

**Application Number:** 21/00301/FUL

**Description** Demolition of existing dwelling and erection of 3 no dwellings with associated parking

**At** 11 Beech Avenue, Olney, MK46 5AE

**For** Mr Carl Bennett

**Statutory Target:** 30.03.2021

**Extension of Time:** Yes - 02.07.2021

**Ward:** Olney

**Parish:** Olney Town Council

**Report Author/Case Officer:** Gemma Davies  
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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 committee

2.1 The application has been referred to panel by Olney Town Council and by Ward Councillor Peter Geary due to the application being contrary to the Olney Neighbourhood Plan Policies ONP5 and ONP7 by virtue of its impact on the character and appearance of the locality and residential amenity and as result of the mix of units proposed. Further due to the proposals being contrary to Local Plan Policy D5 due to its impact on neighbour amenity.

### The Site

2.2 The application site comprises a single residential dwelling located at head of a residential cul-de-sac and sited to the north of Beech Avenue. The property is situated within a substantial plot with a large area of amenity space adjacent to the dwelling and lying to the west. The site boundary is abutted to the west by houses

off Stone Pit Close and to the north by the rear gardens of properties fronting onto Hollow Wood.

- 2.3 The site is surrounded by detached, predominately residential bungalows that are of individual architectural design and which follow a regular building-line which fronts the public highway. The application site is located within Flood Zone 1. To the far east of the site is open countryside and the course of the River Great Ouse.

#### The Proposal

- 2.4 The application proposes the demolition of the existing two storey residential dwelling at the site and the construction of three, part two/part one and a half storey L-shaped dwelling houses following a U-Shaped formation.
- 2.5 The application has been revised during the application process to provide a Preliminary Ecological Appraisal and a Drainage Strategy following initial objections received from the Council's Ecologist and the Lead Local Floor Authority.

#### Scope of debate/decision

- 2.6 This application proposal 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 2 - Achieving sustainable development  
Section 5 - Delivering a sufficient supply of homes  
Section 8 - Promoting healthy and safe communities  
Section 9 - Promoting sustainable transport  
Section 11 - Making effective use of land  
Section 12 - Achieving well-designed places

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

#### **The Development Plan**

- 3.2 Olney Neighbourhood Plan 2016 to 2031 (May 2017)

Policy ONP5 - Infill Sites and Windfall Sites  
Policy ONP7- Housing Type and Design

- 3.3 Plan: MK (March 2019)

Policy DS1 - Settlement Hierarchy  
Policy DS2 - Housing Strategy  
Policy SD1 - Place Making Principles for Development

Policy HN4 - Amenity, Accessibility and Adaptability of Homes  
Policy CT2 - Movement and Access  
Policy CT3 - Walking and Cycling  
Policy CT6 - Low Emission Vehicles  
Policy CT9 - Digital Communications  
Policy CT10 - Parking Provision  
Policy FR1 - Managing Flood Risk  
Policy FR2 - Sustainable Drainage Systems (SUDS) and Integrated Flood Risk Assessment  
Policy NE2 - Protected Species and Priority Species And Habitats  
Policy NE3 - Biodiversity and Geological Enhancement  
Policy D1 - Designing a High Quality Place  
Policy D2 - Creating a Positive Character  
Policy D3 - Design of Buildings  
Policy D5 - Amenity and Street Scene  
Policy SC1 - Sustainable Construction

### 3.4 Supplementary Planning Documents/Guidance

Parking Standards SPD (January 2016)  
New Residential Development Design Guide (April 2012)  
Sustainable Construction Guide SPD (April 2007)  
Milton Keynes Drainage Strategy - Development and Flood Risk SPG (May 2004)

### 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 Relevant Pre-application Advice

20/01981/PRESMA

Pre-application advice for the demolition of the existing building and construction of four new dwellings with associated parking.  
Closed on the 8<sup>th</sup> September 2020

20/03191/PRESMA

Pre-application advice in relation to the demolition of existing dwelling and erection of 3 No dwellings with associated parking  
Closed on the 29<sup>th</sup> December 2020

#### 4.2 Application Site

15/02221/FUL

Two storey front and rear extensions and detached garage extension  
Permission granted 4<sup>th</sup> December 2015

15/03157/CLUP

Certificate of lawfulness for the proposed outbuilding for garden room/gym  
Certificate of Lawfulness issued 16<sup>th</sup> February 2016

### **5.0 CONSULTATIONS AND REPRESENTATIONS**

#### 5.1 Olney Town Council

The Town Council considers that the application contravenes requirements of Policy ONP5 of Olney Neighbourhood Plan which permits in-fill and windfall sites within the settlement boundary which do not have a detrimental impact on the surrounding area and that new development should enhance the character and appearance of the locality and not have a detrimental impact on the residential amenity of surrounding properties. Considers that the development fails to respect Policy ONP 7 with regards to housing mix and the needs to build dwellings to Lifetime Homes Standard and Level B Energy Efficient rating. Raises concerns regarding design of development and the requirements of Plan:MK Policy D5 that all proposals create and protect a good standard of amenity for buildings and surrounding areas.

Recommends a condition requiring vehicles associated with construction be accommodated on site and to not park on Beech Avenue at anytime.

Raises concern that no consultation with residents on Beech Avenue or neighbouring street was carried out prior to submission, and that the site Notice was placed on Spinney Road and not Beech Avenue and residents were not directly notified by the LPA.

#### 5.2 Cllr Peter Geary – Olney Ward

Request for application to be determined at Development Control Panel due to scale of development and impact on neighbouring properties.

#### 5.3 Cllr David Hosking – Olney Ward

No comments received

#### 5.4 Cllr Keith McLean – Olney Ward – member of Development Control Committee

No comments received

## 5.5 MKC Highways

Proposals accord with parking standards and include an alteration to the access which is acceptable.

No objections to development subject to conditions relating to the new access and the layout of car parking prior to occupation of the dwellings.

## 5.6 MKC Urban Design

Proposed layout is acceptable in terms of design, scale and layout and responds reasonably well to constraints and character of the local area. No objections on this basis.

Recommended conditions relating to finalised materials and installation of obscure glazing to Plot 1's en-suite, east elevation and Plot 2, 1<sup>st</sup> floor landing, north elevation.

Would encourage slightly hipped roof to two storey elements of the proposed dwellings at interface with existing dwellings or plots to reduce concerns relating to loss of light and to soften increase in height.

