

THE RED HOUSE  
1 HIGH STREET  
PULLOXHILL  
MK45 5HA

Ms Judy Self  
Planning – Development Management  
Central Bedfordshire Council  
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SG17 5TQ

26<sup>th</sup> January 2016

Dear Judy,

**Re: CB/16/00038/FULL ‘Mentmore’, 4 Greenfield Road, Pulloxhill - OBJECTION**

Thank you for consulting us as adjacent property owners / occupiers to this planning application.

We note that the applicant has reduced the height of the proposed development in this third application from that which was refused in the first application, with the ridge height of the roof now at 4.5m in height above site ground level. The applicant has usefully erected some scaffold on the site, and the Design & Access Statement submitted confirms that this scaffold shows accurately the 4.5m ridge height of the current application. We also note that the width of the proposed building has been increased by 4m to 14m, increasing the footprint by 32sqm from the previous refused application.

The scaffold on site showing the ridge height is very helpful in assessing the impact of the proposed development. We have produced a very simple massing study (see following page) that illustrates, using the height of the scaffold, how the scale and mass of the proposed development would appear when viewed from the High Street adjacent to No.5 High Street.

We object to the proposed development for the following reasons:

**1. Harmful impact on the setting of neighbouring listed buildings, and the character and appearance of the Pulloxhill Conservation Area**

The proposed new dwelling will be located approximately 10 metres from the Grade II listed cottage at 5 High Street, which is one of the oldest houses in the village, and is set perpendicular to the High Street. To the north-east of no.5 is its traditional cottage garden, which is then bounded to the north and east by further generous gardens of adjacent properties (to the north being the application site, current garden to no.4 Greenfield Road). The cottage garden, and the openness of the garden land beyond it, forms a very important component of the setting of the listed building, and together the cottage, garden, and surrounding gardens (including those of Pond Farm, also Grade II listed, to the north east) make an important contribution to the character of the conservation area. This part of the High Street is the historic core of

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the village and is characterised by good quality historic buildings *located along the street frontage*, and gaps between them that allow views of the countryside beyond. These two listed buildings (5 and 7 High Street) are therefore very much experienced from within the conservation area in the context of their relationship with the landscape beyond them.

The proposed development fundamentally ignores this established and historic form of the village by placing a new sizeable building of clearly primary residential character (i.e. not a small agricultural or domestic outbuilding) in the area well behind the historic street frontage buildings. The proposed building will be highly visible from the High Street across the open space between 5 and 7 High Street, and will harm the above mentioned relationship of these buildings with the countryside beyond.

In the Design & Access Statement submitted, it is stated at para 3.6 that:

*'It can clearly be established that despite the concerns raised by local residents as to the impact of the proposal on the nearby Listed Buildings and Conservation Area, the professional opinion of the Planning Officer and Conservation Officer is that no harm results from the proposal. Furthermore the owner has erected a frame on site showing the limited visual impact of this scheme. The frame on site is 4.5m in height.'*

The image below is a simple scale and massing study of the proposal, using that scaffold frame as an accurate reference point.



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Contrary to the claims made by the applicant's agent that there will be limited visual impact and no harm to the setting of the designated heritage assets engaged, we consider that the image demonstrates that the height, scale and massing of the proposed building will ensure that it appears as a significant and alien form in the townscape, imposing and harmful to the setting of the adjacent Grade II listed cottage and its garden, and harmful to the established pattern of street frontage development with open landscape beyond that characterises this part of the conservation area. The Council's adopted Pulloxhill Conservation Area Appraisal (1996) identifies at para 5.3.5 that:

*'The siting of buildings and their relationship to other buildings within the historic settlement pattern is also important, as is the treatment of areas around and between buildings.'*

It goes on at 5.3.8 *Sites for New Development* to state that:

*'Potential sites for new building within the conservation area are limited as the regular spacing of existing buildings, with some spaces in between, has left few if any infill sites which could be developed sympathetically. The existing open spaces provide variety and rare views out of the village and should be retained.'*

The increase in the width of the proposed building by 40% to 14 metres since the previous refused application is also relevant. Not only does this make the proposed building almost the same size in footprint as the main dwelling at the front of the plot ('Mentmore' is 15m in width), confirming that it is certainly not a small scale, subservient, building of the type often found in the gardens of houses, but it also results in a very substantial length of roof, which further exacerbates the bulk of the proposed building and its impact upon views from the High Street.

