

APP 05

Application Number: 12/01867/FUL
Other

Conversion of loft space to create two bedrooms including the insertion of dormer containing three windows within south facing roof slope and the insertion of two velux windows within north facing roof slope (retrospective)

AT 11 Little Dunmow, Monkston, Milton Keynes

FOR Mr And Mrs Puzzuto

Target: 2nd November 2012

Ward: Middleton

Parish: Kents Hill & Monkston Parish
Council

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1.0 INTRODUCTION

(A brief explanation of what the application is about)

1.1 The Site

The property is a two-storey detached dwelling located at the end of a cul-de-sac. The dwelling has a two-storey rear extension which received planning permission in 2008 and a rear conservatory which received permission earlier this year. The property has also been extended into the roofspace including the insertion of two dormer windows and rooflights; one of these dormers (the one in the north elevation facing Chicksands Avenue) was refused in September of this year (12/01211/FUL) and the other dormer and rooflights are the subject of this application. Details of the location of the site and its relationship to surrounding properties can be seen in the plans attached to this report.

1.2 The Proposal

This is a retrospective application for the conversion of the loft space to create two bedrooms including the insertion of a dormer containing three windows within south facing roof slope and the insertion of two velux windows within north facing roof slope; details of the proposal can be seen in the plans appended to this report.

2.0 RELEVANT POLICIES

(The most important policy considerations relating to this application)

2.1 National Policy

National Planning Policy Framework, March 2012 (NPPF):
Paragraph 14: Presumption in favour of sustainable development
Section 7: Requiring good design

2.2 Local Policy

Core Strategy (emerging policy)
CS 13 Ensuring High Quality, Well Designed Places

Adopted Milton Keynes Local Plan 2001-2011
D1: Impact of Development Proposals on Locality
D2A: Urban Design Aspects of New Development
D2: Design of Buildings
T15: Parking Provision

Supplementary Planning Guidance
Parking Standards For Milton Keynes (2005) and Addendum (2009)

3.0 MAIN ISSUES

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

- 3.1 The impact of the dormer and the rooflights on the character and appearance of the area and the amenity of neighbouring residential occupiers.

4.0 RECOMMENDATION

(The decision that officers recommend to the Committee)

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

5.0 CONSIDERATIONS

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

- 5.1 The physical alterations to the external appearance of the building (this is the dormer and rooflights) constitute development. Whereas internal alterations to buildings do not normally fall within the definition of development. As no conditions have previously been imposed on the property restricting the use of the loft space, the conversion of the loft space itself does not require planning permission. Therefore, the main issues are the impact of the dormer and the rooflights on the character and appearance of the area and the amenity of neighbouring residential occupiers.

5.2 Amenity of Residential Occupiers

The two rooflights within the northern elevation facing towards the rear elevation of properties on Chicksands Avenue have the potential, due to their height above floor level and proximity to the neighbouring properties on Chicksands Avenue, to have a detrimental impact on the privacy of neighbouring residential occupiers by creating a significant level of overlooking. However, the two rooflights are of small size, are obscurely glazed and non-opening. The rooflights were originally installed as clear glazed and opening; however, at the time of the site visit works had already been carried out to the rooflights to make them obscurely glazed and non-opening although the applicant indicated that further work was required to complete this process. Subject to a condition requiring them to be obscurely glazed and non-opening the rooflights do not have a significant detrimental impact on the amenity of neighbouring residential occupiers to warrant a refusal of permission.

5.3 The dormer contains three clear glazed and opening windows. The dormer is located within the southern side elevation and faces onto the gable end of the neighbouring dwellinghouse at 12 Little Dunmow. The outlook from the windows in the dormer is far from ideal: due to the proximity of the windows to the dwellinghouse at number 12 views are extremely restricted. The two windows serving bedrooms have some view over the roofs of neighbouring properties whilst the window that entirely faces onto the gable end of 12 Little Dunmow serves a landing. The restricted outlook from the windows in the dormer means that the windows do not have a significant detrimental impact in terms of overlooking of the neighbouring properties. The dormer is therefore considered acceptable with regards to the impact on the amenity of neighbouring residential occupiers.

