

ITEM 4(c)

Application Number: 18/02019/FUL

Description – 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: 29th November 2018

Extension of Time: Yes

Ward: Campbell Park & Old Woughton

Parish: Old Woughton

Report Author/Case Officer: Richard Edgington
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1.0 RECOMMENDATION

1.1 It is recommended that permission 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 permission 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 Revised National Planning Policy Framework (2018)

Section 12 - Achieving Well-Designed Places

Section 15 - Conserving & Enhancing the Natural Environment

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:

D1 - Impact of proposals on locality

D2 - Design of Buildings

T15 - Parking provision

HE5 - Development affecting the setting of a listed building

HE6 - Conservation Areas

3.3 Supplementary Planning Guidance:

Milton Keynes' Residential Design Guide (2012)

Milton Keynes' adopted Parking Standards SPD (2016)

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 Supplementary Planning Documents

Milton Keynes' adopted Residential Design Guide (2012)

Milton Keynes' adopted Car Parking Standards SPD (2016)

3.6 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.

3.7 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
- Highways Matters and Parking
- Impact on Character of the Area
- Design
- Residential Amenity
- 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 an altered location within the site, and is supported with a heritage statement and revised drawings. 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, therefore the principle is acceptable under Saved Policy D2 of Milton Keynes' adopted Local Plan which states that; development and additions to existing dwellings are acceptable in principle so long as proposals are in scale and relate well to the surrounding environment.
- 5.4 Whilst the overall principle for the proposed development can be considered acceptable, this principle is subject to material planning considerations as discussed 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 to protect the integrity and setting of listed buildings. This obligation is within the adopted Local Plan under Saved Policy HE5 of Milton Keynes' adopted Local Plan (2001-2011).

Highways & Parking Considerations

- 5.5 The existing parking arrangement for the existing three bedroom dwelling includes two spaces within the existing driveway. Newport Road and Baskerfield Road also have capacity to accommodate the unallocated (half space) requirement. This arrangement overall meets the standards as presented within Milton Keynes' adopted car parking standards SPD (2016) as indicated;

Parking Standards Requirement - Zone 3		Provided	
Allocated	Unallocated + tandem	Allocated	Unallocated + Tandem
2	0.5	2	0.5
2.5 spaces required		2.5 spaces provided	

- 5.6 The addition of an ancillary annexe to the rear of the dwelling increases the number of bedrooms on the site by one. Whilst public representations have been received regarding the potential increase in parking, Milton Keynes' adopted Parking SPD does not require an additional space to be provided for an increase in bedrooms for dwellings with three bedrooms plus. As such the existing provision is considered to be acceptable and thus compliant with Part (vi) of Saved Policy D1 and Saved Policy T15 of Milton Keynes' adopted Local Plan (2001-2011).

Impact on Character of the Area

- 5.7 In assessing the impact on local character, the application site is not currently within the conservation area. Although, it is noted that the site is designated within the Woughton on the Green Conservation Area review (Revised 2015) for inclusion within any future expansion of the conservation area. However, as this review is yet to be implemented limited weight can be given to the document. Notwithstanding the review, the site is located approximately 95m from the boundary of the existing conservation area, therefore the application site does form part of the setting of the conservation area. As a result, Saved Policy HE6 (Conservation Areas) can be given weight within the considerations which states that; 'Development proposals within or affecting the setting of a Conservation Area should preserve or enhance the character and appearance of the area'.
- 5.8 Concerns have been raised by Old Woughton Parish Council and neighbour representations that the proposed development would have a negative impact on the character of the area, this is by virtue of the design and scale. However, the location of the annexe enables the development to lie within a regress within the garden of the 'Old Thatch' which would allow the annexe to harmonise into the locality. The site also benefits from established landscaping to the North, West and Southern boundaries which provides natural screening, the site is largely concealed from the highway as a result.
- 5.9 In considering these factors in regard to Milton Keynes Council's statutory duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on local planning authorities to pay special attention to the

desirability of preserving or enhancing the character or appearance of Conservation Areas. Recent cases in the High Court of Appeal have placed emphasis on Local Planning Authorities ensuring that great weight is attached to these duties. Saved Policy HE6 of the Milton Keynes Local Plan (2001-2011) and Core Strategy Policy CS19 reflect the aforementioned duty and require development proposals to protect and enhance the significance of the Borough's heritage assets. Section 12 of the National Planning Policy Framework also seeks the conservation and enhancement of the historic environment.

