

ITEM 5(d)

Application Number: 20/02956/FUL

Description Proposed loft conversion with rear dormer, re-alignment of boundary wall and conversion of detached double garage with removal of the roof & raise ridge height and form room in roof space with front dormers (Re-submission of 20/01828/FUL)

At 32 Ultra Avenue, Bletchley, Milton Keynes, MK3 6GY

For Mr M Blyth

Statutory Target: 11th January 20201

Extension of Time: Yes - 4th March 2021

Ward: Bletchley Park

Parish: West Bletchley

Report Author/Case Officer: Charlotte Ashby
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1.0 RECOMMENDATION

1.1 It is recommended that permission is granted subject to conditions set out in this report.

2.0 INTRODUCTION

Reason for referral to Panel

2.1 The application has been referred to Panel at the request of West Bletchley Town Council as a result of the overshadowing to no. 46 in respect of the garage height increase and the impact of boundary wall movement on the character of the local area.

The Site

2.2 The application site comprises a detached dwelling located on Ultra Avenue within the residential area of Bletchley. The dwelling is positioned in the middle of the site, with a large front and rear garden. The site is a focal point within the immediate streetscene. However, given the position to the far end of Ultra Avenue, the property is not passed regularly. The property retains 2 allocated parking spaces located to

the front of the existing garage, located adjacent to the side elevation of No. 30 Ultra Avenue.

- 2.3 The main dwelling is orientated adjacent to the highway and occupies a large plot. The garden associated with No. 46 Whalley Drive is located adjacent to the west side of the dwelling, although no windows are located to the side elevation to allow outlook. The amenity space associated with No. 30 Ultra Avenue is located to the rear of the garden of the application site.
- 2.2 The site has permitted development rights withdrawn for schedule 2, part 1, class A for the alterations to the garage. The site is not subject to any other planning constraints.

The Proposal

- 2.4 The application proposes a loft conversion with a rear dormer and Juliette balcony (northern elevation of the house), the realignment of the boundary wall to include an area of hardstanding pathway within the applicants ownership to meet the side elevation of the dwelling, and the conversion of detached double garage to a home gym and office, involving an increase to the roof height by 0.6 metres to form a room in the roof space with two front dormers.

Scope of debate/decision

- 2.5 This application is a full planning application and so all matters are to be considered.

3.0 RELEVANT POLICIES

National Policy

- 3.1 National Planning Policy Framework (February 2019) (NPPF)

Section 12 - Achieving well-designed places

In addition, the Planning Practice Guidance is also a material consideration

The Development Plan

- 3.2 Neighbourhood Plan

The application site is located within with West Bletchley Development Plan Area adopted on the 20th March 2019.

Policy D1- Local Character
Policy D2- Design and Amenity

- 3.3 Plan:MK (March 2019)

Policy CT2 - Movement and Access
Policy CT10 - Parking Provision

Policy D1 - Designing a High Quality Place
Policy D2 - Creating a Positive Character
Policy D3 - Design of Buildings
Policy D5 - Amenity and Street Scene

3.4 Supplementary Planning Documents/Guidance

Parking Standards SPD (January 2016)
New Residential Development Design Guide (April 2012)

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 Equality Act 2010

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

4.0 **RELEVANT PLANNING HISTORY**

4.1 Application Site

09/02151/CLUP

Certificate of lawfulness for proposed single storey rear extension
Certificate of Lawfulness Approved 01.02.2010

16/01415/CLUP

Certificate of Lawfulness for proposed single storey rear extension
Certificate of Lawfulness Approved 20.07.2016

20/01828/FUL

Two storey front extension, loft conversion with dormer, realignment of boundary wall, conversion of detached double garage with removal of the roof & raise ridge height with front dormers
REF 19.10.2020

The previous scheme was refused for the following reasons:

- The proposed development would constitute an overbearing and unacceptable visual intrusion and loss of light due to the relationship and proximity to the neighbouring property at No. 44 Whalley Drive. Therefore the proposal would lead to an unacceptable impact on the residential amenity currently enjoyed by the occupants of that neighbouring property, and as such the development would be contrary to Policy D5 of Plan:MK (2019).

