

APP 08

Application Number: 12/01498/FUL
Minor

Erection of a single storey dwelling and alterations and enlargement of existing opening to create vehicular access onto Crofts End (amended scheme pursuant to withdrawn application 11/01412/FUL)

AT 4 High Street, Sherington, Newport Pagnell

FOR Mr M Fletcher

Target: 8th October 2012

Ward: Sherington

Parish: Sherington Parish Council

Report Author/Case Officer: James Kirkham

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1.0 INTRODUCTION

(A brief explanation of what the application is about)

1.1 The Site

The site is located in the north-east corner of the grounds of The Manor House (a Grade II listed property) behind the frontage wall to Crofts End. This wall is curtilage listed by virtue of its association with the Manor House. The site is within the conservation area. There is a moat which is schedule ancient monument known as Caves Manor to the south west of the site. 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

The current application seeks consent to erect a single storey dwelling on the site. This would be a simple form building with a pitched roof. It would be set back from the boundary wall onto Crofts End. The current application is a re-submission of a previous approved scheme (08/02087/FUL). The vehicular access to the site from Crofts End has already been approved and has been partially implemented. Details of the proposal as described above 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 paragraphs:

17. Core Planning Principles
55. Rural Housing
56, 58 60. Good Design
128-129, 131-134. Historic Environment

2.2 Local Policy

Core Strategy

CS20 – Natural and Historic Environment.

Adopted Milton Keynes Local Plan 2001-2011

S10 – Open Countryside
D1 – Impact of Proposals on Locality
D2 – Design of Buildings
T15 – Parking Provision
H7 – Housing on Unidentified Sites
S9 – Other Villages
HE1 – Protection of Archaeological Sites
HE4 – Extension or Alteration of a Listed Building
HE5 – Development Affecting the Setting of a Listed Building
HE6 – Conservation Areas

Supplementary Planning Guidance

New Residential Development Design Guide SPD 2012

Adopted 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 1. Principle of development. A dwelling has already been permitted on the site and the curtilage of the proposed property remains the same as previously approved scheme and does not extend any further into the open countryside. The footprint of the proposed dwelling now technically sits outside of the development boundary of the village whereas the foot print of the previous approval was within the settlement boundary of the village. However the proposal is not considered to be intrusive in terms of the overall pattern of development in the area and its revised position is not considered to make the dwelling any less sustainable in the context of the National Planning Policy Framework. The applicant has agreed to enter into a legal agreement to ensure that if the current application were to be approved and implemented, the previous consent could not be implemented. This will ensure there is no net increase in dwellings resulting from the proposal above what has already been permitted. Overall the principle of development is therefore considered to be acceptable

2. Impact on heritage assets. The proposed dwelling is set further from the curtilage listed boundary wall than the previous approval. Whilst the building is not as interesting as the previous approval on the site, the applicants have taken a different design philosophy in regards to the heritage assets. Its form would appear as an outbuilding associated with the Manor House from the road with only views of the simple roof over the wall. The southern and western boundaries of the site contain substantial tree cover which would help screen views of the proposal from the scheduled ancient monument and listed building. Overall given the scale, form and position of the building it is considered to preserve the setting of the scheduled ancient monument, conservation area and listed building.

4.0 RECOMMENDATION

(The decision that officers recommend to the Committee)

4.1 It is recommended that planning permission be granted subject to the completion of a legal agreement and 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 Principle of dwelling

The north east area of the application site is located within the settlement boundary of the village however the remainder of the site sits outside the settlement boundary which is defined as the 'open countryside' on the local plan proposals. Policy S10 of the Local Plan strictly controls development in the open countryside however the National Planning Policy Framework (NPPF) and planning history of the site are also material considerations that need to be given consideration.

5.2 The site has an extant (live) permission for the erection of a single dwelling. This application site (including the garden) is the same as the previous approval. The built form of the previously approved dwelling was located within the settlement boundary towards Crofts End immediately adjacent to the curtilage listed wall running adjacent to Crofts End.

5.3 At the heart of the NPPF is the presumption in favour of sustainable development and whilst Policy S10 of the Local Plan is considered to be broadly compliant with the aims of the NPPF every application needs to be assessed on its own merits taking into account the development plan and other material considerations.

5.4 In the current application the curtilage of the proposed dwelling would remain as the previous approval. The applicant has agreed to enter into a legal agreement with the Council to ensure that if the current proposal were implemented the previous consents for a dwelling on the site could not be implemented. This would ensure the current proposal does not result in a net increase in dwellings above what has already been approved.

