

**Application Number: 16/03432/FUL**

**Proposed part single and part two storey rear extension**

**AT 3 Theydon Avenue, Woburn Sands, Milton Keynes**

**FOR Mr And Mrs Conaty**

**Target:** 25th January 2017

**Ward:** Danesborough And Walton

**Parish:** Woburn Sands Town Council

**Report Author/Case Officer:** Jeremy Lee, Senior Planning Officer

**Contact Details:** 01908 252316 [jeremy.lee@milton-keynes.gov.uk](mailto:jeremy.lee@milton-keynes.gov.uk)

**Team Leader::** Stephen Gee, Senior Planning Officer

**Contact Details:** 01908 253145 [stephen.gee@milton-keynes.gov.uk](mailto:stephen.gee@milton-keynes.gov.uk)

## **1.0 INTRODUCTION**

*(A brief explanation of what the application is about)*

- 1.1 The main body of the report set out below draws together the core issues in relation to the application including policy and other key material considerations. This is supplemented by an appendix which brings together planning history, additional matters and summaries of consultees' responses and public representations. Full details of the application, including plans, supplementary documents, consultee responses and public representations are available on the Council's Public access system [www.milton-keynes.gov.uk/publicaccess](http://www.milton-keynes.gov.uk/publicaccess). All matters have been taken into account in writing this report and recommendation.

This application is referred to the Development Control Panel for determination due to an objection received from the Parish Council.

## **1.2 The Site**

The application property is a detached, two storey, dwellinghouse on the north side of Theydon Avenue, within the Woburn Sands Conservation Area. The application site slopes down from east to west and as a result the ground level of the application property is 1.1 metres above that of no.5 Theydon Avenue which is situated to the west and rear of the application property. There is currently a raised decking area to the rear of the house.

## **1.3 The Proposal**

The proposal is to erect a 3.7 metres deep, part single storey, part two storey rear extension. The single storey element would be closest to no.5 Theydon

Avenue and the two storey element would be closest to no. 1 Theydon Avenue. The proposal also includes a raised decking area to the rear of the proposed extension.

## **2.0 RELEVANT POLICIES**

*(The most important policy considerations relating to this application)*

### **2.1 National Policy**

National Planning Policy Framework 2012

Section 7 – Requiring Good Design

Paragraph 17 – High Quality Design

Paragraph 64 – Impact of Character and Appearance of the Area

### **2.2 Local Policy**

Core Strategy 2013

CS13 Ensuring High Quality, Well Designed Places

Adopted Milton Keynes Local Plan 2001-2011 (Saved Policies)

D1 Impact of Development Proposals on Locality

D2 Design of Buildings

HE6 Conservation Areas

T15 Parking Provision

Supplementary Planning Guidance

Milton Keynes Parking Standards 2016

New Residential Development Design Guide 2012

## **3.0 MAIN ISSUES**

*(The issues which have the greatest bearing on the decision)*

- 3.1 1. Principle of Development
2. Impact upon the amenities of adjoining occupiers
3. Impact upon the Character of the Conservation Area

## **4.0 RECOMMENDATION**

*(The decision that officers recommend to the Committee)*

- 4.1 It is recommended that planning permission be granted subject to the conditions set out at the end of this report.

## **5.0 CONSIDERATIONS**

*(An explanation of the main issues that have lead to the officer Recommendation)*

### **5.1 Principle of development**

Saved Policies D1 and D2 of Milton Keynes Local Plan 2001 – 2011 set out the criteria that extensions to buildings are to be judged against. These require that extensions must not result in an unacceptable visual intrusion or loss of privacy, sunlight and daylight for neighbouring occupiers and must relate well to the surrounding area. The principle of extensions to dwellings is therefore acceptable subject to those criteria.

### **5.2 Impact upon the amenities of adjoining occupiers**

The proposed extension would breach a line drawn at 45 degrees from the nearest window in the rear elevation of no. 1 Theydon Avenue by 0.32 metres. This indicates that the extension would be likely to intrude into views out of that window. In addition, the proposed extension would be to the west of no.1 which would result in some loss of afternoon sunlight to the rear of no.1, particularly at ground floor level where no.1 has a conservatory. However, it is considered that the impact on no.1 would not be so significant as to warrant refusal of the application.

5.3 The relationship between the proposed extension and no.5 Theydon Avenue is particularly problematic because of the difference in ground levels and the orientation and position of no.5. The front of no.5 faces towards the application property with windows serving a ground floor kitchen and bathroom facing directly toward no.3.

