

Item No. 10

APPLICATION NUMBER	CB/14/04151/FULL
LOCATION	3 Rosemary Lane, Lower Stondon, Henlow, SG16 6NG
PROPOSAL	Proposed 2-Storey Side Extension.
PARISH	Stondon
WARD	Arlesey
WARD COUNCILLORS	Cllrs Dalgarno, Drinkwater & Wenham
CASE OFFICER	Nicola Stevens
DATE REGISTERED	24 October 2014
EXPIRY DATE	19 December 2014
APPLICANT	Mr & Mrs Coombs
AGENT	
REASON FOR COMMITTEE TO DETERMINE	Call in by Cllr Wenham on the grounds of: Loss of amenity - impact on residents Overbearing - overlooks adjoining properties
RECOMMENDED DECISION	Full Application - Approval

Reasons for Recommendation

The proposal would not have a negative impact on the character or appearance of the area or an adverse impact on the residential amenity of neighbouring properties and is acceptable in terms of highway safety therefore by reason of its site, design and location, is in conformity with Policies CS14, DM4 and DM3 of the Core Strategy and Management Policies, November 2009; National Planning Policy Framework (March 2012). It is further in conformity with the technical guidance Central Bedfordshire Design Guide 2014.

Site Location:

The site is located at 3 Rosemary Lane, Lower Stondon; a detached two storey property within the settlement envelope of Lower Stondon. The site is bounded by residential development.

Rosemary Lane appears to be a walkway which links from Orchard Way to Pollards Way. This modern estate is accessed off the A600 Bedford Road. The surrounding area is predominantly residential comprising a mix of dwellings which are a variation on a similar style and design.

The Application:

The application seeks permission for a two storey side extension.

RELEVANT POLICIES:

National Policies

National Planning Policy Framework (March 2012)

Core Strategy and Development Management Policies Adopted November 2009

CS14	High Quality Development
DM3	High Quality Development
DM4	Development Within and Beyond Settlement Envelopes

Supplementary Planning Guidance

Central Bedfordshire Design Guide Adopted 18 March 2014

Planning History

MB/03/00106/Full Full: Erection of 101 dwellings with associated garages and roads. Approved 9.10.03

Representations:
(Parish & Neighbours)

Stondon Parish Council Stondon PC objects to the above application on the grounds that the extension is disproportionate with the existing property and will change the entire nature of the current street scene. We have concerns that the plans don't match entirely with the proposal and we are also concerned about the proposed access route and the health and safety implications this may have.

Neighbours No comments received in relation to the revised plans (reconsultations undertaken 20 November) at the time of writing this report.

21.11.14 Nadine Dorries MP has forwarded the concerns of the occupiers of No 4 Rosemary Lane and requested that the Council look into this further to see if a resolution might be found.

4 Rosemary Lane - object for the following reasons:

5/11/14 Loss of privacy - anyone in both floors of the proposed extension would be able to look directly into our main bedroom, kitchen, a further bedroom, lounge and hallway.

Proximity of the proposed extension - this would be circa 18 feet from the front of our house and the rooms would be negatively impacted. Rosemary Lane is a footpath and not a road being only 9 feet wide between No 4 and the proposed extension. We also have a very small front garden of 5 feet in width.

Reduction in light in the rooms - our right of light would be

severely reduced in the above mentioned rooms where there is already a light issue. The proposed extension would make light considerably worse especially given the height requested.

Loss of sunlight in rear garden - sunlight would be completely block out by early afternoon all year round by this extension given the height requested.

Scale of proposed extension- is large in comparison to the existing property. The original building plan for numbers 3 and 4 Rosemary Lane took great care not to cause the above 1-4 issues. The scheme makes no mention of potential fencing nor of trees or bushes the planting of which would reduce our privacy and light even further.

Throwing the road plan out of kilter- we live in a rectangular road area with 4 roads involved and with 4 identical houses at the points of the rectangle. The roads are Rosemary Lane, Pollards Way, Orchard Way and Bluebell Drive; our house is one of these points. The existing properties involved were designed and built in perfect straight lines. If this extension were to proceed it would destroy this planned balanced symmetry.

No 4 would also decrease in property value.