5.5 Whilst the siting of the footprint of the dwelling would now technically be located outside the village boundary the proposed development is considered to be located in an equally sustainable location to existing permissions on the site. For the above reasons the principle of re-siting the dwelling elsewhere on the site is considered to be acceptable subject to all other considerations such as impact on heritage assets, character and appearance, neighbours, parking and access.

5.6 Impact on heritage assets and character and appearance

The site is located in Sherington Conservation Area, has curtilage listed walls on the north and east boundaries, is within the setting of the moat which is a scheduled ancient monument and is within the setting of a number of Grade II listed buildings including Sherington Chapel immediately to the east, Mercers Farm to the north west and the Manor House to the west. The current character of the site is the continuous boundary wall (save for the new access) which clearly houses the grounds to a significant property. Given the separation within the garden of the site and the main house (due to landscape and distance), it is the view from the exterior of the site from Crofts End which is of primary importance, as is any relationship created with the adjacent Sherington Chapel.

5.7 The previous approval for a dwelling on the site took a modern approach with a low building immediately adjacent to the wall. The building had a green flat roof and glazing projecting above the wall. The majority of the building was not visible outside of the site. The applicant in the current application has stated that if the previous approval were to be implemented it is likely to result in damage to the curtilage listed wall. However no structural survey has been submitted to evidence this but it is worthy of note the following site visits the conservation officer raised these concerns in the previously approved scheme. The applicant has also stated that the previous approval did not take account of the drop in levels from east to west along Crofts End and so the approved dwelling would project above the wall more than the original plans showed. However a ground level condition was imposed on the original approval and officers would expect levels details to achieve what was shown on the street scene elevations in relation to the height of the wall. It is therefore considered that this matter can only be attributed limited weight.

5.8 Whilst the previous approval was considered acceptable this does not mean that a revised scheme has to follow the same design philosophy and each application has to be assessed on its own merits taking into account the constraints of the site.

5.9 The current proposal is for a simpler building, more akin to the scale and form of an outbuilding within the grounds of a larger house. The applicant has pointed to a number of outbuildings in Sherington which contribute to the character of the conservation area. The building is located away from the front of the site and is situated on lower ground than Crofts End which reduces the proposals prominence in the conservation area. This is likely to result in only views of the roof of the proposal being visible from Crofts End and the proposal not dominating the curtilage listed walls. The conservation

officer has raised no objection to the proposal subject to condition and has advised that the proposal would not cause any additional impact on the conservation area or the setting of the nearby listed buildings or scheduled ancient monument. The details of the building such as the removal of the chimney, verge and eaves details have been subject to negotiation with the conservation over and the proposal is now considered to be a more convincing reference to an outbuilding. Given the scale, design and siting of the building it is not considered to adversely impact on the setting of the listed buildings on Crofts End and the proposal is considered to be a sufficient distance with substantial tree cover from the Manor House not to adversely impact on the buildings setting. It recommended permitted development rights be removed from the building given that unsympathetic alterations could harm the heritage assets constraining the site.

- 5.10 A further benefit arising from the current scheme in relation to the heritage assets is that the applicant has stated they intend to undertake repairs to the curtilage listed wall surrounding the site which are in poor condition in places. It is recommended that this be secured through condition to allow this to be taken into account in the planning balance.

6.0 CONDITIONS

(The conditions that need to be imposed on any planning permission for this development to ensure that the development is satisfactory. To meet legal requirements all conditions must be Necessary, Relevant, Enforceable, Precise and Reasonable)

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

Reason: To prevent the accumulation of planning permissions; to enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances; and to comply with section 51 of the Planning and Compulsory Purchase Act 2004. (D11)

2. Prior to commencement of works, samples of the proposed roof material (no less than three) to include ridge tile, shall be submitted to, and approved in writing by the Local Planning Authority. Samples should be accompanied with details of source/supplier. The development shall be carried out thereafter in accordance with the approved particulars.

Reason: To preserve the character and special interest of the Conservation Area and setting of the listed building in accordance with Saved policy HE5 and HE6 of the Milton Keynes Local Plan 2001-2011 and advice in the National Planning Policy Framework.

