

Item No. 15

APPLICATION NUMBER	CB/15/00424/FULL
LOCATION	48B Shortmead Street, Biggleswade, SG18 0AP
PROPOSAL	Erection of replacement two storey building to provide 2 No. two bedroom flats following demolition of existing single storey workshop building, detached garage/outbuildings, and provision of 3 No. parking spaces, amenity space and cycle storage.
PARISH	Biggleswade
WARD	Biggleswade North
WARD COUNCILLORS	Cllrs Jones & Mrs Lawrence
CASE OFFICER	Mark Spragg
DATE REGISTERED	12 March 2015
EXPIRY DATE	07 May 2015
APPLICANT	Mr A White
AGENT	JPT Design Consultants
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	Cllr call in - Cllr Jane Lawrence - Overdevelopment and highway safety grounds Full Application - Recommended for approval

Summary of Recommendation

The proposal is recommended for approval as it is considered acceptable in terms of the impact on the character and appearance of the site and its surroundings, which includes the Biggleswade Conservation Area, and the setting of the adjacent listed buildings. Also it is considered there would be no harm to the amenity of any existing neighbouring occupiers and would provide a suitable level of amenity and parking for future occupiers of the development, with no 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 is located behind Shortmead Street and is accessed via a narrow drive between No's 44 and 46 Shortmead Street.

The access serves 1 and 3 Victoria Place, 44 Shortmead Street, an office, and provides a rear access to the parking for the flats at Bensons Court, which has a pedestrian and service access from Chapel Fields.

The red edged site area includes a one and a half storey brick built industrial/storage building with corrugated roof, and a timber garage/storage building, all of which would be demolished. In addition, the site includes a single storey office building with four parking spaces (under the ownership of the applicant).

The site lies within the Biggleswade Conservation Area behind the listed buildings No. 46 and 48 Shortmead Street. The site is within the settlement envelope, close to the

town centre.

The Application:

This application seeks planning permission for the erection of a two storey building to provide 2 No. two bedroom flats, following demolition of the existing industrial/storage building and detached garage/outbuilding. As amended, the application also includes an outdoor amenity area for each flat, with cycle and refuse storage. Also 3 parking spaces would be provided, one for each unit and one visitor space. The amended scheme has also removed a first floor balcony, and changed the window details, reduced the length by approximately 0.5m and moved the building 1.5m to the west.

The application is accompanied by a Design and Access Statement and a Tree Report.

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 CS15 - Heritage

Policy DM3 - High Quality Development

Policy DM13 - Heritage in Development

Policy DM15 - Biodiversity

Development Strategy for Central Bedfordshire

Policy 8: Employment - Change of use

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 within 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)

Biggleswade Town Council:	Object on the grounds of overdevelopment and restricted vehicular access causing safety issues
Neighbours:	1 letter of objection from the occupier of 46 Shortmead Street. The points made are summarised as follows: <ul style="list-style-type: none">- There will not be enough parking.- Problems of access and parking during the development phase. 1 letter of support from the occupier of 48 Shortmead Street. The points made are summarised as follows: <ul style="list-style-type: none">- The proposal would vastly improve the area by replacing untidy and run down buildings.-Change from residential to commercial would reduce the likelihood of commercial traffic.- There would be less noise from a residential use than an industrial use.

Consultations/Publicity responses

Conservation Officer	No objection. The amended proposals have adopted a plain barn like character and appearance which can be successfully woven into the fabric of this part of the Conservation Area, subject to close attention to the detailing and external materials of the building.
Highways:	No objection, subject to conditions including a Construction Traffic Management Plan.
Ecologist	No objection. Pleased to see that the lime trees are to be retained. Recommend the inclusion of 2 integral bat boxes within the flats, as a net gain for biodiversity.
Public Protection	No comments to make.
Drainage Board	No comments to make.
Tree Officer:	No objection.
Archaeology:	No objection.
Contaminated Land Officer	No objection.
Waste Officer	Will need to consider waste collection location.

Determining Issues

The main considerations of the application are;

1. Principle of Development
2. The effect on the character and appearance of the area including the Biggleswade Conservation Area and the setting of the adjacent listed buildings.
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 Biggleswade, which is defined in Policy CS1 of the Core Strategy as a major Service Centre. Within such areas Policy DM4 supports housing development,

The NPPF also has a presumption in favour of sustainable development within such built up areas.

The existing industrial storage building and outbuildings are not currently used for employment generating uses, being used only for storage. Due to the poor state of the buildings, their siting and the limited access and parking it is considered unlikely that there would be any reasonable prospect of them delivering an employment generating use. Such a use would also have the potential to harm the amenity of neighbouring properties.

It is not considered that the proposed residential use would impact on the viability of the adjacent office use which would retain its parking area.

As such the principle of development is considered acceptable 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 Biggleswade Conservation Area.

The proposed building would replace existing buildings of no merit, located within the Conservation Area, and immediately to the rear of listed buildings. The existing buildings have many modern features and are in a poor state of repair.

The site is relatively well screened from Shortmead Street by virtue of the narrow access between No's 44 and 46 and as such has a limited impact on the Conservation Area.

The proposed building, as amended has in conjunction with the advice of the Conservation Officer been designed to appear of a barn like character, simple in terms of detail but utilising materials such as natural slate, weatherboarding, and painted timber windows, being sympathetic to the Conservation Area and adjacent listed buildings.

The proposed building, whilst higher than the existing building would be smaller in terms of footprint and is considered acceptable in terms of its overall scale and its visual relationship with the adjacent properties.

