

Item No. 08

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| APPLICATION NUMBER | CB/15/00132/FULL |
| LOCATION | Rear Of, Powage House, Church Street, Aspley Guise, Milton Keynes, MK17 8HE |
| PROPOSAL | Demolition of existing warehouse to the rear of Powage House with the erection of two detached dwellings and associated car parking. |
| PARISH | Aspley Guise |
| WARD | Aspley & Woburn |
| WARD COUNCILLORS | Cllr Wells |
| CASE OFFICER | Annabel Robinson |
| DATE REGISTERED | 15 January 2015 |
| EXPIRY DATE | 12 March 2015 |
| APPLICANT | Abbeymill Homes Limited |
| AGENT | |
| REASON FOR COMMITTEE TO DETERMINE | Called in by Councillor Wells "Two levels of windows overlooking the bedroom and ground floor of the adjacent property, Chain House" |
| RECOMMENDED DECISION | Full Application - Approval |

Summary of Recommendation:

The planning application is recommended for approval, the design of the dwellings 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 or the setting of the adjacent Listed Buildings, or the Aspley Guise Conservation Area 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 located on the east side of Church Street 100m north of the village square in the centre of Aspley Guise within the Green Belt Infill boundary and in the Aspley Guise Conservation Area. The northern boundary of the site is shared with the Grade II* Listed 'Guise House' There are mature trees in the garden of 'Guise House' on the boundary and to the immediate south of the site is 'Chain House' which is Grade II listed. The remainder of this southern boundary is shared with The Anchor Public House car park. The east end of the site backs onto the end of the rear gardens of properties in Bedford Road.

It supports a large, two storey, non listed office building built up to the road frontage which is to be retained and to the rear of this was a single storey steel framed industrial warehouse building which was a former printing works building. Demolition has commenced on site and has been largely completed. The site levels at the rear of the site are at a lower level than the site frontage.

The Application:

This is a full application for the demolition of the former industrial warehouse building - sited to the rear of the frontage office building - and the erection of two detached dwellings together with associated drive access and on site parking. There has previously been an application for the demolition of the rear former printing works building under ref: CB/13/01860/CAC. A large proportion of the demolition has already taken place.

RELEVANT POLICIES:

National Policy

National Planning Policy Framework (March 2012)

Core Strategy and Development Management Policies - North 2009

- DM3 Amenity
- DM6 Infill Development within the Green Belt Infill boundary
- CS14 High Quality Development
- CS15 Heritage
- DM13 Heritage in Development
- CS1 Development Strategy

Submitted Development Strategy for Central Bedfordshire 2014 (Submitted October 2014)

- Policy 43 High Quality Development
- Policy 45 The Historic Environment.
- Policy 37 Development within Green Belt Infill boundaries.

Having regard to the National Planning Policy Framework, weight is given to the policies contained within the submitted Development Strategy for Central Bedfordshire, which is consistent with the NPPF. The Development Strategy was submitted to the Secretary of State in October 2014.

Supplementary Planning Guidance

Design in Central Bedfordshire A Guide for Development:

- Supp 5: The Historic Environment
- Supp 1: New Residential Development
- Supp 3: Town Centre and Infill Development

Aspley Guise Conservation Area document dated 19/03/2008

Planning History – relevant

Application: Planning
Validated: 17/10/2014
Status: Decided
Summary:
Description: Demolition of existing warehouse to the rear of Powage House with the erection of two detached dwellings and associated car parking.

Number: CB/14/03962/FULL
Type: Full Application
Date: 12/12/2014
Decision: Full Application - Granted

This application is subject to Judicial Review in respect of procedure

Application: Planning
Validated: 26/06/2013
Status: Decided
Summary:
Description: Demolish existing warehouse at rear of Powage House and erect 1 pair of semi detached 2 bedroom houses and 1 No3 bed detached house with parking

Number: CB/13/01859/FULL
Type: Full Application
Date: 21/08/2013
Decision: Full Application - Granted

Application: Planning
Validated: 26/06/2013
Status: Decided
Summary:
Description: Demolish existing warehouse at rear of Powage House and erect 1 pair of semi detached 2 bedroom houses and 1 No3 bed detached house with parking

Number: CB/13/01860/CA
Type: Conservation Area
Date: 21/08/2013
Decision: Conservation Area - Granted

Representations: (Parish & Neighbours)

Aspley Guise Parish Council No response received

Neighbours 3 objections received:

Guise House:

I am objecting to this application on the following grounds:-

- *Design and access*
- *Conservation area issues*
- *Sun lighting and daylighting within the development*
- *Privacy*

Design:

The plot is in the centre of Aspley Guise surrounded by two listed buildings and the Anchor pub, in a conservation area. On the 16th March 2014, The Sunday Times published a supplement entitled "101 Best Places to live in Britain.". These covered cities, towns and villages. Aspley

Guise was one of those select few and the only one in the county. What impressed the panel were the "traditional sleepy village" and the 30 listed buildings (which is one of the highest ratio to population in the country). The panel were also impressed by the traditional Anchor pub at the heart of the traditional village. Within the centre of Aspley Guise the buildings are either old or have been designed in a way to blend sympathetically with the historic environment. The previous building, now demolished was single storey and flat roofed in parts. It was of no great architectural merit but had the advantage it could only be seen from aerial photographs.

