

**Application Number: 17/00745/FUL
Other**

**Single storey side extensions (resubmission of withdrawn application
16/00537/FUL)**

AT 26 Penryn Avenue, Fishermead, Milton Keynes

FOR Evergreen Shop

Target: 12th July 2017 (EOT 24th July 2017)

Ward: Woughton And Fishermead

Parish: Campbell Park Parish Council

Report Author/Case Officer: Monika Piwonska

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Team Leader: Helen Lowe Team Manager East Team

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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 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 as the application has received objections from Campbell Park Parish Council.

2.0 THE SITE

- 2.1 The application site comprises an existing retail unit situated at ground floor level of a block of flats on the eastern corner at the junction of Pencarrow Place and Penryn Avenue, Fishermead. There are a number of individual shop units in Fishermead. The wider area is predominantly residential in character containing residential accommodation and/or car parking on the ground floor level. Details of the site and its relationship to surrounding properties can be seen in the plans attached to this report.

3.0 THE PROPOSAL

3.1 This application seeks full planning permission for the creation of single storey side extensions. The external floor area of the extensions measures approximately 16 square metres. The proposal will result in reducing two parking spaces. This application is a resubmission of the previously withdrawn application 16/00537/FUL.

4.0 RELEVANT POLICIES

(The most important policy considerations relating to this application)

4.1 National Policy

National Planning Policy Framework 2012

Paragraphs 11-16: Presumption in favour of sustainable development
Section 7: Requiring good design
Paragraphs 186-187: Positive approach to decision taking
Paragraphs 196-197: Determining applications
Paragraphs 203, 206: Conditions

4.3 Local Planning Policy

Milton Keynes Core Strategy 2013

Policy CSA: Presumption in favour of sustainable development
CS13: Ensuring high quality, well designed places

Adopted Milton Keynes Local Plan 2001-2011 (Saved Policies)

Policy D1 (iii): Impact of development proposal on locality
Policy D2 (ii): Design of buildings
Policy T15: Parking provision

Supplementary Planning Document

Parking Standards 2016
New Residential Design Guide 2012

5.0 MAIN ISSUES

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

5.1 The main issues for the recommendation of this planning application comprise:

- Principle development
- Design and appearance
- Residential amenity
- Parking and highway safety

6.0 RECOMMENDATION

(The decision that officers recommend to the Committee)

- 6.1 It is recommended that planning permission be granted subject to the conditions set out at section 8 of this report.

7.0 CONSIDERATIONS

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

7.1 Principle of development

- 7.2 Saved Policy D2 of the Milton Keynes Local Plan 2001-2011 allows for the extension of buildings, as such the proposed development is considered to be acceptable in principle. This policy also states that the buildings will only be permitted subject to considerations of design, scale and siting which will be discussed below.

7.3 Design and appearance

- 7.4 The development is assessed relative to saved Policy D2 (ii) of the Milton Keynes Local Plan 2001-2011, Policy CS13 of the Milton Keynes Core Strategy 2013 and Section 7 of the National Planning Policy Framework 2012 which require development to contribute positively to the character of an area and to be designed to a high standard considering local context.

- 7.5 The proposed extensions to the existing shop unit would be located on the ground floor of the block of flats. This would be positioned underneath the flats, on the place of two parking spaces. One of them is to the north-east and another one is to the south-east of the shop. The proposed extensions would infill two parking spaces and would not project beyond the existing first floor elevation. The proposal would not present an additional building form and therefore it is not considered to be overdevelopment of the site. The application proposes brickwork to match the local area. The proposed extensions would be visible within the street scene. However, the small scale of the extensions and use of materials ensures the proposal does not detract from the character of the original building and wider local area.

- 7.6 The proposed development is considered to comply with saved policy D2 (ii) of the Milton Keynes Local Plan 2001-2011.

7.7 Residential amenity

- 7.8 Saved Policy D1 (iii) of the Milton Keynes Local Plan 2001-2011 expects residential amenity to be considered. This policy seeks to ensure that there would be no significant visual intrusion or loss of privacy, sunlight and daylight arising from new development.

