

**Application Number: 16/03430/FUL**

**Erection of 1 x one bedroom detached bungalow (resubmission 15/02821/FUL)**

**AT Land South of 28 Vandyke Close, Woburn Sands**

**FOR Mr Tom McEvaddy**

**Target:** 25th January 2017 (extension of time agreed to 17<sup>th</sup> March 2017)

**Ward:** Danesborough And Walton

**Parish:** Woburn Sands Town Council

**Report Author/Case Officer:** Stephen Gee Senior Planning Officer

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## **1.0 INTRODUCTION**

*(A brief explanation of what the application is about)*

1.1 The main body of the report set out below draws together the core issues in relation to the application including policy and other key material considerations. This is supplemented by an appendix which brings together planning history, additional matters and summaries of consultees' responses and public representations. Full details of the application, including plans, supplementary documents, consultee responses and public representations and available on the Council's Public Access System [www.milton-keynes.gov.uk/publicaccess](http://www.milton-keynes.gov.uk/publicaccess). All matters have been taken into account in writing this report and recommendation.

1.2 The application is referred to the Development Control Panel for determination as more than one third party objection has been received. An objection has also been received from Woburn Sands Town Council.

### **1.3 The Site**

The application site is located on a bend on Vandyke Close in Woburn Sands. The site currently consists of a semi-detached single storey bungalow with a landscaped area to the south of the site which is enclosed by a low-level picket fence. There are two vehicular accesses within the site. One to the west of the site which leads to a single garage, with a more recent vehicular access having been created to the east of the site, towards the front entrance of the property.

1.4 To the north-west of the application site is the rear garden of no.28 Vandyke Close. The adjoining property no.26 Vandyke Close is situated to the north of dwellinghouse with neighbouring property no. 30 Vandyke Close being positioned to the west. To the east and south of the dwellinghouse, located on

the opposite side of Vandyke Close are a number single-storey detached and semi-detached bungalows. The site does not fall within the Woburn Sands Conservation Area.

## 1.5 The Proposal

This application seeks planning permission for the demolition of the existing single garage, garden wall and porch to the south of the original dwelling, with the construction of a one bedroom, detached bungalow. The new bungalow comprises of an entrance hall, living room, bathroom, kitchen and bedroom. A single parking space is proposed to the west of the new bungalow.

- 1.6 In addition to the construction of a new bungalow, a single storey front extension with a gabled roof, to the original dwelling is proposed. This single storey front extension seeks to extend 1 metre from the front elevation of the dwelling and measures 3.5 metres in width, with a ridge height of 3.5 metres and an eaves height of 2.3 metres.

## 2.0 RELEVANT POLICIES

*(The most important policy considerations relating to this application)*

### 2.1 National Policy

National Planning Policy Framework (March 2012), Paragraphs:

6-14 Presumption in favour of Sustainable Development  
17 Core Planning Principles  
32 Transport  
39 Parking  
47-55 Delivering a wide choice of High Quality Homes  
56-58 Design  
69-70 Promoting Healthy Communities  
109-118 Conserving and Enhancing the Natural Environment  
183-185 Neighbourhood Plans  
186-187 Decision-Taking  
196-107 Determining Applications  
203-206 Planning Conditions and Obligations

### 2.2 Local Policy

Core Strategy (2013), Policies:

CSA Presumption in favour of Sustainable Development  
CS1 Milton Keynes Development Strategy  
CS2 Housing Land Supply  
CS10 Housing  
CS12 Delivering Successful Neighbourhoods  
CS13 Ensuring High Quality Well Designed Places

Milton Keynes Local Plan 2001-2011 (2005), Saved Policies:

D1 Impact of Development Proposals on Locality

D2 Design of Buildings  
D2A Urban Design Aspects of New Development  
H7 Housing on Unidentified Sites  
T10 Traffic  
T15 Parking Provision

Supplementary Planning Documents

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

## 2.3 Neighbourhood Plan

Once a Neighbourhood Plan has been agreed at a referendum and is 'made' (brought into legal force) by the local planning authority it becomes part of the local planning authority's development plan as an official development plan document which carries statutory weight. Applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. If a policy contained in the development plan for an area conflicts with another policy in the development plan, the conflict must be resolved by the decision maker in favour of the policy which is contained in the latest document to become part of the development plan.

