

Application Number: 12/00847/FUL

Erection of gothic folly consisting of three facades

AT 10 Hammond Crescent, Willen Park, Milton Keynes

FOR Mr And Mrs Patrick Kenny

Target: 6th June 2012

Ward: Linford South

Parish: Great Linford Parish Council

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1.0 INTRODUCTION

(A brief explanation of what the application is about)

1.1 The Site

The application site is a large detached dwelling with its associated gardens located off a residential cul-de-sac within Willen Park. Opposite the dwelling, to the front is an area of public open space. Details of the location of the site and its relationship to surrounding properties can be seen in the plans attached to this report.

1.2 The Proposal

Planning permission is sought to erect a gothic folly within the rear garden area of the application site. The gothic folly would consist of three facades, each located adjacent the rear boundary of the site. The maximum height of the facades is 2.886 metres (Part A) and the maximum width is 4.833 (Part B). Details of the proposal as described above can be seen in the plans appended to this report.

1.3 A member's site inspection has been requested from the parish council to take place prior to the development control panel meeting.

RELEVANT POLICIES

(The most important policy considerations relating to this application)

2.0

2.1 National Policy

National Planning Policy Framework paragraph:

14. Presumption in favour of sustainable development

2.2 Local Policy

Core Strategy

CS12 – Developing Successful Neighbourhoods

Adopted Milton Keynes Local Plan 2001-2011

D1 – Impact of Development Proposals on Locality

D2 – Design of Buildings

D2A – Urban Design Aspects of New Development

3.0 MAIN ISSUES

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

- 3.1 The main issues are whether the proposed gothic folly would have a significant adverse impact on the character and appearance of the area and whether the proposed facades would harm the amenities of surrounding residential properties. The proposed development would be out of character with the area as it is an eccentric structure designed to reflect gothic architecture. It is proposed to locate the development to the rear of the application property's garden, a significant set back from the road and mainly screened by the existing dwelling from public vantage points. They are also proposed to be constructed with a staggered height with much of the development at approximately 2 metres in height.

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 Impact on the character and appearance of the area

The proposed development is located to the rear of the dwelling and is therefore not significantly visible from the road. The application property is a large detached dwelling which would screen much of the development from public vantage points. The proposed development would be out of character with the area due to the nature of the structures as they are designed to reflect gothic architecture. The use of the garden is not proposed to change and would remain wholly residential. Given the siting of the development and set back from the road, the staggered height of the development and the relationship with surrounding rear garden and boundary structures, it is not considered to detrimentally alter the character and appearance of the area.

5.2 Impact on residential amenity

Currently the garden is enclosed by hedging and a 1.8 metre close boarded fence. The maximum height of the development would be 2.886 metres and much of the development is approximately 2 metres in height. The development is also split into three facades with the widest one at 4.833 metres. It should be noted that the applicant could erect a 2 metre high fence on the boundary with the neighbouring properties without planning permission. This would mean that only part of each facade would project above a fence which could be erected without permission.

5.3 Each facade would be set slightly away from the rear shared boundary with neighbouring properties (between 2 metres and 2.8 metres away). In addition there are existing structures in the rear garden areas of neighbouring properties to the rear (garden sheds) that are of a similar height to the proposed development. Although the proposal does impact on the outlook and light to adjacent properties to some degree, for the reasons outlined above, on balance this is not considered to be so significant to justify refusal of the application.

5.4 The proposed development is not considered to provide any significantly more intrusive views into the neighbouring properties than is currently the case from someone standing or sitting in the garden. Therefore the proposal is not considered to lead to a significant loss of privacy to the neighbours.

5.5 Other Matters

Other matters, which are not critical to the decision, are dealt with in Section 3 of the attached Appendix.