## 5.7 MKC Flood and Water Management Officer (Lead Local Flood Authority)

### **Initial Comments**

Unable to recommend approval due to insufficient detail relating to a drainage layout plan and infiltration testing and site conditions.

### **Comments following re-consultation**

No objections based on additional information submitted within Drainage Strategy provided.

Recommended condition requiring submission of a surface water drainage scheme prior to commencement of above ground works.

## 5.8 MKC Countryside Officer (Ecology)

### **Initial comments**

Development site is near sites of biodiversity value. There are records of protected species near to the proposed development site and the proposal involves works that may impact protected species.

Application is not supported by ecological information and as such an ecological impact assessment is required prior to determination to be carried out by suitability qualified professional. In addition any reports for further assessment made necessary by the ecological impact assessment.

## **Comments following re-consultation**

Findings and recommendations of the Preliminary Ecology Assessment with regards to protected species and biodiversity enhancement are accepted and the recommendations therein.

Recommends conditions relating to the implementation of the recommendations set out in the PEA and submission of a Landscape and Ecology Management Plan.

### **5.9 Public Representations**

Comments have been received from approximately 16 addresses. The material planning considerations are summarised below:

- Increase in parking, traffic and vehicular obstructions
- Highway and pedestrian safety
- Manoeuvrability within the site
- Parking layout and size of spaces
- Separation distances from neighbouring properties
- Access for emergency vehicles and refuge vehicles
- Narrowness of existing road
- Access to site;
- Noise and disturbance;
- Loss of privacy/overlooking;
- Loss of light
- Visual intrusion
- Overbearing nature of development
- Over-intensive nature of development in relation to scale of plot
- Loss of enjoyment to property
- Impact of proposed tree in terms of over-shadowing/loss of light
- Lack of need for type of housing;
- Scale and layout of dwellings;
- Inadequate amenity provision;
- Impact on character and appearance of surrounding area
- Insufficient drainage;
- Overgrowth of existing tree on site and;
- Damage to existing hedgerow

### **6.0 MAIN ISSUES**

Principle of development  
Design and Impact on character of the area  
Highway matters and parking  
Residential amenity  
Landscape  
Ecology  
Drainage and flood risk  
Sustainable construction

## 7.0 CONSIDERATIONS

### Principle of development

- 7.1 Plan: MK (March 2019), highlights the need for residential development to offer the opportunity to provide a range of housing to support the needs and demands of different households in Milton Keynes, helping to maintain or expand the choice of homes available. The Council's housing target seeks to deliver a minimum of 26,500 net dwellings over the Plan period to meet the Objectively Assessed Need. In addition, provision is made for an allocated land supply buffer to ensure the Council can comfortably deliver dwellings to house the growth of Milton Keynes. Taking into account the number of completed dwellings and the existing commitments there is a need for sites to deliver a minimum of 5,612 additional dwellings over the plan period, with a further 2,650 dwellings to provide the required land supply buffer. In order to deliver the additional dwellings Plan: MK adopts a spatial development strategy which seeks to focus housing development within or adjacent to the existing urban areas.
- 7.2 Accordingly, Plan:MK Policies DS1 (Settlement Hierarchy) and DS2 (Housing Strategy) seek to deliver a minimum of 26,500 dwellings over the plan period by focusing new housing development on and adjacent to the existing area of Milton Keynes. Within the rural areas of the Borough most new development will be concentrated within the key settlements of Newport Pagnell, Olney and Woburn Sands. Policy DS2 permits developments within defined settlement boundaries where they comply with all other relevant policies of Plan:MK and neighbourhood plans.
- 7.3 The Olney Neighbourhood Plan 2016 to 2031 (May 2017) forms part of the statutory development plan and therefore must also be taken into consideration in the determination of the current application. Policy ONP5 (Infill Sites and Windfall Sites) is of relevance and permits small, well-designed residential developments on infill and windfall sites within the settlement boundary which do not have a detrimental impact on the surrounding area in terms of the unique character of Olney. Further, this policy requires that new development enhances the character and appearance of its locality and does not have a detrimental impact on residential amenity. In addition, Policy ONP7 (Housing Type and Design) requires that all housing beyond a single unit will have a mix of housing with 50 per cent of dwellings 1, 2 or 3 bedroom properties and that all dwellings should be built to Lifetime Homes Standard, Technical Housing Standards and at least Energy Level B efficiency rating.
- 7.4 The proposed development would direct additional housing provision to the existing settlement boundary, and, as will be set out in more detail below, would comply with the requirements of Plan: MK Policies DS1 and DS2 subject to other material considerations which will be addressed in more detail below.
- 7.5 Further, the development is considered to comply with the requirements of Policy ONP5 of the Olney Development Plan. This is reflected in the comments received from the Council's Principal Urban Designer who considers that the development responds positively to the street scene and reasonably well to the constraints and character of the local area.

- 7.6 In terms of the application of Olney Neighbourhood Plan Policy ONP7 (Housing Type and Design) it is recognised that providing a mix of two 4-bedroom properties and one 5- bedroom property, the development would not accord with the requirement for 50 per cent of dwellings to be 1, 2 or 3 bedroom properties. The proposal therefore conflicts with this element of Policy ONP7. However, it is also noted that within the development plan, Plan:MK (2019) is more up-to date than the Neighbourhood Plan (2017), and due weight must be afforded to the Plan:MK evidence base which informs the Council's Strategic Housing Market Assessment 2017. This assessment identifies that there is a need for 25 per cent of new market housing to be 4-bedroom dwellings. In this regard, the development would meet an objectively assessed need within the Borough as a whole, though noting that there is a conflict with local need set out in the Neighbourhood Plan.
- 7.7 It should also be noted that the Local Planning Authority can only secure the mix of housing borough-wide, in accordance with Plan:MK Policy HN1, on sites of 11 dwellings or more. There is therefore no policy in Plan:MK which controls housing mix for a site of this size. Therefore, in light of the scale of the development, providing only a net increase of two dwellings, it is considered that the provision of two additional larger dwellings would not be materially harmful to the Council's objective of delivering housing in accordance with an identified need. In addition, as noted in the remainder of the report, there are no other material concerns with the development and the proposal is considered to be a well-proportioned, well-designed proposal of a suitable scale which respects the character of the surrounding area. On balance the proposed mix is therefore considered acceptable.
- 7.8 To this regard the proposed development is considered acceptable as a matter of principle subject to other material planning considerations set out in this report.

