

ITEM 4(c)

Application Number: 20/01751/FUL

Description Erection of a double garage constructed in wood to include a small carport at the front.

At 83 Tower Drive, Neath Hill, Milton Keynes, MK14 6JX

For Ms Angela Whelan

Statutory Target: 22nd September 2020

Extension of Time: Yes – 28th October 2020

Ward: Stantonbury

Parish: Great Linford Parish Council

Report Author/Case Officer: Carrie Chan
Planning Officer

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Interim DM Manager
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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

The Site

2.1 The application site is an irregular plot located in a cul-de-sac on the northern side of Tower Drive within the built-up area of Neath Hill. The site comprises of a two storey detached dwelling with parking to front and garden to side and rear.

2.2 Located immediately to the north of the application site is a pedestrian underpass/ Redway, connecting Neath Hill with Great Linford. Running parallel with the eastern boundary is a pedestrian footpath and beyond that a grass verge (with trees) separating the carriageway and the footpath. The existing front boundary consists of mature hedging. Given the setback position, access to the application site is via a driveway/access off Tower Drive.

- 2.3 Surrounding the host dwellings are detached dwellings vary in designs and scale. Given the range of houses within the immediate surrounding, there is not a set uniform layout and no set building line.
- 2.4 The application site is not located within any designated area and there are no TPO trees or historic buildings adjacent to the site.

The Proposal

- 2.5 This application is a resubmission of a lapsed permission reference 16/02410/FUL where permission was granted for the erection of a double garage with materials to matching the existing house.
- 2.6 The current application proposes to erect a detached double garage incorporating a small carport in the front garden.
- 2.7 The proposed garage outbuilding would feature a simple pitched roof with openings on 3 sides. The outbuilding would measure 5.95m in width, 9.35m in depth (including carport) and 3m in height.
- 2.8 Materials: walls to be wood and roof to be tongue and groove boards with shingle overlay.
- 2.9 The foundations for the proposal have already been laid on site.

Reason for referral to committee

- 2.10 The application has been referred to at the request of Great Linford Parish Council as it considers that the proposed materials to be used will detract from the appearance and character of the locality and proposal does not comply with the local vernacular.

Scope of debate/decision

- 2.11 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 12 - Achieving well-designed places

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

The Development Plan

3.2 Neighbourhood Plan

Great Linford Parish Neighbourhood Plan (South)

3.3 Plan:MK (March 2019)

Policy CT2 - Movement and Access
Policy CT10 - Parking Provision
Policy D1 - Designing a High Quality Place
Policy D2 - Creating a Positive Character
Policy D3 - Design of Buildings
Policy D5 - Amenity and Street Scene
Policy SC1 - Sustainable Construction

3.4 Supplementary Planning Documents/Guidance

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

3.5 Human Rights Act 1998

There may be implications under Article 8 and Article 1 of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions. However, these potential issues are in this case amply covered by consideration of the environmental impact of the application under the policies of the development plan and other relevant policy guidance.

3.6 Equality Act 2010

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

4.0 RELEVANT PLANNING HISTORY

4.1 Application Site

16/02410/FUL - Erection of a double garage. Permission granted 24 February 2017. Unfortunately, no evidence has been submitted to show work had commenced prior to the expiry date of the permission

5.0 CONSULTATIONS AND REPRESENTATIONS

5.1 Great Linford Parish Council

Initial comments received

“GLPC objects to the application and recommends refusal, as the proposed timber framed garage and carport do not comply with:

- I. Plan: MK Policy D2 A [items 1, 2 and 4]. Policy D3A [items 1, 3, 5, 6, 7 and 8]
- II. GLPC Neighbourhood Plan Policy GLPC S1 paragraphs a and b.”

Request that this application be called in for consideration by DCC or DCP if the officer’s recommendation is for approval.

Additional comments

Request DCP site visit.

5.2 Cllr Martin Petchey– Stantonbury Ward (Member of DCC and DCP)

No comments received.

5.3 Cllr Hannah Minns – Stantonbury Ward

No comments received.

5.4 Cllr Alex Walker – Stantonbury Ward

No comments received.

5.5 MKC Landscape Technical Officer

No objection but noticed foundation has been laid. Recommend condition on tree protection.

5.6 Neighbour/ Third Party Representations

No third party letters have been received.

6.0 MAIN ISSUES

- Principle of development
- Highway matters and parking
- Design, character and appearance
- Residential amenity

7.0 CONSIDERATIONS

Principle of development

- 7.1 In accordance with the National Planning Policy Framework 2019, and Plan:MK (2019). Milton Keynes Council will, when considering development proposals, take a positive approach that reflects the presumption in favour of sustainable development.
- 7.2 Developments that accord with the policies in the Plan:MK (and where relevant, with policies in Neighbourhood Plans) will be approved, provided they are compatible with the character of the area by respecting the general density, scale, siting, height and

character of buildings in the locality, and the presence of trees, shrubs, lawns and verges.