5.6 Conclusions

It is considered that in this case, due to the proposed height, siting and scale of the gothic folly, it would not cause sufficient harm to the character and appearance of the area, nor would it have a significant adverse impact on the amenities of neighbouring properties to the rear of the application site that would justify refusal of the application. It is therefore on balance recommended that planning permission be granted subject to the conditions detailed 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)

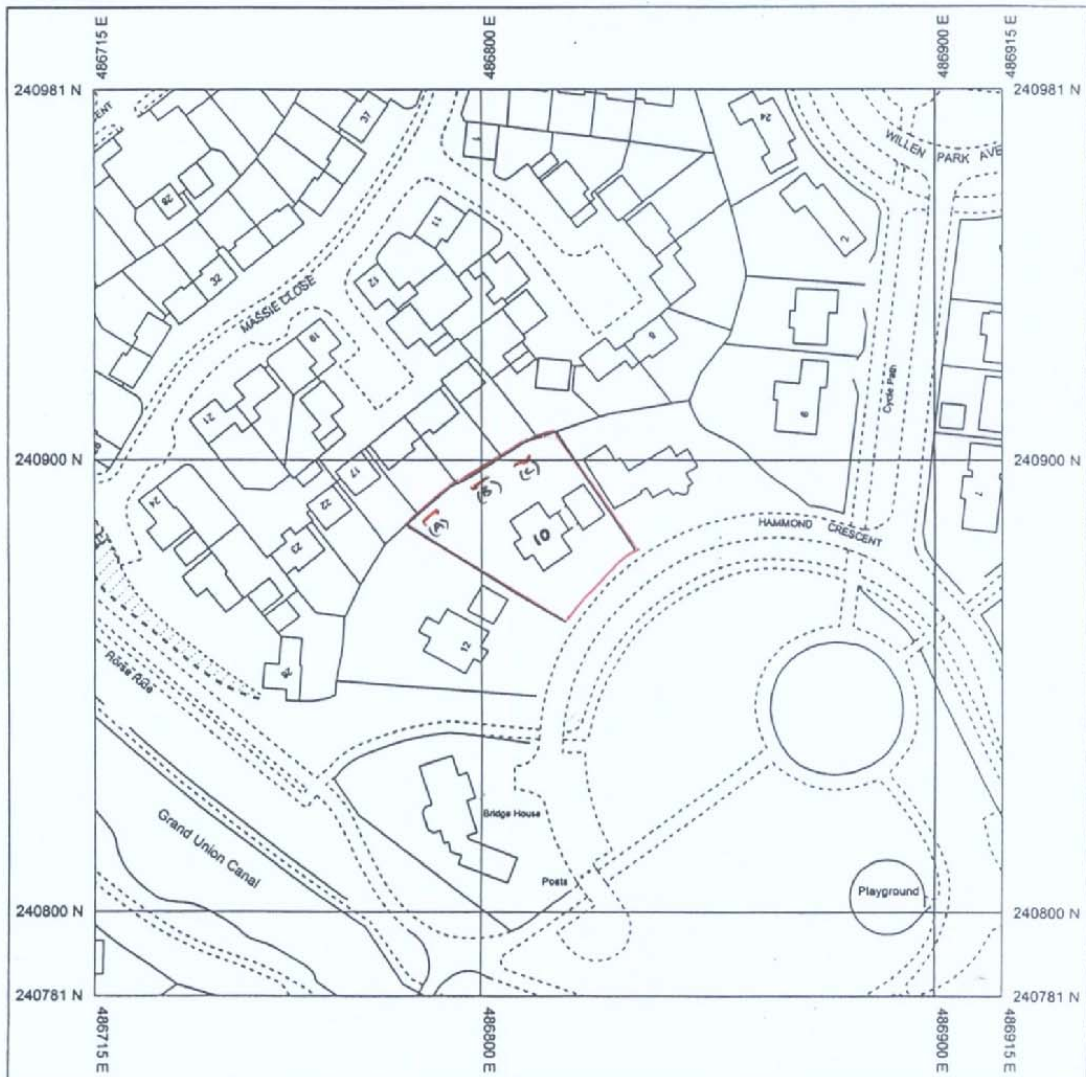
Mapping
sourced from



N5: LOCATION PLAN

10 HAMMOND CRESCENT

Location Map



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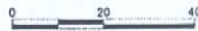
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The representation of a road, track or path is no evidence of a right of way.

