

**Application Number: 16/03007/FUL****Erection of a detached 2 storey dwelling house and associated works****AT Land Adjacent To 8, Town End Crescent, Stoke Goldington****FOR Mr J Burns****Target:** 22nd December 2016**Extension of time:** 24<sup>th</sup> July 2017**Ward:** Newport Pagnell North And  
Hanslope**Parish:** Stoke Goldington Parish Council**Report Author/Case Officer:** Matthew Pearce**Contact Details:** 01908 254819 matthew.pearce@milton-keynes.gov.uk**Team Leader:** Katy Lycett Interim DM Manager West Team**Contact Details:** 01908 252313 katy.lycett@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.
- 1.2 This application is referred to the Development Control Panel for determination due to an objection received from the Parish Council.

### **1.3 The Site**

The application site contains an end of terrace dwelling with a side and rear garden and front parking area. The site is located in Town End Crescent within Stoke Goldington. To the north east is No. 8 Town End Crescent, an end of terrace property, the application site is in the side garden of No.8. Further to the north east is No.7 Town End Crescent; to the north west of the application site is an end of terrace dwelling, No. 9 Town End Crescent. To the south of the site is an agricultural field, the application site which slopes up towards the field which is on a higher level. The surrounding area of Town End Crescent is a mix of two storey and single storey dwellings.

## 1.4 The Proposal

The application seeks permission for the erection of a detached 2 storey dwelling with associated works. The proposed dwelling would be located in what is currently the side garden of No.8 Town End Crescent and would be a 3 bedroom property with a kitchen/family area, sitting room and study on ground floor level. The proposed dwelling would have a hipped roof and would be constructed of materials which are visually similar to the existing surrounding dwellings.

## 2.0 RELEVANT POLICIES

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

### 2.1 National Policy

#### National Planning Policy Framework 2012

Para 17: Core Planning Principles  
Chapter 6: Delivering A Wide Choice Of High Quality Homes  
Chapter 7: Requiring Good Design

### 2.2 Local Policy

#### Milton Keynes Core Strategy 2013

CSA Presumption In Favour Of Sustainable Development  
CS10 Housing  
CS12 Developing Successful Neighbourhood  
CS13 Ensuring High Quality, Well Designed Neighbourhoods

#### Adopted Milton Keynes Local Plan 2001 – 2011

D1: Impact Of Development Proposals On Locality  
D2A: Urban Design  
D2: Design Of Buildings  
T10: Traffic  
T15: Parking Provision

### 2.3 Supplementary Planning Documents

Milton Keynes Parking Standards 2016  
New Residential Development Design Guide 2012

### 2.4 Neighbourhood Plan

Once a Neighbourhood Plan has been agreed at a referendum and is made (brought into legal force) by the local planning authority, it becomes part of the local planning authority's development plan as an official development plan document which carries statutory weight. Applications for planning permission must be determined in accordance with the development plan, unless material

considerations indicate otherwise. If a policy contained in the development plan for an area conflicts with another policy in a development plan, the conflict must be resolved by the decision maker in favour of the policy which is contained in the latest document to become part of the development plan.

Neighbourhood Plans therefore form part of the development plan for the relevant area. They will necessarily be in general conformity with the strategic policies contained in the development plan for the area. If they are the most recent document to become part of the development plan, they will attract statutory priority. Neighbourhood plan policies will also take precedence over non-strategic development plan policies where there is conflict.

Stoke Goldington does not have an adopted Neighbourhood Plan nor has it created a designated Neighbourhood Plan Area.

### **3.0 MAIN ISSUES**

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

3.1 Principle of residential development on the site

3.2 Design and Layout

3.3 Impact on neighbouring residents

3.4 Parking standards and highway safety

3.5 Drainage

3.6 Contaminated land

### **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 in section 6.0 of this report.

### **5.0 CONSIDERATIONS**

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

5.1 The application site is located within the Settlement Boundary of Stoke Goldington and is in an area designated for Housing. As such, Saved Policy H7 (Housing on Unidentified Sites) of the Milton Keynes Local Plan is relevant. The policy outlines that development on sites within the settlement boundary may be acceptable subject to criteria which is set out below.

