

Application Number: 17/00936/FUL

Partial demolition of a one storey dwelling and the erection of a new three storey dwelling

AT 6 Ketton Close, Willen, Milton Keynes

FOR Mr Paul Sherman

Target: 30th May 2017

Ward: Broughton

Parish: Campbell Park Parish Council

Report Author/Case Officer: Samantha Taylor, Senior Planning Office

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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. 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 the number of third party objections received.
- 1.3 **The Site**

The application site is located within the residential area of Willen, to the rear of the cul-de-sac of Ketton Close. The site contains a bungalow, garage attached to the neighbouring property and an outbuilding to the rear of the garage.
- 1.4 Currently, the bungalow is attached to the neighbouring property no. 5 Ketton Close along the southern boundary. To the east lies no. 7 Ketton Close and to the west lies no. 33 Dolben Court. To the north lies an area of public space used for allotments.
- 1.5 **The Proposal**

The application seeks full planning permission for the partial demolition of the

existing bungalow and its replacement with a new dwelling. The new dwelling would have accommodation on three floors but appear as a two storey dwelling, with a loft conversion. There would be an increase in the buildings footprint from 60m² to 70m². The proposed development would also result in the detachment from the adjacent property no. 5 Ketton Close to create a detached dwelling.

2.0 RELEVANT POLICIES

(The most important policy considerations relating to this application)

2.1 National Policy

Paragraph 14 – Presumption in Favour of Sustainable Development

Paragraph 17 – Core Planning Principles

Section 7 – Requiring Good Design

2.2 Local Policy

Core Strategy

CS12 Delivering Successful Neighbourhoods

CS13 Ensuring High Quality, Well Designed Places

Adopted Milton Keynes Local Plan 2001-2011

D1 - Impact of development proposals on locality.

D2 - Design of buildings

T15 – Parking Provision

Supplementary Planning Guidance

New Residential Development Design Guide 2012

Parking Standards SPD 2016

3.0 MAIN ISSUES

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

- 3.1
- Principle
 - Design
 - Impact on the Character of the Area
 - Impact on Residential Amenity
 - Highways and Parking Provision

RECOMMENDATION

4.0 *(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

Paragraph 14 of the National Planning Policy Framework outlines a presumption in favour of sustainable development. The application site is

located with an established residential area with access to local services and facilities and contains an existing dwelling. As such, the principle of residential development on this site is considered to be acceptable subject to the assessment of material considerations.

5.2 Design and Impact on the Character of the Area

Paragraph 63 of the NPPF supports the use of innovative design measures which help to raise the standard of design more generally in an area. Securing good design is a requirement of both national policy (Section 7 of the NPPF) and local policy. Saved Policies D2 (i), (ii), (iv) and (v) and D2A (i) 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 states:

- 5.3 'Development proposals for buildings will be refused unless they:
- i) Are in scale with other buildings in the immediate vicinity in terms of their height and massing, except where a greater scale is necessary to reflect the development's function and importance.
 - ii) Relate well to and enhance the surrounding environment
 - iv) Allows for visual interest through the careful use of detailing where this is appropriate to the character of the area
 - v) Include landscaping and boundary treatments that integrate with those of the surrounding area'.

- 5.4 Notwithstanding the above, it is recognised that saved policy D2 of the Milton Keynes Local Plan 2001-2011 also requires extensions to existing building to be in keeping with the host dwelling. The proposed works would result in a replacement dwelling and not an extension, as such, the proposed development cannot be considered against this policy requirement. Therefore, consideration can only be given in respect of the above points.

- 5.5 In terms of the design of the replacement dwelling, the height would match the ridge line of the neighbouring two storey dwellings, appearing as a two storey dwelling with a loft conversion as a third floor. The development would increase from 5.0 metres to the current ridge line to 8.5 metres. The design incorporates a side facing gable roof with front projecting dormer facing Ketton Close. This is similar in form to the neighbouring properties and those within the wider residential area of Willen.

- 5.6 The external appearance of the proposed dwelling has been amended during the application process. The proposed external materials are part dark brick at ground floor with render. It is expected that the render would have a light/white coloured finish to closely resemble the exterior of properties seen within the locality and a condition has been recommended at section 6.0 of this report requiring the submission of external materials details in order for the Local Authority to control the finish. It is accepted by Officers that within Ketton Close the properties are finished with dark brick and that the introduction of render would be a different material. However, when taking in to account the wider context of Willen and properties sited along Aldrich Drive just to the south of Ketton Close, white rendered properties are interspersed

with darker brickwork properties. As such, it is considered the external appearance of the dwelling would be in keeping with the surrounding environment.