3. No development shall take place within the site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

Reason: To ensure that a proper record is produced of any archaeological remains affected by the development pursuant to paragraph 141 of the

National Planning Policy Framework

4. Pursuant to the Town and Country Planning General Permitted Development Order 1995 (as amended) or any Statutory Instrument revoking or re-enacting that Order, the provisions of Article 3(1) and Classes A, B, C, D, E, F, and G of Part 1 of Schedule 2 of the said Order (relating to development within the curtilage of a dwellinghouse) shall not apply to the dwelling to which this permission relates and no such development shall be carried out without the permission of the Local Planning Authority being first obtained.

Reason: To protect the character and appearance of the Conservation Area and the amenities of nearby properties.

5. A landscaping scheme, which shall include provision for the planting of trees and shrubs, shall be submitted to and approved by the Local Planning Authority before any part of the development is commenced. The scheme shall show the numbers, types and sizes of trees and shrubs to be planted and their location in relation to proposed buildings, roads, footpaths and drains. All planting in accordance with the scheme shall be carried out within twelve months of commencement of development. Any trees or shrubs removed, dying, severely damaged or diseased within two years of planting shall be replaced in the next planting season with trees or shrubs of such size and species as may be agreed by the Local Planning Authority. (L01)

Reason: To protect the appearance and character of the area and to minimise the effect of development on the area.

6. Prior to the commencement of works, a sample panel of brickwork shall be constructed on site for the inspection and written approval of the Local Planning Authority. Sample panel should use the proposed walling material, mortar type, bond, coursing and pointing. The panel shall remain on site until the works are completed. The development shall be carried out thereafter in accordance with the approved particulars.

Reason: To preserve the character and special interest of the Conservation Area and setting of the listed building in accordance with Saved policy HE5 and HE6 of the Milton Keynes Local Plan 2001-2011 and advice in the National Planning Policy Framework.

7. Prior to commencement of works, full details including finish/colour or a sample of external timber work shall be submitted to, and approved in writing by the Local Planning Authority. The development shall be carried out thereafter in accordance with the approved particulars.

Reason: To preserve the character and special interest of the Conservation Area and setting of the listed building in accordance with Saved policy HE5 and HE6 of the Milton Keynes Local Plan 2001-2011 and advice in the National Planning Policy Framework.

8. Prior to any works commencing on the dwelling hereby permitted a schedule and specification of the repairs to the boundary walls shall be submitted and approved in writing by the local planning authority. The works shall thereafter be carried out in accordance with the approved particulars prior to the first occupation of the dwelling hereby permitted.

Reason: To ensure the proposed repair works to the listed walls are undertaken in an appropriate manner.

9. No new plumbing, pipes, soil stacks, flues, vents, extracts, ductwork, grilles, security alarms, lighting, cameras or other appurtenances shall be fixed on the external faces of the building unless shown on the drawings hereby approved or otherwise approved in writing by the Local Planning Authority.

10. Prior to commencement of works, full details of the proposed doors and windows shall be submitted to, and approved in writing by the Local Planning Authority. The development shall be carried out thereafter in accordance with the approved particulars.

11. Notwithstanding the details on the submitted plans the flue shall be painted black and shall be retained as such unless otherwise agreed in writing by the local planning authority.

Reason: To protect the character and appearance of the building and the conservation area in accordance with HE6 of the Local Plan.

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 NR/9/60 - ERECTION OF 3 DWELLINGS (OUTLINE) - PER 03.09.1960

MK/948/89 - ERECTION OF TWO DETACHED DWELLINGS (OUTLINE) - REF 04.10.1989

08/02086/LBC and 08/02087/FUL - ERECTION OF SINGLE STOREY DWELLING AND ALTERATIONS AND ENLARGEMENT OF THE EXISTING OPENING TO CREATE VEHICULAR ACCESS ONTO CROFTS END - PER 28.08.2009

11/01412/FUL - Erection of a single storey dwelling and enlargement of the existing opening to create vehicular access onto Crofts End (amended scheme to extant consents 08/02087/FUL and 08/02085/LBC) – Withdrawn

11/01413/LBC - Erection of a single storey dwelling and enlargement of the existing opening to create vehicular access onto Crofts End (amended scheme to extant consents 08/02087/FUL and 08/02085/LBC) - Withdrawn

12/01415/LBC - Extension of time limit on application 08/02085/LBC for listed building consent for the demolition of section of boundary wall to create access gateway; construction of single storey dwelling - PER 24.08.2012

12/01416/FUL - Extension of time limit on application 08/02087/FUL for the erection of a single storey dwelling and alterations and enlargement of the existing opening to create vehicular access onto Crofts End - PER 24.08.2012