5.4 Character and Appearance of the Area

The dwelling is located at the end of a cul-de-sac and is accessed off a shared driveway. The rooflights do not have a detrimental impact on the street scene due to their design and location. The dormer is visible from the shared driveway and from Little Dunmow. The appearance of the dormer is far from ideal and is of the type usually found on rear elevations. The section of the dormer visible from Little Dunmow is seen across the rear gardens of the neighbouring properties (it is located approximately 18m from the road) and is read with the rear elevations of the dwellinghouses where such extensions are more commonplace. The section visible from the shared driveway to the front is a more unusual feature. However, the use of materials of a similar appearance to the existing and neighbouring roofs and its proximity to the roof of the neighbouring property at No.12 significantly reduces the impact. Taking into account the materials used, the dormer's proximity to the neighbouring roof at No.12, the separation distance to Little Dunmow road and the location of the property at the end of a shared driveway at the end of a cul-de-sac, the dormer does not have a significant detrimental impact on the character and appearance of the area which would warrant a refusal of permission.

5.5 Conclusion

The obscurely glazed, non-opening rooflights do not have a significant detrimental impact on the amenity of neighbouring occupiers or the character and appearance of the area. In addition, the dormer does not have a significant adverse impact on the amenity of residential occupiers or the character and appearance of the area in this instance given the exact relationship of this dormer to neighbouring properties and the street.

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

11-LD A as electronically registered on 18th September 2012

001 A as electronically registered on 18th September 2012

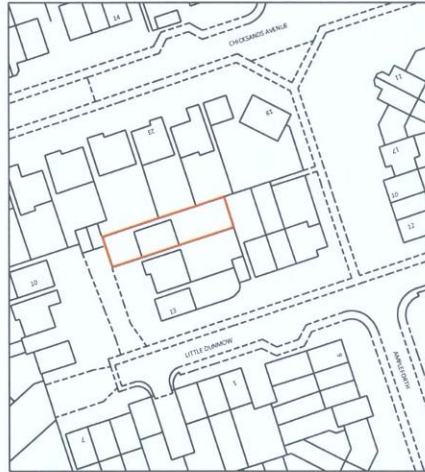
003 B as electronically registered on 18th September 2012

Reason: For the avoidance of doubt and in accordance with the requirements of The Town and Country Planning (General Development Procedure) (Amendment No. 3) (England) Order 2009.

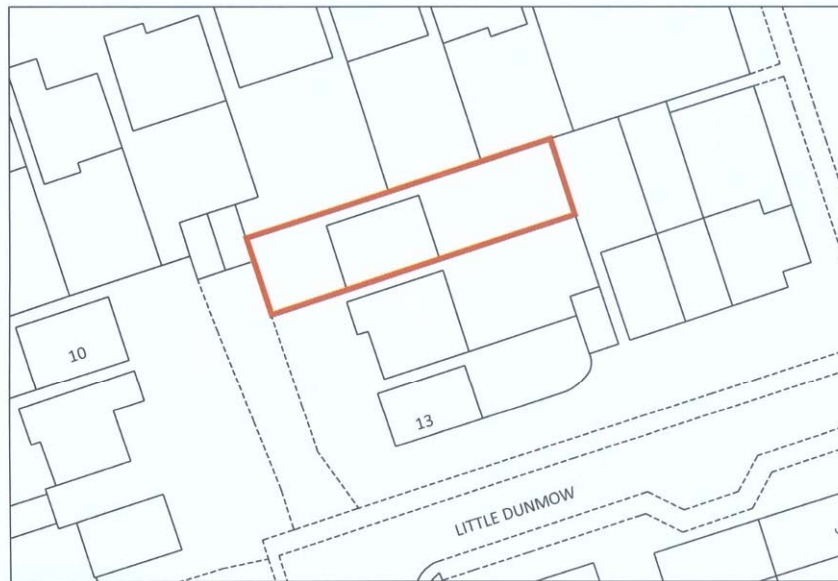
(2) Within one month of the granting of this planning permission, the two rooflights within the northern side elevation facing Chicksands Avenue shall be obscurely glazed to a level of obscurity of level 3 within the Pilkington range of Textured Glass or equivalent and shall be non opening. They shall not be altered to clear glazing or opening without the prior approval, in writing, of the Local Planning Authority.

Reason: To preserve the amenity and privacy of the adjoining residential occupiers.