#### Design and Impact on the Character of the Area

- 7.9 One of the strategic objectives of Plan:MK is to embody 'place-making; as an overarching design objective for new development and require that the layout and design of new developments creates safe, healthy, sustainably built environments with easy access to open space, public transport and facilities; delivering a high quality of urban design, architecture and public realm and creating places with identity. This is reflected in Policies D1, D2, D3 and D4 of Plan:MK and Section 12 of the National Planning Policy Framework 2019. These policies collectively seek to ensure that developments amongst other things; respond positively in terms of layout, massing, scale and design to the site and surrounding context, enhance the public realm in terms of hard and soft landscaping, is locally inspired and exhibits a positive character and sense of space.
- 7.10 These sentiments are reflected within the Olney Neighbourhood Plan Policy ONP5 which requires that new residential developments enhance the character and appearance of their locality and do not have a detrimental effect on the residential amenity of surrounding properties.
- 7.11 As previously stated, the application site occupies a prominent and substantial plot located on the eastern section of Beech Avenue and at the head of the cul-de-sac.



The existing dwelling is sited to the east of the site with a large area of land to the north and west. This is a fairly unusual arrangement within the cul-de-sac with the majority of existing dwellings located within narrow plots with amenity space located to the rear.

- 7.12 The existing properties within the cul-de-sac are a mix of single storey and two storey dwellings of individual architectural design, scale and character, positioned fairly close to the highway and following a regular building line.
- 7.13 In terms of the layout of the proposed development the current application seeks the provision of three residential dwellings which would be centred around a courtyard in a u-shaped formation. This layout is considered to be acceptable, and appropriate for the corner location at the end of the cul-de-sac. The frontage of the properties would respond positively to the local area, with Plots 1 and Plot 3 continuing the existing line of dwellings at the head of the cul-de-sac. In light of the scale of the plot the layout is considered to comfortably accommodate the proposed dwellings and associated amenity space.
- 7.14 In turning to the detailed design of the proposed dwellings, the properties would be part two storey, part one and a half storey with pitched roof and dormer windows to lower scale sections. Whilst many representations have been received in relation to the design of the development, it is considered that the properties have been sympathetically designed to ensure that the development steps down at more sensitive edges. The properties would utilise a range of materials incorporating facing brick, horizontal boarding and render. Further, the footprint of the dwellings is in keeping with the general scale of surrounding development. Whilst it is acknowledged that Plot 2 would be of a slightly larger footprint, the spread of development would ensure that the two storey element of the development is concentrated to the centre of the building with the lower scale development to east and west.
- 7.15 Therefore, the scale and footprint of the proposed dwellings respects the scale and proportions of the surrounding properties, utilising materials that reflect the surrounding area. Further, the properties have been designed to provide visual interest in terms of their form and mixed palette of materials which are sympathetic to the derived character of the surrounding area.
- 7.16 The development proposals have been reviewed by the Council's Urban Design Officer who has stated that the development is satisfactory in terms of its design, scale and layout which are considered to respond well to the constraints and character of the local area. It has, however, been advised that the finalised materials are secured by way of condition.
- 7.17 In addition, it was suggested by the Urban Design Officer that a slight hipped roof could be provided on the two storey elements of the proposed dwellings at the interface with existing dwellings or plots. This is in order to reduce concerns regarding loss of light/visual intrusion. Whilst this amendment has been taken into consideration, overall, it was considered that that such an alteration would be harmful to the contemporary design of the dwellings and would adversely impact the detailed design of the properties, and would have little benefit in terms of residential amenity.

To this regard, as set out below, the development is not considered to be materially harmful to residential amenity. Therefore, such an alteration would compromise the detailed design of the development for limited betterment.

- 7.18 In light of the above the development is felt to present a sympathetic and well considered addition to the street scene that would be in keeping with the character of the area and would not cause harm to the visual amenities of the surrounding area. To this regard the development is considered to be in conformity with the relevant policies of Plan:MK and the Olney Neighbourhood Plan.

Highway matters and parking

- 7.19 Policy CT2 of Plan:MK seeks to ensure that development proposals provide safe, suitable and convenient access for all potential users and do not compromise the safety of the surrounding highway network. In addition, when considering the proposals in accordance with Policy CT10 of Plan:MK, there is a requirement for developments to meet the adopted car parking standards, as presented within the Milton Keynes Parking Standards SPD 2016, unless mitigating circumstances dictate otherwise.
- 7.20 Policy CT6 also requires that development proposals for new residential developments provide electric vehicle charging points at a rate of 1 charging point per unit.
- 7.21 Access to the proposed development site would be gained from the existing access point on Beech Avenue serving the existing property. This would be repositioned and widened to accommodate the additional dwellings. The Local Highway Authority have raised no concerns in relation to the proposed access to the site.
- 7.22 In respect of the proposed parking provision to the site, the development site is located within Zone 3 as specified within the Council’s Parking Standards SPD. The submitted plans indicate that each of the dwellings would be served by two independently accessible parking spaces. In addition, two visitor parking spaces would be provided to the east of the site. Each property is also provided with an electric vehicle charging point. Therefore, the proposed development accords with the Council’s Parking Standards
- 7.23 A summary of the car parking on the site is included below:

		Parking Standards		Provided	
		Requirement – Zone 3			
Plot Number	Type of House	Allocated	Unallocated Visitor	Allocated	Unallocated Visitor
1	4-bed house	2	0.5	2	2 spaces at entrance to the site
2	5-bed house	2	0.5	2	
3	4-bed house	2	0.5	2	
<b>Totals</b>		6 spaces	1.5 spaces	6 spaces	2 spaces
<b>Site Total</b>		<b>7.5 spaces required</b>		<b>8 spaces provided</b>	

- 7.24 The proposals have been reviewed by the Local Highway Authority who have raised no objections subject to conditions relating to means of access to the site and the parking area being laid out prior to occupation of the development.
- 7.25 In light of the above the proposed development is felt to be in conformity with the requirements of Plan:MK Policies CT2, CT6 and CT10 and no detrimental impacts are therefore anticipated in regards to highway and pedestrian safety.