“Proposals for new housing on sites within the limits of development of settlements defined on the Proposals Map will be assessed against the following criteria:

i) Whether the site has been previously developed

- ii) Whether any buildings on the site are empty or under-used and suitable for conversion to residential use.
- iii) The location and accessibility of the site to jobs, shops and services by means other than the car, and the potential for improving such accessibility.
- iv) The compatibility of housing development with existing land uses in the surrounding area
- v) Whether there is sufficient capacity in existing infrastructure, including water supply, drainage and other utilities, and community facilities (such as schools and health facilities) to serve the proposed development
- vi) Whether there are any physical and environmental constraints, such as contamination, noise and flood risk, affecting the site.”

The application site has not been previously developed as it is the side garden of an existing dwelling and there are no buildings suitable for conversion. The site is located within the settlement of Stoke Goldington which has some local facilities and the proposed use would not conflict with the surrounding residential uses. It is considered that the addition of one additional dwelling would not overload the existing infrastructure and community facilities. The constraints of the site are largely related to drainage which will be discussed later in the report.

As such, the proposal is considered to be in accordance with Saved Policy H7, the proposal for a detached dwelling is acceptable in principle subject to the material considerations set out below.

## 5.2 Design and Layout

Saved Policies D2 and D2A of the Milton Keynes Local Plan 2001 – 2011 and Core Strategy Policies CS12 and CS13 seek to ensure that all new developments are high quality, well designed and relate well to the surrounding area and that proposals design out the opportunities for crime. Further, the Core Planning Principles in Paragraph 17 of the National Planning Policy Framework state that planning should always seek to secure high quality design.

- 5.3 The local area of Town End Crescent is predominantly comprised of terrace dwellings and bungalows. The site is located on a bend of Town End Crescent and there is a row of terrace dwellings to the north east and north west. The proposed dwelling would be detached but would be set back from the building line of both rows of terrace dwellings and as such would appear less dominant in the streetscene. The proposed dwelling is slightly wider than the terrace dwellings around Town End Crescent, it is however comparable in width to both No.8 and No.9 and would not therefore be out of scale with the immediate properties in the streetscene. The use of materials which are similar in appearance to the existing dwelling will further ensure the proposed dwelling does not detract from the character of the local area.

- 5.4 Boundary treatments along Town End Crescent are a mix of dwarf walls, hedging and no boundary treatment to the front boundary. The existing site has no boundary treatment; this is not proposed to be altered. Given the mix of the front boundary treatments, this is considered not to adversely affect the character of the local area. It is noted that the proposed dwelling would be in close proximity to the neighbouring properties on either side, this is considered not to be out of keeping with the local area given the terraced nature of the majority of dwellings in the local area.
- 5.5 The proposal is considered to be in keeping with the character of the local area, the design and scale being in keeping with other properties in the vicinity, and is therefore considered to be in accordance with Saved Policies D2 and D2A of the Milton Keynes Local Plan 2001 – 2011 and Core Strategy Policies CS12 and CS13.

**5.6 Impact on neighbouring residents**

Saved Policy D1 of the Milton Keynes Local Plan 2001-2011 details that planning permission will be refused for development where it would adversely affect residential amenity. In addition, the New Residential Development Design Guide SPD (2012) provides guidance on achieving acceptable amenity for future occupiers. Further, the core planning principles in the National Planning Policy Framework (Paragraph 19) details that planning decisions should seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

- 5.7 No.8 Town End Crescent is located to the north east of the application site and is an end of terrace dwelling. The dwelling has had a side and rear extension and there are four windows which face the application site on ground floor, serving a utility room, w/c and staircase and two on the first floor, serving a bathroom and as a secondary bedroom window. As these windows either serve non-habitable rooms or are secondary windows, it is considered that the proposed dwelling will not create a significant loss of sunlight or daylight or create visual intrusion to these windows. The only opening in the proposed dwelling which would face No.8 is a ground floor window serving as a secondary window for the sitting room. This window will be shielded by the proposed boundary treatment between the two properties which will ensure the proposal does not create adverse loss of privacy to this property. The rear windows serve a bathroom and bedroom 2, as the proposed dwelling is situated further into its plot, the windows will not create adverse loss of privacy to the rear garden of No.8.
- 5.8 No.9 Town End Crescent is located to the north west of the application site and is an end of terrace dwelling. A detached garage exists close to the boundary with the application site approximately 18 metres from the front boundary of this neighbouring property. On the ground floor, a side window serving the kitchen/diner faces the application site and a bathroom window on the first floor. The first floor front window serving the bedroom of the proposed dwelling will provide some view to No.9, however the view will be at an angle

