

Planning and transport committee meeting 16th February 2022

For the attention of Councillor Mark Freeman and committee, Re: CB/22/00096/FULL

Dear Councillor Freeman, and Committee,

I am objecting to the above planning application. I include references from the 'Design in Central Bedfordshire Guide' supporting my objections along with plans of the proposed dwelling and plans of previously rejected and granted applications which are relevant to my objections.

History of the plot

The plot of the proposed dwelling was originally a part of the plot of the adjacent dwelling 'Heathlea'.

Since purchasing my home 'The Brackens' Heath Park Road, the previous owners of 'Heathlea' separated a section of their plot and sold it.

The rear aspect of my home 'The Brackens' directly faces the plot which would be the rear aspect of a dwelling.

The plot is relatively narrower, shorter, and smaller compared to the adjacent plot of 'Heathlea'.

A protected tree is situated in the grounds of 'Heathlea' with a 'protected root area' radius of several metres covering the proposed dwelling plot.

At present a garage sits on the plot which belonged to the original plot of 'Heathlea'.

History of planning applications

Please see my attached plans of each application. (5 pages, 1 page per application).

CB/19/02833/FULL was the first planning application to be submitted for a proposed dwelling on the plot.

The plans proposed a 2 story L shape dwelling with 4 bedrooms. Neighbours including myself objected, as the size of the proposed dwelling overdeveloped the plot and the second story rear east projection was overbearing and overlooking to mine and number 23 Sandy Lane. The plans were rejected.

The plans were revised, and reduced by removing the rear aspect second level, east side section adjacent to number 23 Sandy Lane. The reduced section was the master bedroom. The reduction reduced the dwelling to a 2 Story three bedroom dwelling with single story projection with flat roof, adjacent to number 23 Sandy Lane. The plans were granted.

The 'notice of planning permission granted' dated 18th March 2020 stated that a 4 bedroom dwelling was granted (not 3 bedroom as it should have) due to a admitted admin mistake by Central Bedfordshire Planning Department. Concerned that the 4 bedroom dwelling had been granted I contacted the Case Officer who assured me that the plans granted were for the 3 bedroom. I asked for the mistake to be rectified as it was misleading incorrect but was again assured that only the revised 3 bedroom dwelling could be built.

CB/20/01849/VOC was submitted to increase the granted part 2 Story, part single story, 3 bedroom proposed dwelling to a 3 Story dwelling with single story rear projection, plus a Box Dormer on the third level rear aspect. Myself and my neighbours objected as the proposed dwelling would sit above and bear down on the adjacent dwellings. The plans were rejected and the plans were revised. The Box Dormer was removed as was the third level.

Finally a 2 Story dwelling with single story projection to the rear on the east side adjacent to number 23 Sandy Lane was granted as a four bedroom dwelling utilising the roof space as a fourth bedroom with office. With Velux style Windows on the rear and front aspects.

Mine and my neighbours objections throughout have been to loss of privacy and amenity to our rear gardens and living areas by overlooking. The Velux style roof lights in the rear aspect of the roof did not resolve this issue as they were not positioned above head height.

A new application CB/22/00096/FULL has gone much further beyond the overdevelopment design of the rejected CB/20/01849/VOC by again intending to create a third floor, with forward facing Dormer Windows to the rear and the front aspects. Plus adding a second level rear facing Juliet Balcony on the second level rear aspect, plus a single story rear projection adjacent to 'Heathlea' which encroaches further onto the 'protected root area' of the protected tree which is situated in the grounds of 'Heathlea'

My objections to CB/22/00096/FULL

Please see my attached printouts from the Central Bedfordshire Design Guide which support my objections. I have included Figure numbers at the bottom of each objection.

The third level Dormer Windows and second level Juliet Balcony result in total loss of privacy and amenity to the rear garden of my property. To clarify, this means that I will no longer be able to stand anywhere within my rear garden or patio area without being overlooked. I will loose total loss of privacy and amenity within my ground floor living room as the third level rear Dormer Windows and second level Juliet Balcony will afford a clear view into, and through my living room even when the doors leading to my patio are closed.