17/11/14 - object to the proposed drive-way

Dangers from Proposed Drive-in/Parking Place. This would create a new set of dangers to the area: **1.** The pavement passes alongside the front garden area owned by number 3 Rosemary Lane. The pavement is used by families walking their young children, and pet dogs; they are protected by bollards which have been placed alongside the pavement. These bollards would have to be removed to accommodate the proposed parking space, leaving pedestrians unprotected, thus increasing danger to them. **2.** It would also increase road usage around this area, as the owners of number 3 currently use the more than adequate parking spaces at the rear of their property (they use the existing entrance/exit via Orchard Way). **3.** Such traffic would in addition cause issues with the turn in Pollards Way towards Bluebell Drive. **4.** Cars using this proposed new parking space would cause problems for usage of the two existing car park spaces at that end of Rosemary Lane (these are also used by number 3 Rosemary Lane). **5.** The proposed parking space would also cause problems for the residents of 1 Pollards Way

with their parking place.

Overall, the dangers that would be caused by such a new parking space in number 3's front garden increase the likelihood of accidents. We recommend a site visit to view the danger issues raised herein, together with the serious issues raised in our earlier letter (loss of light, loss of sunlight, loss of privacy).

1 Pollards Way - Object for the following reasons:

Effect on the neighbourhood/Visual impact/Proximity: The proposed extension would impact negatively on the look of this corner of the estate. Each of the properties is sizable and the proposed increase would render the building significantly out of scale and proportion with the others. 3 Rosemary Lane would become overbearing in its size and its proximity to No 1 Pollards Way. It would be imposing and too close to our property and it would also mean a restriction to our current view.

Overshadowing: The height and scale of the proposed extension will mean that our property will be overshadowed significantly by the new sizable part of 3 Rosemary Lane. We will lose access to a significant amount of sunlight on the drive and front garden for most of the day all year round.

Also concerned about: - where we would park whilst the scaffolds were up and for how long we would be inconvenienced. We would also request that you consider the impact of the proposed extension on property price which would be compromised significantly by this extension. The planning application includes the development of a driveway area. From the plans it is clear that the householders of 3 Rosemary Lane, under the proposed planning, would need to drive across our drive way to access their property. This is unacceptable.

Consultations/Publicity responses

Highway Officer	No objection. Suggest conditions and notes
EHO Contamination	No objection. Suggest informative

The main considerations of the application are;

1. Principle of development
2. Visual impact
3. Residential amenity
4. Other issues

Considerations

1. Principle of development

The site lies within the settlement envelope of Lower Stondon. Policy DM4 of the Core Strategy makes provision for the extension of existing properties provided they meet certain local plan criteria which will be assessed below.

2. Visual impact

The application site is a two storey detached dwelling, constructed of yellow facing brickwork with red soldier coursing and plain black concrete rooftiles. The property appears to have been extended previously with a side conservatory. It has a detached garage accessed via a courtyard off Orchard Way.

The application proposes the erection of a two storey side extension. The extension will provide additional living accommodation on the ground floor and a fourth bedroom on the upper floor following internal rearrangements. The two storey side extension will measure approx 3.7m wide (the original dwelling is 8.4m wide) with a central chimney stack on the end gable projecting out a further 0.4m. Its eaves level will match the existing dwelling and it will be set down slightly from the main ridgeline and back from the front elevation to be subservient to the main dwelling.

Following concerns relating to residential amenity, the plans have been revised, with the first floor window on the front elevation amended to a blank (recessed) window and a new first floor bedroom window inserted on the end gable together with a blank (recessed) window at ground floor. The insertion of the blank windows will help to retain balanced elevations in terms of design.

No 3 Rosemary Lane occupies a prominent corner position facing onto Rosemary Lane, its side elevation facing onto Pollards Way. Although not considered out of proportion with the host dwelling for the reasons set out above the proposed two storey side extension will increase its scale and massing and be clearly visible within the streetscene from both Rosemary Lane and Pollards Way. Pollards Way appears to have been designed with four large detached three storey feature buildings with No 4 Rosemary Lane forming one of those buildings. The extension will project closer to the road than No 1 Pollards Way and slightly overlap the front of No 4. However given the enclosed nature of this part of Pollards Way formed by the dwellings themselves, and that it will still be well set back from the road frontage it is not considered that the proposal will adversely affect the character and appearance of the area.

