

Item No. 08

APPLICATION NUMBER	CB/16/03232/FULL
LOCATION	54 Mill Lane, Greenfield, Bedford, MK45 5DF
PROPOSAL	Subdivision of the existing plot to erect a detached dwelling and associated curtilage.
PARISH	Flitton/Greenfield
WARD	Westoning, Flitton & Greenfield
WARD COUNCILLORS	Cllr Jamieson
CASE OFFICER	Mark Spragg
DATE REGISTERED	21 July 2016
EXPIRY DATE	15 September 2016
APPLICANT	Mr N Brown
AGENT	DLP (Planning) Ltd
REASON FOR COMMITTEE TO DETERMINE	The Applicant is an Officer working in Development Management

RECOMMENDED DECISION **Full Application - Approval**

Summary of Recommendation

The planning application is recommended for approval, it would be in accordance with Central Bedfordshire Core Strategy and Development Management Policies DM3, CS1, DM4, DM13, CS15. It would not have a significant impact upon the residential amenity of any adjacent properties, the significance or the setting of the adjacent Listed Building and would result in a new development suitable for the location. It is considered that the design is in accordance with the Central Bedfordshire Design Guide and National Planning Policy Framework.

Site Location:

The application site is within the settlement envelope of Greenfield, which is identified in Policy CS1 of the Core Strategy as a small village. The site occupies an area of approximately 0.1ha and extends to a depth of approximately 62m. Beyond the rear of the site to the west is a stream, with an additional parcel of land (under the ownership of the applicant) edged blue on the submitted site plan.

The site is currently occupied by a detached one and a half storey Grade II Listed thatched cottage, with white rendered walls and weatherboarding, and a modern lean to extension at the rear.

The cottage is sited within the northern half of the site close to the boundary with No.56, a modern chalet house. It is positioned perpendicular to Mill Lane and has a long narrow footprint with a gap of approximately 17m between it and the southern boundary with No.50.

The surrounding area comprises a mix of property styles, though unlike the application site they are mostly of modern appearance.

The Application:

Planning permission is sought for the erection of a 3 bedroom detached one and a half storey dwelling with a long and narrow footprint (4.5 x 14.4m).

The application drawings indicate a dwelling finished with a mix of smooth render and weatherboarding on its elevations and a plain clay tiled roof. Gable windows are shown to each end with rooflights serving the accommodation within the roofspace. An open entrance canopy would project on the front (south facing) elevation.

A new access is proposed close to the southern boundary, extending up to a parking and turning area for 2 cars. The existing property would continue to be served by an access located centrally within the plot.

The application has been accompanied by a Planning Statement, Design and Access Statement, an Arboricultural Impact Assessment, an Ecology appraisal, a Phase One Environmental Study and an Archaeological Assessment.

This application has been subject to pre application discussions with the Conservation Officer, Tree Officer and Planning Officer, and follows a previously withdrawn application for a two storey dwelling.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Core Strategy and Development Management Policies - North 2009

DM3 Amenity
CS14 High Quality Development
CS15 Heritage
DM13 Heritage in Development
CS1 Development Strategy

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:

16/01410/FULL - Subdivision of the plot to erect a detached dwelling and associated curtilage. Withdrawn.

Consultees:

Flitton and Greenfield
Parish Council **Objection**

The major change this time is the much reduced size and height of the proposal which is much more in keeping with the listed cottage next door. However the other big reason for our previous objection is the siting of the dwelling, which is set to the rear of the site and well back from the housing line of all adjacent dwellings and all the other dwellings on the same side of Mill Lane.

Siting of proposed dwelling is adjacent to the rear gardens of numbers 50 and 56 which will mean their rear gardens are overlooked by the property.

The parking for vehicles is adjacent to the dwelling which will mean that vehicles will be using a long drive very close to the house and garden of No.50 will be parked to the rear of the listed cottage and a line with the rear gardens of numbers 50 and 56. This could cause disturbance to the enjoyment of the rear gardens of these properties.

However, if the siting of the dwelling was moved to be in line with adjacent properties we would have no objection to building here which would be acceptable infill.

Highways Officer

No objection subject to conditions.

Conservation Officer

No objection subject to conditions.