The Government document "Planning Practice Guidance" (<http://planningguidance.planningportal.gov.uk>) chapter 7 "Requiring good design" states that it is proper to seek to promote or reinforce local distinctiveness, to integrate the new development into the historic environment and be compatible with the existing townscape. They should also reflect the identity of local surroundings (and this is meant figuratively rather than promoting large expanses of glass). The proposed buildings will be the first in the centre of Aspley Guise to have glazed gables, round windows, triangular windows and glass balconies. They are not examples of innovative design - they are not dissimilar to stock designs found in large numbers in nearby towns - the only innovation is that they have not previously been allowed in this locale. A sympathetic design would be made of quality red brick, with rectangular windows with glazing bars and in wooden frames, black rainwater handling and a tiled or slated roof taking styling cues from the surroundings and blending in.

The building P2 will be visible from Church St along the entire stretch in front of the Anchor pub, right at the centre of the village and will be the dominant view from the beer garden at the rear of the pub. It will also be visible from Bedford road. It is adjacent to a grade II and a grade II listed buildings. The design and access statement states that adequate visibility splays exist on either side of the access thus ensuring safe egress onto the public highway. This is not the case. It is stated the boundary vegetation is to remain yet the developer has indicated they will seek to remove the trees along the boundary in due course. In the conclusion it states there are only minor alterations to the scheme from the previously approved application. This is clearly not the case. The new proposal is on a much bigger scale and too big for the site. Planning application CB/13/01860 shows a design sympathetic to the location is possible, allowing the site to be used for housing.*

Conservation area issues:

In the accompanying map the warehouse to the rear of Powage house is designated as building of local interest. It also states "To maintain the distinctive character of the Aspley Guise Conservation Area it will be necessary to: 1. Retain listed buildings and buildings of local interest." "Ensure that all new development is sympathetic to the settings of listed buildings and/or the character and appearance of the conservation area in terms of siting, scale, design, materials and detail." Unless there has been a re-appraisal of the conservation area or the strict rules under NATIONAL PLANNING POLICY FRAMEWORK (NPPF) with regard to HERITAGE ASSETS permission should not be granted for this application that includes the demolition of the warehouse. The plans have changed significantly since the information in the Albion Architecture heritage report for CB/13/01860. In particular the view depicted in image 9 will be dominated by the proposed building P2 Sunlighting and daylighting within the development The National Legislation, The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 documents the statutory requirement for the adequate provision of lighting to housing. This document refers to the British Standard (BS) 8206: Lighting for buildings, Part 2: 2008 Code of practice for daylighting. BRE . Report 209 'Site Layout planning for daylight and sunlight: A guide to good practice' is also be referred to by the statutory requirements. This must be considered in the planning process. The proposed development is in a small plot surrounded by walls, high trees and existing buildings and it needs to be established that the proposed buildings comply with national requirements on daylighting and sunlighting and, if not, amended to comply. Within these documents are given the 25 and 45 degree rule to decide whether a detailed report is needed. For each window of the lowest habitable room on any elevation you consider obstructions to light both in front of (25 degree rule) and perpendicular to (45 degree rule).

- In P1, south west elevation fails the 25 degree rule with respect to Chain House (30 degrees) and the 45 degree rule to Powage House (60 degrees).*
- In P1, north east elevation fails the 25 degree rule with respect to Guise House (55 degrees) and the 45 degree rule to Powage House (60 degrees)*
- In P2, north east elevation fails the 25 degree rule with respect to Guise House Boundary wall and trees (90 degrees).*
- In P2, north west elevation fails the 45 degree rule with*

respect to trees (80 degrees).

Therefore this requires BRE detailed calculations and a report produced by a qualified person and should cover the windows on each of the elevations above. Calculations should include :-

- Vertical sky component
- Daylight distribution / No sky line
- Average daylight factor (where BRE appendix F criteria apply)
- Annual Probable Sunlight hours

Suitable choice of scale of buildings, positioning of windows and location of the buildings within the site it is possible to achieve a design with suitable daylighting and sunlighting, as demonstrated by planning application CB/13/01860

Privacy

The north east elevation of P1 has windows to habitable rooms approximately 12.5m from the windows of habitable rooms in the south west facade of Guise House. This well below the guidelines on acceptability. These are shown on the plan as being below the "boundary wall height". However as the windows in Guise House are above the height of the wall and the sight lines from these windows will give full view. There is also on this elevation of oversized window of approximately 10 square metres. Although this is not a window onto a main habitable room, the size and close proximity (12.5m) means that it would result in a significant loss of privacy.

Suitable plans for developing the site and maintaining the privacy of both Chain House and Guise House can be achieved, as demonstrated by planning application CB/13/01860

Chain House:

I have tried to break down my objections into 2 clear areas. Design and privacy. Before I elaborate further I would like to mention as I have done on many occasions that I have no issue with the development of the plot for residential use. In fact in 2013 when the initial plans were applied for I made this clear and in fact supported the overall development not least because I felt the designs and plans were sensitive to their surroundings and did not feature a single overlooking aspect to Chain House.

