

## ITEM 4(a)

**Application Number:** 18/03085/FUL

**Description** Proposed new windows at the ground floor rear elevation

**AT** 46 Newport Road, Woolstone, Milton Keynes MK15 0AA

**FOR** UK Housing Sites Ltd

**Target:** 8<sup>th</sup> March 2019

**Extension of Time:** Yes

**Ward:** Campbell Park and Old Woughton

**Parish:** Campbell Park Parish  
Council

**Report Author/Case Officer:** Elizabeth Verdegem  
Senior Planning Officer

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### 1.0 RECOMMENDATION

1.1 It is recommended that planning permission is granted subject to conditions as set out at the end of this report.

### 2.0 INTRODUCTION

#### The Site

2.1 The application site is a former office building located on Newport Road, Woolstone. The building associated with the proposed works is located to the rear of the site, with a parking area located to the front of the site, accessed via Newport Road.

2.2 The access from Newport Road also serves 46A Newport Road, which is positioned adjacent to Newport Road.

#### The Proposal

2.3 The application seeks full planning permission for the proposed four new windows to the ground floor rear elevation of the existing building.

Reason for referral to committee

- 2.4 The application is referred to Development Control Panel at the request of Councillor McDonald and Campbell Park Parish Council.

**3.0 RELEVANT POLICIES**

3.1 National Planning Policy Framework (2018)

Section 12 Achieving Well-Designed Places

The Development Plan

3.2 Campbell Park Parish Council Neighbourhood Development Plan

Design Policy 1

3.3 Adopted Milton Keynes Core Strategy (2013)

Policy CS13 Ensuring High Quality, Well Designed Places

3.4 Adopted Milton Keynes Local Plan 2001-2011 (2005) (Saved Policies)

D1 Impact of Development Proposals on Locality  
D2A Urban Design Aspects of New Development  
D2 Design of Buildings  
T15 Parking Provision

3.5 Supplementary Planning Documents

Milton Keynes Parking Standards 2016  
New Residential Development Design Guide 2012

3.6 Plan:MK (Submission Version October 2017)

Policy CT10 Parking Provision  
Policy D1: Designing a High Quality Place  
Policy D2: Creating a Positive Character  
Policy D3: Design of Buildings  
Policy D4 Amenity and Street Scene

3.7 Human Rights Act 1998

There may be implications under Article 8 and Article 1 of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions. However, these potential issues are in this case amply covered by consideration of the environmental impact of the application under the policies of the development plan and other relevant policy guidance.

## 4.0 MAIN ISSUES

Development Background  
Highway matters and parking  
Impact on character of the area  
Design  
Residential amenity  
Other matters

## 5.0 CONSIDERATIONS

### Development Background/Principle

- 5.1 As noted above and in the applicant's submitted floor plans, the building on the application site is currently vacant, with its previous use being as an office. Concern has been raised by various parties that the floor plans are inaccurate, given that the site has permission under two separate prior approval applications for residential use, and that the plans are therefore misleading. The planning history of the site is a material planning consideration in the determination of this application, and the assessment and recommendation of this application can be conducted with the knowledge that the site is likely, or at least possibly, to come into residential use. However, the plans as they stand are accurate, as the site and building are not classed as being in residential use until one of the prior approval permissions is implemented. As the planning history of the site is a material consideration, the assessment of this application will consider the addition of ground floor windows to the rear elevation in both scenarios, namely, if the building remains in office use, or if residential use is implemented.
- 5.2 It is noted that the application (ref: 04/01019/FUL) for the extension to the office building in 2004 (the section of the building to which this application relates) applied a condition to prevent the introduction of rear ground floor windows to "*safeguard the residential amenities of occupiers of dwellings in Butterfield Close*". The impact of this proposal on the residential amenity of the adjacent residents will therefore be considered later in this report.
- 5.3 Procedurally, it is considered acceptable for the applicant to make a full application for the introduction of windows. However, if the building was to remain in office use, the applicant would be advised that to implement this permission they should apply to remove condition 6 on the 2004 permission, as that condition relates to restrictions on the building when in office use. By making this application, it implies that the applicant intends to implement one of the prior approval permissions, but as above, the plans provided are considered accurate, as the residential use has not been implemented and the site is currently in office use.

### Highway matters and parking

- 5.4 Saved policies D1 (i) and (vi), T10 and T15 of the Adopted Milton Keynes Local Plan 2001-2011 and Policy CS13 of the Milton Keynes Core Strategy require the decision maker to have particular regard to any additional traffic generation a development may cause and the resulting impact on the surrounding road

network/parking provision/access. This requirement is also echoed within Policy CT10 of Plan:MK (submission version Oct 2017). In addition, the Milton Keynes adopted Parking Standards SPD sets out the development related parking standards for Milton Keynes and should be read in conjunction with these policies.

