

Application Number: 17/02325/FUL**Description** External insulation and rendering of walls, 2 storey side and rear extension, garage conversion, orangery extension and creation of outdoor swimming pool.**AT** Half Acre, Castlethorpe Road, Hanslope, Milton Keynes, MK19 7HQ**FOR** Mr & Mrs Warner**Target:** 20th October 2017**Extension of Time:** Yes (until 26.07.2018)**Ward:** Newport Pagnell North And Hanslope**Parish:** Hanslope Parish Council**Report Author/Case Officer:** Sarah Watson
Planning Officer**Contact Details:** Sarah.Watson@milton-keynes.gov.uk**Team Manager:** Nicola Thompson - 01908 252789, Nicola.thompson@milton-keynes.gov.uk

1.0 RECOMMENDATION

It is recommended that permission is granted subject to conditions set out in this report.

2.0 INTRODUCTION

2.1 The Site

The application site is a residential property located in a residential area on the edge of Hanslope. The property itself is detached and situated in a large plot. No21b is situated to the north and No23 is situated to the south.

2.2 The Proposal

Planning permission is sought for external insulation and rendering of walls, a 2 storey side and rear extension, garage conversion, orangery extension and creation of outdoor swimming pool. Revised plans have been received changing the two storey side extension from gable to hipped.

The two storey side extension will be located along the north of the property and will be 1 metre from the boundary. It will be approximately 13.5 metre long and 5 metres wide. It would have an eaves height of 5.2 metres and an overall height of 6.8 metres. The single storey element would be 5.2 metres wide, with a length of approximately 6 metres along

the boundary with No21b and 8.5m on the opposite elevation. The single storey extension would have a lean to roof along the boundary with No21b. This would have an eaves height of approximately 3.2 metres and a ridge height of approximately 6.3 metres. The remainder of the single storey extension would have a flat roof that would be used as a terrace. There would be steps leading down from the terrace to the garden and an outdoor swimming pool behind the single storey extension.

The proposed external finish is white render over external insulation with vertical pattern natural timber cladding. The roof would be grey concrete profiled tiles to match existing.

2.3 Reason for referral to committee

This application is referred to the Development Control Panel as it has been called in.

3.0 **RELEVANT POLICIES**

3.1 National Policy

National Planning Policy Framework 2012
Paragraph 7 Sustainable Development
Paragraph 11-16 The Presumption in Favour of Sustainable Development
Paragraph 17 Core Principles
Section 7 Requiring Good Design

3.2 Local Policy

Milton Keynes Core Strategy 2013
Policy CSA Presumption in Favour of Sustainable Development
Policy CS13 Ensuring High Quality Well Designed Places

Milton Keynes Local Plan 2001-2011
Saved Policy D1 Impact of Development Proposals on Locality
Saved Policy D2 Design of Buildings
Saved Policy T15 Parking

3.3 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.

3.4 Equalities Act 2010

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

4.0 MAIN ISSUES

Design and Impact on Local Character
Impact on Amenity of Neighbouring Properties
Parking Provision
Other Matters

5.0 CONSIDERATIONS

5.1 Design and Impact on Local Character

5.1.1 Saved Policies D1 and D2 of the Milton Keynes Local Plan (2001-2011) and Policy CS13 of the Adopted Milton Keynes Core Strategy (2013) require the Council to have particular regard to the design and visual impact of new development and to the context in which it is placed.

5.1.2 Saved Policy D2 of the Milton Keynes Local Plan (2001-2011) states that "the extension of existing buildings will only be permitted providing the scale of the proposed extension does not detract from the character of the original building."

5.1.3 The proposed two storey side extension would be highly visible in the streetscene. However, it would be set back from the lobby and would almost mirror the other side of the property, with the exception of the hipped roof. Whilst it is somewhat unusual to have a hipped roof at one end of the property and a gable end at the other, it is apparent that there is a variety of property types in the vicinity of the site. It is proposed that the extension will have white render and will be timber clad. Again, whilst most of the properties in the area are constructed from brick, there are instances where properties have cladding or are rendered.

5.1.4 Given the above, it is considered that the proposal will have an acceptable impact on the streetscene and the local character.

5.2 Impact on Amenity of Neighbouring Properties

5.2.1 A significant number of objections have been received from the neighbour to the north (No21b). The majority of these objections relate to the loss of light and overshadowing. The neighbour has commissioned a right of light surveyor who has stated that the proposal is likely to breach the 45 degree test in relation to the ground floor kitchen window and the proposal is likely to partially breach the winter sunlight hours test in relation to the ground floor kitchen window. It has also been commented by the consultant that a BRE assessment has not been undertaken by the applicant.