5.4 The bathroom of no.5 is fitted with obscure glazing and cannot be counted as a habitable room and therefore the impact on this room is not considered significant. However, the impact of the extension on the kitchen is a material planning consideration. The kitchen is small and the amount of natural light it currently receives is restricted because it is served by a relatively small window which looks out on a small courtyard and then the retaining wall that supports the change in ground level to no.3. Currently, above the retaining wall the occupiers of no.5 look across the back of no.3 and its raised decking area and this provides the main source of natural light to the kitchen. The proposed extension would be 5m from no.5's kitchen window and would effectively close off the view from that window. Undoubtedly this would reduce the amount of natural light to the kitchen of no.5 to some extent although it would not impact upon the amount of direct sunlight that the property would receive.

5.5 On the basis of the above it is considered that the proposal would have some impact upon the amenities of no.1 Theydon Avenue, but would have a far more significant impact upon the amenities of no.5. However, in considering the current application, the form of extension which could be built under the householder's right to build extensions without requiring planning permission from the Local Planning Authority (Permitted Development) under the General

Permitted Development Order 2015 (GPDO) has to be taken into account.

- 5.6 Under the GPDO the householder could build a 2 storey extension up to 3m from the rear of the existing house and 2m from the boundary (the proposed extension would be 1.3m from the boundary) or build a single storey extension up to 4m in height right up to the boundary. Whilst these would be smaller than that proposed, such an extension would have a very similar impact upon the amenities of no.1 as that proposed and could have a greater impact on the amenities of no.5 than that which would result from the extension proposed.

#### 5.7 **Impact upon the character of the Conservation Area**

Saved Policy HE6 of the Milton Keynes Local Plan 2001-2011 states that development proposals within a Conservation Area should preserve or enhance the character and appearance of the area. The proposed extension would have very limited impact upon the appearance of the Conservation Area. Views of the extension would be largely limited to the properties immediately adjoining the application property. Whilst the proposal would not enhance the Conservation Area it is considered that the design of the proposed extension would not have a detrimental impact upon the Conservation Area.

#### 5.8 **Conclusions**

It is considered that the impact of the proposed extension upon the Conservation Area would not warrant refusal of the application. It is also considered that the impact of the extension upon no.1 Theydon Avenue is not so significant as to warrant refusal of the application. However, the impact of the extension upon no.5 is far more balanced.

- 5.9 Because of the change in ground level between the properties any extension to the rear of no.3 would have some impact upon the amenities of no.5. In view of the orientation of the properties, with no.5 to the west of no.3, the amount of light received by no.5's kitchen would only marginally be impacted by the proposed extension. However, the sense of enclosure that the residents of no.5 would feel as a result of the enclosure would be significant and they would undoubtedly feel that their kitchen was 'darker'.

- 5.10 Nevertheless, the impact of an extension built under the 'permitted development' rights of no.3 need also to be taken into account. A 3m deep, two storey extension built under permitted development on the rear of no.3 would create a far greater impact upon the sense of enclosure felt by the occupiers of no.5 than the single storey element proposed on that boundary. On balance it is considered that the impact upon no.5 would not be so significant as to warrant refusal, particularly when considered against the impact an extension built under permitted development would have upon the amenities of no.5. It is therefore recommended that planning permission be granted subject to the condition set out below.

## **6.0 CONDITIONS**

*(The conditions that need to be imposed on any planning permission for this development to ensure that the development is satisfactory. To meet legal requirements all conditions must be Necessary, Relevant, Enforceable, Precise and Reasonable )*

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To prevent the accumulation of planning permissions; to enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances; and to comply with section 51 of the Planning and Compulsory Purchase Act 2004. (D11)

## **Appendix to 16/03432/FUL**

### **A1.0 RELEVANT PLANNING HISTORY**

*(A brief outline of previous planning decisions affecting the site – this may not include every planning application relating to this site, only those that have a bearing on this particular case)*