- 7.3 In this instance, the application site is located within residential area of Neath Hill, where in accordance with Policy D1, D2 and D3 of Plan:MK, extensions and alterations to dwelling are acceptable in principle, provided they are of a visual interest, respect the existing layout, scale and appearance of the locality.

Highway matters and parking

- 7.4 Application site is located within accessibility zone 3 and in accordance with the Milton Keynes Parking Standards SPD, dwellings with 4 bedrooms are required to provide 2 allocated parking spaces and 0.5 unallocated parking space. Case officer site visit confirmed two separate accesses currently in use by occupiers of the dwelling on site.

Parking

- 7.5 At present, the application site benefits from a minimum of 3 parking spaces on site. As a result of the proposal, there would be no change to the existing parking arrangement and the car parking spaces on site will remain accessible. Furthermore, the overall number of bedrooms within the host dwelling will remain as existing and as such, it would be unreasonable to request any additional parking spaces.
- 7.6 Having considered the requirements set out in the SPD and the existing parking arrangement, the case officer is of the view that the proposal is fully in line with Policy CT10 of Plan:MK.

Access and highway implications

- 7.7 The proposal, as it stands, there would be no change to the existing access arrangement and that both accesses will remain unchanged. Although the access to the front of the property would be in close distance with the new carport, the current visibility splays will not be affected to a degree that would create an adverse impact on pedestrians and other highway users. As such, the proposal is considered to have no highway implications and is in compliant with Policy CT2 of Plan:MK.

Design, character and appearance

- 7.8 Unlike other dwellings in the immediate area, the setback position and the distance from the main carriageway mean that the host dwelling is partially obstructed by mature trees located within the grass verge.
- 7.9 As aforementioned, the host dwelling, unlike those nearby, sits within a large irregular sized plot with generous space to the front, side and rear. Although the proposed outbuilding would be sited forward of the principle elevation, the proposed location of the outbuilding is not considered to be at odds with the existing pattern of development in the area. Given the lack of a set building line, the proposed outbuilding to be used as a garage is considered to be acceptable.

- 7.10 In terms of appearance, comments relating to the chosen materials are noted. Comments relating to Policy GLPC S1 within the Great Linford neighbourhood Plan South are also noted however, this policy refers to new homes on small and infill sites.
- 7.11 This particular part of Tower Drive feature a variety of houses in terms of design and appearance. Within the immediate surrounding, there are a number of two storey dwellings featuring simple pitched roofs and there are also dwellings orientated in such a way that the two storey gable end becomes the principle elevation. The use of wooden access gates and wooden fencing as boundary treatments are common in the area and majority are visible from public vantage points.
- 7.12 Although wood is a material often associated with farm buildings, sheds and cabins, It is the view of the case officer that, whilst the outbuilding is rather different in appearance from a 'typical' garage which exist in adjoining gardens, it sits in a relatively unobtrusive location, screened to a great extent by the surrounding greenery. Moreover, some of these outbuildings in the area are much more prominent than the proposed one. Whilst the upper part and roof are visible above the front boundary, it does not appear overly large or dominant. The use of natural timber helps to blend the building in with its surroundings. Given its distance from the main road and the underpass/Redway, the case officer does not consider that it detracts from the architectural quality of the wider area.
- 7.13 In terms of the view from the redway and underpass, the building would appearance subservient to the main dwelling rather than a stand-alone structure.
- 7.14 Based on the above and when compared with previously approved scheme, the proposed garage is considered to pose no additional impact to the surrounding. The variety of designs in the area and the semi hidden location, the officer considered the proposed garage outbuilding not harmful to the overall character of the area and does not conflict in this respect with Policies D1, D2 and D3 of Plan:MK.

Residential amenity

- 7.15 Although the proposed structure would be sites close to the front boundary, there would be a distance of 4m between the rear of the outbuilding and the common boundary with the property to the south.
- 7.16 When assessing the impact on the possible loss of light, "BRE Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2011)" highlighted that if the 45 degree line drawn from the mid-point of the affected window towards the development does not intersect any part of the proposed structure, it would suggest the neighbouring property would continue to receive adequate natural daylight and would not be affected by the proposal.
- 7.17 In this case, the line drawn from the midpoint of the forward facing window of No.81 does not intersect with any part of the outbuilding and is therefore not in breach of the 45 degree rule. As such, the officer is of the view that there would be no adverse impact on the amenities of the neighbouring property in terms of light.

