours by way of massing, bulk and close proximity to neighbours. Dwellings around have large plots and gardens with no car access between neighbouring housing, lack of visibility at the access leading to highway danger, more cars would be to the detriment of highway safety, would contravene the Human Rights Act which states that a person has the right to the peaceful enjoyment of their home, the development is contrary to Central Government planning policy as it will be to the detriment of the quality, character and amenity value of the area. If consent is granted request that consideration be given to the hours of working, and where construction vehicles are to park etc.. There will be a car park adjacent to neighbours instead of the present garden. The plans are not clear as to denoting which elevations are which on the site. Are the hedges to be removed? Concerns about smoke pollution from the chimney.

Any comments received regarding the revised plans will be reported to the Planning Committee.

App Av

Consultations/Publicity responses

Highways officer	No objections subject to conditions being attached to any consent.
E.H.O.	No comment
Tree Officer	No objection

Determining Issues

The main considerations of the application are;

1. Policy and Background
2. Size, Siting and Design in relation to the site and the visual amenity of the area.
3. Impact on amenities of neighbours
4. Access, Parking and Other Considerations

Considerations

Human Rights issues

There are no Human Rights Issues

Equality Act 2010

There are no issues under the Equality Act

1. Policy and Background

There have been recent planning applications in respect of the erection of a dwelling to the rear of the old house on this site. The first one was under ref: CB/12/01312/FULL and this related to the erection of a two storey house and detached double garage - and a detached double garage for number 18 Chapel Road. That was refused for three reasons: One was in respect of the scale and massing of the development appearing as overdevelopment of the site when viewed from the neighbouring property resulting in loss of amenity to these occupiers. The second reason related to the scale of the development being out of character with its setting and harmful to the established character of the locality contrary to planning policy. The third reason was in respect of it leading to an intensification of the use of a substandard access that makes no provision for adequate driver/driver intervisibility leading to conditions of danger and inconvenience to users of the highway and the property. .

The site lies in the built up area of the town of Flitwick. Flitwick is classified as a Major Service Centre in the Development Management Planning Document dated 2009 under Policy CS1 where there are no objections to the principle of new residential development as long as various criteria are satisfied such as the site is of sufficient size to support the property, there will be adequate access and parking arrangements and no undue impact on the character of the site and the area generally or on the amenities of neighbours by way of outlook, overlooking etc.. Policy DM4 states that 'within the Settlement Envelopes of Major Service Centres this authority will allow housing development that is commensurate with the scale of the settlement, taking account of its role as a local service centre..'

Policy 38 of the emerging Development Strategy for Central Bedfordshire 2013 states that within the Settlement boundaries of both Major and Minor Service Centres, the Council will approve housing, employment etc.. commensurate with the scale of the settlement, taking into account of its role as a local service centre.

The most recent planning application for the same development (CB/12/03173/FULL - the erection of a bungalow) was withdrawn as there were outstanding highways matters that needed to be resolved regarding the access arrangements to the site.

The National Planning Policy Framework states in Para 53 that Local Planning Authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area. The emerging Development Strategy for Central Bedfordshire states that the scale of any type of new development should reflect the scale of the settlement in which it is located and that most new forms of development will be infill development. However, in

Major and Minor Service Centres the Council will approve housing, employment and other settlement related development commensurate with the scale of the settlement, taking into its account its role as a local service centre. Also, there must be no adverse impact upon the setting of the site, the character of the area and surrounding properties and uses. There is also a presumption in favour of sustainable development

In view of the above, there are no objections in principle to the erection of a dwelling in a backland location in a Major Service Centre such as Flitwick as long as the siting, size, design, access arrangements are acceptable in relation to the character of the area and to the amenities of neighbours by way of loss of light, overbearing impact or overlooking etc..

2. Size, Siting and design in relation to the site and the visual amenities of the area

The existing rear outbuildings on the site are to be demolished. The proposed bungalow is to be a single storey bungalow and is to be sited to the rear of the existing dwelling. It is to be 15 metres in length, have a width of 6 metres and a ridge height of 4.4 metres.