- The submitted site plan shows the red line boundary which incorporates highways land, therefore the proposed alterations to the location of the wall would result in the development encroaching onto highway land and as such would be unacceptable, would not therefore comply with Policy CT2 of Plan:MK (2019).

5.0 CONSULTATIONS AND REPRESENTATIONS

5.1 West Bletchley Parish Council

Objection to the application on the grounds that:

- The increase in ridge height of the existing garage will increase the overshadowing of the garden of No. 46.
- Relocating the boundary wall on the footpath boundary would be detrimental to the character of the area and the street scene.

5.2 Cllr Nabeel Nazir - Bletchley Park Ward

No comments received.

5.3 Cllr Elaine Wales - Bletchley Park Ward

No comments received.

5.4 Cllr Alan Rankine - Bletchley Park Ward

No comments received.

5.5 MKC Highways

The boundary wall is located outside of the highway and replaces the picket fence. Details should be provided on the boundary wall and visibility splays. It is not considered that the visibility will pose an issue as Tenny End is a quick cul-de-sac with 3 properties.

5.6 Neighbour/ Third Party Representations

Comments have been received from one address/neighbour. The material planning considerations are summarised below:

- Loss of light
- Loss of privacy
- Noise and disturbance
- Design, character and layout with the two-storey garage resulting in a dense development

Comments were also received in respect of lack of notification to the application, which is not a material consideration.

6.0 MAIN ISSUES

Principle of development
Highway matters and parking
Impact on character of the area
Design
Residential amenity
Landscape

7.0 CONSIDERATIONS

Principle of development

- 7.1 The proposed movement of the boundary wall would enclose additional land adjacent to the highway within the rear garden area. Policy L3 states that the change of use of amenity open space will only be granted for the incorporation of such areas into private garden land, if the criteria set out in policy are met. In this instance the movement of the wall is not considered to incorporate an area of open amenity space given that the hardstanding pathway was constructed by the applicant and is located adjacent to the highway where the land is not considered to be characteristic to the open appearance of the local area, given the retention of the verges.
- 7.2 Policy D3 of Plan:MK states that extensions to existing buildings are acceptable providing that the proposed scale and design relates well to the existing building and plot, whilst not detracting from the character of the existing building and the surrounding area. As such, the proposal, in principle, is considered to accord with Policy D3, subject to material planning considerations outlined within this report.

Highway matters and parking

- 7.3 Policy CT10 of Plan:MK requires all new development proposals to meet the Council's adopted parking standards unless mitigating circumstances dictate otherwise. Policy CT2 of Plan:MK seeks to ensure safe movement and access.
- 7.4 The proposal would increase the number of bedrooms from 4 to 6. However, this would not increase the number of allocated spaces required. In addition, garages are not included within the Parking Standards as parking provision and the conversion would not impact upon the existing parking provision. The development would, therefore, comply with the Parking Standards SPD and Policy CT10 of Plan:MK.
- 7.5 The alterations to the boundary wall would result in the wall being located closer to the highway than the existing. The submitted site plan shows the red line boundary has been amended since the previous refusal and now does not encroach onto highway land. A condition has been imposed for specific details of the proposed wall, including the proposed height. The proposed wall will adjoin the adopted highway next to the driveway, with a grass verge remaining between the wall and the actual road, and the Highways Officer has expressed no concerns with the visibility between the driveway and the road, given the road only serves a few properties. Therefore there would be adequate visibility from the driveway, the proposal would be considered to comply with Policy CT2 of Plan:MK. The Highways Officer has also

noted the potential impact of the new wall on the visibility of the junction to the south of the site at Tunny Lane. However, to be clear the proposed wall is 22 metres from the junction at Tunny Lane with Ultra Avenue, and given the verge remains, it would be unreasonable to require visibility splays to be provided for this junction.

