

Item No. 07

APPLICATION NUMBER	CB/14/03426/FULL
LOCATION	Land adjacent to 17 Wavendon Road, Salford, Milton Keynes, MK17 8BB
PROPOSAL	Erection of two storey, 4 bedroom detached dwelling with attached double garage and associated external works (resubmission following refusal of CB/14/01471/FULL)
PARISH	Hulcote/Salford
WARD	Cranfield & Marston Moretaine
WARD COUNCILLORS	Cllrs Bastable, Matthews & Mrs Clark
CASE OFFICER	Annabel Robinson
DATE REGISTERED	10 September 2014
EXPIRY DATE	05 November 2014
APPLICANT	Gleworks Ltd
AGENT	DLA Town Planning Ltd
REASON FOR COMMITTEE TO DETERMINE	Ward Cllr Bastable called the application in on grounds stated by the Parish Council, these are: 1. Sunken patio and basement - significant removal of earth - concerned about the construction of a retaining wall near grave yard. The footprint has not increased significantly, the cubic capacity of the development has increased significantly. 2. Strain on limited parking, 2 spaces for 4 bedroom property. 3. Not in keeping with the rural character of the village. 4. Negative impact upon St Mary's Church (a Listed Building). 5. Opposed by both English Heritage and CPRE.
RECOMMENDED DECISION	Full Application - Approval

Summary of Recommendation:

The planning application is recommended for approval, the design of the dwelling would be in accordance with Central Bedfordshire Core Strategy and Development Management Policies DM3, CS1, CS2, CS5, DM4, DM13, CS15. It would not have a significant impact upon the residential amenity of any adjacent properties, the significance of the setting of St Marys Church and would result in a new development suitable for the location. It is considered that the design is in accordance with the Central Bedfordshire Design Guide and the submitted Development Strategy and National Planning Policy Framework.

Site Location:

The site is land adjacent to 17 Wavendon Road (known as "Clock House") in Salford. Currently on the site is the parking area, and double garage associated with 17 Wavendon Road.

The site is substantially within the settlement envelope for Salford, the garage block is currently outside the settlement envelope, with the house and garden being within. Salford is designated as a Small Village within the Central Bedfordshire Core Strategy, the dwelling is central to the village, the site is on the southern side of Wavendon Road, St Mary's Church is to the rear of the site.

A 3 bedroom dwelling house in this location was approved under planning application reference CB/12/02393/FULL.

The Application:

This application seeks permission for 1 number, 4 bedroom dwelling house.

The dwelling would form an L-shaped dwelling measuring some 14.5 metres in width by 5.5 metres in depth/13.3 metres in depth and measure some 6.8 metres in height. The dwelling would have an internal double garage measuring some 5.5 metres in width by 5.5 metres in depth and have a maximum height of 5.4 metres, there would be a room at 1st floor level over the garage, with a single dormer window facing west. The garden area for the dwelling would measure some 156 sqm, there would be space for 4 cars to park off street.

Note:

The application, as originally submitted also showed a basement, this was removed during the application process, and a reconsultation undertaken.

RELEVANT POLICIES:

National Policies

National Planning Policy Framework

Core Strategy and Development Management Policies, November 2009

CS1 - Development Strategy

CS2 - Developer Contributions

CS5 - Providing Homes

DM3 - High Quality Development

DM4 - Development within and beyond the Settlement Envelopes

DM13 - Heritage in Development

CS15 - Heritage in Development

Development Strategy for Central Bedfordshire - Submitted October 2014

Policy 4 - Settlement Hierarchy
Policy 19 - Planning Obligations and CIL
Policy 27 - Parking
Policy 38 - Within and Beyond Settlement Boundaries
Policy 43 - High Quality Development
policy 45 - The Historic Environment

Having regard to the National Planning Policy Framework, 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 was submitted to the Secretary of State on 24th October