- 7.18 In terms of overlooking to and from the outbuilding, as the primary use of the outbuilding is for storing of vehicles, there would be no adverse impact on the amenities for both occupiers of the host dwelling or the neighbouring dwelling.
- 7.19 As the outbuilding would be used as a garage and ancillary to a residential dwelling in an established residential area, the likelihood of the noise generated above the level expected in a residential area is low.
- 7.20 Given the proposed outbuilding would be sited to the front of the host dwelling, its proposed use as a garage, and at single storey in height, officers consider that the proposal would not have an adverse impact upon the amenities of neighbouring occupiers in terms of overlooking, loss of light, noise and outlooks.
- 7.21 Given the above assessment, officers consider that the proposal complies with Policy D5 of Plan:MK.

Landscape

- 7.22 As noted on the case officer's site visit and on the submitted plans, there are trees located close to the application site which belong to the Council.
- 7.23 The nearest trees to the site boundary will be trees labelled as T1 and T2 in the submitted block plan. These trees are located outside of the application boundary and approx. 1m – 1.3m from the boundary, although these trees are not protected by any order, the foundation has been laid. After reviewing comments from the Council's Arboricultural expert, the case officer is of the view that as the foundation has been laid, the remaining work would be above ground. Having considered the foundation and the damaged already caused to the roots of the trees, it would be unreasonable to request further root protection work.

8.0 CONCLUSIONS

- 8.1 The proposed development is considered to be in keeping with the character and appearance of the area, and would not have a detrimental impact on the residential amenity of nearby residents. The proposal therefore complies with relevant Policies within the Development Plans.

9.0 CONDITIONS

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

Submitted on 21/07/2020:

- Site Plan/Block Plan 1:1250.
- Site plan/Block Plan 1:500.
- L-66841 Section AA.
- L-66841 Façade 1-4.
- L-66841 Façade 4-1.
- L-66841 Façade A-C.

- L-66841 Façade C-A.
- L-66841 Floor Plan.

Reason: For the avoidance of doubt and in accordance with the requirements of The Town and Country Planning (General Development Procedure) (England) Order 2015.

2. The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: To prevent the accumulation of planning permissions; to enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances; and to comply with section 91 of the Town and Country Planning Act 1990.

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

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

Site Plan/Block Plan/Block Plan of MK14 6JX

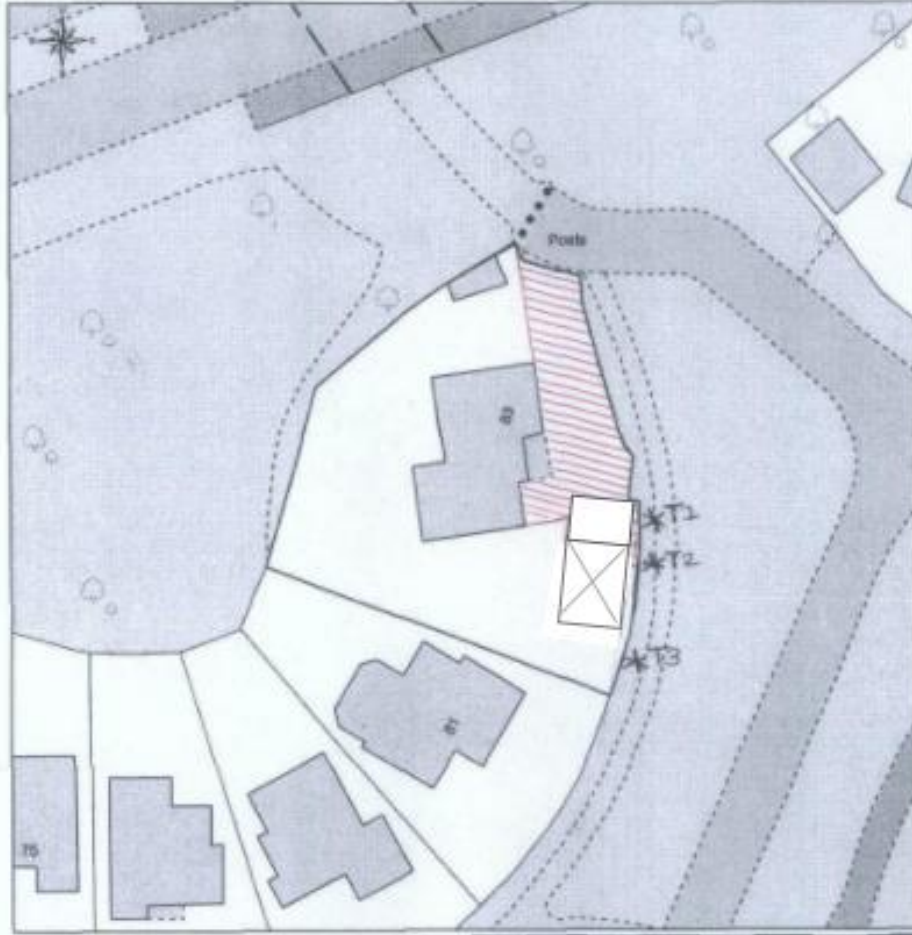


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plans ahead by **emapsite**


Site Plan/Block Plan/Block Plan/Block Plan of MK14 6JX




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0m 5m 10m 15m 20m 25m 30m 35m 40m

