

## Item No. 14

<b>APPLICATION NUMBER</b>	<b>CB/15/00945/FULL</b>
<b>LOCATION</b>	<b>84 High Street, Henlow, SG16 6AB</b>
<b>PROPOSAL</b>	<b>Proposed 2 bedroom, 2 storey detached dwelling</b>
<b>PARISH</b>	<b>Henlow</b>
<b>WARD</b>	<b>Arlesey</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Dalgarno, Shelvey &amp; Wenham</b>
<b>CASE OFFICER</b>	<b>Mark Spragg</b>
<b>DATE REGISTERED</b>	<b>12 March 2015</b>
<b>EXPIRY DATE</b>	<b>07 May 2015</b>
<b>APPLICANT</b>	<b>Mr R Collins</b>
<b>AGENT</b>	<b>EHW Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Cllr call in - Cllr Richard Wenham Reasons: Impact on Grade 2 listed dwelling and Henlow Conservation Area, impact on residents, access, insufficient parking left for existing dwelling.</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Recommended for Approval.</b>

### Summary of Recommendation

The proposal is recommended for approval as it is considered acceptable in terms of its siting and design, the impact on the character and appearance of the site and its surroundings, which includes the Henlow Conservation Area, and the setting of the adjacent listed buildings. There would be no undue impact on the amenity of the neighbouring occupiers and the proposal would provide suitable amenity space and parking provision for future occupiers and there would be adverse impact on highway safety. As such the proposal would be in accordance with policies CS1, DM3, DM13, CS15 of the Core Strategy and Development Management Policies (2009) and the National Planning Policy Framework (2012).

### Site Location:

The application site currently forms the curtilage of No. 84 High Street, a Grade II listed building which is attached to the larger No.86 High Street (also a Grade II listed building) and includes three outbuildings to the rear. It is a level plot, mostly laid to lawn, with a hedge currently running along the middle part of it, and an unkempt high hedge along the front boundary behind a low brick wall. To the south is No. 82, one of a pair of low roofed semi detached properties.

The site lies within the Henlow Conservation Area and settlement envelope.

### The Application:

This application seeks planning permission for, as amended, a two bedroom detached dwelling, with parking for 2 cars, accessed from a shared driveway with No.84.

No. 84 would have three parking spaces retained at the rear, facilitated by removal of two of the existing modern outbuildings.

The house as proposed is shown to be finished with a slate tiled roof, and flemish bond brickwork finish on the external walls. The detailing on the front elevation would include a chimney, bay window, brickwork arch above the front door, stone window cills, timber painted windows, metal rainwater goods, and a brick dentil course under the eaves.

The application is accompanied by a Design and Access Statement and a streetscene drawing.

## **RELEVANT POLICIES:**

### **National Planning Policy Framework**

- Requiring good design
- Conserving and enhancing the historic environment

### **Core Strategy and Development Management Policies, November 2009**

Policy CS1 - Development Strategy  
Policy CS2 - Developer Contributions  
Policy DM3 - High Quality Development  
Policy DM13 - Heritage in Development  
Policy CS15 - Heritage

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

Policy 43: High Quality Development  
Policy 45: The Historic Environment

The emerging Development Strategy was submitted to the Secretary of State in October 2014 and 2 days of hearing sessions were held in February 2015. The Inspector set out in his conclusion, by letter dated 16 February 2015, that the Council had not complied with the Duty to Co-operate. On 12 March 2015 the Council commenced Judicial Review proceedings in respect of the Inspectors letter. Therefore the policies contained with the Development Strategy carry little weight.

### **Supplementary Planning Guidance**

Design in Central Bedfordshire, a Guide for Development

### **Planning History**

14/03837                      Erection of a 3 bedroom 2 storey detached dwelling.  
Withdrawn.

### **Representations: (Parish & Neighbours)**

Henlow Parish Council:                      No objection.

Neighbours:                                      3 letters of objection have been received.  
The points made are summarised as follows:

- The ridge line will be much higher than surrounding properties.
- Dangerous access.
- Would overlook the garden and house of 49 Park Lane.
- Impact on the setting of No.84 and would detract from the Conservation Area.
- Care should be taken when demolishing the outbuildings.

## Consultations/Publicity responses

Conservation Officer

No objection. The amendments have addressed initial concerns regarding the scale/ massing relationship to the adjoining listed building (no. 84) and the small domestic scale houses to the south of the site.

With close attention to the selection of suitable materials, architectural detailing and the front boundary and paving/ surfacing and landscaping the amended proposals are considered acceptable.

Environmental Health Officer

No objection, subject to condition to protect from road noise.

Highways:

No objection, subject to conditions.

Internal Drainage Board

No comments to make.

Trees and Landscaping:

No objection, subject to condition

Archaeology:

No objection.

Contaminated Land Officer

No objection.

## Determining Issues

The main considerations of the application are;

1. Principle of Development
2. The effect on the character and appearance of the area, setting of the adjacent listed buildings and the Henlow Conservation Area.
3. The impact on the residential amenity of neighbouring properties
4. Highways safety and parking
5. Other considerations

## Considerations

### 1. Principle of Development

The site lies within the settlement envelope of Henlow, which is defined in Policy CS1 as a large village. Within such areas Policy DM4 supports small scale housing development,

The NPPF also has a presumption in favour of sustainable housing development.

The erection of a dwelling in this location is therefore acceptable in principle, subject to all other material considerations.

## **2. Design and impact on the character and appearance of the area, setting of the adjacent listed buildings and the Henlow Conservation Area.**

The proposal has been amended by reducing the height and depth of the building. As such, the submitted streetscene elevation shows a ridge line which would be the same as that of No.84, which is itself 0.65m below that of the adjoining No.86. The ridge of the new house would be approximately 0.9m higher than that of No.82, however that property has a very short low roof by comparison to the adjacent listed buildings.

