

Item No. 8

APPLICATION NUMBER	CB/14/02292/VOC
LOCATION	Three Star Caravan Park, Bedford Road, Lower Stondon
PROPOSAL	Variation of Condition no. 6 on planning application MB/08/02355/FULL to allow the siting of a mobile home within a distance of 11m from the east site boundary.
PARISH	Stondon
WARD	Arlesey
WARD COUNCILLORS	Cllrs Dalgarno, Drinkwater & Wenham
CASE OFFICER	Mark Spragg
DATE REGISTERED	11 June 2014
EXPIRY DATE	06 August 2014
APPLICANT	Tingdene Parks
AGENT	GVA Hotels and Leisure
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	Cllr Richard Wenham – Impact on amenity of residents, overlooks adjoining properties.
	Variation of Condition - Recommended for approval

Reason for Recommendation:

The proposal would not have a detrimental impact on the character of the area or an adverse impact on the residential amenity of neighbouring properties. Therefore by reason of its size, design and location, is in conformity with Policies CS1, DM3 and DM4 of the Core Strategy and Management Policies, November 2009; the Central Bedfordshire Development Strategy (Draft), and The National Planning Policy Framework 2012. It is further in conformity with the Supplementary Design Guide: Design in Central Bedfordshire, 2014.

Site Location:

The application site is a square area of land located within the north east part of the Three Star Park mobile homes site, within the settlement envelope of Lower Stondon.

The site is enclosed by other mobile homes to the south and west, by garages to the north, and by the rear gardens of No's 23, 25 and 27 Birch Grove, to the east.

The site is currently approximately 0.8m higher than the level of the gardens of No.23 and 25 Birch Grove.

The Application:

This application seeks permission for a variation of Condition 6 of planning permission MB/08/02355/FULL to allow the siting of a single mobile home within

11m of the eastern site boundary. That planning permission was for change of use of the site to allow the siting of 28 mobile homes on the land, following removal of a workshop building and garages.

The purpose of the condition was on the basis that the planning permission was for a change of use of the land which without such a restriction would have allowed mobile homes to be sited up to 3m from the site boundary (as required by the site licence) but with no other restrictions. Due to the difference in levels and the proximity of properties within Birch Grove the Council wished to maintain control over the positioning of any mobile homes within 11m of the boundary.

This application proposes a single mobile home 11.5 x 6m x 3.8m high. The application proposes reducing the ground level by approximately 0.8m, to the same level as the adjacent gardens in Birch Grove.

In addition, the application proposes a single garage (2.6m high) located adjacent to an existing terrace of garages but at a level approximately 0.7m lower.

The application proposes a 0.5m trellis above an existing 1.8m high timber fence.

The application is accompanied by a Planning Statement.

National Planning Policy Framework (March 2012)

Core Strategy and Development Management Policies - North 2009

DM4 Development within and beyond Settlement envelopes
DM3 Amenity
CS1 Location of new residential development

Central Bedfordshire Development Strategy (Draft)

Policy 1 – Presumption in favour of sustainable development
Policy 4 – Settlement Hierarchy
Policy 21 - Provide Community Infrastructure
Policy 38 – Within and Beyond Settlement Boundaries
Policy 43 – High Quality Development

Supplementary Planning Guidance

'Design in Central Bedfordshire'. Adopted SPD Design Guide, 2010

Planning History

08/02053/FULL Change of use for the siting of mobile homes. Approved.
14/00606/VOC Variation of condition 6 of planning permission
MB/08/02355/FULL. Withdrawn.

Representations:

(Parish & Neighbours)

Stondon Parish Council Object on the grounds of being overbearing and not meeting CBC's sustainable urban drainage policy.

Neighbours

Two letters of objection have been received. The comments made are summarised as follows:

- Overlooking of 23 and 25 Birch Grove
- The garage will be closer than the existing garages
- Potential flooding issues
- Comments regarding disturbance from previous construction works

Consultations

Highways

No objection.

Environment Agency

No objection.

Private
Housing

Sector

No objection subject to compliance with the site licence requirements.

Determining Issues

The main considerations of the application are;

1. **The principle of development.**
2. **Impact on the character of the area.**
3. **Residential amenity.**
4. **Access, parking.**
5. **Other issues.**

Considerations

1. The principle of development

Given that the site falls within an established mobile home site within the settlement envelope of Lower Stondon the addition of a mobile home and ancillary garage is in principle acceptable, supported by the objectives of the NPPF, Core Strategy and the draft Development Plan Strategy, subject to consideration of all other relevant criteria.