Neighbourhood Plans therefore form part of the development plan for the relevant area. They will necessarily be in general conformity with the strategic policies contained in the development plan for the area. If they are the most recent document to become part of the development plan, they will attract statutory priority. Neighbourhood Plan policies will also take precedence over non-strategic development plan policies where there is conflict.

## 2.4 Woburn Sands Neighbourhood Plan 2014-2026 (July 2014)

At its meeting on 16 July 2014, Full Council approved that Milton Keynes Council makes the Woburn Sands Neighbourhood Plan 2014-2026 part of the Milton Keynes Council Development Plan.

The following Neighbourhood Plan policies are of relevance to this application:

WS1 Design Parameters  
WS4 Traffic and Parking  
WS6 Housing

## 3.0 MAIN ISSUES

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

- 3.1 1. The Principle of Development
2. Design and Appearance
3. Traffic, Access and Parking
4. Impact on neighbouring amenity

#### **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 Section 6 of this report.

#### **5.0 CONSIDERATIONS**

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

##### **5.1 The Principle of Development**

In accordance with Paragraph 14 of the National Planning Policy Framework, Policy CSA of the Core Strategy confirms that the Council will take a positive approach that reflects the presumption in favour of sustainable development. Where relevant policies are out of date the Council will grant permission unless material considerations indicate otherwise taking into account whether any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits.

- 5.2 The application site is located in an existing housing area as defined in the Milton Keynes Local Plan 2001-2011. The application is considered to comply with saved Policy H7 of the Milton Keynes Local Plan 2001-2011 which relates to housing on unidentified sites as the application site is situated in an accessible location and the proposed development is compatible with the surrounding residential area.
- 5.3 Policy WS6 of the Woburn Sands Neighbourhood Plan 2014-2026 accepts the principle of limited small-scale infilling between existing properties or the redevelopment of existing properties subject to the development being of a scale and in a location that complies with the other policies of the Neighbourhood Plan.
- 5.4 Notwithstanding the above, when determining this application it is necessary to also consider the fact that the Council cannot currently demonstrate a five year housing land supply. Paragraph 49 of the National Planning Policy Framework advises that relevant policies should be considered out-of-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites. In such circumstances, the Council must rely on the provision of Paragraph 14 of the National Planning Policy Framework and an assessment must be made as to whether the proposal can be considered a sustainable development in economic, social and environmental terms.
- 5.5 The application site is located within the built-up area of Vandyke Close in Woburn Sands. The proposed development is therefore within an established housing area and as such it is considered that the location is sustainable. In terms of social issues, the development would provide an additional dwelling to meet a currently identified need. In terms of economic issues, the construction activities associated with the development could potentially generate employment opportunities in the short term and in the longer term potentially support the local economy and services.

5.6 On the basis of the above, and also taking into account that the principle of a new dwelling in this location has previously approved through planning permission refs. 15/02821/FUL and 16/02068/FUL, the erection of a single dwelling is considered to be acceptable in principle.

**5.7 Design and Appearance**

Saved Policy D2(ii) and (iv) of the Milton Keynes Local Plan 2001-2011 and Policy CS13 of the Core Strategy seek to ensure that all new buildings are well designed and relate well to the surrounding area.

5.8 The local area is characterised by a variety of house types, designs and styles and neighbouring properties no.26 and no.28 Vandyke Close are bungalows. The proposed new dwelling would be reflective of the design and appearance of dwellings in the local streetscene and would incorporate the use of matching materials to the host dwelling. This ensures the new building would not be visually intrusive and integrates satisfactorily with the character and appearance of the local area.

5.9 The bend where the proposed development would be situated holds a high amenity value in the current streetscene and positively contributes to the open character of this section of Vandyke Close. However, this land is not designated as public open space or as a green corner as it is within the ownership of the applicant. There may be separate restrictive covenants on this land requiring it to remain as landscaping, preventing the erection of a new dwelling, however these restrictive covenants are separate to planning.

5.10 The rear garden of the proposed dwelling would be 7.7 metres long and 5.6 metres wide. The garden of no.26 Vandyke Close would be reduced in size to 7.7 metres long and 8.0 metres wide. These distances are shorter than the recommended length of 10 metres as outlined in the New Residential Development Design Guide SPD. However, given that neither no.26 Vandyke Close (a two bedroom property) nor the proposed new bungalow (one bedroom property) are considered to be family dwellings the requirement of a 10 metres deep garden does not need to be applied as rigidly. In this instance, the proposed 7.7 metres rear garden for both properties is considered to be of a sufficient size given the size of the dwellings.