#### Residential amenity

- 7.26 Policy D5 (Amenity and Street Scene) of Plan:MK seeks to ensure that development proposals do not cause unacceptable loss of light or privacy and do not result in overlooking or create visual intrusion between residences. Policy HN4 requires that residential units meet the Nationally Described Space Standards (NDSS) and are designed to ensure adaptability and extension to accommodate the changing needs of the householder overtime.
- 7.27 The New Residential Development Design Guide 2012 provides guidance on the minimum required private amenity space for new dwellings. The required distance, as outlined within this document, is 10 metres in depth for a family dwelling. This document also sets standards in terms of separation distances that should be maintained between new and established residential development.
- 7.28 These policies are broadly consistent with Policies ONP5 of the Olney Neighbourhood Plan. This requires that residential developments on infill and windfall sites do not have a detrimental effect on residential amenity. Policy ONP7 requires that new dwellings are built to Lifetime Homes Standard, the latest DCLG Technical Housing Standards and level B energy efficiency rating.
- 7.29 In first addressing the impact of the development on surrounding neighbouring amenity, the proposed development follows a considered layout which has been arranged to ensure the visual impact and loss of light implications of the development are mitigated as far as possible. In this regard both Plots 1 and 3 have been set back in relation to the existing adjacent residential properties to ensure that no obstruction is caused to facing windows which might be impacted by the proposals. The properties have also been designed to ensure the scale of development drops at those elements closest to the existing residential development.
- 7.30 In terms of the separation distances maintained, the development achieves the required back to back (22metres) and back to flank (13.7metres) distances specified within the New Residential Development SPD to maintain privacy at the first floor level in all but two instances. It is acknowledged that the principal element of Plot 2 falls just below the back to flank distance in relation to No. 62 Hollow Wood, lying to the north of the site, where a separation of approximately 12.6metres would be maintained. In this instance, whilst the front of this property faces onto central courtyard, the elevation closest to Hollow Wood is treated as a flank elevation as this contains only a single landing window at first floor level with principal window openings facing onto the rear of the site. Plot 2 would have an offset relationship with No.62, with the two storey element spanning only half its width, helping to mitigate any visual impact.

- 7.31 It is also noted that Plot 3 would achieve a back to flank distance of approximately 12.6metre from the nearest property at 5 Stone Pit Close. Whilst this is just below the required separation distance it should be noted that No.5 does not have any primary windows within the upper flank elevation facing onto Plot 3 which would be materially impacted by the development. The site development would also be largely concealed by the proposed and existing boundary treatment to the site and to this regard no significant detrimental impacts are anticipated in terms of loss of outlook or visual intrusion.
- 7.32 As previously set out, whilst the Council's Urban Design Officer has suggested that the roof of Plot 2 should be hipped on the two storey northern element, this is felt to result in a detrimental impact on terms of the overall design of the property. In light of the above observations, the marginal benefits brought about by this suggested alteration are not considered to outweigh the subsequent impact on the design ethos of the development.
- 7.33 The proposed landscaping scheme submitted with the application demonstrates that the existing hedgerow will be retained along the shared boundary to the north of the site, with additional hedgerow planted to the east. This boundary treatment will therefore also assist in mitigating impacts in terms of loss of privacy or visual intrusion which is also further assisted by a slight drop in levels to the application site. In addition the Council's Urban Design Officer has advised that, if minded to approve, a condition is attached requiring the installation of obscure glazing to the en-suite of Plot 1 within the east elevation and the first floor landing window of Plot 2, north elevation, to further ensure there are no implications in terms of loss of privacy or overlooking.
- 7.34 The applicant has provided a Daylight and Sunlight Assessment in support of the application to assess the impact of the development on the neighbouring property at No. 9 Beech Avenue. This establishes that the development comfortably passes all daylight and sunlight tests in respect of loss of daylight, daylight distribution and effect on amenity area sunlight. The visual impact of the development in relation to the directly neighbouring properties is also demonstrated in section drawings submitted to support the application. These demonstrate the reduced visual impact of those elements of the proposed development in closest proximity to shared boundaries due to limited height and boundary treatment.
- 7.35 Concerns have also been raised by objectors regarding the impact of the proposed development in terms of additional noise and disturbance. However, the development would result in the provision of two additional dwellings within an existing residential area. To this regard, it is not considered that the development would cause undue levels of additional noise and disturbance beyond which would be expected within residential areas.
- 7.36 In light of the above the proposed development is not felt to result in a detrimental impact in terms of surrounding residential amenity.
- 7.37 In terms of the amenity afforded to the proposed dwellings, the development would achieve the internal floor areas as required by Policy HN4 and specified within the

NDSS, achieving a spacious living environment. Similarly, all habitable living spaces would benefit from good levels of natural daylight, ventilation and outlook. In terms of the application of Olney Neighbourhood Plan Policy ONP5 and the requirement for development to be built to Lifetime Homes Standard, the applicant has provided a Lifetime Homes Statement which sets out the ways in which the proposed dwellings will meet the Lifetime Homes criteria. This includes measures such as illuminated entrances with level access and clear opening widths, sufficient internal spacing to allow for wheelchair circulation and the layout of staircases to enable stair lift installations. The requirement of Policy HN4 that dwellings should achieve energy efficiency level B will be addressed through a suitably worded condition relating to sustainable construction.

- 7.38 The amenity areas to the proposed dwellings would achieve the minimum 10m depth as specified within the New Residential Design Guide. This would be suitably laid out to ensure privacy levels are achieved and ensure usability of the space.
- 7.39 In light of the above the proposed development would achieve a good standard of amenity for both the existing residential development and the future occupiers of the development. To this regard the proposal would be in conformity with Plan:MK Policies D5, HN4, The New Residential Design Guide SPD and the requirements of the Olney Neighbourhood Plan Policies ONP5 and ONP7.

#### Landscape

- 7.40 Plan:MK Policies D1 (Designing a High Quality Place) and D2 (Creating a Positive Character) require that development proposals provide hard and soft landscaping and boundary treatments that continues the verdant and green character of their surroundings and integrate with and enhance the surrounding area, exhibiting a positive character or sense of place.
- 7.41 The supporting documentation indicates that the existing hedgerow will be retained to the northern boundary of the site with additional hedgerow to be planted along the western boundary. In addition, further hedgerow and shrub planting will be introduced along parts of the southern boundary in addition to four ornamental trees. The proposed landscaping is considered to provide an element of visual screening to the development and soften the appearance of the dwellings. This will ensure that the proposal is well integrated within the surrounding street, which is characterised by areas of soft landscaping within front boundaries of properties with shrubs and tree planting.
- 7.42 It is noted that objections have been raised in relation to the impact of the proposed tree planting in relation to loss of light and over-shadowing. However, the development proposes only ornamental tree planting, the scale of which is not likely to result in significant implications in this regard. Further the trees would be sited away from window openings within the existing development.
- 7.43 If minded to approved it is recommended that final details of hard landscaping and boundary treatment to the site are secured by condition to ensure that surface materials are sympathetic to the surrounding street scene.