5.7 The design reflects the scale of buildings found within the immediate vicinity and the character of residential properties. The variation in building materials allows for visual interest along Ketton Close. It is therefore considered the design of the replacement dwelling is acceptable and would accord with saved policy D2 of the Milton Keynes Local Plan 2001-2011.

5.8 Impact on Residential Amenity

Paragraph 17 of the NPPF outlines that a core principle of the planning system is to seek a good standard of amenity for all existing and future occupants of land and buildings. Saved policy D1(iii) of the Milton Keynes Local Plan 2001-2011 protects the amenity of neighbouring properties from a loss of light, privacy or by causing a visual intrusion.

5.9 It is acknowledged that public objections have been raised in regards to the impact on privacy to the occupants of adjacent residential properties, specifically no. 5 Ketton Close.

5.10 The applicant has submitted a daylight and overshadowing assessment consisting of a series of drawings. However, no weight has been given to this within the Officer's assessment as the circumstances or standards used are not known.

5.11 *Impact on No. 5 Ketton Close*

The existing dwelling is currently attached to no. 5 Ketton Close along the southern boundary. The proposed development would have accommodation on three levels. Given the existing property has a ground floor with a boundary treatment it is considered the proposed development would not cause harm through a loss of privacy, light or by causing a visual intrusion as a result the proposed ground floor of the development. At first floor level, the proposed development includes two windows on the rear elevation. At second floor level on the rear 3 roof lights are included, however, these are located above 1.6 metres of internal floor level and possesses limited potential for overlooking

5.12 There are no requirements in the New Residential Development Design Guide relating to the spacing and separation distances between side to side properties. The positioning of windows on the rear elevation at first floor level is a standard relationship between properties which have a side to side relationship. In addition, the adjacent property no. 5 Ketton Close has an outlook over the rear garden space of no. 6 Ketton Close. It is therefore considered that whilst there would be a loss of privacy, through the potential for overlooking from first floor level, this is not considered to be unacceptable. There would be no direct views into the property of no. 5 Ketton Close.

5.13 To ensure there is sufficient privacy between the neighbouring properties at ground floor level, a condition requiring the submission of boundary

treatments has been recommending at section 6.0 of this report.

- 5.14 The proposed replacement dwelling would sit flush with the front and rear elevation of the adjacent property no. 5 Ketton Close. There are no windows in the side elevation of no. 5 Ketton Close overlooking the application site. As such, the proposed development would not give rise to any significant impact on the amenity to no. 5 Ketton Close in terms of causing a visual intrusion or through a loss of light.
- 5.15 *Impact on no. 7 Ketton Close*
No. 7 Ketton Close is located to the east of the application site and set an angle to the proposed dwelling. On the side elevation of the proposed development two windows are proposed serving bedrooms 2 and 3. The proposed development includes a Juliette balcony at second floor level. A Juliette balcony is treated the same as window, in terms of the potential for overlooking.
- 5.16 It is accepted that there is a potential for the overlooking of the rear garden space of no. 7 Ketton Close. However, the outlook from the windows is partially obscured by the existing garage and outbuilding serving no. 6 Ketton Close which are located along the shared boundary. Any views of the rear garden space would be longer distance. Given that there is no direct overlooking of the property no. 7 Ketton, Close, it is considered that any potential harm through overlooking resulting in a loss of privacy would be minimal. It is also considered that there would not be a significant loss of light to the amenity space of property at no. 7 Ketton Close by reason of the similar scale and orientation of the properties. This harm is not considered to be unacceptable and would comply with saved policy D1(iii) of the Milton Keynes Local Plan 2001-2011.
- 5.17 Overall, the proposed development is considered not to give rise to unacceptable harm to the residential amenity of neighbouring properties and as such would comply with saved policy D1(iii) of the Milton Keynes Local Plan 2001-2011.
- 5.18 Highways and Parking Provision
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 requirements outlined within the Parking Standards SPD. Saved policy T10 of the Milton Keynes Local Plan 2001-2011 requires development proposals not to cause harm by exceeding highway capacity or be causing significant disturbance, noise, pollution or risk of accident.
- 5.19 The Parking Standards SPD requires a 4 bedroom dwelling to provide 2 on plot parking spaces. To the front of the existing dwelling is an area of hardstanding which extends to the front of the garage. This is sufficient to provide space for a minimum of 2 on plot parking spaces. This meets the required maximum parking standard and is therefore considered acceptable. It is noted that the hardstanding to the front of no. 6 Ketton Close could provide further on plot parking should this be required, however, this would be

in tandem. Whilst tandem parking is actively discouraged, the proposed development provides sufficient space two independently accessible parking spaces and it is this which has been considered against the requirement and assessed as being acceptable.

