

Item No. 16

APPLICATION NUMBER CB/15/02818/FULL
LOCATION 45 Meadow Walk, Henlow, SG16 6HJ
PROPOSAL Front and rear dormers.
PARISH Henlow
WARD Arlesey
WARD COUNCILLORS Cllrs Dalgarno, Shelvey & Wenham
CASE OFFICER Stuart Robinson
DATE REGISTERED 29 July 2015
EXPIRY DATE 23 September 2015
APPLICANT Mr & Mrs Eary
AGENT Alun Design Consultancy
REASON FOR COMMITTEE TO DETERMINE Called in by Cllr Wenham over concerns relating to the impact to the street scene, the impact to the rural setting and parking.

RECOMMENDED DECISION Full Application - Granted

Summary of Recommendation:

The application 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. There would be no unacceptable adverse impact to the amenity of neighbouring residents or in terms of highways safety. As such the proposal would be in accordance with Policies CS14 and DM3 of the Central Bedfordshire (North) Core Strategy and Development Management Policies Development Plan Document (2009), Policy 43 of the emerging Development Strategy for Central Bedfordshire (2014), the Central Bedfordshire Design Guide (2014) and the National Planning Policy Framework (2012).

Site Location:

The application comprises of a two storey detached property, located to the east of Henlow. The site is located at the end of a residential cul-de-sac. The site is part of a wider recent development, known as Land East of the Former Dairy.

The property is constructed with cream render external walls and grey roof tiles.

The site is located within the Settlement Envelope of Henlow, outside of the Henlow Conservation Area. The site is washed over by the Henlow Grange TPO.

The Application:

The application seeks planning permission for two front and a rear dormer windows. The two front dormer windows would each measure 1.8 metres in width, 2.5 metres in depth and 1.9 metres in height. The rear dormer window would measure 8.0 metres in width, 2.5 metres in depth and 2.2 metres in height.

RELEVANT POLICIES:

National Planning Policy Framework (2012)

Central Bedfordshire (North) Core Strategy and Development Management Policies (2009)

Policy CS14: High Quality Development

Policy DM3: High Quality Development

Policy DM4: Development Within and Beyond Settlement Envelopes

(Having regard to the National Planning Policy Framework, the age of the plan and the general consistency with the NPPF, policies CS14, DM3 and DM4 are still given significant weight.)

Emerging Development Strategy for Central Bedfordshire (2014)

Policy 1 Presumption in Favour of Sustainable Development

Policy 38 Within and Beyond Settlement Boundaries

Policy 43 High Quality Development

The draft Development Strategy was submitted to the Secretary of State on the 24th October 2014. After initial hearing sessions in 2015 the Inspector concluded that the Council had not complied with the Duty to Cooperate. The Council has launched a judicial review against the Inspectors findings and has not withdrawn the Development Strategy. The first phase of the legal challenge took place at a hearing on 16th June 2015. This was to consider whether the court would grant the Council leave to have a Judicial Review application heard in the High Court. The Judge did not support the Council's case. On the 22nd June 2015 the Council lodged an appeal against his judgement. The status of the Development Strategy currently remains as a submitted plan that has not been withdrawn. Its policies are consistent with the NPPF. Its preparation is based on substantial evidence gathered over a number of years. It is therefore regarded by the Council as a sustainable strategy which was fit for submission to the Secretary of State. Accordingly it is considered that the emerging policies carry weight in this assessment.

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

Relevant Planning History:

Application Number	CB/13/03418/FULL
Description	Erection of a front porch
Decision	Granted
Decision Date	20/11/2013

Application Number	CB/10/01647/NMA
Description	Amendments to front elevation ground floor window, change to position of chimneys and change to the size and position of roof lights. Amendments related to house type H5 Plots 3,4,5,31,32 and 33 (following outline approval MB/05/00535/OUT dated 22/09/06 and Reserved Matters approval MB/07/02148/RM dated 13/3/08).

Decision	Granted
Decision Date	27/05/2010
Application Number	CB/07/02148/ARM
Description	Erection of 38 dwellings with associated car parking and open space.
Decision	Granted
Decision Date	13/03/2008
Application Number	CB/05/00535/OUT
Description	Erection of 38 dwellings (all matters reserved except means of access).
Decision	Granted
Decision Date	22/09/2006

Consultees:

Henlow Parish Council	Object for the following reasons: a) Adverse impact on the street scene of the front dormers b) Rear dormer excessive in size, overbearing and out of character with the property c) Parking concerns - unclear if sufficient private parking exists with fifth bedroom being created. There are already serious parking issues in Meadow Walk.
-----------------------	--

Highways	<ul style="list-style-type: none"> • The parking provision remains unaltered and is acceptable under current guidance. • Concerned that the removal of the roof storage area will lead to the double garage being lost as vehicle parking provision, and used for replacement storage area. A condition has been suggested to retain the garage for car parking provision, if approved.
----------	---

Other Representations:

Neighbours	No comments received.
------------	-----------------------

Determining Issues:

1. Impact on the character and appearance of the area
2. Neighbouring amenity
3. Car parking
4. Other considerations

Considerations

1. Impact on the character and appearance of the area

- 1.1 The proposed front dormer windows would be located in a position where they would be clearly visible in the private turning area of Nos.41, 43 and 45 Meadow Walk. Views from the south of this turning area are partially screened by No.47 Meadow Walk. The proposed rear dormer window would not be visible within the street scene as it would be screened by the existing dwelling.
- 1.2 The Parish Council have raised concerns regarding the impact of the front dormer windows on the design of the local area. Whilst these comments are noted, there are several pitched roof front dormer windows in close proximity to the site. Examples of this include a group of terraced properties opposite the private turning area, known as Nos. 42, 44 and 46 Meadow Walk and a group of three properties, known as Nos.27, 29 and 31 Meadow Walk, adjacent to an amenity area to the west.
- 1.3 The pitched design of the proposed front dormer windows would be similar in nature to these examples. Given their scale and design, the proposed front dormer windows would be in keeping with the existing dwelling.
- 1.4 The proposed rear dormer window would be constructed with a shallow pitched roof and cream render walls and grey roof tiles to match the construction materials of the existing dwelling. The roof design is not common within the surrounding area and would be considered relatively large due to its width. However, given its location at the rear of the dwelling, the design is not considered to be unduly dominant or obstructive. As such it would not result in unacceptable harm to the character of the property or locality.
- 1.5 In summary the proposal would be in accordance with Policies CS14, DM3 and DM4 the Central Bedfordshire (North) Core Strategy and Development Management Policies Development Plan Document and Policies 1, 38 and 43 of the emerging Development Strategy for Central Bedfordshire. The design would accord with the Central Bedfordshire Council Design Guide and would not result in a detrimental impact upon the character and appearance of the area or the street scene. As such the development is considered to be acceptable.

2. Neighbouring amenity

- 2.1 The Parish Council have raised an objection regarding the size of the proposed rear dormer window, stating that the dormer would have an overbearing impact to neighbouring residents. The proposed dormer windows would be located at least 2.5 metres away from the boundary of No.43 Meadow Walk and approximately 8.5 metres away from the boundary of No.47 Meadow Walk. Given the size, location and nature of the proposed development, the dormer windows are not considered to present an unacceptable adverse impact in terms of being unduly overbearing or through loss of light.
- 2.2 The proposed front dormer windows would directly face No.41 Meadow Walk which is located approximately 18.0 metres away. It must be noted that the existing property already has first floor windows which face this property and, as such, the proposed front dormer windows would have a similar field of view to the existing windows. The proposed rear dormer window would face a field. With these points in mind, the development is not considered to present an unacceptable adverse impact in terms of loss of privacy.

2.3 Therefore it is considered that the proposal would meet the requirements of Policies CS14 and DM3 of the Central Bedfordshire (North) Core Strategy and Development Management Policies Development Plan Document and Policy 43 of the emerging Development Strategy for Central Bedfordshire. It would also comply with the objectives of the Central Bedfordshire Design Guide. As such the proposal would not be considered to cause a detrimental impact in terms of loss of privacy, loss of light or result in noise or light pollution and is considered acceptable.

3. Car parking

3.1 The Parish Council have raised concerns regarding whether there is sufficient car parking space for the property. The existing dwelling contains two car parking spaces and a detached double garage, measuring approximately 6.0 metres in depth and 7.0 metres in width. The proposed development would increase the number of bedrooms within the property from four to five.

3.2 The Central Bedfordshire Design Guide identifies that a property with four or more bedrooms should provide at least 3 car parking spaces, with one potentially provided on-street. The property is currently considered to provide three parking spaces on site, as the detached double garage would be of a sufficient size to qualify as a single parking space, in accordance with the Design Guide. Aside from this, it must also be noted that Design Guide does not differentiate between four and five bedroom properties within its parking standards. As such the increase from four to five bedrooms would not require the provision of additional car parking space.

3.3 A Highways Officer has considered the parking provision and has recommended that, if the application is approved, then the garage should be conditioned so it is only used for the purposes of car parking. Whilst these comments are noted, such a condition is not considered reasonable or necessary, given the nature of the application and the context of the site.

3.4 With these points in mind, the parking provision would meet the requirements of Policies CS14 and DM3 of the Central Bedfordshire (North) Core Strategy and Development Management Policies Development Plan Document and Policy 43 of the emerging Development Strategy for Central Bedfordshire. It also complies with the objectives of the Central Bedfordshire Design Guide. As such the parking provision is considered acceptable.

4. Other Considerations

4.1 Human Rights issues:

The proposal would not raise any Human Rights issues.

4.2 Equality Act 2010:

The proposal would not raise any issues under the Equality Act.

Recommendation:

That Planning Permission be granted 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 All external works hereby permitted shall be carried out in materials to match as closely as possible in colour, type and texture, those of the existing building.

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match the existing building in the interests of the visual amenities of the locality in accordance with Policies CS14 and DM3 of Central Bedfordshire Council's Core Strategy and Development Management Policies Development Plan Document and Policies 43 of the emerging Central Bedfordshire Council Development Strategy.

- 3 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers E/3337/15/EX-01, E/3337/15/PL-01 and E/3337/15/PL-02 Revision A.

Reason: To identify the approved plans 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 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**.

3. The applicant is advised that photographs of the existing highway that is to be used for access and delivery of materials will be required by the Local Highway Authority. Any subsequent damage to the public highway resulting from the works as shown by the photographs, including damage caused by delivery vehicles to the works, will be made good to the satisfaction of the Local Highway Authority and at the expense of the applicant. Attention is drawn to Section 59 of the Highways Act 1980 in this respect.
4. 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 further details can be obtained from Bedfordshire Highways (Amey), District Manager (for the relevant area) via the Central Bedfordshire Council's Customer Contact Centre on 0300 300 8049.
5. The contractor and / or client are to ensure that any building material debris such as sand, cement or concrete that is left on the public highway, or any mud arising from construction vehicular movement, shall be removed immediately and in the case of concrete, cement, mud or mortar not allowed to dry on the highway

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, Article 35

Planning permission has been granted 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) Order 2015.

DECISION

.....
.....