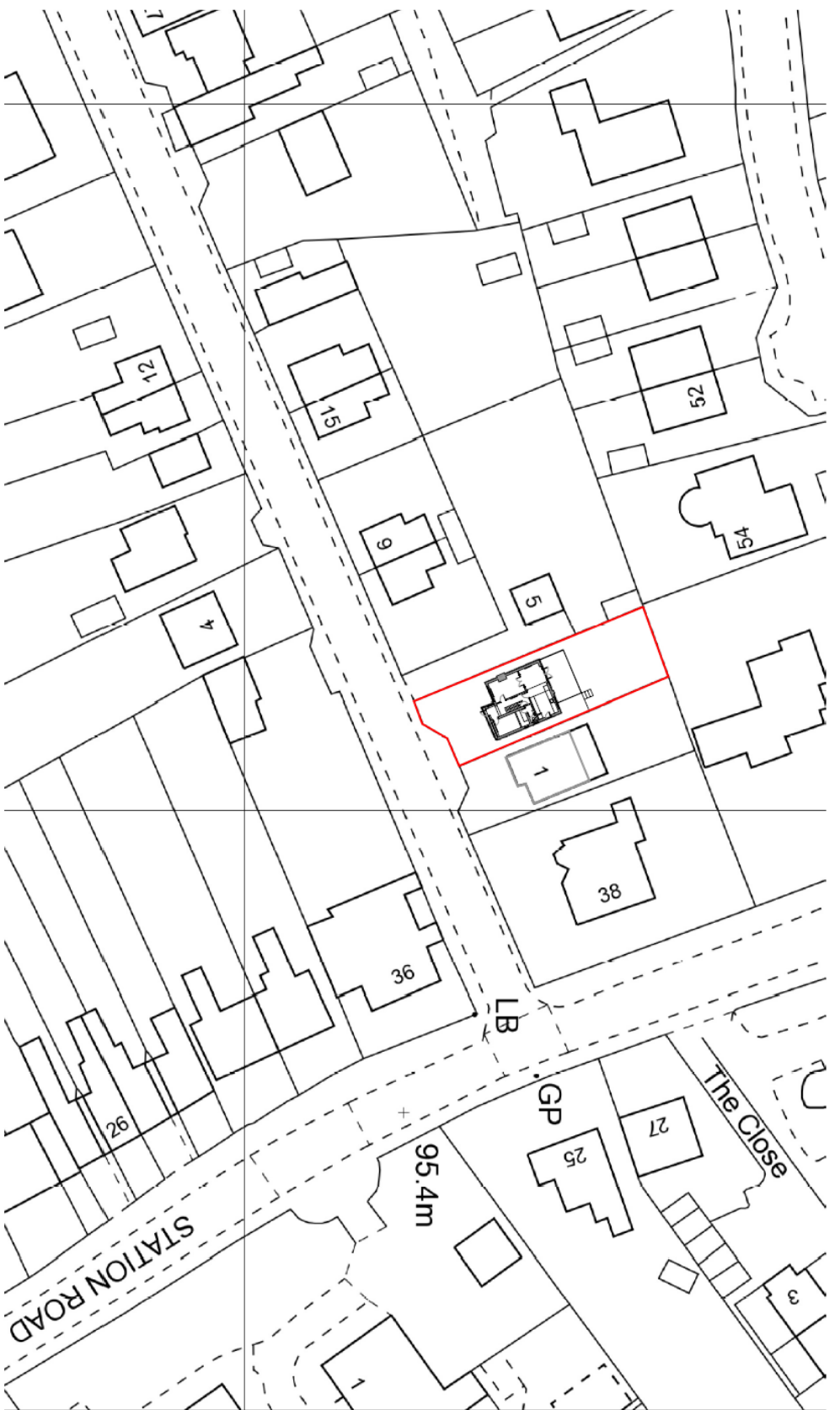
A1.1 11/02247/FUL

Extension of garden wall, erection of two brick pillars and new gates  
REF 04.01.2012

### **A2.0 ADDITIONAL MATTERS**

*(Matters which were also considered in producing the Recommendation)*

A2.1 None.