5.20 It is acknowledged that objections have been raised with regards to the potential increase in vehicular movements associated with a larger dwelling. As required by saved policy T10, consideration must be given as to whether the proposed development would result in development exceeding highway capacity or causing significant disturbance, noise, pollution or risk of accident. The proposed development seeks to replace an existing residential dwelling within an established residential cul-de-sac network. Whilst it is accepted the proposed development would be larger, and may generate an increase in associated vehicular movements, it is considered by Officers, this increased traffic generation would exceed the local highway capacity. In addition, given the minor scale of the proposed development in its context with surrounding residential development, it is considered the proposed development would not generate harmful disturbance, noise, pollution or

5.21 Drainage and Flood Risk

It is acknowledged that objectors have raised concerns with regards to the provision of suitable drainage and whether a flood risk assessment is required for the development.

5.22 Saved policy D1(ii) of the Milton Keynes Local Plan 2001-2011 requires development proposals to provide adequate drainage, which does not adversely affect surface water disposal or flood risk.

5.23 As outlined on the Environment Agency's Flood Risk Maps for Planning, no. 6 Ketton Close is located within an area of low flood risk (Zone 1). As such, the property is not at any significant risk of flooding and given the scale of the proposed development, there is not a requirement for the applicant to submit a flood risk assessment.

5.24 Other Matters

Loss of a Bungalow

It is acknowledged, that objections have been raised with regards to the principle of the loss of a single storey dwelling because of the need for this form of accommodation within the borough. Whilst this is acknowledged, the current policies contained within the Milton Keynes Local Plan 2001-2011 do not protect the type, scale or set requirements for the proportion of certain types of housing. As such, there is no current policy resisting the loss of single storey housing types.

5.25 *Detachment from No. 5 Ketton Close*

Whilst saved policy D1 (v) of the Milton Keynes Local Plan 2001-2011 seeks to refuse application which cause physical damage to the site and neighbouring properties, in this instance the proposed works are not considered to result in physical harm. This is because all works to the shared boundary wall which currently joins no.5 and no. 6 Ketton Close would be

subject to a third party wall agreement, outlining the scope of works to be agreed by the involved parties. This matter is therefore, subject to controls outside of the planning system, as the third party wall agreements are not a material planning consideration.

5.26 In addition, concern has been raised regarding the detachment as there would need to be a fence along the side boundary of no. 6 Ketton which would not allow for side access to no. 6 Ketton Close. This is an existing relationship given the attachment of both properties and ownership issues. As such, this is not a relevant consideration of the current application.

5.27 *Land Stability*

Land stability is not a material planning consideration, as any potential works required to provide sufficient foundations or underpinning would be considered by Building Control in accordance with the building regulations.

5.28 *Works during Construction*

Hours of operation for construction works and the management of buildings works are not material planning considerations. Should the application be approved, the development would need to be carried out in accordance with relevant environmental health legislation and building regulations, outside of the remit of the Planning System. Should concerns arising during construction, enforcement complaints can be made to the Council's environmental health department who would investigate any potential nuisance.

5.29 *Lichen*

Objections have been received in regards to the potential of a protected species of lichen being present on the roof form of the existing bungalow. However, no evidence of the presence of any protected lichen has been submitted to the Council. Given the site's context, within an established residential area and that no other protected lichen species have been known to be found within the local area, it is considered there would be limited potential for any protected lichen on the roof of the existing bungalow.

5.30 *Personal Disputes*

Personal disputes between neighbours is not a material planning consideration but a civil issue and therefore no weight can be given to this concern.

5.31 *Affordable Housing Policies*

The Council's affordable housing policies are not relevant to the consideration of this application, as the application is for a single dwelling on an application containing a single dwelling, as such the Council's affordable housing thresholds are not engaged by this application. The value of properties within the local area is also not relevant to the consideration this application as this is not a material planning consideration.

5.32 Conclusion

In light of the above assessment, it is advised that planning permission is

granted subject to the following conditions.

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)

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. Prior to the commencement of the development, 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. The boundaries of the site shall be enclosed in accordance with the approved details before the development is first occupied. The approved boundary treatments shall subsequently be retained.

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

4. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 or any Statutory Instrument revoking or amending or re-enacting that Order, the following provisions of Article 3(1), part I of Schedule 2 of the said Order shall not apply to any dwelling to which this permission relates and planning permission shall be required for the forms of development described in Classes A, B, C, D and E of the said order.