Supplementary Planning Guidance

Central Bedfordshire Council's Design Guide 2014

Planning History

Application: Planning	Number: CB/14/01471/FULL
Validated: 02/05/2014	Type: Full Application
Status: Decided	Date: 27/06/2014
Summary:	Decision: Full Application - Refused
Description: Erection of two storey above ground (with lower ground accommodation) 4 bedroom detached dwelling with attached double garage and associated external works.	
Application: Planning	Number: CB/13/00438/FULL
Validated: 11/02/2013	Type: Full Application
Status: Decided	Date: 30/04/2013
Summary:	Decision: Full Application - Granted
Description: First floor side extensions, part single storey part two storey rear extensions.	
Application: Planning	Number: CB/12/02393/FULL
Validated: 17/07/2012	Type: Full Application
Status: Decided	Date: 21/09/2012
Summary:	Decision: Full Application - Granted
Description: Erection of one and a half storey, new 3 bedroom detached dwelling with attached, single storey double garage and associated external works.	
Application: Planning	Number: MB/09/00170/OUT
Validated: 19/02/2009	Type: Outline Application
Status: Decided	Date: 16/04/2009

Summary: Refused
Description: Outline: Detached dwelling and access.

Decision: Refuse

Application: Planning
Validated: 20/04/2012
Status: Withdrawn
Summary: Withdrawn
Description: Erection of detached dwelling following demolition of garage for number 17 Wavendon Road and construction of new access for No. 17.

Number: CB/12/01220/FULL
Type: Full Application
Date: 15/06/2012
Decision: Application Withdrawn

**Representations:
(Parish & Neighbours)**

Salford Parish Council

Object:

1. Over-development: While the overall footprint has not increased significantly (we understand it has increased though), the cubic capacity of the development has increased significantly. We believe it is still significantly prominent for the location.
2. This we feel would put strain on the limited onsite parking, (2 spaces for a large 4-bedroom property) as the increased space could accommodate more occupants. Public transport is limited in the village, requiring the use of private cars.
3. The property doesn't appear in keeping with the rural character of the village and would have a negative impact on St Mary's church which is a listed building, makes this aspect even more important.
4. The sunken patio and basement will involve significant removal and excavation of soil from the site and there is no mention of how the retaining wall will be constructed to support the graveyard on its boundary with the church. It is important not to disturb the graveyard itself during any works.
5. Both English Heritage and CPRE are opposed to this development, with English Heritage raising concerns in relation to paragraphs 132 and 134 of the NPPF.

Neighbouring properties Two neighbouring properties have commented regarding

these proposals: 8 and 10 Wavendon Road

- *That this development is 4 bed not 3 bed.*
- *Concerns regarding the basement.*
- *Impact upon Church yard.*
- *Concerns regarding the construction in this location.*
- *Loss of trees.*
- *Overdevelopment of a small site.*
- *Concerns raised by English Heritage/refusal of last planning application.*

Consultations/Publicity responses

Site Notice Posted: One letter received 1 Brittens Lane:
10.09.14

With regards to the noted planning application i have concerns regarding there have only being 5 consultees in connection with the application, and one of them being the owner of the mentioned development.

I might be corrected about my thoughts, but looking at the plans on your web site which are not very clear, i believe the main bi-fold windows on the ground floor and the Juliet balcony with bi-fold doors on the upper level west facing elevation look directly into 2 of my bedroom windows and one toilet window then a further 3 more windows of my property.

Heritage and Conservation

With this in mind should i not have been on the consultation list in regards to this application?

The proposal is considered to have addressed the reasons for refusal in the previous application.

The principle of building on this plot has been established and it is the scale and design of the new dwelling that was being assessed.

The overall scale and design has been “toned” down from the previous application thereby designing a less prominent dwelling for its location in the village.

Archaeology
Trees and Landscape

In summary the revised scheme is considered acceptable subject to normal conditions.

No objections though suggested a condition.

No reason to object to the addition to the consented application.

Still looking for the retention of the front boundary

hedge and accept that all trees up to the site boundary will require removal.

The additional work should not have any effect on the trees located offsite in the Churchyard.

We will be looking for a detailed replacement landscaping and planting plan to include species, sizes and densities of planting.

Highways
English Heritage

No objection.

The erection of a new building on this site would have a negative impact on the setting of Salford parish church. The design of the house has been improved with a consequent reduction of this impact, but we remain of the view that development on the site could result in a degree of harm to the significance of the building in terms of paragraphs 132 and 134 of the NPPF and recommend the Council consider this factor when determining the application.