PRIVACY

I note that the developers have moved the South-West elevation back slightly so that it is now 21 metres away

from Chain House. However I know that Budge Wells agrees with me that the development is overlooking our property and in such a way that it is overbearing and ruins the privacy that my property has enjoyed for many decades and indeed centuries. The South-West elevation of Plot 1 is my major concern; see below along with my comments...

*Plot 1 Bedroom 2 window
Plot 1 Master Bedroom window*

I remain to be convinced that no aspect of the balcony facing Chain House will be visible to the Master Bedroom and En-Suite. Large gabled windows facing directly towards Chain House Master Bedroom and En-Suite. The size, height and scale of these windows mean that this elevation will be significantly higher than the press and so will be overbearing on Chain House. In addition other aspects and elevations for Plot 1 seem to be more concerned with respecting privacy but sadly to the other new plot and not existing dwellings. In particular I would like to draw your attention to the South-East elevation for Plot 1... Note that this elevation is facing the other plot on the development but maintains privacy levels for Plot 2 but not for Chain House or Guise House. Common sense would suggest to me that a repositioning of the gabled windows away from the South-West elevation to the South-East elevation would be respectful to existing properties. The balcony and ground floor orientation could remain the same.

Aside from my particular concern regarding the South-West elevation, overall I feel that the plans have been created in such a way so as to respect the privacy of Plots 1 and 2 at the expense of the privacy of Chain House and Guise House.

DESIGN

The plot resides behind Powage House but major elements of Plot 2 will be visible from Church Street near the Anchor Public House and also houses on Bedford Road will be overlooked by both plots. In addition both houses are being built between a Grade 2 Listed Building (Chain House) and a Grade 2 Listed Building (Guise House) in the middle of a conservation area.*

Such a contemporary design with large gabled windows, stainless steel handrails on glassed balconies with little attempt to blend in to the surrounding area is at odds with other properties in the area. Again the previous plans that were approved in 2013 were respectful to the other properties in the area from a design perspective as well as

from a privacy perspective.

I find it concerning that such a design could set a precedent for further developments in the village that will conflict with the historical buildings in the village and detract from the appeal and beauty of the village as a whole.

OVERALL

I think that with a more respectful design approach and a rebalancing of the privacy issues for Chain House a plan can be created that I would be delighted to approve. Throughout the planning process I have made clear my understanding for the need to develop Powage Press. In fact we actively support the development of the plot, however these plans do not respect the privacy of Chain House at all.

As a result I have no hesitation in objecting to these plans in the strongest possible terms. I also understand that Budge Wells is still minded to call the matter in for a proper review by the planning committee. I sincerely hope that a better solution can be reached in due course.

13 Bedford Road:

Our garden and house back onto the plot and the larger of the two houses that are detailed on the plans are against our boundary. Our objection is based on the fact that the plans show balconies off the two bedrooms which will be side on to our boundary. Based on this any use of the balconies will mean the owner has an unobstructed view into our garden and house.

There is a further concern relating to the demolition activity which is well underway. Since the demolition of the building which was attached to our boundary wall there is significant damage that has been done to the top of the boundary wall. There was a bush growing out of the top of the wall from Powage House which has since been removed but this has left the wall with bricks missing and the top 5 rows of bricks of this 10 foot wall very loose. Our drive is on the other side of this wall and it is where we park our cars and have our bins located so we are up and down the drive regularly. I have two concerns one of our personal safety and the other is with regards to any potential damage to our cars. We have already found small cement pieces from the wall on our cars which has been caused by all large heavy diggers working so close to the boundary.

App Adv

No comments received

Consultations/Publicity responses

Highways Officer

This submission follows the pre-application scheme considered under reference CB/14/02753/PAPC. You will be aware from my response to that consultation that there is no overriding highways objection. "Despite the obvious limitations with visibility for and of vehicles emerging from the existing access, given the existing and previous use of the site, on balance, there is no fundamental highway objection to this proposal for two detached dwellings."

The submitted plan indicates adequate access and an appropriate provision of parking for both cycle and cars. Mention is also made of the provision of on-site storage and contractor parking during the construction period.

Archaeological Officer

The proposed development site lies within the historic core of the settlement of Aspley Guise (HER 16891), under the terms of the *National Planning Policy Framework* (NPPF) this is a heritage asset with archaeological interest.

Aspley is recorded in a Charter of AD 969 (the suffix "Guise" dates to after the de Gyse family acquired the manor in the middle of the 13th century) and at the time of the Domesday survey in 1086 AD it was assessed at 10 hides, with a suggested population of around 100 people; it, therefore, has origins in at least the Late Saxon period. The Saxon and medieval settlements appear to have been fairly compact; the latter focused upon the church of St Botolph's (HER 1007) and the moated manor (HER 10112) to the north of the application site. By the middle of the 13th century Aspley Guise had the right to a weekly market and a yearly fair, which would have been held around the crossroads at West Hill-Bedford Road and Church Street-Woburn Lane.