- 5.10 In assessing this duty in relation to the character of the area, there have been public representations received raising concerns of the introduction of a contemporary design and structure within the locality. Whilst it is acknowledged that the design is contemporary and introduces new materials to the locality. This is considered to be positive in design terms as a contrast of architectural styles are more appropriate than a structure imitating traditional design, which can undermine the integrity of the existing built form. The conservation officer has raised no objections to the proposed development, and the impacts of the development on the character of the locality.

Design

- 5.11 Whilst concerns have been raised by the parish council and neighbouring residents that the design is out of character and incongruous to the area. The design is considered to be of high quality comprising black powder coated framed glazing and a natural finish birch clad, designed to weather and harmonise into the existing landscape. It is acknowledged that this design does mark a departure from the existing built form. However, the design does seek to contrast with the existing architecture which is considered to be acceptable.
- 5.12 In assessing the proposal against Milton Keynes' adopted development plans and design guide, particularly relevant is Policy CS13 of the Core Strategy (2013) and Saved Policies D2A and D2 of the adopted local plan (2001-2011). Policy D2A presents the urban design expectations and requirements for proposed development. In this instance the introduction of a cedar cladding would contrast with the existing built form, thus ensuring that the building is a contemporary addition that would not seek to detract from the character of the existing dwelling.
- 5.13 In relation to adopted local policy, both Saved Policies D2A and D2 of Milton Keynes' adopted local plan apply. Saved Policy D2 presents the requirement for design by articulating that development will be refused unless they are in scale with other buildings within the vicinity and relate well to the surrounding environment. The proposed development is located to the North-West of the site within a sheltered area of the garden with a large proportion of landscaping providing a natural screen between the application site and the neighbours. This landscaping and location of the relatively modest development is considered to be an acceptable addition, as previously discussed, the natural finish cladding will also weather to enable the structure to integrate within the landscaped amenity space. This is not considered to be detrimental to the design or character of the area.

- 5.14 Notwithstanding Saved Policy D2, when considering the design principles as presented within Milton Keynes' adopted Residential Design Guide. The SPD articulates that 'rural villages have their own locally distinctive vernacular character, [and] any new development within these villages should respect the existing character of the settlement'. This objective is supported by policies D2A of Milton Keynes' adopted local plan which requires development proposals to;
- (i) *[Be in] character in townscape and landscape by identifying and reinforcing better quality and locally distinctive design elements,*
 - (vi) *[Provide] adaptability of buildings and spaces, capable to use by a range of activities in response to changing conditions.*
- 5.15 In this instance the proposal consists of high quality design elements including natural cladding, a flat roof and a significant proportion of glazing to the front elevation, this enables the proposal to provide additional space through high quality design. This supports the desired flexibility of buildings to meet the requirements of occupants and also accords with the principle of development acceptable under Saved Policy D2. This proposal is considered to meet these objectives whilst adopting a design which is sympathetic to its setting, which the conservation officer also deems is acceptable.

Impact on Residential Amenity

- 5.16 In assessing the impact on residential amenity which would be caused by the proposed annexe. Saved policy D1 (iii) of the Milton Keynes Local Plan (2001 – 2011) has been applied which states that; "Planning permission will be refused for development that would be harmful and result in unacceptable visual intrusion, loss of privacy, sunlight and daylight". There have been concerns raised by neighbours that the proposed development will lead to a loss of amenity through shadowing and a loss of light on neighbouring gardens. However, the height of the proposed development as a flat-roofed single storey annexe is considered to have a limited impact on neighbouring gardens.
- 5.17 The proposed development has been assessed against both Part iii of Saved Policy D1 and the adopted separation distance guidelines within the Council's SPD. The most prominent relationship is between the development and No. 2 Bakersfield. The rear to flank separation distance is approximately 13.9m at ground floor level which exceeds the first floor standard of 13.7m as set out within Milton Keynes' adopted Residential Design guide SPD (2012). Furthermore, the separation distances with other surrounding properties range between 15.6m and 31m respectively, as such no separation guidelines are breached.
- 5.18 The assessment of the proposed development in relation to residential amenity has also considered the increase in usage of the garden associated with an ancillary annexe. Neighbours have raised concerns in regards to increase noise and light pollution, upon assessment, the majority of the habitable room windows are to the front elevation. This is the elevation situated with a direct relationship with the amenity space associated with the 'Old Thatch'. As such there is not considered to

be a harmful relationship which would adversely impact the amenity of neighbours associated with the application.

