

## ITEM 4(d)

**Application Number:** 18/02020/LBC

**Description** – Listed building consent for the erection of proposed detached (ancillary) annexe within the curtilage of the existing dwelling

**At** 4 Newport Road, Woughton on the Green, Milton Keynes, MK6 3BS

**FOR** Mr and Mrs Dixon

**Target:** 29<sup>th</sup> November 2018

**Extension of Time:** Yes

**Ward:** Campbell Park & Old Woughton

**Parish:** Old Woughton

**Report Author/Case Officer:** Richard Edgington  
Planning Officer

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### 1.0 RECOMMENDATION

1.1 It is recommended that listed building consent is granted subject to the conditions set out at the end of this report.

### 2.0 INTRODUCTION

#### The Site

2.1 The application site is within the curtilage on No. 4 Newport Road, Woughton on the Green. The host dwelling is a Grade II Listed detached dwelling known as the 'Old Thatch', (Historic England ref. SP8758037864).

#### The Proposal

2.2 The application seeks listed building consent for the erection of a modern one bedroom ancillary annexe and associated works within the rear amenity space.

#### Reason for referral to committee

2.3 The application has been referred to committee at the request of Old Woughton Parish Council.

### **3.0 RELEVANT POLICIES**

#### **3.1 National Planning Policy Framework (2018)**

Section 12 - Achieving Well-Designed Places

Section 16 - Conserving & Enhancing the Historic Environment

#### **3.2 Local Policy:**

Milton Keynes Core Strategy (2013):

CS13 - Ensuring High Quality, Well Designed Places

CS19 - The Historic and Natural Environment

Milton Keynes Councils' adopted Local Plan:

HE5 - Development affecting the setting of a listed building

HE6 - Conservation Areas

#### **3.4 Relevant Planning Legislation:**

Planning (Listed Buildings and Conservation Areas) Act 1990:

Section 66 - General duty as respects listed buildings in exercise of planning functions.

Section 72 - General duty as respects Conservation Areas

#### **3.5 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.

#### **3.6 Equalities Act 2010**

Due regard, where relevant, has been had to the Milton Keynes Council's equality duty as contained within the Equalities Act 2010.

### **4.0 MAIN ISSUES**

- Principle of Development
- Impact on a Listed Building
- Other Matters

### **5.0 CONSIDERATIONS**

#### **Principle of Development**

- 5.1 In accordance with the National Planning Policy Framework 2018, Milton Keynes Council's policy CSA of the Core Strategy 2013 states that; when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development. It will always work pro-actively

with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

- 5.2 Planning applications that accord with the policies in this Local Plan (and where relevant, with policies in Neighbourhood Plans) will be approved without delay, unless material considerations indicate otherwise. The proposed development has been subject to two previous planning applications which have been withdrawn due to objections from neighbours and the conservation officer. The key difference with this application is that the proposal is reduced in scale and in a different location. Whilst it is noted that the original plans effectively sought permission for an independent dwelling, with there being no dependency on the existing dwelling, this was considered to be unacceptable given the location of the annexe to the rear amenity space of 'The Old Thatch' and lack of access to the site.
- 5.3 However, this has been amended to ensure that the development is dependent on the main dwelling, and whilst the overall principle for the proposed development can be considered acceptable, this principle is subject to material planning considerations as presented within this report. In particular due to the proposed development being situated within the curtilage of a listed building, Milton Keynes Council has a statutory duty under Section 66 of the Planning (Listed Building & Conservation Areas) Act 1990, this obligation is within the adopted Local Plan under Saved Policy HE5 of Milton Keynes' adopted Local Plan (2001-2011).

#### Impact on a Listed Building

- 5.4 The site is within the curtilage of a Grade II Listed Building known as 'The Old Thatch'. In accordance with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, special regard must be paid to the desirability of preserving the Listed Building, its setting and any features of special architectural or historic interest in which it possesses.
- 5.5 In addition to this, Saved Policy HE5 of the Milton Keynes Local Plan (2001-2011) states that:
- 'Planning permission will be refused for any form of development that would adversely affect the setting of a listed building or group of listed buildings. This setting may extend well beyond their immediate building curtilage(s) and may include an extensive street scene or a wider urban design context, especially when the application site is located within a designated conservation area'.
- 5.6 The proposal seeks to erect a single storey ancillary annexe within the rear amenity space of the 'Old Thatch'. The location of the proposed development is to the North-West of the site within a regress in the garden formerly used as a vegetable patch. The site benefits from established landscaping and also includes landscaping within the submitted plans which will be conditioned to be implemented. Whilst there have been three third party representations and an objection submitted from Old Woughton Parish Council, the basis for the objections are mainly associated with the impact on residential amenity and the overall character of the area, as opposed to the listed building itself.

