

## Appendix C

### **Item 17 – CB/14/04277/FULL – R/O 1-5 Kingsbury Avenue, Dunstable.**

Seymour Griffiths  
On behalf of objectors to Application No CB/14/04277/FULL  
c/o 9 Kingsbury Gardens  
Dunstable  
LU5 4PX

The Chairman and Members of the  
Development Management Committee  
Central Bedfordshire Council  
Priory House, Monks Walk  
Chicksands  
Shefford, Bedfordshire  
SG17 5TQ

10<sup>th</sup> December 2014

Dear Chairman and Members

**Application No: CB/14/04277/FULL**

**Location: Land r/o 1-5 Kingsbury Avenue, Dunstable, LU5 4PU**

**Proposal: Construction of two semi detached dwellings and a detached double garage**

Prior to the site visit planned for Tuesday, 16<sup>th</sup> December 2014 and subsequent determination of the application at the Committee meeting on Wednesday, 17<sup>th</sup> December 2014, on behalf of the group of objectors resident in Kingsbury Gardens and Avenue I would like to raise the following objections and comments for the Committee's attention:

- 1) The planning officer's report pages 6/7 under "Considerations" describes the site as a "garage court". As you will see on your site visit, this is not the case. There is no concreted area on the site or adjacent to the garages, only grass/landscaping. The site comprises grass/mature landscaping, plants, shrubs, trees, a greenhouse, washing line, and wooden summerhouse, with the row of garages in one corner. It is clearly a private garden, not a garage court, and therefore does not constitute land which has already been developed.
- 2) Please note the comment in the tree survey regarding Trees T2 to T5 – that "*due to the particular site layout as proposed, it will not be possible to maintain protective fencing in respect of trees T2-T5*". The applicant's site layout plan shows protective fencing for tree T6, but none for trees T2-T5. The planning officer's report makes a condition of protective fencing for trees but has not addressed the issue that protective fencing is not considered possible for these four mature sycamore trees.
- 3) The planning officer's report page 8 under "Living conditions for the residents" states the development would not cause overlooking or loss of privacy for

residents. However the stipulated condition 4 on page 10 states that boundary treatment must be put in place “to safeguard the amenity and privacy of residents”. This is contradictory, on the one hand the officer is saying there is no impact on privacy, then later on saying that there is and that boundary treatment is needed to protect privacy. Clearly then, the building of two-storey houses will definitely impact on privacy for current residents to an unacceptable level.

- 4) Please see the Unacceptable Schemes A and B for Infill/Backland developments highlighted in the Central Bedfordshire Design Guide Supplement 5 Pages 39 and 40 – a scanned copy is included at the end of this letter. A number of the design features deemed unacceptable are included in the plans for this site, including a road and parking dominated scheme, no regard to the enclosed and green character of the site, proximity of the two storey walls almost on the boundary creating overlooking and intrusive effect (with the acknowledgement in the Guide that this is a consideration even beyond the conventional minimum of 21 metres).
- 5) During the site visit please take note of the mature trees adjacent to the boundary of the site in the gardens of Nos 9, 11 and 13 Kingsbury Gardens. As the main living areas and gardens of the new houses will be north-east facing, the permanent shadow cast by the houses themselves and the mature trees will result in insufficient daylight for residents of the new houses, which is not recommended in Council guidelines:

Central Bedfordshire Design Guide Supplement 5 page 7 subsection 5.05.07: *“Developers should ensure that key rooms within new dwellings and outdoor spaces have sufficient daylight to allow their comfortable use. As well as providing for the amenity of residents the provision of buildings and dwellings with good quality natural light allows opportunities for passive solar gain.”*

South Bedfordshire Local Plan Review Policy BE8: *“Proposals for development...should ensure that (ix) the development proposed makes efficient use of scarce resources including land. It should maximise energy efficiency and conservation through the orientation, layout and design of buildings, landscaping and planting, and use of natural lighting and solar gain.”*

- 6) Please also take note of the row of 3-4 metre high tree stumps in the site along the boundary of Nos 5 to 9 Kingsbury Gardens, very close to mature trees and shrubs in the adjacent gardens. The planning officer’s conditions have not adequately addressed how the trees/shrubs in adjacent gardens will be protected when the stumps are removed.

We would be most grateful if you could bear the above in mind when making the site visit and coming to a decision.

Yours sincerely

Seymour Griffiths FCCA CTA  
On behalf of the objectors:  
1, 3, 7, 9, 11, 13 Kingsbury Gardens  
3, 5 Kingsbury Avenue

### SCHEME B (UNACCEPTABLE)

5.13.17 Four semi-detached 2 storey, 3 bedroom houses, are laid out along the long axis of the property, set back by 0.5 metres from the east and west boundaries.

5.13.18 Garages are provided between the houses and at the head of the approach road. A turning head is provided. The specimen tree is removed for the provision of a garage for the existing house.

5.13.19 The scheme is unacceptable as it is dominated by an estate road which is over-designed for the accommodation on the site, erodes the original front boundary and severely encroaches on the eastern side of the house. The scheme has a severe geometry at odds with the bucolic character of the site.

