

ITEM 4(a)

Application Number: 20/02221/FUL

Description Loft conversion & single storey side/rear extension

At 1 Bury Avenue, Newport Pagnell, Milton Keynes, MK16 0ED

For Philippa Cooper

Statutory Target: 09.11.2020

Extension of Time: Yes - 18.12.2020

Ward: Newport Pagnell South

Parish: Newport Pagnell Town Council

Report Author/Case Officer: Tamlin Barton
Planning Officer

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1.0 RECOMMENDATION

1.1 It is recommended that planning permission is granted subject to conditions.

2.0 INTRODUCTION

The Site

2.1 The application site is an end of terrace two storey dwelling located on Bury Avenue, near to Newport Pagnell town centre. The site is adjacent to but outside Newport Pagnell Conservation Area. The site is in Flood Risk Zone 2 but there no other relevant constraints to the development.

2.2 The property is connected to No.3 Bury Avenue on the south-east side and shares a passage with this neighbour accessing a rear garden. The north-east rear boundary of the site is shared with 125 High Street. On the north-west side of the property is a public garden.

The Proposal

- 2.3 The proposal seeks full planning permission for a single storey rear/side extension, and provision of a loft conversion incorporating a rear dormer, skylight in front roof slope. A side window in the stairwell is also proposed along with rear window replacements and removal of a chimney.

Planning Background

- 2.4 In 2019 an application (19/01191/FUL) was made for a single storey rear extension and loft conversion. The scheme was similar to the current application though the box dormer was slightly narrower and the rear/side extension both higher and wider. The application was refused on grounds of the rear extension being overbearing and visually intrusive on No.3. Following refusal an application was made for a certificate of lawfulness for the same proposal (20/01197/CLUP) which was withdrawn and resubmitted as an application for prior approval (19/02507/PNHSE) for a larger householder extension. This was refused on grounds that the scheme did not meet the requirements of permitted development legislation.

Reason for referral to committee

- 2.5 The application has been referred to panel following an objection from Newport Pagnell Town Council on grounds that the proposed dormer window on the rear elevation would be unsightly and would have an adverse effect on the typical profile of a row of Victorian terraced houses.

Scope of debate/decision

- 2.6 This application proposal is a full planning application and so all material planning considerations 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 4: Decision Making

Section 12: Achieving Well-designed places

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

The Development Plan

- 3.2 Neighbourhood Plan

The site is located within the area covered by the Newport Pagnell Neighbourhood Plan (2016), however there are no policies relevant to the current development.

3.3 Plan:MK (March 2019)

Policy D1: Designing a High Quality Place
Policy D2: Creating a Positive Character
Policy D3: Designing Buildings
Policy D5: Amenity and Street Scene
Policy CT10: Parking Provision
Policy FR1: Managing Flood Risk

3.4 Supplementary Planning Documents/Guidance

Parking Standards SPD (2016)
New Residential Design Guide SPD (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

19/01191/FUL

Proposed single storey extension, with internal alterations and provision of loft conversion

Refused: 10.07.2019

Refused on basis that the single storey rear extension would be overbearing and visually intrusive to occupiers of No. 3.

20/01197/CLUP

Single storey rear extension and loft conversion with dormer

Withdrawn: 06.07.2020

19/02507/PNHSE

Prior notification for a proposed single storey rear/side extension measuring 4.1 metres from the rear wall of the existing dwelling with a maximum ridge height of 4.0 metres and maximum eaves height of 2.8 metres

Prior notification required and refused: 30.10.2019

Refused due to the rear extension exceeding the permitted size for a rear extension to a terraced dwelling under Point g (i) in Class A of Part 1 to Schedule 2 of the

Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

5.0 CONSULTATIONS AND REPRESENTATIONS

5.1 Newport Pagnell Town Council

Objected on grounds that the proposed dormer window on the rear elevation would be unsightly and would have an adverse effect on the typical profile of a row of Victorian terraced houses. A request was made that the application should be determined at Development Control Committee.

5.2 Councillor Paul Alexander – Newport Pagnell South - (Member of DCC/DCCP)

No comments received

5.3 Councillor Douglas McCall – Newport Pagnell South

No comments received

5.4 Councillor Jane Carr – Newport Pagnell South

No comments received

5.5 Third Party/Neighbour Comments

No comments received

6.0 MAIN ISSUES

Design, Character and Appearance
Impact on Residential Amenity
Parking and Highways
Flood Risk

7.0 CONSIDERATIONS

Design, Character and Appearance

7.1 The site is located outside the Newport Pagnell Conservation Area and therefore there is no duty when exercising planning functions to have regard to the desirability of preserving or enhancing its character or appearance. Given this situation, Policy HE1 (Heritage and Development) of Plan: MK (2019) is not considered applicable to the application and any impact on the setting of the conservation adequately covered by the Plan:MK design policies. Policies D1 (Designing a High Quality Place), D2 (Creating a Positive Character) and D3 (Design of Buildings) seek to ensure that new developments and buildings are appropriately laid out and designed so as to respond sympathetically to local contexts.