The application contains a *Heritage Asset Assessment* (Albion Archaeology 2013). This document was prepared for an earlier planning application (CB/13/01859/FULL), however, the information it presents is still relevant and sufficient to assess the impact of the proposed development on archaeology. It describes the archaeological and historic context and potential of the application site. The *Assessment* rightly identifies the site as being within the historic core of the settlement of Aspley Guise. There are very few finds of Saxon and medieval archaeological material from in and around Aspley Guise, but this reflects a lack of archaeological

research and fieldwork in the area rather than a real lack of surviving archaeological remains. It is suggested that the site has low to moderate potential to contain Saxon and medieval remains, partly on the basis of the lack of finds in the surrounding area. I do not agree with this assessment of potential. The site is located within the identified historic core of the historic settlement, archaeological investigations in similar locations in Bedfordshire have shown that archaeological deposits relating to the origins and development of settlements survive well. Therefore, in my opinion the site should be considered to have moderate to high potential for the Saxon and medieval periods. There is cartographic evidence for structures on the site during the post-medieval period, which suggests that there is potential for the site to contain archaeological remains of this period. The *Assessment* says that the site has low to moderate potential to contain post-medieval remains. Again I do not agree with this conclusion, on the basis of the evidence presented I think that the site has high potential for the post-medieval period.

In considering the impact of the proposed development the *Assessment* notes that eastern part of the site contains basements and that the present buildings on the site and possible machine footings will have had an impact on archaeological deposits, destroying or damaging them in places. However, it is also noted that it has been frequently demonstrated that archaeological deposits survive in such circumstances. This is likely to be the case at Powage House.

The site is within a heritage asset with archaeological interest and has the potential to contain archaeological deposits relating to the Saxon, medieval and post medieval origins and development of the settlement and possibly remains of earlier occupation. The investigation of rural Saxon, medieval and post-medieval settlements to examine diversity, characterise settlement forms and understand how they appear, grow, shift and disappear is a local and regional archaeological research objective (Wade 2000, 24-25; Oake 2007, 14; Edgeworth 2007, 121-123 and Medlycott 2011, 70).

Paragraph 141 of the *NPPF* states that Local Planning Authorities should require developers to record and advance understanding of the significance of heritage assets before they are lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible (CLG 2012). Policy 45 of the *Development Strategy for Central Bedfordshire* (pre-submission

version, June 2014) echoes this and also requires all developments that affect heritage assets with archaeological interest to give due consideration to the significance of those assets and ensure that any impact on the archaeological resource which takes place as a result of the development is appropriately mitigated.

The proposed development will have a negative and irreversible impact upon any surviving archaeological deposits present on the site, and therefore upon the significance of the heritage assets with archaeological interest. This does not present an over-riding constraint on the development providing that the applicant takes appropriate measures to record and advance understanding of the archaeological heritage assets. This will be achieved by the investigation and recording of any archaeological deposits that may be affected by the development; the post-excavation analysis of any archive material generated and the publication of a report on the works. In order to secure this, please attach the following condition to any permission granted in respect of this application.

Tree Officer

Having carefully examined both applications, and can see no significant difference in the building footprint layouts being proposed for either scheme.

It is also noted that the arboricultural reports and plans prepared by Steve Jowers Associates, namely the Arboricultural Survey and Assessment, Arboricultural Implications Assessment, Arboricultural Method Statement, Arboricultural Implications Assessment Plan, Arboricultural Survey and Assessment Plan and the Tree and Ground Protection Plan, and also the Arboricultural Method Statement submitted (by others) in respect of required demolition procedures, do not fully address the specific requirements of the original conditions imposed regarding CB/14/03962/FULL , so I recommend that my previous conditions must therefore still apply, except those relating to demolition, as these works have been undertaken. These are:-

Provision of a "No -Dig" driveway and parking area in vicinity of "off site" trees.

Prior to development full details of a "no- dig " driveway and parking area construction shall be submitted to the Local Planning Authority for approval. This construction shall be based on a cellular confinement system and shall be so constructed to avoid any changes to the soil levels, or cause any root severance of all "off-site" trees, located in the neighbouring property of Guise House.

REASON

To protect the rooting medium and rooting system of "off-site" trees located in the neighbouring property of Guise House, from the construction of new parking and vehicle access areas, in order to maintain their good health, anchorage, screening and amenity value.

Access Facilitation Pruning

Before development begins, a tree survey shall be undertaken by a qualified and competent arboriculturist, to include the identification of the pruning of overhanging "off-site" trees, located in the neighbouring property of Guise House, which is to be required to facilitate the development, and shall be submitted to the Local Planning Authority for approval. The survey shall only recommend the minimum access facilitation work required to accommodate the approved building works, and the work shall not exceed that required to facilitate development, with the emphasis on maintaining the natural shape and amenity value of the respective crowns. The survey recommendations shall be based on BS 3998 : 2010 "Tree Work Recommendations" and the approved recommendations shall only be carried out by qualified and competent tree surgeons, who have the ability to comply with the BS 3998 : 2010 British Standard.

REASON

To ensure the quality of approved work and to prevent any excessive and disfiguring pruning work that goes beyond that required to facilitate development, in the interests of maintaining the health and natural appearance of the "off-site" trees, located in the neighbouring property of Guise House.