The proposal has been developed from a previously proposed scheme which was deemed to have a negative impact on the setting of the listed building.

The current proposal would relate better to the listed building in terms of its size, depth, height and bulk.

Tree and Landscape
Officer

No objection subject to conditions

No objection to removal of the trees identified for removal subject to requiring new boundary planting and protection of trees to be retained.

Archaeology

No objection subject to condition requiring a written scheme of investigation prior to commencement.

Bedfordshire and River
Ivel Internal Drainage
Board

No objection.

Ecologist **No objection subject to condition.**

Control of Pollution **No objection.**

Other Representations:

Neighbours One representation has been received, from the occupant of 56 Mill Lane:

The comments made are summarised as follows:

- the boundary goes through the centre of a redundant stream ditch.
- Pleased to note removal of the Maple tree which overshadows No.56.

Determining Issues:

The main considerations of the application are;

1. Principle of residential development
2. Affect on the character and appearance of the area and setting of the listed building
3. Impact on the amenity of neighbouring occupiers
4. Highway Considerations
5. Contributions & Affordable Housing
6. Other Considerations

Considerations

1. Principle of residential development

- 1.1 Greenfield is identified as a small village within Policy CS1 of the Core Strategy, wherein Policy DM4 states that within such areas development should be limited to infill.
- 1.2 The application site is within the settlement envelope. Whilst the proposed dwelling would not be located directly between two properties it would visually infill the gap between No's 50 and 54, albeit the proposed dwelling would be set back behind both properties.
- 1.3 The Council cannot currently demonstrate a 5 year supply of deliverable housing, and therefore policies with respect to the supply of housing (including Settlement Envelopes) are deemed out of date as per paragraph 49 of the NPPF. In this context, the presumption in favour of sustainable development applies and permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the development (NPPF paragraph 14). The proposed development therefore needs to be considered against the three strands of sustainability, social, environmental and economic, to determine whether any adverse impacts of granting planning permission for residential development on this site would outweigh the benefits of the proposal.
- 1.4 Social - The development would be beneficial in that it would be likely to result

in some, albeit limited additional use of nearby local community facilities in the village such as pubs and shops but would also put additional pressure on facilities without any infrastructure contributions to mitigate the additional pressure from the increased use. It is concluded that on balance the development would have a neutral social benefit.

- 1.5 Economic - The development would be in close proximity to Greenfield village centre and its facilities and would help to support local businesses and provide temporary construction jobs. As such it is considered that there would be a small economic benefit.
- 1.6 Environmental - The proposal would result in the loss of existing trees, however those to be removed are not considered to be of merit and worthy of protection. The tree officer considers that alternative native hedge planting would be more appropriate. As such the environmental benefit is considered neutral albeit other matters such as the impact on the listed building will need to be considered.
- 1.7 On the basis of the above, in light of the fact that the Council cannot demonstrate a 5 year supply of deliverable housing and on the basis that it is not considered there are any social, environmental and economic impacts which would outweigh the benefits of the proposal a set out in the NPPF there is a presumption in favour of sustainable development. The proposal is therefore acceptable in principle subject to consideration of all other relevant matters to be assessed in this report.

2. Affect on the character and appearance of the area and setting of the listed building

- 2.1 The proposed dwelling, unlike that previously applied for, has had better regard to the design and siting of the existing listed cottage. It would have similar proportions in terms of orientation, width and depth to the listed building, with the roof kept to a minimal height (6.6m), such that it would not appear significantly higher (approx 0.8m) taking into account a proposed lower ground level. The proposal would be of a barn style with elements of cladding on the upper part and a steep pitched roof to reflect elements of the existing cottage.
- 2.2 Given the significant gap from the cottage to the southern boundary, the plot would be capable of accommodating another dwelling and the infilling with a narrow dwelling such as that proposed would maintain visual separation between buildings and boundaries without appearing harmful to the streetscene.
- 2.3 Comment has been made that the new dwelling could be brought forward such that it would be located between No.50 and 54. Whilst this was discussed at the pre application stage it was considered that this would have a greater impact on the listed building and have the potential to prejudice the privacy and amenity of both neighbouring properties.
- 2.4 The Conservation Officer has concluded that this amended proposal would satisfactorily relate to the adjacent listed building in terms of depth, height and bulk, and considers the proposal acceptable in respect of its impact on the setting of the listed building.
- 2.5 The proposal includes the removal of some trees within the site to facilitate the development. However, the Tree Officer does not consider those trees to be of

worthy of retention and supports the introduction of new native hedge species along the south boundary. In addition, further planting is proposed alongside the new access.