Design and impact on the character and appearance of the area

- 7.6 The application is assessed against Policies D1 and D2 of the West Bletchley Neighbourhood Plan and design Policies D1, D2 and D3 of Plan:MK which seek to ensure that development relates well to the surrounding area, exhibits a positive character and importantly be of an appropriate scale in relation to other buildings in the immediate vicinity in terms of their height and massing.
- 7.7 The proposed flat-roof rear dormer is uncharacteristic to the local area, although the use of matching materials would allow integration with the existing dwelling. However, the property retains permitted development rights for alterations to the roof and, given that the dormer does not span the entire width of the property, does not extend past the plane of the existing roof slope fronting the highway and measures approximately 23 cubic metres (below the permitted 50 cubic metres) the proposal would appear to comprise permitted development. Therefore, this is a material fallback position in that the dormer could be built without express planning permission.
- 7.8 There is objection regarding the negative impact of the garage conversion and extension on the character and layout of the local area. The layout of the area remains unaffected given that the garage is located within the position as existing. Pitched roof dormer windows are visible on other properties within the locality and, as such, the inclusion is not considered to result in a negative impact upon the character of the local area. The increase in height of approximately 0.6 metres is also not considered to result in a significantly dominant structure, given the location to the side gable of No. 30 Ultra Avenue and next to the boundary wall, at the end of the garden of No. 32. The garage is set back from the main highway, with the driveway located to the front of the garage, and would not be highly visible or dominant in the streetscene. The proposed increase in height of the double garage with the inclusion of dormer windows to the front elevation is, therefore, considered to be acceptable.
- 7.9 An objection has been made with regard to the impact of the boundary wall alterations on the character of the local area given the soft verges and landscaping. It is acknowledged that the movement of the wall would result in an alteration to the appearance of the dwelling when approaching from the north on Ultra Avenue. However, the repositioning closer to the highway would not result in the loss of any grass verge/soft landscaping – only the private footpath between the applicant's driveway and house. No specific details of the wall/ boundary treatments have been submitted however it is considered that these details can be conditioned. Therefore, it is considered that the impact of the change would not significantly impact upon the character of the area so to warrant refusal of the application. As such, the proposed development would comply with Policy D1, D2 and D3 of Plan:MK and D1 and D2 of the West Bletchley Neighbourhood Plan.

Residential amenity

- 7.10 Policy D5 of Plan:MK seeks to ensure that development proposals do not cause an unacceptable loss of light, loss of privacy or create a visual intrusion between residences.
- 7.11 West Bletchley Council and a neighbouring property object to the loss of light and overshadowing to No. 46 Whalley Drive and No. 32 Ultra Avenue from the increase in height of the garage. It is acknowledged that the garage would increase by approximately 0.6 metres and this may result in some overshadowing to the amenity space of No. 46. However, this is not likely to be a significant increase, given the existing massing of the garage, and would only occur during morning hours with the garage directly to the east of the amenity space of no. 46. Similarly, there would be some overshadowing to the single storey rear extension and garden associated with No. 30 Ultra Avenue located directly to the north of the garage given the proposed dormers and increase in roof height. However this is also not considered to be a significant increase, and therefore, not considered to be significant to result in refusal of the application. With regards to visual intrusion, given that the windows of no 30 outlook to the rear, it is not considered that the proposal would be significantly visually intrusive given that the garage is not in the direct line of sight from these windows. The proposed rooflights may result in some loss of light, however this is also on balance considered not to result in a detrimental impact to No. 30 Ultra Avenue.
- 7.12 An objection refers to a proposed annexe and subsequent noise and disturbance resulting from habitable rooms close to the property boundary to No. 30 Ultra Avenue. The garage conversion would result in a gym and an office located within the resultant space and it is considered that the proposal may intensify use within the garage building. However, the functions proposed are not considered to raise significant noise and disturbance concerns, any more than could occur with the garages use as existing, and the uses are considered suitable in a residential context.
- 7.13 The proposed rear dormer would result in additional windows and a Juliette balcony located to the rear of the property. However, it is considered that the outlook would not be materially different than from the rear first floor windows, given that the balcony does not allow for a wider outlook than a window. Therefore, the proposal is considered acceptable in this regard.
- 7.14 The development would be considered to comply with Policy D5 of Plan:MK.