- 5.5 The proposed development would not result in any additional bedrooms being created, or any use that would require an increase in parking requirements as outlined in the Milton Keynes Parking Standards 2016 SPD.
- 5.6 It is therefore considered that the proposed development would accord with the saved policies T10 and T15 of the Adopted Milton Keynes Local Plan 2001-2011 and Policy CT10 of Plan:MK (submission version Oct 2017).

#### Impact on character of the area

- 5.7 Saved Policies D2 and D2A of the Milton Keynes Local Plan 2001-2011 and Core Strategy Policy CS13 seek to ensure that all new buildings are high quality, well designed and relate well to the surrounding area. It also seeks to ensure that proposals reinforce the local character. The objective of Saved Policy D2 of the Milton Keynes Local Plan 2001-2011 is to ensure that all new buildings are well designed and relate well to the surrounding area.
- 5.8 Design Policy 1 of the Campbell Park Parish Council Neighbourhood Development Plan provides a requirement for all developments to feature high quality design and architecture that integrates into its surroundings and respects the character of the area. In addition, the emerging Plan:MK (submission version Oct 2017) also reinforces these ideals under Policies D1, D2, D3 and D4.
- 5.9 The proposed development will affect the existing rear elevation of the building only, and will therefore not be visible from the local area and streetscene of Newport Road, or Butterfield Close, to the west of the site. There is no increase in height, scale or footprint to the existing building as a result of the proposal. As such, the proposed development is considered not to significantly detract from the character of the local area that would be contrary to national planning policies, Saved Policies of the Adopted Milton Keynes Local Plan 2001-2011, Design Policy 1 of the Campbell Park Neighbourhood Development Plan and policies within Plan:MK.

#### Design

- 5.10 Saved policies D1, D2 and D2A of the Milton Keynes Local Plan 2005 and policy CS13 of the Core Strategy 2013 require the decision maker to have particular regard to the design and visual impact of new development and to the context within which it is placed. In addition, Design Policy 1 of the Neighbourhood Plan is relevant and outlines that buildings must integrate with the surroundings. This requirement is also reflected in Policies D1, D2, D3 and D4 of Plan:MK (Submission Version Oct 2017).
- 5.11 The proposed windows are to be of a suitable design in relation to the existing building. In addition, the proposed materials to be used are to match windows on

the building as existing. As such, the proposed new windows are considered to integrate satisfactorily into the existing building, and would therefore not detract from the character of the original building

#### Residential amenity

- 5.12 Saved Policy D1(iii) of the Milton Keynes Local Plan 2001-2011 states that developments will be refused where they are harmful by the way of an unacceptable visual intrusion or loss of privacy, sunlight and daylight. In addition, the planning principles set out in paragraph 127 of the National Planning Policy Framework 2018 details that planning decisions should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. This is further reflected in Policy D4 of Plan:MK (submission version Oct 2017).
- 5.13 Reference is made to a condition attached to the approved planning permission for the single storey rear and side extension affected by this application, approved under reference 04/01019/FUL. The condition reads:
- No doors or windows shall subsequently be introduced into the rear walls of the extension.*
- Reason: To safeguard the residential amenities of occupiers of dwellings in Butterfield Close.*
- 5.14 In considering the reason that the condition was applied to the office building originally, the officer's report noted that there was an existing hedge, but no fence, between the houses of Butterfield Close and office building. The condition was therefore applied to ensure that no windows would be introduced to the rear ground floor; the officer notes "*although actual visibility into rear gardens from a rear extension is likely to be minimal, due to the close proximity there would be a perceived loss of privacy by resident and increased awareness of the office use.*" It is now the case that a 1.8 metre fence, in addition to the mature hedgerow, exist between the office building and the adjacent residents, acting as a further privacy screen between the buildings.
- 5.15 In addition, the building sits approximately 0.8 metres lower than the dwellings located to the west of No. 46 Newport Road due to the topography of the site. As such, it is considered that the proposed windows would not be visible from the dwellings located to the west of the site, in particular Nos. 10, 11 and 12 Butterfield Close. The impact of the proposed development is therefore considered to be minimal and non-intrusive, and would not result in an adverse loss of privacy to these dwellings.
- 5.16 It should also be noted that the New Residential Design Guide SPD contain recommended guidance for back to back distances of 22 metres at a first floor level between dwellings. Given that the proposal is for ground floor windows, and the building sits 0.8 metres lower than the adjacent neighbours, the standard is not applicable to this application.

- 5.17 The proposed development will not result in an increase in height, scale or footprint of the existing building, and therefore the impact of the proposed development in relation to an unacceptable visual intrusion, or loss of sunlight and daylight, would not be above the existing arrangement.
- 5.18 The application is therefore considered acceptable on the ground of impact on residential amenity, and in accordance with Saved Policy D1(iii) of the Local Plan and emerging Policy D4 of Plan: MK.