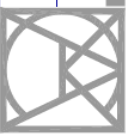


EXISTING LOCATION PLAN 1:500 @ A3

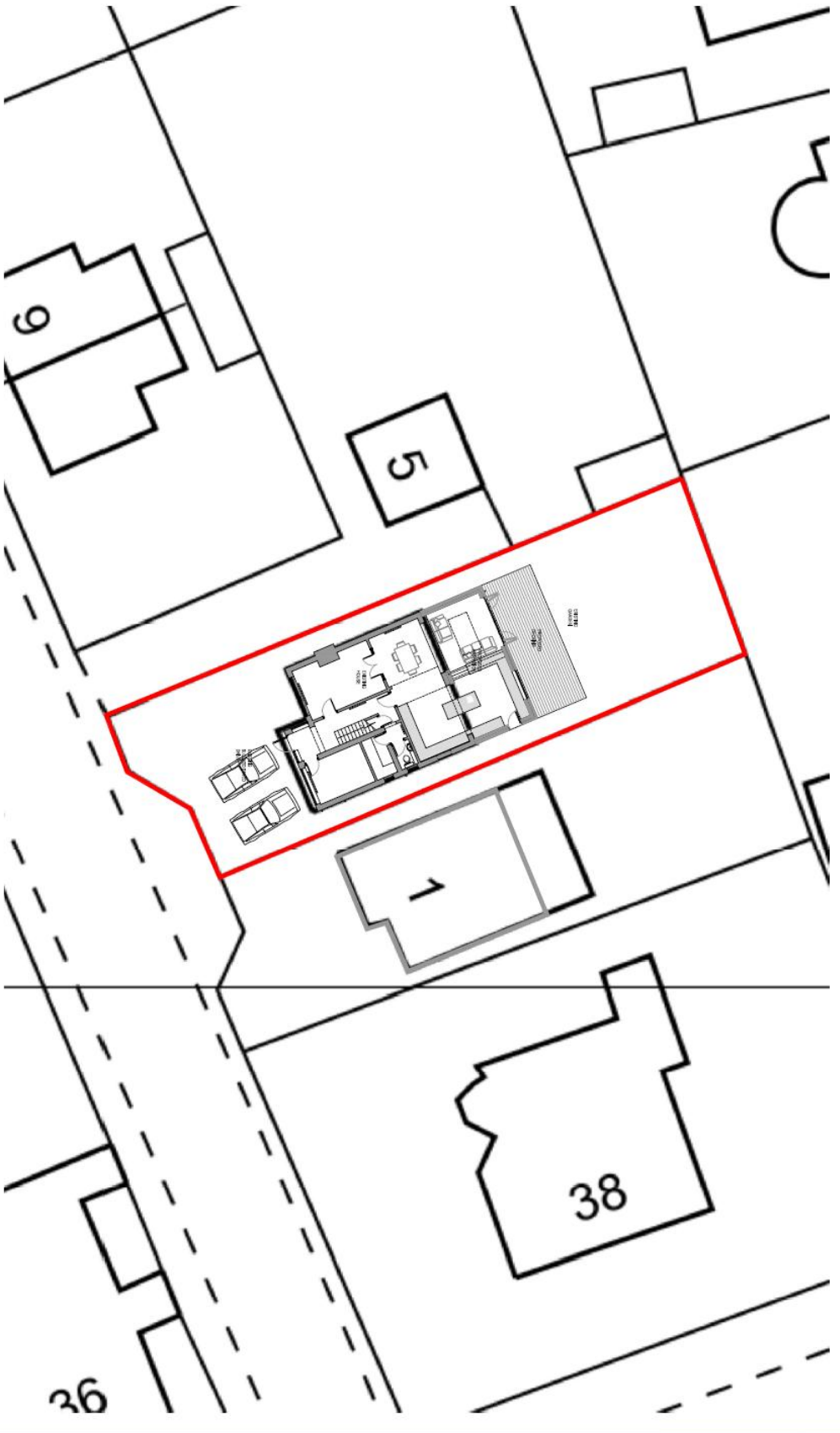


NORTH

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|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|
| <b>MARTIN COWLING ARCHITECT</b>                                                                                                                                                                                                                                                                                               |                                                                                                           |
| SCALE: 1:500 @ A3                                                                                                                                                                                                                                                                                                             | SITE: 3 THEYDON AVENUE                                                                                    |
| TERRAIN: NC                                                                                                                                                                                                                                                                                                                   | WOUBURN SANDS                                                                                             |
| DATE: NOV 08                                                                                                                                                                                                                                                                                                                  | TITLE: EXISTING LOCATION PLAN                                                                             |
| <small>THIS DRAWING IS THE PROPERTY OF MARTIN COWLING ARCHITECT. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. IT IS NOT TO BE REPRODUCED, COPIED, EITHER WHOLLY OR IN PART, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, WITHOUT THE WRITTEN PERMISSION OF MARTIN COWLING ARCHITECT.</small> |                                                                                                           |
| TEL: 01888 870088<br>MOB: 07711 679346<br>email: martin.cowling@gmail.com                                                                                                                                                                                                                                                     | MARTIN COWLING ARCHITECT BA(Hons) DPARCH RIBA<br>12 SCHOOL STREET, NEW BROADWELL, WILTON NEWNES, NKS3 2DB |