- 7.44 In light of the above it is considered that the proposed development would comply with the requirements of Plan: MK Policies D1 and D2.

### Ecology

- 7.45 The application site is located in close proximity to a number of designated biodiversity sites. In addition, there are records of protected and priority species near to the proposed development site which the proposals have the potential to impact on. In light of this, an initial objection was received from the Council's Countryside Officer as a result of the failure of the applicant to provide an ecological impact assessment.
- 7.46 A Preliminary Ecology Appraisal (PEA) has since been provided. This sets out that there is little to no evidence to suggest the presence of roosting bats, nesting birds or reptiles or amphibians within the existing structures of surrounding vegetation, grass land or trees. However, it is recommended that bat and swift boxes are incorporated into some of the new dwellings along with holes in the base on the boundary walls and close board fencing to maintain hedgehog foraging roots.
- 7.47 The findings of the PEA have been accepted by the Countryside Officer who has indicated that the application is acceptable. This is subject to conditions securing the implementation of the recommendations set out in the PEA and the submission of a Biological Enhancement Scheme.
- 7.48 In light of the above the development is felt to be in accordance with the requirements of Plan: MK Policies NE2 (Protected Species and Priority Species and Habitats) and NE3 (Biodiversity and Geological Enhancement). These collectively seek to ensure that, where there is a reasonable likelihood of the presence of statutorily protected species or their habitats, development will not be permitted unless it has been demonstrated that the proposal would not result in a negative impact upon those species and habitats. Further, that development should promote the preservation, restoration, expansion or recreation of such species. In addition, that developments should maintain and protect biodiversity and geological resources, avoiding significant harm and provide mitigation, compensation and enhancement measures to be maintained for the lifetime of the development.

### Drainage and flood risk

- 7.49 Plan: MK Policies FR1 (Managing Flood Risk) and FR2 (Sustainable Drainage Systems (SUDS) and Integrated Floor Risk Management) require that all new developments incorporate a surface water drainage system with acceptable flood control and demonstrable water supply, foul sewage and sewage treatment capacity. In addition, new development should incorporate SuDS in line with National Policy and Guidance which meets the requirements of national standards.
- 7.50 The application site is located within Flood Zone 1 and is therefore considered to be at a low risk of flooding.
- 7.51 An initial objection to the application was raised by the LLFA in relation to the failure to provide sufficient detailed drainage plans and infiltration plans. The applicant

subsequently provided a Drainage Strategy which was considered sufficient to demonstrate flood control and surface water drainage. On this basis the formal objection has been removed subject to a condition requiring the provision of a Surface Water Drainage Scheme.

- 7.52 In light of the above, the proposal is considered to be in conformity with Plan:MK Policies FR1 and FR2.

#### Sustainable construction

- 7.53 Policy SC1 seeks to ensure that development proposals provide resilience to the impacts of climate change and support the delivery of renewable and low carbon energy.
- 7.54 No information has been submitted as part of this application in regard to sustainable construction methods. It is considered that, securing these details by condition would be appropriate.

#### Other Matters

- 7.55 It is noted that a number of objections have raised concerns in relation to the location of the Site Notice displayed by the LPA in respect of the application and in addition the lack of notification letters sent to neighbouring and nearby occupiers.
- 7.56 Direct notification letters were sent to properties immediately surrounding Number 11, including properties on Beech Avenue, Stone Pit Close and Pheasants Nest Farm.
- 7.57 At the discretion of the Officer, a Site Notice was placed on the corner of Beech Avenue and Spinney Hill Road. This is not considered unreasonable given that Beech Avenue is a cul-de-sac and given the scale and nature of the proposal and likely interest in it. To this regard the LPA has undertaken its statutory duties in accordance with Article 15 of the Town and County (General Permitted Development) (England) Order 2015 (as amended) insofar as this relates to the publicising of applications for planning permission.
- 7.58 Taking into consideration the number of responses received and relationship to the site the extent of publicity is therefore considered proportionate.

## **8.0 CONCLUSIONS**

- 8.1 The proposal comprises residential development within the defined settlement boundary, which will be sympathetic to the character and appearance of the surrounding area and not result in harm to residential amenity. To this regard the proposed development complies with the relevant Plan:MK Policies and Olney Neighbourhood Plan Policies. On this basis it is recommended that permission is granted subject to the conditions set out in this report.

## 9.0 CONDITIONS

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

Drawings received on the 2nd February 2021:

Drawing number 2023-PL-01 Rev F - Proposed site plan and location

Drawing number 2023-PL-02 Rev C - Proposed Plot 1 - Plans and Elevations

Drawing number 2023-PL-03 Rev D - Proposed Plot 2 - Plans and Elevations

Drawing number 2023-PL-04 Rev D - Proposed Plot 3 - Plans and Elevations

Drawing number 2023-PL-05 Rev B - Proposed Sectional Elevations

Drawing number 2023-PL-06 Rev A - Site Survey

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. No development shall take place above slab level until a Schedule of the external materials to be used in the construction of the development have been submitted to, and approved in writing by, the Local Planning Authority. The Schedule shall include detailed specification, photo examples, RAL numbers and/or samples, as appropriate. The development shall thereafter be carried out in full accordance with the approved details prior to the first occupation of the development.

Reason: To ensure that the development does not detract from the character and appearance of the area in accordance with Policies D2 and D3 of Plan:MK (2019).

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order), the proposed first floor window in the east elevation of Plot 1 serving a en-suite and the first floor window in the north elevation of Plot 2 serving the landing; shall be obscurely glazed to a minimum level 3 within the Pilkington range of Textured Glass or equivalent and be non-opening below 1.7 metres from finished floor level. The window shall thereafter be maintained in this condition at all times and shall not be altered to clear glazing or opening without the specific grant of planning permission from the Local Planning Authority.

Reason: To preserve the amenity and privacy of the adjoining residential occupiers in accordance with Policy D5 of Plan:MK (2019).

5. Prior to the initial occupation of the development the means of access shall be altered in accordance with the approved drawing and constructed in accordance



with Milton Keynes Council's guide note "Residential Vehicle Crossing Details" and shall be retained as altered thereafter.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of access.