- 5.7 The conservation officer had previously raised an objection to the proposed development due to the design of the proposed annexe. However, revised plans were submitted to include further detailing and minor design amendments which has resulted in the conservation officer removing the objection. In terms of the design the conservation officer has commented that 'the images show a structure which should be unassuming and which complements its context rather than competing with it'. The conservation officer has also requested that the cladding to be of a Siberian larch material which will enable the material to weather to a grey colour to enhance the appearance of the building.
- 5.8 Overall, it is considered the proposed works would have a neutral impact on the Grade II Listed building. Consequently, there is no need to offset the impact of the proposals against any public benefit. Great weight has been applied to the consideration of this application and the impact it would have on any designated heritage assets. As such it is considered that the local authority has discharged their statutory duty to pay special regard to the preservation of the Listed Building as required by Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The development would comply with saved policy HE5 of Milton Keynes Local Plan 2001 - 2011, Sections 16 & 66 of the Planning (Listed Building and Conservation Areas) Act 1990 and 16 of the National Planning Policy Framework 2018.

#### Other matters

- 5.9 The proposals as set out within this application are also subject to a full planning application considered under planning reference 18/02019/FUL.

### **6.0 CONCLUSIONS**

- 6.1 In conclusion, the application is considered to be acceptable and the application is therefore recommended for approval subject to conditions.

### **7.0 CONDITIONS**

1. The works hereby permitted shall begin before the expiration of three years from the date of this consent.

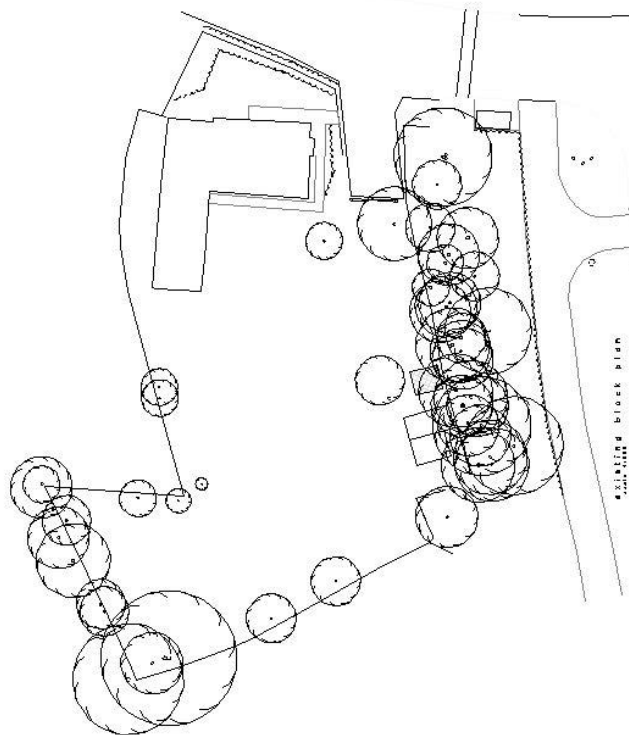
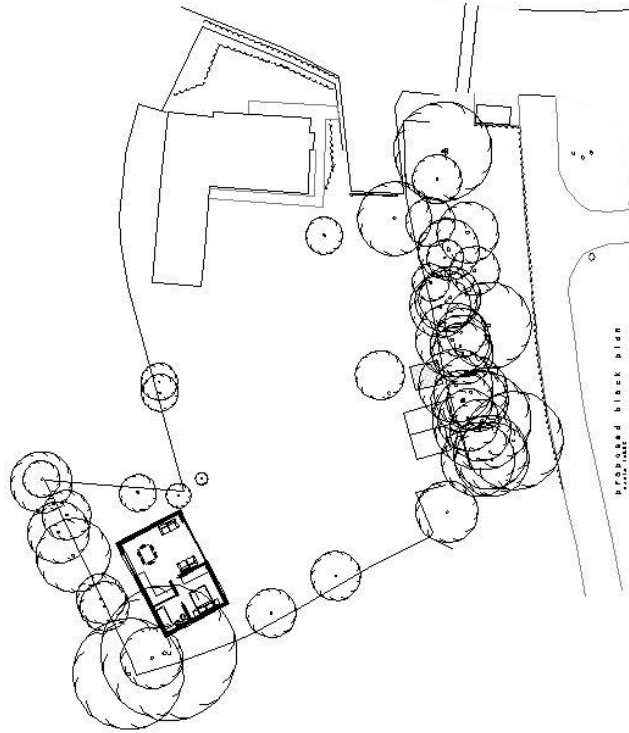
Reason: To conform with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