such that it would not create adverse loss of privacy to the dining room window of No.9. The existing garage at No.9 will also help to mitigate the impact to privacy of No.9. A side window on the proposed dwelling will face No.9, however this window will serve a bathroom, in order to ensure this window does not create adverse loss of privacy to the rear garden of No.9, a condition should be applied to any permission granted for the side windows to be obscurely glazed.

5.9 The neighbouring property, No.7 Town End Crescent is located adjacent to No.8 to the north east. The proposed dwelling will be largely shielded by the existing property of No.8 such that it will not create adverse loss of sunlight and daylight, visual intrusion or loss of privacy.

5.10 The proposal is considered to be acceptable in terms of impact to neighbouring residents' amenity and is therefore considered to be in accordance with Saved Policy D1 of the Milton Keynes Local Plan 2001-2011.

**5.11 Parking standards and highway safety**

Saved Policy T15 of the Milton Keynes Local Plan 2001-2011 requires development proposals to deliver sufficient space for on-plot parking, in line with the requirements outlined within the Parking Standards SPD. Saved policy T10 of the Milton Keynes Local Plan 2001-2011 requires that development proposals should not cause harm by exceeding highway capacity or by causing significant disturbance, noise, pollution or risk of accident.

5.12 The dwelling at No.8 Town End Crescent is a 3 bedroom property; as such the property requires 2 allocated on-plot parking spaces. The submitted plan shows two parking spaces located to the front of No.8. The proposed dwelling would also be a 3 bedroom property and would require 2 allocated on-plot parking spaces. Again, the submitted plans show two parking spaces to the front of the proposed dwelling. Whilst the arrangement is somewhat constrained, the Highways engineer has assessed the application and found the arrangement to be acceptable as it meets the size requirements for parking spaces and access.

5.13 It is noted that there are parking issues within the local area of Town End Crescent however it is considered that the proposal will not create significant levels of on-street parking such that it would add to the existing parking issues.

5.14 The proposal is considered to be acceptable in terms of the parking requirements and the impact to highways safety, such that it is in accordance with Saved Policies T10 & T15 of the Milton Keynes Local Plan 2001-2011.

**5.15 Drainage**

The National Planning Policy Framework (NPPF) in paragraph 100 details that inappropriate development in areas at risk of flooding should be avoided

by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. This guidance is echoed under Saved Policy D1 of the Local Plan 2001-2011 which advises that planning permission will be refused where inadequate drainage is identified. The NPPF also provides a sequential test to steer new development to areas with the least probability of flooding (paragraph 101) and states that development should not increase flood risk elsewhere (paragraph 103).

- 5.16 According to the Environment Agency's 'risk of flooding from surface water' Map, there is a very low risk of surface water flooding. The site is located within Flood Zone 1 as defined by the Environment Agency (and associated with main rivers). It is however noted that there is an existing issue of surface water flowing from the agricultural field onto the application site and onto the road of Town End Crescent. A flood risk assessment was submitted which identified potential mitigation measures to prevent the development creating further surface water drainage issues.
- 5.17 It is unreasonable to expect an application to deal with flooding issues outside of the application site, however a condition has been applied to the application for a detailed design and associated management and maintenance plan, for a surface water drainage scheme, based on sustainable drainage principles for the site to be submitted. On this basis, the proposed development is considered to accord with Development Plan Policy D1 and the principles outlined in the NPPF with regard to drainage and flood risk.

#### 5.18 **Contaminated land**

The National Planning Policy Framework requires development plan policies to adequately consider whether application sites are appropriately located for their intended use in relation to ground contamination. Saved policy D1(iv) of the Milton Keynes Local Plan 2001-2011 states that planning permission will be refused for development where unacceptable levels of pollution are identified.