- 2.6 Given the siting of the proposed dwelling and its design it is considered that it would respect the character and appearance of the surrounding area and setting of the listed building. The proposal is therefore in conformity with Policy DM3, DM13, CS14, CS15 of the Core Strategy and Development Management Policies for Central Bedfordshire (North), and also the principles of good design contained within the Central Bedfordshire Council Design Guide (2014)..

3. Impact on the amenity of neighbouring occupiers

- 3.1 No. 50 Mill Lane is located close to the front boundary with Mill Lane, whilst extending back at the rear. There would be a gap of approximately 2m from the new access to the side boundary with No.50 and a further 2m to the flank wall of the neighbours property. New planting is proposed to infill gaps in the boundary, whilst additional fencing could be provided as appropriate. Given the proximity of No.50 to the Mill Lane it is not considered that the introduction of a new access in this location serving only one property would adversely impact on the amenity of its occupants. Having regard to the location of the proposed property, with the rooms in the south facing roof served by rooflights, it is not considered that any undue loss of privacy to No.50 would result. Whilst some views at ground level over the rear part of No.50's garden may be possible this is not considered unreasonable as the main private area immediately to the rear and side of the property would maintain privacy.
- 3.2 No.56 is located approximately 20m from the proposed dwelling with a gap of 11-13m shown to the side boundary. All windows in the north elevation would also be rooflights and as such no direct overlooking of the garden or house would result.
- 3.3 The only first floor window facing towards No.54 would be a small bedroom window in the front gable. However, this would be located at an acute angle to the front windows of No.54 and whilst it would overlook the garden area it is not considered that such a relationship would be unacceptable.
- 3.4 In respect of neighbouring privacy and amenity, the proposal is considered to be in accordance with Policy DM3 of the Core Strategy and Development Management Policies Development Plan Document and also the Central Bedfordshire Council Design Guide (2014).

4. Highway Considerations

- 4.1 Parking and turning for 2 cars is shown to be provided for the proposed three bed dwelling together with a new access off Mill Lane. The Highways Officer has raised no objections to the proposed development subject to a number of conditions.

5. Contributions & Affordable Housing

- 5.1 As set out in National Planning Practice Guidance there are specific circumstances where contributions for affordable housing and planning obligations should not be sought from small scale and self-build development. As this development is for one dwelling, no affordable housing or S106 contributions can be sought.

6. Other Considerations

6.1 Human Rights issues

There are no Human Rights issues

6.2 Equality Act 2010

There are no issues under the Equality Act

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 **No development shall take place, notwithstanding the details submitted with the application, until details of the materials to be used for the external walls and roofs 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. (Section 7, NPPF)

- 3 **No development shall take place until drawings of all new and proposed replacement windows and doors to a scale of 1:10 or 1:20, together with a specification of the materials and finishes has been submitted to and approved in writing by the Local Planning Authority. Details provided shall clearly show a section of the glazing bars, frame mouldings, door panels, the position of the door or window frame in relation to the face of the wall, the depth of the reveal and arch and sill details. The development shall be carried out only in accordance with the approved details.**

Reason: To ensure that the proposed development/work is carried out in a manner that safeguards the historic character and appearance of

the adjacent listed building. (Section 12, NPPF).

- 4 Notwithstanding the approved plans, all new rainwater goods shall be of black painted [cast iron/aluminium] and shall be retained thereafter.