2. Impact on the character of the area

Being on an existing site surrounded by other mobile homes and garages of a similar size it is not considered that the proposed mobile home and associated garage would have any adverse impact on the visual character of the surrounding area as it would not be visible within the public domain.

3. Impact on amenities of neighbouring occupiers

To the east of the site are the rear gardens of properties in Birch Grove. The purpose of imposing a condition on the 2008 consent was to prevent the unreasonable overlooking of properties in Birch Grove that could arise if mobile homes were allowed to be sited closer to the boundary than 11m without any restriction.

This proposal has sought to address previous concerns which led to a recent application being withdrawn (14/00606/VOC).

This application differs in that it proposes reducing the ground level by approximately 0.8m so that the new garden level and base of the mobile home would be the same as that of the garden of 23 and 25 Birch Grove. Whilst originally the application proposes some hedging this has been removed from the plans as it contravened site licensing restrictions. As an alternative the application now proposes the addition of a 0.5m high trellis above the fence, to assist in minimising the view of the mobile home from the rear of 23 and 25.

The position of the mobile home as shown on the proposed plan would be 10.5m from the rear elevation of No's 23 and 25 Birch Grove, whilst the proposed garage would be 9.6m from the rear elevation of No.27.

Given the reduced ground level of the application site height and the existing fence and proposed trellis at 2.3m high it is considered that the modest height of the proposed mobile home (3.8m) at a distance of 3m from the boundary, and the garage (2.5m high) at 2.3m from the boundary would not be unduly overbearing on the neighbours. Furthermore the mobile home would be centrally located between the two neighbouring properties. Due to its orientation and low height it is not considered that any significant loss of light to the neighbouring properties would result.

The mobile home would be orientated such that the elevation facing 23 and 25 Birch Grove would be an end elevation. The applicant has confirmed that this elevation would have no windows and this could be conditioned accordingly. Whilst windows in the north facing elevation would give some views over the rear of No's 25 and 27 the views would be oblique and obscured in part by the new trellis fencing. Furthermore, any restricted views would be over the rear part of the neighbouring gardens, where overlooking from adjoining properties already exists.

Given the nature of mobile home sites, with restricted privacy between units, it is not considered that the siting of the mobile home would be unacceptable to the existing occupants of the park and would fall within the site licence criteria.

4. Highway and Parking considerations.

This proposal includes the provision of a garage with an access drive. It is considered that the provision of 2 parking spaces is acceptable for the level of accommodation proposed. The Highways Officer has raised no objection.

5. Other issues.

Whilst concerns have been raised regarding flooding and drainage, the Environment Agency have been consulted and raised no objection on the basis that the applicant has confirmed that the development would be linked to mains drainage. In addition drainage would also be covered by the site licensing requirements.

By virtue of the recently adopted Planning Obligations Supplementary Planning Document the developer would be required to make contributions towards infrastructure provision including for outdoor sports and recreational amenity space. A unilateral undertaking to secure such infrastructure contribution has been requested.

Conclusion

In light of the above, the proposal addresses the concerns raised by Officers in respect of the previously withdrawn application have now been addressed and the application is now considered acceptable subject to the completion of a legal agreement.

RECOMMENDED CONDITIONS / REASONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The site level shall be reduced to that shown on the approved plans and shall be no higher than the garden level of No's 23 and 25 Birch Grove. The height of the mobile home shall not exceed 3.8m above the new ground level shown on the plans.

Reason: To ensure that an acceptable relationship results between the new development and adjacent buildings.
(Policy 43, DSCB)

- 3 Prior to occupation of the mobile home a 0.5m high trellis shall be added to the top of a 1.8m high boundary fence and shall be retained thereafter.

Reason: To safeguard the amenity and privacy of residents.
(Policy 43, DSCB)

- 4 No windows shall be inserted into the east facing elevation of the mobile home.

Reason: To safeguard the privacy of occupiers of adjoining properties
(Policy 43, DSCB)

- 5 The mobile home and garage shall be sited only in the position and orientation shown on the approved plan.

Reason: To protect the amenity of the neighbouring residential properties in Birch Grove.

- 6 No shrubs or hedges existing on the site shall be removed or cut down without the prior written consent of the Local Planning Authority.

Reason: To safeguard the existing shrubs and hedges on the site in the interest of visual amenity.

- 7 No mobile home shall be sited within a distance of 11m from the east site boundary other than the mobile home hereby approved.

Reason: To ensure that the privacy of occupants in Birch Grove is protected.

- 8 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers B201-101A, 102A, 1250 Site location

Reason: To identify the approved plan/s and to avoid doubt.

Notes to Applicant

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 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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