- 7.2 The existing end of terrace dwelling is constructed from red brick with grey concrete tiles and white timber/UPVC windows and there is an existing 2-storey rear projection attached to existing modest single storey rear extensions. The proposed rear/side extension will replace the existing single storey extensions and partly enclose a yard area to the side, extending beyond, the 2-storey rear projection utilising matching brick and roof tiles. This is a relatively small construction of modest height that will leave a gap down the side of the garden from the access passage.
- 7.3 The small scale of the design and use of matching materials are both sympathetic to the character of the host dwelling and surrounding area and the narrow plot is respected by the setback from the south-east boundary and lack of protrusion beyond the existing single storey extensions. The rear-facing sliding doors and windows above are typical of rear extensions generally and are considered acceptable in design. Both these, the skylights and the side door will match the appearance of the existing windows and doors of the house. Overall, the rear extension is considered to have a positive character.
- 7.4 While the proposed dormer is large, boxy and not in-keeping with the character of the existing roof, the existing 2-storey rear projection already creates a squared off end to the terrace and therefore the alteration is considered to not excessively worsen the appearance of the side elevation. The dormer is also only slightly beyond the parameters of a dormer window which can be constructed under permitted development (PD). There is 0.16m between the dormer face and the outer edge of the eaves just above the gutter, which is 4cm below the requirement, but the dormer would be permitted development in all other respects including volume.
- 7.5 As there would be a negligible difference in the appearance, bulk and character of the dormer built under this permission or as permitted development, officers consider that there would be no justified reason to refuse the application as presently proposed, particularly given the permitted development fall-back position. It is proposed that the dormer cheeks are hung with matching tiles and door/window frames will match the existing house, which is a sympathetic design. Nevertheless, the final appearance of the fascia board and juliet balcony screen and fixtures, which will both have visibility from Bury Avenue, have not been included in the submission and therefore it is recommended that a condition for the submission of a schedule of external materials is attached to any permission to ensure these do not detract from the street scene.
- 7.6 The small skylight in the front roof slope and the new side window facing the public garden are both small and considered to have an acceptable impact on public areas.
- 7.7 In summary, officers conclude that the design of the proposals as a whole do not conflict with design policies D1-D3 of Plan:MK in a manner which could give grounds for a refusal and the impact on the wider character of the area is therefore acceptable, subject to conditions.

Impact on Residential Amenity

- 7.8 Policy D5 of Plan: MK (2019) requires that development proposals create and protect a good standard of amenity for new and adjacent existing buildings and the

surrounding area(s). The New Residential Development Design Guide advises that rear to flank distances between properties should be at least 13.7 metres in order to maintain privacy of adjacent occupiers.

- 7.9 The window and juliet balcony of the rear dormer would not be directly opposite the side elevation of No. 125 High Street and even at an angle these would be beyond the recommended rear to flank distance. The impact of overlooking from first floor and second floor level at No.1 are considered not to differ significantly and therefore overall, it is deemed that outlook from the proposed dormer would not have a detrimental impact on neighbouring privacy. In any case an almost identical arrangement could be achieved through permitted development. Overlooking from a juliet balcony as opposed to a window would not be significantly different and therefore no adverse residential amenity impact is ascribed to the use of a juliet balcony. Given the containment of the dormer footprint within that of the existing house and because of its position high on the roof, it would also not be significantly overbearing to neighbours or adversely impact neighbouring amenity in terms of reduction of light or restrict significantly the sense of openness that currently exists.
- 7.10 The proposed single storey rear/side is relatively small and because of the orientation of the plot, this will not create significant overshadowing for No.3. Neither will there be any adverse impact in terms of privacy on this neighbour. It is considered that the limited height of the ridge and the eaves (the latter approximately 1m above the height of the existing fence), given the setback of just under one metre from the shared boundary, will allow the neighbour's garden, yard and the outlook from their ground floor north-west facing windows to retain a sense of openness. As such, the position and scale of the single storey extension is considered to have an acceptable impact on this neighbour.
- 7.11 The new side window poses no privacy issues.
- 7.12 For the above reasons, the impact of the proposal on residential amenity for the neighbours is considered acceptable in relation to Policy D5 of Plan: MK (2019).