5.2.2 The Council does not have a local validation list and there is no Statutory requirement for a BRE assessment to be undertaken for a house extension. It is noted that the objectors consultant have not provided evidence themselves as to the impact of the proposal (i.e. they have not undertaken such an assessment). Similarly, they have provided no information to suggest why the 45 degree rule would 'likely' be breached, nor have they indicated why the winter sunlight hours test would 'likely' be breached. Having visited the neighbouring property, it is evident that the ground floor kitchen is not a

habitable room, due to the size and function of it. The agent for the application has also provided plans indicating the 45 degree rule will not be breached in respect of the horizontal line. The plans also indicate that the vertical line is borderline and, if there is a breach, it is not by a significant degree. In the absence of any information to the contrary, it should be assumed that the information provided by the agent is correct.

5.2.3 The objector is also concerned about the impact the proposal would have on the first floor bedrooms. The roof of the proposed extension has been changed from a gable end to hipped roof in order to accommodate the concerns from the applicant in relation to the roof lights. It is considered that this revision ensures that the impact of overshadowing will be minimised. In addition to this, at the time of the site visit, it was not apparent that this room was used as a bedroom). The neighbour is also concerned about the impact on the first floor bedroom to the rear (above the kitchen). It is apparent that this room has two windows, a smaller one close to the proposed extension and a larger one further away. Again, at the time of the site visit, it was not apparent that this room was used as a bedroom, it was used for storage. It is acknowledged that this use could change in the future and the room could be used as a bedroom. However, given there are two windows serving the room, it is not considered that the proposed extension would have a significant impact on neighbouring amenity.

5.2.4 Concern has also been raised regarding the height of the lean to roof and whether or not it was necessary and appropriate. The proposal includes a roof terrace and it is necessary to have some sort of screen to protect the amenity of the neighbouring property at No21b. It is considered that the size of the roof is appropriate and, whilst it will cause a degree of overshadowing at certain times of the day, it is not considered that this impact would be inappropriate. The applicant has submitted a model demonstrating the impact of overshadowing in March and June and, while there may be a margin of error in the model, having spoken to the applicant it is considered that this is negligible.

5.2.5 There are two windows proposed on the north elevation - these will serve bathrooms and will be obscure glazed.

5.2.6 Given the above, it is considered the impact on neighbouring amenity is acceptable.

5.3 Parking Provision

5.3.1 Saved Policy T15 of the Milton Keynes Local Plan (2001-2011) ensures developments would have sufficient parking provision so that highway safety would not be adversely affected by on street parking. The Milton Keynes Parking Standards (2016) (SPD) sets out the requirements for on plot parking provision.

5.3.2 No21b has objected to the proposed parking arrangement, however, the highway authority has raised no objection, subject to a condition surrounding the car port. It is therefore considered that the proposed parking is acceptable.

5.3.3 The parking calculation is set out in the table below:

1 units in Zone 4	Bedrooms	Allocated		Unallocated	
		Required	Proposed	Required	Proposed
1	5	3 per unit = 3	4	0.33 per unit = 1	3
				TOTAL REQUIRED = 4 TOTAL PROPOSED = 7	

5.4 Other Matters

5.4.1 A number of other concerns have been raised by No21b. There are addressed individually below:

- The property has already been increased in size considerably:

Whilst the property may have been extended previously, this application is considered on its own merits and, given the size of the plot in which the property is situated; it is not considered that it will be overdeveloped.

- Apple trees will be removed

There is no requirement for consent to remove trees in this instance as the trees are not covered by a TPO or TCA.

- There will be an unacceptable increase in pollution

No evidence has been submitted to demonstrate the house extension will cause a significant increase in pollution.

- Is the garage being built on the current footprint?

This is not a material planning consideration.

- The steps to the roof of the garage indicate that this is a terrace - why is this not on the plan?

This is not a material planning consideration. It is evident that the area will be used as a terrace.

- A car port is also included but not mentioned in the notification letter

Whilst not indicated in the notification letter, it is evident that the proposal does include a car port from the plans.

- What is the purpose of the tiles roof on the garage? The roof of the garage should be flat and not used as a terrace or reverse the positions of the sun terrace and orangery
It is considered that the proposal is acceptable and that the roof tiles on the garage are acceptable.

- The swimming pool should be moved to the other side of the plot

No planning reason has been given for this.

- Has the depth of the swimming pool been requested?

The section shows a depth of approximately 1.7m

- Willow and apple trees will be removed for the swimming pool
The trees are not protected and the applicant could remove them at any time.

- There are bats using the trees
Bats are a protected species and there is separate legislation covering this.

6.0 CONCLUSIONS

6.1 In conclusion the application is considered to be acceptable.

7.0 CONDITIONS

1. 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.