Other Matters

- 7.15 An objection makes reference to the lack of site notice and notification of the application. A site notice was not required and all adjacent properties to the application site were notified by letter.

8.0 CONCLUSIONS

- 8.1 In conclusion, the proposal is considered to have addressed the previous reasons for refusal to comply with the relevant policies, and is acceptable subject to conditions.

9.0 CONDITIONS

1. The approved development shall be carried out in accordance with the following drawings/details:

Plans received 17/11/2020:

Location Plan, date: 13.07.2020

801.310.002 Rev A - Proposed Plans and Elevations, date: Nov 20

801.310.003 Rev A - Proposed Plans and Elevations, date: Nov 20

Reason: For the avoidance of doubt and in the interests of securing sustainable development.

2. 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.

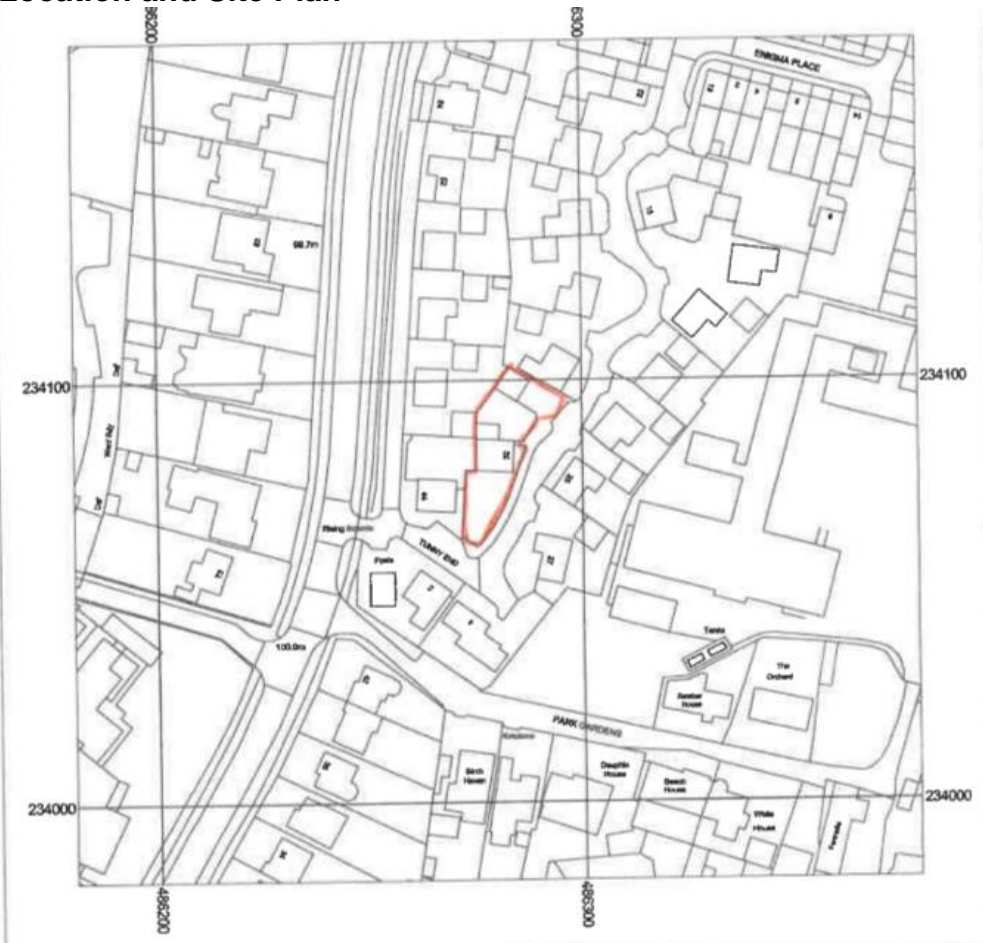
3. The development hereby approved shall be carried out in accordance with the materials specified on the approved plans.