There is to be a gap of 17 metres between the rear of the existing property and the closest elevation of the new bungalow. There is to be a rear garden depth of 8 metres for the new bungalow. The existing house will have a rear garden depth of 14 metres and beyond this is to be the car parking area for the new bungalow. Two parking spaces are to be provided to the front of number 18 (a two bedroomed property) for use by its occupants.

This revised dwelling is single storey in height and has been designed so that it appears as a barn like structure having a buff brick plinth with timber ship lap stained boarding to the walls stained dark brown. It has a lower ridge height than the house to the front of the site and lower than most of the properties around the site - which are generally two storey in height. It is accepted that it is of a design that is quite different from any of the surrounding properties but there is a mix of styles of properties in this area and the site is not in the Conservation Area. It is considered that a barn style property will appear as an outbuilding to the main house and that it will not appear as being out of keeping with the area, not have an adverse impact on the character of the area and will not be readily visible from the street scene.

The proposed garage is to be sited to the west rear corner of the site and is to be 5.3 metres to the ridge having a width of 5.4metres and a depth of 6 metres. The front is to be kept open and the rear elevation is to have no openings. It is to be finished in timber boarding the same as the proposed dwelling.

It is considered that the erection of dwelling and garage comply with policy DM3 in the Core Strategy and Development Management Planning Document dated 2009 and Policy 43 in the emerging Development Strategy for Central Bedfordshire dated 2013 which states that all new development must be appropriate in scale and design to its setting and respect the amenities of surrounding properties and their occupiers. Flitwick is characterised by many

backland development sites and it is considered that the development of this site in the manner proposed will not have an adverse impact on the character of this part of Flitwick particularly in that it will appear as a low rise outbuilding to the main house on the site. Also, the site at present does not make a positive contribution to the street scene.

3. Impact on amenities of neighbours

There are residential properties closely around the site. The new property is to be single storey in height and had been designed so that its main French windows face towards the rear garden beyond which are some detached houses in Millards Way. (The revised plans have labelled the elevation plans). The closest rear elevation of these is at a distance of 24 metres. In view of the fact that the property is to be single storey it is felt that loss of amenity by way of overlooking will be minimal. There is to be a new hedge planted along the rear boundary of the site. A condition is recommended which requires there to be some fencing as well as the hedge. It is considered that this will protect the neighbours from potential loss of privacy.

Number 16A Chapel Road, the dwelling to the north of number 18 Chapel Road, has no windows in its side elevation facing this access but its rear garden runs along the shared boundary with the proposed access drive. There will be some loss of amenity to occupiers of this neighbouring property by way of noise from the use of the access to the bungalow by cars and pedestrians since it is to come close to their side garden boundary but in view of the fact that there is mature hedging and other planting along this boundary then loss of amenity will not be sufficient as to sustain a refusal on these grounds. There will be limited potential for overlooking.

Concerns have been raised by neighbours to the south east of the site at numbers 20 and 22 Chapel Road about various matters including that the front area to the existing house on the site would not be garden but would have the appearance of a car park which would not present an attractive frontage and therefore represent a substantial loss of amenity. The revised plan indicates that only two parking spaces are to be provided in this front area and this will leave more space for green landscaping in the form of lawn, shrubs etc.. The proposed dwelling is to be 4.4 m high to the ridge and has been designed so that there are only ground floor windows facing towards number 20 Chapel Road. Also, the mature hedge is to be retained along this side shared boundary.

Whilst the erection of a new dwelling on this site may have some impact on the amenities of neighbours by way of increased disturbance and noise given that the proposal is for a two bedroomed bungalow it is considered that there are insufficient grounds to sustain a refusal on grounds of adverse impact of the development on the amenities of neighbours.

4. Access, parking and other considerations

Access to the proposed bungalow is to be alongside the existing property

number 18 Chapel Road between its north facing elevation and the property to the north at 16a Chapel Road. There is to be a turning area to the front of the bungalow and a drive to the front of the new double garage for the bungalow.