Scale: 1:500, paper size: A4

 PROPOSED BUILDING (DOUBLE GARAGE)

 EXISTING HARDSTANDING (TARMAC)

 EXISTING HARDSTANDING (SHINGLE)

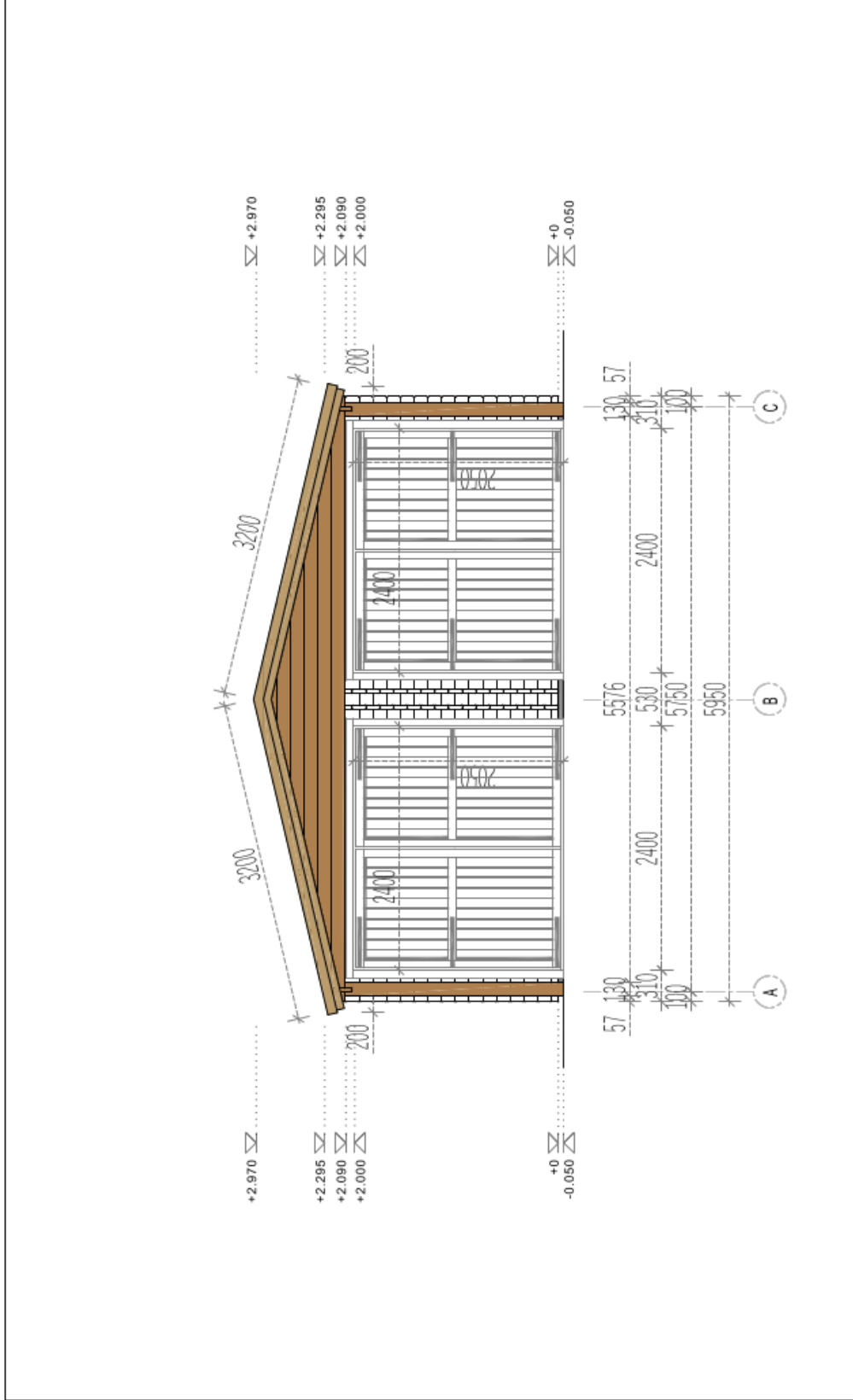
 Proposed Carport


* T1 - CHERRY TREE - RETAIN

* T2 - CHERRY TREE - RETAIN

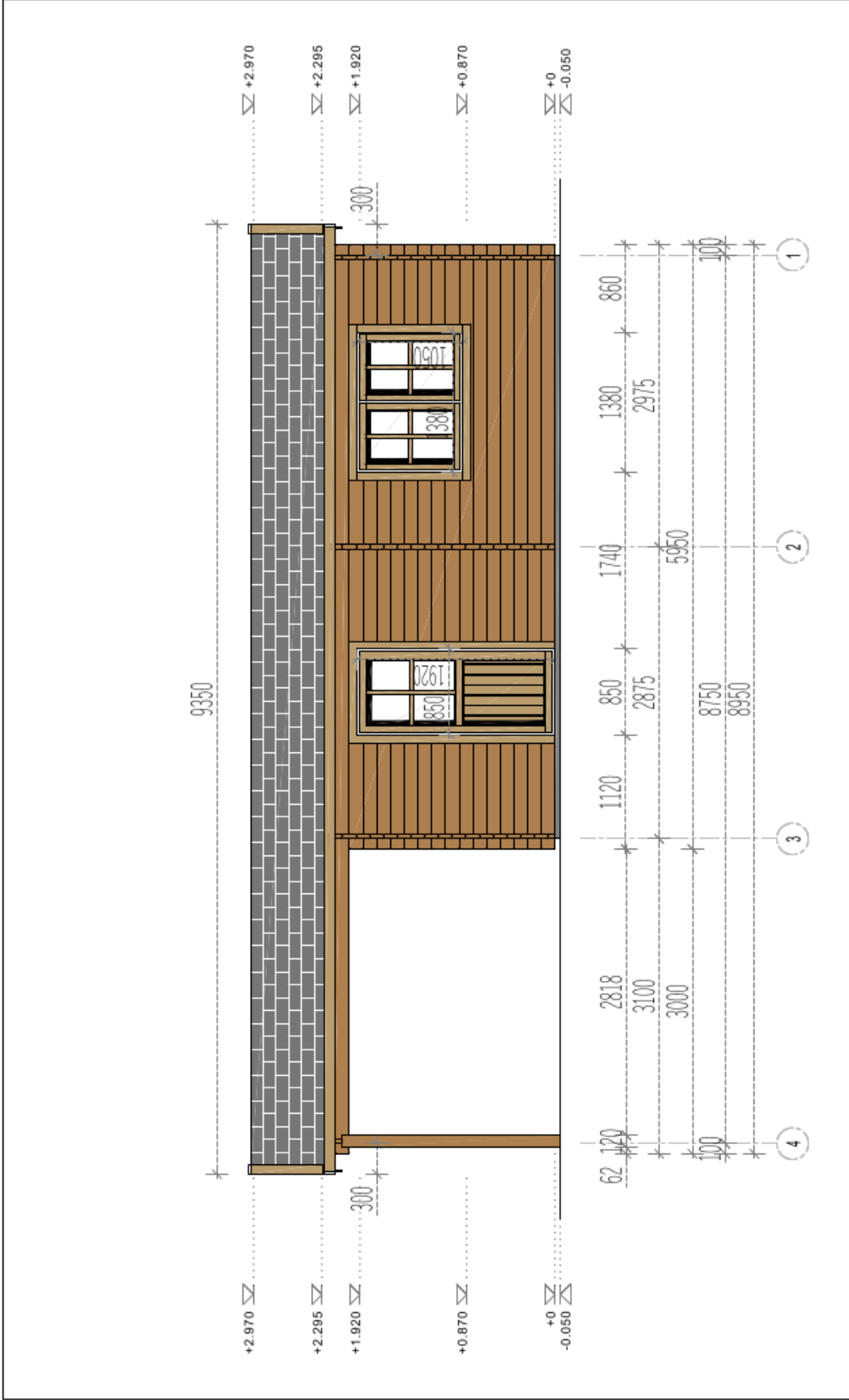
* T3 - CHERRY TREE - RETAIN


plans ahead by emaps

