

Application Number: 18/02473/FUL

Description – Single storey rear extension.

AT 4 Longcross, Pennyland, Milton Keynes, MK15 8AR

FOR Mr Sathasiyam

Target: 3rd December 2018

Extension of Time: Yes

Ward: Campbell Park & Old Woughton

Parish: Great Linford

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1.0 RECOMMENDATION

It is recommended that permission is granted, subject to the conditions set out at the end of this report.

2.0 INTRODUCTION

The Site

2.1 The application site is a link detached dwelling situated within the locality of Pennyland. The dwelling has permission for a first floor extension to provide one additional bedroom and is serviced by one off street car parking space to the front.

The Proposal

2.2 The application seeks permission for the erection of a single storey extension to the rear elevation extruding from the rear elevation by 3m.

Reason for referral to committee

2.3 The application has been referred to committee at the request of the Parish Council

3.0 RELEVANT POLICIES

3.1 National Planning Policy Framework (2018)

Section 12 - Achieving Well-Designed Places

The Development Plan

3.2 Great Linford Parish Neighbourhood Development Plan (North) (2016)

Policy GLPC N1- New homes on small and infill sites.

3.3 Core Strategy (2013)

CS13 - Ensuring High Quality, Well-Designed Places

3.4 Saved Policies of the Local Plan 2001-2011 (2005)

Saved Policy D1 - Impact of Development Proposals on Locality
Saved Policy D2A - Urban Design Aspects of New Development
Saved Policy D2 - Design of Buildings

3.5 Supplementary Planning Documents

Milton Keynes' adopted Residential Design Guide (2012)
Milton Keynes' adopted Car Parking Standards SPD (2016)

3.6 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.

4.0 MAIN ISSUES

- Principle of development
- Highway matters and parking
- Impact on character of the area
- Design
- Residential amenity

5.0 CONSIDERATIONS

Principle of development

- 5.1 In accordance with the National Planning Policy Framework 2018, Milton Keynes Council's policy CSA of the Core Strategy 2013 states that; when considering development proposals, the Council will take a positive approach that reflects the

presumption in favour of sustainable development. It will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

- 5.2 Planning applications that accord with the policies in this Local Plan (and where relevant, with policies in Neighbourhood Plans) will be approved without delay, unless material considerations indicate otherwise. In this instance the principle of development is considered to be acceptable under Saved Policy D2 of Milton Keynes' adopted Local Plan which states that extensions to existing buildings will only be permitted providing the scale of the proposed extension does not detract from the character of the original building.
- 5.3 The principle of development could also largely be considered acceptable under Part F of Class A within the General Permitted Development Rights Order (As Amended) 2015, as the extension is for a total of 3m from the main rear elevation. However, the reason why the development falls out of Part F of Class A is due to the rear extension extending to the rear of the garage. Whilst this is acceptable in principle given that the garage is an original part of the main dwelling, in this instance the garage was built with an approximate 0.25m regress from the main rear elevation. As a result the extension at the point behind the garage extends to approximately 3.25m.

Highway matters and parking

- 5.4 In assessing the parking requirements for the proposed development, the proposals do not seek to increase the number of bedrooms within this application, there is no net increase in requirement for additional spaces to be provided.
- 5.5 However, it is acknowledged that there is a shortfall in parking within the application site. When considering adopted policy the application site lies within Zone three of the adopted zones as presented within Milton Keynes' adopted car parking standards SPD. There is an overall requirement as demonstrated within the table for two allocated spaces. One space is currently provided on the existing driveway, with the additional space being required on street.

5.6

Parking Standards Requirement - Zone 3		Provided	
Allocated	Unallocated + tandem	Allocated	Unallocated + Tandem
2	0.5	1	0.5
2.5 spaces required		1.5 spaces provided	

Given the shortfall of one parking space there have been objections raised to the application from neighbours, the Parish Council and Ward Member. However, in making the assessment with the rear extension there is not considered to be an impact on car parking as the extension is to main living space and does not seek to provide any additional bedrooms, as such the impact on parking is considered to be neutral.