6. Prior to the first occupation of the development hereby permitted the car/vehicle parking areas shown on the approved plans shall be constructed, surfaced and permanently marked out. The car parking areas so provided shall be retained as ancillary to the development and shall be used for no other purpose thereafter.

Reason: To ensure adequate parking provision at all times so that the development does not prejudice the free flow of traffic or the safety on the neighbouring highway in accordance with Policies CT2 and CT10 of Plan:MK (2019).

7. Prior to the first occupation of the development hereby permitted the proposed electric vehicle charging points shown in the approved drawings shall be provided and be retained thereafter.

Reason: To ensure that adequate provision is made for sustainable transport modes in accordance with Policy CT6 of Plan:MK (2019).

8. No above ground works shall commence until a detailed surface water drainage scheme for the site, based on the agreed Drainage Strategy, prepared by RAB Consultant, reference 2656B, version 2.0, dated 9 March 2021 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in full accordance with the approved details prior to occupation of the first dwelling.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity.

9. The development hereby permitted shall be carried out in full accordance with the recommendations set out in the Preliminary Ecological Appraisal of 11 Beech Avenue, Olney, Milton Keynes, dated April 2021, undertaken by Philip Iving.

Reason: to ensure that the approved development will not cause harm to protected species of habitats in accordance with Policy NE2 of Plan:MK (2019)

10. Prior to the commencement of above grounds works a Biological Enhancement Scheme shall be submitted in writing to the Local Planning Authority for their approval. The Biological Enhancement Scheme shall include detail of the locations, specifications and on-going management of the any features created, retained or enhanced to benefit biodiversity.

Reason: To ensure the protection of biodiversity and geological resources in accordance with Policy NE3 of Plan:MK (2019)

11. Prior to the commencement of development above slab level, a sustainable construction strategy demonstrating how the development will accord with the

principle as set out in Policy SC1 shall be submitted to and approved in writing by the Local Planning Authority, the development shall be carried out in accordance with these details.

Reason: To accord with Policy SC1 of Plan:MK (2019).

12. Notwithstanding the approved details, no development shall take place above slab level until details of the proposed boundary treatments 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. The development shall be carried out in accordance with the approved details prior to the occupation of any part of the development and shall thereafter be retained in that form.

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

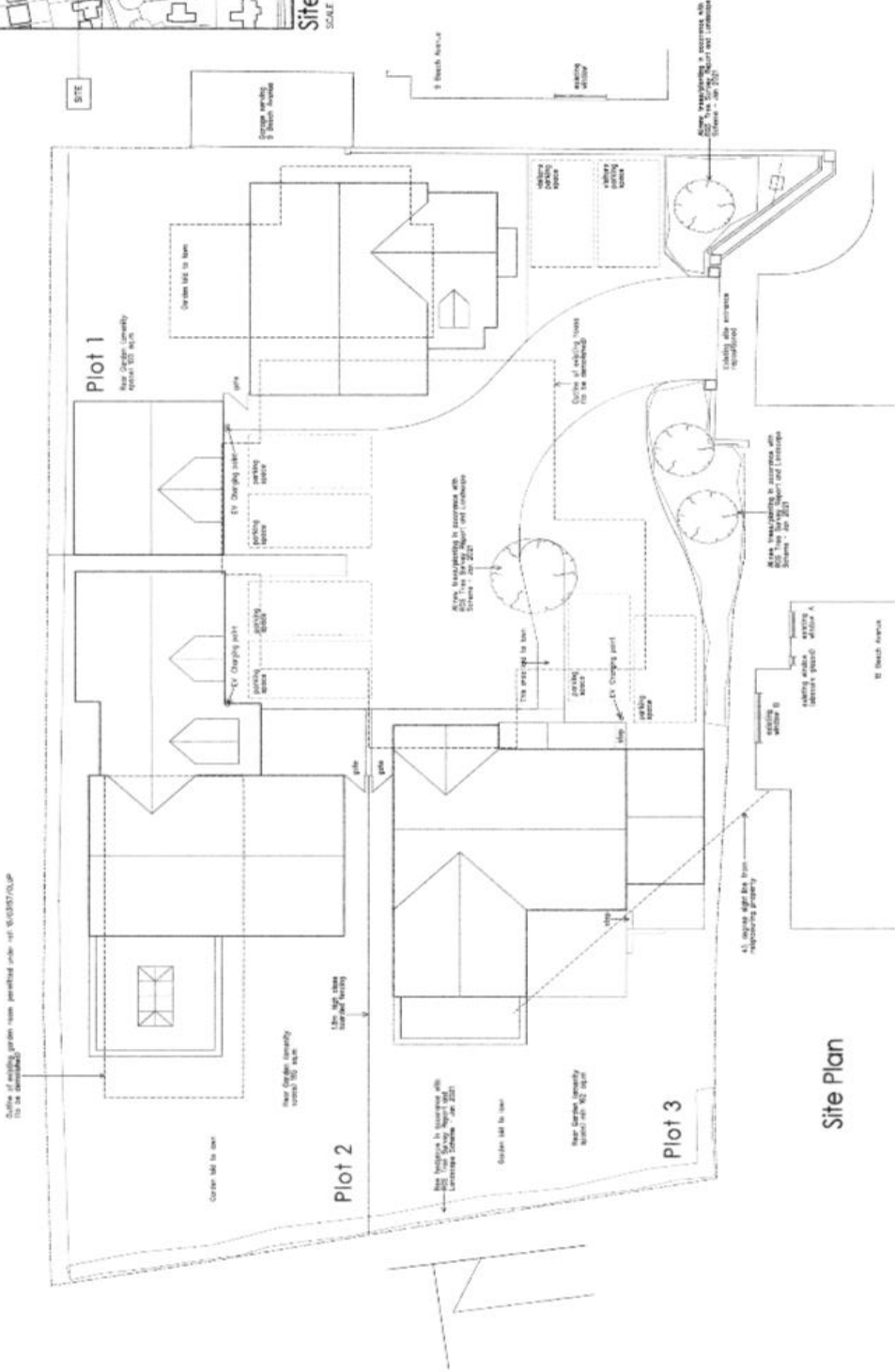
13. Notwithstanding the approved drawings, no development shall take place above slab level until full details of hard landscape works have been submitted to and approved in writing by the local planning authority. These details shall include; areas of hard surfacing materials; and circulation areas;

Development shall be carried out in accordance with the approved details. All hard landscape works shall be carried out prior to the occupation of the building(s) or the completion of the development whichever is the sooner.