2. No development shall take place above slab level until samples of the external materials to be used in the construction of the development have been submitted and approved in writing by the local planning authority. 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 Policy CS13 of the Milton Keynes Core Strategy 2013 and Saved Policy D2 of the Milton Keynes Local Plan 2001-2011.

3. 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 windows in the north elevation serving the bathrooms shall be obscurely glazed to a minimum level 3 within the Pilkington range of Textured Glass or equivalent. 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 Saved Policy D1 (iii) of the Milton Keynes Local Plan 2001-2011.

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), no external or internal alterations shall take place to any carports without the prior written consent of the Local Planning Authority.

Reason: To ensure that alterations are not carried out which would make the carports unavailable for parking purposes, thereby eroding the parking facilities on the development in accordance with Policy T15 of the Milton Keynes Local Plan 2001-2011.

Location Plan of half acre, castlethorpe Road, Hanslope

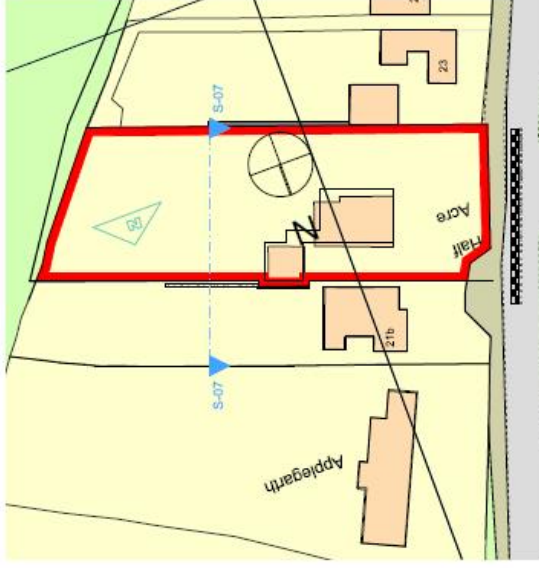


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plans ahead by **emapsite**
Prepared by: Christopher Phillips, 17-03-2017

OS_MasterMap_Colour_PDF_Location_Plan_411855_540097 1:1



-2. Site 1:500

Revision History

Rev	Description	Date

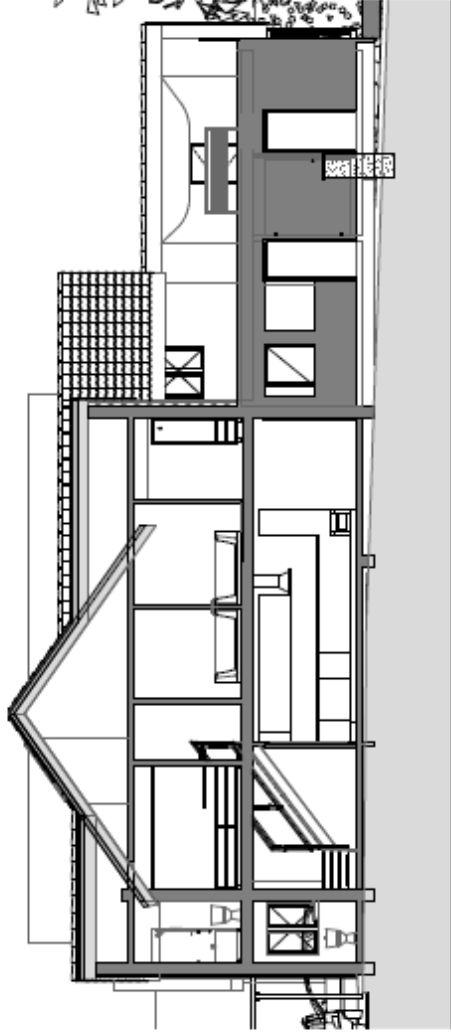


Drawing Scale 1:500, 1:2, 1:1
Project ID A.01.1
Revision

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Date Date



S-25

Building Section (1)

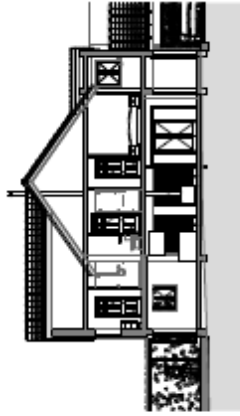
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S-21

Building Section

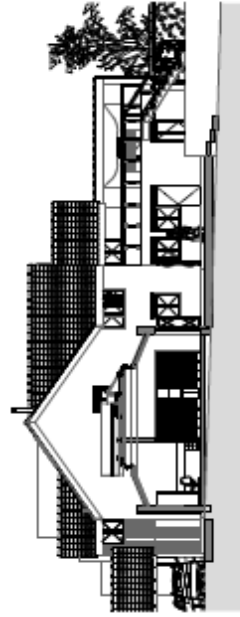
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S-24

