

## Item No. 8

<b>APPLICATION NUMBER</b>	<b>CB/14/04511/FULL</b>
<b>LOCATION</b>	<b>River House, 6 Firs Path, Leighton Buzzard, LU7 3JG</b>
<b>PROPOSAL</b>	<b>First floor side extension and extension to rear balcony</b>
<b>PARISH</b>	<b>Leighton-Linslade</b>
<b>WARD</b>	<b>Leighton Buzzard North</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Johnstone, Shadbolt &amp; Spurr</b>
<b>CASE OFFICER</b>	<b>Debbie Willcox</b>
<b>DATE REGISTERED</b>	<b>19 November 2014</b>
<b>EXPIRY DATE</b>	<b>14 January 2015</b>
<b>APPLICANT</b>	<b>Mr Brian Carter</b>
<b>AGENT</b>	<b>D J Harnett &amp; Associates</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Called-in by Councillor Shadbolt on the basis that the proposal is not in contradiction to policy BE6 of the South Bedfordshire Local Plan Review</b>
<b>RECOMMENDED DECISION</b>	<b>Recommended for refusal</b>

### **Summary of Recommendation:**

The proposed first floor side extension would significantly reduce the gap between the subject dwelling and the neighbouring dwelling, which would have an unacceptably detrimental impact on the feeling of spaciousness that is currently an important positive characteristic of the designated Area of Special Character. The proposal is therefore contrary to the National Planning Policy Framework, policies BE6, BE8 and H8 of the South Bedfordshire Local Plan Review, policy 43 of the emerging Development Strategy, and the Central Bedfordshire Design Guide.

### **Site Location:**

The application site comprises the curtilage of a detached, two storey dwelling located on the south west side of Firs Path in Leighton Buzzard. The area is designated as an Area of Special Character within the South Bedfordshire Local Plan Review.

The dwelling is a wide, shallow building, with a white painted, smooth render finish and a tiled roof. The dwelling has a two storey front projection to the south end and a two storey central section; while the north end of the dwelling is single storey and comprises a double, integral garage. There is an existing balcony to the rear of the dwelling.

### **The Application:**

The application seeks planning permission for a first floor side extension over the existing garage. The extension would be L-shaped, with a front projection of the same width as the existing front projection. The extension as a whole would have a total depth of 7.4m and a width of 7.3m, with a 1.7m gap being retained to the flank boundary of the application site. The roof would be hipped to match the existing roof. The extension would comprise a fifth bedroom and an en-suite bathroom.

The application also includes the extension of the rear balcony by approximately 10m towards the flank boundary with No. 7 Firs Path. The edge of the balcony facing No. 7 would be terminated with a 1.8m high laminated opaque glass screen.

## **RELEVANT POLICIES:**

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

#### **South Bedfordshire Local Plan Review Policies**

BE6 Control of Development in Areas of Special Character

BE8 Design Considerations

H8 Extensions to Dwellings

T10 Parking - New Development

*(Having regard to the National Planning Policy Framework, the age of the plan and the general consistency with the NPPF, policies BE6, BE8 & H8 are still given significant weight. Policy T10 is afforded less weight).*

#### **Development Strategy for Central Bedfordshire**

Policy 27: Car Parking

Policy 43: High Quality Development

*(Having regard to the National Planning Policy Framework, some 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 is due to be submitted to the Secretary of State in October 2014.)*

#### **Supplementary Planning Guidance**

Central Bedfordshire Design Guide: A Guide for Development:

Design Supplement 7: Householder Alterations and Extensions, 2014

#### **Planning History**

CB/14/02632/PAPC - Pre-application advice for First Floor Side Extension

#### **Representations:**

##### **(Parish & Neighbours)**

Leighton-Linslade Town Council To be reported at the meeting.

Neighbours (No. 7) No objections, providing that the extended dwelling is not used for commercial purposes.

#### **Consultations/Publicity responses**

Buckingham and River No comments.

Ouzel Internal Drainage

Board

#### **Determining Issues**

The main considerations of the application are;

- 1. Design Considerations and Impact on the Area of Special Character**
- 2. Impact on Residential Amenity**
- 3. Parking and Highway Safety**
- 4. Other Issues**

## Considerations

### 1. Design Considerations and Impact on the Area of Special Character

The application site is located within a designated Area of Special Character and therefore policy BE6 of the South Bedfordshire Local Plan Review is a key consideration in the determination of the application. The preamble to this policy explains that the designated Areas of Special Character are characterised by a feeling of spaciousness which is created by low to moderate density of development, large plot sizes, generous garden provision and well spaced development. The policy itself states:

*"within the Areas of Special Character as defined on the proposals map, planning permission will not be granted for redevelopment to higher densities, subdivision of large plots, infilling, backland development or large extensions which would result in loss of gardens, other open land or mature woodland, or give rise to an over-intensive level of development in a way which would unacceptably harm the special character of the area."*

Firs Path is characterised by a feeling of spaciousness which is created by low density of development and large plot sizes. Currently, between the existing first floor flank wall of the subject dwelling and the flank boundary is a gap of approximately 8.8m which provides a positive contribution to the feeling of spaciousness that exists within Firs Path, especially on the approach to the dwelling along Firs Path from Plantation Road.