#### Other matters

- 5.19 Objections have been received in regard to the publicity of the application. All directly adjoining neighbours were consulted as part of this application and therefore it is considered that the Local Planning Authority has discharged its statutory duty in regard to the publication of the application. In addition, as this application is only for rear ground floor windows, notification to the adjacent neighbours is considered the most appropriate method for notification.

### **6.0 CONCLUSIONS**

- 6.1 Overall the proposed development is considered to accord with national policy and the development plan. The addition of ground floor windows to the rear of the building is unlikely to have an adverse impact on the residential amenity of surrounding properties. It is therefore recommended for approval subject to conditions as set out in this report.

### **7.0 CONDITIONS**

1. The development hereby permitted shall begin 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 91 of the Town and Country Planning Act 1990.

2. The external surfaces of the development hereby permitted shall be constructed only of materials of a type and colour which match those of the existing building except where indicated otherwise on the approved drawings.

Reason: To ensure that the new work complements the existing building and to ensure the development does not detract from the character and appearance of the area in accordance with Policy CS13 of the Milton Keynes Core Strategy 2013 and Saved Policies D1 and D2 of the Milton Keynes Local Plan 2001-2011.



12 BUTTERFIELD CL

NOTES

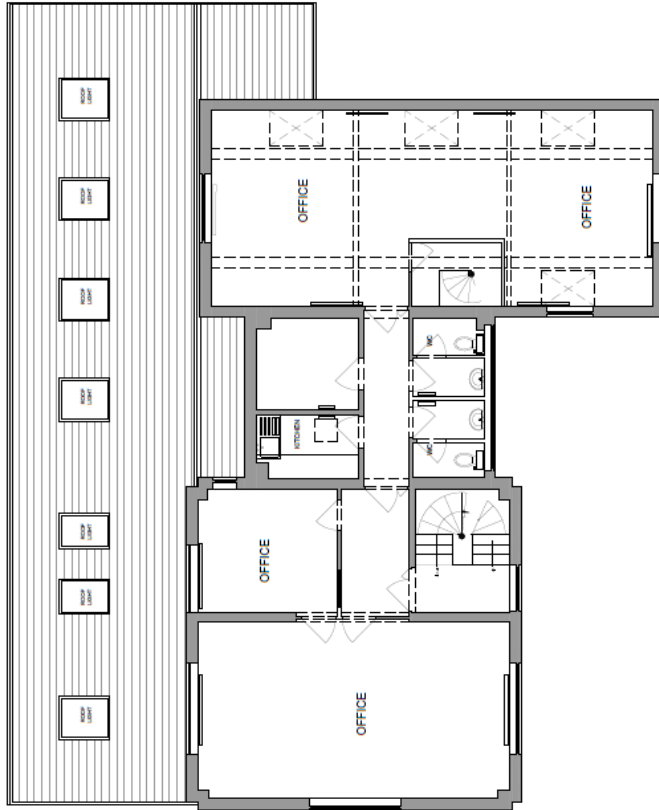


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T: +44 (0) 208 1350000	CA 02 01
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Project: SILVERSTONE HOUSE	PROPOSED GROUND FLOOR PLAN
Client: SILVERSTONE HOUSE	
Location: SILVERSTONE HOUSE	
Address: SILVERSTONE HOUSE	
Postcode: MK18 2PH	
Scale: 1:100	
Date: 2017/2018	
Drawn by: [Name]	
Checked by: [Name]	
Approved by: [Name]	
Project No: 17/04	
Client Ref: CA 02 01	
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GROUND FLOOR  
March 2018



NOTES



PROJECT NUMBER: 1704 DATE: 2012

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PROJECT: BLUNSTONE HOUSE

BLUNSTONE HOUSE

MILTON KEYNES MK15 6AA

DATE: 2012/12/2018

BY: G.A.U.E. (A)

DATE: 2012/12/2018

BY: G.A.U.E. (A)

DATE: 2012/12/2018

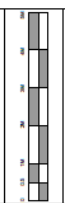
BY: G.A.U.E. (A)

DATE: 2012/12/2018

BY: G.A.U.E. (A)