Conservation Officer

Previous full planning permission has been granted under CB/2013/01859/FULL which was for the demolition of the existing warehouse at the rear of Powage House and the erection of 1 pair of 2 bedroom semi detached houses and 1 3 bedroom detached house with parking.

The principle of demolition and development has therefore been accepted. Previous conservation advice has been given. See below under PAPC 3216.

Pre application observations (PAPC 3216)

"The site is a very irregular shape and this combined with its size presents challenges in trying to achieve a replacement development that is of high quality and appropriate for this very sensitive site but is possible if carefully designed so as not to cause harm to the setting of two listed buildings and detract from the character of

the conservation area and maintain the present street frontage Powage House”.

That pre application advice recommended that the residential units be reduced from three to two dwellings thereby reducing the density of the site.

Observations on the submitted scheme

Impact on the character of the conservation area.

The character of Aspley Guise is made up of mixture of enclosed and open areas. The enclosed elements consist of building frontage which extend along the street together with high hedges and trees. The area around Powage House is made up of mixture of these different elements.

There are existing views of the print works from the car park of Anchor Inn and that of the Powage House looking along Church Street. Therefore distance views of rooftops is not alien to the character of the conservation area. The proposed development will be visible set amongst existing roofscapes as is Powage House, Chain House and among the existing tree canopy.

Impact on the setting of neighbouring listed buildings

The workshops were attached to Powage House, a former print works. The workshops covered almost the entire site bar the narrow strip at the south-east corner.

Guise House is immediately adjacent and beyond that Aspley House. To the south the site is bordered by Chain House. Guise House and Chain House are both listed buildings. Chain House and Guise House are believed to have earlier origins. The existing buildings are the results of a C20 rebuild on the same building footprint as those identified on the c19 maps.

In 1911 Powage House was rebuilt following almost complete destruction with the same footprint as the 1901 building. The workshops date from the late 19 century and the flat roof extension on the north-west and south-east of the building were added in the second half of C20. Therefore the proximity of a built footprint has been existence for some time. Records show that the footprint of the print works is in fact greater than that of the proposed development (see 1974 OS extracts in Albion Archaeology report).

The impact of the proposed two new dwellings

considered low density will have a minimal impact on the neighbouring heritage assets (Listed Buildings) given the history of the site and the mixed character of the this part of the conservation area.

The retention of locally buildings of interest

There is a presumption to retain local buildings of interest but that by no means that is a definitive approach. Individual cases will be judged on its merits. Powage House as already stated is a rebuild (1911). The print works would have value by association with the Powage House. This is well documented and will serve as a historical record.

Design

The proposal does differ however in design approach and introduces basements to both new dwellings. This is considered acceptable as the accommodation is below ground level and will not have any detrimental impact on the conservation area or the setting of the neighbouring listed buildings.

The introduction of balconies at first floor levels is considered acceptable.

The proposed roof profiles to both new dwelling are acceptable so long as the roof is covered with a good quality slate to compliment the local palette of materials.

The siting of the proposed dwellings has been well designed in order to avoid a cluttered and congested appearance. Boundary treatments should be designed to provide privacy from the neighbouring properties at all times.

Summary

In summary the proposed development is considered not to have a harmful impact or conflict with the setting of the neighbouring listed buildings nor the character of the conservation area.

No comment to make

Environmental Health
Officer

Ecology

Bat activity surveys have been undertaken and confirm the presence of bats in the building. The proposed demolition will result in the loss of a low level roost site but the ecological consultant believes that works could proceed without the need for an EPS licence under the

observation of a licensed bat worker. As such I would have no objection to the proposals but would ask for a condition to be added requiring the applicant to follow the mitigation plan, as detailed on page 11 of the 2014 Protected Species Survey, during demolition works to ensure favourable conservation status of the species is maintained.

Do not wish to comment on this application.

English Heritage

Determining Issues

The main considerations of the application are:

1. Background and Policy
2. Size, Siting and Design in relation to the visual amenities of the site and the area generally
3. Impact on amenities of neighbours
4. Access, Parking
5. Tree considerations
6. Any other considerations

Considerations

1. Background and Policy

Background:

This planning application has been made following Planning permission (CB/14/03962/FULL) which has been granted for two dwellings in a similar location to that subject of this application. The planning permission is currently subject to a Judicial Review, concerning procedure. The Council is not challenging as it accepts that the decision was made under delegated powers, when the application had been called for determination by Development Management Committee and was therefore not determined fully in accordance with the Councils procedures. The applicant is also a signatory to the decision not to challenge. Should the decision be quashed, the application would be returned to the Council for re-determination.

This is a new planning application, and there have been a number of changes to the previously considered plans:

- Unit 1 has been moved to specify that it is 21m away from Chain House, rear to side facing 1st floor windows.
- Re-plan the first floor to Unit 1 to remove the window to bedroom 3 on the North elevation facing Guise House and repositioning it on the east elevation,
- Reduce the width of Unit 1 in width to provide a slightly reduced ridge height.
- Remove the window from Unit 2, bedroom 3 on the North elevation to the

boundary of Guise House to the west elevation above the garage roof.