- 7.9 The proposed extensions would be attached to the shop unit and would be placed on two parking spaces underneath the flats. There are no windows proposed on any elevations. It is therefore considered that the proposed development would not affect the amenity of neighbouring properties in terms

of loss of privacy, sunlight and daylight. Additionally, the use of the retail unit remains as existing and therefore the proposed development would not give rise to any alteration in terms of noise.

7.10 The proposed development is considered to comply with saved policy D1 (iii) of the Milton Keynes Local Plan 2001-2011.

7.11 **Parking and highway safety**

7.12 Saved Policy T15 of the Milton Keynes Local Plan 2001-2011 relates to ensuring development proposals meet on-plot parking requirements as laid out in the Milton Keynes Parking Standards 2016.

7.13 It is noted that two side extensions are proposed to use two existing off-street parking spaces allocated to the flats above the property. A parking statement has been provided proving that there is a sufficient level of unallocated spaces available in the immediate vicinity. Given the parking survey and the fact that the existing parking spaces are not being fully utilised it is therefore considered that the proposal would have a limited impact on available parking supply and would not result in any prejudice to residential amenity or highway safety or capacity. Additionally, no objection has been raised from the Highways Engineer stating that *the loss of the on-plot parking spaces is a concern although the evidence would suggest that the impact from the loss would be limited with alternative parking spaces close by to the site. The comments from the Parish council were noted and the highways engineer had no doubt that at certain times some inappropriate parking may well take place. However, the highways engineer was not convinced that this should carry substantial weight particularly when the evidence suggests that parking spaces are available close by and individuals are choosing the inappropriate parking rather than the dedicated spaces close by. For these reasons the highways engineer reluctantly raised no objections.*

7.14 It is considered that there is ample off street parking on Penryn Avenue and Pencarrow Place. It would not be justified to refuse the application on this ground. Therefore it is considered that the proposal is in accordance with saved policy T15 of the Milton Keynes Local Plan 2001-2011.

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)