- 5.19 Whilst the end use would be sensitive to the presence of contaminants there is a moderate risk of contaminative historical uses on the site. To ensure that contamination does not impact upon the proposed development suitable conditions are recommended at Section 6.0 of this report. The proposal therefore complies with saved policy D1(iv) of the Milton Keynes Local Plan 2001-2011 in this regard.

#### 5.20 **Conclusion**

In conclusion it is considered that the proposal is in accordance with the relevant policies and as such it is recommended that planning permission is granted, subject to the conditions 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 91 of the Town and Country Planning Act 1990. .

2. The external materials to be used in the development shall be in accordance with details to be submitted to and approved in writing by the local planning authority before any work is commenced.

Reason: To ensure that the development does not detract from the appearance of the locality.

3. The proposed parking areas shown on the approved plans shall be carried out in accordance with the approved plans prior to first occupation of the development. They shall remain as a permanent ancillary to the development.

Reason: To ensure safe access and sufficient off street parking to meet the needs of the development.

4. Prior to any development taking place, the developer shall carry out an assessment of ground conditions to determine the likelihood of any ground, groundwater or gas contamination of the site.

The results of this survey detailing the nature and extent of any contamination, together with a strategy for any remedial action deemed necessary to bring the site to a condition suitable for its intended use, shall be submitted to and approved by the Local Planning Authority before construction works commence.

i) Any remedial works shall be carried out in accordance with the approved strategy and validated by submission of an appropriate verification report prior to first occupation of the development.

ii) Should any unforeseen contamination be encountered the Local Planning Authority shall be informed immediately. Any additional site investigation and remedial work that is required as a result of unforeseen contamination will also be carried out to the written satisfaction of the Local Planning Authority.

Reason: To ensure that the site is fit for its proposed purposes and any potential risks to human health, property, and the natural and historical environment, are appropriately investigated and minimised.

5. Prior to first occupation of the development, a detailed drainage strategy to deal with surface water runoff on the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to first occupation of the development.

Reason: To reduce the risk of localised flooding within the locality.

6. Prior to development above slab level, details of the proposed boundary treatment of the site (including the type and height of any walls or fences) shall be submitted to and approved by the Local Planning Authority and the boundaries of the site shall be enclosed in accordance with the approved details before the development is first occupied. The approved fence, hedge or wall shall subsequently be retained to the satisfaction of the Local Planning Authority.

Reason: To protect the appearance of the locality and safeguard the privacy of neighbours.

