

Application Number: 16/02345/FUL**Demolition of garage and erection of new house****AT Land Adj To 11, Laker Court, Oldbrook****FOR Mr Sam Devoti****Target:** Extension of time until 23rd January 2017**Ward:** Central Milton Keynes**Parish:** Campbell Park Parish Council**Report Author/Case Officer:** Paul Keen**Contact Details:** 01908 253239 paul.keen@milton-keynes.gov.uk**Team Leader:** Sarah Hine**Contact Details:** sarah.hine@milton-keynes.gov.uk 01908 252283**1.0 INTRODUCTION**

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 The reason for the determination of this application at Panel is due to the number of neighbour objections received.

1.3 The Site

The application site is formed of an existing two storey dwelling, and detached garage, and is located on a residential cul-de-sac in Oldbrook. Details of the location of the site and its relationship to surrounding properties can be seen in the plans attached to this report.

1.4 There have not been significant physical changes on site or in the area since planning permission 13/01008/FUL.

1.5 The Proposal

Planning permission is sought for the removal of the existing garage, to be replaced by a two storey detached dwelling. Details of the proposal as described above can be seen in the plans appended to this report.

1.6 The application follows planning permission 13/01008/FUL. The current application plans are the same as previously approved.

2.0 RELEVANT POLICIES

2.1 National Policy

National Planning Policy Framework, paragraphs

14: Presumption in favour of sustainable development

17: Core Planning Principles

Section 7: Requiring Good Design

2.2 Local Policy

Core Strategy

CSA Presumption in favour of sustainable development

CS13 Ensuring High Quality, Well Design Places

Adopted Milton Keynes Local Plan 2001-2011

D1 – Impact of Development Proposals on Locality;

D2 – Design of Buildings;

H7 – Housing on unidentified sites.

T15 – Parking Provision

Supplementary Planning Guidance

Parking Standards 2016

New Residential Development Design Guide SPD (April 2012)

3.0 MAIN ISSUES

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

- 3.1
- The principle of two residential dwellings on the site
 - Character and appearance
 - Impact on neighbouring residents and the standards of living environment for the future occupants of the development
 - Highway safety and parking standards

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 of this report.

5.0 CONSIDERATIONS

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

5.1 The principle of a new dwelling on the site

Planning permission has previously been granted under references 13/01008/FUL for the same proposal being considered under the current application. This permission has not been implemented and is no longer extant.

5.2 However there have been no significant changes in national or local policies since the previous planning permissions which would render the principle of the proposed use unacceptable and there have been no changes in circumstances relating to the application. In fact, the Council does not currently have a 5 year housing land supply and so the principle of residential development in appropriate sustainable locations is to be encouraged. The site is considered to be located within a sustainable location and so the principle of the plot being subdivided into two separate dwellings is supported and further endorsed by National Policy.

5.3 Paragraph 14 of the National Planning Policy Framework states that:

“... at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development. Where the development plan is absent, silent or relevant policies are out-of-date the Council must consider favourably applications for housing development and should grant permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
- specific policies in this Framework indicate development should be restricted.”*

5.4 However, in accordance with paragraph 14 above, any development also needs to be considered against other national and local planning policies and demonstrate that any adverse impacts would not significantly and demonstrably outweigh the benefits. These are discussed in more detail below.

5.5 Character and appearance

Laker Court is a residential cul-de-sac located in Oldbrook, typified by family sized detached dwellings. The street scene is moderately landscaped to soften the frontages of the houses and driveways to the front.

5.6 The application site in question is relatively large in comparison to many of the surrounding plots. The current application seeks consent to replace the existing detached double garage with a two storey detached house. The proposed dwelling would be in keeping with the character and appearance of

the area.

5.7 The proposed house would not be an inappropriate addition to a residential area. The dwelling does not significantly project forward of the building line on the southern side of the street, while the materials of the proposed dwelling will match those of the existing houses on the street. The applicant proposes to provide two on-plot spaces to the front of the proposed house; this is not considered uncommon in a residential estate. Furthermore, there is nothing to prevent the applicant from parking cars in this space in front of the existing garage, regardless of the outcome of the current application. There are therefore no objections to the application with respect to its impact on the character and appearance of the area.

5.8 As mentioned, the proposal is the same as previously granted at Panel under application 13/01008/FUL. There have been no changes within the locality to come to a different view on the matter.

