

Application Number: 18/00482/OUT

**Description** Erection of 3 detached houses.

**AT** Blind Pond Lane, Woburn Sands Road, Bow Brickhill,

**FOR** Mr Graham Lowery

**Target:** 24 April 2018

**Extension of Time:** No

**Ward:** Danesborough and Walton

**Parish:** Bow Brickhill Parish  
Council

**Report Author/Case Officer:** Jeremy Lee  
Senior Planning Officer

**Contact Details:** 01908 252316  
jeremy.lee@milton-keynes.gov.uk

**Team Manager:** Nicola Thompson - 01908 252789, nicola.thompson@milton-keynes.gov.uk

## 1.0 RECOMMENDATION

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

## 2.0 INTRODUCTION

### 2.1 The Site

2.1.1 The application site lays on the north-eastern edge of Bow Brickhill. Much of it has recently been used as the construction compound for the recently constructed housing development of Blind Pond Lane. Prior to this it was used as pasture land associated with the adjoining agricultural holding known as Blind Pond Farm and this remains its lawful planning use.

2.1.2 There is an existing vehicular access from Woburn Sands Road which historically has served the agricultural holding, but has also served the construction compound. Planning permission has previously been granted for the re-alignment of the access track serving the agricultural holding. Part of the site is within the boundary of Site BB1 identified in the Adopted Milton Keynes Local Plan for Housing Development, whilst the remainder of the site is within the Open Countryside as identified in the Milton Keynes Local Plan. That part of the site within the Open Countryside in the Local Plan is also identified as being within an area of attractive landscape. There is a significant drop in ground level from the adjoining housing site at Blind Pond Lane to the application site.

## **2.2 The Proposal**

2.2.1 The application has been submitted in Outline form, with details of the access, layout and scale submitted at this stage, whilst the appearance and landscaping of the development are reserved for later approval. The submitted layout shows 3 detached dwellings located between the access track and the Blind Pond Lane development. One of the houses would have a detached garage and all 3 dwellings would be provided with 2 on plot car parking spaces and the dwellings would share 1 visitor parking space located adjacent to the access road. The layout also includes a refuse collection point and a turning head.

2.2.2 Although the application does not contain elevations of the proposed dwellings, the application is submitted by a massing drawing to indicate the proposed scale of development. This indicates that the proposed dwellings would be two storey in size with a similar massing to the houses that have been built on Blind Pond Lane.

## **2.3 Reason for referral to committee**

2.3.1 The application is reported to Committee at the request of Bow Brickhill Parish Council.

## **3.0 RELEVANT POLICIES**

3.1 National Policy  
National Planning Policy Framework

11 Presumption in Favour of Sustainable Development  
47-49 Determining Planning Applications  
77-79 Rural housing  
Section 15 Conserving and enhancing the natural environment

3.2 Local Policy

Bow Brickhill Neighbourhood Plan

Following a Delegated Decision on the 28 May 2013, the area put forward by Bow Brickhill Parish Council in their Neighbourhood Plan Area Application has been approved as a Neighbourhood Plan Area.

However, a formal Neighbourhood Plan has not been made, and as such, no weight can be given to the neighbourhood plan area designation.

Core Strategy

CSA Presumption in favour of sustainable development  
CS9 Strategy for the Rural Area  
CS13 Ensuring High Quality Well Designed Places



## CS19 The Historic and Natural Environment

Adopted Milton Keynes Local Plan 2001-2011

S10 Open Countryside

D1 Impact upon locality

D2A Urban Design

D2 Design of Buildings

H7 Housing on Unidentified Sites

H8 Density

BB1 New Housing Sites (Blind Pond Farm)

Supplementary Planning Guidance

New Residential Development Design Guide SPD

Parking Standards SPD

### 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

Principle of development

Layout

Density

Access and Parking

## 5.0 CONSIDERATIONS

### 5.1 Principle

5.1.1 Part of the site is located within identified housing site BB1 and the principle of housing development has already been accepted through the allocation of the site in the Milton Keynes Local Plan. However, part of the site is outside allocated site BB1, and within the Open Countryside. Both national and local Planning Policy state that there should be a presumption in favour of sustainable development, but, equally, there is significant national and local planning policy which seeks to protect the open countryside

from ad hoc development. However, at the current time the Council is not able to demonstrate a five year housing land supply and, in those circumstances, paragraph 11. d) of the National Planning Policy Framework advises that applications for housing should be granted permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.