5.13.20 The twin garages at the end of a very long estate road, fail to terminate this view effectively, and reinforce the effect of car domination. The house at the northern boundary of the site may present overlooking issues for neighbours. The remnant rear garden area for the existing house is unacceptably cramped. Whilst this scheme could be 'softened' by house design and east-west boundary planting, other factors above would suggest a redesign of the overall scheme.

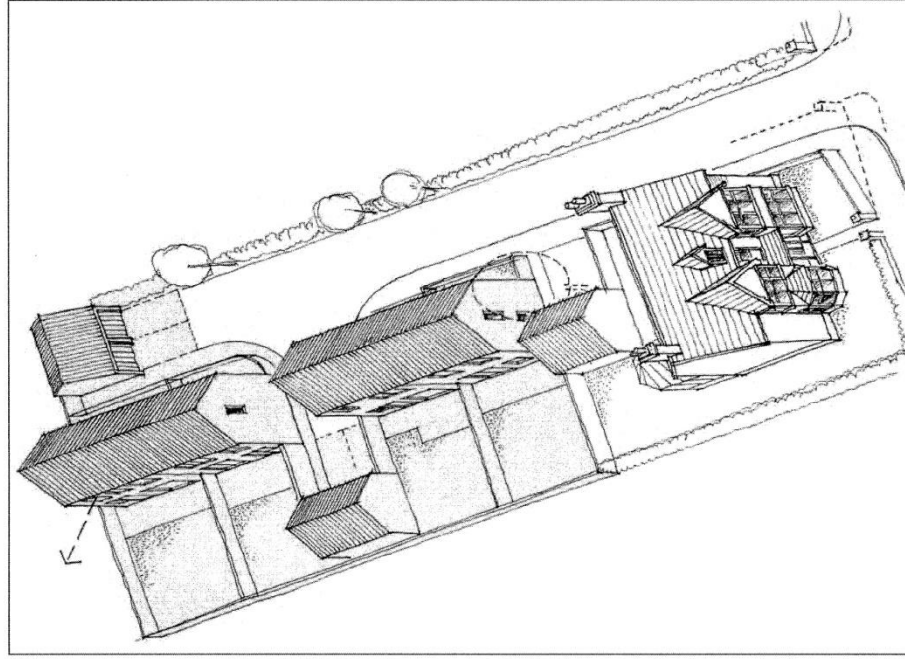


Fig 5.67 Scheme B (Unacceptable)

**SCHEME A (UNACCEPTABLE)**

5.13.14

A terrace of 5 narrow fronted 2 storey, 3 bedroom houses is located across the site, 11 metres from the rear boundary. A range of 5 garages with associated hard standing lies on the western boundary. An access road has been created, with a turning head, which has significantly widened the existing driveway. A garage has been provided for the existing house, near the specimen tree.

5.13.15

The scheme is unacceptable as it creates a road and parking dominated scheme, eroding the front boundary and severely encroaching onto the eastern side of the existing house.

5.13.16

The terrace of houses and the garage block are laid out with no regard to the enclosed and green character of the site or to its relationship to the house and with the implication that a new suburban street of terraces could be extended on an east-west axis. The proximity of the ends of the terrace to the site boundary would create the feeling of neighbours being overlooked, even if existing development is beyond the conventional minimum of 21 metres. Two storey gable walls almost on the boundary, may also have an intrusive effect.

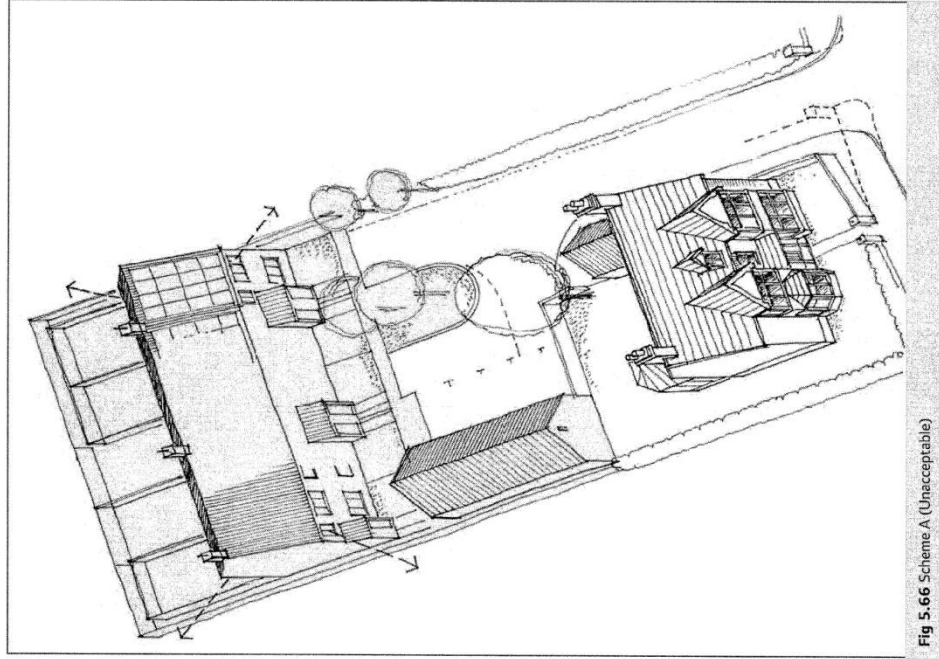


Fig 5.66 Scheme A (Unacceptable)