- 5.19 There have also been concerns raised regarding future changes/enlargements of the proposed ancillary annexe under permitted development rights. However, any future extensions and alterations would be subject to a further planning application/listed building consent. In addition, the concerns raised regarding the use of the annexe as an independent market dwelling would also be subject to a further planning application. Therefore, the relevant proposal and considerations before members is as presented, an annex.

Other matters

- 5.20 The proposals as discussed within this application are also required to obtain listed building consent and this is being sought through planning application 18/01247/LBC.

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 development hereby permitted shall begin before the expiration of three years from the date of this permission.

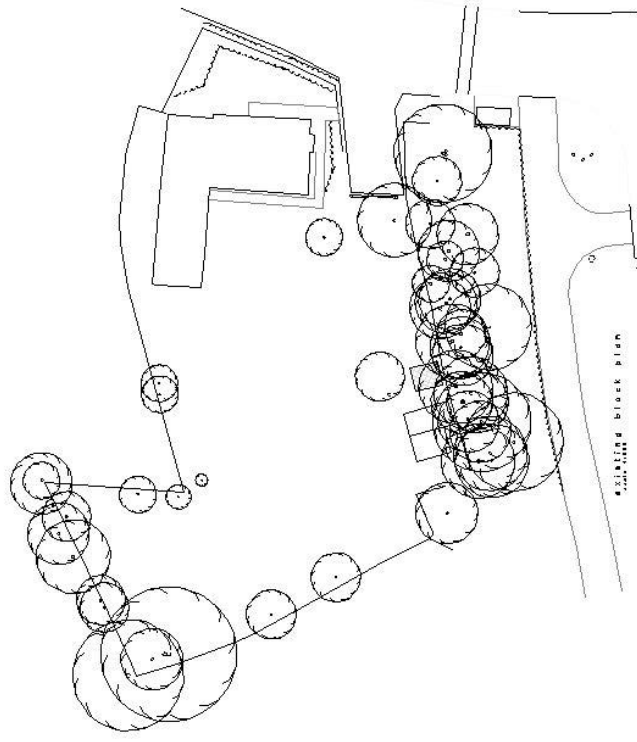
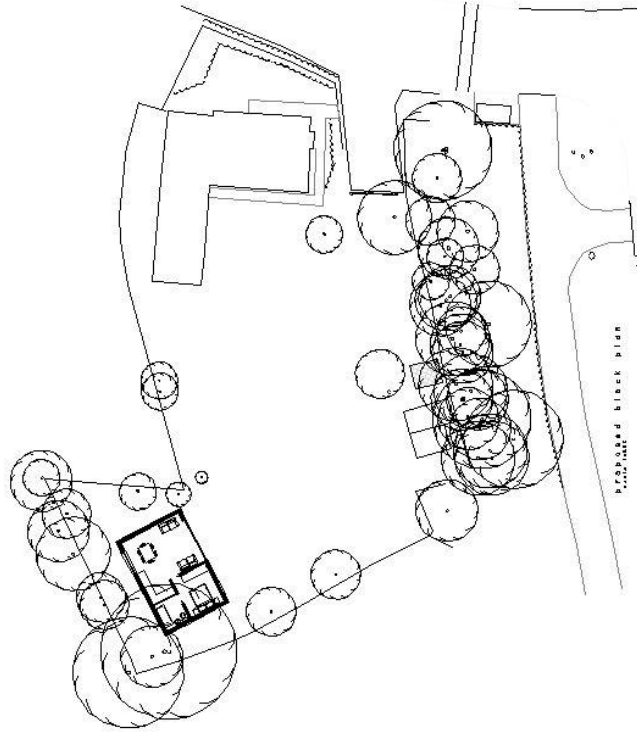
Reason: To prevent the accumulation of planning permissions; to enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances; and to comply with section 91 of the Town and Country Planning Act 1990.