5.1.2 By virtue of its location, abutting the existing settlement, with good footpath links to local amenities (including the village school) and reasonable public transport links to the wider area and minimal environmental impact, it is considered that the proposal can be considered to be sustainable development. Given this location, largely screened from views from outside the site, and what views are available would see the development in the context of the existing housing development to the south and the agricultural building to the east it is not considered that the proposal would have a significant impact upon the character and appearance of the Open Countryside, particularly given the very small area of open countryside involved. On balance, therefore, it is considered that the principle of the development of the site is acceptable in this case.

## **5.2 Layout**

5.2.1 The layout of the site is constrained by the permitted agricultural access and the undeveloped portion of site BB1. Nevertheless, it is considered that the location and orientation of the proposed dwellings reflects the layout and appearance of the adjoining Blind Pond Lane housing site. The proposed dwellings would be sufficiently separated from the neighbouring properties on Blind Pond Lane to avoid any overshadowing or loss of light to those neighbouring dwellings.

5.2.2 The design and appearance of the proposed houses is a matter reserved for subsequent approval and therefore it is not possible to fully assess the impact of the development upon the amenities of adjoining occupiers. Broadly it is considered that the proposed layout would be adequate to avoid any significant impact upon the amenities of the occupiers of houses in Blind Pond Lane. However, care will need to be taken in the siting and design of first floor windows in south-west elevation of plot 2 to ensure that they do not result in overlooking of no.1 Blind Pond Lane.

5.2.3 The landscaping strip proposed along the northern side of the access road is considered to be adequate to help key the layout into the pattern of development to the south whilst minimising its impact on the appearance of the open countryside to the north.

## **5.3 Density**

5.3.1 The following table sets out the density as originally set out in the Adopted Local Plan for the development of site BB1 (this envisaged 25 dwellings on the whole of site BB1), the density on the part of BB1 that has already been developed, the density for the proposed site and an overall density for the combined sites.

Density set in BB1	Density for existing Blind Pond Lane development	Density for proposed development	Density for combined sites
27 dws per ha	26.6 dws per ha	15.51 dws per ha	22.62 dws per ha

5.3.2 It is considered that the density of the proposed development is appropriate for the site considering much of the site includes the access.

## 5.4 Access and Parking

5.4.1 Application has been amended to change the design of the bellmouth junction with Woburn Sands Road, provide a bin collection point off the highway and improved turning head to sever the development along with more minor changes to the access road serving the development. These amendments responded to concerns expressed by the Council's Highway Engineer. It is understood that the 30mph speed limit zone through the village would be increased to include the proposed access as part of the agreement between the developer and the Council as Highway Authority for the development of the access.

5.4.2 The following table sets out the car parking requirements for car parking as set out in the Council's adopted Parking Standards 2016 and the parking provision included in the proposed development.

3 units in Zone 4	Bedrooms	Allocated		Unallocated	
		Required	Proposed	Required	Proposed
3	Unknown	Unknown	6	Unknown	1
				TOTAL REQUIRED = ? TOTAL PROPOSED = 7	

5.4.3 The proposal does not provide any information on the number of bedrooms proposed: that is a matter reserved for subsequent approval. However, each of the dwellings would be provided with 2 on plot parking spaces and 1 visitor parking space is shown to serve all three dwellings. On that basis a development of one 3 bed dwelling and two 2 bed dwellings would meet the Council's parking standards on this site. As a matter of record, if all 3 houses had 3 bedrooms the proposal would be 1 unallocated space below the standards.

## 6.0 CONCLUSIONS

6.1 The proposed development would partially intrude into the open countryside however, given the fact that the Council cannot currently demonstrate a 5 year housing land supply and part of the site is within a designated housing site, it is considered that it would have little impact upon the character and appearance of the area. Furthermore it is considered that the proposed layout and massing of the houses is appropriate given the relationship

of the site to the adjoining housing. It is therefore recommended that planning permission be granted subject to the conditions below.