# Site Location Plan



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## Existing & Proposed Site Plans



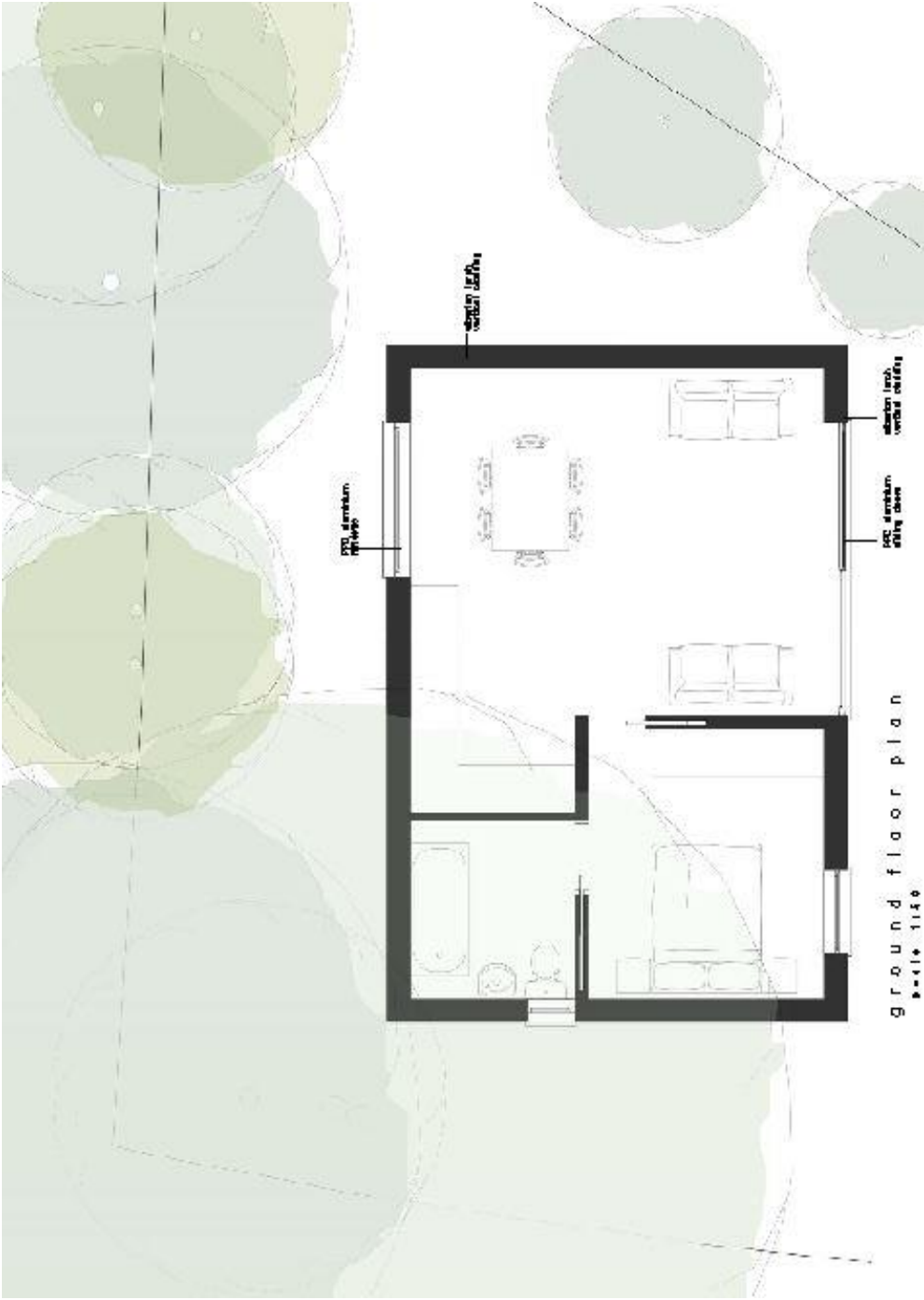
## Proposed Elevations





Proposed Floor Plan





## **Appendix to 18/02020/LBC**

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

18/02020/LBC - Listed building consent for the erection of proposed detached (ancillary) annexe within the curtilage of the existing dwelling. Pending Consideration

