

The Application:

Outline planning permission with all matters reserved is sought for a single dwelling within up to four bedrooms. Access would be taken between No's 7 and 9 Silsoe Road.

Relevant Policies:

National Policy and guidance

National Planning Policy Framework (NPPF) (2012)
National Planning Practice Guidance (NPPG) (2014)

Local Policy and guidance

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

CS1	Development Strategy
CS5	Providing Homes
CS6	Delivery and Timing of Housing Provision
CS14	High Quality Development
CS15	Heritage
DM2	Sustainable Construction of New Buildings
DM3	High Quality Development
DM4	Development Within and Beyond Settlement Envelopes
DM10	Housing Mix
DM13	Heritage in Development

Site Allocations (North) Development Plan Document (2011)

Central Bedfordshire Design Guide (2014)

Central Bedfordshire Sustainable Drainage Guidance SPD (2014)

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.

Relevant Planning History:

There is no relevant planning history at this site.

Planning permission was recently granted (at appeal) for the erection of a bungalow after the demolition of the existing agricultural building to the north of the site at High Gables Farm. Access to that property would be taken from Clophill Road (CB/15/03296/OUT).

Consultation responses:

Neighbours were written to and a site notice was displayed. The responses are summarised below:

Maulden Parish Council Objection for the following reasons:

- Access is too long and narrow (4.2m wide between the houses No 7 & 9). This would only provide space for one vehicle access or exit at a time with no passing area possible.
- Access width will not allow access for large and emergency vehicle and the turning at the corner as shown on the plan is not feasible.
- Exit from access has no visibility splays as there are high fences on both sides of the proposed access road. This will present a safety concern for pedestrians and highway users.
- Access area is outside the Maulden development envelope
- Traffic passing along the proposed access road will have a disruptive aspect to Nos 7 and 9.
- Whilst the proposed dwelling is within the development envelope MPC are concerned about erosion of the gap between the two development envelopes and that this will establish a precedent for further applications especially the land behind No 9.
- Although it does not state this in the application it is assumed this to be two storey 4 bed dwelling which will impact on neighbour's gardens.
- Loss of mature trees.
- In our opinion this is a case of gardening grabbing.

Neighbours

Letters of objection were received from No's 7 and 9 Silsoe Road. Comments made can be summarised as follows:

- Infilling could ruin the character of the village
- Pressure for development in the village is considerable
- Even small increases in local traffic could be problematic
- The site is greenfield. Views in and out of the village would be disrupted.

- There is no need for this type of housing in Maulden.
- The Council can meet its 5 year housing need.
- The development would result in overlooking.
- The building would be overbearing.
- Noise, pollution and dust would be caused by the use of the proposed access.
- There would be loss of light and overshadowing.
- The site is on higher ground than neighbouring houses.
- The development could result in further development in this area in the future.
- The access would have poor visibility, causing a safety hazard

Consultee responses:

Highways	No objection subject to conditions
Internal Drainage Board	No comment
Archaeology	No objection

Determining Issues:

The considerations in the determination of this application are:

1. The principle of the development
2. The appearance of the site
3. The impact on neighbours and future living conditions
4. Access to the site and other highways implications
5. Archaeology
6. Trees and hedgerows
7. Drainage

Considerations:

1. The Principle of the development

Policy DM4 of the Central Bedfordshire Core Strategy and Development Management Policies (2009) states that in small villages (like Maulden), development will be limited to infill housing within the Settlement Envelope.

The site is within the Settlement Envelope (other than the access) and the proposal broadly fits within the definition of infilling.

Whilst the access road would be outside of the Settlement Envelope, it would not cause serious harm to the character of the open countryside. This is particularly the case given that planning permission has been granted for the erection of a bungalow to the north of it, at High Gables Farm.

The principle of the development would be acceptable.

2. The appearance of the site and the area

The application is submitted in Outline with all matters reserved but the applicant has submitted an indicative layout plan to show how the development might be accommodated.

Policy DM3 states that all proposals for new development will be appropriate in scale and design to their setting and contribute positively to creating a sense of place.

Whilst residential development in back gardens is not currently a characteristic of the area (that would change to a degree should the recently consented bungalow at High Gables Farm be implemented), houses on Russell Crescent to the south are set well back from Silsoe Road and the proposed house would broadly align with those properties. In addition, the existing agricultural buildings to around the site represent a notable built presence to the east of Silsoe Road (one of those had planning permission to be replaced by a bungalow) and they would further minimise any harmful impact that the development might have on the character of the area.

That said, the built character along Silsoe Road is predominately linear and a dwelling to the rear of houses on the road should have an appropriately subservient scale and design. This is particularly important given that the levels at the site are higher than those on Silsoe Road. For that reason, a planning condition would ensure that any dwelling proposed at Reserved Matters stage was no greater than one storey in height.

Subject to that condition, a building of an appropriate scale and design could be achieved at the site.

3. The impact on neighbours and future living conditions

Policy DM3 requires that new development respects the amenity of neighbouring properties.

Given the relationship with neighbouring properties and gardens, the building proposed at Reserved Matters stage will need to properly respond to its context. This context adds further justification for a condition ensuring that the building would be no taller than one storey in height.