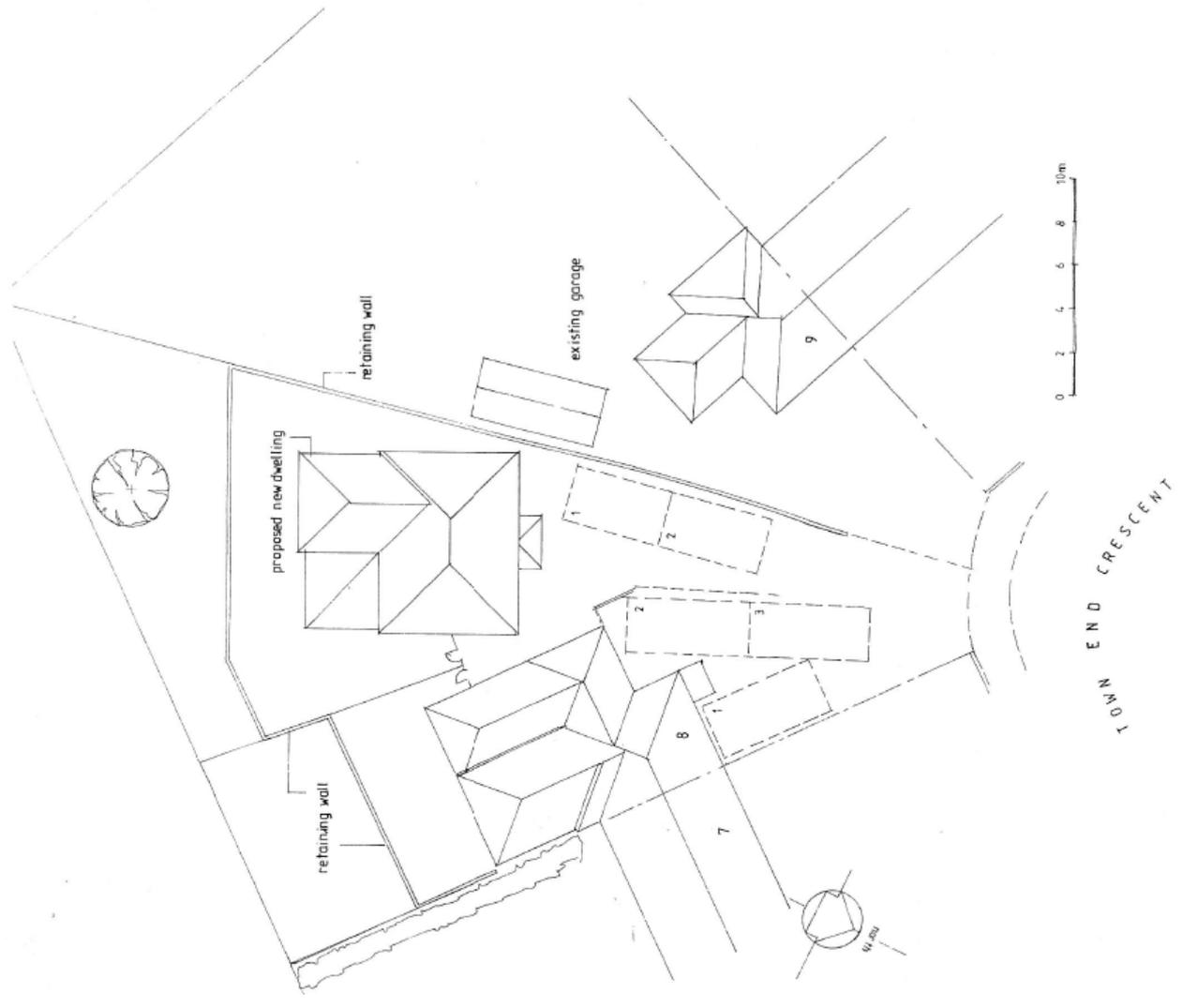
7. The window on the west elevation serving the bathroom, shall be obscurely glazed to a level of obscurity of level 3 within the Pilkington range of Textured Glass or equivalent and be non opening below 1.7 metres from the finished floor level It shall not be altered to clear glazing or opening thereafter.

