

<b>APPLICATION NUMBER</b>	<b>MB/09/00469/FULL</b>
<b>LOCATION</b>	<b>LAND ADJACENT TO 13A, SHEFFORD ROAD, MEPPERSHALL SG17 5LJ</b>
<b>PROPOSAL</b>	<b>CHANGE OF USE TO RESIDENTIAL GARDEN</b>
<b>PARISH</b>	Meppershall
<b>CASE OFFICER</b>	Kate Phillips
<b>DATE REGISTERED</b>	13 March 2009
<b>EXPIRY DATE</b>	08 May 2009
<b>APPLICANT</b>	Mr & Mrs King
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>THE APPLICANT IS A MEMBER OF STAFF AT CENTRAL BEDFORDSHIRE COUNCIL.</b>
<b>RECOMMENDED DECISION</b>	<b>FULL CONDITIONAL APPROVAL</b>

**Site Location:**

The application site is the land adjacent to 13a Shefford Road in Meppershall which is directly to the rear (north-west) of the garden belonging to number 15, outside Meppershall Settlement Envelope.

The land in question is currently divided and owned by the occupiers of number 15 and 13a and it can be accessed from the rear gardens belonging to these two properties. Although the application is to change the use of the land to residential garden there are signs that it is already being used for this purpose. For example, the grass is cut short, there are flower beds round the edge and there is a water butt in the southernmost section (nearest the garden of number 15) and a garden bench in the northern section (which belongs to number 13a).

The boundary treatment to the north and eastern sides of the site, and also down the centre to divide the two sections, is currently wooden stock proof fence, approximately 1 metre high. Along the boundaries of the existing gardens are trees and hedgerow, as one would expect to see for residential gardens in a rural location such as this.

Shefford Road, in this location, is characterised by large, detached dwellings set back from the road. To the rear, beyond the gardens, is open countryside.

**The Application:**

This application seeks permission for a change of use of the land to residential garden land.

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

PPS 1 Delivering Sustainable Development (2005)

PPS 3 Housing (2006)  
**Regional Spatial Strategy**

East of England Plan (May 2008)  
Milton Keynes and South Midlands Sub-Regional Strategy (March 2005)

**Mid Bedfordshire Local Plan First Review 2005**

CS27 The extension of residential gardens into the surrounding countryside

**Supplementary Planning Guidance**

Not applicable

**Planning History**

None

**Representations:  
(Parish & Neighbours)**

Meppershall PC No comments received

**Consultations/Publicity responses**

Site notice posted 2.4.09

**Determining Issues**

The main considerations of the application are;

1. The principle of development
2. The effect on the character and appearance of the surrounding area
3. The impact on the residential amenity of neighbouring properties

**Considerations**

**1. The principle of development**

Policy CS27 of the Mid Bedfordshire Local Plan First Review 2005 notes that the limited extension of existing residential gardens into the surrounding countryside will be permitted where they do not have an adverse impact on the character and appearance of an area. It goes on to note that where such proposals are permitted, significant landscaping/ screening may be required and permitted development rights will normally be removed.

The principle of changing the use of the land is therefore considered to be acceptable, subject to the detailed considerations below.

## **2. Effect on the character and appearance of the area**

The proposal does not involve any significant changes to the area of land in question because the land already appears to be used as an extension to the gardens belonging to numbers 13a and 15 Shefford Road.

Although the piece of land is quite large, other gardens in the immediate area (to the west) also extend this far back and therefore it is not considered that changing the use of the land would have an adverse impact upon the character and appearance of the surrounding area.

Having said this, the gardens to the east of the application site have not been extended and therefore this piece of land would be visible in views from the open countryside towards this part of Meppershall. It is therefore considered that, if planning permission was granted to change the use of the land, the permitted development rights should be removed, as encouraged by Policy CS27 (mentioned above). This would prevent the owners from erecting structures such as garden sheds etc. that would appear incongruous and prominent against the open countryside backdrop.

It is also considered necessary to attach a condition to any planning permission granted to ensure that no changes are made to the boundary treatment without the prior approval of the Local Planning Authority. This is to prevent the owners of the land from erecting a boundary treatment unsuited to this rural location adjacent to open countryside.

To conclude, the proposal is considered to be acceptable, subject to conditions.

## **3. Impact on the residential amenity of neighbouring properties**

The proposal would have no impact upon the residential amenity of any neighbouring properties. The proposal is therefore considered to be acceptable in this respect.

### **Reasons for Granting**

The proposal to change the use of the land to residential garden is acceptable in principle in accordance with Policy CS27 of the Mid Bedfordshire Local Plan First Review 2005. There would be no detrimental impact upon the character and appearance of the surrounding area and there would be no impact upon the residential amenity of any neighbouring properties. The scheme therefore, by reason of its site, design and location, is in conformity with Planning Policy Statement 1 (2005), Planning Policy Statement 3 (2006), East of England Plan (May 2008), Milton Keynes and South Midlands Sub-Regional Strategy (March 2005) and Policy CS27 of the Mid Bedfordshire Local Plan First Review (2005).

### **RECOMMENDATION**

APPROVE Planning Permission for the application set out above subject to the following condition(s):

- 1            DG01    The development hereby approved shall be commenced within three years of the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 which is designed to ensure that a planning permission does not continue in existence indefinitely if the development to which it relates is not carried out.

- 2            U            Notwithstanding any provisions of the Town and Country Planning (General Permitted Development Order) 1995 (or any Order revoking or re-enacting that Order with or without modification) no buildings or enclosures or swimming pools shall be erected on the application site land unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of adjacent occupiers and the character and appearance of the area.

- 3            RR10    Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 1995, (or any Order revoking or re-enacting that Order with or without modification) no fence, wall, gate or other means of enclosure shall be erected on the application site land unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of adjacent occupiers and the character and appearance of the area.

DECISION

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