11 Little Dunmow, Monkston, Milton Keynes, MK10 9DH



SITE LOCATION PLAN - 1:1250



BLOCK PLAN - 1:1500



Scale AS SHOWN

Dwg No. 11-LD

Rev . A

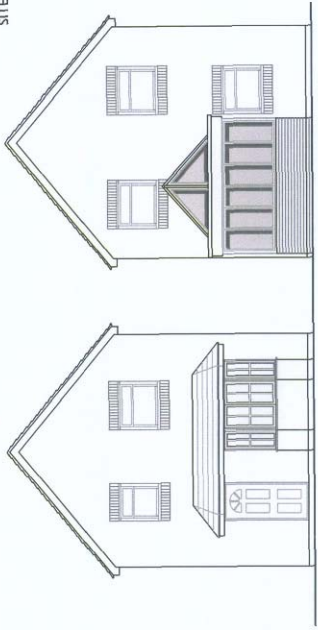
Issue for Planning



SITE LOCATION PLAN - 1:1250

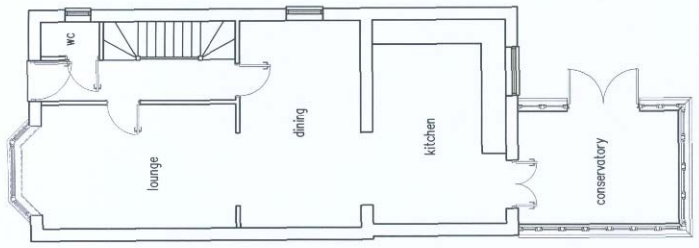


DEVELOPMENT CONTROL
 - 7 SEP 2012
 RECEIVED

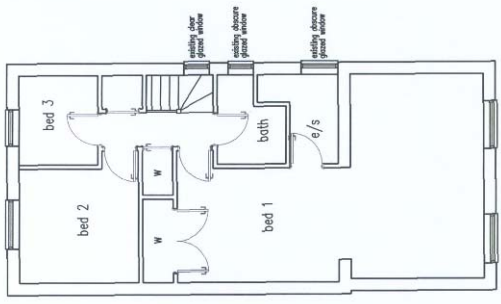


EXISTING FRONT

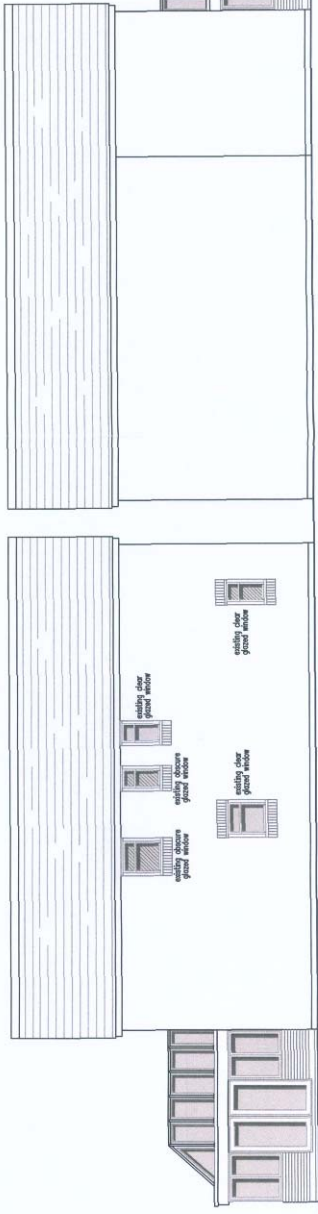
EXISTING REAR



EXISTING GROUND FLOOR LAYOUT



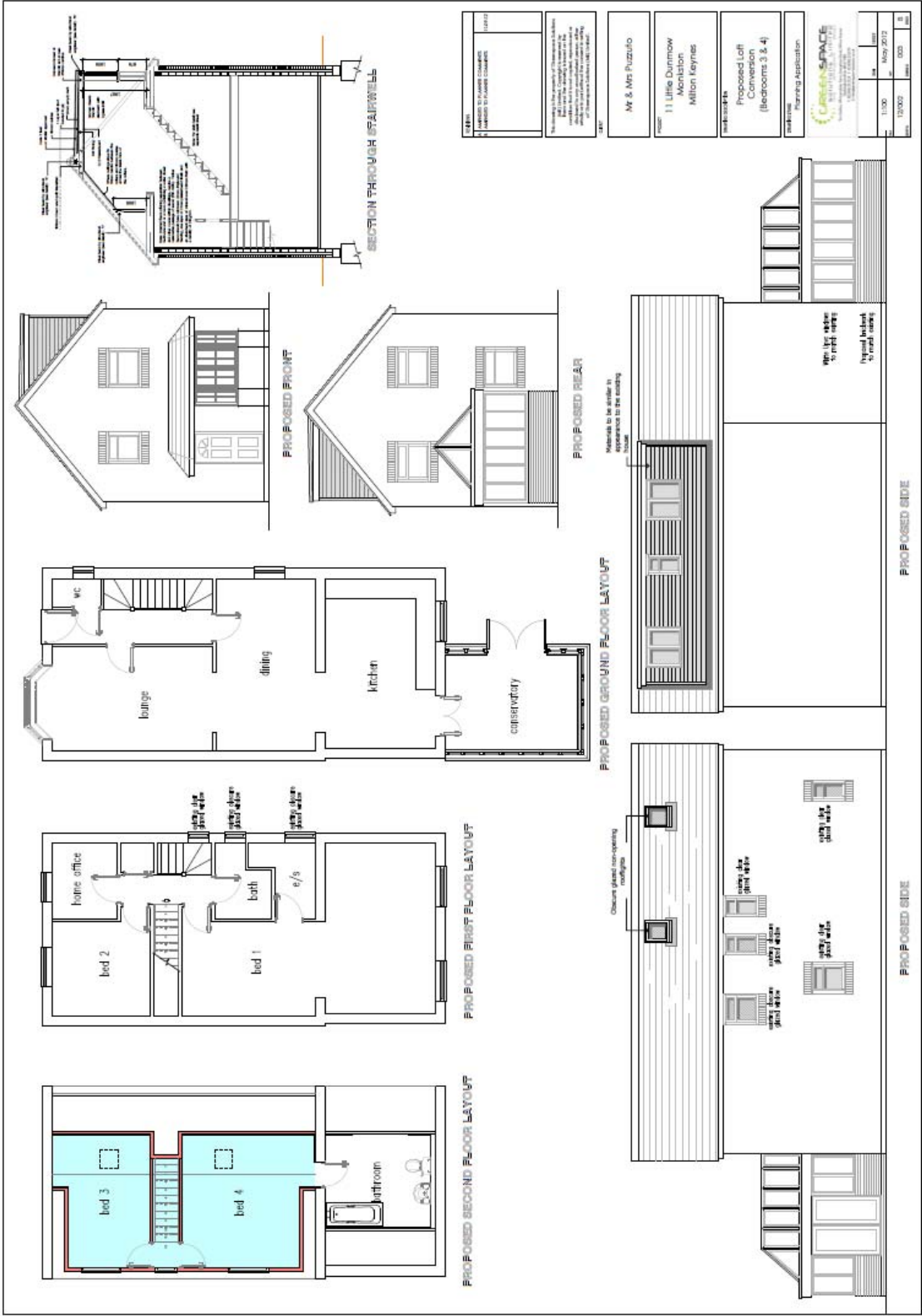
EXISTING FIRST FLOOR LAYOUT



EXISTING FRONT

EXISTING REAR

<p>APPROVED BY PLANNING COMMITTEE</p>	<p>DATE</p>
<p>Mr & Mrs Puzulo</p>	<p>11/09/12</p>
<p>11 Little Dunmow Monkton Milton Keynes</p>	<p>12/02</p>
<p>PROJECT DESCRIPTION Existing Floor Plans & Elevations</p>	<p>DATE 01</p>
<p>PREPARED BY Planning</p>	<p>DATE 01</p>
<p>GREEN ISLAND ARCHITECTS 11 Little Dunmow Monkton Milton Keynes</p>	<p>DATE 01</p>
<p>11/09/12</p>	<p>DATE 01</p>
<p>12/02</p>	<p>DATE 01</p>



1:2000
 Proposed Loft Conversion
 11 Little Dunmow
 Merton Keynes

Mr & Mrs Puzallo
 11 Little Dunmow
 Merton Keynes

Proposed Loft
 Conversion
 (Bedrooms 3 & 4)