Reason: To safeguard the special architectural and historic interest of this statutorily listed building. (Section 12, NPPF)

- 5 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 the building is occupied and be thereafter retained.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.(Section 7, NPPF)

- 6 **No development shall take place until details of the existing and final ground and slab levels of the buildings hereby approved have been submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties, the location of which shall first be agreed in writing with the Local Planning Authority. Thereafter the site shall be developed in full accordance with the approved details.**

**Reason: To ensure that an acceptable relationship results between the new development and adjacent buildings and public areas.
(Section 7, NPPF)**

- 7 **No development shall take place until a landscaping scheme to include all hard and soft landscaping and a scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.**

**Reason: To ensure an acceptable standard of landscaping.
(Sections 7 & 11, NPPF)**

- 8 **No equipment, machinery or materials shall be brought on to the site for the purposes of development until substantial protective fencing for the protection of any retained tree(s), has been erected in the positions shown on Drawing No. 9175 TPP 01 Rev A (included within the Arboricultural Impact Assessment). The fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made,**

unless otherwise agreed.

**Reason: To protect the trees so enclosed in accordance with Section 8 of BS 5837 of 2012 or as may be subsequently amended.
(Sections 7 & 11, NPPF)**

- 9 The proposed vehicular access shall be constructed and surfaced in a bituminous or other similar durable material (not loose aggregate) as may be approved in writing by the Local Planning Authority for a distance of 5m into the site, measured from the highway boundary, before the premises are occupied. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises. (Section 4, NPPF).

- 10 Visibility splays shall be provided on each side of the junction of the vehicular access with the public highway. The splays shall extend to the limits of the site's highway frontage on each side of the access from a point on the centre line of the access measured 2.4m back from the road channel. The vision splays so described shall be maintained free of any obstruction to visibility.

Reason: To provide adequate visibility between the existing highway and the proposed access and to make the access safe and convenient for the traffic that is likely to use it.
(Section 4, NPPF).

- 11 **No development shall commence until details of a scheme showing the provision of a 1.5m wide footway on the western side of Mill Lane across the site frontage has been submitted to and approved by the Local Planning Authority and the proposed dwelling shall not be occupied until the footway has been constructed in accordance with approved details. Any Statutory Undertakers equipment or street furniture shall be re-sited to provide an unobstructed footway.**

**Reason: In the interests of road safety and pedestrian movement.
(Section 4, NPPF).**

- 12 The dwelling shall not be occupied until the junction of the proposed vehicular access with the highway has been constructed in accordance with the approved details
(see note to applicant)

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises. (Section 4, NPPF).

- 13 The development shall not be brought into use until a turning space for a service/delivery sized vehicle (6.25m length) has been constructed within the curtilage of the site in a manner to be approved in writing by the Local Planning Authority.

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. (Section 4, NPPF).

- 14 **Notwithstanding the submitted plans no development shall take place until a scheme showing off-street parking and turning has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.**

**Reason: To ensure provision for car parking and turning clear of the highway.
(Section 4, NPPF)**

- 15 Notwithstanding the provisions of Part 1, Classes A -E of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development other than that approved shall be carried out without the grant of further specific planning permission from the Local Planning Authority.

Reason: To control the external appearance of the building/s in the interests of the amenities of the area and the setting of the listed building. (Section 7, NPPF)

- 16 All rooflights in the development shall be located a minimum of 1.7m above the floor of the rooms in which the windows are installed.

Reason: To safeguard the privacy of occupiers of adjoining properties
(Section 7, NPPF)

- 17 The dwelling hereby approved shall not be occupied until details of the bin [storage/collection] areas have been submitted to and approved in writing by the Local Planning Authority and the bin storage/collection areas have been implemented in accordance with the approved details. The bin [storage/collection] areas shall be retained thereafter.

Reason: In the interest of amenity. (Section 7, NPPF)

- 18 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers PL100, PL201, PL202, PL203 (elevations and sections), PL203 (plans and elevations), 79175 TPP 01 Rev A.

Reason: To identify the approved plans and to avoid doubt.

INFORMATIVE NOTES TO APPLICANT

1. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the National Planning Policy Framework (NPPF) and the Core Strategy for North Central Bedfordshire.

2. 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.
3. The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk, Tel: 0300 300 8049 quoting the Planning Application number. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.
4. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, SG17 5TQ
5. The applicant is advised that in order to comply with Condition 11 of this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ

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

The Council acted pro-actively through early engagement with the applicant at the pre-application stage 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) Order 2015.

DECISION

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