

## Item No. 10

<b>APPLICATION NUMBER</b>	<b>CB/15/04667/OUT</b>
<b>LOCATION</b>	<b>Borderlands, Heath Park Road, Leighton Buzzard, LU7 3BB</b>
<b>PROPOSAL</b>	<b>Erection of dwelling</b>
<b>PARISH</b>	<b>Leighton-Linslade</b>
<b>WARD</b>	<b>Leighton Buzzard North</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Johnstone, Spurr &amp; Ferguson</b>
<b>CASE OFFICER</b>	<b>Nicola Darcy</b>
<b>DATE REGISTERED</b>	<b>04 December 2015</b>
<b>EXPIRY DATE</b>	<b>29 January 2016</b>
<b>APPLICANT</b>	<b>Mr &amp; Mrs Halstead</b>
<b>AGENT</b>	<b>PJPC Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Called in by Cllr Kenneth Ferguson for the following reasons:</b>  <b>This is not a development that in any way is likely to detract from the local conservation area;</b>  <b>This development is in keeping with existing other permitted developments;</b>  <b>Tasteful single storey in keeping with property design and proportions; and</b>  <b>No adverse impact upon Landscape.</b>
<b>RECOMMENDED DECISION</b>	<b>Outline Application - Recommended for Refusal</b>

### Summary of Recommendation

The application is recommended for refusal as the proposed development would result in the loss of an area of essentially undeveloped and open land which provides an important break within the street scene and which makes a significant contribution towards the designated Heath Road/Plantation Road, Leighton Buzzard Area of Special Character. It would result in a more urbanised form of built development within the street scene, harmful to its character and that of the locality. The proposal would, therefore, be contrary to the principles of good design set out within national guidance in the National Planning Policy Framework and to Policies BE6, BE8 and H2 of the South Bedfordshire Local Plan Review.

### Site Location:

The application site is the side garden of 'Borderlands' located on the southern side of Heath Park Road, the site is flanked on the eastern side by 'Lyndholme' with 'Hazeldene' to the rear. The road is characterised by detached dwellings of mixed size and style, generally standing in spacious plots along an attractive tree lined road. Traditional local sandstone walls which front many of the plots are also a feature.

The existing pattern of development presents a relatively continuous built frontage to

the road but the site at Borderlands is an exception with the dwelling located to one side of the plot with a large open garden area to the side.

The site is within an area currently designated as an 'Area of Special Residential Character' in the South Bedfordshire Local Plan.

### **The Application:**

Outline planning permission is sought for the erection of one dwelling with some matters reserved except for Access which is proposed to be taken from Heath Park Road. 'Borderlands' would be afforded a rear garden of approximately 15m in length by 18m in width.

### **RELEVANT POLICIES:**

#### **National Planning Policy Framework (NPPF)**

Section 4: Promoting sustainable transport

Section 6: Delivering a wide choice of high quality homes

Section 7: Requiring good design

#### **South Bedfordshire Local Plan Review Policies**

Policy BE6 Town Cramming and Areas of Special Character

Policy BE8 Design Considerations

Policy T10 Controlling Parking in New Developments

Policy H2 Making Provision for Housing via "Fall-in" sites

*The NPPF advises of the weight to be attached to existing local plans for plans adopted prior to the 2004 Planning and Compulsory Purchase Act, as in the case of the South Bedfordshire Local Plan Review, due weight can be given to relevant policies in existing plans according to their degree of consistency with the framework. It is considered that Policies BE6, BE8 and H2 are consistent with the Framework and carry significant weight. Policy T10 carries less weight but is considered relevant to this proposal.*

### **Development Strategy**

At the meeting of Full Council on 19 November 2015 it was resolved to withdraw the Development Strategy. Preparation of the Central Bedfordshire Local Plan has begun. A substantial volume of evidence gathered over a number of years will help support this document. These technical papers are consistent with the spirit of the NPPF and therefore will remain on our website as material considerations which may inform further development management decisions.

### **Supplementary Planning Guidance/Other Documents**

Central Bedfordshire Design Guide (March 2014)

### **Relevant Planning History:**

Application Number	CB/15/02610/PAPC
Description	Erection of Dwelling
Decision	Advice released
Decision Date	04/07/15

## **Consultees:**

### Town Council

Discussion took place regarding application reference CB/15/04667/OUT (Borderlands, Heath Park Road). The size and position of the plot in relation to the surrounding properties was reviewed. It was agreed that the proposed development would be out of keeping with the surrounding area, leaving both properties with disproportionately small gardens and with the potential for overlooking neighbouring properties.

RESOLVED to recommend to Central Bedfordshire Council that an objection be made to application reference CB/15/04667/OUT (Borderlands, Heath Park Road) on the following grounds:

- The proposed development would be out of keeping with the local character.
- Overdevelopment of the site given its size and shape and proximity to other dwellings.
- The proposed development would leave Borderlands and the new property with disproportionately small gardens compared to the local area.
- Possibility of overlooking neighbouring properties.

Should Central Bedfordshire Council recommend approval of the application, it was requested that a ward councillor “call in” the application to take it to Development Management Committee.

### Highways

The Highways Officer has no objection subject to the imposition of conditions.

## **Other Representations:**

### Neighbours

Objection from Lyndholme, Heath Park Rd, Leighton Buzzard:

- The additional house would have a detrimental effect upon Borderlands both aesthetically and environmentally.
- Rooflights not required to comply with Building Regulations and will allow noise to escape.
- Plot too narrow for the intended proposal.