Determining Issues

The main considerations of the application are;

1. Principle and background
2. Size, Siting and Design in relation to visual amenities of site and the area.
3. Impact on amenities of neighbours
4. Access and Parking
5. Planning Obligations
6. Other Considerations

Considerations

1. Principle and Background

The site lies in the built up area of Salford as defined in the Central Bedfordshire Core Strategy and Development Management Policies, as a small village. Within Settlement Envelopes in Small Villages, development will be limited to infill residential development and small - scale employment uses.

Infill development can be defined as small-scale development utilising a vacant plot which should continue to complement the surrounding pattern of development. Design and sustainability criteria relating to the proposal will also be major factors in determining any planning application.

The built element of this development would be within the defined settlement envelope and therefore the principle of erecting a dwelling on this site would be acceptable as long as it has a satisfactory relationship with the houses around the site, and could be considered infill development, and would not have an unduly adverse impact on the amenities of neighbours and would comply with other relevant material planning considerations. As part of the development the

existing garage which is outside the defined boundary and therefore within the open countryside would be removed, and the area would be used as open garden land.

Difference between CB/12/02393/FULL (application for 1 number, 3 bedroom dwelling house) and the current planning application:

Dwelling as approved:

The dwelling would form an L-shaped dwelling measuring some 15 metres in width by 5.5 metres in depth/13 metres in depth and measure some 6.8 metres in height. The dwelling would have an internal double garage measuring some 5.5 metres in width by 5.5 metres in depth and have a maximum height of 4.9 metres. The garden area for the dwelling would measure some 156 sqm, there would be space for 4 cars to park off street.

Dwelling as proposed:

The dwelling would form an L-shaped dwelling measuring some 14.5 metres in width by 5.5 metres in depth/13.3 metres in depth and measure some 6.8 metres in height. The dwelling would have an internal double garage measuring some 5.5 metres in width by 5.5 metres in depth and have a maximum height of 5.4 metres, there would be a bedroom at 1st floor level over the garage, with a single dormer window facing west. The garden area for the dwelling would measure some 156 sqm, there would be space for 4 cars to park off street.

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

The definition of infill:

"Small scale development utilising a vacant plot which should continue to complement the surrounding development".

This development of one number four bedroom dwelling is considered to be small scale. The plot is currently part of a large side garden, within the settlement. The western edge of the site currently has a large detached double garage, this development would be between the house and this existing garage. The existing garage is outside the settlement infill boundary and would be removed, reducing any impact upon the open countryside. The existing site would be roughly divided in half, providing two sites of similar proportions, and the garage would be removed. Although the site is currently associated garden area with the dwelling known as the Clock House, there is a substantial portion on the site which fronts the road, between the house and the garage, this could be considered infill. When viewed from the street scene of Wavendon Road in an east or west direction dwellings are visible. The Clock House and new dwelling would form a similar relationship to each other as the dwellings to the west on the opposite side of the road at numbers 8 and 10 Wavendon Road. It is considered that as the relationship between the Clock House and the proposed dwelling would be similar to that of the opposite properties that this would further

integrate the development with the character of the area complementing the surrounding development. Within the surrounding village semi detached properties, and pairs of detached properties are common. It is considered that this development would be in accordance with the definition of "infill development" as set out within the Central Bedfordshire Core Strategy and Development Management Policies 2009.

Design of proposed dwelling:

The dwelling has been designed to appear simple and echoes the design features of the Clock House as well as those prominent within the village such as front projecting gable ends and materials being red brick and natural slate roof. It is considered that the material choice would not match the Clock House but compliment it, with materials used elsewhere within the village such as on the prominent Swan Public House. The design of the proposed dwelling is very similar to that previously approved, it is considered that the additional height of 0.6 metres over the garage section, and introduction of a dormer window would not significantly change the character of the area, or dwelling proposed.

It is considered that the design of the dwelling in this location would be acceptable and in accordance with policy DM3 of the Core Strategy and Development Management Policies, 2009. It is therefore concluded that this dwelling will not conflict with planning policies in the Core Strategy, technical guidance within the Central Bedfordshire Design Guide or policies within the National Planning Policy Framework.

3. Impact on amenities of neighbours

To the east of the new dwelling would be the Clock House (17 Wavendon Road), to the south is the church yard of St Mary's Church, to the west is currently the garage associated with the Clock House, and further from that houses on the opposite side round the corner of Wavendon Road, to the north of the site on the opposite side of Wavendon Road would be number 8 Wavendon Road.