Parking and Highways

- 7.13 Policy CT10 of the adopted Plan: MK (2019) requires that development proposals provide sufficient on-plot parking, in accordance with the MK Parking Standards SPD (2016).
- 7.14 The existing site has no on-plot parking spaces and one bedroom would be created as a result of the proposed works to convert the loft. As a result of this change in bedroom number, the required on-site parking would remain the same at two spaces and the required for unallocated spaces would increase from 0.25 to 0.5 spaces following the Parking Standards SPD (2016). This minor difference in unallocated parking requirement is not considered to result in a significant adverse impact on local parking as there are parking spaces available locally at the public car park near Station Road and additionally the case officer when making a site visit was able to find a parking space in the nearby streets.

- 7.15 In summary, the proposal is considered to not to conflict with the Parking Standards SPD (2016) and it accords with Policy CT10 of Plan: MK (2019).

Flood Risk

- 7.16 The site is within flood risk zone 2. Therefore, policy FR1 of Plan: MK (2019) applies to this assessment. In accordance with central government standing advice, a Flood Risk Assessment would not be required for proposed development of this size. However, to ensure adequate site drainage and to mitigate any risk associated with a flood event, it is recommended that a compliance condition ensures that the finished ground floor levels in the proposed single storey extension match the ground floor level of the existing dwelling.

8.0 CONCLUSIONS

- 8.1 The proposal is found to be in accordance with the development plan and therefore it is recommended that planning permission should be approved, subject to conditions.

9.0 CONDITIONS

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

Received 05.11.2020:

Existing & proposed elevations, floor layouts & location plans – DD 20/149.1B

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

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.

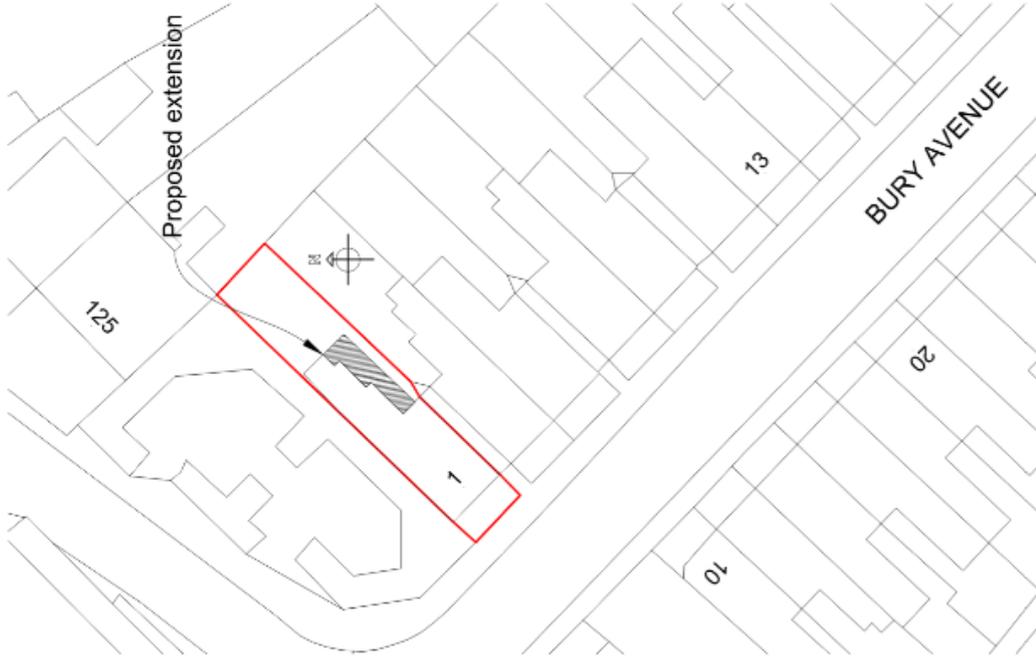
3. Notwithstanding the details on the approved drawings, the development hereby permitted shall have no finished floor levels below floor levels of the existing dwelling.

Reason: To ensure that the impacts of flooding to the site have been reduced in accordance with Policy FR1 of Plan:MK (2019).

4. No development shall take place above slab level until a Schedule of the external materials to be used in the construction of the development have been submitted to, and approved in writing by, the Local Planning Authority. The Schedule shall

include detailed specification, photo examples, RAL numbers and/or samples, as appropriate. 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 Policies D2 and D3 of Plan:MK (2019).

