

APP 01

Application Number: 12/02586/MMAM

Minor

Minor material amendments to planning consent 11/01433/FUL for revisions to internal arrangements; use of loft space for bedrooms and en-suites; increase in ground floor area of Plot 2 to front elevation and to Plot 3 to rear elevation.

AT Land To The North of, Dingleberry, Olney

FOR Gray And Sons Builders Limited

Target: 5th February 2013

Ward: Olney

Parish: Olney Town Council

Report Author/Case Officer: Jeremy Lee

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

Head of Team: Jackie Fox

Contact Details: 01908 252283 jackie.fox@milton-keynes.gov.uk

1.0 INTRODUCTION

(A brief explanation of what the application is about)

1.1 The Site

The application site forms part of the rear gardens of 57 and 59 Moores Hill. There are a number of trees within and adjacent to the application site and some of the trees in the rear garden of No 59 are covered by a tree preservation order (TPO). The site joins the highway to the south at an existing fenced off access at the end of a turning area in Dingleberry. Details of the location of the site and its relationship to surrounding properties can be seen in the plans attached to this report.

1.2 The Proposal

Planning permission for the development of three houses on the site was granted in September 2011. The current application seeks to amend the details of that permission to create additional rooms in the roof of all three houses and minor changes to the design of plots 2 & 3. Details of the proposal as described above can be seen in the plans appended to this report.

2.0 RELEVANT POLICIES

(The most important policy considerations relating to this application)

2.1 National Policy

National Planning Policy Framework paragraphs:

49 Sustainable development

60, 61, 63 & 64 Requiring Good Design

2.2 Local Policy

Core Strategy

Policy CS10 Housing

Adopted Milton Keynes Local Plan 2001-2011

D1 – Impact of development proposals on locality

D2A – Urban design aspects of new development

D2 – Design of buildings

H7 – Housing on unallocated sites.

T10 – Traffic

T15 – Parking provision

Supplementary Planning Guidance

Adopted Parking Standards

3.0 MAIN ISSUES

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

- 3.1 The main issue is whether the proposed amendments alter the impact of the development already approved to the extent that would warrant refusal. In particular the changes proposed have implications for the potential of overlooking of neighbours and for the appearance of the area. The proposed amendments have been modified to overcome concerns about overlooking and the alteration to the design of the houses is not considered to have a detrimental impact upon the appearance of the area.

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 the end of this report. As an amendment to the previously approved scheme the decision would stand alone and therefore any originally applied conditions would need to be ‘transferred’ to the new decision notice.

5.0 CONSIDERATIONS

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

5.1 Impact on Neighbours

As originally submitted the roof lights proposed to be added to the rear roof plane of plot 1 (to serve the new bedroom in the roof space could have resulted in the overlooking of the rear of 59 Moores Hill. However, these have now been removed from the proposal – roof lights in the front and side roof planes are proposed to serve the bedroom.

- 5.2 A roof light in the south facing hip of plot 2 could also result in the overlooking of 64-66 Dingleberry. However, this roof light would serve the en-suite of the bedroom that is proposed to be created in the roof space. The applicant has agreed to accept a condition requiring this window to be obscure glazed. It is therefore considered that the roof light would not result in the overlooking of houses in Dingleberry.

5.3 Impact Upon the Appearance of the Area

The proposed roof lights are relatively small in comparison with the area of roof that the houses would have. It is therefore considered that the proposed roof lights would not have a significant impact upon the appearance of the development and the area in general.

- 5.4 The amendments to the floor plan of plot 2, which includes a slight increase in the floor area by extending the ground floor bay window across the whole of the frontage rather than just half of it, is considered to produce a neater elevation. The amendments to the ground floor plan of plot 3, which included a slight increase in the floor area by extending the two bay windows to meet and form one single storey element would also produce a neater elevation and would also be hidden from public view. Neither increase in the footprint of the dwelling would conflict with any of the trees shown to be retained in the development as originally approved. It is therefore considered that the proposal would not have a significant impact upon the appearance of the area.

5.5 Conclusions

It is considered that the proposed amendments would not significantly alter the impact of the proposal as previously approved and would not have a detrimental impact upon the amenities of adjoining occupiers or upon the appearance of the area. The additional bedroom for each house does not increase the parking requirements for the development.

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 19th of September 2014.

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. The external materials to be used in the development shall be in accordance with samples to be submitted to and approved in writing by the Local Planning Authority before any work is commenced.(M03)

Reason: To ensure that the development does not detract from the appearance of the locality.