3TA/SK24



PROPOSED BLOCK PLAN 1:200 @ A3

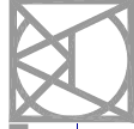
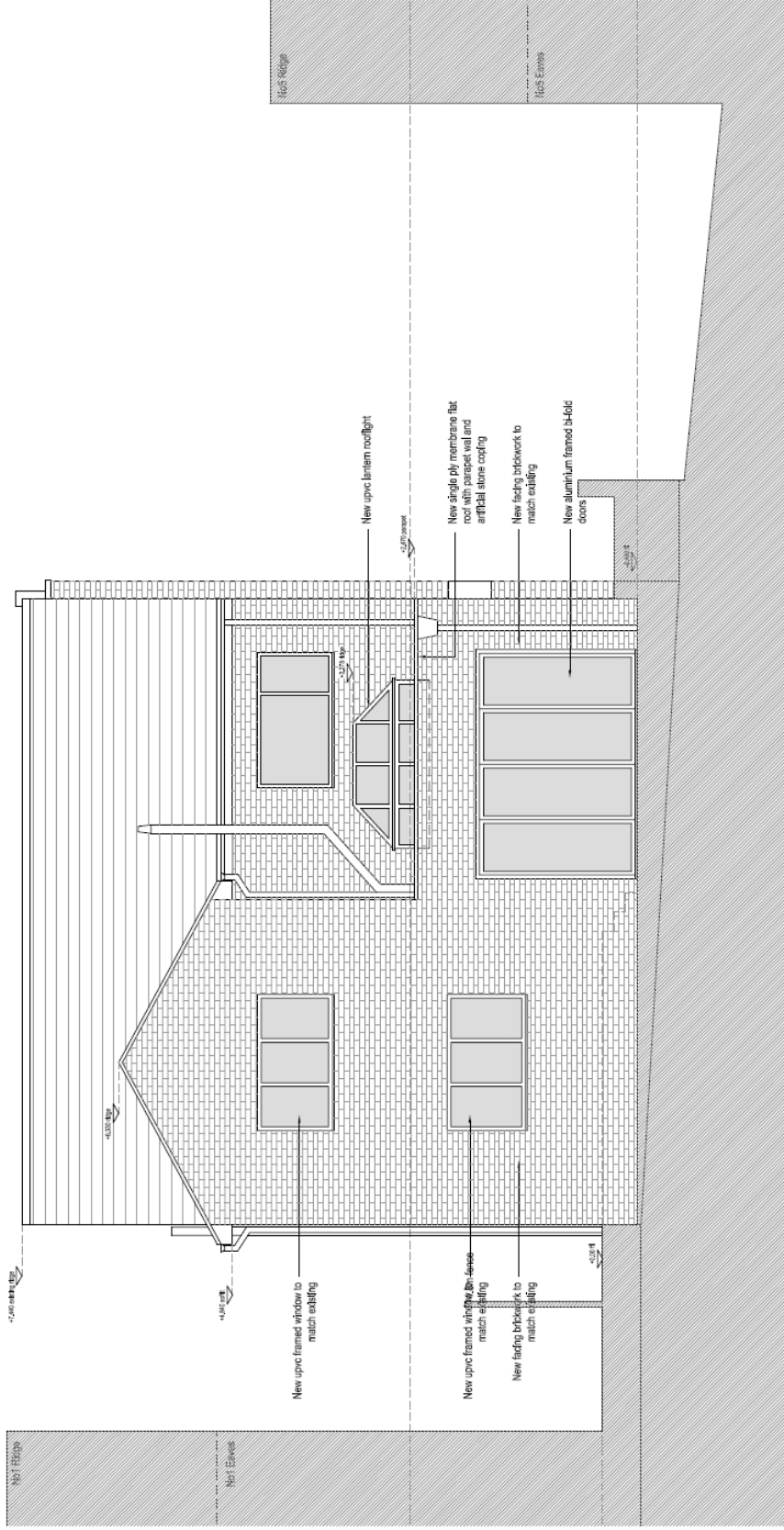


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| <b>MARTIN COWLING ARCHITECT</b>                                                                                                                                                  |                                                                                                                                           |
| SCALE: PROPOSED                                                                                                                                                                  | SITE                                                                                                                                      |
| PROJECT: NC                                                                                                                                                                      | 3 THEYDON AVENUE<br>WOUBURN SANDS                                                                                                         |
| DATE: NOV 14                                                                                                                                                                     | TITLE: PROPOSED BLOCK PLAN                                                                                                                |
| <small>           I am a registered architect in the State of New South Wales<br/>           No. 123456789<br/>           My registration expires on 31/12/2024         </small> |                                                                                                                                           |
| TEL: 01858 87938<br>MOB: 07711 57936                                                                                                                                             | MARTIN COWLING ARCHITECT BA(Hons) DPARCH RIBA<br>12 SCHOOL STREET, NEW BOWDLEIGH, WILLOWMERE, NSW 2088<br>email: martin.cowling@gmail.com |