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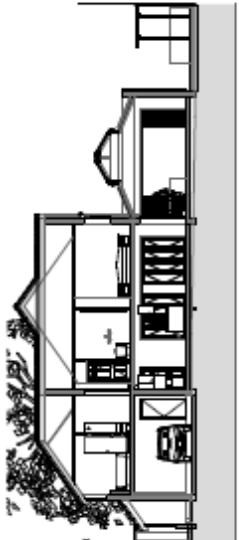
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S-22

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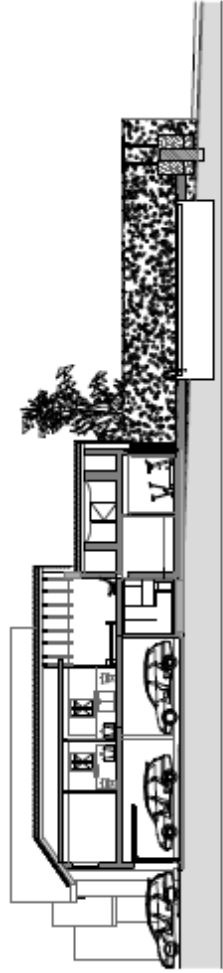
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S-26

Building Section (1)

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S-23

Building Section

1:100

Project No.	
Client	
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Date	
Project Name	Building Section, Building
Project No.	1:100, 1:50
Scale	A3/A4
Sheet	

Appendix to 17/02325/FUL

A1.0 RELEVANT PLANNING HISTORY

No recent planning history.

A2.0 ADDITIONAL MATTERS

None.

A3.0 CONSULTATIONS AND REPRESENTATIONS

- A3.1 2 neighbours consulted. Several responses received (from same neighbour).
- Half acre previously extended (in 1980's) and has increased in size as much as it can under PD.
 - The current application will extend the original house from 8.4m to 29m in length and from 8.4m to 22m in width.
 - There will be a loss of light to the second floor of 21b
 - The distance between the two properties will be reduced from 6.9m to 1.9m
 - There will be overshadowing
 - The new 2 storey extension will protrude 3.5m to the rear of the property, with a height of 5.5m and will be 1m from the boundary
 - A roof terrace will be created this will cause an overbearing environment that would harm amenity
 - Ground slopes so walls and rooflines become higher as you build further into the garden
 - The rooflines will cast shadows in excess of three quarters the width of the garden where currently it is less than half
 - Apple trees will need to be removed if the swimming pool is built
 - Parking will be reduced to an unacceptable level
 - The proposed parking is unsuitable
 - There will be an unacceptable increase in the level of pollution
 - The building will not be in keeping with the streetscene
 - There will be overdevelopment of the site
 - Is the double garage going to be built on the current footprint?
 - The steps to the roof of the garage indicate that this is a terrace - why is this not on the plan?
 - A car port is also included but not mentioned in the notification letter
 - What is the purpose of the tiles roof on the garage?
 - The roof of the garage should be flat and not used as a terrace or reverse the positions of the sun terrace and orangery
 - The swimming pool should be moved to the other side of the plot
 - The height of the two storey extension should be reduced
 - Has the depth of the swimming pool been requested?
 - Willow and apple trees will be remove for the swimming pool
 - Does the applicant need to undertake daylight and sunlight tests?
 - What happens when the planning decision is issued?
 - If changes are requested to the plans, does the process start again?
 - There are bats using the trees on the site (video provided)

(these matters are addressed in sections 5.1-5.4)

Right of Light Consulting (on behalf of 21b)

- Applicant has not submitted a daylight or sunlight study
- Proposal is likely to breach the 45 degree test in relation to the ground floor kitchen window.
- Proposal is likely to partially breach the winter sunlight hours test in relation to the ground floor kitchen window.
- We request no decision is made until the applicant undertakes a BRE assessment
- Whilst right of light is not a material planning consideration, it is useful to assess the risk of any potential civil claim. We strongly urge that this matter is resolved at the planning stage to avoid this.

(these matters are addressed in section 5.2)

A3.2 Parish Council - Hanslope

- The size and design of the property are not in keeping with the surrounding properties
- A significant loss of light will be experienced by neighbouring properties
- By converting the double garage into living space you are increasing the possible number of occupants and reducing the available parking options. HPC are concerned that additional cars may be parked on the road causing further parking issues
- The extension would require the removal of a number of mature trees causing ecological impact.

(these matters are addressed in sections 5.1-5.4)

A3.3 Cllr A Geary - request the application is called in to Development Control Panel

A3.4 Highways

- No objection - recommend standard car port condition is attached.

(this matter is addressed in section 5.3)