12/01498/FUL - Erection of a single storey dwelling and alterations and enlargement of existing opening to create vehicular access onto Crofts End (amended scheme pursuant to withdrawn application 11/01412/FUL) - Withdrawn

12/01499/LBC - Listed building consent for the erection of a single storey dwelling and alterations and enlargement of the existing opening to create vehicular access onto Crofts End (amended scheme pursuant to withdrawn application 11/01412/FUL and 11/01413/LBC) - Withdrawn 17.10.2012

A2.0 ADDITIONAL MATTERS

(Matters which were also considered in producing the Recommendation)

A2.1 Impact on neighbouring properties

The dwelling is single storey in scale and is given its relationship to the properties to the east of the site on Crofts End is not considered to significantly impact on their residential amenity. The application site is surrounded by 2 metre high brick walls and given the distance to other neighbouring properties is not considered to significantly impart on their residential amenity.

A2.2 The applicant has agreed to enter into a legal agreement with the Council to ensure that if the current proposal were implemented the previous consents for a dwelling on the site could not be implemented. This would ensure the proposed dwelling had adequate amenity for future residents.

A2.3 Access and Parking

The previous application for a dwelling on the site was reported to Development Control Panel with a recommendation for refusal as the access from Crofts Ends was considered to have substandard visibility and the highway engineer objection. However the Panel approved the applications as they considered these issues did not justify refusal. As the access remains the same as the previous approval and there have not been any changes to the road layout since the approval it is not considered that it would be reasonable to recommend refusal of the application on the basis of a substandard access. Parking for at least two vehicles is located on site in accordance with the adopted parking standard.

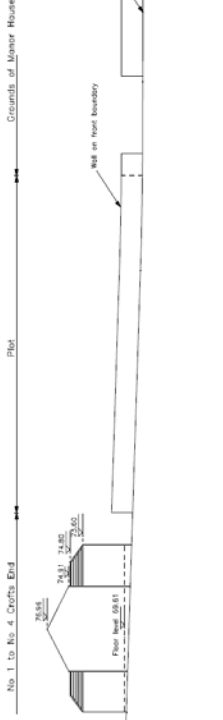
OS Ref SP8946SW



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LAND REAR MANOR HOUSE,
Crofts End, Sherrington,
Scale 1:1250



FRONT ELEVATION (Street Scene)
Scale 1:200

- STATED PLOT DIMENSIONS
(supplied by seller of Plot)
- A to B 19.892
 - B to C 15.310
 - C to D 15.398
 - D to E 10.985
 - E to F 6.035
 - F to H 8.252
 - G to I 8.109
 - H to J 8.109
 - A to G 32.448
 - C off BD 2.078