Reason: To ensure that the new work complements the existing building and to ensure the development does not detract from the character and appearance of the area in accordance with Policies D1, D2, D3, D5 and SD1 of Plan:MK (2019).

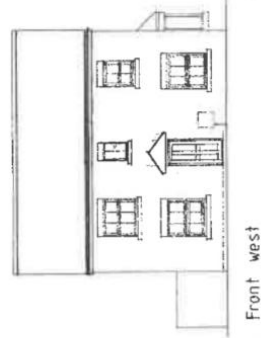
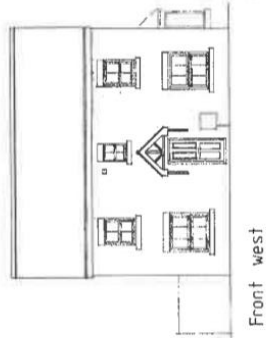
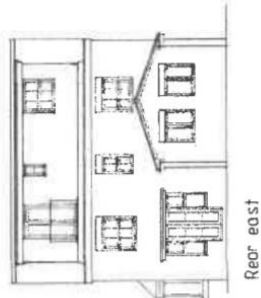
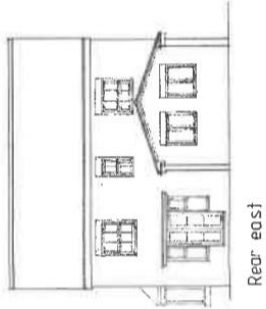
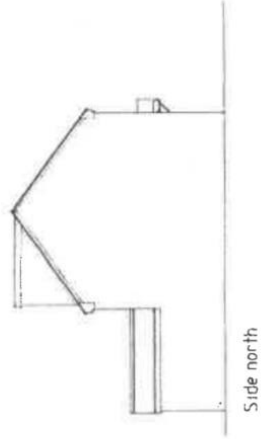
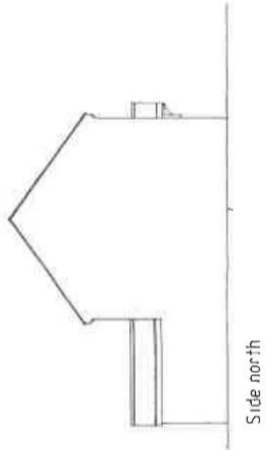
4. Notwithstanding the approved details, no development shall take place above slab level until details of the proposed boundary treatments and wall have been submitted to and approved in writing by the Local Planning Authority. The details shall include a boundary treatment plan (at a minimum scale of 1:500) detailing the position of all proposed boundary treatment and annotated or accompanied by a schedule specifying the type, height, composition, appearance and installation method of boundary treatment throughout the site.

Reason: To protect the external character and appearance of the area and to minimise the effect of development on the area in accordance with Policies CT2, D1 and D2 of Plan:MK (2019).