Policy BE8 of the South Bedfordshire Local Plan Review requires proposals to take full account of the need to enhance or reinforce the character of the area and also requires development to complement and harmonise with the local surroundings, particularly in terms of adjoining buildings and spaces and longer views.

Pre-application advice was sought by the applicant on a scheme with a wider front projection; the advice given was that the proposal would be unduly dominant and would result in an unacceptable loss of spaciousness at first floor level, to the detriment of the special character of the area. Instead, it was suggested that the applicants should consider alternative development in the form of a narrower side extension with opportunities to also extend to the rear of the dwelling.

The current proposal has been amended from this earlier scheme to reduce the width of the proposed front projection of the extension to match the width of the existing front projection at the other end of the dwelling, however, the total width of the proposed extension has not been reduced in line with the advice offered and the loss of spacing between the subject dwelling and No. 7 Firs Path would be the same as the previous scheme, in direct contravention of the advice offered.

The proposal would result in the almost complete closure of the gap that currently exists at first floor level between the subject dwelling and the flank boundary. Furthermore, the front projecting element of the proposed extension would exacerbate this loss of spacing and, because of the angle of the road and the positioning of the dwellings, as viewed from the approach to the site along

Firs Path, the remaining gap between the first floor flank wall of the extended subject dwelling and the first floor flank wall of the neighbouring dwelling at No. 7 Firs Path would not be visible. This would have a significant detrimental impact upon the feeling of spaciousness that is currently a positive characteristic of the subject site and the wider Area of Special Character.

As such, it is considered that the proposal would unacceptably harm the special character of the area and the proposal would thus be in conflict with policies BE6, BE8 and H8 of the South Bedfordshire Local Plan Review, policy 43 of the emerging Development Strategy for Central Bedfordshire and the Central Bedfordshire Design Guide.

## **2. Impact on Residential Amenity**

The subject dwelling is on the same building line as No. 7 Firs Path, which has two small flank windows that would face the extension. These windows do not act as primary light sources to habitable rooms, therefore it is considered that the proposal would not have a detrimental impact in terms of loss of light or the creation of a sense of overbearing. The proposed extension would have only high level flank windows and the proposed balcony would have a privacy screen on the edge facing No. 7, therefore the proposal would also have no impact upon the privacy of the occupiers of No. 7.

The proposal would have no impact upon the amenity of other neighbouring occupiers, therefore, in this aspect, it is considered that the proposal would conform with policies BE8 and H8 of the South Bedfordshire Local Plan Review, policy 43 of the emerging Development Strategy for Central Bedfordshire and the Central Bedfordshire Design Guide.

The comments of the neighbour are noted, however, there is no suggestion that the extended dwelling would be used for commercial purposes. It is noted that an additional planning application for a change of use of the premises would be required should the applicants wish to use the property for commercial purposes and therefore it is not considered appropriate or necessary to impose a condition restricting the use of the property to residential.

## **3. Parking and Highway Safety**

The application site has sufficient parking provision for in excess of three vehicles, and thus meets the Council's parking standards for dwellings with four or more bedrooms. It is therefore considered that the proposal would not have a detrimental impact upon parking provision or wider highway safety.

## **4. Other Issues**

### **Human Rights issues**

The proposal raises no Human Rights issues.

### **Equality Act 2010**

The proposal raises no issues under the Equality Act 2010.

## **Recommendation**

That Planning Permission be REFUSED for the following:

**RECOMMENDED REASON**

- 1 The proposed first floor side extension would significantly reduce the existing gap between the subject dwelling and the neighbouring dwelling, which would be exacerbated by the proposed front projecting element of the extension. This would have an unacceptably detrimental impact on the feeling of spaciousness that is currently an important positive characteristic of the locality that has been designated as an Area of Special Character in the South Bedfordshire Local Plan Review. The proposal is therefore contrary to the principles of good design as set out in the National Planning Policy Framework and to policies BE6, BE8 and H8 of the South Bedfordshire Local Plan Review, policy 43 of the emerging Development Strategy, and the Central Bedfordshire Design Guide.

**Notes to Applicant**

1. Please note that the unnumbered drawings submitted in connection with this application have been given unique numbers by the Local Planning Authority. The numbers can be sourced by examining the plans on the View a Planning Application pages of the Council's website [www.centralbedfordshire.gov.uk](http://www.centralbedfordshire.gov.uk).

**Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31**

This application is recommended for refusal for the clear reasons set out in this report. The Council acted pro-actively through early engagement with the applicant at the pre-application stage. This advice has however not been adequately followed and therefore the Council remains of the view that the proposal is unacceptable. The applicant was invited to withdraw the application to seek pre-application advice prior to any re-submission 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.

**DECISION**

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