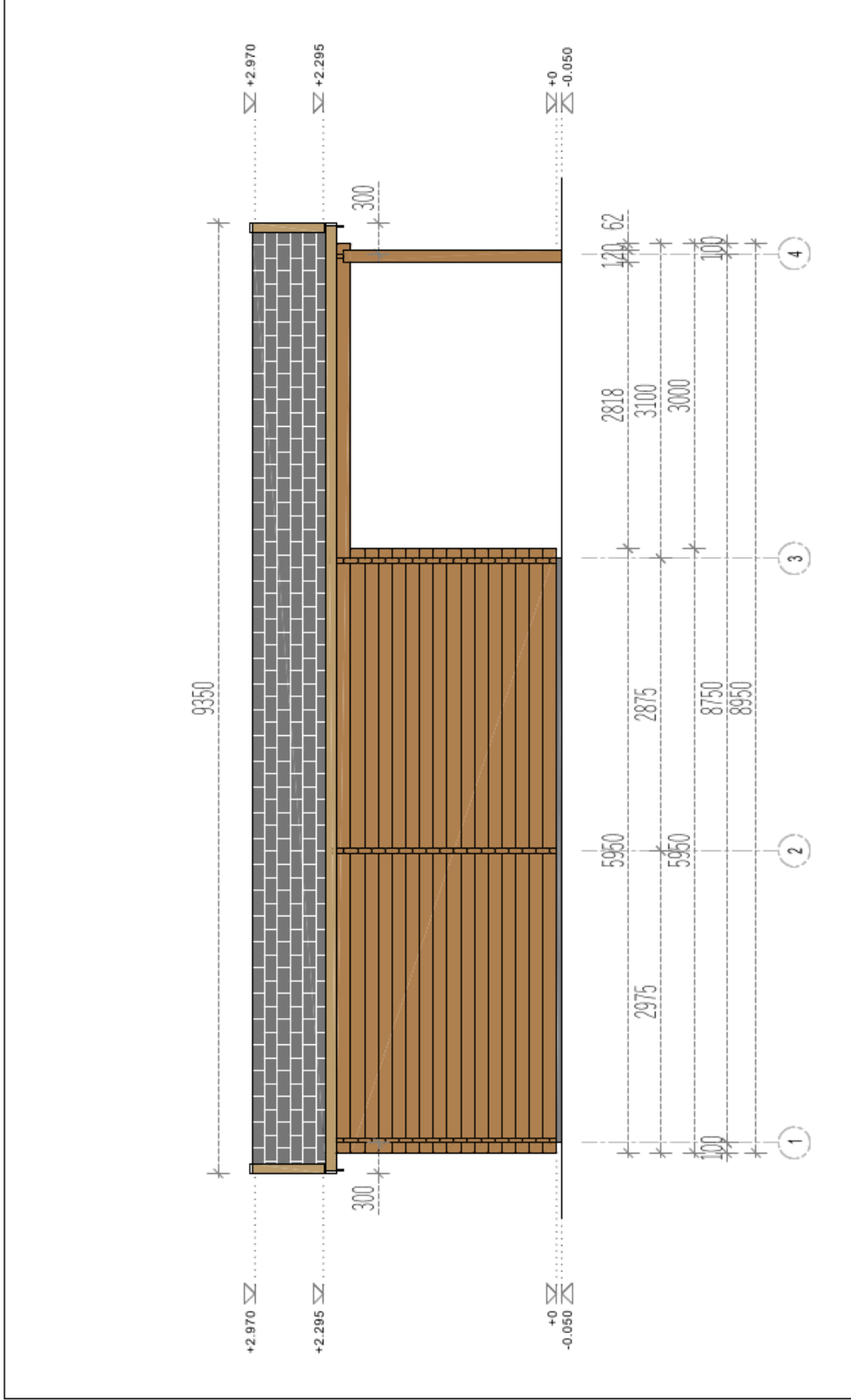



	Project Nr.		Interior area		Wall thickness		E.B.		Paper size / scale	
	L 56841		Built - up area	32.00 m ²	min	44	2295	A4 / 1:50		
	Name	Date	Roof angle	50.30 m ²	Built height	min	max	1 cm - 0.50 meter		
			Roof area	13.30 °	Roof area	▲	745	1.00 m		
	Description		Roof area	60.00 m ²	FACADE A-C		2.00 m			3.00 m
							4 cm			6 cm