Reason: Due to the constrained nature of the site, the Local Authority believes it is necessary to control future alteration in the interests of the appearance and character of the area.

Appendix to 17/00936/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)

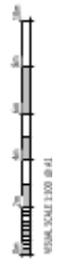
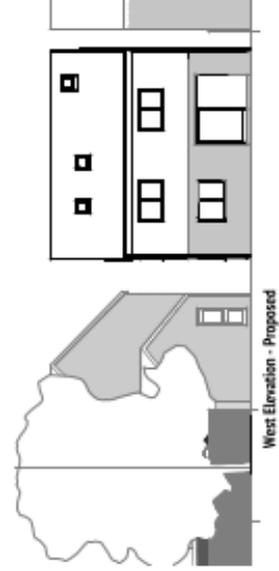
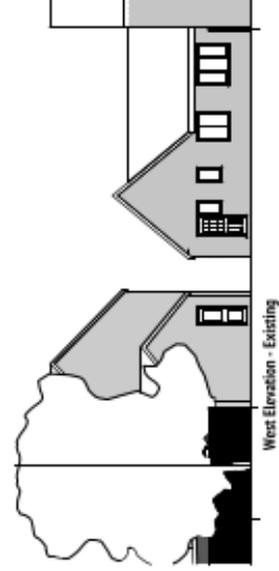
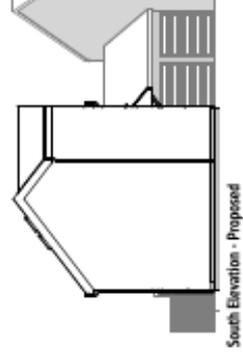
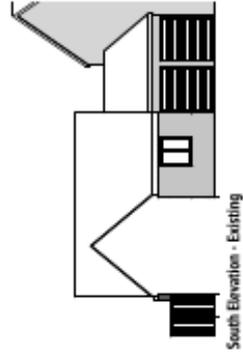
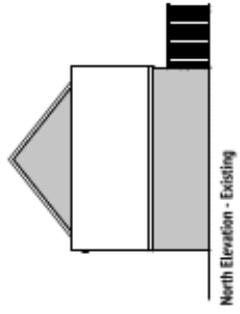
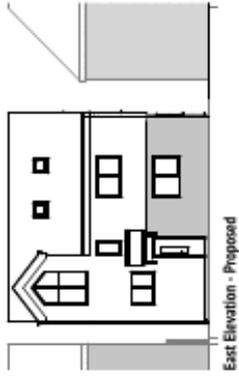
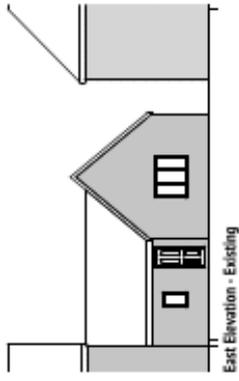
A1.1 17/00564/FUL

Partial demolition of the southern elevation to detach the dwelling from the neighbouring property, ground floor front extension and the addition of a two storey front/side extension with front dormer
WDN 28.03.2017