Reason: To safeguarding the character of the area and to minimise the effect of development on the area in accordance with Policies Policy D1 of Plan:MK (2019).



Site Location  
SCALE 1:2000



Site Plan

# Garage Elevations

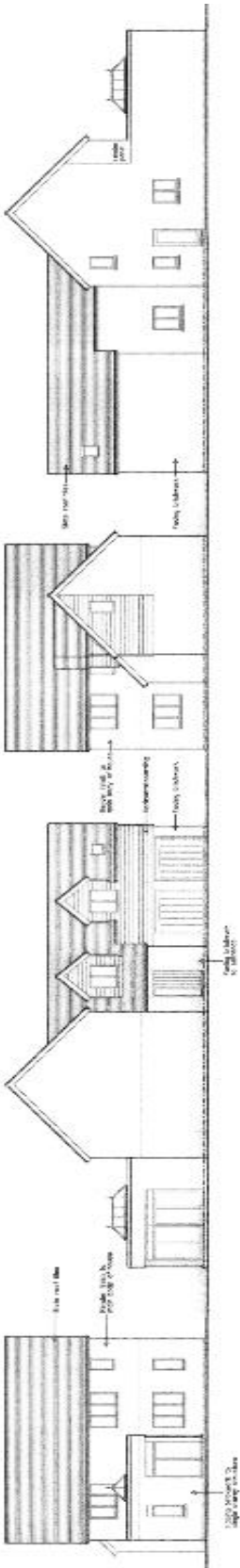


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PROJECT: 14-00000-01 - 14-00000-01 - 14-00000-01



West Elevation

South Elevation

East Elevation

North Elevation



Ground Floor Plan



First Floor Plan

120"	10"	20"	30"	40"	50"	60"	70"	80"	90"	100"
120"	10"	20"	30"	40"	50"	60"	70"	80"	90"	100"
120"	10"	20"	30"	40"	50"	60"	70"	80"	90"	100"
120"	10"	20"	30"	40"	50"	60"	70"	80"	90"	100"
120"	10"	20"	30"	40"	50"	60"	70"	80"	90"	100"

No. 1: 120" x 120" x 120" (3x)  
 No. 2: 120" x 120" x 120" (3x)  
 No. 3: 120" x 120" x 120" (3x)  
 No. 4: 120" x 120" x 120" (3x)

**Knights Architecture & Design**  
 120" x 120" x 120" (3x)  
 120" x 120" x 120" (3x)  
 120" x 120" x 120" (3x)

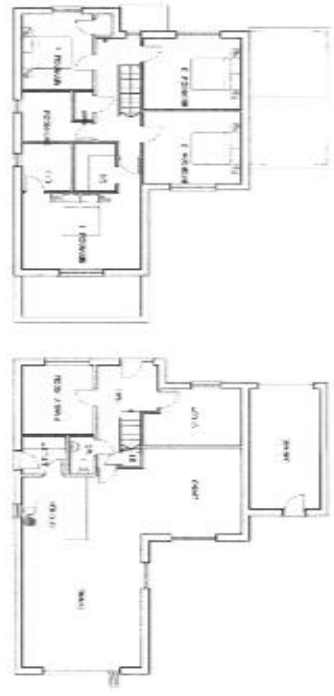


South Elevation

East Elevation

North Elevation

West Elevation



Ground Floor Plan

First Floor Plan

0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50
0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50

Knight Architecture & Design  
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 Knight Architecture & Design  
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## **A1.0 FULL CONSULTATIONS AND REPRESENTATIONS**

### **A1.1 Olney Parish Council**

#### **Initial comments received**

Specific objections relating to;

1. Policy ONP5 of Olney Neighbourhood Plan states 'small, well designed residential development on infill and windfall sites within the settlement boundary which do not have a detrimental effect on the surrounding area will be supported. The impact of any proposed development will be determined based on protecting the unique character of Olney, its heritage assets, and their setting. New development should enhance the character and appearance of their locality and not have a detrimental effect on residential amenity or surrounding properties' Olney Council believe the application contravenes the above.
2. Proposed development fails to respect Plan Policy 7 (ONP7) which states; i) all housing developments beyond a single unit will have a mix of housing. A minimum of 50% of the dwellings must be 1, 2 or 3 bedroom properties and ii) developers should be encouraged to build all dwellings to lifetime home standards, the latest DCLG Technical Housing Standards, at a least level B energy efficient rating'
3. Concerns over design with particular reference to Plan:MK Policy D5, which states 'all proposed will be required to create and protect a good standard of residential amenity for buildings and surrounding area...

In event that application or amended form is approved, condition relating to the construction of the dwelling stating that any vehicles associated with construction should be accommodated on site and not parking on Beech Ave at anytime.

Further no prior consultation undertaken with residents on Beech Ave or neighbouring streets. Planning notification Notice was placed on Spinney Hill Rd and not Beech Ave. Residents only heard of application through hearsay and not direct notification.

Request for application to be heard at Panel.

### **A1.2 Cllr Peter Geary – Olney Ward**

Please add name to call in, would like application to be determined by Panel for reasons of scale of development and impact on neighbouring properties.

### **A1.3 Cllr David Hosking – Olney Ward**

No comments received

### **A1.4 Cllr Keith McLean – Olney Ward member of Development Control Committee**

No comments received

### A1.5 MKC Highways

The proposals include 2 car parking spaces for each unit and 2 visitor spaces in accordance with parking standards.

The proposals include an alteration to the access which is acceptable.

I have no objections to planning permission being granted subject to the following conditions:

1. Prior to the initial occupation of the development the means of access shall be altered in accordance with the approved drawing and constructed in accordance with Milton Keynes Council's guide note " Residential Vehicle Crossing Details" and shall be retained as altered thereafter .

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of access.

2. Prior to the occupation of the development hereby permitted the car parking area shown on the approved drawings shall be constructed, surfaced and permanently marked out. The car parking area so provided shall be maintained as a permanent ancillary to the development and shall be used for no other purpose thereafter.

Reason: To ensure adequate parking provision at all times so that the development does not prejudice the free flow of traffic or the safety on the neighbouring highway.