The representation of features as lines is no evidence of a property boundary.

— = PROPOSED DEVELOPMENT
(PARTS A, B & C)

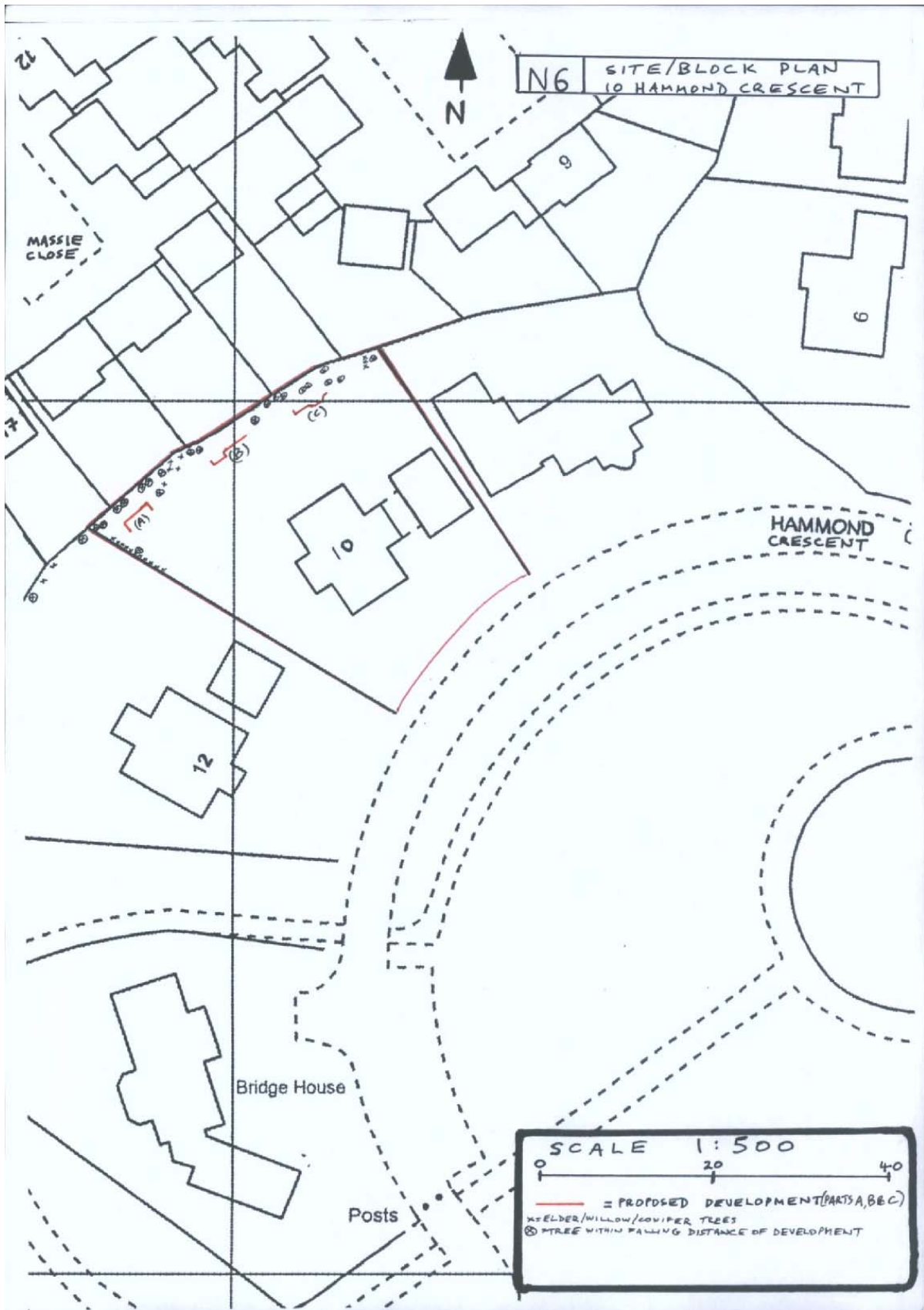


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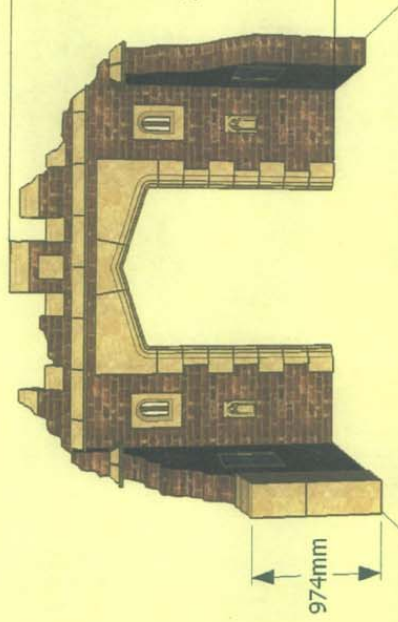
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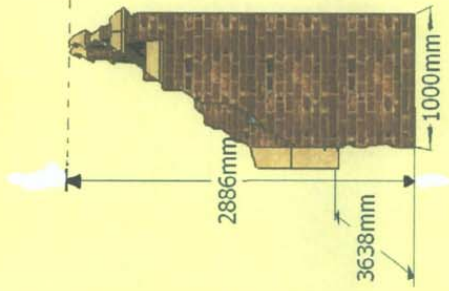
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PART A