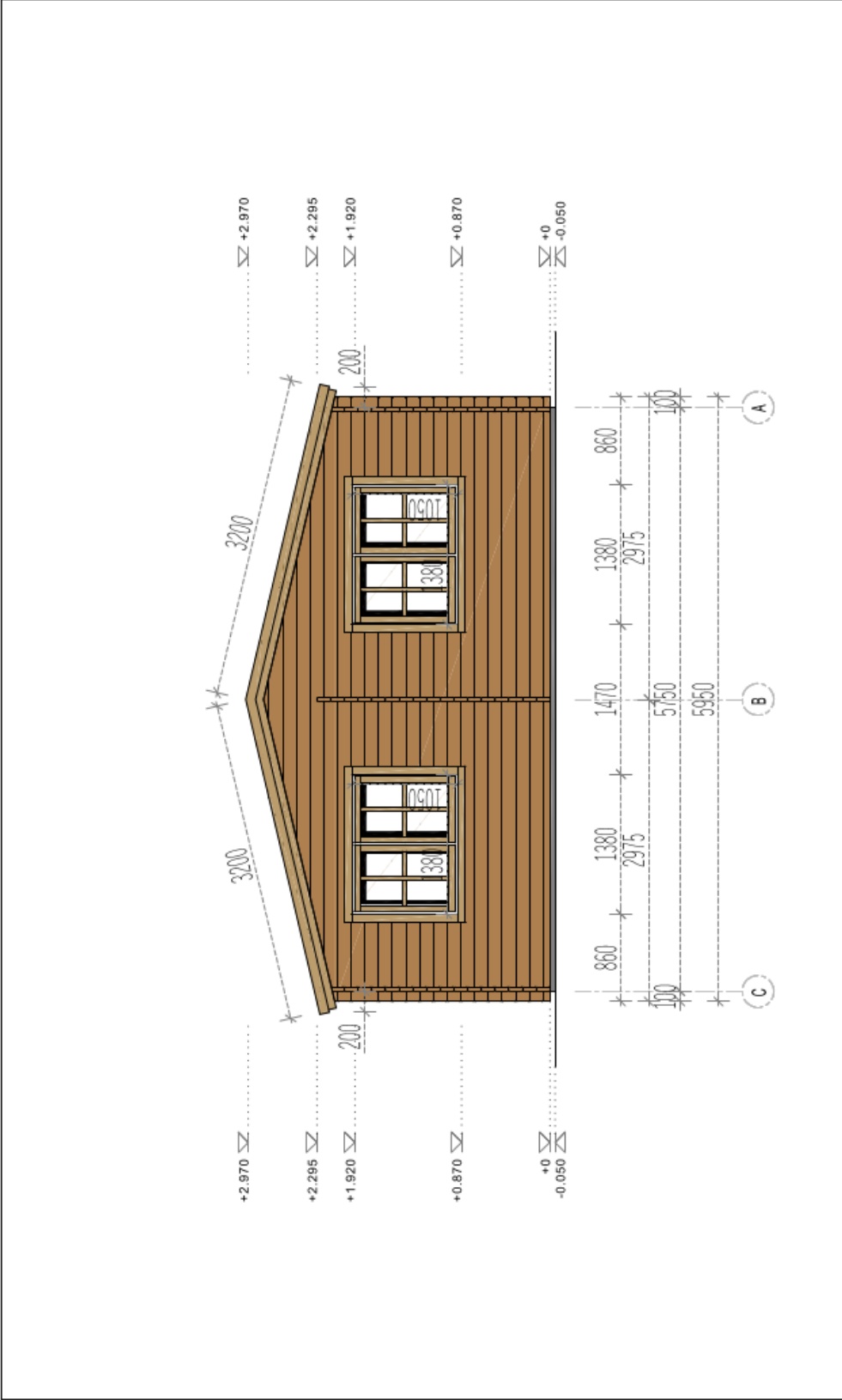
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	Project Nr.	L_66841		E.B.	44	Paper size / scale	A4 / 1:50
	Name	2020-07-17					
Interior area		32.00 m ²	Wall thickness		min 2295		
Built - up area		50.30 m ²	Built height		max 2970		
Roof angle		13.30 °	Roof area		745		
Roof area		60.00 m ²	FACADE 4-1				