5.11 Overall the proposed form, siting and design of the new dwelling is considered to respect the existing built form and character to ensure it does not appear visually intrusive and would not erode the character and appearance of the local area. The proposal would therefore accord with saved Policy D2 of the Milton Keynes Local Plan 2001-2011.

**5.12 Impact on neighbouring amenity**

Saved Policy D1(iii) of the Milton Keynes Local Plan 2001-2011 requires development proposals to retain a good standard of amenity for any occupiers of the development or neighbouring properties affected by the proposal. The New Residential Development Design Guide SPD outlines the

required spacing and separation distances for family housing and provides further advice with regard to amenity issues.

- 5.13 The relationship between the application site and its neighbouring properties would be altered as a result of the proposal due to the introduction of a new dwelling. However, as the proposed new bungalow is single storey only it is not considered to represent significant harm by way of overlooking of neighbouring properties. A close boarded fence measuring 1.8 metres is proposed to be erected between the new bungalow and no.28 Vandyke Close which is considered to be sufficient to protect the amenity to this neighbouring property.
- 5.14 The rear to flank separation distance between the new bungalow and the neighbouring property no.30 Vandyke Close would be approximately 11.6 metres. This separation distance is shorter than the recommended distance of 13.7 metres in the New Residential Development Design Guide SPD. However, this distance relates more to windows at first floor level. As the proposal is for a single storey bungalow the reduced separation distance is not considered to be detrimental to the amenity of the occupiers of no.30 Vandyke Close.
- 5.15 Overall, the proposed development is not considered to have an adverse impact on the amenity of neighbouring properties and therefore is in accordance with saved Policy D1(iii) of the Milton Keynes Local Plan 2001-2011.

#### 5.16 **Traffic, Access and Parking**

Concerns have been raised regarding the proposed siting of the new bungalow impeding the visibility on the bend in Vandyke Close. The applicant has provided visibility splays and these have been accepted by the Council Highways Engineer who has confirmed no objection to the proposals.

- 5.17 In accordance with the Council's Parking Standards, one parking space is proposed to serve the new bungalow (one bedroom dwelling) and two spaces are proposed to serve no.28 Vandyke Close (two bedroom dwelling). As there are no material changes between the current application and previously approved planning applications 15/02821/FUL and 16/02068/FUL it is regarded that the proposal would have an acceptable impact on parking provisions.
- 5.18 Overall, sufficient parking provision has been provided and a development of the scale proposed is not considered to significantly exacerbate the existing issues in the local area regarding parking and congestion. The proposal is therefore acceptable having regards to saved Policies T10 and T15 of the Milton Keynes Local Plan 2001-2011.

#### 5.19 **Conclusion**

The proposed application is considered to accord with the policy requirements

of the Milton Keynes Council Development Plan, including the Woburn Sands Neighbourhood Plan 2014-2026, and the National Planning Policy Framework as a whole and there are no adverse impacts of such significance that would demonstrably outweigh the benefits of the development. In accordance with the presumption in favour of sustainable development it is therefore recommended that planning permission is granted.

## **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 the commencement of works above slab level, details and samples of the external materials to be used in the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the development does not detract from the appearance of the locality and to accord with saved policy D2 (ii) of the Milton Keynes Local Plan 2001-2011.

3) No part of the development hereby permitted shall be occupied until the parking areas have been laid out and surfaced in accordance with the plans hereby approved. Thereafter the parking area shall only be used for the parking of vehicles in connection with the development the subject of this permission.

Reason: To ensure adequate on-plot parking provisions in accordance with the provisions of saved Policy T15 of the Milton Keynes Local Plan 2001-2011 and the Parking Standards, 2016, Supplementary Planning Document.

4) Prior to the first occupation of the development hereby permitted, the visibility splays shown on the approved drawings shall be provided and the area contained within the visibility splays shall be kept free of any obstruction exceeding 0.6m in height above the nearside channel level of the carriageway thereafter.

Reason: To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access.

5) Prior to the first occupation of the development hereby permitted details of bicycle storage shall be submitted to and approved in writing by the Local Planning Authority and the scheme approved shall be provided and be

retained thereafter.

Reason: To ensure that adequate cycle parking facilities are provided to serve the development and to accord with the Parking Standards, 2016, Supplementary Planning Document.