Policy:

The site lies in the centre of Aspley Guise near the historic core of the village. Aspley Guise is categorised as a Small Village - where excluded from the Green Belt - under Policy CS1 of the Core Strategy. Policy DM6 of this policy document states that the principle of Infill development is acceptable in the defined Green Belt Infill boundary. Infill development can be described as small scale development utilising a vacant plot which should continue to compliment the surrounding pattern of development. Policy 37 of the submitted Development Strategy for Central Bedfordshire states that the Council will consider infill development acceptable in principle within the defined Green Belt boundaries and that particular attention will be paid to assessing the quality of development proposed and the likely impact on the character of the settlement and its surroundings.

Policy CS14 of the Core Strategy states that the council will require development to be of the highest quality by respecting local context, spaces and building in design... as well as focusing on the quality of buildings individually. Policy CS15 of the Core Strategy states that the Council will protect, conserve and enhance the integrity of the local built and natural environment. Policy DM13 of the Core Strategy and Development Management Planning Document states that planning applications for development within the Conservation Areas will be assessed against the Conservation Area appraisals and that inappropriate development will be refused.

In view of the above, there are no objections in principle to the proposed development. The northern boundary of the site is shared with the Grade 11* listed Guise House and identified by a combination of a 2.0m high brick wall (to the Guise House side) and warehouse flank wall.

2. Size, Siting and Design in relation to the visual amenities of the site and the area generally. Impact upon the setting of the Listed Buildings and the Conservation Area.

The industrial building covered the whole of the rear area and backed onto the adjacent property boundaries being screened from Church Street by a roller shutter door service access. The east end of the warehouse backed onto the rear boundaries of residential properties fronting onto Bedford Road. To the immediate south of the site is the property Chain House which is Grade II listed and its rear courtyard/garden backs directly onto the flank wall of part of the warehouse. The remainder of the boundary is shared with the Anchor Public House car park.

The Church Street frontage building is currently in office use which is to be retained. A detached dwelling is to be erected to the rear of the development which is the lower section of the site and one single detached dwelling to the immediate rear of the office building. Car parking is being provided on the site for the dwellings only (not the offices to the front of the site) and the properties are to have their own garden areas. The site boundary walls are to be retained

and made good where needed.

The houses are contemporary in design, including a significant level of glazing, and basement levels on both dwellings. The applicant has advised that external materials will be chosen from a palette that is sympathetic to the areas character and these details are to be conditioned. This will include a quality brick and a slate roof.

The Conservation Officer is of the view that the proposed development will generally improve the appearance of the site and that it will appear as being less cluttered and the proposals will preserve the character of the Conservation Area and the setting of the adjacent Listed buildings. Any planning consent should include a condition that requires details of materials to be submitted for approval and details of doors and window design and finishes as well as details of the roof lights.

The site is bounded by old walls which the applicant advises are to be retained. A condition is to be attached regarding the retention of these walls as they form part of the character of this site and the area generally.

The site is partly bounded by very mature trees particularly those in the garden of Guise House (a Grade II* Listed Building) to the north. These will provide a good screen to the new development for much of the year especially when viewing the site for the north.

3. Impact on amenities of neighbours

The site is between Guise House to the North, Chain House and the Anchor Public House to the South, 13 and 15 Bedford Road to the East and the office building known as "Powage House" to the West.

It is considered that the proposed development would not significantly impact upon the residential amenity of any neighbouring property.

Impact upon Light:

The two dwellings are of sufficient distance from the site boundaries, and the adjacent properties to ensure that there would be no significant impact upon the light into any of the adjacent properties. There is a substantial level of landscaping on the northern boundary, which would further reduce any possible impact upon light into the adjacent properties.

Impact upon Privacy:

Unit 1 – Unit 1 is orientated so the longest elevations face Chain House and Guise House, with a gable end facing Powage House, and a gable end facing the proposed Unit 2. There is a 21 metre distance between the proposed bedroom 1 and 2 windows and the side facing bedroom window of Chain House. There is a 12 metre distance between the landing window of unit 1 and the side facing bedroom window of Guise House. It is considered that these distances are acceptable and in accordance with Central Bedfordshire Design Guidance.

Unit 2 – Unit 2 is to the rear of the site, there would be 22 metres between the 1st floor side facing elevations of the two properties. To the North are mature conifers, which provide a substantial level of screening between the Unit 2 and Guise House, however there is also a distance of approximately 30 metres from the proposed dwelling to this property. This unit is in excess of 40 metres from numbers 13 and 15 Bedford Road, it is considered that the windows and balconies would not significantly impact upon privacy to these properties. It is considered that this distance is in excess of Design Guide standards regarding privacy. The outbuilding associated with Chain House, would largely obscure views from this property, there is also a separation distance of some 19 metres between 1st floors. However these views are not parallel.

It is considered that there would be no undue loss of privacy to adjoining properties.

Impact upon Outlook and the causing of an overbearing impact:

It is considered that neither of the units would be close enough to any adjacent residential property to cause an overbearing impact, or significant loss of outlook.