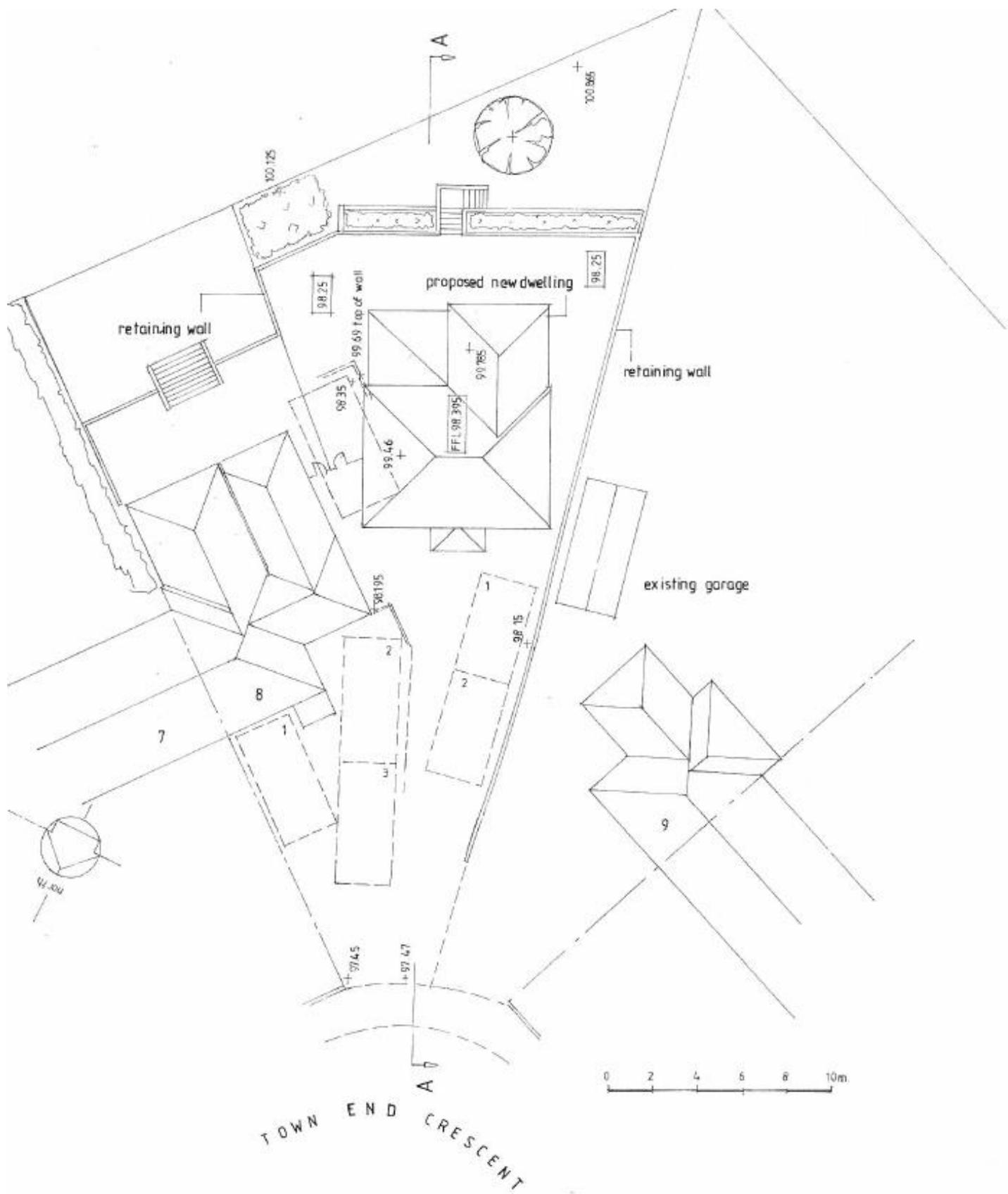
Reason: To safeguard the amenity and privacy of the adjoining residential property No.9 Town End Crescent.



**LOCATION PLAN - SITE PLAN**  
 Proposed New Detached Dwelling  
 Scale 1 : 1250 - 1 : 200  
**DJC Associates** Planning Advisors  
 8 Town End Crescent Stoke Goldington  
 Drg. no. 16.82.10

DO NOT SCALE FROM THIS DRAWING  
 ALL MEASUREMENTS TO BE CHECKED ON SITE





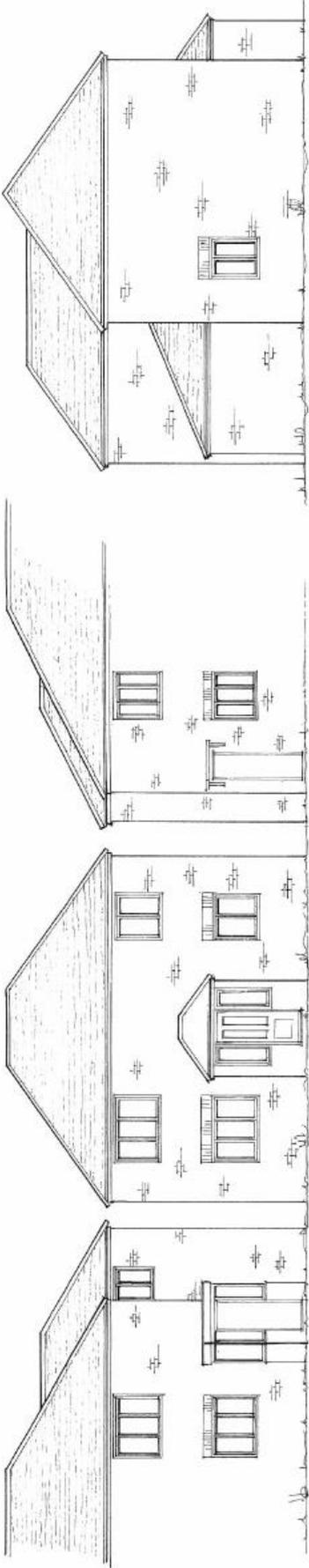
**PROPOSED ELEVATIONS - FLOOR PLANS**  
 Proposed New Detached Dwelling  
 Scale 1 : 100