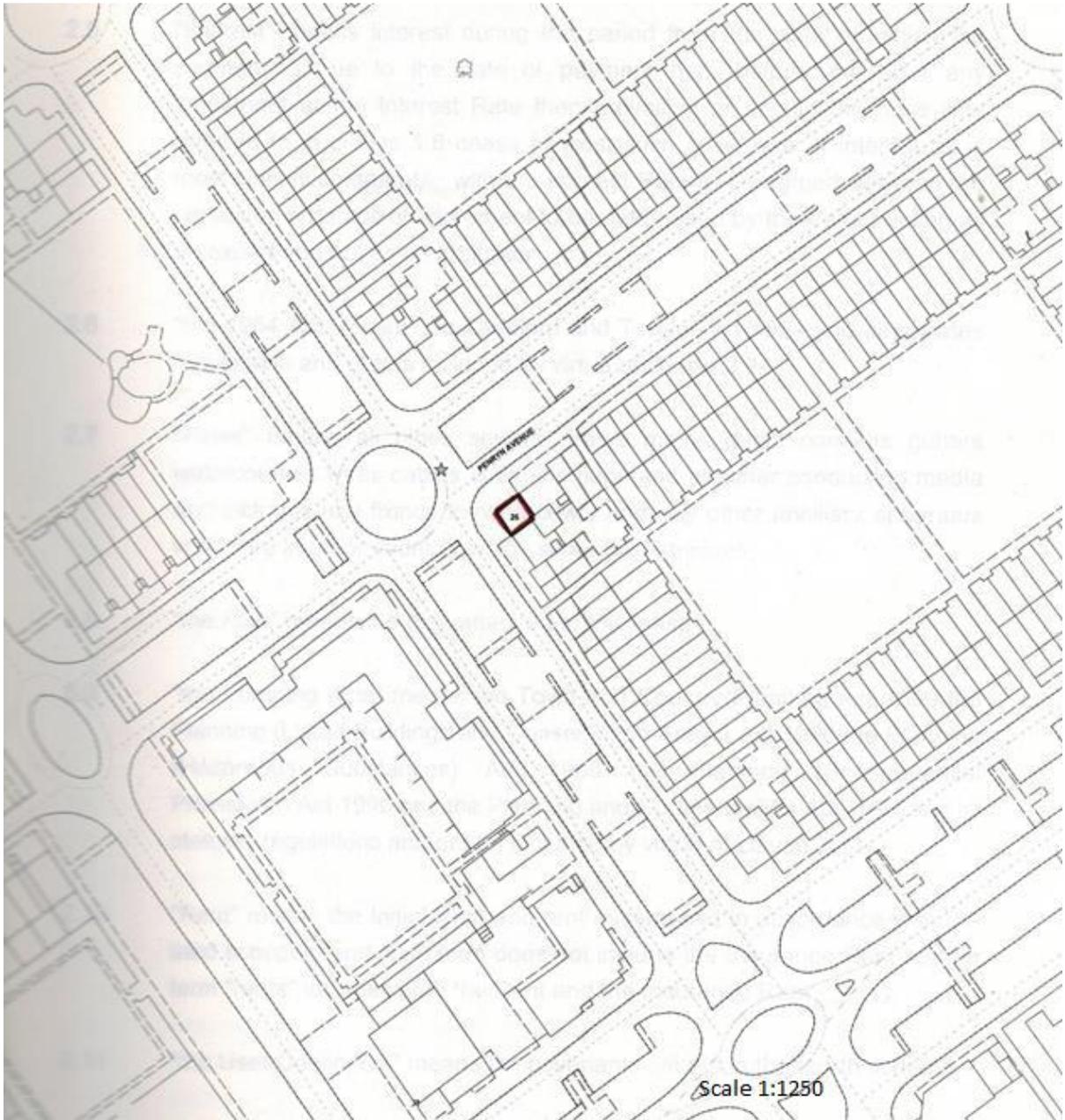
1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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 surfaces of the development hereby permitted shall be

constructed only of materials of a type and colour which match those of the existing building.

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



Scale 1:1250



SE elevation - existing



SE elevation - existing

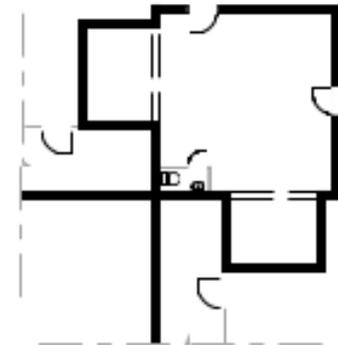


SE elevation - existing (1:1000)

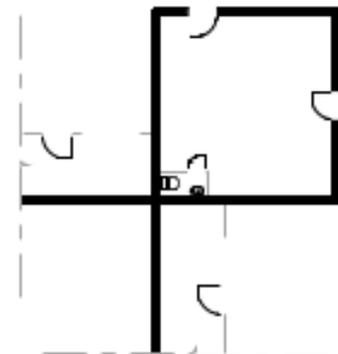


SE elevation - proposed (1:1000)

Architectural elevation drawing



SE elevation - existing (1:1000)



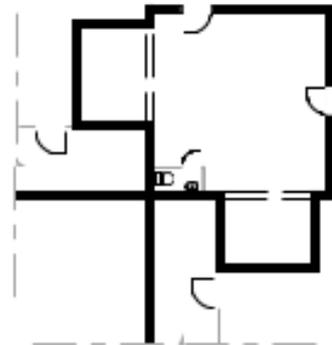
SE elevation - proposed (1:1000)



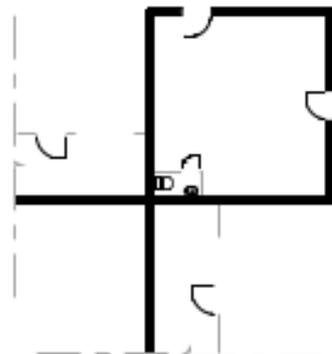
SE elevation - existing (1:1000)