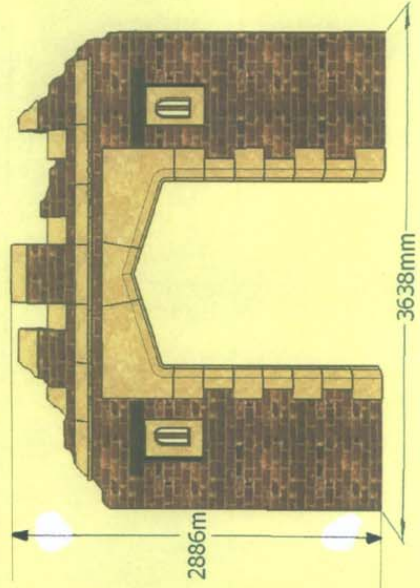
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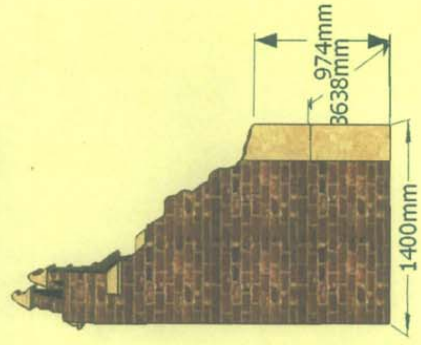
RIGHT
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REAR
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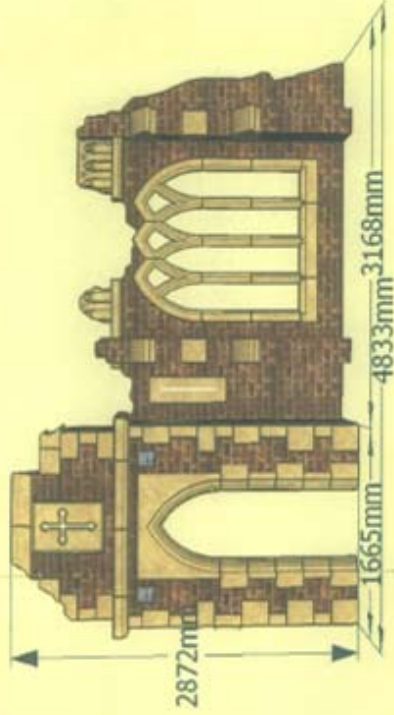
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Mr. P. Kenny
No.10 Hammond Crescent
Milton Keynes
MK15 9DW
Scale: 1:50
10th April 2012