3TA/ SK26





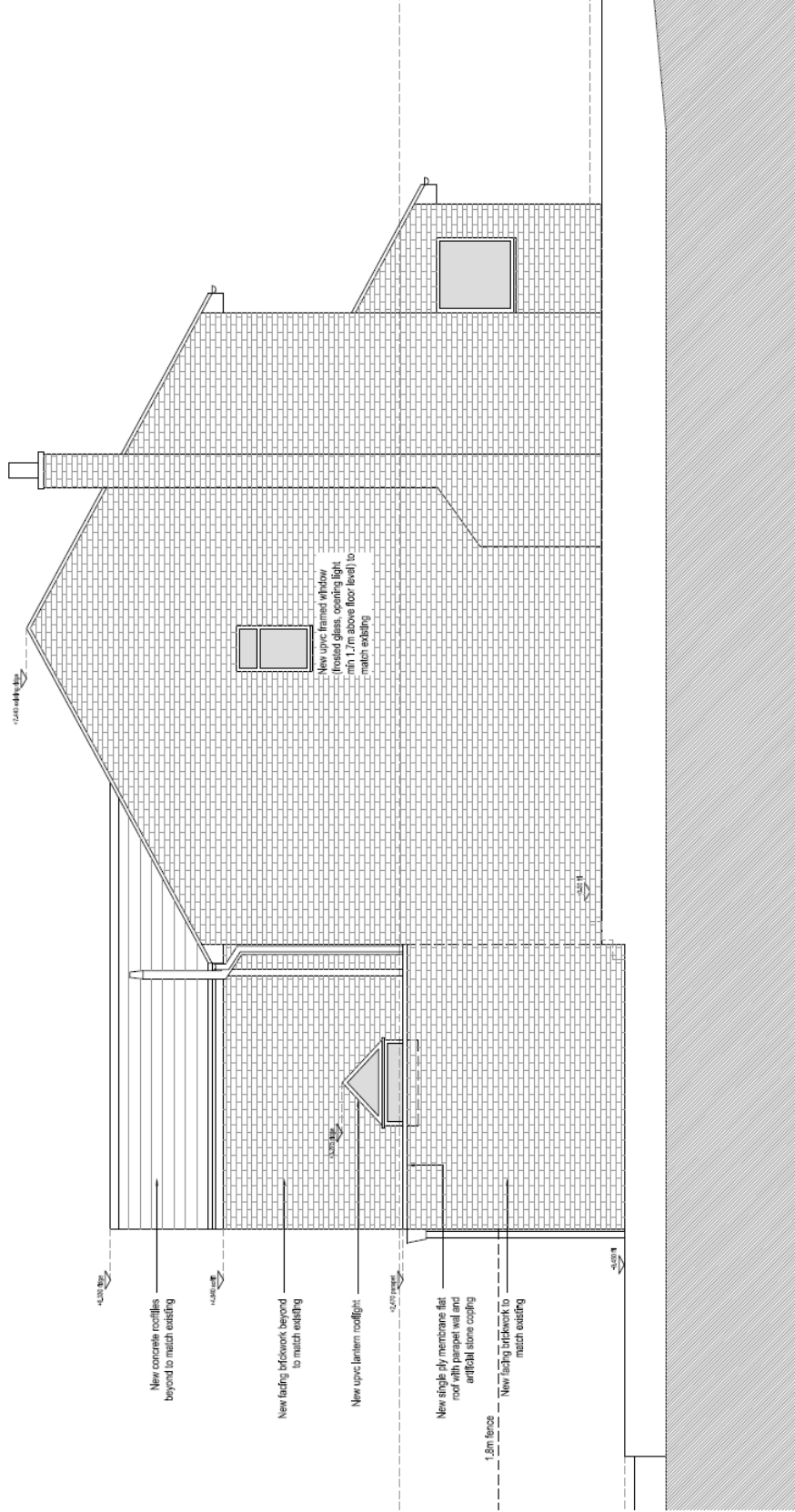
**MARTIN COWLING ARCHITECT**  
 3 THEYDON AVENUE  
 WOBURN SANDS

**PROPOSED REAR  
 ELEVATION OPTION 1**

MARTIN COWLING ARCHITECT (BAHONS) DMARCH-REB  
 12 SCHOOL STREET, NEW BRIDWELL, MILTON KEYNES, MK13 0BB  
 MOB: 07711 575945  
 email: martin.cowling@gmail.com