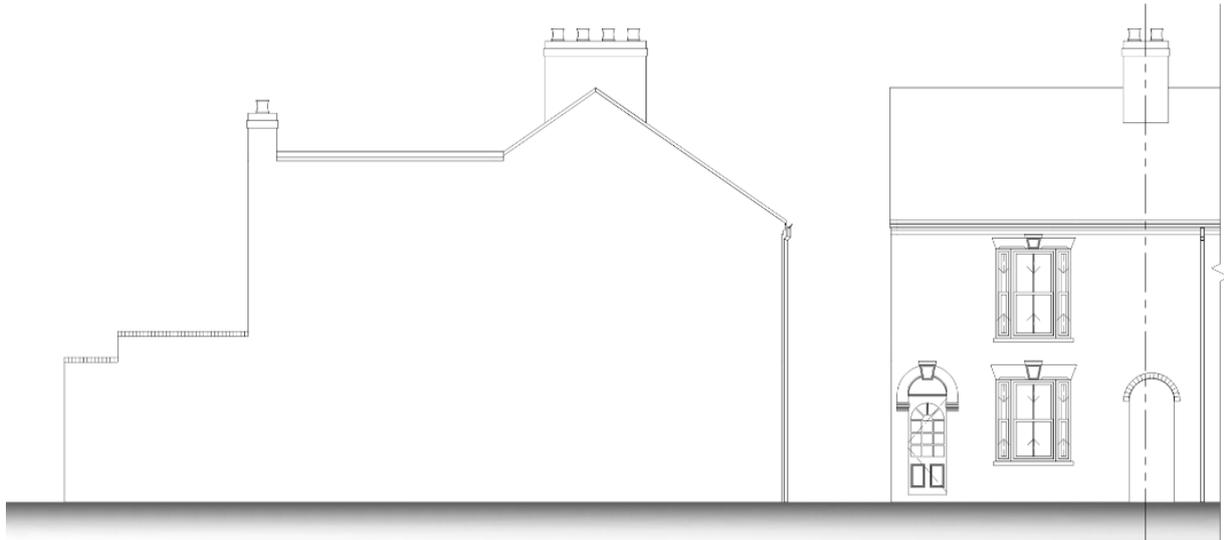


Block Plan
1:500



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Site Location Plan
1:1250



Existing Northwest (side) Elevation
1:100

Existing Southwest (front) Elevation
1:100



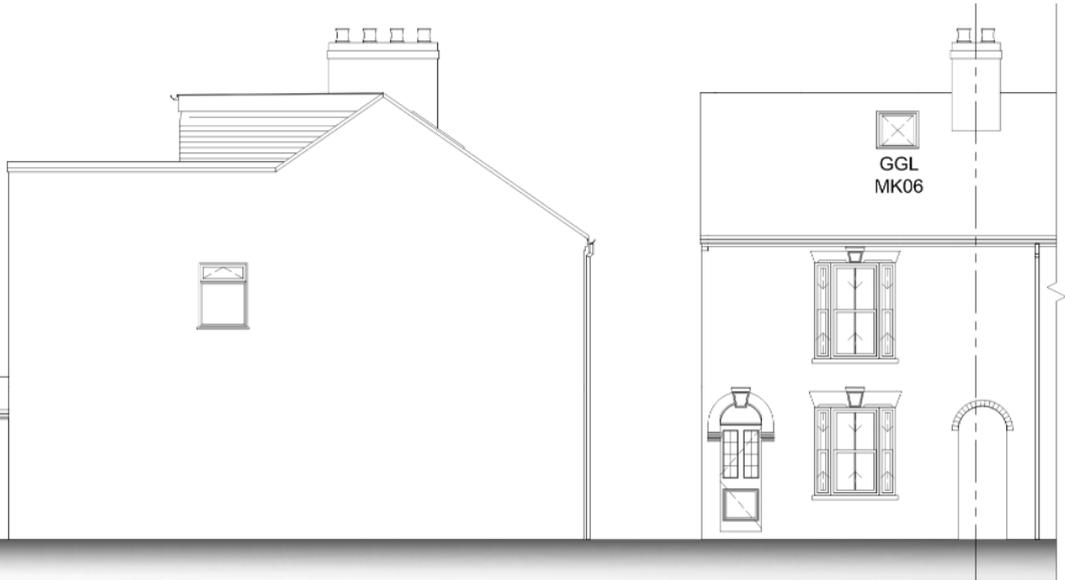
Existing Northeast (rear) Elevation
1:100

Existing Southeast (side) Elevation
1:100

Proposed roof tiles in colour and style to match existing

Proposed brickwork in colour and bond to match existing

Proposed window in side elevation to be obscurely glazed and non-opening below 1.7m



