

## Item No. 9

<b>APPLICATION NUMBER</b>	<b>CB/14/03040/FULL</b>
<b>LOCATION</b>	<b>Fen End Industrial Estate, Fen End, Stotfold, Hitchin, SG5 4BA</b>
<b>PROPOSAL</b>	<b>Proposed demolition of existing factory unit to build two number five bed houses and one number four bed house with associated garages, car parking and external works. Change of use from general industrial to residential.</b>
<b>PARISH</b>	<b>Stotfold</b>
<b>WARD</b>	<b>Stotfold &amp; Langford</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Clarke, Saunders &amp; Saunders</b>
<b>CASE OFFICER</b>	<b>Samantha Boyd</b>
<b>DATE REGISTERED</b>	<b>08 September 2014</b>
<b>EXPIRY DATE</b>	<b>03 November 2014</b>
<b>APPLICANT</b>	<b>Mr T Saunders</b>
<b>AGENT</b>	<b>Levitt Partnership Limited</b>
<b>REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION</b>	<b>The applicant is related to an elected Member  Full Application - Refusal Recommended</b>

### Reasons for Recommendation

The application site is allocated for employment use under Policy E1 of the Site Allocations Development Plan Document (2011), Policy E1 and Policy CS10 of the Core Strategy and Development Management Policies Document (2009) seek to safeguard the site for employment use therefore the proposal for three new dwellings would result in the loss of a safeguarded employment site which is unacceptable.

The proposal also is considered to result in an harmful visual impact on the character and appearance of the surrounding area given the proposed layout of the site which includes a significant area of hard standing to the frontage of the site and detached double garages to the front which would appear unduly prominent within the street scene and given the siting and design of the dwellings, the proposal would result in an adverse impact upon the amenities of the future occupiers of the site by way of significant overlooking from the adjacent industrial building.

Furthermore, the applicant has failed to demonstrate that the proposal would not result in significant impact from noise, smoke and fumes from the industrial units which would result in loss of amenity to future occupants of the properties.

Finally, the application qualifies for contributions in accordance with the adopted Planning Obligations Strategy. A draft Unilateral Undertaking has been submitted to the Council's Legal Team however a signed version has not been approved at the time of preparing this Committee report. Without a signed approved Unilateral Undertaking in place, the development fails to provide contributions towards local infrastructure in accordance with the Planning Obligation Strategy and Policy CS2.

The proposal is therefore contrary to Policies CS2, CS10 and DM3 of the Core Strategy and Development Management Policies Document (2009) and the Site Allocations Development Plan Document (2011).

## **Recommendation**

That Planning Permission be REFUSED for the following reasons:

### **RECOMMENDED REASONS**

- 1 The application site is allocated for employment use under Policy E1 of the Site Allocations Document (Adopted 2011), Core Strategy and Development Management Policy CS10 (adopted 2009) and Policy E1 seeks to safeguard the site for employment use therefore the proposal for three new dwellings would result in the loss of a safeguarded employment site which is unacceptable. The proposal is therefore contrary to Policy CS10 of the Core Strategy and Development Management Policies Document (2009) and Policy E1 of the Site Allocations Document (2011).
- 2 The proposal is considered to result in a harmful visual impact on the character and appearance of the surrounding area given the proposed layout of the site which includes a significant area of hard standing to the frontage of the site and detached double garages to the front which would appear unduly prominent within the street scene. The proposal is therefore considered to be contrary to Policy DM3 of the Core Strategy and Development Management Policies Document (2009)
- 3 The proposal, given the siting and design of the dwellings, is considered to result in an adverse impact upon the amenities of the future occupiers of the site by way of significant overlooking from the adjacent industrial building. Furthermore, the applicant has failed to demonstrate that the proposal would not result in significant impact from noise, smoke and fumes from the industrial units which would result in loss of amenity to future occupants of the properties. The proposal is therefore considered to be contrary to Policy DM3 of the Core Strategy and Development Management Policies Document (2009)
- 4 The application contains insufficient information in the form of a completed Unilateral Undertaking in order to secure financial contributions towards infrastructure in the local area and mitigate the impact the proposal would have on community facilities and infrastructure; as such the proposal is contrary to Policy CS2 of the Central Bedfordshire Council Core Strategy and Development Management Policies Development Plan Document (2009) and the Central Bedfordshire Council Planning Obligations Supplementary Planning Document (Reviewed November 2009).

**Statement required by the Town and Country Planning (Development**

## **Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31**

Refusal of this proposal is recommended for the clear reasons set out. The Council acted pro-actively through early engagement with the applicant at the pre-application stage. The negative advice given on the proposal has however not been followed and the Council remains of the view that the proposal is unacceptable. The applicant was invited to withdraw the application but did not agree to this. The requirements of the Framework (paragraphs 186 and 187) have therefore been met in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

### **NOTE**

In advance of the consideration of this application the Committee received representations made under the Public Participation Scheme.