It is considered that the addition of a four bedroom dwelling would not impact upon the residential amenity of any neighbouring property in terms of:

Loss of light:

The proposed dwelling would not significantly impact upon the light into any residential property; it is judged there is suitable spacing between the proposed dwelling and all surrounding adjacent properties. The closest relationship would be the Clock House to the east where there would be some 7.5 metres between the side elevations of these properties.

Overbearing impact:

Due to the scale and massing of the proposed building it is judged that this would not cause an overbearing impact upon any neighbouring properties.

Loss of privacy:

The location of the windows has been designed to minimise impact upon the adjacent dwellings, windows within the eastern elevation have been limited to a roof light to reduce any possible impact upon number 17 Wavendon Road. The front facing windows are some 25 metres at first floor level to number 8 Wavendon Road. It is judged that this distance is far enough to ensure no significant overlooking would occur. The additional dormer window would face west, this is some 76 metres from the front elevation of Brittens Lane.

Loss of outlook:

The dwelling has been appropriately designed to ensure no significant impact upon the outlook of any residential property. The main bulk of the dwelling would be to the side of number 8 Wavendon Road, further reducing any possible impact upon this dwelling. The additional height over the garage would be some 0.6 metres increase from that previously approved, it is considered that this additional height would not significantly impact upon outlook.

Three properties within the village wrote regarding this application:

- *Should 1 Brittens Lane have been consulted originally?*

1 Brittens Lane does not adjoin the redline boundary, and is not a statutory consultee, however the comments received regarding privacy have been considered. A site notice was posted on the 24th September to consult with near by properties. There is over 75 metres between the proposed windows and the front elevation of number 1 Brittens Lane, which is well in excess of the 21 metre privacy distance recommended with the Design Guide.

- *That this development is 4 bed not 3 bed.*

In planning terms all applications are judged on their own merits, and it is not considered unacceptable in principle for there to be a 4 bedroom dwelling on this site.

- *Concerns regarding the basement.*

The basement has been removed from the submitted plans. It is considered that there is less impact from the development with the basement removed, and therefore all the associated documents are still considered appropriate as ancillary tools for considering this application.

- *Impact upon Church yard.*

It is considered that with the basement removed, this development would have no further impact upon the church yard than the previously approved dwelling house.

- *Concerns regarding the construction in this location.*

It is judged that the site is not too small to accommodate the construction work associated with the construction of this dwelling.

- *Loss of trees.*

No objections have been received from the landscape and tree officer.

- *Overdevelopment of a small site.*

The site is considered large enough to sustain the property and the adjacent Clock House. The level of garden and amenity area is in compliance with the Councils standards, and therefore it is judged to not be overdevelopment.

- *Concerns raised by English Heritage/refusal of last planning application.*

This issue is covered with the section regarding the Parish Councils comments.

4. Access and parking

The Highways officer raised no objections to this development, for a four bedroom dwelling, three off street parking spaces would be required. This property has a double garage, which for design reasons are under the standard as set out within the Central Bedfordshire Design Guide, however there would be space for 4 cars to park outside the garage, and therefore the parking requirements would be in excess of the standard.

5. Planning Obligations

A planning application for the erection of a 4 bedroom dwelling requires a Planning obligation to be submitted and agreed by the Council. The Planning Obligations Strategy was adopted by the Council on 20th February 2008 and became operative on 1st May 2008. In accordance with national planning policy contained within National Planning Policy Framework, Local Planning Authorities are required to ensure that new development is planned to be sustainable. Where communities continue to grow, many require additional infrastructure, for example educational facilities. Policy CS2 of the Core Strategy advises that developer contributions will be expected from any development which would individually or cumulatively necessitate additional or improved infrastructure, or exacerbate an existing deficiency.

The level of contribution for this proposal has been calculated in relation to the impact the development would have on the local infrastructure and the contribution that would be required to offset this. The total contribution required in this instance would be £11,140.

A Unilateral Undertaking has been submitted with this application, it is currently

being considered by Central Bedfordshire Councils legal department. An update on this matter will be given on the late sheet.