2. The proposed building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as the 'Old Thatch'.

Reason: To protect the amenity of nearby residents and future occupants of the site, thus according with Saved Policy D1 of Milton Keynes' adopted local plan (2001-2011).

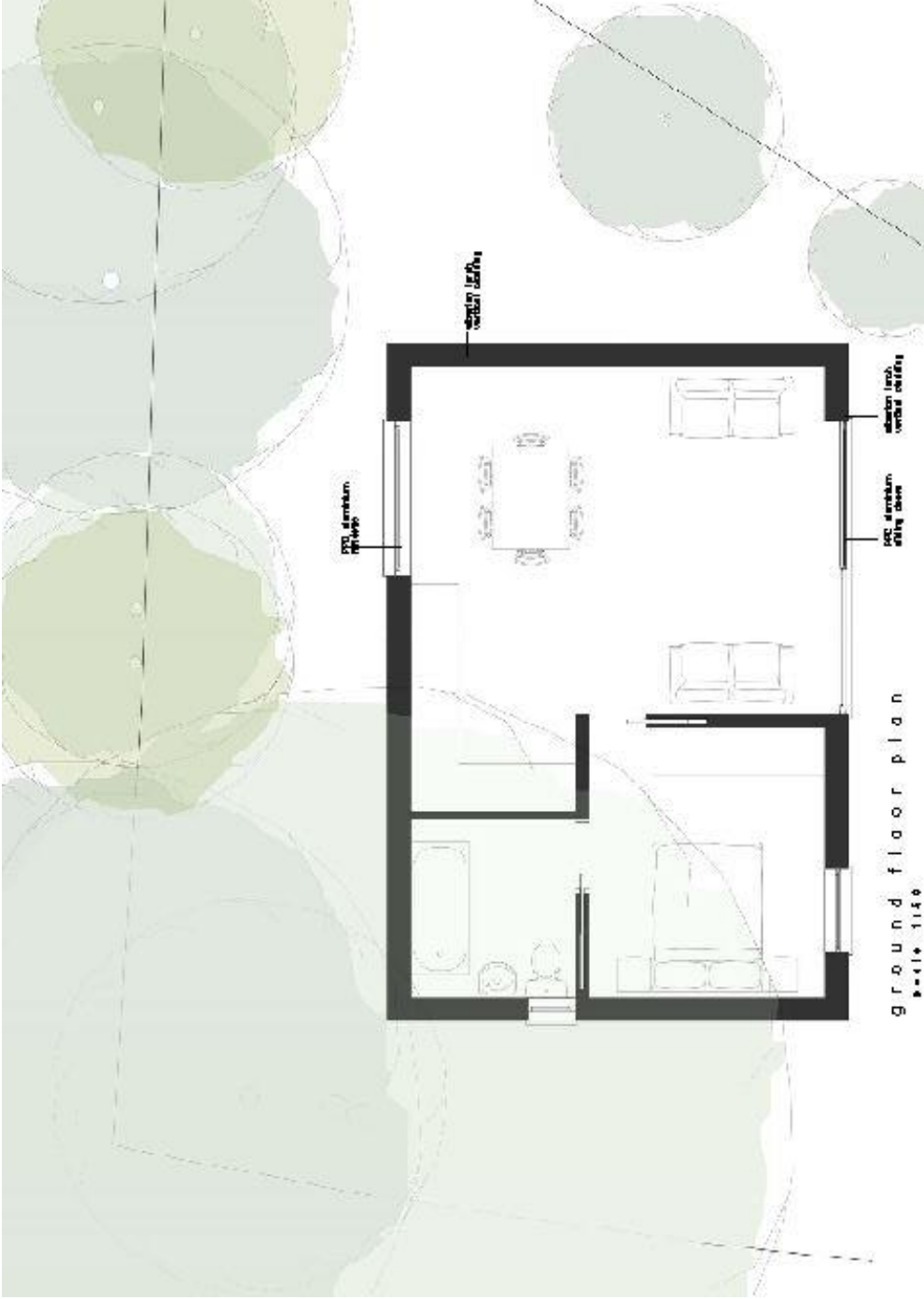


site location plan
scale 1:1250









ground floor plan
Scale 1:100

Appendix to 18/02019/FUL

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

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 (Member of DCC/DCCP)
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.