The eaves height of the proposed dwelling would however reflect that of No.82, whilst being approximately 0.4m higher than that of No.84.

Taking into account the adjoining properties on either side it is concluded that the proposed house provides a balance between the higher ridge of No. 86, the lower height of No.82 and following the ridge height of No.84.

Furthermore, the design of the house with the bay window, arched door detail, chimney, and timber painted sash windows would also respect the setting of the listed properties (No's 84 and 86) and the neighbouring houses to the south (No's 80 and 82).

The proposed house would be sited 6m from the front boundary which would align with the position of the adjoining front elevations, whilst maintaining an acceptable 1m separation to the boundary with No.82 and 7m to the flank wall of that property, with an 11.5m separation to No.84.

The Conservation Officer is satisfied that the amended proposal would suitably respect the setting of the adjacent listed buildings and would preserve the character of the Conservation Area.

As such, the proposal accords with Policies DM13, CS15 and DM3 of the Core Strategy and the Design in Central Bedfordshire guidance document.

## **3. Impact on the residential amenity of neighbouring properties and future occupiers**

The positioning of the windows in No.84 would lead to some loss of privacy for future occupiers of the proposed house, however it is considered that with suitable landscaping and boundary treatment around the new parking area a reasonable degree of privacy would be maintained, within a garden area in excess of 120sqm. The existing house (No.84) would also retain a private garden area of approximately 125sqm.

It is not considered that any undue loss of privacy, amenity or overbearing impact would result to the main ground and first floor south facing windows of No.84, given the 11.5m separation distance and the fact that the only windows

in the north flank elevation of the proposed house would be secondary hallway windows.

No windows are proposed in the south facing flank elevation whilst it is not considered that any undue loss of light, privacy, amenity or overbearing impact would result to the occupiers of No.82, which has no windows serving habitable rooms on its flank elevation.

The boundary of No.49 Park Lane is located 20m from the rear of the proposed house and as such it is not considered that any unreasonable loss of privacy or amenity to the occupants of that property would result from the siting of the new dwelling.

On the basis of the above it is not considered that any undue loss of privacy or amenity or overbearing impact to any neighbouring properties or to future occupiers of the proposed dwelling would result.

#### **4. Highways safety and parking:**

The proposal would involve slightly widening the existing access, to provide enhanced visibility for the shared driveway of No.84.

Parking and a turning area for 2 cars would be provided for the new house, together with cycle storage provision, whilst three parking spaces and a turning area would be provided for No.84, following demolition of two outbuildings.

The parking provision is in accordance with current standards and the Highways Officer is satisfied that the widened access would allow for an acceptable level of visibility.

#### **5. Other considerations:**

##### **Trees and landscaping:**

Whilst an existing hedge along the front boundary and within the garden of No.84 would need to be removed it is considered that suitable specimen trees would remain and that additional planting could be added to soften the new development and to provide additional privacy. The Tree Officer has raised no objection and supports the replacement of the front hedge with a more suitable alternative.

##### **Infrastructure Contributions:**

The proposal to provide a new dwelling would until recently have required contributions towards Local Infrastructure. However, due to recent government guidance it is not considered appropriate to require contributions in respect of this current proposal.

#### **Recommendation**

Recommended for approval subject to the following conditions:

#### **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 **No development shall take place, notwithstanding the details submitted with the application, until details of the materials to be used for the external walls and roofs of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**

**Reason: To control the appearance of the building in the interests of the visual amenities of the locality.  
(Policy 43, DSCB)**

- 3 Notwithstanding the approved plans, all new rainwater goods shall be of black painted [cast iron/aluminium] and shall be retained thereafter.

Reason: To safeguard the special architectural and historic interest of this statutorily listed building. (Policy 45, DSCB)

- 4 The dwelling hereby approved shall not be occupied 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)

- 5 No development shall take place until a scheme for protecting the proposed dwelling from noise from road traffic from the High Street has been submitted to and approved in writing by the Local Planning Authority. Any works which form part of the scheme approved by the Local Authority shall be completed and shown to be effective before the permitted dwelling is occupied, unless an alternative period is approved in writing by the Local Planning Authority.

Reason: To protect the amenity of future occupiers of the development.

- 6 The development hereby approved shall not be occupied until such time that the widened vehicle access has been constructed to the satisfaction of the Local Planning authority.

Reason: To secure a satisfactory vehicle access to the development, in the interest of public safety and convenience.

- 7 The development shall not be occupied or brought into use until the parking and turning for the new dwelling and the parking for the existing property No.84 has been completed in accordance with the approved site plan.

Reason: To ensure provision for car parking clear of the highway.  
(Policy 27, DSCB)

- 8 **The dwelling hereby approved shall not be occupied until a scheme indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to and approved in writing by the local planning authority. The boundary treatment shall be completed in accordance with the approved scheme before the use hereby permitted is occupied and be thereafter retained.**

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

- 9 The first floor window in the north elevation of the development hereby permitted shall be permanently fitted with obscured glass of a type to substantially restrict vision through it at all times and shall be non-opening, unless the parts of the window(s) which can be opened are more than 1.7m above the floor of the room(s) in which the window(s) is installed. No further windows or other openings shall be formed in the north or south elevations.

Reason: To safeguard the privacy of occupiers of adjoining properties  
(Policy 43, DSCB)

- 10 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers PL100C, 101B.

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 no works associated with the widening of the existing dropped kerb access and footway crossover construction 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 write to Central Bedfordshire Council's Highway Help Desk, quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. 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.

- 3. 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**

This application is recommended for approval. The Council has 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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