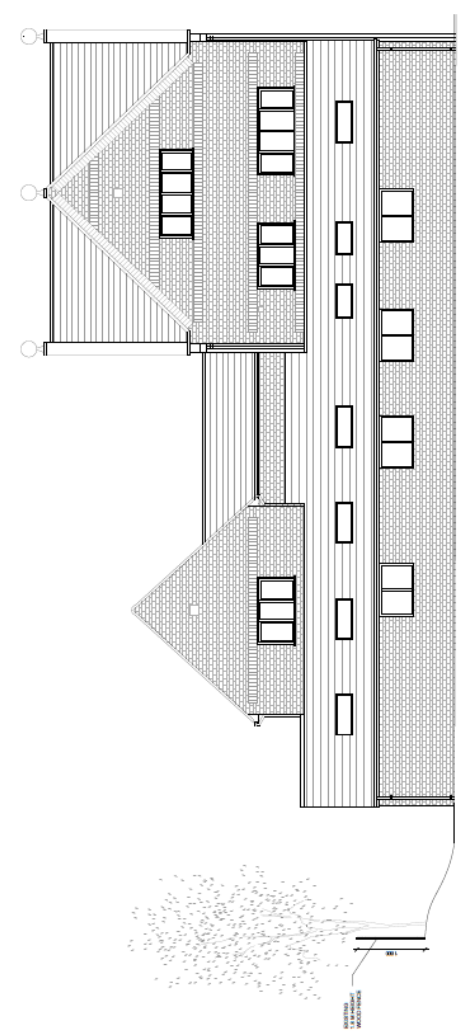
FIRST FLOOR  
2012.12.20

NOTES



PROJECT NUMBER:	1704	DATE:	04.02.05
www.gardall.com			
London W8M 2PH			
E: graham@gardall.com			
PROJECT:	Woolstone House	DATE:	20.11.2018
48 NEWPORT ROAD, WOOLSTONE			
MILTON KEYNES MK15 6AA			
PROPOSED SECOND FLOOR PLAN			
DATE:	20.11.2018	SCALE:	1:100
BY:	GA 02.05	REVISION:	A
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NOTES



PROJECT NUMBER:	1704	DATE:	04.02.05
www.gardall.com			
London W8M 2PH			
E: graham@gardall.com			
PROJECT:	Woolstone House	DATE:	20.11.2018
48 NEWPORT ROAD, WOOLSTONE			
MILTON KEYNES MK15 6AA			
PROPOSED WEST ELEVATION			
DATE:	20.11.2018	SCALE:	1:100
BY:	GA 02.05	REVISION:	A
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WEST ELEVATION  
Scale: 1:100

## **Appendix to 18/03085/FUL**

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

02/00045/ADV  
INTERNALLY ILLUMINATED ELEVATION SIGN  
PEAVNZ 20.02.2002

04/01019/FUL  
SINGLE STOREY REAR AND SIDE EXTENSION TO OFFICE BUILDING  
PER 18.10.2004

17/01739/PNB1C3  
Prior notification for change of use from office (use class B1(a)) to 9 x residential dwellings  
(use class C3) across 3 storey building  
PAREQA 22.08.2017

17/02409/FUL  
Alterations to the existing access and parking layout to provide 2 accessible parking  
spaces from Newport Road  
WDN 25.01.2018

17/03346/FUL  
Part single, part two storey side extensions, side dormers to facilitate a loft conversion to  
provide 3 additional residential units.  
WDN 27.03.2018

18/00209/CLUP  
Certificate of lawful use (proposed) for re-orientation of 2 parking spaces and a new  
vehicular access from Newport Rd in addition to the re-surfacing of existing hard standing  
area for the demarcation of parking bays.  
LCLU 23.03.2018

18/01096/PANB1C  
-Change of use from B1(a) Office to C3 Residential (twelve Units)  
PAREQA 29.06.2018

18/01147/FUL  
Part single front and side and part two storey side extensions with side dormers to  
facilitate loft conversion to provide 2 additional flats.  
REF 12.12.2018

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

None.

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

A3.1 Ward Councillor - Cllr Brackenbury  
No response received.

A3.2 Ward Councillor - Cllr Baines – member of DCP/DCC  
No response received.

A3.3 Ward Councillor - Cllr McDonald  
“Can I ask for this to go to panel please”

A3.4 Parish Council  
“With permission having already been approved for the change of use to residential, planning application approved for the change of use from B1(a) office to C3 residential for 12 units and prior notification for change of use from B1(a) office to C3 residential for 9 units together with a certificate of lawful use for re-orientation of 2 parking spaces and new vehicular access in addition to the resurfacing of existing hard standing area for the demarcation of parking bays (to meet parking standards for residential use), the Committee resolved to object to the application on the grounds that the application is misleading by referring to the use of the site as office accommodation.

The application further contravenes the Parish Council’s Neighbourhood Development Plan Employment Policy 3.

The Committee request that the application should be considered by Milton Keynes Council Development Committee.”

A3.5 Third party objections have been received from 5 addresses and are summarised as follows:

- Consider that the proposed development in contrary to conditions placed on the 2004 permission;
- Consider the existing plans to be misleading in showing the building as in office use;
- Concern regarding the lack of/misleading information on the application form;
- Concern that the trees/hedges have not been properly considered; and
- Concern that the application has not be publicised correctly.