Location and Site Plan



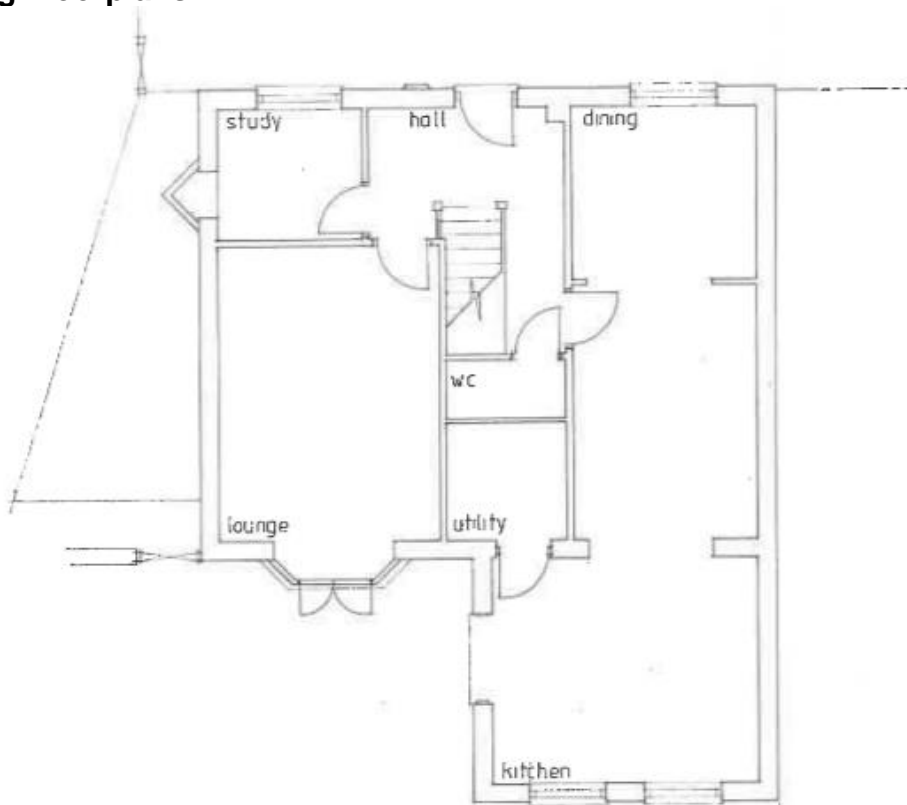
Proposed and Existing Elevations



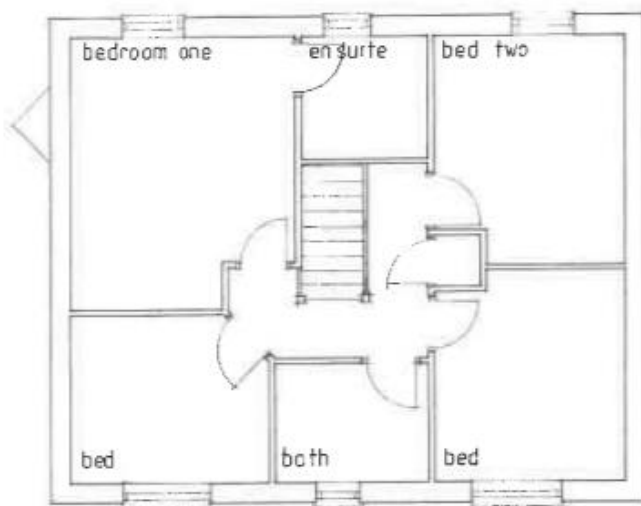
EXISTING ELEVATIONS 1:100

PROPOSED ELEVATIONS 1:100

Existing Floorplans

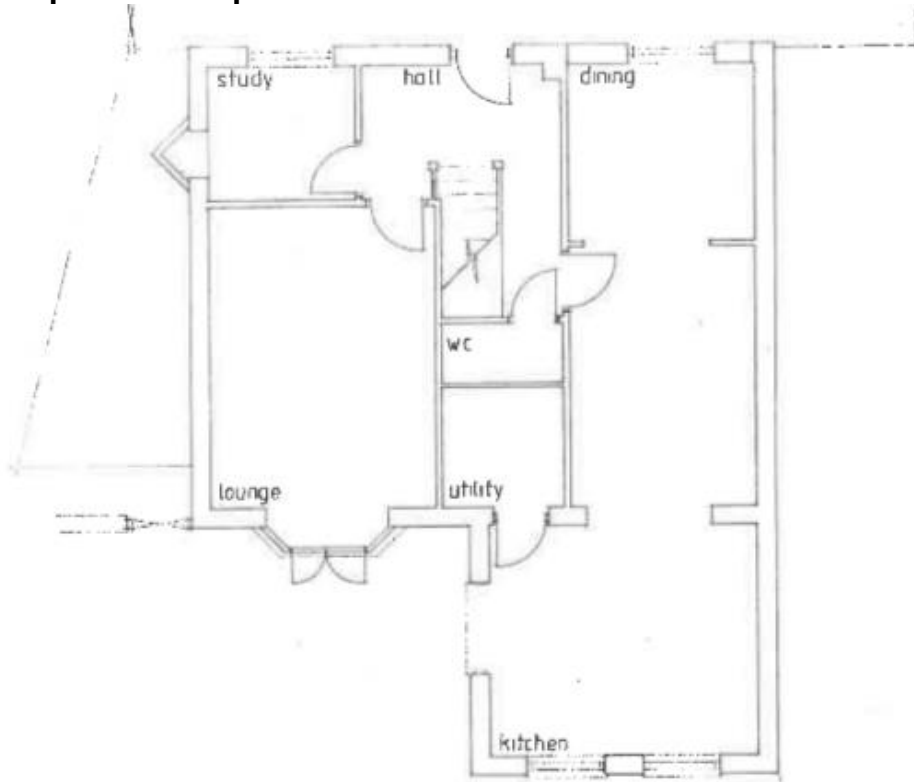


Existing ground floor plan 1:50

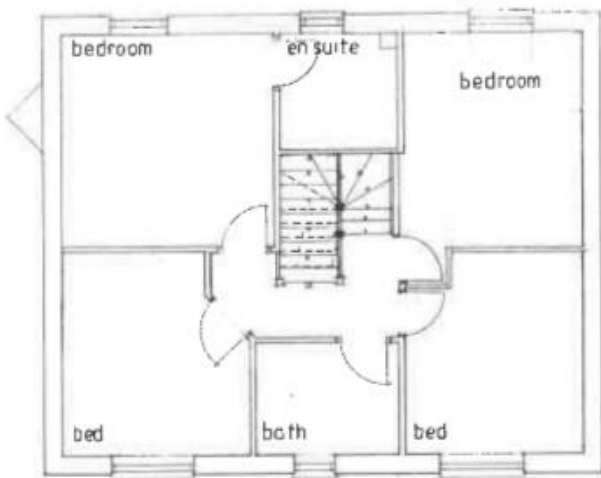


Existing first floor plan

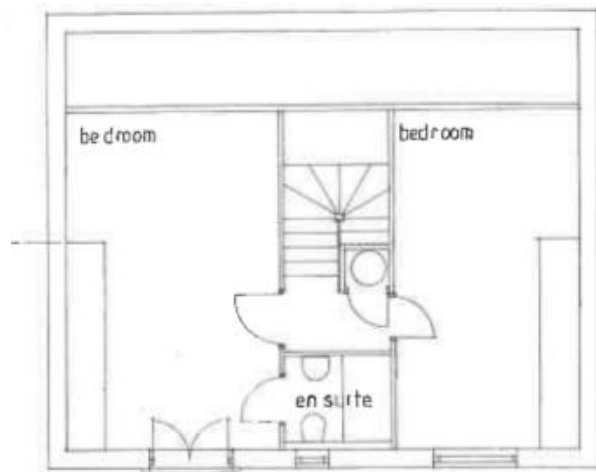
Proposed Floorplans



Proposed ground floor plan 1:50

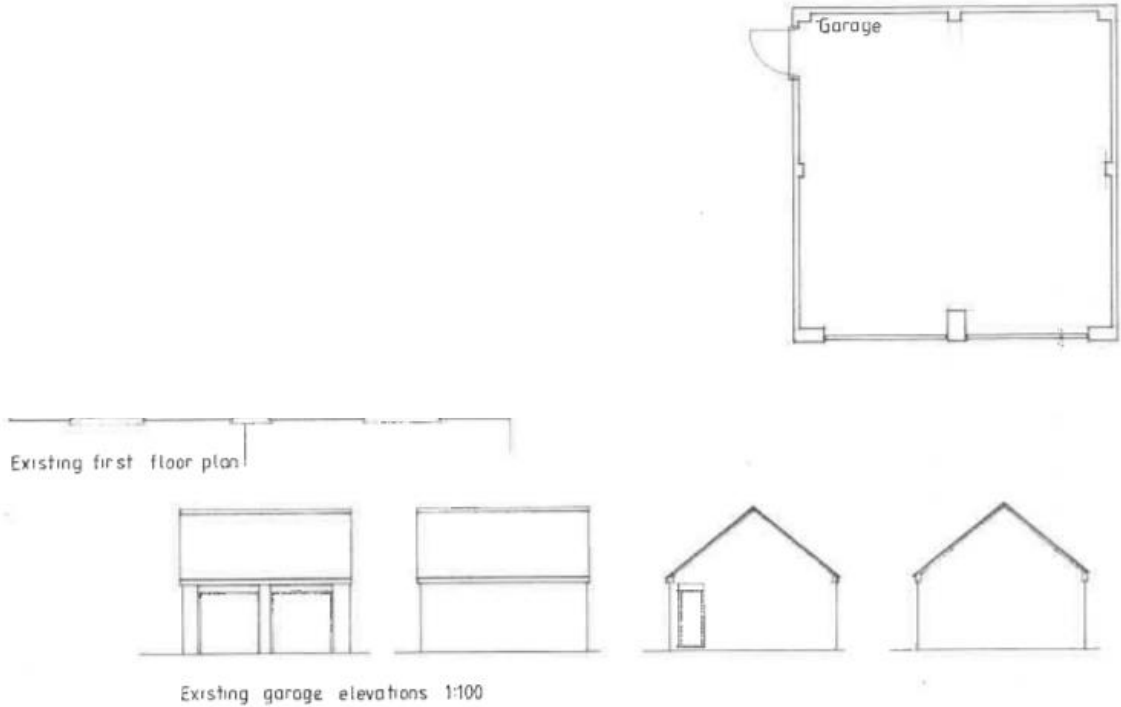


Proposed first floor plan



Second floor plan 1:50

Existing garage floor plans and elevations



Proposed garage floor plans and elevations



A1.0 FULL CONSULTATIONS AND REPRESENTATIONS

A1.1 West Bletchley Parish Council

“West Bletchley Council objects on the grounds that: i. The increase in ridge height of the existing garage will increase the overshadowing of the garden of