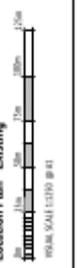
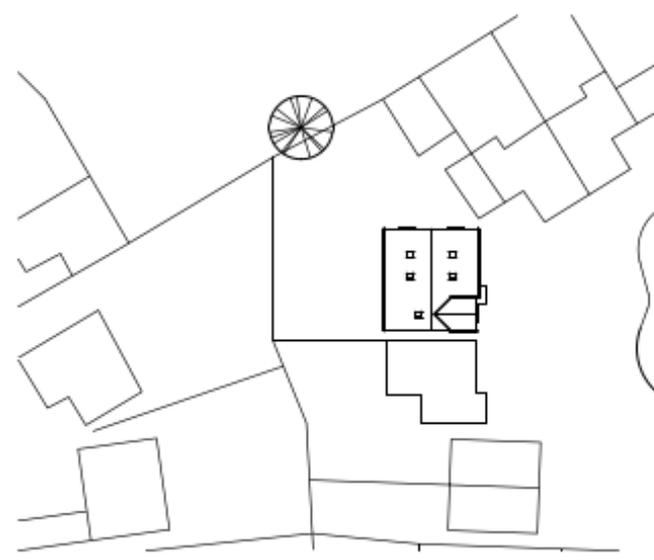
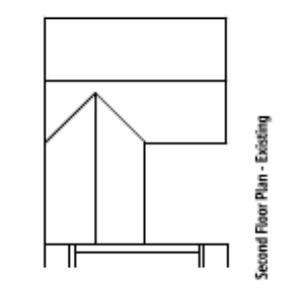
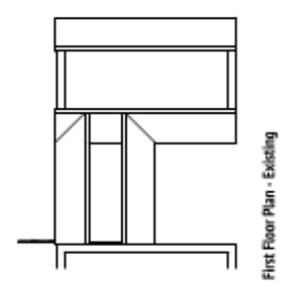
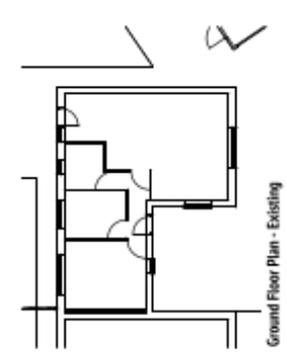
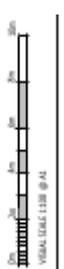
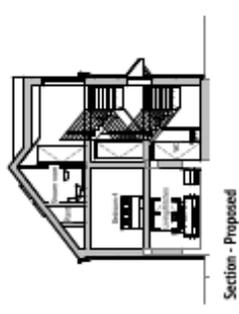
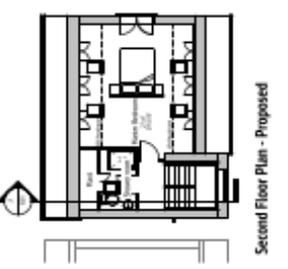
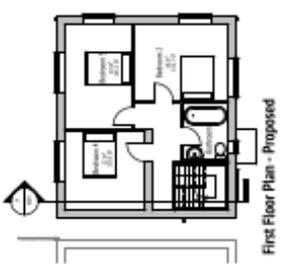
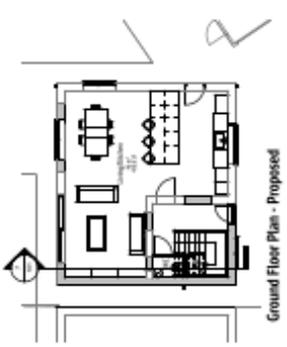
A2.0 ADDITIONAL MATTERS

(Matters which were also considered in producing the Recommendation)

A2.1 None.



VISION SCALE 1:100 @ A1



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 response received.	Noted.
Landscape Services Manager – Trees No response received.	Noted.
Parish - Campbell Park The Committee resolved that the proposed development is sustainable development as covered by the NPPF and had no objection to the proposed development.	Noted.
However, having considered representation from a neighbour who is objecting to the application, the Committee request that a condition is applied on working times and deliveries to ensure neighbours get some respite from the building works as the cul-de-sac is quite restrictive and further request that Building Control is involved at an early stage of the development to monitor the progress of the build due to the work connect with the party wall.	As outlined at paragraph 5.28 of the report, working hours during construction cannot be controlled by the Planning System as this is controlled by a separate set of environmental health legislation. Imposing such a condition would fail to meet the requirements of the NPPF – 6 tests of imposing conditions.
Ward - Broughton - Cllr Crooks No response received.	Noted.
Ward - Broughton - Cllr Bint A query was received from Cllr Bint regarding an email sent	Noted.

to him by a member of the ward. Correspondence was sent regarding this issue.

Ward - Broughton - Cllr Morris
No response received.

Noted.

Local Residents

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

5 Ketton Close Willen Milton Keynes
7 Ketton Close Willen Milton Keynes
12 Ketton Close Willen Milton Keynes

Responses have been received from the following properties and are available on the Council's website:

5 Ketton Close, Willen Milton Keynes
7 Ketton Close , Willen Milton Keynes
9 Ketton Clos, Willen Milton Keynes
11 Ketton Close, Willen Milton Keynes
12 Ketton Close, Willen Milton Keynes
15 Ketton Close, Willen Milton Keynes
Lamplugh Cross Cottage, Workington, CA14 4SF

Supporting comments have been received outlining the following: **Noted.**

- The development would be in keeping with the wider area
- Engagement with the local community prior to the submission of the application

Objecting comments have been received from outlining the **These matters have been addressed in the above main**

following:

- The proposed development would cause harm to the amenity of neighbouring properties through a loss of light, privacy and by causing a visual intrusion
- The proposed development would generate harmful levels of traffic and parking
- Drainage and flood risk
- Lack of landscaping details, specifically boundary treatments
- Affordable housing policies and provision of housing types
- Protected lichen species on the roof of the existing bungalow.

considerations section of the report.

The following comments have been raised but are not considered to be materially relevant to the consideration of this application:

- Land stability
- Works during the construction
- House prices
- Personal Disputes
- Personal Circumstances of the Applicant

Noted. No weight has been applied to these matters in the Officer's assessment.