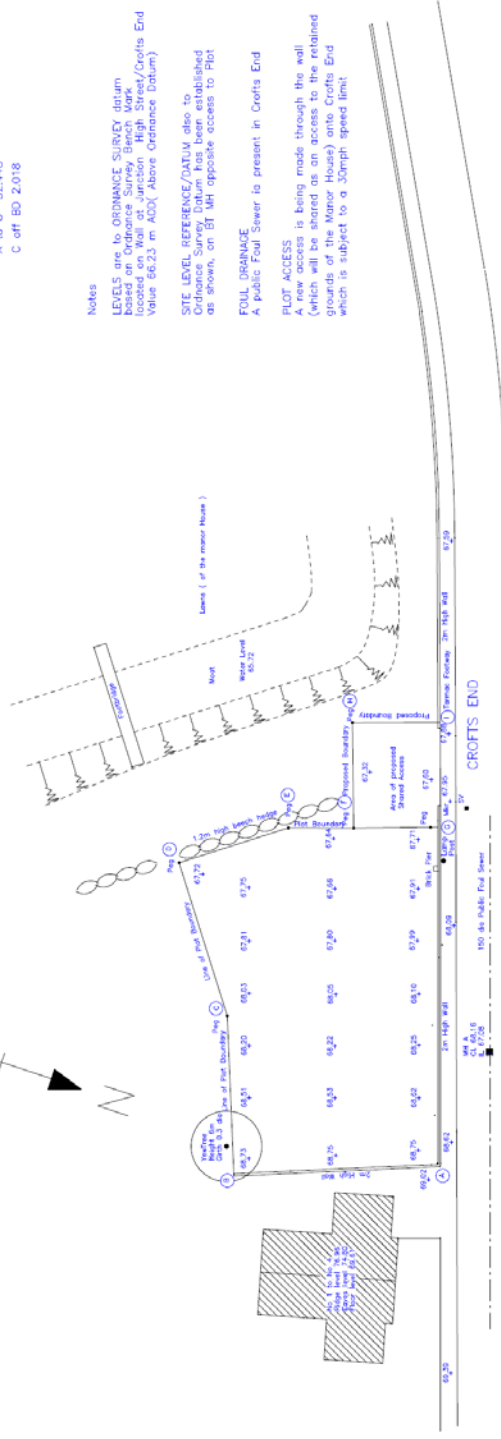
Notes

LEVELS are to ORDNANCE SURVEY datum
 (which is based on the datum level located on Wall at Junction High Street/Crofts End Value 66.23 m AOD) (Above Ordnance Datum)

SITE LEVEL REFERENCE/DATUM also to
 Ordnance Survey Datum has been established as shown, on BT MH opposite access to Plot

FOUL DRAINAGE
 A public Foul Sewer is present in Crofts End

PLOT ACCESS
 A new access is being made through the wall (which will be shared as an access to the retained grounds of the Manor House) onto Crofts End which is subject to a 30mph speed limit.

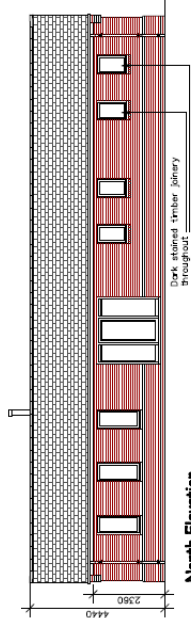


SITE LEVEL DATUM No 1
 had been established on BT Manhole
 With Ordnance Survey Level of 67.50 m AOD
 (Above Ordnance Datum)