GREENSPACE
 ARCHITECTS
 11 Little Dunmow
 Merton Keynes

1:2000
 1:2000
 1:2000
 1:2000

SECTION THROUGH STAIRWELL

PROPOSED FRONT

PROPOSED REAR

PROPOSED GROUND FLOOR LAYOUT

PROPOSED FIRST FLOOR LAYOUT

PROPOSED SECOND FLOOR LAYOUT

PROPOSED SIDE

PROPOSED SIDE

Materials to be similar to appearance to the existing house

Conservatory landscaping

Walls to be similar to existing
 Typical height to avoid entry

Appendix to 12/01867/FUL

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 08/00365/FUL

Two storey rear extension, loft conversion including increasing roof height and insertion of rooflights; refused 28.04.2008

08/00807/FUL

Two storey rear extension (resubmission of 08/00365/FUL); permitted 07.07.2008

12/01211/FUL

Insertion of dormer window to roof (retrospective); refused 07.09.2012

12/01212/FUL

Single storey rear conservatory (retrospective); permitted 03.09.2012

12/01214/CLUE

Certificate of lawfulness for loft conversion; withdrawn

A1.2 The property has previously been extended to the rear (08/00807/FUL). The 2008 proposal was original refused permission (08/00365/FUL) as the proposal included an increase in the height of the roof which would create a building that would appear overly dominant and would create a discordant feature within the street scene. In addition it would create an excessively tall and oppressive structure on the rear boundaries of the properties on Chicksands Avenue to the detriment of the amenity of those dwellings. The revised 2008 proposal was for a two-storey rear extension and removed the proposed increase in the height of the roof. The 2008 permission (08/00807/FUL) for the two-storey rear extension was conditioned so that no further windows, doors or other openings shall be inserted or created above ground floor level within the side elevations of the property, without the prior written consent of the Local Planning Authority. This does not prevent any further openings but does require the applicant to apply for planning permission so that the impact on the amenity and privacy of adjoining residential occupiers can be assessed.

A1.3 Following the approval of the 2008 application further works have been undertaken at the property including the insertion of two dormer windows (one to the north elevation facing Chicksands Avenue and one to the south elevation facing Little Dunmow) and two rooflights and a rear conservatory. The rear conservatory was granted planning permission in September of this year (12/01212/FUL) whilst the dormer within the north elevation facing Chicksands Avenue was refused (12/01211/FUL). The other dormer in the south elevation facing Little Dunmow and the two rooflights originally formed part of an application for a certificate of lawfulness (12/01214/CLUE); however, following discussions with the planning officer it was confirmed that

the works are not be permitted development under the General Permitted Development Order and therefore application 12/01214/CLUE was withdrawn and the current application submitted.

A2.0 ADDITIONAL MATTERS

(Matters which were also considered in producing the Recommendation)

A2.1 Parking

Following the works the property now has four bedrooms. The property is within zone 3 and therefore the Council's adopted parking standards require a dwellinghouse of two or more bedrooms to have two allocated parking spaces. The property has space to park two vehicles and is considered acceptable with regards to parking provision.

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 Kents Hill & Monkston Parish Council

The Parish Council objects to the application due to the loft conversion's overall scale and proportion and are concerned that it would set a precedent. The conversion is out of character with adjoining properties and looks out of place in its locality. The location and style of the dormer is unsightly and domineering and overlooks the neighbouring properties impacting on them negatively. The development constitutes overdevelopment and cause a significant level of harm to the amenity of neighbouring residential occupiers and to the street scene.

Please see paragraphs 5.1 – 5.5 above.

A3.2 The Parish Council has had contact with residents and it is clear that the dormer window facing Chicksands Avenue has had a major negative impact on the privacy of neighbouring properties on Chicksands Avenue.

The dormer window within the northern roof slope facing Chicksands Avenue was refused planning permission under reference 12/01211/FUL in September of this year. This dormer is not the one included within the current application and does not form part of the current application.

A3.3 Local Residents

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

8, 9, 10, 12, 13 and 14 Little Dunmow
19, 21, 23, 25, 27 and 29 Chicksands Avenue

Noted

A3.4 Representations in support

Representations in support of the application have been received from the occupiers of four properties including 8, 10, 12 and 13 Little Dunmow. The comments received are summarised in the following paragraphs. Noted

A3.5 As the immediate neighbour I do not feel that the dormer has an impact on me or anybody else as the works are largely covered by my (12 Little Dunmow) property. The dormer is very discreet and I have a far better view of the dormer opposite my property which I was not consulted on yet impacts on my privacy. Please see paragraph 5.3 above.