3. A landscaping scheme, which shall include provision for the planting of trees and shrubs, shall be submitted to and approved by the Local Planning Authority before any part of the development is commenced. The scheme shall show the numbers, types and sizes of trees and shrubs to be planted and their location in relation to proposed buildings, roads, footpaths and

drains. All planting in accordance with the scheme shall be carried out within twelve months of commencement of development. Any trees or shrubs removed, dying, severely damaged or diseased within two years of planting shall be replaced in the next planting season with trees or shrubs of such size and species as may be agreed by the Local Planning Authority. (L01)

Reason: To protect the appearance and character of the area and to minimise the effect of development on the area.

4. No part of the development shall be occupied until the new means of access has been sited and laid out in accordance with the approved drawing and constructed in accordance with Milton Keynes Council's guide note 'Residential Vehicle Crossing Details'.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the access.

5. Notwithstanding details on the submitted plans no part of the development shall begin until details of a revised parking and turning area have been submitted to and approved in writing by the local planning authority. No part of the development shall be occupied until the scheme for parking and turning has been sited and laid out in accordance with the approved details and that area shall not thereafter be used for any other purpose. For the avoidance of doubt the alterations are to include unallocated parking spaces 6 metres long (plus entry / exit flares) and an enlarged turning area for plot 3.

Reason: To enable vehicles to draw off and park clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

6. Prior to any development taking place, the developer shall carry out an assessment of ground conditions to determine the likelihood of any ground, groundwater or gas contamination of the site. The results of this survey detailing the nature and extent of any contamination, together with a strategy for any remedial action deemed necessary to bring the site to a condition suitable for its intended use, shall be submitted to and approved in writing by the Local Planning Authority before construction works commence.

Any remedial works shall be carried out in accordance with the approved strategy and validated by submission of an appropriate verification report prior to first occupation of the development.

Should any unforeseen contamination be encountered the Local Planning Authority shall be informed immediately. Any additional site investigation and remedial work that is required as a result of unforeseen contamination will also be carried out to the written satisfaction of the Local Planning Authority.

Reason: To ensure that the site is fit for its proposed purpose and any potential risks to human health, property, and the natural and historical

environment, are appropriately investigated and minimised.

7. All existing trees to be retained are to be protected according to the provisions of BS 5837 2005 'Trees in relation to construction - Recommendations'. All protective measures especially the fencing shall be put in place first, prior to any other work commencing on site. The fencing shall be of the same specification as that depicted in figure 2, page 13 of BS 5837 2005. Signs informing of the purpose of the fencing and warning of the penalties against destruction or damage to the trees and their root zones shall be installed at minimum intervals of 10 metres and a minimum of two signs per separate stretch of fencing. The Root Protection Area (RPA) within the protective fencing shall be kept free of all construction, construction plant, machinery, personnel, digging and scraping, water-logging, changes in level, building materials and all other operations, personnel, structures, tools, storage and materials for the duration of the construction phase.

Notwithstanding the plans submitted and prior to the commencement of development, details of the proposed layout and general arrangements of the site in relation to the trees to be retained shall be submitted to and agreed in writing by the local planning authority and the development shall thereafter be carried out in accordance with the approved details. The submitted information shall include details of storage areas including what substances will be stored and where, locations of car parking, welfare facilities, cement plant, fuel storage and where discharge, filling and mixing of substances will take place. The details shall include site levels to enable risks posed to trees to be quantified. The RPA will be amended as the arboriculture officer feels appropriate after taking account of the details submitted.

No fire shall be lit such that it is closer than 20 metres to any tree or that flames would come within 5 metres of any part of any tree.

Reason: To ensure the protection of trees on site and the provision of the development without harming the vitality of the trees in accordance with policy D1 of the Milton Keynes Local Plan 2001 - 2011.

8. No development shall take place until details have been submitted to and approved in writing by the Local Planning Authority for a tree protection plan in accordance with BS 5837 2005 which includes details of the locations where tree protection fencing will run and where ground protection will be used instead. The works shall then be carried out in accordance with the approved details.

Reason: To ensure the protection of trees on site and the provision of the development without harming the vitality of the trees in accordance with policy D1 of the Milton Keynes Local Plan 2001 - 2011.

9. Tree pruning to facilitate the construction works shall be carried out by a competent, qualified and experienced tree surgeon according to the provisions of BS 3998: 2010 and current arboriculture industry best practice. The local planning authority's arboriculture officer shall be given one week's

notice before the works are carried out so they have the opportunity to attend on site and agree the exact extent of the works with the tree surgery contractor.

