

Item No. 13**SCHEDULE B**

APPLICATION NUMBER	SB/09/00115/TP
LOCATION	MOAT HALL, 36 MOOR END, EATON BRAY, DUNSTABLE, LU6 2H
PROPOSAL	RETENTION OF DORMER WINDOWS TO FRONT AND REAR ROOFSLOPES OF GARAGE
PARISH	EATON BRAY
WARD & COUNCILLORS	Eaton Bray Cllr K Janes
CASE OFFICER	Alan Robertson
DATE REGISTERED	18th February 2009
EXPIRY DATE	15th April 2009
APPLICANT	Mr D Provan
AGENT	Paul Lambert Associates Limited
REASON FOR COMMITTEE TO DETERMINE	OBJECTION FROM EATON BRAY PARISH COUNCIL – OVERDEVELOPMENT AND CONCERN AS TO WORDING ON APPLICATION
RECOMMENDED DECISION	GRANT PLANNING PERMISSION

Site Location:

Moat Hall is a detached house (originally a pair of farm workers cottages) set in extensive grounds and located at the end of a long private drive off the western side of Moor End. The property was extensively altered in 1966 when a first floor extension was added, and has recently undergone further works of alteration and extension including the erection of a detached garage as replacement for a group of outbuildings which have since been demolished.

The Application:

The replacement garage recently erected as part of a scheme of alterations and extensions to the property has not been built strictly in accordance with the approved plans. Although the siting and footprint of the building are as approved, the height has been increased by 1.0m and small rooflights inserted, two within the front elevation and three within the rear elevation. Each of the dormer windows has a width of 0.9m, a maximum height of 1.9m and incorporates a pitched roof. Permission is sought to retain the unauthorised alterations to the garage.

RELEVANT POLICIES:**National Policies (PPG & PPS)**

PPS1 Delivering Sustainable Development.

PPG2 Green Belt.

Regional Spatial Strategy

East of England Plan (May 2008)

ENV7 Quality in the Built Environment.

Milton Keynes and South Midlands Sub-Regional Strategy (March 2005)

South Bedfordshire Local Plan Review Policies

BE8 Design and Environmental Considerations.

H8 Extensions to Dwellings.

H13 Extensions to Dwellings in the Green Belt.

Planning History

SB/TP/07/0896 Permission granted for demolition of existing outbuildings, erection of single and first floor side, two storey front, and single and two storey rear extensions, alterations to roof and erection of detached garage.

Representations: (Parish & Neighbours)

Eaton Bray Parish Council Objection on the following grounds:

- overdevelopment;
- concern as to wording of the application i.e. confusion as to whether the work has already taken place.

Adjacent occupiers 32 Moor End, in favour of the retention of the dormer windows for the following reasons:

- the view of the garage is beautiful and the design superb;
- the removal of the windows would spoil the overall appearance of the house and garage;
- the windows are very narrow, are not obtrusive, are some distance from any other neighbours house, do not overlook anybody's property and can probably only be seen from no. 32.

38 Moor End objects to the proposal on the following grounds:

- the dormer windows in the garage together with windows in the extended house give rise to overlooking;
- the garage with offices above could in the future be used as a house;
- loss of views from the road/path.

Consultations/Publicity responses

None received

Determining Issues

The main considerations of the application are;

1. Policy
2. Impact on the residential amenity of neighbouring properties

Considerations

1. Policy

The property lies within the Green Belt and it is therefore necessary to consider whether the development has an adverse impact on the openness or visual amenity of the Green Belt. The footprint of the garage as built is precisely the same as that of the building as approved and accordingly there is no additional impact on Green Belt openness and the works cannot be considered to involve overdevelopment as suggested by the Parish Council. Although the ridge height of the building has been increased and the dormer windows inserted in order to enable better use to be made of the roofspace, the alterations are not considered to have a significant impact on visual amenity.

2. Impact on the residential amenity of neighbouring properties

The nearest adjoining property, 32 Moor End, has an extensive rear garden and the garage is sited with its east facing flank wall within 1m of that property's rear boundary. It should be noted that the owner of No. 32 is fully supportive of the scheme. The dwelling at No. 38 Moor End is also set within a large plot, the rear section comprises tree and shrub planting, the dwelling being sited close to the road frontage some 75m distant from the garage. Although there are likely to be views towards the rear section of that property's curtilage, the relationship would not give rise to significant overlooking or loss of privacy such that would be likely to have an adverse impact on residential amenity. The alterations to the garage do not affect views from the road/path on Moor End which is 100m from the garage with boundary hedges between.

Reason for Granting

The development does not have an adverse impact on the openness of the Green Belt, does not involve a material increase in the visual impact of the building on the character and visual amenity of the area, and does not have a significant impact on the residential amenity of neighbouring properties. The development is therefore in accordance with Policies H8, H13 and BE8 of the South Bedfordshire Local Plan Review.

RECOMMENDATION

GRANT Planning Permission for the development set out above subject to the following conditions:

1. The building as extended shall only be used for purposes ancillary to the residential use and occupation of the dwelling known as Moat Hall, 36 Moor End, Eaton Bray.
REASON: To control the use of the building in the interests of amenity.
2. This permission relates only to the details shown on the Site Location Plan and Drawing No. 2333-01 received 18/02/2009 or to any subsequent appropriately endorsed revised plan.
REASON: To identify the approved plans and to avoid doubt.

Notes to Applicant

1. In accordance with Article 22 of the Town & Country Planning (General Development Procedure) Order 1995 (as Amended), the Council hereby certify that the proposal as hereby approved conforms with the relevant policies of the Development Plan comprising of the Regional Spatial Strategy for the East of England (the East of England Plan and the Milton Keynes and South Midlands Sub-Regional Strategy), Bedfordshire Structure Plan 2011 and the South Bedfordshire Local Plan Review and material considerations do not indicate otherwise. The policies which refer are as follows:

Regional Spatial Strategy

East of England Plan (May 2008)

ENV7 (Quality in the Built Environment)

South Bedfordshire Local Plan Review

BE8 (Design and Environmental Considerations)

H8 (Extensions to Dwellings)

H13 (Extensions to Dwellings in the Green Belt)

2. In accordance with Article 22 of the Town and Country Planning (General Development Procedure) Order 1995 (as Amended), the reason for any condition above relates to the Policies as referred to in the Regional Spatial Strategy (RSS), Bedfordshire Structure Plan 2011 (BSP) and the South Bedfordshire Local Plan Review (SBLPR).
3. 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.
4. This permission is granted under the provisions of Section 73A of the Town and Country Planning Act 1990.

DECISION

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