A new block paved parking space is shown in front of the extension accessed off Pollards Way within the garden which is surrounded by a low hedge (approx 0.9m). Given the residential context of the site it is not considered that this would result in any undue visual harm to the character and appearance of the area.

3. Residential amenity

The two main properties adjoining the site which are likely to be affected by the proposed development are Nos 4 Rosemary Lane and 1 Pollards Way, both neighbours have objected on loss of residential amenity grounds including light and overbearing impact and No 4 in relation to privacy as well.

No 4 Rosemary Lane is a large detached three storey dwelling situated to the northeast. It appears to have a ground floor kitchen window with two bedroom windows above at first and second level (all appear to be served by windows on the side). It is separated from No 3 by Rosemary Lane and its main garden which appears to be to the side of the property (separated by an approx 5m wide footpath) and screened by an approx 1.8m wall with 0.2m trellis on top. The footpath narrows directly in front of No 4 as it has a small front garden enclosed by iron railings.

The front of No 3 already faces towards the garden of No 4 with an existing first floor bedroom and it appears its first floor windows are slightly higher than those of No 4. To avoid any undue loss of privacy for the occupiers of No 4 the plans have been revised, a first floor blank recessed window is now shown on the front elevation and a new first floor bedroom window is shown on the end gable. Although a ground floor lounge window has been retained on the front elevation which may lead to some loss of privacy to the ground floor front kitchen window at No 4 given the extension would be separated by the footpath itself, is within an existing residential area and given the lower expectation of privacy for windows in the front of a dwelling it is considered this will not result in any undue loss of privacy for the occupiers of No 4 Rosemary Lane. Even though the ground floor lounge would be served by another window on the end gable it is therefore not considered necessary to obscure glaze the front one. Furthermore, it is noted above that the extension will project closer to Pollards Way and slightly overlap the front of the dwelling at No 4 approximately in line with the edge of its front kitchen window. However, given the offset between the dwellings and the distances and relationships involved there would be no undue loss of light or overbearing impact as a result of the development.

No 1 Pollards Way is a detached three storey dwelling situated to the west of the application site separated by its own double driveway and a narrow strip down the rear of No 3 along which runs a approx 1.78m close boarded fence. No 1 is blank sided elevation facing the application site. No 3 has a existing ground floor cloakroom window and first floor landing window on its rear elevation. It is proposed to insert a ground floor study window and obscure glazed window to a narrow room and a first floor obscure glazed ensuite window in its existing rear elevation which could be done under permitted development but as they are shown on the plans are noted here. As they would face towards the driveway and blank sided elevation of No 1 they would not result in any undue loss of privacy nor is it considered necessary to attach a condition to ensure they are obscure glazed. Whilst the extension would project forward of the front elevation of No 1 given the offset between the dwellings and the distances and relationships involved there would be no undue loss of light or overbearing impact as a result of the development.

The existing dwelling already has end gable windows serving main habitable rooms. The extension would have a first floor bedroom window and lounge

window as existing but with an additional new first floor bedroom window with a blank one below closer to No 3 Rosemary Lane and facing onto the Pollards Way dwellings opposite. However, given the offset between the dwellings and the distances and relationships involved there would be no undue loss of privacy as a result of this part of the development.

A new block paved parking space is shown in front of the extension accessed off Pollards Way within the garden and to the front of No 4 Rosemary Lane. Both the access (Pollards Way is adopted highway but an unclassified road) and hardstanding could be done under permitted development but are shown on the plans and noted here. Given the residential context of the site it is not considered that this would result in any undue harm to the residential amenities of adjoining properties.

No other surrounding properties will be unduly affected in terms of residential amenity due to the distances and relationships involved.

4. Other issues

Sufficient private amenity space would be retained.