A3.6 The dormer is a standard structure which can be seen the length and breadth of the country and isn't unique to this area. It is barely visible as the property next door covers most of it. The development does not impinge on neighbouring properties at all. Please see paragraph 5.4 above.

A3.7 The applicant has improved their home to meet the needs of a growing family and I wholly support their decision. The personal circumstances of the applicant are not a material consideration for the current application.

A3.8 Representations in objection

Representations in objection of the application have been received from the occupiers of three properties including 23, 25 and 27 Chicksands Avenue. The comments received are summarised in the following paragraphs. Noted

- A3.9 Confused that the dormer facing Chicksands Avenue which was refused earlier this year is not included in the proposal; is this to mislead objectors into thinking the dormer window is going to be removed. The dormer window within the northern roof slope facing Chicksands Avenue was refused planning permission under reference 12/01211/FUL in September of this year. This dormer is not the one included within the current application and does not form part of the current application.
- A3.10 We feel the need to object to the current application as we believe if it is granted it will set a precedent for any forthcoming appeal against the Chicksands Avenue dormer and it could be argued that the Council's decision was inconsistent. The dormer facing Chicksands Avenue was considered to have unacceptably increased the massing and to be over large, domineering and oppressive; the dormer currently under consideration shares the same characteristics in terms of its scale, mass and appearance. The current proposal should be considered on its own merits. The two dormers have both been assessed against the same criteria including the impact on the amenity of neighbouring properties and the character and appearance of the area. The dormer facing Chicksands Avenue (12/01211/FUL) was refused due to the impact on the amenity of neighbouring residential occupiers on Chicksands Avenue. The assessment of the dormer currently under consideration is provided at paragraphs 5.1 – 5.5 of this report.
- A3.11 The planning history of 11 Little Dunmow is a material consideration. Planning application 08/00365/FUL proposed very similar outcome in terms of floor space and configuration of accommodation; this application was refused. Planning application 08/00807/FUL was a resubmission but omitting the development of the roof space and the openings in Chicksands facing elevation to roof and walls. 08/00807/FUL was permitted with a condition restricting further windows, doors or other openings above ground floor level in the side elevations of the property without the prior consent of the local planning authority to safeguard the amenity and privacy of adjoining residential occupiers. Please see paragraphs A1.1 – A1.3 above for the planning history and paragraph 5.1 of the report regarding the principle of the conversion of the loft to habitable rooms.

- A3.12 The two rooflights have led to an unacceptable and unreasonable loss of amenity for neighbouring occupiers on Chicksands Avenue as the rooflights overlook the rear elevations and gardens of properties on Chicksands Avenue. Making these windows obscurely glazed and non-opening will not eliminate or reduce the loss of privacy. Application 12/01211/FUL was for a dormer in the north elevation and was refused although this dormer was proposed to be obscurely glazed and non-opening the reason for refusal included that it would result in a greater perception of overlooking to the detriment of the amenity of neighbouring occupiers. The rooms receive adequate light from the dormer window in the southern elevation.
- Each application should be considered on its own merits. Whilst non-opening and obscurely glazing of windows generally addresses concerns regarding privacy in a few cases weight may be given to the fact that, although there may not be significant overlooking in reality, the perception of being overlooked would remain to such an extent that it would be detrimental to the amenity of neighbouring occupiers. It is the intrusive effect of the refused dormer facing Chicksands Avenue which leads to a significant perception of overlooking and therefore warranted a refusal of application 12/01211/FUL. The roof lights currently in question are small and are not considered to have the intrusive impact of the refused dormer. Please see paragraph 5.2 above.
- A3.13 The dormer in the southern elevation is unsightly and constitutes a visual intrusion to the general locality and its construction has led to an over dominance in the physical structure and mass of 11 Little Dunmow. The design and materials are a poor match for the existing roof covering.
- Please see paragraph 5.4 above.
- A3.14 It would result in the property becoming a three-storey 5/6 bed townhouse resulting in too large a property in mass for its setting. Other suitably designed and sited properties are available elsewhere.
- Please see paragraphs 5.1 and 5.4 above.
- A3.15 The block plan is defective as it does not reflect the extent of the applicant's ownership (it excludes their proportion of the Dunmow Road (private at that point) and the garage).
- This omission is not considered to materially affect the consideration of the application.