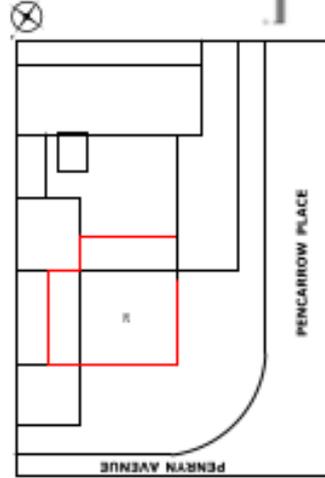
SE elevation - proposed (1:1000)



SE elevation - existing (1:1000)



SE elevation - proposed (1:1000)



savi

Address	26, Penryn Avenue, Lissington, Cornwall PL23 2NQ	Date	04/05/20
Project	100% renovation of 22 Cornwall floor extension (proposed) and 100% renovation of 22	Scale	1:1000
Client		Drawn No.	17/00745
		Block Design	26, Penryn Avenue, Lissington, Cornwall PL23 2NQ

Rev	1	2	3	4	5	6	7	8	9	10
By										
Check										
Date										

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 99/01474/FUL

CHANGE OF USE FROM CLASS A1 (RETAIL) TO CLASS A3 FOR USE AS
A CAFE

REF 24.12.1999

16/00537/FUL

Single storey side extensions

WDN 09.09.2016

A2.0 ADDITIONAL MATTERS

(Matters which were also considered in producing the Recommendation)

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 Cranfield Airport No comments received.	Noted
A3.2 Parish - Campbell Park Objection on the grounds of: <ul style="list-style-type: none">• Insufficient parking provision.• Reducing the parking provision for the six residential flats located at 26 Penryn Avenue.• Prejudice to residential amenity of highway safety or capacity.• Badly damaged and dangerous pavements around the property.• Overdevelopment of the site.• Inconsistency within the application form and design statement.	Noted Noted and discussed in paragraph 7.13 Noted and discussed in paragraph 7.13 Noted and discussed in paragraph 7.9 and 7.13 This comment is outside the realms of town planning and is not part of the material consideration. Noted and discussed in paragraph 7.5 It is noted that internal use of the extensions stated in the application form and in the design and access statement, whether it is tradable area or the area use for storage, office, tea/coffee and WC facilities for staff associated with the shop, does not affect a planning decision.

A3.3 **Ward - Woughton And Fishermead - Cllr O'Neill** Noted

No comments received.

A3.4 **Ward - Woughton And Fishermead - Cllr Coventry** Noted

No comments received.

A3.5 **Ward - Woughton And Fishermead - Cllr Wilson** Noted

No comments received.

A3.6 **Highways Development Control** Noted

The comment has been received as following:

The loss of the on-plot parking spaces is a concern although the evidence would suggest that the impact from the loss would be limited with alternative parking spaces close by to the site. The comments from the Parish council were noted and the highways engineer had no doubt that at certain times some inappropriate parking may well take place. However, the highways engineer was not convinced that this should carry substantial weight particularly when the evidence suggests that parking spaces are available close by and individuals are choosing the inappropriate parking rather than the dedicated spaces close by. For these reasons the highways engineer reluctantly raised no objections.

A3.7 **Local Residents** Noted

The occupiers of the following properties were notified of the

application:

Chairman Fishermead Residents Association 70 Mullion
Place

28B Penryn Avenue Fishermead Milton Keynes

28D Penryn Avenue Fishermead Milton Keynes

28A Penryn Avenue Fishermead Milton Keynes

28F Penryn Avenue Fishermead Milton Keynes

28C Penryn Avenue Fishermead Milton Keynes

28E Penryn Avenue Fishermead Milton Keynes

No representations have been received.

A3.8 **Additional Information**

Additional information from agent has been received as a public comment in response to Parish Council letter of objection. Therefore it is not treated as a public representation.