This proposal would result in an increase from three to four bedrooms. No changes are proposed to the existing means of access to the highway or on site spaces. However a new parking space is shown adjacent to the new extension proposed to be accessed off Pollards Way to create one additional space. No 4 Rosemary Lane has objected to the additional space in relation to pedestrian and highway safety and adversely affecting vehicular access to Nos 4 Rosemary Lane and No 1 Pollards Way. No 1 Pollards Way has stated that the occupiers of No 3 Rosemary Lane would need to drive across its driveway to access.

The Highway Officer has not objected to the proposal stating that a new vehicular access is shown to be created onto the raised table junction with Pollards Way to serve a single parking space in front of the proposed extension. Some of the existing bollards between the footway and carriageway will need to be re-positioned to facilitate the creation of the access whilst ensuring that vehicles are prevented from parking on the footway. The property has the benefit of a single parking space and garage to the rear, thus the additional space will result in the provision of three parking spaces ensuring compliance with the Council's minimum standards for a four bedroom detached dwelling. The proposed increase in size of the property from three to four bedrooms has the potential to generate a couple of additional traffic movements per day. It is considered that these can be satisfactorily accommodated on the local road network and the proposal is unlikely to have any adverse highway impact, once completed. Although the Highway Officer has recommended conditions relating junction details and visibility splays as the new access could be done under permitted development and would be covered by the Highway Authority it is not considered necessary to attach such conditions. Although details of on site surfacing are also requested again this is not considered necessary although a condition relating to surfacing can be attached.

The occupiers of the two neighbouring properties have raised a number of other concerns relating to scaffolding and where No 1 Pollards Way will park during

construction which is a civil matter, and loss of value of their properties, neither of which is a material planning consideration and cannot be considered in the determination of the planning application.

Based on the information submitted there are no known issues raised in the context of the Human Rights/The Equalities Act) and as such there would be no relevant implications.

There are no further considerations to this application.

Recommendation

That Planning Permission be Approved subject to the following:

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 All external works hereby permitted shall be carried out in materials to match as closely as possible in colour, type and texture, those of the existing building.

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match the existing building in the interests of the visual amenities of the locality in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009).

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no first floor windows shall be inserted into the front (eastern) elevation of the proposed extension, without the grant of further specific planning permission from the Local Planning Authority.

Reason: To protect the privacy of neighbouring residents in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009).

- 4 Before the extension hereby permitted is first occupied or brought into use, the scheme showing the provision of one off-street parking space to serve the extended dwelling shown on drawing No COOMBS-P-001 Rev A shall be laid out and surfaced in a durable material and surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway. The scheme shall thereafter be retained for this purpose.

Reason: To ensure provision for car parking clear of the highway and to ensure that surface water from the site does not discharge into the highway in the interest of highway safety, in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009).

- 7 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers COOMBS-P-001A, COOMBS-P-002, COOMBS-P-003, COOMBS-P-004A, COOMBS-P-005A

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

2. **Will a new extension affect your Council Tax Charge?**

The rate of Council Tax you pay depends on which valuation band your home is placed in. This is determined by the market value of your home as at 1 April 1991.

Your property's Council Tax band may change if the property is extended. The Council Tax band will only change when a relevant transaction takes place. For example, if you sell your property after extending it, the new owner may have to pay a higher band of Council Tax.

If however you add an annexe to your property, the Valuation Office Agency may decide that the annexe should be banded separately for Council Tax. If this happens, you will have to start paying Council Tax for the annexe as soon as it is completed. If the annexe is occupied by a relative of the residents of the main dwelling, it may qualify for a Council Tax discount or exemption. Contact the Council for advice on **0300 300 8306**.

The website link is:

www.centralbedfordshire.gov.uk/council-and-democracy/spending/council-tax/council-tax-charges-bands.aspx

3. As the site is of historic use as a plant nursery that underwent soil engineering, there may be unexpected materials or structures in the ground. It is the responsibility of the Applicant to ensure safe and secure conditions. Any problems should be forward to the Contaminated Land Officer, Andre Douglas, for advice, on 0300 300 4004 or via andre.douglas@centralbedfordshire.gov.uk.
4. 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 contact Central

Bedfordshire Council's Highway Help Desk, Tel: 0300 300 8049 quoting the Planning Application number. 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.

- 5. 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, Priory House, Monks Walk, Chicksands, Shefford, SG17 5TQ

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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