- 5.7 Great Linford Parish Council have requested that Permitted Development Rights be withdrawn in order to safeguard the future of the garage as a parking space. However, no evidence has been presented that indicates that the garage is used as a parking space. Furthermore, the removal of permitted development rights for the garage would unlikely meet the six tests of planning conditions as presented within the Revised NPPF (2018). It is for this reason this requested condition has not been appended to the conditions at the end of this report.

Impact on character of the area

- 5.8 In assessing proposed development and the impact on local character. Policy CS13 of Milton Keynes' adopted Core Strategy (2013) states that; all new development must be of high design quality in terms of layout, form and appearance, and make a positive contribution to the character of the area in which it is located. Notwithstanding CS13, Saved Policy D2 of Milton Keynes' adopted Local Plan (2001-2011) highlights that extensions will only be permitted providing the scale of the proposed extension does not detract from the character of the original building.
- 5.9 The locality of Pennyland is a modern 1970's development situated within designated housing land as defined in the emerging Plan:MK and Milton Keynes' current adopted local plan (2001-2011). Permitted development rights are therefore intact and there are no site constraints covering the area. As such, the street scene within the area is varied and consists of a range of extensions and adaptations to existing dwellings. The street scene is therefore varied, the implications of the proposed rear extension and the impact on the character of the area are therefore not considered to be adverse. The extension will not be visible from the highway and will form part of a series of extensions and alterations to the rear street scene. The proposed materials seek to match those of the existing dwelling and given the modest dimensions, the development is not deemed to cause an adverse impact on the character of the area, and therefore accords with Saved Policy D2 of the adopted local plan and Policy CS13 of the adopted Core Strategy.

Design

- 5.10 When considering the design of the proposed rear extension, the application has been assessed against Saved Policies D2A and D2 of Milton Keynes' adopted Local Plan (2001-2011) which states that;

Development proposals for buildings will be refused unless they:

- (i) Are in scale with other buildings in the immediate vicinity in terms of their height and massing, except where a greater scale is necessary to reflect the development's function and importance*
- (ii) Relate well to and enhance the surrounding environment*
- (iii) Provide access for those with impaired mobility*
- (iv) Allows for visual interest through the careful use of detailing, where this is appropriate to the character of the area*
- (v) Include landscaping and boundary treatments that integrate with those of the surrounding area*

(vi) Have regard to the need to design layout and screening in the interests of the prevention of crime and the surveillance of the public realm

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.

- 5.11 The proposed extension seeks to use matching facing bricks alongside concrete roof tiles and UPVC framed glazing, the materials all of which seek to match those used within the existing dwelling and street scene, as such the design of the proposed extension does not mark a departure from the existing built form, the proposal therefore accords with adopted policy in design terms.

Residential amenity

- 5.12 There have been concerns raised by neighbours, the Parish Council and Ward Member in regards to the development causing a negative impact on residential amenity. Particular concern has been raised regarding parking, and neighbours have also expressed concerns regarding the loss of light caused by the development and the associated bulk and mass, and reduction of the rear to rear separation distance below the adopted 22m guideline.
- 5.13 Saved Policy D1 of Milton Keynes' adopted Local Plan (2001-2011) has been applied when the assessment of the application was made. Particularly prevalent was Part (iii) which states that development will be refused where there is a loss of amenity by virtue of light, privacy and overlooking. Referring to the adopted 22m rear to rear guideline as presented within the adopted Residential Design Guide (2012), it is acknowledged that the distance at ground floor level would be approximately 17.5m. However, the adopted guideline is for first floor level opposed to ground floor level, as such with landscaping in place, the level of amenity for occupants of the application site and the neighbour to the rear (No. 14 Longcross) would be acceptable.
- 5.14 In considering the impact on the neighbouring properties by virtue of the loss of light, the impact on No. 2 Longcross is not deemed to be unacceptable given that the extension will extrude from the rear elevation of No.2 by approximately 2m. Given that the extension is single storey and faces North, there will be a minimal impact on the neighbours at No. 2. Furthermore, the amenity of No. 6 Longcross has also been considered. The rear extension at No. 4 will extrude approximately 4.5m from the rear elevation of No.6, this is due to the built form of the locality. However, in assessing the loss of light and impact on visual amenity, sun calculators have been used and the loss of light will be mitigated by the fact that the extension will be North facing. As a result, the main source of light from the West and South will remain unaffected and not cause a significant loss of light. Therefore, on balance the proposal is considered to not cause a negative impact on residential amenity and is therefore acceptable.