5.9 The proposal therefore complies with saved Policies D2 and H7 of the Milton Keynes Local Plan 2001-2011.

5.10 Impact on neighbouring residents and the standards of living environment for the future occupants of the development

The proposed dwelling is obscured from the neighbouring dwellings to the east of the application by No. 11 Laker Court, and its impact on these houses is considered minimal as a result.

5.11 The neighbouring dwelling in closest proximity to the site is No. 6 Laker Court. However, it is noted that no primary outlook of this neighbouring house facing the proposed house. The proposed house does not impact on the existing dwelling at No. 11, and is therefore considered acceptable with regard to impact on neighbouring amenity.

5.12 There have been no changes within the locality since the previous approval to come to a different view on the matter.

5.13 The proposal therefore complies with saved Policy D1 of the Milton Keynes Local Plan 2001-2011.

5.14 Highway safety and parking standards

New parking standards have been adopted since the previously approved application. However, the applicant has indicated that there is sufficient space to provide two spaces for both the proposed house, and No. 11 Laker Court, as is required in the Parking Standards.

5.15 The Highway Engineers has not commented on the current scheme, although no objection was raised by the Highway Engineer under the previous application. There have been no changes in circumstances to come to a different view on the matter, subject to the inclusion of a condition requiring

the applicant to submit further details of the parking areas. As such, the scheme is considered acceptable with regard to parking provision and access.

5.16 The proposal therefore complies with saved Policy T15 of the Milton Keynes Local Plan 2001-2011.

5.19 Conclusion

Based on the above assessment and subject to conditions outlined in section 6 of this report, it is considered that the development would not have a detrimental impact on the character and appearance of the area, and would not have an adverse impact on the amenity or privacy of neighbouring residents or highway safety once occupied. It is therefore recommended that planning permission be granted.

6.0 CONDITIONS

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. Prior to the commencement of development above ground level, details showing a scheme for parking and manoeuvring of vehicles shall be submitted to and be approved in writing by the Local Planning Authority. The approved scheme shall be implemented and made available for use before the development hereby permitted is occupied and that area shall be used for no other purpose thereafter.

Reason: To enable vehicles to park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

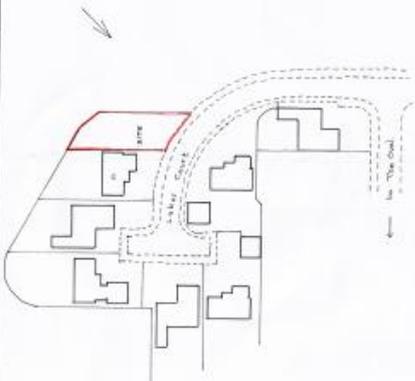
3. Prior to any works above ground level, the external materials to be used in the development shall be submitted to and approved in writing by the Local Planning Authority, and the development carried out in accordance with the approved details.

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

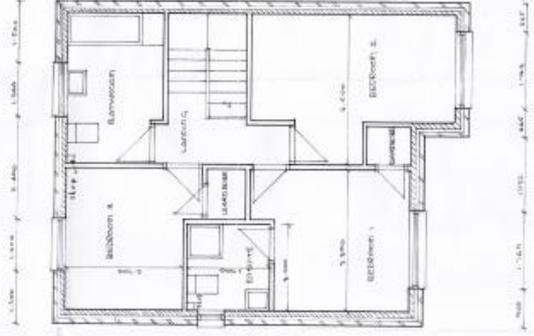
4. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 or any Statutory Instrument revoking or amending or re-enacting that Order, the following provisions of Article 3(1), part I of Schedule 2 of the said Order shall not apply to any dwelling to which 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: To ensure that development does not take place without prior consent from the Local Planning Authority.