An appeal decision (dismissed) from 2007 concerning a proposed dwelling on the adjacent site between 5 and 7 High Street is relevant to the current application, and is attached to this letter. In that decision the Inspector identifies (para 5) that

*'No 5 High Street, also a Grade II listed building, is to the south west of Pond Farmhouse and is a thatched cottage, positioned gable end to the street, with a garden that abuts the appeal site. The cottage garden and the appeal site together form a significant gap in the buildings along High Street, which appears typical of the original loose structure of the village ... The land north of 5 High Street and the appeal site, however, is largely free of development and, consequently, a view of near and distant countryside may be obtained from the elevated section of Orchard Road as it descends towards the village green...'*

He goes on at para 6 to state:

*'The intervening space between it [no.7] and the lesser but nonetheless historically and visually important cottage at 5 High Street is to my mind fundamental to the setting of both...' [emphasis added]*

Whilst the appeal relates to an adjacent site and not the current application site, the issues to be considered in terms of the setting of designated heritage assets remain the same and concern what the Inspector concluded to be '*an open area within which*

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*development, other than possibly ancillary and impermanent structures, would be both visually and historically inappropriate' (para 8).*

The importance of the statutory duty upon the local planning authority imposed by Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 in regard to preserving listed buildings and their setting, and the “*considerable importance and weight*” to be given to such matters when applying the balancing exercise in decision making was recently confirmed in the Court of Appeal in the *Barnwell* case ([2014] EWCA Civ 137). The Inspector’s decision upon the adjacent site is material to the present application, and the Council have a statutory duty to apply considerable importance and weight to the matters of the setting of the designated heritage assets engaged.

As set out above, I believe that the proposal will cause substantial harm to the setting of the listed building at 5 High Street, and harm the setting of the listed building at 7 High Street, in conflict with the statutory requirement to preserve listed buildings, and policy in the National Planning Policy Framework and the adopted Development Plan. Further, the proposal will cause harm to the setting of the conservation area, and similarly therefore be in conflict with the statutory duty under section 72(1), and policy in the National Planning Policy Framework and the adopted Development Plan.

It is notable that the drawings submitted with the application fail to show the proposal adequately in relation to its surroundings and context – no information is provided in section or elevation to demonstrate how the building relates in scale or massing to the buildings immediately adjacent to it. Given the immediately adjacent listed building, this remains a fundamental shortcoming of the submission that prevents it from being properly considered.

## **2. Inadequate / misleading information submitted**

The applicant has stated at section 15 of the application form that (a) there are no trees or hedges on the site, and that (b) there are no trees or hedges on land adjacent to the proposed development that could influence the development or might be important as part of the local landscape character. Both of those statements are incorrect and we remain concerned that the proposed development will have a harmful impact upon trees important to the local landscape character and setting of the conservation area in the immediate vicinity of the site that have not been correctly and accurately illustrated on the submitted drawings.

Further, we also remain concerned that there is significant presence of bats roosting in other outbuildings adjacent to open land in the village, and that no proper assessment of the potential for bat use of the existing vacant garage on the site has been carried out.

I understand from my neighbours that bats, thought to be Pipistrelle bats, have been seen entering and emerging from the existing garage building located upon the site, and it is therefore imperative that for the Council to comply with the relevant statutory provisions relating to this protected species a survey is provided by an appropriately qualified ecologist prior to confirm or dismiss the presence of bats on the site prior to any determination of the planning application. If the necessary information is not

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before the Council and considered in any determination of the application then we believe that any decision would be open to legal challenge by way of judicial review.

### **3. Harmful impact upon the amenity of neighbouring occupiers at 2, 4 and 6 Greenfield Road, and at 1 and 5 High Street**

The increase in activity associated with the occupation of the new dwelling, the coming and going of vehicles, and the use of the garden will undermine the privacy and enjoyment of the existing houses and gardens at the properties noted above, in conflict with Development Plan policies relating to amenity considerations. It also appears that the proposal, by virtue of its scale and siting, would be overbearing upon the garden of the listed building at No.5 High Street.

A small but relevant error in the drawings submitted should be noted – the boundary fence between my house (1 High St) and No.2 Greenfield Road is not as shown on the submitted plans. The fence runs from the back corner of No.2 to the corner of its garage, and therefore the gap between the garage of No.2 and the garage of No.5 High Street is part of my garden, and affords open and direct views between my private rear garden and the proposed parking area for the development.

Please do take all of the above considerations into account in determining the planning application.

In refusing the previous application, members of the Development Management Committee clearly expressed their analysis and opinion that development of the type and scale proposed on this site would be harmful to the Conservation Area and to highway safety. The small reduction in height and omission of the proposed front dormers in this third application do not remove those concerns. The image shown on the second page of this letter confirms that the proposal will still cause significant harm to both the setting of the listed building and that of the conservation area.

We therefore trust that this application will be presented once more to the Development Management Committee for their determination or refused under delegated powers.

Yours sincerely

[REDACTED]

[REDACTED]