The Conservation Officer is satisfied that the amended proposal would suitably respect the setting of the adjacent listed buildings and 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 proposed building would be 3m to the west of the existing building and although it would be approximately 3m higher it is considered that the amended position, together with the demolition of the garage/outbuilding would result in no greater impact to the rear amenity area and windows of 19 Elphick Court than the existing buildings. A small secondary window shown on the east elevation would be obscure glazed and fixed shut whilst the rooflights on the north elevation would be high level. No other windows are shown in the north elevation of the building. As such it is not considered that any undue loss of privacy or amenity would result to the occupiers of 19 Elphick Court or any other properties to the north in Elphick Court or the flats in Bensons Court to the East.

Immediately to the south of the proposed building is a single storey office building which has windows in close proximity. The applicant proposes that the bottom row of these window would be changed for privacy glass to stop overlooking towards the ground floor flat.

1 Victoria Place is located behind the office building and has a small courtyard garden to the rear. It is considered that the existing office building would obscure views from the proposed first floor windows to such a degree that no undue loss of privacy or amenity would result to the private area of 1 Victoria Place.

Part of the existing industrial building adjoins the rear single storey extension of No. 48 and this would be replaced by a small amenity area, whilst the new building would have a ground and first floor bathroom window on the west elevation these would be obscurely glazed to avoid overlooking between the properties. As such it is considered that an acceptable relationship with both No's 46 and 48 would result.

Whilst concerns have been raised regarding the impact of construction traffic it is considered that with an effective construction traffic management plan any issues could be effectively mitigated.

4. Highways safety and parking:

The proposal includes the provision of three parking spaces, one for each two bed flat and a visitor space. In addition, cycle storage is proposed. The site is well located close to the town centre and as such the level of parking provision is considered acceptable.

The site has an existing industrial use and although the building has not recently been actively used as such it would have the potential to generate commercial traffic. It is not considered that the proposed use would therefore increase use of the access.

The Highways Officer has raised no objection in terms of highway safety and parking and subject to conditions, including a Construction Traffic Management Plan.

5. Other considerations:

Trees and landscaping:

Due to the position of the proposed building in relation to the two lime trees close to the entrance to the site it is not considered that these would be adversely affected. It is proposed that they would be pruned so that they clear 3.5m above ground level. These trees would help to further screen the development and provide an attractive natural backdrop for the site. The Tree Officer has raised no objection.

Infrastructure Contributions:

The proposal to provide two flats 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

The application is recommended for approval.

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, roof, windows and rainwater goods 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 DM3 CSDMP)

- 3 The development shall not be brought into use until the parking area shown on the approved block plan has been provided and shall thereafter be retained for the parking of vehicles.

Reason: To enable vehicles to draw off, park and turn outside of the highway limits thereby avoiding the reversing of vehicles on to the highway. (Policy DM3 CSDMP)

- 4 Prior to occupation of each of the flats hereby approved covered storage for cycles shall be provided in accordance with details to be approved in writing by the Local Planning Authority.

Reason: To ensure the provision of adequate cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport.(Policy DM3 CSDMP)

- 5 **No development shall take place until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The CTMP shall include proposals for any traffic control, signage within the highway inclusive of temporary warning signs, the management of junctions to, and crossing of, the public highway and other public rights of way, temporary removal and replacement of highway infrastructure and street furniture, the reinstatement of any signs, verges or other items displaced by construction traffic, banksman and escort details, delivery details, turning details and construction traffic parking provision. The CTMP shall be implemented in accordance with the approved details for the duration of the construction period.**

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the site. (Policy DM3 CSDMP)

- 6 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 each flat is occupied and be thereafter retained.

Reason: To safeguard the appearance of the completed development and the privacy of adjoining properties.(Policy DM3 CSDMP)

- 7 The development shall be carried out in accordance with the detail shown on drawing 002 Rev D in respect of the levels of the approved building relative to the adjoining properties.

Reason: To ensure that an acceptable relationship results between the new development and adjacent buildings.(Policy DM3 CSDMP)

- 8 Prior to occupation of each of the flats an amenity area shall be provided in accordance with the approved plan and thereafter retained as such.

Reason: To ensure adequate amenity provision for future occupiers. (Policy DM3 CSDMP)

- 9 Prior to occupation of the ground floor flat the bottom glass panels of the north facing windows of the office building (48a) shall be obscurely glazed and thereafter retained as such.

Reason: To ensure privacy for the occupants of the new development. (Policy

DM3 CSDMP)

- 10 Prior to occupation of any part of the development 2 integral bat boxes shall be provided and thereafter retained as such.

Reason: To ensure a net gain for biodiversity. (Policy DM15 CSDMP)

- 11 The first floor windows in the east and west elevations 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 elevation.

Reason: To safeguard the privacy of occupiers of adjoining properties. (Policy DM3 CSDMP)

- 12 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 002 rev D, 003 RevE.

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. As the site is of long historic use there may be unexpected materials or structures in, on or under the ground. It is the responsibility of the Applicant to ensure safe and secure conditions, so any indications of potential contamination problems should be forwarded to the Contaminated Land Officer, Andre Douglas, for advice, on 0300 300 4004 or via andre.douglas@centralbedfordshire.gov.uk.
3. Best practical means shall be taken at all times to ensure that all vehicles leaving the development site during demolition/construction of the development are in a condition such as not emit dust or deposit mud, slurry or other debris on the highway, in particular efficient means shall be installed prior to commencement of the development and thereafter maintained and employed at all times during construction of the development of cleaning the wheels of all vehicles leaving the site

Reason: To minimise the impact of construction vehicles and to improve the amenity of the local area.

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

Planning permission is recommended for approval. The Council 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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