

Item No. 7

APPLICATION NUMBER	CB/17/03402/FULL
LOCATION	Land to the east of 38 to 42 Carters Way and to the south of 1 to 8 Carters Walk, Carters Way, Arlesey
PROPOSAL	Demolition of existing garages and development of 2 no. new dwellings with amenities and car parking.
PARISH	Arlesey
WARD	Arlesey
WARD COUNCILLORS	Cllrs Dalgarno, Shelvey & Wenham
CASE OFFICER	Mark Spragg
DATE REGISTERED	01 August 2017
EXPIRY DATE	26 September 2017
APPLICANT	Grand Union Housing Group
AGENT	Baily Garner
REASON FOR COMMITTEE TO DETERMINE	Called in by Councillor Dalgarno for the following reasons: - Loss of amenity and impact on properties adjacent to the site with proposed development overlooking other gardens - Infill will impact on neighbours and the site is space constrained.
RECOMMENDED DECISION	Approval

Summary of Recommendation

The planning application is recommended for approval, it would be in accordance with the Central Bedfordshire Core Strategy and Development Management Policies DM3, CS1 and DM4. It would not have a significant impact upon the residential amenity of any adjacent properties, would provide adequate parking provision and replacement parking for the demolished garages and it is considered that the design and layout is in accordance with the Central Bedfordshire Design Guide and National Planning Policy Framework.

Site Location:

The application site is located centrally within the town of Arlesey, which is designated in the Core Strategy as a Minor Service Centre.

The site is currently occupied by 16 concrete flat roofed garages in two blocks, accessed off Carters Way. The garages are owned by Aragon Housing and are rented to local residents. The site also includes a rotary drying area to the north of the garage blocks, for use by occupants of the adjacent maisonettes in Carters Walk.

The garage blocks adjoin the rear gardens of dwellings on Church Lane to the east, Carters Walk to the north and west and Carters Way to the south.

The Application:

The application seeks planning permission for the erection of two no. 2 bed two storey semi detached dwellings, with a parking and turning area for 2 cars for each property. The houses would each have rear gardens extending to a depth of approximately 15m. A small area of landscaping is shown in front of and to the side of the dwellings and in front of the parking area.

The two garage blocks contained within the site would be demolished to facilitate the development, with replacement off street parking spaces shown to be provided to the south west of the site. In addition, a replacement rotary drying area is shown located in the north west corner of the site, for the occupiers of the adjacent maisonettes.

The application is accompanied by a Design and Access Statement and a Site Investigation Report.

RELEVANT POLICIES:

National Planning Policy Framework (2012)

Core Strategy and Development Management Policies for Central Bedfordshire (North)

CS14: High Quality Development

DM3: High Quality Development

DM4: Development Within and Beyond Settlement Envelopes

Local Plan

The Council is currently consulting on its Draft Local Plan (Regulation 18). The Plan outlines the overarching strategy for growth and also sets out more detailed policies which will be used to determine planning applications. A substantial volume of evidence gathered over a number of years supports this document. These technical papers are consistent with the aspirations of the National Planning Policy Framework and therefore will remain on the Council's website as material considerations, which will, along with the direction of travel of the Local Plan, inform development management decisions.

Supplementary Planning Guidance

Design in Central Bedfordshire: A guide for development (revised March 2014)

Planning History

16/04394 Erection of 2 dwellings. Withdrawn.

Representations:

(Parish & Neighbours)

Arlesey Parish Council Object to the application on the following grounds:

- loss of green space to the detriment of existing residents and streetscene
- loss of on street car parking spaces through creation of off street parking
- overdevelopment of the site, insufficient area to accommodate 2 dwellings
- the proposed alternative garages are not suitably located in terms of proximity to the user dwellings

Neighbours

5 letters of objection have been received from the occupants of 35 and 37 Church Lane, 16 and 37 Carters Way.

The comments are summarised as follows:

- The tenant of garage 26 uses the garage to store his classic car.
- Concerned about damage to gardens children and animals in Church Lane during demolition of the garages
- It would be preferable to retain the existing rear wall rather than replace with timber fencing.
- Prior to using the garages the occupants of 37 Carters Way suffered car break ins.

Consultations/Publicity responses

Highways

No objection subject to conditions. The 14 parking spaces to be provided along Carters Way are sufficient to replace the 16 garages (13 of which are occupied). The parking spaces should be allocated to the garage occupiers and protected by a lockable bollard.

Tree Officer

Trees to be retained to the front of the site should be protected using tree protection fencing in line with BS5837 2012.

Drainage Board

No comment to make.

Considerations

- **Principle of development**

NPPF para 49 states that “housing applications should be considered in the context of a presumption in favour of sustainable development”. In this regard the site falls within the Arlesey Settlement Envelope wherein Policy DM4 of the Core Strategy states that residential development will be acceptable in such locations. This is subject to all other relevant policy considerations.

- **2 Design and impact on the character and appearance of the surrounding area**

The surrounding area comprises a mix of relatively high density two storey

houses and maisonettes. The proposed dwellings would reflect the design, height and scale of other development in the vicinity.

A distance of approximately 1.5m would be maintained to the west boundary of the site with the side elevation of the adjacent maisonettes a further 4m beyond the boundary, giving a gap of approximately 5.5m between flank walls. A gap of approximately 6.5m would be retained from the east flank wall of Plot 2 to the rear garden boundaries of the adjacent properties in Church Lane. As such, notwithstanding the comments of the Town Council, it is considered that the development would sit comfortably and spaciouly within the streetscene and in terms of its design would appear in keeping with its surroundings.