Other matters

- 5.15 It has been noted that objections have been raised that do not concern material planning considerations, including party wall issues and the potential use for House of Multiple Occupation. However, these considerations are not material planning considerations, given that party wall issues would be a civil matter and any proposal for the conversion of the property to a HMO would require planning consent due to the Article 4 in place across Milton Keynes.

6.0 CONCLUSIONS

- 6.1 In conclusion, the application is considered to be acceptable and therefore recommended for approval, subject to conditions.

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. The external surfaces of the development hereby permitted shall be constructed only of materials of a type and colour which match those of the existing building except where indicated otherwise on the approved drawings.

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 Policy CS13 of the Milton Keynes Core Strategy 2013 and Saved Policies D1 and D2 of the Milton Keynes Local Plan 2001-2011.

3. Working with Applicant

In accordance with paragraph 38 of the National Planning Policy Framework Milton Keynes Council takes a positive and proactive approach to development proposals focused on solutions. Milton Keynes Council works with applicants/agents in a positive and proactive manner by: offering a pre-application advice service; as appropriate updating applicants/agents of any issues that may arise in the processing of their application; where possible suggesting solutions to secure a successful outcome; informing applicants/agents of any likely recommendation of refusal prior to a decision; and by adhering to the requirements of the Milton Keynes Council Corporate Plan and the Planning and Transport Service Plan.

In this instance, the plans have been amended by the applicants following concerns raised by the planning officer, particularly surrounding the initial proposal for a 4m extension. However, with the amendments, the plans are now considered to be acceptable.

Existing and Proposed Plans



Appendix to 18/02473/FUL

A1.0 RELEVANT PLANNING HISTORY

18/00980/FUL - Part single part two storey rear extension and first floor side extension over existing garage. Refused 14.06.2018

17/00988/PNHSE - Prior notification for a proposed single storey rear extension measuring 4.0 metres from the rear wall of the existing dwelling with a maximum ridge height of 3.8 metres and maximum eaves height of 2.4 metres. Withdrawn 17.05.2017

16/01707/FUL - First floor side extension over existing garage (resubmission of 16/00619/FUL). Permitted 17.11.2016

16/00619/FUL - Demolition of existing garage and erection of two storey side and rear extension. Refused 25.05.2016

15/00935/FUL - Two storey side extension, garage conversion, two and single storey rear extension (resubmission of 14/01871/FUL). Refused 25.06.2015

14/01871/FUL - Single storey rear extension and garage conversion. Refused 16.12.2014

A2.0 ADDITIONAL MATTERS

None.

A3.0 CONSULTATIONS AND REPRESENTATIONS

A3.1 Campbell Park & Old Woughton Ward - Councillor Baines – Member of development Control Committee

No response received.

A3.2 Campbell Park & Old Woughton Ward - Councillor Brackenbury

No response received.

A3.3 Campbell Park & Old Woughton - Councillor McDonald

No response received.

A3.4 Great Linford Parish Council

Great Linford Parish Council raised concerns including;

- Loss of a parking space through a garage conversion.
- Principle of no longer including garages as parking spaces.
- Without a condition restricting the conversion of the garage, and hence

the loss of the parking space, it would be possible for the applicant to convert the garage, resulting in obstructive parking on the highway that could only be resolved by on-street parking controls.

As a result, Great Linford Parish Council recommended that;

‘GLPC make no objections to the application provided, a condition is imposed by MKC to remove permitted development rights, preventing the conversion of the garage to dwelling house accommodation [required to sustain the parking provision necessary for a 3/4 bedroom dwelling]’.

And, note that;

‘GLPC wish to be notified in advance should this application be recommended for approval; without the condition requested by GLPC, and GLPC 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’.

A3.5 Public Representations

2 Third party objections have been received from 2 addresses and are summarised as follows:

Material Considerations

- The proposal doubles the size of the existing building
- Detrimental impacts as a result of sighting, scale and proximity.
- Loss of visual amenity.
- Loss of sunlight.
- Out of character.
- Parking issues.
- Separation distance not met.

Non-Material Considerations

- New foundations will be required, potentially resulting in subsidence.
- Party wall issue.