Proposed Northwest (side) Elevation

1:100

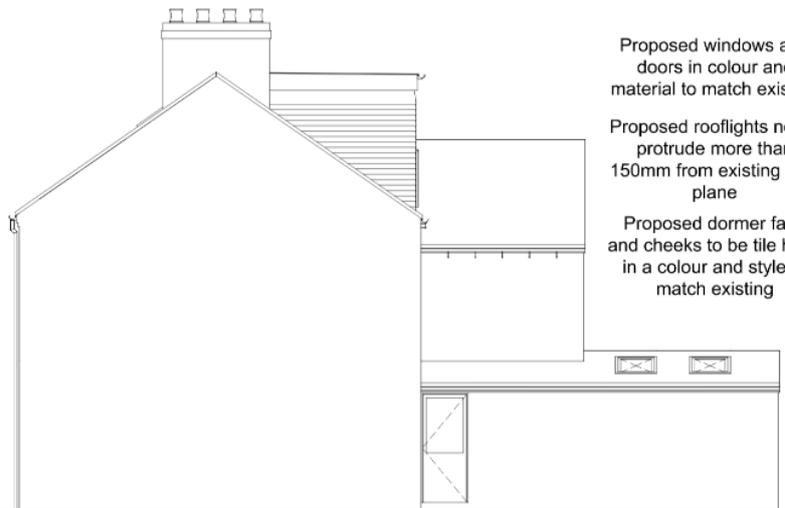
Proposed Southwest (front) Elevation

1:100



Proposed Northeast (rear) Elevation

1:100



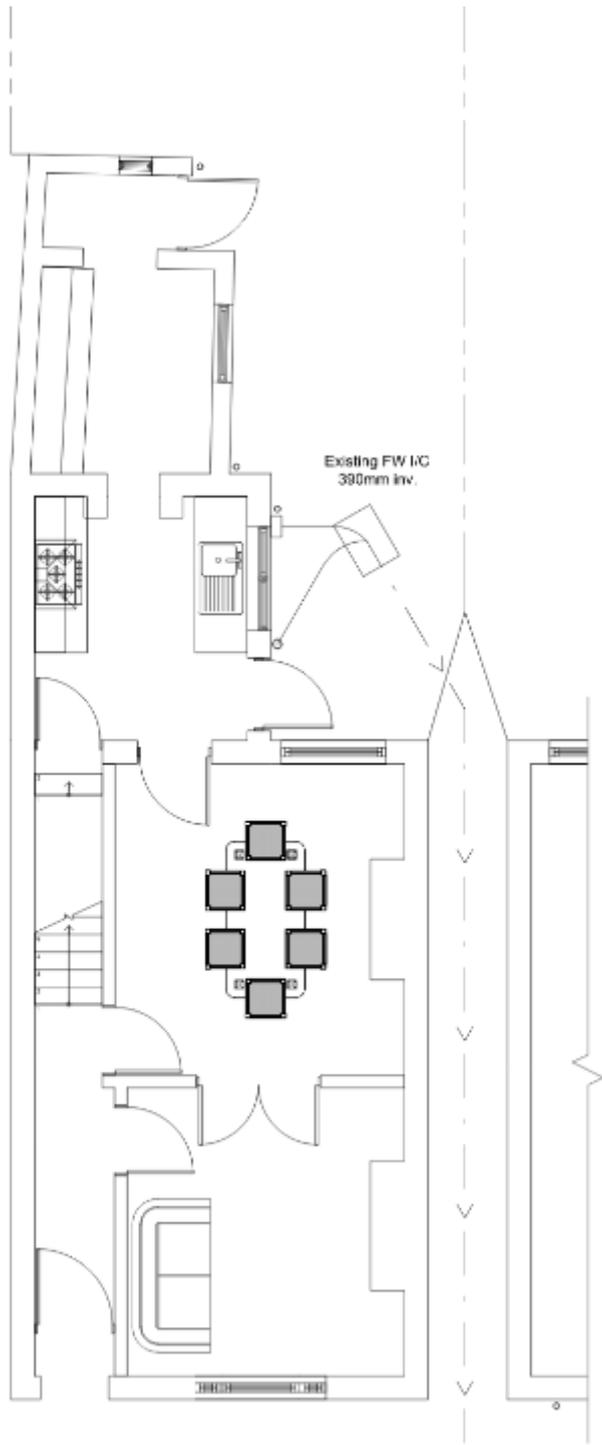
Proposed windows and doors in colour and material to match existing

Proposed rooflights not to protrude more than 150mm from existing roof plane

Proposed dormer face and cheeks to be tile hung in a colour and style to match existing