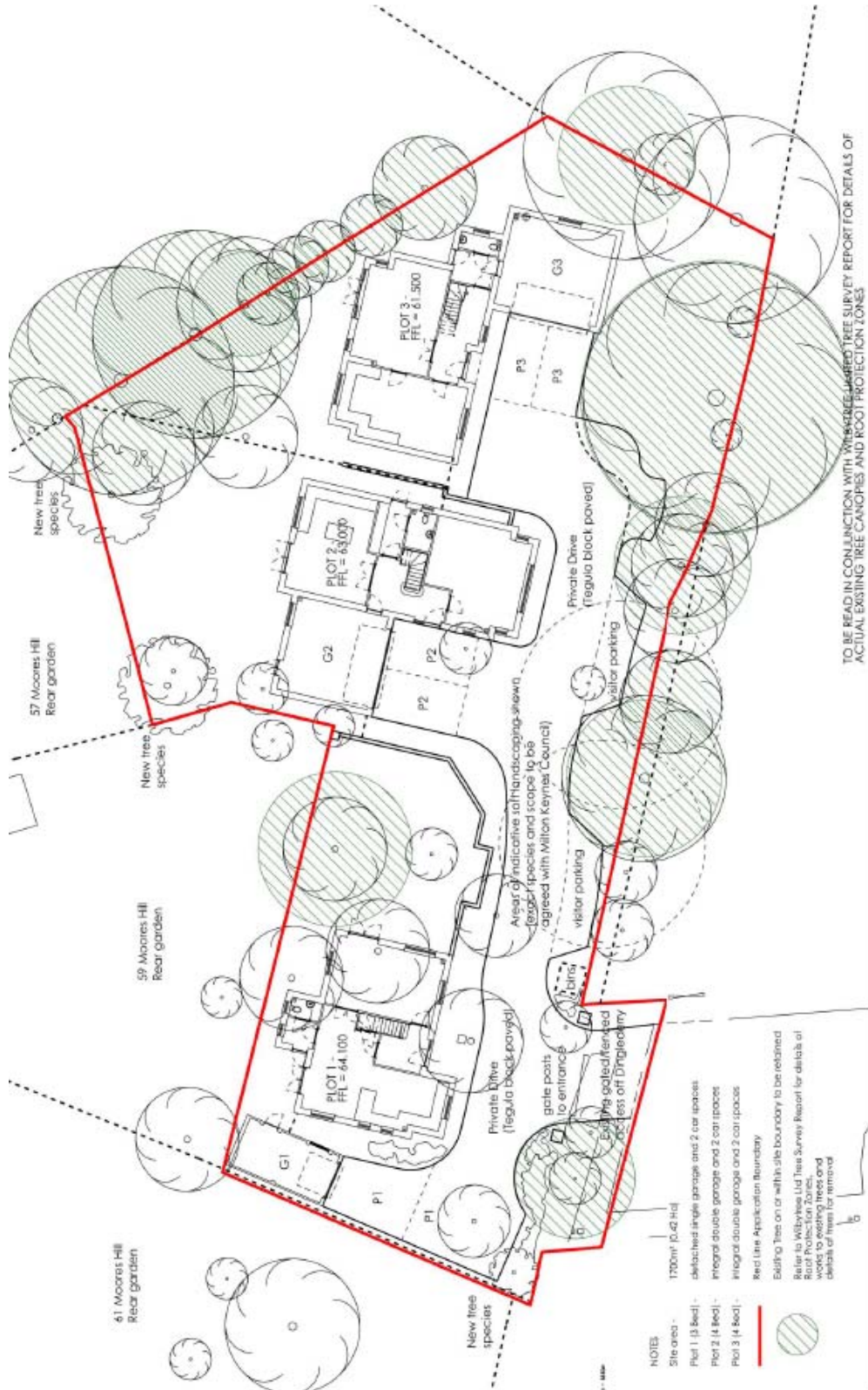
Reason: To ensure the protection of trees on site and the provision of the development without harming the vitality of the trees in accordance with policy D1 of the Milton Keynes Local Plan 2001 - 2011

10. Pursuant to the Town and Country Planning General Permitted Development Order 1995 (amended 2008) or any Statutory Instrument revoking or re-enacting that Order, the provisions of Article 3(1) and Classes A, B, C, D, E and F of part I of Schedule 2 to the said Order (relating to householder extensions) shall not apply to any dwelling to which this permission relates and no such development shall be carried out without the permission of the Local Planning Authority being first obtained.

Reason: To protect the character and appearance of the locality and the amenity of the neighbouring properties in the interests of policy D1 of the Milton Keynes Local Plan 2001 - 2011.