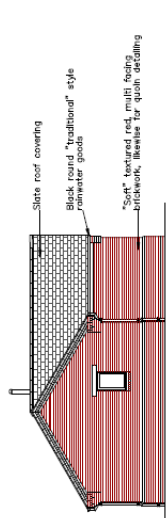


SITE SURVEY
Scale 1:200

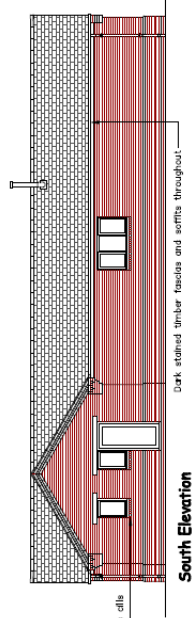
Scale 1:200 @ A1 Size



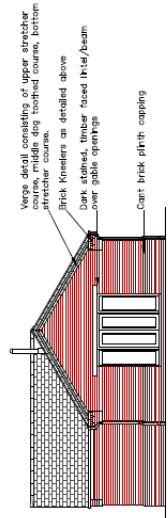
North Elevation



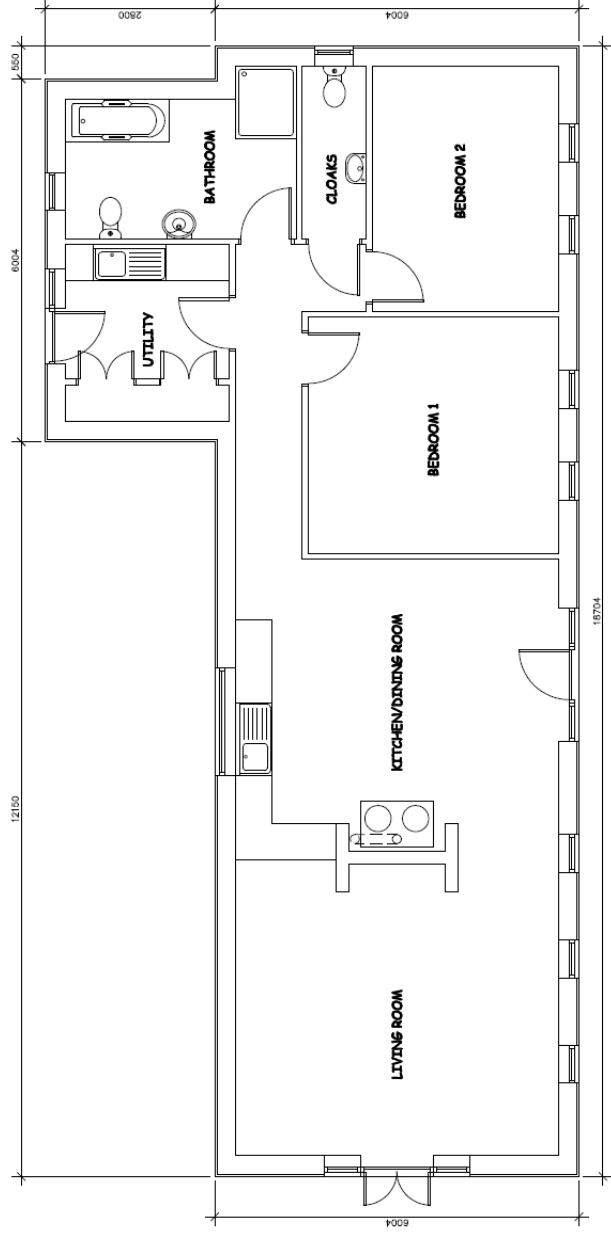
West Elevation



South Elevation



East Elevation



FLOOR PLAN

<p>10 Manor Meads Bridges Street St Yves Huntington Cambs PE27 5EG</p> <p>Tel: 01455 494949 Fax: 01455 493999 email: enquiries@peterboroughplanning.co.uk</p>	
<p>PROJECT PROPOSED DWELLING ON LAND ADJ. 1-4 CROFTS END, SHERRINGTON, BUCKS. MK26 5NE FOR MR FELTCHER</p>	
<p>DRAWING TITLE PLANNING DRAWING FLOOR PLANS AND ELEVATIONS</p>	
<p>DRAWN NFM</p>	<p>SCALE: 1:50, 1:100 @ A2</p>
<p>DATE 11/07/12</p>	<p>DATE 11/004/12</p>

PREVIOUSLY APPROVED DWELLING SITE PLAN



SANSONE HALL ARCHITECTS

PROJECT: **CHERRY HOUSE: SIBBINGTON MANOR, SIBBINGTON**
TOWN: **SIBBINGTON**
SITE PLAN: **ALTERNATIVE ACCESS**

DATE: **07/23** DRAWN: **PH0001** REV: **A**

SCALE: **1/8" = 1'-0"**

NO. OF SHEETS: **1** SHEET NO.: **1**

DATE: **07/23** DRAWN: **PH0001** REV: **A**

SCALE: **1/8" = 1'-0"**

NO. OF SHEETS: **1** SHEET NO.: **1**

PREVIOUSLY APPROVED DWELLING ELEVATIONS



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 Parish - Sherington

The current design is ordinary, does not do justice to its very special location and differs radically from the original consented scheme. In spite of objection to the principle the parish council recognised the care and thought that had been put into the original design which kept the height of the building to a minimum and respected the village envelope. Milton Keynes Council should seek to discuss and modify the scheme in conjunction with the applicants.

Noted. See paragraph 5.4 – 5.10. The current application has been subject to pre-application advice. Policy D1, D2, D2A, HE5 and HE6.

A3.2 Conservation

No objection. Whilst the scheme now put forward is less architecturally influenced than the specific design of the scheme that has previously gained consent, it will not cause any additional impact on the conservation area or the setting of the nearby listed buildings (both designated heritage assets). This is primarily due to the location of the dwelling towards the back of the plot (although this brings about other planning considerations) and a simple palette of traditional materials. The position of the dwelling also reduces the disturbance to the boundary wall which is a curtilage structure to the farm house.

Noted. See para 5.6 to 5.10

A3.3 Although a listed building consent application has also been submitted, it is not clear from the proposals what works are to be undertaken to the boundary wall which is in need of repair. This needs to be clarified.

There was no requirement for listed building consent as the access has already been implements under the previous listed building consent. The LBC application has therefore been withdrawn.

A3.4 **Councils Archaeologists**

The proposed development may impact on significant medieval and/or post-medieval archaeological remains. An archaeological watching brief should be carried out during excavation of groundworks and services. This may be secured by the planning condition. Noted. See condition 3.

A3.5 **English Heritage**

No comments to date.

A3.6 **Local Residents**

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

1, 4-4D, 5, 6, 7, 9, 11, 13 Crofts End, Sherington
The Old Mill House, Sherington
Suites 1, 2, 3 And 4, The Bullpen, Manor Courtyard

A site notice was also placed at the site.

No comments have been received.