

## **Item No. 10**

<b>APPLICATION NUMBER</b>	<b>CB/15/01190/FULL</b>
<b>LOCATION</b>	<b>Land Adjacent to 62 Nottingham Close, Ampthill</b>
<b>PROPOSAL</b>	<b>Change of use of land to residential.</b>
<b>PARISH</b>	<b>Ampthill</b>
<b>WARD</b>	<b>Ampthill</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Duckett, Blair &amp; Smith</b>
<b>CASE OFFICER</b>	<b>Annabel Robinson</b>
<b>DATE REGISTERED</b>	<b>26 March 2015</b>
<b>EXPIRY DATE</b>	<b>21 May 2015</b>
<b>APPLICANT</b>	<b>Mrs Winters</b>
<b>AGENT</b>	<b>Mr S Everitt</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>An owner of this property works in the Development Management Department</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Granted</b>

### **Summary of Recommendation:**

The planning application is recommended for approval, the change of use of this land would be in accordance with Central Bedfordshire Core Strategy and Development Management Policy DM3. It would not have a significant impact upon the residential amenity of any adjacent properties and would result in a development suitable for the location. It is considered that the design is in accordance with the Central Bedfordshire Design Guide.

### **Site Location:**

The application site is land adjacent to 62 Nottingham Close in Ampthill, which is an end-terrace two storey residential property. The house is constructed from brick, which has been painted white with a gable ended tile roof. The property has a detached garage adjacent to the dwelling house. There is space for 3 cars to park off street. Nottingham Close is a modern residential road to the south of the centre of Ampthill, it is part of the development known as Ampthill Heights, number 62 is on the north eastern side of the road, the dwellings adjacent are constructed in a similar style, there is an allotment to the north. The site is an area of grassed amenity land directly adjacent to the rear garden of number 62 Nottingham Close, it is triangular and covers an area of approximately 9sqm.

### **The Application:**

The change of use of a parcel of land to the north of the dwelling house from "amenity land" to "residential".

## RELEVANT POLICIES:

### National Policies

The National Planning Policy Framework (2012)

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

Policy DM3 - High Quality Development

### Supplementary Planning Guidance

Central Bedfordshire Design Guide

### Planning History

<b>Application:</b>	Planning	<b>Number:</b>	CB/14/03214/FULL
<b>Validated:</b>	12/08/2014	<b>Type:</b>	Full Application
<b>Status:</b>	Decided	<b>Date:</b>	24/09/2014
<b>Summary:</b>		<b>Decision:</b>	Full Application - Granted
<b>Description:</b>	Two storey side extension including change of use of amenity land.		

### Representations: (Parish & Neighbours)

Amphill Town Council:	Support the application
Adjacent occupiers:	No comments received

### Consultations

Site Notice Posted :	No comments received
IDB	Did not wish to comment on the application

### Determining Issues

The main considerations of the application are;

1. The principle of the change of use of the land.
2. The effect upon the character and appearance of the area.
3. The impact on neighbouring amenities.
4. Other considerations.

### Considerations

#### 1. The principle of the change of use of the land.

The area to the side of the dwelling house, was left out of any designated

residential curtilage, the piece of land forms a triangle which is at a higher level than the area for parking/main dwelling house. The land is between the side elevation of the dwelling and adjacent to allotments and there is a line of trees between the amenity land and the allotments. This is not a formal right of way, and therefore more of a civil issue for the applicant to agree with their neighbour. In terms of amenity, this piece of land is only partially visible with glimpsed views from the public realm. It is considered that it only has very limited value in terms of wider amenity, and would not be a significant loss to the overall openness of the development.

## **2. The effect upon the character and appearance of the area.**

The area of amenity space would be enclosed by a 1.8 metre high close board fence, to bring the area into the main garden of the dwelling house.

The development would not have a significant impact upon the character or appearance of the area and is therefore considered in accordance with Policy DM3 of the Core Strategy and Development Management Policies, November 2009.

## **3. The impact on neighbouring amenities.**

The property is end terrace is attached to number 60 Nottingham Close, and adjacent to an allotment.

It is considered that the change of use of this piece of land into residential use would not have a significant impact upon the amenities of any other residential property in terms of loss of light, privacy, or outlook.

No comments were received from neighbouring residents.

## **4. Any other implications**

### Human Rights:

The development has been assessed in the context of the Human Rights and would have no relevant implications.

### Equalities Act 2010:

The development has been assessed in the context of the Human Rights and would have no relevant implications.

## **Recommendation**

That Planning Permission be approved subject to the following:

## RECOMMENDED CONDITIONS / REASONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, number SE2904/4.

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

### Notes to Applicant

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

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

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

Your property's Council Tax band may change if the property is extended. The Council Tax band will only change when a relevant transaction takes place. For example, if you sell your property after extending it, the new owner may have to pay a higher band of Council Tax. If however you add an annexe to your property, the Valuation Office Agency may decide that the annexe should be banded separately for Council Tax. If this happens, you will have to start paying Council Tax for the annexe as soon as it is completed. If the annexe is occupied by a relative of the residents of the main dwelling, it may qualify for a Council Tax discount or exemption. Contact the Council for advice on **0300 300 8306**.

The website link is:

[www.centralbedfordshire.gov.uk/council-and-democracy/spending/council-tax/council-tax-charges-bands.aspx](http://www.centralbedfordshire.gov.uk/council-and-democracy/spending/council-tax/council-tax-charges-bands.aspx)

Planning permission has been approved for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. 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.