6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order)(England) 2015 or any Statutory Instrument revoking or amending or re-enacting that Order, the following provisions part 1 of Schedule 2 of the said Order shall not apply to any dwelling to which this permission relates and planning permission shall be required for the forms of development described:

Classes A, B, C, D, E, F.

Reason: Due to the constrained nature of the site and to preserve the amenity of surrounding residential occupiers, the Local Planning Authority wishes to control future alterations in the interests of the amenity of surrounding neighbouring properties and the character of the area. Ensuring compliance with saved policy D1 (iii), D2A and D2 of the Milton Keynes Local Plan 2001-2011.

7) Prior to the commencement of development for the dwelling to which it relates, a scheme showing the location, type and height of the proposed boundary treatments for the development shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary treatments shall be provided in accordance with the approved details and be completed prior to the first occupation of the new dwelling.

Reason: To ensure a satisfactory appearance for the development in the interests of visual amenity and privacy and to accord with saved policy D1 (iii), D2A and D2 (ii & v) of the Milton Keynes Local Plan 2001-2011.

8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) (England) 2015 or any Statutory Instrument revoking or amending or re-enacting that Order, the following provisions part 2 of Schedule 2 of the said Order shall not apply to any dwelling to which this permission relates and planning permission shall be required for the forms of development described under Class A.

Reason: the Local Planning Authority wishes to control future alterations in the interests of retaining the character and appearance of the local area and to accord with saved policy D2A and D2(ii & v) of the Milton Keynes Local Plan 2001-2011.





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The representation of a road, track or path is no evidence of a right of way.

The representation of features as lines is no evidence of a property boundary.