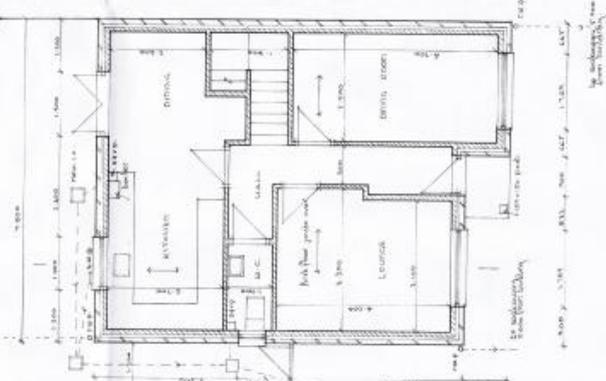
NOTES:
 All dimensions must be checked on site and not
 taken from the drawing



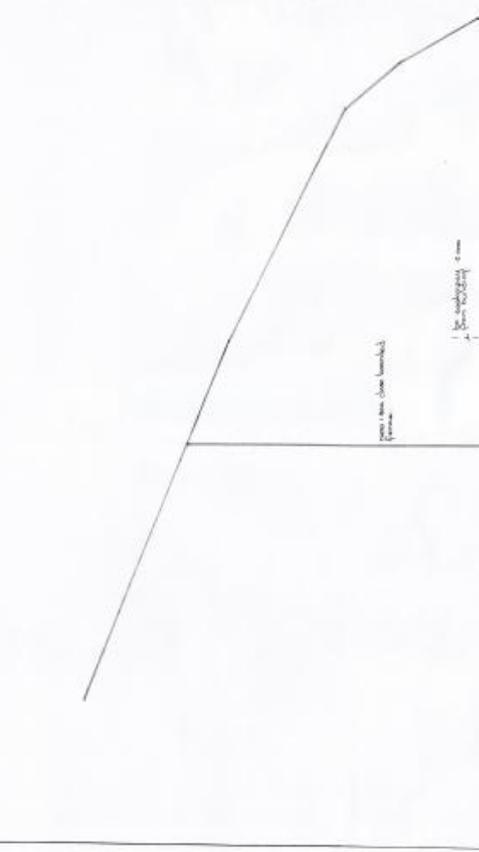
1/4000 LOCATION PLAN



FIRST FLOOR PLAN



GROUND FLOOR PLAN



1. Name	2. Date	3. Scale	4. Revision

GORDON SPEARING
 ARCHITECT
 PROJECT MANAGEMENT
 4, BIRNIE GARDENS
 100, GARDEN CITY
 MID27 7TE
 TEL: 07700188124
 EMAIL: g.spearing@btopenworld.co.uk

DATE: 21/09/2011
 DRAWING NO: 1/1000

FIELD HOUSE OR LATS, TEXT TO
 H LAURE COURT, GARDEN
 CITY, MID27 7TE

Drawing Title
FLOOR PLANS

Scale	1:1000
Date	21/09/2011
Drawn by	G.S.

Plot No.	2010 - M - 1
Rev.	

Appendix to 16/02345/FUL

A1.0 RELEVANT PLANNING HISTORY

A1.1 13/01008/FUL
Demolition of existing garage and erection of a new dwelling
PER 19.08.2013

16/02345/FUL
Demolition of garage and erection of new house
PDE

A2.0 ADDITIONAL MATTERS

A2.1 None

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 Parish - Campbell Park

The Committee had no comment to make on the application. Noted.

Ward - Central Milton Keynes - Cllr Betteley

No representation received at the time of writing this report.

Ward - Central Milton Keynes - Cllr Wallis

No representation received at the time of writing this report.

Ward - Central Milton Keynes - Cllr Williams

No representation received at the time of writing this report.

Environmental Health Manager

No comments in respect of contaminated land

Noted.

It is also noted that a ground contamination condition was imposed under previous planning permission. However such issues can be adequately dealt with under Environmental Health legislation.

Local Residents

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

- 6 Laker Court Oldbrook Milton Keynes
- 7 Laker Court Oldbrook Milton Keynes
- 8 Laker Court Oldbrook Milton Keynes
- 9 Laker Court Oldbrook Milton Keynes
- 10 Laker Court Oldbrook Milton Keynes

Representations were received from the occupants at no's 6 and 8 Laker Court with the following concerns raised:

- Number 11 is currently used as a house of multiple occupancy, concern the new building will be used in the same way
- Concerns regarding lack of parking
- Out of keeping with the area, lack of landscaping

The issue relating to no. 11 being a house in multiple occupation has no bearing on the application before members. Planning permission would be required for the proposed building to be used as a house in multiple occupation.

The proposed amount of parking meets the current parking standards.

Issues relating to character and appearance have been discussed in sections 5.6 to 5.11 of this report.