## 7.0 CONDITIONS

1. Application/s for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun no later than the latest of the following dates:-
  - i. The expiration of three years from the date of this permission; or
  - ii. The expiration of two years from the date of the approval of the last of the reserved matters to be approved

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 the requirements of Section 92 of the Town and Country Planning Act 1990.

2. Approval of the details of the appearance and landscaping (hereinafter called "the reserved matters") shall be obtained in writing from the Local Planning Authority before any development is commenced.

Reason: This is outline permission only and these matters have been reserved for the subsequent approval of the Local Planning Authority.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and/or re-enacting that Order) no fences, gates or walls shall be erected within the curtilage of the dwellinghouse(s) hereby permitted other than those shown on the approved plans without the specific grant of planning permission from the Local Planning Authority.

Reason: To prevent harm being caused to the amenity of the area and on the amenity of adjoining residential occupiers in accordance with Policy CS13 of the Milton Keynes Core Strategy 2013 and Saved Policy D1 of the Milton Keynes Local Plan 2001-2011.

4. No development shall take place above slab level until details 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.

5. Prior to the commencement of development hereby permitted a construction method statement shall be submitted in writing and be approved by the Local Planning Authority setting out how the developer will mitigate the impact of construction on any reptiles, amphibians and nesting birds. The construction of the development shall thereafter be carried out in accordance with the approved method statement.

Reason: To mitigate the impact of the development on habitats and biodiversity in accordance with the requirements of the National Planning Policy Framework.

6. Prior to the commencement of development hereby permitted above slab level, a biodiversity enhancement scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details and locations of bird and bat boxes to be incorporated into buildings, hedgehog passes, landscape planting, lighting and other biodiversity enhancement features within the site. The approved scheme shall be implemented in full prior to the occupation of the development and appropriately maintained thereafter.

Reason: To achieve compensation for the loss of habitats and biodiversity enhancements in accordance with National Planning Policy Framework.

7. Notwithstanding the approved drawings, no development shall take place above slab level until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include existing trees and/or hedgerows to be retained and/or removed accurately shown with root protection areas; existing and proposed finished levels or contours; means of enclosure; visibility splays; areas of hard surfacing materials; proximity between street lights and tree planting; pedestrian access and circulation areas; civic space / public park furniture, play equipment, bins etc.; proposed and existing functional services above and below ground such as cables, pipelines, substations. Soft landscape works shall include planting plans at a minimum scale of 1:200 with schedules of plants noting species, plant supply sizes and proposed densities; written specifications (including cultivation and other operations associated with tree, plant and grass establishment; and the implementation programme.

Development shall be carried out in accordance with the approved details. If within a period of two years from the date of the planting of any tree or shrub, that tree or shrub, or any tree and shrub planted in replacement for it, is removed, uprooted or destroyed, dies, becomes severely damaged or