3TA / SK08B

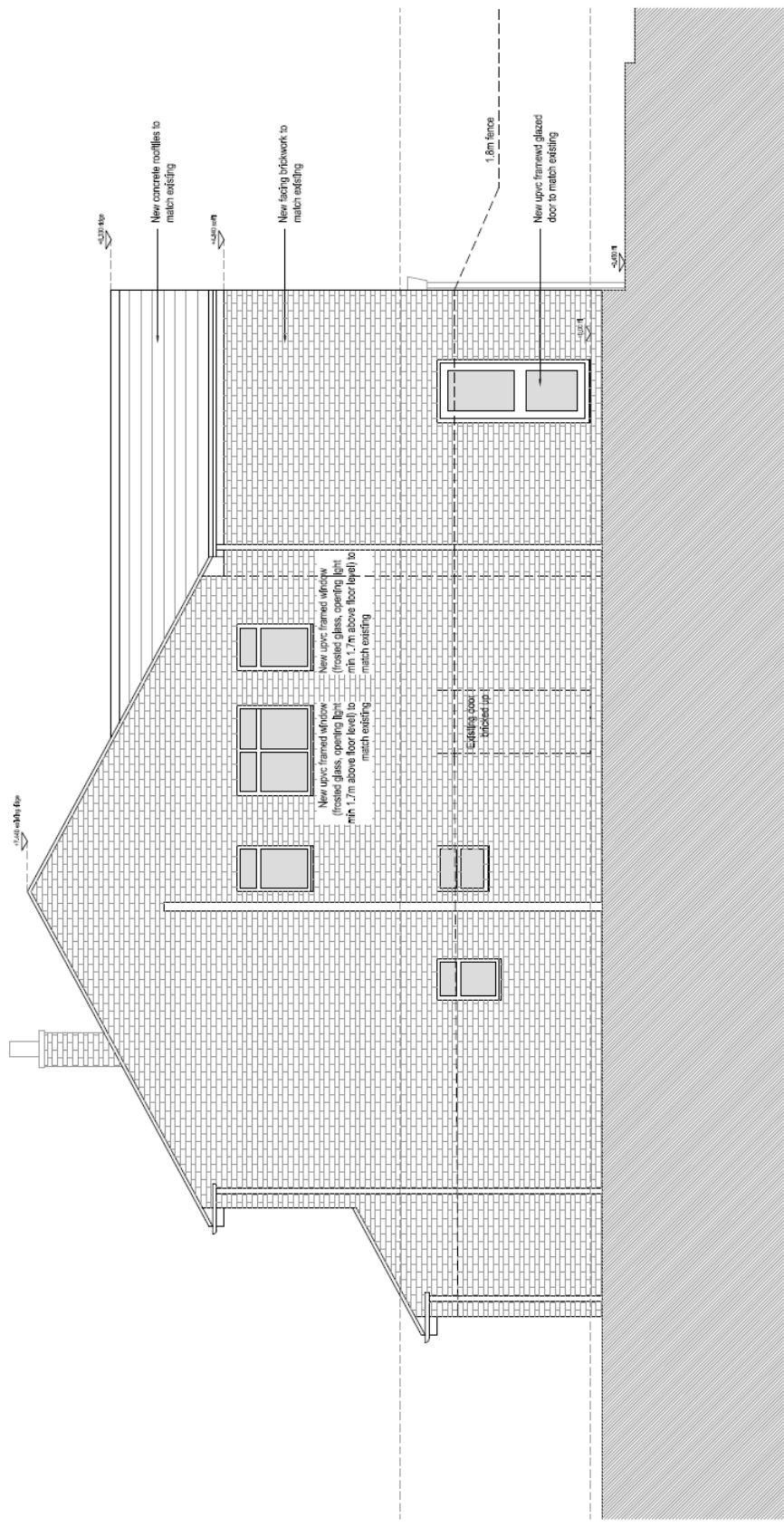
**PROPOSED REAR ELEVATION  
 OPTION 1 1:50 @ A3**