As such the proposal complies with Policy DM3 of the Core Strategy.

3. Residential amenities of both existing and future residents

A distance of 21m would be retained from the rear first floor windows of the proposed dwellings to the rear windows of the properties to the rear in Carters walk, which is considered an acceptable distance to prevent any undue loss of privacy between occupiers.

No first floor flank windows are proposed in the new dwellings and it is not considered that any loss of privacy or amenity would result to the occupiers of the adjacent maisonettes to the west or the properties in Church Lane to the east which would be sited over 17m from the flank wall of Plot 2.

A number of representations have been made by the occupiers of those properties in Church Lane whose rear gardens currently back onto the rear wall of the garage block. Whilst the comments are noted it is considered appropriate for a 1.8m high close boarded fence to be provided along the boundary which would be more typical of such a residential area rather than a wall in excess of 3m high being retained, which would not be appropriate. It is considered that a close boarded fence would provide sufficient screening and protection for the adjoining dwellings and be more sympathetic in appearance than a high wall.

The proposal would provide rear gardens of approximately 75qm in area and 15m in depth, which would exceed the minimum standards in the Design Guide and would allow adequate amenity provision for future occupiers.

On the basis of the above the proposal complies with Policy DM3 of the Core Strategy and the principles of the Central Bedfordshire Design Guide.

4. Parking provision and Highway safety

The proposal includes parking and turning for 4 cars to serve the two dwellings, which meets the Council's parking requirements for 2 bed properties.

The applicant has proposed the provision of 14 off road parking spaces to replace the 16 existing garages (of which it is understood 13 are occupied). The existing garages do not meet current parking standards, whilst the new parking spaces would comply with current standards and would be more

accessible for parking than the garages. It is also noted that the site is located within a sustainable location, centrally situated within Arlesey, close to local amenities, public transport and schools.

Whilst the applicants have indicated that 5 other garages would be available for current occupiers to rent within House Lane, those garages are not easily accessible to occupiers of Carters Walk. However, given the provision of the 14 parking spaces it is not considered that the other garages are required to mitigate for the loss of the existing garages.

The Highways Officer considers the parking, turning and level of alternative parking provision to be acceptable and it is not considered that any highway safety issues would arise.

Human Rights Issues

The proposal raises no Human Rights issues.

Equality Act 2010

The proposal raises no Equality Act issues.

Recommendation

That Planning Permission be granted subject to the following conditions:

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 The scheme for boundary treatment shall be completed in accordance with the approved plans prior to construction before the development of the building commences and be thereafter retained.

Reason: To safeguard the appearance of the completed development, the visual amenities of the locality and neighbouring privacy.

(Section 7, NPPF)

- 4 **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)**

- 5 **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. 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)

- 6 The 14 replacement parking bays shall be laid out and made available for use by the occupiers of the existing garages, prior to the demolition of the garages, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid displaced on street parking.(Section 4, NPPF)

- 7 Prior to occupation of any dwelling the widened junction of the existing vehicular access with the highway shall be constructed in accordance with the approved details.

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

- 8 The proposed vehicular accesses shall be surfaced in bituminous or other similar durable material (not loose aggregate) as may be approved in writing by the Local Planning Authority for a distance of 5.0m 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: To avoid the carriage of mud or other extraneous material or

surface water from the site into the highway so as to safeguard the interest of highway safety.(Section 4, NPPF)

- 9 Prior to occupation of any dwelling, the proposed development shall be carried out and completed in all respects in accordance with the access siting and layout, displaced parking provision, dwelling parking provision, refuse collection point, cycle parking provision illustrated on the approved drawing no. (P)100 Revision E and defined by this permission and, notwithstanding the provision of the Town and Country Planning General Permitted Development (England) Order 2015, (or any Order revoking or re-enacting that Order) there shall be no variation without the prior approval in writing of the Local Planning Authority.

Reason: To ensure that the development of the site is completed insofar as its various parts are interrelated and dependent one upon another and to provide adequate and appropriate access arrangements at all times.(Section 4, NPPF)

- 10 The replacement allocated parking bays for use by the garage occupiers, should have a lockable bollard that drops down away from the public highway.

Reason: To avoid on street displacement parking. (Section 4, NPPF)

- 11 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan number P100E.

Reason: To identify the approved plan 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, under the provisions of the Highways Act 1980, no part of the structure, including foundations and surface water hardware shall be erected or installed in, under or overhanging the public

highway and door or gate shall be fixed so as to open outwards into the highway. The Highway Authority has the power under Section 143 of the Highways Act 1980, to remove any structure erected on a highway

4. The applicant is advised that 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 Highways Agreements Officer, Highways Contract Team, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ
5. Best practical means shall be taken at all times to ensure that all vehicles leaving the development site during demolition/construction of the development are in a condition such as not emit dust or deposit mud, slurry or other debris on the highway, in particular efficient means shall be installed prior to commencement of the development and thereafter maintained and employed at all times during construction of the development of cleaning the wheels of all vehicles leaving the site
6. 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
7. The applicant is advised that the storage of materials associated with this development should take place within the site and not extend into within the public highway without authorisation from the highway authority. If necessary the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk on 03003008049. Under the provisions of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of construction of the development hereby approved
8. 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".

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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