8 Town End Crescent Stoke Goldington  
 Drg. no. 16.82.11

**DJC Associates** Planning Advisors

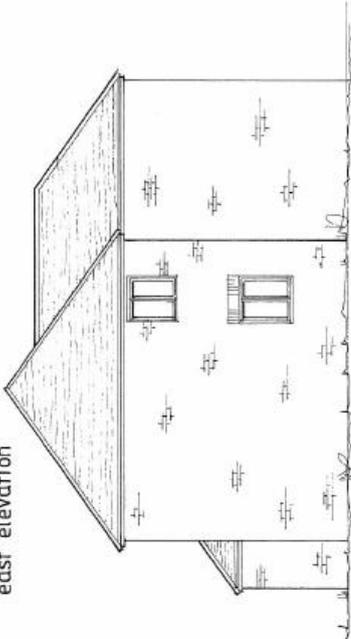
DO NOT SCALE FROM THIS DRAWING ALL MEASUREMENTS TO BE CHECKED ON SITE

No. 8 proposed dwelling

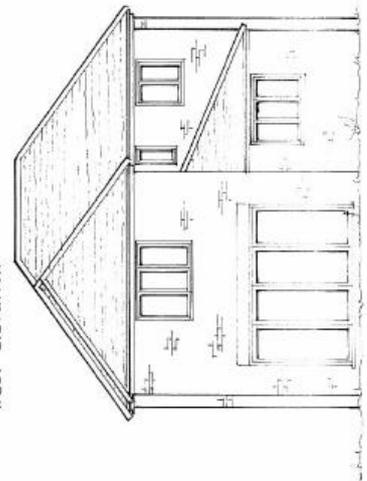


north (front) elevation

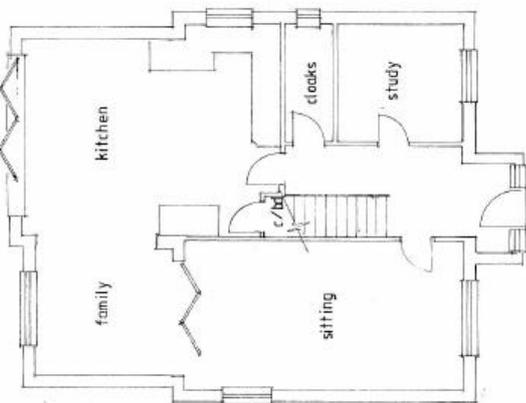
east elevation



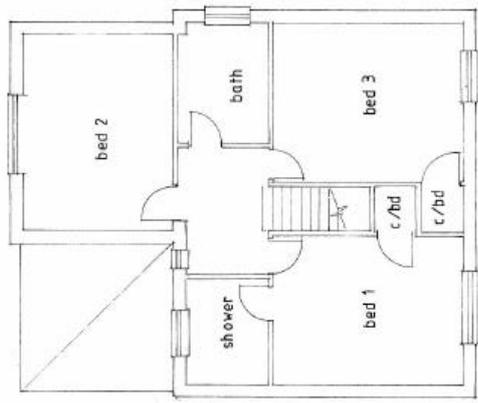
west elevation



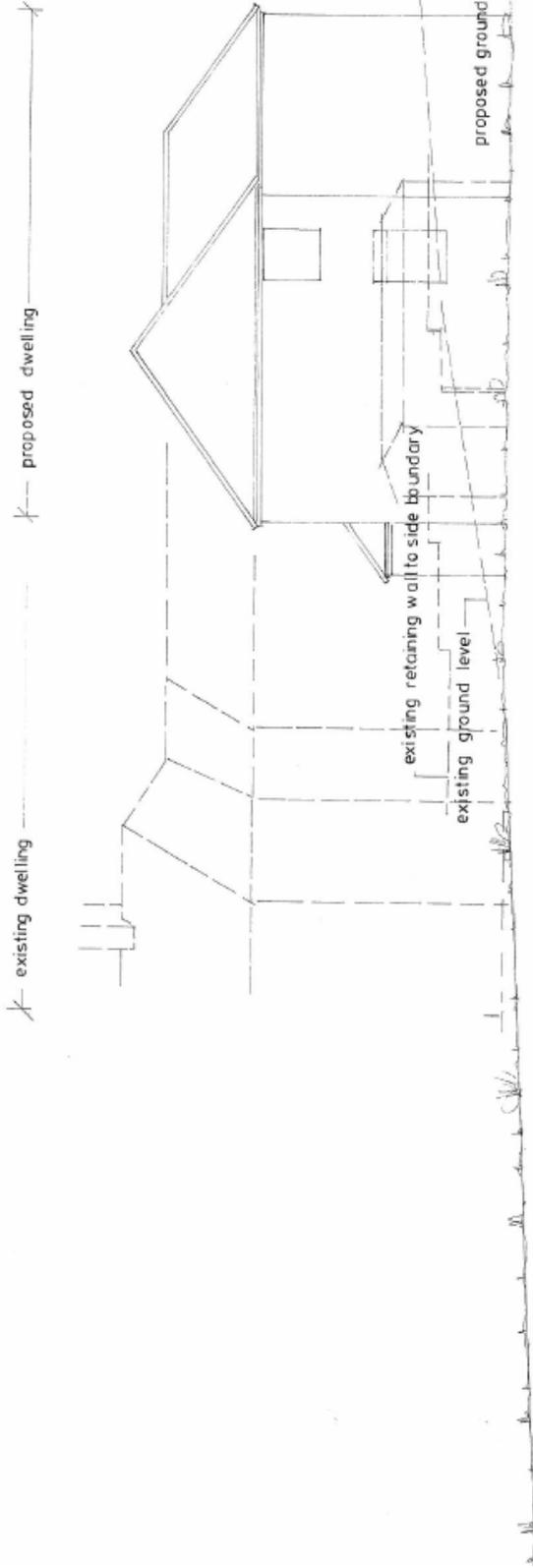
south elevation



Ground floor layout



First floor layout



**LEVELS SECTION**

Proposed New Detached Dwelling  
Scale 1 : 100

DRAFT FOR PLANNING  
8 Town End Crescent Stoke Goldington  
Drg. no. 16.82.12

**DJC Associates** Planning Advisors

## **Appendix to 16/03007/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 16/02845/FUL**

Part two storey and part single storey rear extension  
Permitted

### **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)*

	<b>Comments</b>	<b>Officer Response</b>
A3.1	Parish - Stoke Goldington <b>(Objection)</b> <ul style="list-style-type: none"><li>• Proximity to neighbouring property</li><li>• Insufficient parking on site and existing parking issues in the local area</li><li>• Extensive excavation could create drainage problems</li></ul>	Noted  Noted and discussed in paragraph 5.4  Noted and discussed in paragraph 5.11 – 5.14  Noted and discussed in paragraph 5.15 - 5.17
A3.2	Ward - Newport Pagnell North And Hanslope - Cllr A Geary <b>(No comments received)</b>	Noted
A3.3	Ward - Newport Pagnell North And Hanslope - Cllr Green <b>(No comments received)</b>	Noted
A3.4	Ward - Newport Pagnell North And Hanslope - Cllr Patey-Smith <b>(No comments received)</b>	Noted
A3.5	<b>Local Residents</b> The occupiers of the following properties were notified of the application:  7, 9, 43 & 44 Town End Crescent, Stoke Goldington	Noted

A site notice was also posted advertising the application

A3.6 One third party representation was received from No.9 in objection to the application on the grounds of:

- Flooding issues – Surface Water Run-off from the field to the rear Noted and discussed in paragraph 5.15 – 5.17
- Retaining wall – No details of the retaining wall, levels etc. Noted, sectional plans and site plans with levels were submitted providing further details.
- Parking issues – Existing parking issues in area, proposed driveway is small Noted and discussed in paragraph 5.11 – 5.14
- Loss of privacy – Views into garden and side windows Noted and discussed in paragraph 5.8
- Party Wall – Not clear on what is required A Party Wall Agreement is a civil matter.