A new crossover is to be formed for the existing property number 18 Chapel Road directly off Chapel Road and this is to serve two proposed car parking spaces to the front of number 18.

The two parking spaces which had been provided in the layout plans for the use by number 18 Chapel Road (the existing house on the site) have now been omitted as the highways officer is of the opinion that they are not required for the existing two bedroomed house and that the removal would enable the size of the turning area for the new bungalow to be increased and/or provide for more amenity spaces to either dwelling.

The level of visibility available at the existing and proposed accesses will be improved by the reduction in height of the existing privet hedge to 1.0m.

The proposed development is likely to give rise to an additional 4 to 6 vehicle movements per day. The highways officer is of the view that such an increase is relatively small and can be accommodated on the local road network.

There are a number of trees and shrubs within the application site - most of which would have to be removed if this proposed development proceeds. None of these trees are worthy of protection thus a reason for refusal on removal of these trees and shrubs would not be a reason for refusal as they could be removed at any time without any consent being required. However, if consent is to be granted it is recommended that conditions be attached which require full details of both hard and soft landscaping to be submitted for approval. The revised plans also indicate that existing hedging to the side of the site is to be retained and new hedging planted along the rear boundary.

An acceptable Unilateral Undertaking has been submitted in accordance with the Planning Obligations Strategy SPD. The proposal is therefore in conformity with Policy CS2 of the Core Strategy and Development Management Planning Document dated 2009.

Recommendation

That Planning Permission be granted

RECOMMENDED CONDITIONS / REASONS

- 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 Full details of both hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:-

- proposed finished levels or contours;
- materials to be used for any hard surfacing;
- planting plans, including schedule of size, species, positions, density and times of planting;
- cultivation details including operations required to establish new planting;
- details of existing trees and hedgerows on the site, indicating those to be retained and the method of their protection during development works.

The development shall be carried out in accordance with the approved details.

Reason: In order to ensure that the landscaping is carried out within a reasonable period in the interest of the visual amenities of the area.

3 The scheme approved in Condition 2 shall be carried out by a date which shall be not later than the end of the full planting season immediately following the completion of the development. Thereafter the planting shall be adequately maintained for a period of five years from the date of planting. Any of the trees or shrubs or both which die or are removed, or which become severely damaged or seriously diseased (during the said period of five years) shall be replaced with trees or shrubs or both, as the case may be, of similar size and species to those originally required to be planted and the same shall be maintained until properly established.

Reason: In order to ensure that the planting is carried out within a reasonable period in the interest of the visual amenities of the area.

4 **A scheme shall be submitted for written approval by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved scheme**

before the use hereby permitted is commenced before the building(s) is/are occupied in accordance with a timescale agreed in writing with the Local Planning Authority.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.

5 No development shall commence until details of materials to be used for the external finishes of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance therewith.

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match/complement the existing building(s) and the visual

amenities of the locality.

- 6 Before the access is brought into use an area of land across the whole of the site frontage measuring at least 2.4m from and parallel to the nearside edge of the adjacent road carriageway shall be provided and thereafter be kept free of all obstruction to visibility exceeding a height of 1.0m above the adjoining carriageway 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 No development shall commence until details of the junction of the proposed vehicular access with the highway have been approved in writing by the Local Planning Authority and no part of the development hereby permitted shall commence 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.

- 8 Before the access is first brought into use a triangular vision splay shall be provided on each side of the new access 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 lines of the anticipated vehicle path. The vision splays so described shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining carriageway at all times.

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

- 9 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers CBC01 and STE/01/P/sk/A/12/C

Reason: For the avoidance of doubt.

- 10 No development shall commence until detailed plans have been submitted to and approved in writing by the Local planning Authority showing existing and proposed site levels, proposed floor levels of the property and existing and proposed cross sections through the site and adjoining land. Only the approved details shall be implemented.

Reason: To safeguard the amenities of neighbours and the visual amenities of the area generally.

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 9BA 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.

- 2. 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, P.O. Box 1395, Bedford, MK42 5AN.

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

The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process 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.

DECISION

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