5.06.01 5.12.35. 5.03 7.04.12

The plot of the proposed dwelling is situated close to the crescent of dwellings where Heath Park Road joins Sandy Lane. This would afford a Panoramic view into mine and the neighbouring gardens in this area, plus a view into rear gardens to the east of the plot.

We are a family based community. Many of our residents have young children and have been drawn to this area for the private outside space that our gardens provide. In buying my property I have provided a secure private play area for my Grandchildren. I regularly care for them at my home. It is important to myself and my family that they be able to enjoy a childhood where they are free to play in a secure garden which is not overlooked by strangers. My Grandchildren would lose their privacy and the amenity of my garden if the proposed dwelling were to be granted.
5.06.01

An infill dwelling must not dominate the original dwelling, must not create a hemmed in effect and must not create loss of privacy to its neighbours.

The proposed dwelling stands above the highest adjacent dwelling 'Heathlea' which creates an overbearing effect. It has an even greater impact of overbearing on the lower adjacent dwelling number 23 Sandy Lane due to the sloping gradient of the street. Many of the dwellings to the front aspect are bungalows thus the overbearing impact is greater still. The view from the rear aspect of my property and Heath Park Road is visually disturbed by the height of the proposed dwelling as the natural flow of the characteristic roofline of the dwellings in Sandy Lane continues towards Heath Road.

5.13.10 5.13.04 5.13.06

The proposed third story gives an uncharacteristic Town House effect which stands out from our low level dwellings.

The design is ostentatious in relation to the adjacent houses and the area as a whole. It does not fit seamlessly into the plot as the design guide states it should.

The volume of the proposed dwelling is determined to overdevelop the size of the plot with the applicant overlooking the reality of outside space needed for occupants of a house this size needs.

5.14.10

CB/22/00096/FULL fails to recognise the tree root protection area within the plot. The survey carried out by RGS Arboricultural Consultants in respect of planning application CB/19/02833/FULL stated a required root protection area radius of 10.4m measured from the centre of the tree T1. As the plot was divided by a boundary fence close to the trunk of the tree the root protection area spans several metres within the plot.

Proposal

I propose that the plans of CB/22/00096/FULL are stripped back to resemble the plans of the first granted part 2 story, part single story, 3 bedroom dwelling.

A two story contemporary dwelling with symmetrical gable end roof would resolve the issues relating to the unacceptable third story, and would resolve the issues relating to the unacceptable, uncharacteristic design of the proposed dwelling.

If the roof space were to be granted living accommodation I propose no windows of any description be granted on the rear aspect of the roof which would resolve the issues of overlooking from above second story level to the rear aspect.

If living accommodation should be granted within the roof space I propose windows to the front aspect of the roof space be Velux style roof lights only and not forward facing Dormer Windows. I propose Velux style roof lights not to be allowed to dominate the front aspect of the roof and that they be positioned above head height which would resolve the issues regarding overlooking from above second floor level to the front aspect.

5.03

I propose the removal of the second level rear aspect Juliet Balcony by removing the second level of the 2 story rear projection adjacent to number 23 Sandy Lane thus reducing this projection to a single story, however I propose that a single story have a flat roof to resemble the revised 3 bedroom plans first granted under planning application CB/19/02338/FULL this would resolve the issues of overlooking the adjacent dwelling rear gardens and the rear gardens and ground level living accommodation of mine and the dwellings to the south of the proposed dwelling. It would also resolve the issue of overshadowing and overbearing 23 Sandy Lane. It would resolve the issue of encroaching on my property's rear boundary.

I propose the removal of the single story rear projection adjacent to 'Heathlea' to resolve the issue of encroachment on the protected root area of the protected tree T1.

I urge Central Bedfordshire planning department to consider the history of planning applications I have shown in this objection letter and safeguard myself and my neighbourhood from future overdevelopment on this plot by attaching conditions to a dwelling so that future potential planning permission would have to be sought and Permitted Development rights are removed.

Yours faithfully