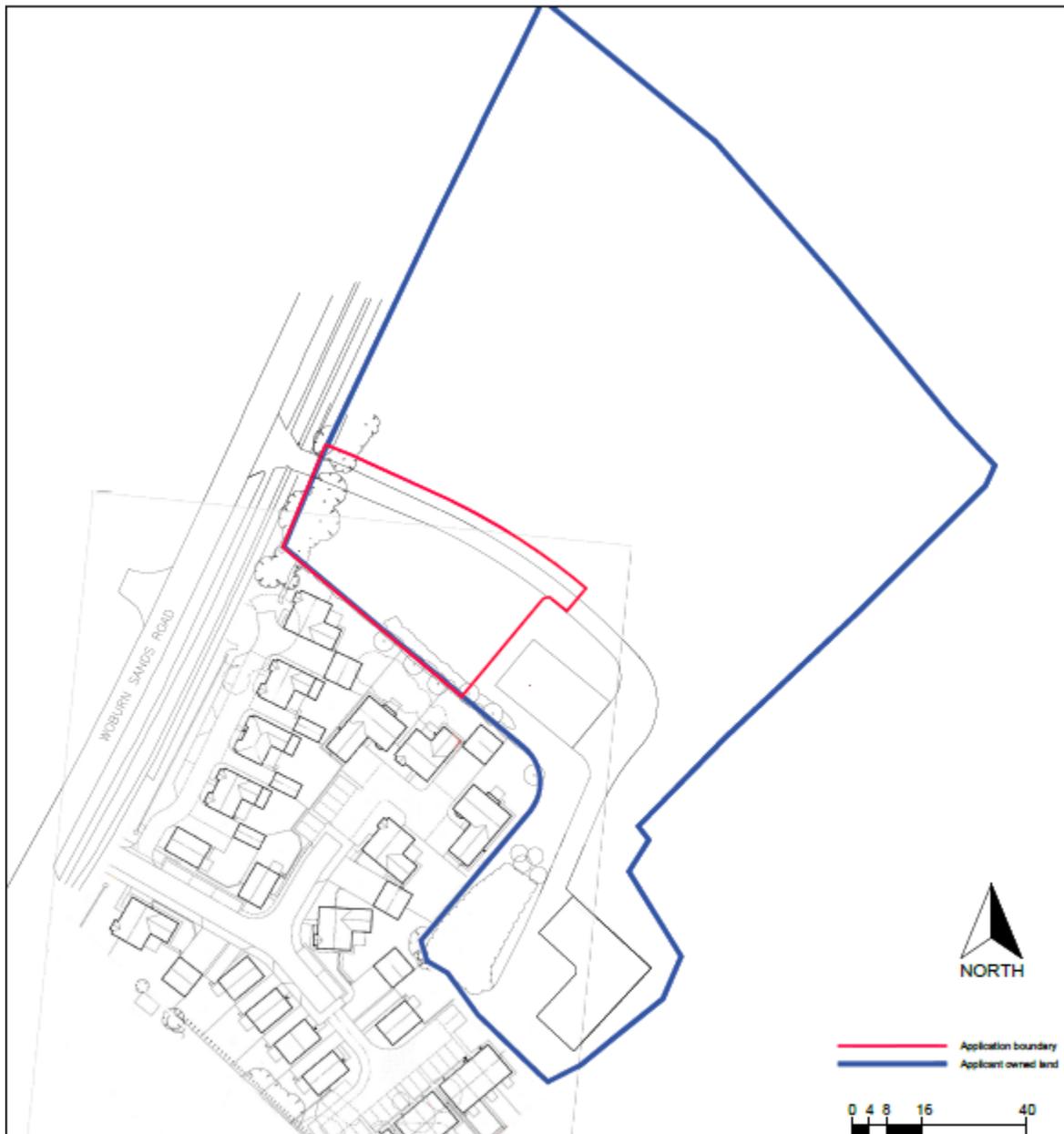
diseased, shall be replaced in the next planting season with trees and shrubs of equivalent size, species and quantity.

All hard and soft landscape works shall be carried out prior to the occupation of the building(s) or the completion of the development whichever is the sooner or in accordance with a programme agreed in writing with the Local Planning Authority.

Reason: To protect significant trees and hedgerows, safeguarding the character of the area and preserving habitat and to minimise the effect of development on the area in accordance with Policies CS13 and CS19 of the Milton Keynes Core Strategy 2013 and Saved Policy D1 of the Milton Keynes Local Plan 2001-2011.

8. No development shall take place until a Sustainable Drainage Strategy and associated detailed design, management and maintenance plan of surface water drainage for the site using SuDS methods has been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be implemented in accordance with the approved Sustainable Drainage Strategy prior to the use of the building commencing and maintained thereafter for the lifetime of the development.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal is incorporated into the design and the build and that the principles of sustainable drainage are incorporated into this proposal and maintained for the lifetime of the proposal in accordance with Saved Policies S13 and D1 (ii) of the Milton Keynes Local Plan 2001-2011.