Support Letter from Two Trees, Heath Park Road, Leighton Buzzard:

- Can see no reason why planning permission should not be granted.

## **Determining Issues:**

The main considerations of the application are:

1. Principle of Development
2. Design
3. Impact Upon Neighbouring Amenity
4. Highway Considerations
5. Other Considerations

## **Considerations**

### **1. Principle of Development**

- 1.1 Section 7 of The National Planning Policy Framework sets out that design policies should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development.
- 1.2 Paragraph 64 of the NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 1.3 South Bedfordshire Local Plan Review policy H2 also requires that infill sites respect and enhance the character of the surrounding area. The site is within an Area of Special Character as shown on the Local Plan proposals map. Policy BE6 states that planning permission will not be granted for redevelopment to higher densities, subdivision of large plots, infilling, backland development or large extensions which would result in the loss of gardens, other open land or mature woodland, or give rise to an over-intensive level of development, in a way which would unacceptably harm the special character of the area.
- 1.4 The Area of Special Character extends from Heath Road, to a track of some 800m to the west of the rear of houses west of Plantation Road. This is one of nine Areas of Special Character designated in the Local Plan which are characterised by a feeling of spaciousness created by low to moderate density of residential development, large plot sizes, generous garden provision and well-spaced development. The landscape of these areas contributes to the established character and spaciousness and is typified by mature wooded gardens, tree lined roads, screening and softening development.
- 1.5 It is considered that the development proposed is exactly the type which Local Plan Policy BE6 is seeking to prevent. The erection of a dwelling would close an important gap which provides an important break in the street scene. The proposal would create a far more built-up appearance of the existing plot, and significantly adding to the intensity of development within the application site.
- 1.6 Pre-application advice was released in July 2015 advising the applicant that planning permission would unlikely be forthcoming for a dwelling on this plot.
- 1.7 The Council's Design Guide; Design in Central Bedfordshire: A Guide for Development provides guidance on ensuring that new residential development is appropriate in density for the surrounding area. Specific guidance is set out in Design Supplement 1 at section 6 where factors contributing to the character of an area and influencing density are listed as average existing footprint area related to average plot size; minimum and

maximum distances from boundaries and range of building heights. The agent has provided a list of percentages showing the total coverage of plots with dwelling footprint in the immediate vicinity, from the figures provided, the average plot coverage is 16.24%, the proposed dwelling would have a plot coverage of 22.63%. Although there are similar situations in the locale, the proposed dwelling would not result in an average dwelling size/plot coverage akin to the majority of properties in the locality therefore, the proposal would appear out of character with the surrounding dwellings and would adversely effect the character of the area by filling in an important gap in the street scene, which would be contrary to the NPPF, SBLP policies H2, BE6 & BE8 and Design in Central Bedfordshire: A Guide for Development, Design Supplement 1.

## **2. Design**

- 2.1 The application has been submitted in outline form with 'design' reserved for later consideration, however, the indicative design submitted is not considered to reflect the prevailing character of the existing development, the bungalow would be 'top-heavy' and appear somewhat unbalanced, discordant with the traditionally designed dwellings surrounding the site.
- 2.2 The proposal is therefore not considered to accord with policy BE8 of the South Bedfordshire Local Plan Review or the Central Bedfordshire Design Guide.

## **3. Impact Upon Neighbouring Amenity**

- 3.1 As the application is in outline form, indicative plans have been submitted with details of the location of the windows. Based on those plans, it is considered that the location and orientation of the dwelling would be such that there may be issues with overshadowing or mutual overlooking to the occupiers of 'Borderlands.' However, subject to the siting, size of dwelling and careful design, the proposal has the potential to accord with policies BE8 and H2 of the South Bedfordshire Local Plan Review

## **4. Highway Considerations**

- 4.1 The Highways Officer has suggested a minor alteration in the size of the parking bays in order to allow easier manoeuvring in and out of the proposed parking spaces. Subject to minor revision and the imposition of several conditions, the Highways Officer has no objection to the development.

## **5. Other Considerations**

### **5.1 Trees and Landscape**

Although the siting of the dwelling has not been submitted for consideration, it is unlikely that the proposal would have a detrimental impact upon high quality specimen trees within the vicinity.

### **5.2 Human Rights issues**

The application does not raise any Human Rights issues.

### **5.3 Equality Act 2010**

The application does not raise any Equality Act issues.

**Recommendation:**

That Outline planning permission be REFUSED for the following reason:

**RECOMMENDED REASON**

- 1 The proposed development would result in the loss of an area of essentially undeveloped and open land which provides an important break within the street scene and which makes a significant contribution towards the designated Heath Road/Plantation Road, Leighton Buzzard Area of Special Character. It would result in a more urbanised form of built development within the street scene, harmful to its character and that of the locality. The proposal would, therefore, be contrary to the principles of good design set out within national guidance in the National Planning Policy Framework and to Policies BE6, BE8 and H2 of the South Bedfordshire Local Plan Review.

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

The Council acted pro-actively through positive engagement with the applicant in an attempt to narrow down the reasons for refusal but fundamental objections could not be overcome. The applicant was invited to withdraw the application to seek pre-application advice prior to any re-submission but did not agree to this. The Council has therefore acted pro-actively 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**

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