N 8 PART B

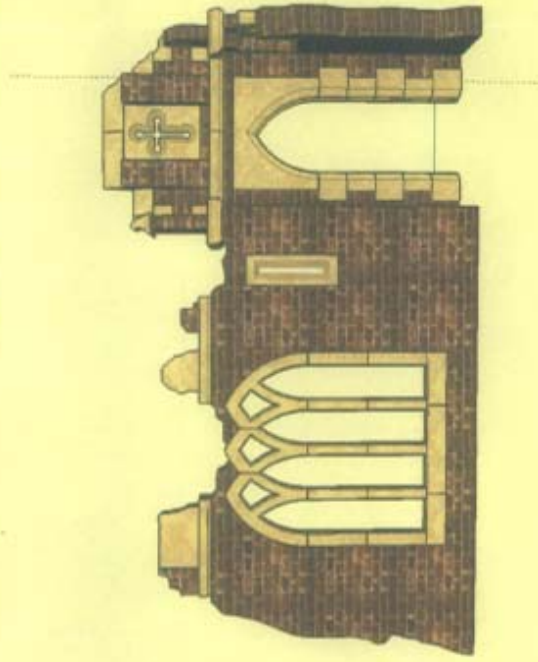
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RIGHT
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REAR
ELEVATION



LEFT
ELEVATION



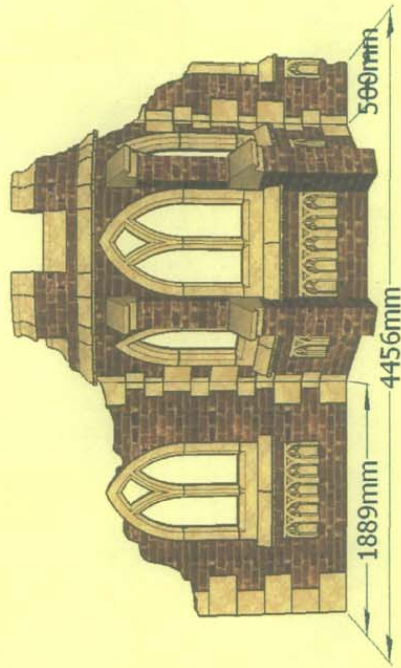
Mr. P. Kenny
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10th April 2012

N 8

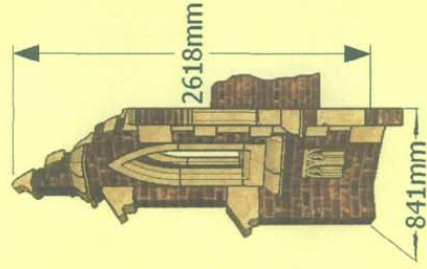
PART C

REDWOOD
STONE
— JOLLY & GARDNER —

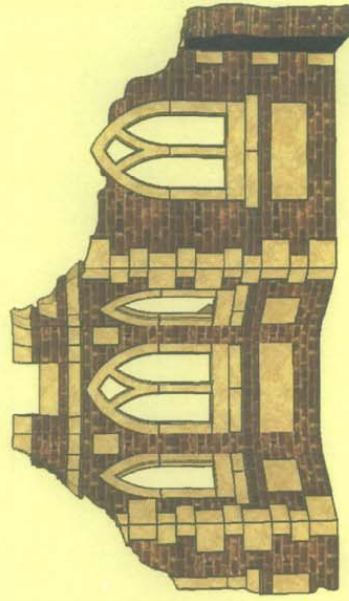
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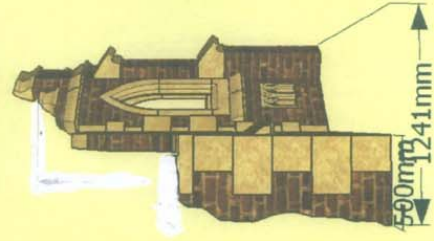
RIGHT
ELEVATION



