

## **Item No. 13**

<b>APPLICATION NUMBER</b>	<b>CB/14/00038/FULL</b>
<b>LOCATION</b>	<b>Land adj. to 2 Windmill Way, Cranfield, Bedford, MK43 0HL</b>
<b>PROPOSAL</b>	<b>Change of use of land from council owned amenity grassland to residential garden.</b>
<b>PARISH</b>	<b>Cranfield</b>
<b>WARD</b>	<b>Cranfield &amp; Marston Moretaine</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Bastable, Matthews &amp; Mrs Clark</b>
<b>CASE OFFICER</b>	<b>Annabel Gammell</b>
<b>DATE REGISTERED</b>	<b>03 January 2014</b>
<b>EXPIRY DATE</b>	<b>28 February 2014</b>
<b>APPLICANT</b>	<b>Mr Nigel Perrin</b>
<b>AGENT</b>	<b>Mr Jess Perrin</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Central Bedfordshire Council own the land and an objection has been received</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Granted</b>

### **Summary of Recommendation:**

The development is considered acceptable as it accords with national and local planning policy documents. The development is suitably in accordance with policies DM3, DM4 of Central Bedfordshire Core Strategy and Development Management Policy Document, in addition to this it is considered this would result in a sustainable form of development in accordance with the National Planning Policy Framework.

### **Site Location:**

The application site is grass amenity land, adjacent to 2 Windmill Way in Cranfield. The site has evidently been used as informal parking, it has an open frontage, and the grass was turned over by vehicular use.

Windmill Way is to the north of the centre of Cranfield, it is characterised by 1960s dwelling houses largely in terrace blocks of three.

### **The Application:**

A change of use application has been submitted for the change of use of grass amenity land to garden associated with the property 2 Windmill Way.

### **RELEVANT POLICIES:**

#### **National Planning Policy Framework (NPPF) (March 2012)**

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

## Core Strategy and Development Management Policies, November 2009

Policy DM3                      High Quality Development  
Policy DM4                      Development Within and Beyond Settlement Envelopes

### Supplementary Planning Guidance

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

### Planning History

None Relevant

### Representations: (Parish & Neighbours)

Parish/Town Council	No comment received
Neighbours	1 letter received 21 Millards Close:  Opposed to the development of garden land, thinks the space would be better used for parking.  Concern raised for general parking problems in Windmill Way and Millards Close.

### Consultations/Publicity responses

Highways Officer	No objections, recommended condition relating to construction of the cross over for driveway.
Site Notice	No comment received

### Determining Issues

The main considerations of the application are;

- 1. The principle of the development and impact upon streetscene**
- 2. Any other implications of the proposal**

### Considerations

#### 1. The principle of the development and impact upon streetscene

The site is enclosed within the settlement of Cranfield, directly adjacent to the dwelling house known as 2 Windmill Way. The piece of land is considered "grass amenity land", however due to the location it is not prominent within the streetscene, and due to adjacent hedge appears as part of a domestic garden.

Currently 2 Windmill Way does not have a parking area, as the access is not wide enough to form a drive way, although this application does description does not include the driveway, this change of use, would allow the construction of a driveway wide enough for residential use.

It is desirable to maintain green amenity space as breaks within streetscenes, however it is considered in this location, the change of use to garden associated with 2 Windmill Road would be acceptable.

## **2. Any other implications**

### **Impact upon parking**

It is considered that it is likely that this development would lead to an increase in on plot parking, which is considered desirable in this location. The Highways Officer recommended a condition, to ensure the cross over was constructed in accordance with details submitted to the Local Planning Authority. It is considered that it would not be appropriate to use the area for parking, unless the dropped kerb has been constructed. The details supplied are suitable, and a condition is recommended. The construction of the cross over would be subject to separate agreement with the Highways Authority. As this area is not currently parking, and the dwelling adjacent would maintain the same level of parking, the impact upon the public highway from this development would be neutral.

### **Impact upon neighbouring properties**

Due to the use as residential garden, which would be in line with existing gardens in the area, it is considered that there would not be any significant impact upon the residential amenities of the adjacent properties, this has been considered in terms of light, privacy, the causing of an overbearing impact, and loss of outlook.

One letter was received from a resident of Millards Close, whom raised concern for parking generally in this location. They commented that this would be better tarmaced and used as parking. It is considered that it is only reasonable to consider the application as submitted, and although increased parking may be desirable, this application is not for that development, and therefore no assessment will be made regarding that proposal. The neighbour also suggested alternative areas within Millards Close that could also be used as public car park, however these have no bearing on this application, and can not be controlled by this process.

### **Human Rights issues**

There are no known Human Rights issues.

### **Equality Act 2010**

There are no known issues under the Equality Act.

## **Recommendation:**

That the approval of this planning permission is delegated to the Head of Development Management to be approved subject to no new issues being raised and the consultation process finishing. Subject to the following conditions:

## **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 The parking area shall not be brought into use until such time that the vehicle access and crossover as shown on plan number 2 has been constructed to the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To secure a satisfactory vehicle access to the development, in the interest of public safety and convenience.

- 3 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1, 2, 3.

Reason: For the avoidance of doubt.

## **Notes to Applicant**

1. The applicant is advised that no works associated with the construction of the vehicular access and pavement provision 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, 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. 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**

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.