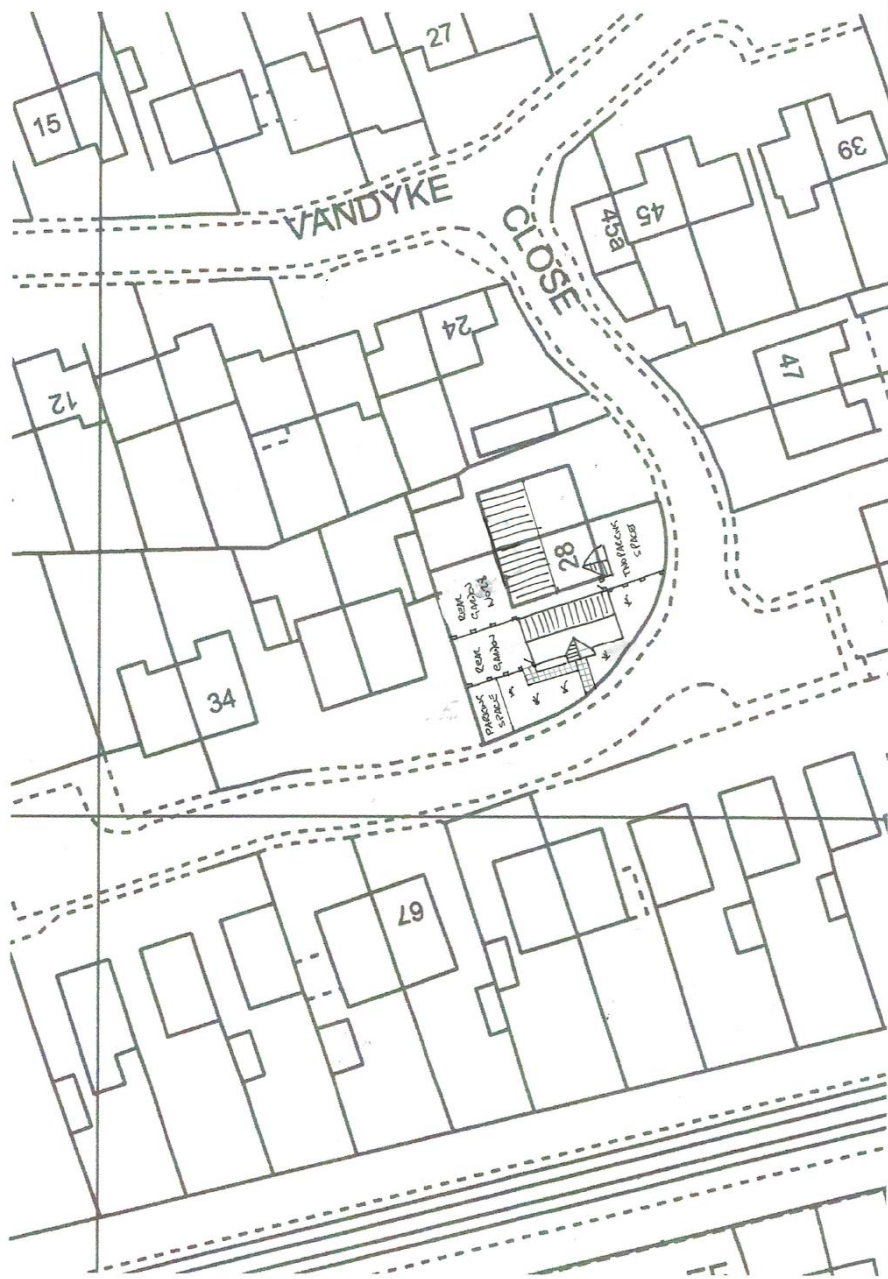


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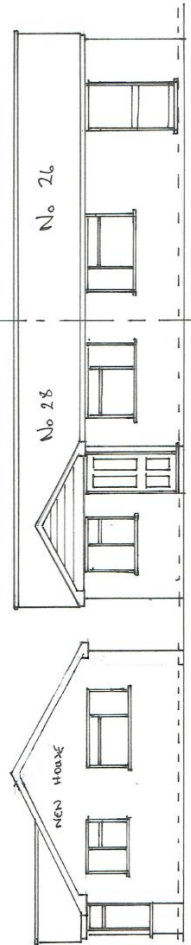
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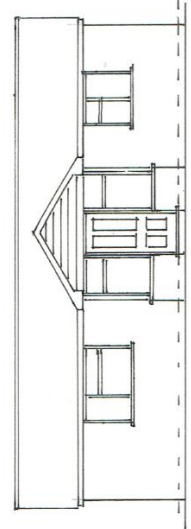
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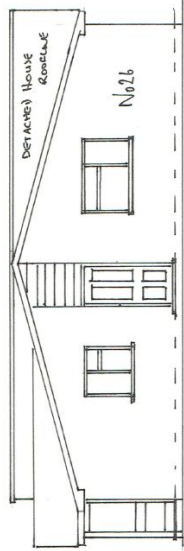
Proposed Detached Dwelling  
 in Side Yard of  
 28 Vandyke Street, Windsor, Small, MKT 28  
 Date: 16 Nov 16  
 Scale: 1:500  
 Drawn by: VAN 003



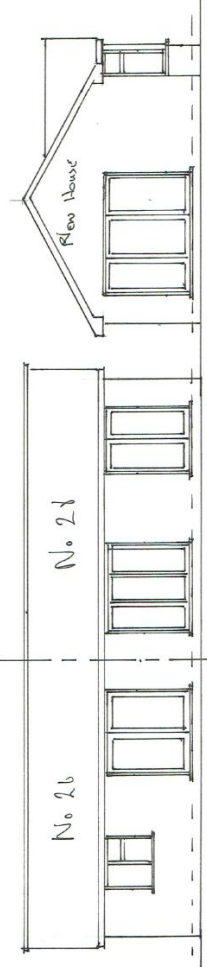
Proposed Plans Elevation



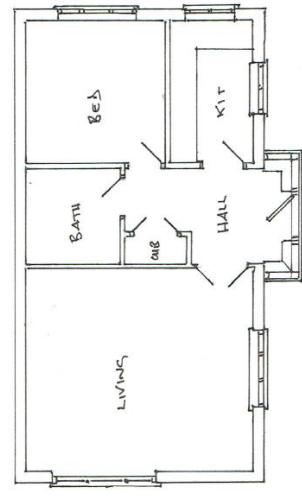
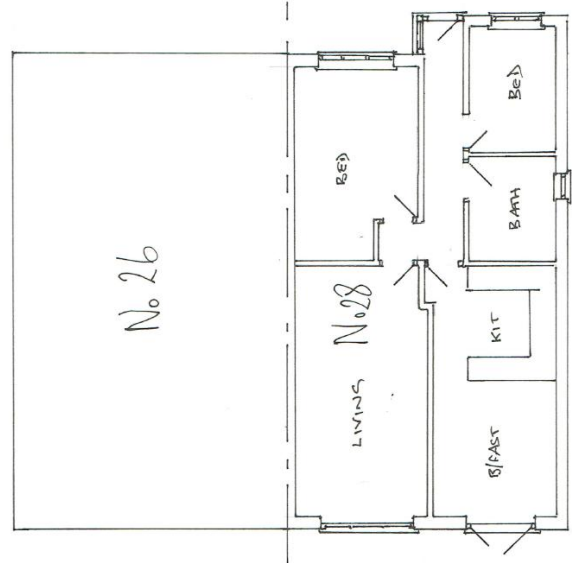
Proposed Front Elevation New Build