□ architecture □ urban design □ graphic design □ site: **Blind Pond Farm, Woburn Sands Rd - Bow Brickhill**



**Project Design Studio Ltd**®

title: **Location plan**

scheme: **3 Detached houses**

scale: 1:1250 @ A4 date: 26.02.18 drawn: GH approved: FP

PROJECT DESIGN STUDIO Ltd  
3 Aspen Farm  
Sheep Lane  
Woburn MK17 9HD

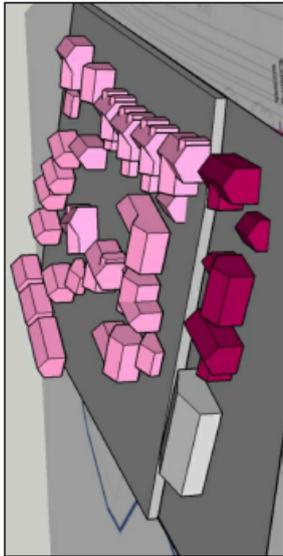
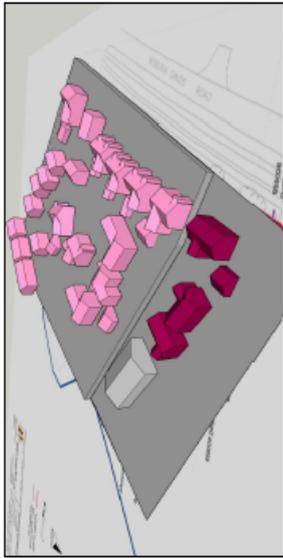
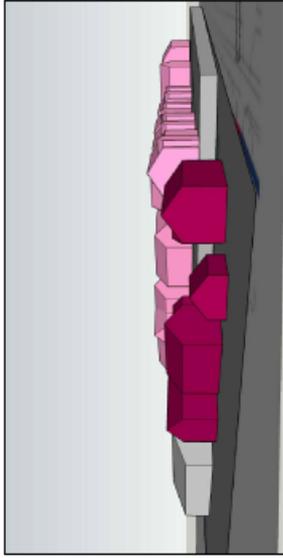
T: 01525 292577  
F: 01525 292588  
E: admin1@projectdesignstudio.co.uk  
www.projectdesignstudio.co.uk

drawing number: **4 6 1 6 - O - L 1**

© COPYRIGHT OF PROJECT DESIGN STUDIO LTD

DO NOT SCALE





architecture  
  urban design  
  graphic design  
  site: **Blind Pond Farm, Woburn Sands Rd - Bow Brickhill**  
 title: **Proposed massing**  
 scheme: **3 Detached houses**  
 scale: 1:mkg-03   date: 01.06.17   drawn: NM   approved: JP


**Project Design Studio Ltd**  
 PROJECT DESIGN STUDIO LTD  
 T: 01525 292877  
 F: 01525 292588  
 E: admin@projectdesignstudio.co.uk  
 www.projectdesignstudio.co.uk  
 3 Aspen Farm  
 Sheep Lane  
 Woburn MK17 9HD

drawing number: **4 | 6 | 1 | 6 | - | 0 | - | L | 4**  
 © copyright of project design studio.   DO NOT SCALE

## Appendix to 18/00482/OUT

### 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)*

99/00365/MK

Removal of condition 2 of planning permission MK/927/86 relating to agricultural occupancy and construction of vehicular access. Permitted 28.06.1999

16/01200/ANOT

Notification for proposed agricultural building. Prior Approval Required and Refused 15.06.2016

16/02431/ANOT

Agricultural building. Approved 08.11.2016

17/00754/ANOT

Prior notification for proposed agricultural building. Approved 10.05.2017

17/01826/FUL

Revised access route. Permitted 31.08.2017.

17/02035/OUT

Outline application (all matters reserved except access, layout and scale) for 3 x detached houses and revised access layout. Withdrawn 08.02.2017.