11. The roof light in the south facing hip of plot 2 shall be obscurely glazed to a level of obscurity of level 3 within the Pilkington range of Textured Glass or equivalent and be non opening. It shall not be altered to clear glazing or opening without the prior approval, in writing of the Local Planning Authority.

Reason: To preserve the amenity and privacy of the adjoining residential occupiers.



TO BE READ IN CONJUNCTION WITH THE ABOVE QUANTIFIED TREE SURVEY REPORT FOR DETAILS OF ACTUAL EXISTING TREE CANOPIES AND ROOT PROTECTION ZONES

STEPHEN COLE ARCHITECTURAL DESIGN Homes • Development • Design • Architecture
 1ST FLOOR, 24 HIGH STREET SOUTH, OLNEY, BUCKINGHAMSHIRE, MK46 4AA 07795 246179

Rear of 57-59 Moores Hill, Olney
 Proposed New Housing
 Site Layout - Ground Floor

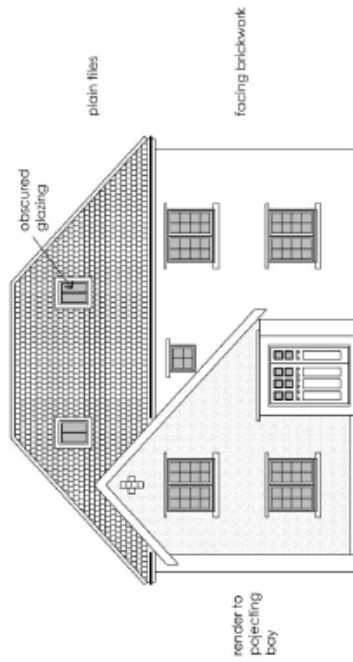
DATE JUN 2011
 SCALE 1:200
 DRAWING NUMBER 152-003
 REVISION C

- NOTES**
- Site area - 1700m² (0.42 Hect)
 - Plot 1 (3 Bed) - detached single garage and 2 car spaces
 - Plot 2 (4 Bed) - integral double garage and 2 car spaces
 - Plot 3 (4 Bed) - integral double garage and 2 car spaces
 - Red line Application Boundary
 - Existing Tree on or within site boundary to be retained
 - Refer to Wilkytree Ltd Tree Survey Report for details of Root Protection Zones, species, dimensions and details of trees for removal

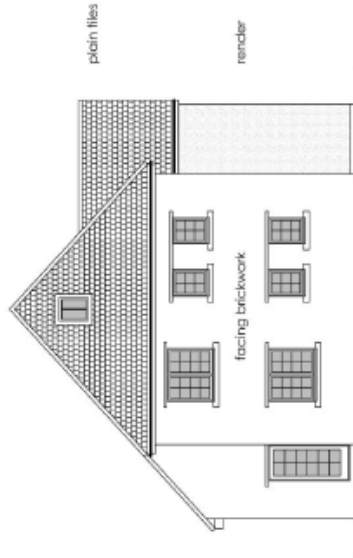
- REVISIONS**
- A 12.10.2012 Visitor parking spaces extended to 6 metre length (Plot 3) vehicle turning area outlined
 - B 07.02.2012 Generally updated to show minor ground floor internal adjustments to double garage (3 car parking) bay adjusted
 - C 07.02.2012 Planning submission (prior material amendment)

Proposed Layout

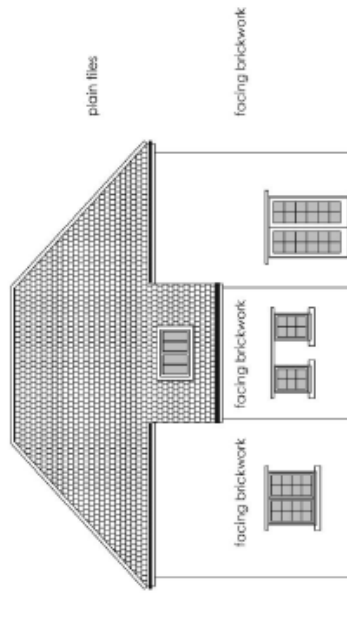
Proposed Elevations Plot 1



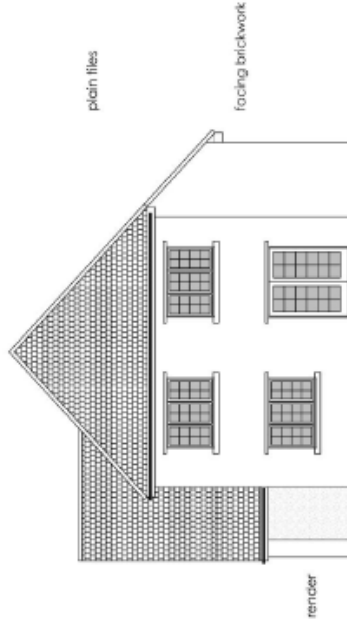
FRONT ELEVATION (SOUTH)