Three letters of objection have been received and the concerns are addressed below:

- Design

Concerns have been raised that the design of the buildings are “too modern” and “out of character” for the area. The site is a Conservation Area, and between two Listed Buildings. It is considered that on this brown field plot, predominantly screened by existing development, the design approach that has been taken is acceptable. The Conservation Officer raises no objections to the development. It is considered that at times a more contemporary approach highlights the significance of the heritage assets, as they do not attempt to mimic the design, it is however considered appropriate to ensure that a traditional material pallet would be suitable to compliment the surrounding development.

- Conservation area issues

The Conservation Officer raises no objections to this scheme, this matter is addressed elsewhere in the report.

- Access

The Highways Officer is satisfied that this development would be less intensive than the previous use, and previously approved scheme for three dwellings.

- Sun lighting and daylighting within the development

It has been raised that for Unit 2 the future amenity of the potential

occupier would be compromised by the existing landscaping to the North of the site. The future amenity has been assessed, and it is considered that all habitable rooms have large windows, suitable to obtain a reasonable level of natural light; there is a 2 metre gap between the site boundary and the dwelling. The only rooms within this unit that are served by a single window on this elevation are a 1st floor landing, a ground floor stair well, and a ground floor en suit, it is judged that none of these rooms are habitable rooms, and the level of natural light would be acceptable.

- Loss of Privacy and privacy issues caused by balconies on Unit 2:

This matter has been fully considered above.

- Concerns of on site safety during construction, and damage to site wall:

A large proportion of the demolition has already taken place, site safety and any concerns regarding damage to property is a civil matter and not a planning consideration.

4. Access and Parking

A new access driveway is to be constructed to the side and rear of Powage House using the existing forecourt access crossover and will serve the proposed dwellings. The parking provision for the proposal is considered to be acceptable.

The level of pedestrian/driver intervisibility at the existing access is poor and would ordinarily attract a reason for refusal if it could be proven that a proposed development would result in an intensification in the use of such an access. The previous application was considered acceptable in this aspect. The proposed development reduces the number of dwellings to 2 and therefore would reduce the traffic generation. It is therefore considered that the access is acceptable.

5. Trees and Landscaping

The Tree Officer has advised that the application fails to identify the significance of off- site trees in particular those that are in the neighbouring property known as Guise House.

It is noted that there is a mature Sycamore tree within this neighbouring property that overhangs the application site and which is to be used as a parking area. The existing use of this proposed car parking area is for warehouse building that would already have an impervious covering over the rooting area. Therefore, given the existing usage, the impact on the root system of this tree should not necessarily be significant if procedures are stipulated by way of a condition attached to any consent.

There is further implication that there is a tall hedge of Leylandii that borders the property of Guise House with the application site, which would become implicated in the high hedge legislation that is included in Part 8 of the Anti-Social Behaviour Act 2003. Although the tree officer is aware that this is not a planning constraint the possible requirements for this boundary hedge to be

substantially lowered - which may kill it - needs to be taken into account when considering the visual impact of the development on the neighbouring properties. It is considered that the Leylandii hedge does not contribute significantly to the special character of the Aspley Guise Conservation Area.

6.

Other Considerations

Archaeology:

It is recommended that a condition be attached to any consent which requires that no development take place until a written scheme of archaeological investigation has been undertaken and submitted to the Local Planning Authority and that any development of the site only takes place in full accordance with the approved archaeological scheme.

Contributions

The development falls below the Central Bedfordshire threshold for requiring an element of affordable housing. The Ministerial Statement of 28 November 2014 set out the Government's new policy that affordable housing and tariff-style planning obligations should not be sought for certain small developments (10 dwellings or less or 1,000 square metres of gross floorspace). This is a material consideration of significant weight to be taken into account in decision-making on planning applications.

However, significant weight should also be given to the National Planning Policy Framework, which calls for the achievement of the three dimensions of sustainable development: economic, social and environmental. It is considered that Policy 19 of the emerging Development Strategy for Central Bedfordshire is in accordance with the National Planning Policy Framework. This states that developers are required to make appropriate contributions as necessary to offset the cost of providing new physical, social, community and environmental proposals. It is considered that the proposal would not conflict with the requirements of the National Planning Policy Framework to provide sustainable development, and with policy 19 of the emerging Development Strategy for Central Bedfordshire, therefore financial contributions are not required in this instance.

Contamination

With regards to any contamination of the site arising from the use of the site by the former printing works a condition is to be attached to this consent which requires that a survey of the site be undertaken and remediation measures put forward to resolve any contamination of the site.

Conclusion

The Powage House development is a sensitive site, located in a constrained location. The development proposed is considered to be of a suitable quality and a reasonable form of development. It is judged that the proposal would comply with the Central Bedfordshire Design Guide, the Aspley Guise Conservation Area Appraisal Document, the policies within both the Core Strategy (2009) and

the Development Strategy (Submitted 2014) and conforms with the sustainable principles set out within the National Planning Policy Framework (2012).

Human Rights issues

There are no Human Rights issues

Equality Act 2010

There are no issues under the Equality Act

Recommendation

That Planning Permission be granted subject to the following;

- 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 Development shall be carried out in accordance with the Phase II Environmental Assessment Report (14th January 2014). No part of the site shall be occupied until the remediation measures identified in the report have been completed in accordance with the approved details.