3. Provide electric vehicle charge points in accordance with policy CT6.

### A1.6 MKC Urban Design

The submitted layout proposes a development centred around a courtyard on a corner plot at the end of a cul-de-sac, this layout is considered to be acceptable. The front of the properties responds positively to street. Plot 1 and Plot 3 whilst set back, continue the existing line of dwellings onto the cul-de-sac turning head. The slightly larger Plot 2 is less prominent from the street as it is at the back of the site.

In terms of the area the site is certainly large enough for three properties, the constraining factor is the proximately to existing dwellings. In this regard the proposal maximises the potential for development on the plot. However, the proposal is broadly consistent with the guidance on separation distances in the Milton Keynes New Residential Design Guide (2012) and provides separation distances in terms of back to back and side to back distances consistent with much of the in the surrounding area.

The height of the proposed dwellings has been reduced at sensitive edges or the building line set back. Whilst the neighbouring residents will have views of the proposed development from their properties the level of amenity, sunlight and privacy for both new and existing residents remains acceptable.



The proposal satisfactory in terms of design, scale and layout and responds reasonably well to the constraints and the character of the local area.

I have no objection in terms of design and layout subject to conditions regarding:

- The finalised materials (in order to ensure that the chosen materials relate well to the context) and
- The installation of obscured glazing for plot 1's en-suite, east elevation and Plot 2's, 1<sup>st</sup> floor landing, north elevation (to ensure sufficient privacy for existing residents)

I would However encourage a slightly hipped roof on the two storey elements of the proposed dwellings at the interface with the existing dwellings or plots. This would potentially reduce any concerns regarding any loss of light and also help soften any increase in height.

#### A1.7 MKC Flood and Water Management Officer (Lead Local Flood Authority)

##### **Initial Comments**

At present, we are unable to recommend grant of planning permission for the following reasons:

- Detailed drainage layout plan required

For a full application a detailed drainage layout plan should be provided that is fully labelled and shows details (e.g. pipe numbers, gradients, diameters, locations and manhole details) of every element of the proposed drainage system (including all SuDS and pipes). This should correspond with the associated hydraulic calculations for the proposed drainage system.

- Infiltration testing and site conditions

Whilst the applicant has carried out infiltration testing, it does not appear to be within the intended location for the infiltration structure. Furthermore, the applicant should demonstrate that the invert level of the infiltration structure is set at a minimum of 1.0 m above anticipated groundwater levels.

##### **Comments following re-consultation**

We have reviewed the following additional document:

- Drainage Strategy, prepared by RAB Consultant, reference 2656B, version 2.0, dated 9 March 2021.

The applicant proposes to manage surface water runoff from the development by infiltration using permeable paving and two soakaways, which provides sufficient attenuation for a 1% AEP event plus 40% uplift for climate change. The LLFA is supportive of the use of permeable paving as in addition to controlling the rate of surface water leaving the site it also provides water quality treatment.

Based on these, as Lead Local Flood Authority (LLFA) we have no objection in principle to the proposed development.

We request the following condition is imposed:

Condition 1

No above ground works shall commence until a detailed surface water drainage

scheme for the site, based on the agreed Drainage Strategy, prepared by RAB Consultant, reference 2656B, version 2.0, dated 9 March 2021 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in full accordance with the approved details prior to occupation of the first dwelling.

Reason

To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity.

#### A1.8 MKC Countryside Officer (Ecology)

##### **Initial Comments**

1. The development proposals are near to the following sites of designated biodiversity value (all c. 120m South).
  - a. Ouse Valley Biodiversity Opportunity Area
  - b. River Gt. Ouse Milton Keynes Wildlife Corridor
  - c. A Milton Keynes Wildlife Site/Local Wildlife Site.

##### **Protected and Priority Species**

2. There are records of protected and priority species near to the proposed development site.
3. The proposals involve works that may impact protected and priority species.

##### **Ecological Information**

4. The proposals do not appear to be supported by any ecological information. An ecological impact assessment is required.
5. The ecological impact assessment should be carried out by a suitably qualified professional and include the following:
  - a. A desktop study including a data search from Buckinghamshire & Milton Keynes Environmental Records Centre
  - b. An extended Phase 1 habitat survey, carried out in accordance with the JNCC Handbook for Phase 1 Habitat Survey (2010);
  - c. The potential for protected species to be present and the requirements for further specialist surveys;
  - d. Identify any effects on designated sites or Habitats or Species of Principle Importance and include measures for avoidance and/or mitigation;
  - e. Identify any invasive species; and
  - f. Identify opportunities for biodiversity enhancements.

The following items are required *prior to determination* of the application.

1. An ecological impact assessment; and

2. The reports of any further assessment deemed necessary by the ecological impact assessment.

#### A1.9 Public Representations

- Proposal will be problem for residents all of whom are over 70 and may require emergency vehicle access.
- No residents were informed application and have only just seen a Notice on lamp post in separate road.
- Very narrow road and if cars are parking on roadside this will inhibit access to driveways and prevent large vehicles accessing the road. Road is currently not wide enough to accommodate refuge vehicles and residents are asked to take bins to top of road.
- Existing head of cul-de-sac is used as turning space for large vehicles
- Squeezing three four bed houses into the plot will not be in keeping with the road.
- Already a sufficient supply of 4-bed homes
- Existing drainage system insufficient for development
- Proposed scheme is wholly out of scale and character with existing single storey bungalows, chalet bungalow and 2, two storey homes.
- Over-development of the site evidenced in limited garden space and insufficient manoeuvring space
- Visitor parking spaces do not meet Council's Parking Standards
- Increased noise and disturbance
- Properties are sited very close to neighbouring boundary
- Existing hedges have been ripped out resulting in loss of privacy
- No account has been made for level differences
- Dwellings will be visually intrusive due to overbearing nature and proximity to neighbouring boundary
- Reduction of light
- Loss of vegetation to the site
- Visual intrusion
- Potential loss of leylandii hedge to rear of boundary and impact on privacy
- Loss of enjoyment of living space
- Breach of BRE Daylight and Sunlight regulations/45 degree angle/25 degree angle resulting in severe loss of light
- Maintenance and expected growth of proposed trees to site, subsequent impact on light and leaves dropping.
- Previous application refused due to site access

The below matters were raised but are not material planning considerations:

- Impact of construction works in terms of noise and disturbance
- Site working parking on roadside
- Noise and pollution of deliveries to the site
- Risk of damage to boundary treatment through construction works
- Loss of value to existing properties
- Owner building to sell on and will not live at the site