18/00399/LBC - Listed building consent for erection of detached (ancillary) annexe within the curtilage of the existing dwelling. Withdrawn 11.07.2018

18/00382/FUL - Erection of detached (ancillary) annexe within the curtilage of the existing dwelling. Withdrawn 11.07.2018

17/01749/FUL - Erection of single family dwelling within the curtilage of no.4 Newport Road. Withdrawn 08.12.2017

17/01400/FUL - Single storey rear extension (resubmission of application: 17/00411/FUL). Permitted 24.07.2017

17/00411/FUL - Single storey rear and front extensions. Permitted 20.04.2017

04/00437/OUT - Erection of two storey detached dwelling house (outline). Refused 08.06.2004

02/00111/FUL - Erection of detached double garage. Permitted 20.02.2002

02/01464/FUL - Erection of a conservatory to rear. Permitted 17.09.2002

01/01836/FUL - Erection of two storey detached double garage, workshop and store. Refused 10.01.2002

00/00227/LBC - Listed Building Consent for Partial demolition and rebuild of single storey rear extension. Permitted 28.03.2000

00/00135/FUL - Partial demolition and rebuild of single storey rear extension. Permitted 28.03.2000

MK/676/93 - Detached Garage. Permitted 15.09.1993

MK/987/84 - Erection of dwelling (Outline). Refused 23.10.1985

MK/1194/81 - Two storey rear extension and front porch. Permitted 16.12.1981

MK/958/79 - Erection of a detached bungalow. Refused 08.11.1979

MK/279/76 - Demolition of existing outbuildings and erection of a two storey extension (Listed Building Consent). Permitted 10.08.1976

MK/278/76 - Single storey extension. Permitted 10.08.1976

MK/138/74 - Extension to kitchen cloakroom, bathroom and bedroom. Permitted  
03.09.1974

MK/94/74 - Installation of vehicular access. Permitted 04.09.1974

NR/263/71 - Bedroom and Cloakroom Extension. Permitted 18.08.1971

## **A2.0 ADDITIONAL MATTERS**

None.

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

A3.1 Campbell Park & Old Woughton - Councillor Brackenbury  
No comments received.

A3.2 Campbell Park & Old Woughton - Councillor Baines  
No comments received.

A3.3 Campbell Park & Old Woughton - Councillor McDonald  
No comments received.

A3.4 Old Woughton Parish Council

Old Woughton Parish Council objects to the above proposed development on the following grounds:

Poor design in the context of the listed building and also the neighbouring properties.

Under the term of 'emerging planning policy' the proposed site is designated for inclusion in the Woughton Conservation Area. Therefore the assessment of the proposals should take into account this policy. An extract from the Conservation Area review follows: 'from the North it feels like an appropriately rural approach to the village which has been carefully preserved from the impact of new housing developments, and for this reason it should now be included in the conservation area'. There is concern that the proposals set a precedent for 'infill' development which clashes with the local / heritage character. The proximity of the development to the site boundary and existing trees feels too close.

In the event that the planning officer recommends the application for approval the parish Council would wish, at that stage, to request the application is brought before the planning committee.

A3.5 Conservation Officer

Whilst the conservation officer did object to the original application as submitted, the further information submitted by the applicants has resulted in the conservation officer removing the objection and states that;

We have noted the revised drawings and consider them to be sufficient to overcome the conservation based objection on grounds of unacceptable intrusion into the setting of a listed building. The images show a structure which should be unassuming and which complements its context rather than competing with it.

We expect the Siberian larch cladding material to weather off to a grey colour which should enhance the building's appearance.

We suggest that the sliding doors would be best set back into the reveal (rather than sitting flush) in a similar way to the windows so that shadow lines lend some

expression to this large opening. We also anticipate that a platform or deck will be built outside the entrance to the building. Whether or not this is intended may be a point worth clarifying with the applicants. We would be unlikely to object to such a feature but would welcome some information about its design if it is going to happen.

### A3.6 Public Representations

Three third party representations have been received raising concerns on the following grounds;

- Modern design would undermine the character of the area and conflict with existing architecture/built form.
- Increase in density.
- Concern for precedent of infill development.
- Loss of light within gardens.
- Permitted development rights will enlarge the annexe further.
- Loss of view.
- Increased noise.
- Increased light.
- Potential damage to trees.
- Increase in parking.
- Adverse impact on the listed building.