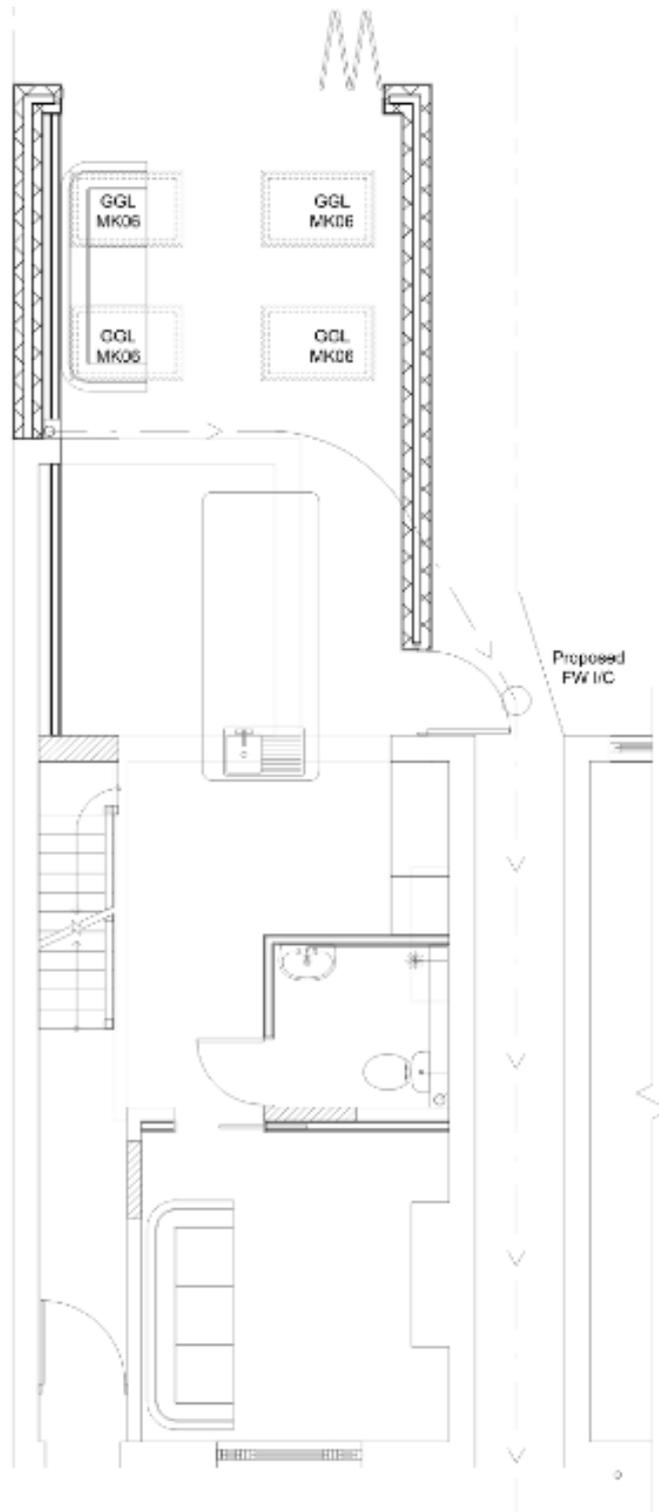
Proposed Southeast (side) Elevation

1:100



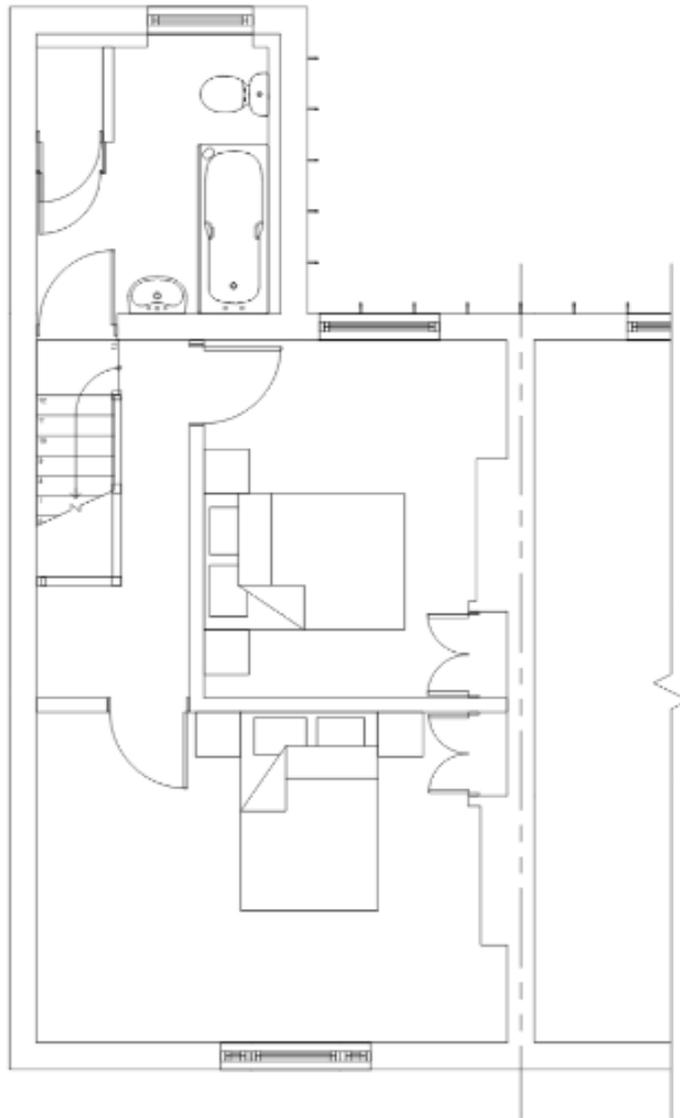
Existing Ground Floor Plan

1:100



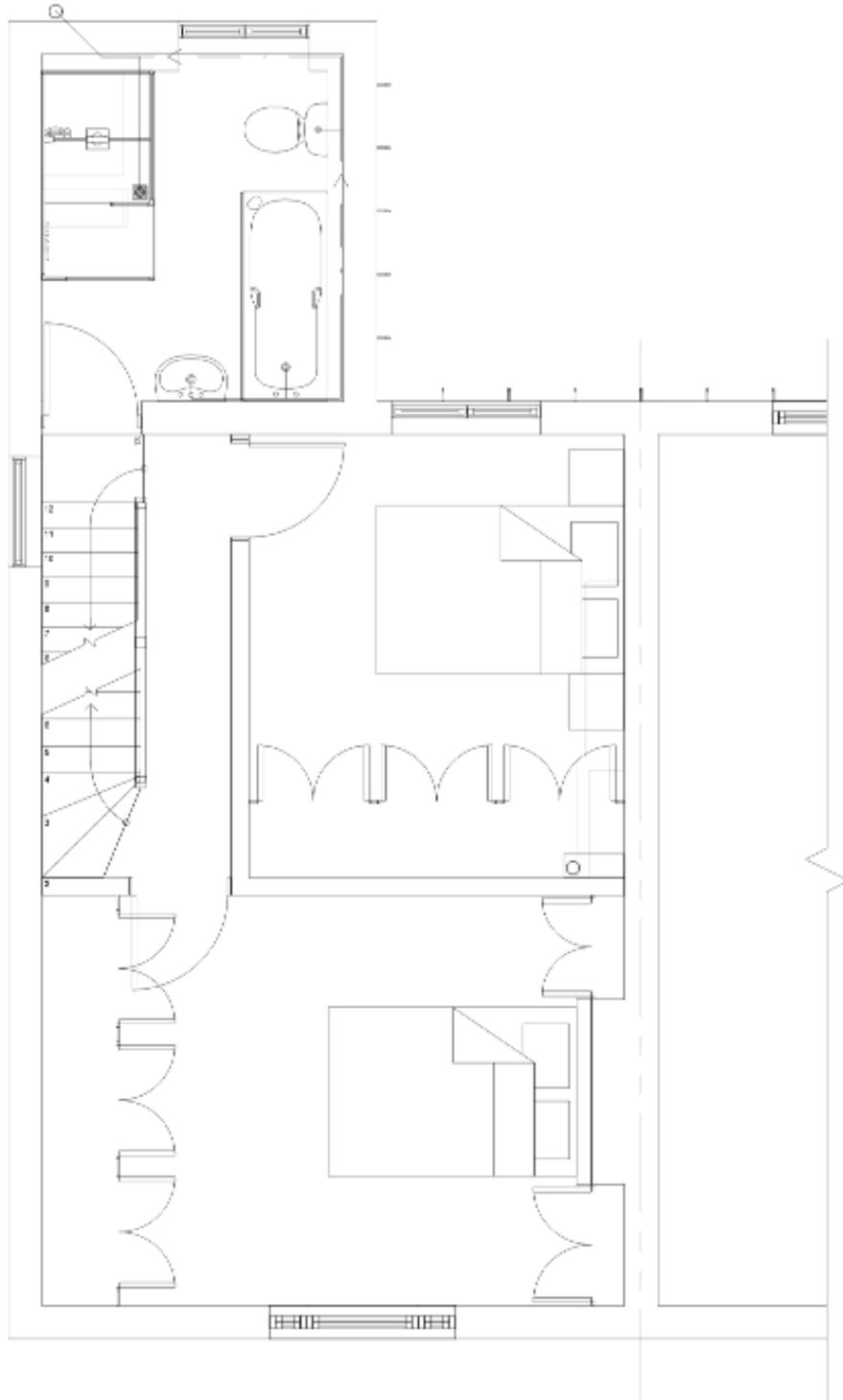
Proposed Ground Floor Plan

1/50



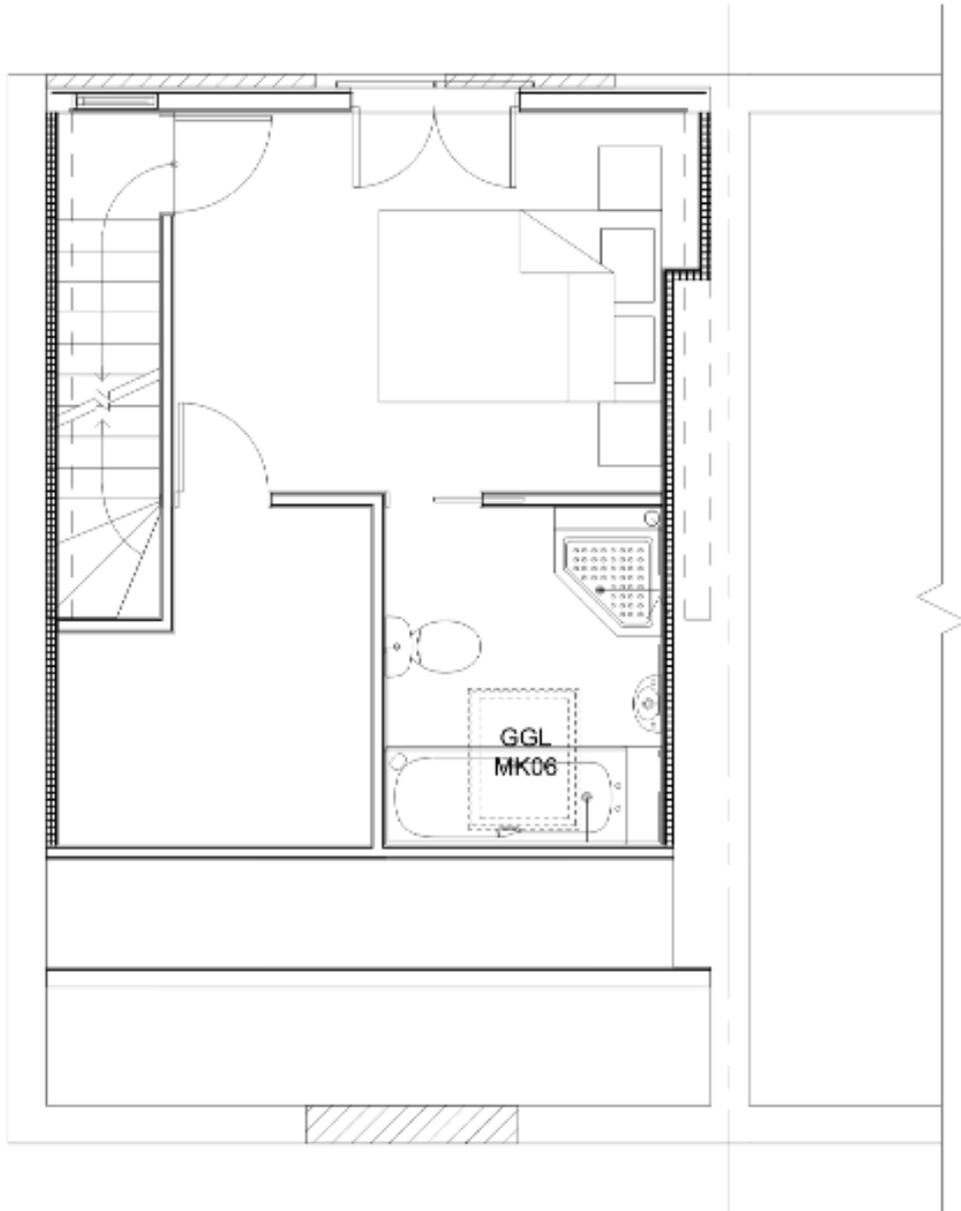
Existing First Floor Plan

1:100



Proposed First Floor Plan

1:50



Proposed Second Floor Plan

1:50

A1.0 FULL CONSULTATIONS AND REPRESENTATIONS

A1.1 Newport Pagnell Town Council

The Town Planning & Environmental Management Committee objected to this application on the grounds that the proposed dormer window on the rear elevation would be unsightly and would have an adverse effect on the typical profile of a row of Victorian terraced houses. The Town Council requests that this application is referred to the DCC for determination.

A1.2 Councillor Paul Alexander – Newport Pagnell South - (Member of DCC/DCCP)

No comments received

A1.3 Councillor Douglas McCall – Newport Pagnell South

No comments received

A1.4 Councillor Jane Carr – Newport Pagnell South

No comments received

A1.5 Third Party/Neighbour Comments

No comments received