Reason: To ensure that any contamination which exists on the site is dealt with in the interests of the amenities of the future occupiers of the site and of the surrounding area.

- 3 **No development shall take place until the following details are submitted to and approved in writing by the Local Planning Authority and shall be carried out in full accordance with such approved details:**

- **Samples of materials to be used in the external finishes of the development hereby approved.**
- **Drawings of all new proposed doors and window to a scale of 1:10 or 1:20, together with a specification of the materials and finishes. Details provided should clearly show a section of the glazing bars, frame mouldings, door panels, the depth of the reveal and arch and sill details.**

Reason: To ensure that the proposed development is carried out in a manner that safeguards the historic character and appearance of the Conservation Area and setting of adjacent listed buildings.

- 4 The proposed development shall be carried out and completed in all respects in accordance with the access siting and vehicular layout illustrated on the approved plan and defined by this permission and, notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995, (or any Order revoking or re-enacting that Order) there shall be no variation without the prior approval in writing of the Local

Planning Authority.

Reason: To ensure that the development of the site is completed insofar as its various parts are interrelated and dependent one upon another and to provide adequate and appropriate access arrangements at all times.

- 5 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any amendments thereto, the garage and car port accommodation on the site shall not be used for any purpose, other than as vehicle garage accommodation, unless permission has been granted by the Local Planning Authority on an application made for that purpose.

Reason: To retain off-street parking provision and thereby minimise the potential for on-street parking which could adversely affect the convenience of road users.

- 6 No development shall commence until full details of a "no-dig" driveway and parking area construction have been submitted to the Local Planning Authority for approval. This construction shall be based on a cellular confinement system and shall be so constructed to avoid changes to the soil levels, or cause any root severance of all "off -site" trees, located in the neighbouring property of Guise House. Only the approved details shall be implemented

Reason: To protect the rooting medium and rooting system of "off-site" trees located in the neighbouring property of Guise House, from the construction of new parking and vehicle access areas, in order to maintain their good health, anchorage, screening and amenity value.

- 7 **No development shall commence until, a tree survey undertaken, to include the identification of the pruning of overhanging "off-site" trees, located in the neighbouring property of Guise House, which is to be required to facilitate the development, and has been submitted to and approved in writing by the Local Planning Authority. The survey shall only recommend the minimum access facilitation work required to accommodate the approved building works, and the work shall not exceed that required to facilitate development, with the emphasis on maintaining the natural shape and amenity value of the respective crowns. The survey recommendations shall be based on BS 3998 : 2010 "Tree Work Recommendations" and the approved recommendations shall only be carried out by qualified and competent tree surgeons, who have the ability to comply with the BS 3998 : 2010 British Standard.**

Reason: To ensure the quality of approved work and to prevent any excessive and disfiguring pruning work that goes beyond that required to facilitate development, in the interests of maintaining the health and natural appearance of the "off-site" trees, located in the neighbouring property of Guise House.

- 8 **Boundary walls to this site must be retained at all times. If they become damaged in any way or fall down then details of new works shall be submitted to and approved in writing by the Local Planning Authority and only the approved details shall be implemented on the site. These works shall be completed prior to the first occupation of the development hereby approved.**

Reason: To safeguard the character and appearance the Aspley Guise Conservation Area and the amenities of occupiers of neighbouring properties in accordance with the NPPF and policies 43 and 45 of the emerging Development Strategy for Central Bedfordshire dated 2013.

- 9 A scheme shall be submitted for approval in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved scheme before the buildings are occupied and be thereafter retained.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.
(Policy 43, DSCB)

- 10 **No development shall take place until a landscaping scheme to include all hard and soft landscaping and a scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme have been 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 in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.**

**Reason: To ensure an acceptable standard of landscaping.
(Policies 43 and 58, DSCB)**

- 11 Notwithstanding any provision of the Town and Country Planning (General Permitted Development Order) 1995 (or any Order revoking or re-enacting that Order with or without modification) no extensions or alterations shall be carried out to the development hereby permitted without the prior approval by way of a planning consent from the Local Planning Authority and only the approved details shall be implemented.

Reason: To protect the amenities of occupiers of neighbouring properties.

- 12 **No development shall take place until a written scheme of archaeological investigation; that includes post excavation analysis and publication, has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall only be implemented in full accordance with the approved archaeological scheme.”**

Reason: To record and advance understanding of the heritage assets with archaeological interest which will be unavoidably affected as a consequence of the development.

- 13 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers ASP-001; ASP-002; ASP-003; ASP-004B; ASP-005B; ASP-006C; ASP-007C; ASP-008A; ASP-009B; ASP-010B; ASP-011C; ASP-012B; ASP-013B; ASP-015A; ASP-016B, ASP-017A; Design and Access Statement; Phase I Geo-Environmental Assessment; Phase II Environmental Assessment Report; Protected Species Survey.

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. The applicant is advised that the storage of materials associated with this development should take place within the site and not extend into within the public highway without authorisation from the highway authority. If necessary the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk on 03003008049.

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 early engagement with the applicant at the pre-application stage 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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