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|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|-------------------------------------------------|
| <b>MARTIN COWLING ARCHITECT</b>                                                                                                                                                                                            |                                         |                                                 |
| SCALE: 1:50 @ A3                                                                                                                                                                                                           | RITE: 3 THEYDON AVENUE<br>WOBBURN SANDS |                                                 |
| DRAWN: MC                                                                                                                                                                                                                  | DATE: NOV 18                            | TITLE: PROPOSED WEST SIDE<br>ELEVATION OPTION 1 |
| <small>         ARCHITECTS<br/>         12 SCHOOL STREET, NEW BROADWELL, MILTON KEYNES, MK13 0AB<br/>         TEL: 01800 576038<br/>         MOB: 07711 575946<br/>         email: martin.cowling@gmail.com       </small> |                                         |                                                 |

**PROPOSED WEST SIDE ELEVATION  
OPTION 1 1:50 @ A3**

3TA / SK09C



PROPOSED EAST SIDE ELEVATION  
 OPTION 1 1:50 @ A3

|                                                                                                                                                                                                                                                                            |                                         |                                                 |
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| <b>MARTIN COWLING ARCHITECT</b>                                                                                                                                                                                                                                            |                                         |                                                 |
| SCALE: 1:50@A3                                                                                                                                                                                                                                                             | SITE: 3 THEYDON AVENUE<br>WOBBURN SANDS |                                                 |
| DRAWN: MC                                                                                                                                                                                                                                                                  | DATE: NOV 14                            | TITLE: PROPOSED EAST SIDE<br>ELEVATION OPTION 1 |
| <small>           ARCHITECTS: MR MARTIN COWLING, MR ANDREW WATSON<br/>           ARCHITECTS: MR ANDREW WATSON, MR MARTIN COWLING<br/>           ARCHITECTS: MR ANDREW WATSON, MR MARTIN COWLING         </small>                                                           |                                         |                                                 |
| <small>           MARTIN COWLING ARCHITECT (BARBERS) DMARCH RIBA<br/>           12 SCHOOL STREET, NEW BROADWELL, MILTON KEYNES, MK13 0BB<br/>           TEL: 01800 579038<br/>           MOB: 07711 579046<br/>           email: martin.cowling@gmail.com         </small> |                                         |                                                 |

3TA/ SK10C

### **A3.0 CONSULTATIONS AND REPRESENTATIONS**

*(Who has been consulted on the application and the responses received. The following are a brief description of the comments made. The full comments can be read via the Council's web site)*

#### **Comments**

#### **Officer Response**

#### **A3.1 Cranfield Airport**

No comments received.

#### **Parish - Woburn Sands**

This is a sizeable rear extension. The two storey element will be clearly seen from the rear of number 1 and number 5. Woburn Sands Town Council objects to this application until such times as a transect diagram through from Nos. 1 – 5 is shown because No. 5 is at a substantially lower ground level than No. 3 and its extension will therefore potentially have significant impact on No. 5.

Adequate drawings have been submitted to enable the application to be considered. This includes drawings which demonstrate the difference in ground levels between no.3 & no.5.

**Ward - Danesborough And Walton - Cllr D Hopkins**

**Ward - Danesborough And Walton - Cllr Bramall**

**Ward - Danesborough And Walton - Cllr V Hopkins**

No comments received.

#### **Local Residents**

The occupiers of the following properties were notified of the application:

Hawthorne House 54 Elm Grove Woburn Sands  
Jackdaws House 40 Station Road Woburn Sands  
1 & 5 Theydon Avenue Woburn Sands

A letter of objection has been received from the occupiers of no.5 Theydon Avenue. They are concerned about the loss of light and a loss of privacy that could result from the proposed extension. In particular they are concerned:

1. Loss of light to kitchen window and half glazed front door which face no.3. This would be exacerbated should a modesty/safety screen be erected along the side of the proposed raised decking area.
  2. Overlooking of bathroom from proposed raised decking area.
  3. The retaining wall between no.3 & no.5 would need to be extended to retain the earthworks for the new foundations and to maintain the integrity of the Conservation area and the appearance of no.5
  4. Impact on nearby sewer.
1. See paras 5.3 to 5.8. No modesty/safety screen is shown in the application drawings. It is likely that such a screen would require planning permission. However, it is not considered that a screen similar to that currently on the existing raised decking, would have a significant impact upon the amenities of no. 5.
  2. The bathroom is fitted with obscure glazing and it is not considered that the proposal would therefore result in any overlooking of no.5.
  3. This is a matter for Building Regulations and is not a material planning consideration.
  4. This is a matter for Building Regulations and is not a material planning consideration.