number 46 detrimental to their residential amenity. ii. Ultra Avenue is a fairly narrow street characterised by grass verges, low-level shrubbery and trees along its length. Relocating the boundary wall on the footpath boundary would be detrimental to the character of the area and the street scene.

Should Milton Keynes Council be minded to approve this proposal then this Council requests that this application be referred to the Development Control Committee/Panel for determination and confirms that it will undertake to send a representative to attend to address the Committee/Panel to present the Council's objections.”

A1.2 Cllr Nabeel Nazir- Bletchley Park Ward

No comments received.

A1.3 Cllr Elaine Wales- Bletchley Park Ward

No comments received.

A1.4 Cllr Alan Rankine- Bletchley Park Ward

No comments received.

A1.5 MKC Highways

“The drawings show that the boundary wall is outside of the highway boundary. The boundary wall will replace their low level picket fence.

Details should be provided on the boundary wall to confirm height and construction details.

Visibility splay should also be provided at the junction of Tenny End to confirm that the boundary wall will not cut off any visibility.

Having a quick look at visibility I don't think this will pose an issue as Tenny End is a quick cul-de-sac with 3 properties.”

A1.6 Third Party/Neighbour Comments

Comments have been received from one address/neighbour. The material planning considerations are summarised below:

- Loss of light
- Loss of privacy

- Noise and disturbance
- Design, character and layout with the two storey garage resulting in a dense development

Comments were also received in respect of notification of the application however this is not a material consideration.