Whilst traffic using the proposed access road between No's 7 and 9 Silsoe Road could cause an element of disruption, vehicles associated with one bungalow would not cause such harm as to justify the refusal of the planning application.

A development that did not cause significant harm to living conditions at neighbouring properties could be achieved at this site.

Policies CS14 and DM3 seek design that is of a high quality. The Council's Design Guide reinforces the objectives that new residential development is of a high quality that provides an acceptable standard of living accommodation for future occupiers.

The proposed dwelling should meet the Council's recommended internal space standards that are set out at Section 5.05 of the Council's Design Standards (2014).

A rear garden should be provided that is at least 12m deep and at least 60m² in area (depending on the number of bedrooms proposed at Reserved Matters stage). It should be private and secure. At least the same sized garden should be retained for the occupiers at No 9a.

The detailed design of the development would be considered at Reserved Matters stage but a scheme of an acceptably high standard could be achieved at this site.

4. Access to the site and other highways implications

Policies CS14 and DM3 require that developments incorporate appropriate access and linkages, including provision for pedestrians, cyclists and public transport and that they provide adequate areas for parking and servicing. The Council's Design Guide provides further detailed technical standards that should be applied to new residential development.

The access to the site would be safe. Adequate visibility splays could be achieved. Whilst its width would likely prevent two way traffic, the traffic generated by one bungalow would not likely generate trip numbers or patterns that would lead to significant difficulties in using this access.

The access would be unorthodox given its length and right angle corner at the top of the site. It would not be suitable for any greater intensity of development than that proposed. It has been demonstrated that an ambulance sized vehicle could access the site. The applicant is proposing to install a fire suppression system to negate the need for fire vehicles to need to. This would be considered at Building Control stage and the applicant is advised to liaise with the Fire Service.

Refuse would be stored within the site and moved to the roadside on collection day.

Details of access to the site would be secured at Reserved Matters stage but an acceptable arrangement at this site could be secured.

5. Heritage Assets

Policies CS15 and DM13 seek to protect, conserve and enhance the district's heritage assets, including archaeology.

The site falls within an Archaeological Priority Area but the scale and nature of the proposed development would not be such that would likely cause harm to heritage assets.

6. Trees and hedgerows

The indicative layout shows that at least two trees would need to be removed to accommodate the access to the site. Landscaping, including replacement trees if appropriate would be secured at Reserved Matters stage.

7. Drainage

Conditions would secure details of a sustainable drainage scheme for the site.

8. Conclusions

The concerns raised by the Parish Council and neighbours of the site have been carefully considered but for the reasons described in this report, the proposed scheme, when taken as a whole and subject to the recommended planning conditions set out below, would comply with relevant policies of the Development Plan and planning permission should be granted as a result. This application is in Outline with all matters reserved for subsequent approval. A detailed application for the approval of Reserved Matters will need to be submitted and approved before development can commence and views from the Parish Council and neighbouring residents will be sought should such an application be submitted.

Recommendation:

That Outline Planning Permission is approved subject to the following conditions:

- 1 No development shall commence at the site before details of the layout, scale, appearance, access and landscaping, including boundary treatments (hereinafter called "the reserved matters") relating to the development have been submitted to and approved in writing by the local planning authority. The development shall be carried out as approved.

Reason: To comply with Article 3 of the Town and Country Planning (General Development Procedure) Order 2015.

- 2 An application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 4 Any application for reserved matters shall include details of the existing and final ground, ridge and slab levels of the buildings. The details shall include sections through both the site and the adjoining properties and the proposal shall be developed in accordance with the approved details.

Reason: To ensure that an acceptable relationship results between the new development and adjacent buildings and public areas in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009).

- 5 **No development shall take place at the site before a Method Statement detailing how retained trees and hedgerows will be protected at the site has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

Reason: To ensure that trees and hedgerows are properly protected at the site in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 6 **Any application for reserved matters shall be for a single storey dwelling with no accommodation in the roof space.**

Reason: To protect the character and appearance of the area and living conditions at neighbouring properties in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 7 **No development shall take place at the site before details of the method of disposal of surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

Reason: To ensure that drainage arrangements at the site are acceptable in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 8 **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order amending, revoking or re-enacting the Order with or without modification) no development shall be carried out within Class A, B, E and F and of Part 1 of Schedule 2 to that order unless planning permission has been granted on an application relating hitherto.**

Reason: To protect the character and appearance of the area and living conditions at neighbouring properties in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 9 **No development shall commence at the site before a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority.**

Reason: To ensure that the impacts of construction on the highways network and living conditions at neighbouring properties are controlled in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 10 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers Jmsn.1 300, Jmsn.1 301, Jmsn.1 302 and Jmsn.1 303 rev A

Reason: To identify the approved plan/s and to avoid doubt.

INFORMATIVE 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 applicant is advised to liaise with the Council's Building Control Team and the Fire Service to discuss measures to minimise the risk of fire in the event that fire vehicles are not able to access the site.
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 Highways Help Desk tel: 0300 300 8049

5. 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.

6. The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council's "Cycle Parking Annexes – July 2010".

7. The applicant is advised that no private surface water drainage system designed as part of a new development will be allowed to enter any existing highway surface water drainage system.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, 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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