Proposed Site Elevation View from No 26



Proposed Rear Elevation



DETACHED Floor LAYOUT

Proposed Detached Buildings  
 in Site Garden of:  
 No 28 Vandyke Close, Woburn Sands,  
 MK17 8AX  
 Drawing No: Proposed Elevations &  
 Floor Plans  
 Scale: 1:100 DWG: 20 NOV 16  
 Date: NOV 16

## **Appendix to 16/03430/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 15/00992/FUL

New end of terrace bungalow  
REFUSED 25.06.2015

#### 15/01865/FUL

Side extension to bungalow  
WITHDRAWN 01.10.2015

#### 15/02821/FUL

Demolition of the existing garage, garden wall and porch, construction of an end of terrace one bedroom bungalow and the erection of single storey front extension to the original dwelling  
PERMITTED 19.02.2016

#### 16/02068/FUL

Demolition of existing porch and erection of single storey front extension to 28 Vandyke Close, and the erection of attached bungalow (1 metre increase in width to previously approved scheme ref: 15/02821/FUL)  
PERMITTED 17.11.2016

### **A2.0 ADDITIONAL MATTERS**

*(Matters which were also considered in producing the Recommendation)*

A2.1 None.

### **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 Highways Development Control**

No objections subject to conditions relating to protection of visibility splays, provision of parking and bicycle storage.

Please refer to para 5.16-5.18 and Conditions 3, 4 and 5.

##### **A3.2 Network Rail**

No comments received.

Noted.

##### **A3.3 Cranfield Airport**

No comments received.

Noted.

##### **A3.4 Woburn Sands Town Council**

Noted.

#### **Objects to the application.**

Please refer to para 5.16-5.18.

This is yet another application following on the heels of a series of previously refused applications. Having now gained permission for an attached new dwelling to one separated from a pair of pre-existing bungalows.

The Town Council objects to this latest application because part of the new dwelling will be in front of the existing line of build of nos. 30-36 Vandyke Close as such on a corner plot will be even more visible and obstruct site lines around this corner.

This whole corner was designed as an open aspect within

the development and having finally got permission to build on part of the garden open space area, the applicant now wants to further limit the open space aspect of the Close.

A3.5 Danesborough and Walton Ward – Cllr David Hopkins Noted.  
No comments received.

A3.6 Danesborough and Walton Ward – Cllr Victoria Hopkins Noted.  
No comments received.

A3.7 Danesborough and Walton Ward – Cllr Alice Jenkins Noted.  
No comments received.

#### A3.8 **Local Residents**

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

26, 30 and 49-63 (odds) Vandyke Close, Woburn Sands

**3 x representations in objection to the application have been received.**

The following comments were raised:

1. The proposed dwelling by virtue of its form, siting and design of the development would result in a cramped and incongruous form of development that would constitute an unsympathetic addition in the streetscene which fails to take into account the existing built form and character.
  2. The dwelling would be visually intrusive and would erode the open and spacious character of the streetscene of this section of Vandyke Close causing harm to the character and appearance of the locality.
- 1-2 Please refer to para 5.7-5.11.  
The form, siting and design of the new dwelling is considered to be acceptable.

3. It is obvious that due to the increase in vehicles using this property there will be car parking on the bend of the highway causing restricted viewing for drivers and we all know young children, elderly residents and parked vehicles do not mix.
  4. Vandyke Close is often used by large delivery vans and lorries to turn their vehicles, there is no other exit from the Close but there is a turning area at the end.
  5. The proposed building will be erected on a grassy area which is not in line with the existing properties.
  6. Concerns regarding boundary fencing and removal of the garages which presently prevents overlooking.
3. Please refer to para 5.16-5.18. Parking is provided in accordance with the Council standards. The Highways Engineer has raised no objections to the proposals.
  4. The use of Vandyke Close by large delivery vans is not as a consequence, nor would it be exacerbated by the proposed development.
  5. The principle of building a dwelling on this land has previously been accepted through application 15/02821/FUL
  6. Please refer to para 5.12-5.15.