#### Adjoining Site

14/02768/FUL

Change-of-Use from industrial (Use Class B2) to residential (Use Class C3), demolition of existing buildings and construction of x 24 dwellings with associated parking, highways and garages (Resubmission of 14/01448/FUL). Permitted 07.12.2015

16/00166/FUL

Demolition of existing industrial buildings and construction of x 24 dwellings with associated parking, highways and garages. Permitted 15.06.2016

### A2.0 ADDITIONAL MATTERS

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

### **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)*

A3.1

#### **Highways Development Control**

No objections subject to conditions regarding access and parking.

#### **Lead Local Flood Authority**

Any discharge to the nearby watercourse will require approval.

#### **Councils Countryside Officer**

No objections. However, opportunities exist to incorporate biodiversity improvements, including bat tubes or boxes, bird boxes and other habitat enhancements.

#### **Landscape Architect**

No objections subject to a condition regarding landscaping details.

#### **Parish - Bow Brickhill**

Whilst some of the proposed site is included in BB1 the majority is not and is outside of the village envelope. It is in an area designated as S10 open countryside and should therefore be refused. The site also sits beneath the Greensand Ridge in an area designated as AAL (Area of Attractive Landscape), one of just two in the borough.

The design and access statement refers to BB1 within the core strategy but fails to mention Bow Brickhill is a "Selected Village" within the settlement hierarchy (where no new developments will be sought). The 26 properties within the Brickhill Sands development already represents a 12% increase in the size of the village. A further 5 developments have since been approved nearby at Rectory Farm and outline permission for 36 at Tilbrook Pastures. There is also a part-built home on the site (described as "Existing Farmhouse") and another under construction in Station Road. Whilst these 43 permissions may represent different applications the cumulative impact of the permissions outstanding must be considered.

The site entrance is outside of the recently extended speed restriction zone and whilst the newly approved 3m wide driveway on the site located within open countryside may be acceptable for the dwelling marked "existing farmhouse" and one agricultural building, it

cannot be regarded as acceptable for four dwellings and traffic in relation to the agricultural building. The most recent traffic count indicated Woburn Sands Road/Station Road carries upwards of 12000 vehicles a day. The count did not include the now built Brickhill Pastures development of 26 homes, 5 homes (unbuilt) at Rectory Farm or 36 homes (unbuilt) Tilbrook Pastures or further developments within Woburn Sands/Wavendon or 1600 unbuilt homes recently approved at nearby Eaton Leys. These will all impact on the safety of vehicles entering or leaving the proposed site.

The application has been accompanied by a bleak wildlife survey basing its findings on the land as "waste land". In its discussions with the developers of Blind Pond Farm BBPC were always assured the site itself was to be rented to Avant for storage of building materials before being returned to open countryside. No attempt has been made to restore the site and it appears to have been left in a state that would deliberately deter wildlife from returning. The application has not been accompanied by a tree survey or contamination survey.

Bow Brickhill has huge problems with its shared 150mm foul and rainwater drain already handling over 4 times its safe working load. The current drainage is over 100 years old and the addition to the system of 3 more alongside the requirements of the 43 permissions in place would increase this to 5 times the safe working load. The site of the proposed 3 new homes is lower than Brickhill Sands and would require homes to install an additional pumping station. Homes within the Brickhill Sands site have already experienced flooding and the occupants of a home within Blind Pond Lane have raised concern over sewage seeping from the drains onto gardens.

Bow Brickhill Parish Council request that due to the concerns outlined above, should the Local Planning Authority be minded to recommend approval that the application be determined by the DCC rather than a delegated decision.

#### **Ward - Danesborough And Walton - Cllr D Hopkins**

No comments received.

#### **Ward - Danesborough And Walton - Cllr Bramall**

No comments received

#### **Ward - Danesborough And Walton - Cllr V Hopkins**

No comments received.

#### **Local Residents**

Comments have been received from 18 local residents objecting to the application. Their grounds for objection cover the following issues:

1. The site is in the open countryside and would harm the landscape character of the area.

2. Detrimental impact upon the amenities of adjoining properties.
3. Danger to highway users from new access.
4. The cumulative impact of a number of recent housing developments in bow Brickhill on the character of the village.
5. The site currently suffers from flooding.
6. Loss of trees.
7. Overdevelopment
8. Impact on wildlife
9. Loss of view
10. No capacity at the village school.