Description		All rights reserved. Any unauthorized changes to the drawing are strictly prohibited.					



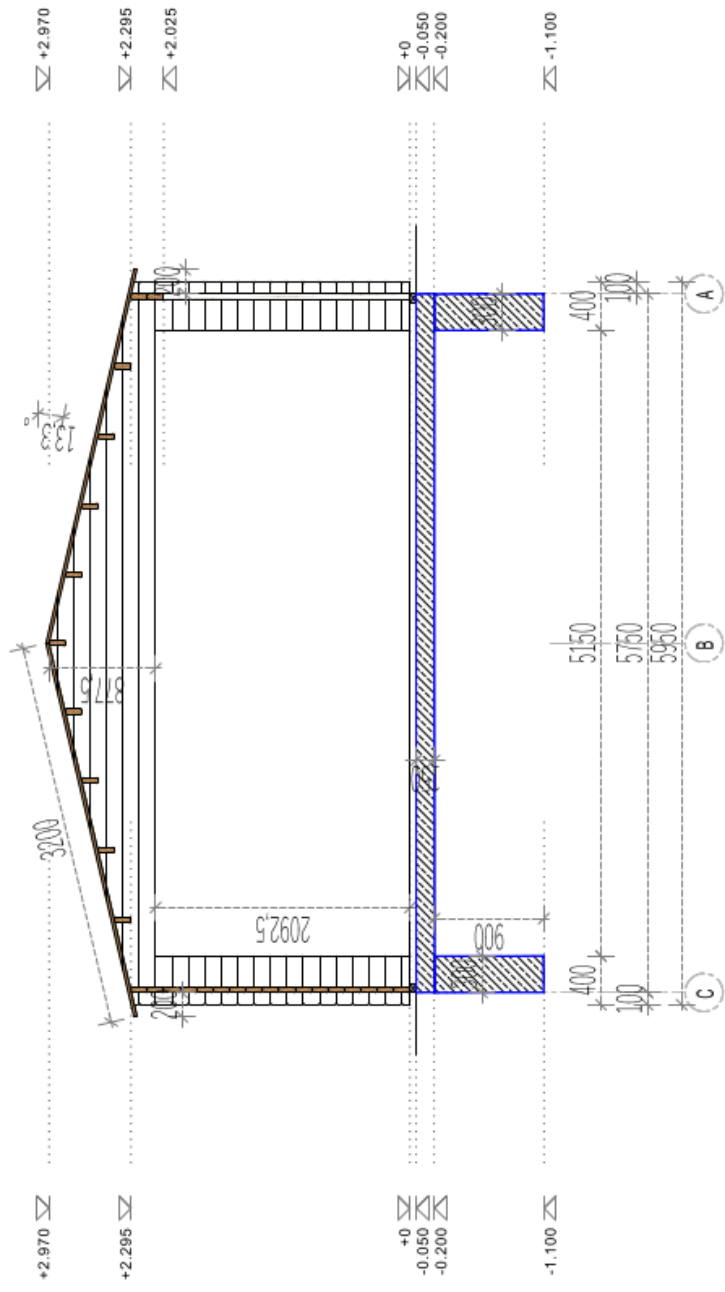
	Project Nr.			E.B.	Paper size / scale	A4 / 1:50
	L_66841	Name	Date	44	1 cm - 0.50 meter	
	2020-07-17			min	2.00 m	
				max	3.00 m	
				▲	2 cm	
				745	4 cm	
				FACADE 1-4		
				Description		
				All rights reserved. Any unauthorized changes to the drawing are strictly prohibited.		