REAR
ELEVATION



LEFT
ELEVATION



Mr. P. Kenny
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10th April 2012

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1.0 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)

- 1.1 12/00127/FUL
Erection of a gothic folly bell tower
REF 15.03.2012

2.0 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	Policy Reference
2.1 Parish - Great Linford	None.	
1. The ‘folly’ is in three parts and non is within 2 metres of the boundary to the adjoining properties Nos. 15, 16, 17 and 22 Massie Close Downhead Park. This consists of a fence, existing shrubs and trees.		
2. The ‘folly’ is constructed of stone and reclaimed bricks. The three pieces are all less than 2.9 metres high and they have neither roof nor floor. They measure variously; 3.638 m wide by 1.0m deep, 2.872m wide by 0.75m deep and 4.456m wide by 0.841m deep.	None.	
3. If the fencing to the adjacent properties is less than 1.8m high, the impact of the three individual facades will be as visually intrusive as the previous application.	Noted and discussed in paras. 5.1 and 5.2 of the report above.	MKLP: D1, D2
4. GLPC object and recommend MKC refuse this application Policy D1(iii) and D2(i)(iii).	Noted and discussed in paras. 5.1 and 5.2 of the report above.	MKLP: D1, D2
GLPC are requesting a site visit so that Councillors can see the proposed development as seen by the residents of Hammond Crescent.	Site visit requested.	

2.2 Public Representations

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

8, 14, 15, 16, 17 Massie Close, Willen Park. 8 and 12 Hammond Crescent, Willen Park, Milton Keynes.

2.3 3 letters of objection have been received. These have raised the following issues:

- | | | |
|--|--|--------------|
| 1. Block light to the rear garden areas and properties. | Noted. Discussed above in paras 5.2 | MKLP: D1 |
| 2. Development is out of character with the area. | Noted. Discussed above in paras 5.1 | MKLP: D1, D2 |
| 3. Development is highly visible and would cause a loss of outlook. | Noted. Discussed above in paras. 5.1 and 5.2 | MKLP: D1, D2 |
| 4. The proximity of the development to neighbouring properties and loss of privacy. | Noted. Discussed above in paras. 5.2 | MKLP: D1 |
| 5. The recent loss of planting to the boundary and therefore a reduction in screening. | The planting was in the control of the applicant and was not restricted by tree preservation orders or landscape conditions. Therefore planning permission was not required to remove such planting. | |
| 6. Loss of views to trees that have been removed. | Not a material planning consideration. Discussed further below in para. 3.2. | |

3.0 ADDITIONAL MATTERS

(Matters which were also considered in producing the Recommendation)

3.1 Site background – previous application

The previous application for a gothic folly bell tower was refused for the following reason:

1. The proposed development by virtue of its siting and scale would introduce a large, intrusive and domineering feature that is not in scale with and would not enhance the surrounding properties and would have a detrimental impact on the daylight, outlook and amenity of the adjoining dwellings, particular No. 12 Hammond Crescent and No. 16 and No. 17 Massie Close. The development would be contrary to saved Policies D1 (iii) and Policy D2 (i) and (ii) of the Milton Keynes Local Plan 2001-2011.

This previous proposal had a maximum height of approximately 5.7 metres and was one single tall building located to the west corner of the rear garden to the property. This proposal is for a gothic folly consisting of three facades which is a complete different design and proposal to the previous refusal.

3.2 Loss of views

As outlined above in paras. 5.2 the proposal is not considered to lead to the significant loss of outlook to the rear of adjacent properties. Although planning considers the impact of development proposals on the outlook to the properties (e.g. whether a proposal would lead to a property feeling overly enclosed or dominated by a proposal) it should be noted that the loss of a view (e.g. views of open land or scenic views or trees etc) is not a material planning consideration. Therefore the concerns regarding loss of the view of trees cannot be given significant weight in this decision.