6. Other Considerations

Parish Council Comments:

1. Over-development: While the overall footprint has not increased significantly (we understand it has increased though), the cubic capacity of the development has increased significantly. We believe it is still significantly prominent for the location.

It is not considered that this would be overdevelopment of the site. Although technical design guidance does not give figures relating to size of dwellings, and proximity it does state that gardens/amenity land should be “on average about 100m² and generally no less than 50m²”. The new property would have a private rear/side garden of 150m² and the Clock House (not including parking/access) would have a rear garden of 170m². It is considered that the ratio of property to amenity land is acceptable, in accordance with technical design guidance and would not be considered over development. Although the Clock House is outside the red line boundary of the site, when calculated including this land, the 2 dwellings on the site would be approximately 21 dwellings per hectare, significantly lower than the 30-45 dwellings per hectare that is suggested for residential development within villages. The basement has been removed from the development, and therefore the cubic capacity has not been significantly increased.

2. This we feel would put strain on the limited onsite parking, (2 spaces for a large 4-bedroom property) as the increased space could accommodate more occupants. Public transport is limited in the village, requiring the use of private cars.

There is space for 4 cars to park off street, in excess of the requirement for 3 cars to park off street for a 4 bedroom dwelling. No objections were received from the Councils Highway Officer.

3. The property doesn't appear in keeping with the rural character of the village and would have a negative impact on St Mary's church which is a listed building, makes this aspect even more important.

The property is very similar in appearance to that previously approved. This is a sensitive location due to the location of the church, however it is felt that the design would be acceptable within the rural character of the village.

4. The sunken patio and basement will involve significant removal and excavation of soil from the site and there is no mention of how the retaining wall will be constructed to support the graveyard on its boundary with the church. It is important not to disturb the graveyard itself during any works.

This aspect of the proposal has been removed from the proposed plans.

5. Both English Heritage and CPRE are opposed to this development, with English Heritage raising concerns in relation to paragraphs 132 and 134 of the NPPF.

English Heritage have asked that the Council consider the degree of harm that the erection of a new building on this site would cause, however they have not stated that they formally object to the proposal. They raised comment on the impact of a dwelling in this location and the relationship with the Listed Church (some 58 metres), however a dwelling in this location has been previously approved. English Heritage describe the location of the proposal as "land near the grade I listed parish church of St Mary" and concerns are raised regarding the increase in density of the development within the village. English Heritage do comment that the design in relation to the rear elevation has been improved, however concluded that any dwelling in this location would impact upon setting and could result in a degree of harm. The Conservation Officer has carefully considered the harm to setting of the Listed Church, and the Conservation Officer has concluded that there would not be significant harm to the setting. No correspondence has been received from CPRE in relation to this application.

Human Rights Issues

The proposal would raise no known Human Rights Issues.

Equality Act 2010

The proposal would raise no known issues under the Equality Act.

Recommendation

That Planning Permission be granted subject to the following 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 **No works to commence on site until a scheme has been submitted for written approval by the Local Planning Authority setting out the details of the materials to be used for the external walls and roof. The development shall be carried out in accordance with the approved scheme.**

Reason: To protect the visual amenities of the building and of the area generally.

- 3 **No development shall take place until the applicant or developer has secured the implementation of a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by**

the Local Planning Authority. The said development shall only be implemented in accordance with the scheme thereby approved.

Reason: To record and advance understanding of the significance of the heritage assets with archaeological interest before they are lost and to conserve, enhance, protect and promote the enjoyment of the historic environment. This is in line with policy 46 of the Submitted *Development Strategy for Central Bedfordshire (2014)*.

- 4 **No works shall commence on site until, a landscaping scheme to include boundary treatment, planting, any hard surfaces and earth mounding shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season and maintained until satisfactorily established.**

Reason: To ensure a satisfactory standard of landscaping.

- 5 Before the premises are occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises.

- 6 Prior to the occupation of the dwelling house hereby approved the existing double garage shall be demolished and the area landscaped in accordance with details to be given in relation to condition 4 of this permission.

Reason: To ensure the openness of the countryside, and to ensure the rural appearance of the completed development.

- 7 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 13117(D)097A, 13117(D)099D, 13117(D)114D, 13117(D)115D.

Reason: For the avoidance of doubt.

Notes to Applicant

1. 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 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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