Project Nr. L_66841 2020-07-17	Name	Date	Interior area		Wall thickness		44	E.B.	Paper size / scale A4 / 1:50
			Built - up area 50.30 m ²	Built height min	Built height max	2295			
			Roof angle 13.30 °	Roof area 60.00 m ²	FACADE C-A				
			Description						



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Project Nr. L_56841 2020-07-17	Name	Date	Interior area 32.00 m ²	Wall thickness 44	E.B.	Paper size / scale A4 / 1:50	Built height		1 cm - 0.50 meter 0 1.00 m 2.00 m 3.00 m 4 cm 6 cm
							min 2295	max 2970	
			Roof angle 13.30 °	Built height 745	SECTION A-A				
			Roof area 60.00 m ²	Description					



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A1.0 FULL CONSULTATIONS AND REPRESENTATIONS

A1.1 Great Linford Parish Council

Initial comments received

“At the virtual Council meeting on the 26th August 2020; GLPC considered the attached report on application 20/01751/FUL for 83 Tower Drive Neath Hill MK14 6JX. and agreed the recommendation.

RECOMMENDATION

GLPC objects to the application and recommends refusal, as the proposed timber framed garage and carport do not comply with:

I. Plan: MK Policy D2 A [items 1, 2 and 4]. Policy D3A [items 1, 3, 5, 6, 7 and 8]

II. GLPC Neighbourhood Plan Policy GLPC S1 paragraphs a and b

NOTE

GLPC wish to be notified in advance should the application be recommended for approval; and request that it be called in for consideration by DCC or DCP, so that GLPC may make representations to DCC or DCP objecting to the application.”

Additional comments

“GLPC would like to request a site visit, in advance of the meeting by members; to enable you to explain the location and proposed materials and compare the development with the existing five brick and tile garages in the cul-de-sac.

As this would be in the open air it would enable social distancing rules to be met.”

A1.2 Cllr Martin Petchey – Stantonbury Ward (Member of DCC and DCP)

No comments received.

A1.3 Cllr Hannah Minns – Stantonbury Ward

No comments received.

A1.4 Cllr Alex Walker – Stantonbury Ward

No comments received.

A1.5 MKC Landscape Technical Officer

I suggest the following condition in relation to the foundation excavation next to the two Cherry trees and one Maple which are very close to the east edge of the proposed structure;

1. The roots of the three trees next to the east side of the proposed structure shall be protected from construction damage by use of nil-excavation, raised construction methods for foundations such as pile and above-ground beam / pad foundation /

above ground-level raft etc. Full details of the nil-excavation foundation system shall be submitted for approval, demonstrating that it is both specifically tailored to, and feasible in this site context. During construction of the foundations and structure the ground outside the structure footprint but which is within the BS5837:2012 root protection area shall have ground protection to prevent damage of the root zone by soil compaction and contamination. Details of the ground protection measures to be submitted for approval.

However, I dropped into the site on the way back from another meeting and I found that the foundation has already been excavated and concreted in the usual way. This will have mainly affected the Maple tree but the cherries will also have suffered root loss and damage.

In this case I think that perhaps the following condition would be more appropriate;

2. Construction of the foundation for this structure has resulted in the severance of roots of three council owned trees adjacent to the east side of the proposed structure, this may result in the die-back / death of the trees and / or destabilisation due to loss of anchoring function. In order to encourage the trees to recover and grow new roots to compensate for the damage, the ground to the south, east and north of the foundations should be ameliorated with well-rotted organic matter and topped with a mulch of broadleaf wood chip preferably from willow, cherry or hawthorn. Details to be submitted for approval.

A1.6 Third Party/Neighbour Comments

No comments received.