SIDE ELEVATION (WEST)



REAR ELEVATION (NORTH)



SIDE ELEVATION (EAST)

REVISIONS

- A 19.11.2012 Adjusted in accordance with floor layout adjustments
- B 07.12.2012 Issued for planning application
- C 07.12.2012 Issued for planning application (amendment)
- D 07.03.2013 First windows adjusted to suit floor plan drawing

EXTERNAL MATERIALS

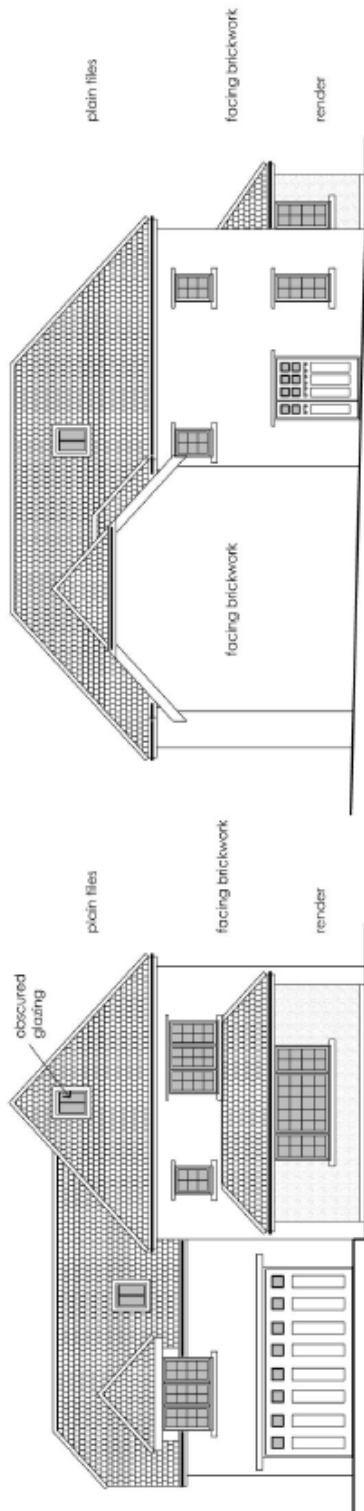
- WALLS - Red facing brickwork to LPA approval
Roughcast render to LPA approval
- ROOF - Plain West Lancashire colour roof tiles to LPA approval
- JOINERY - PVCu or SW (White) windows, doors and fascia boards to LPA approval

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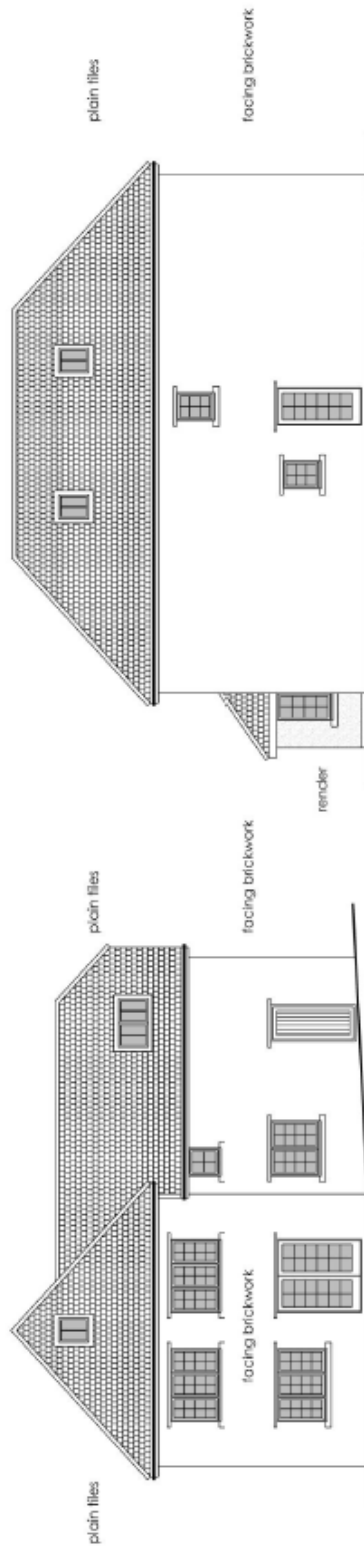
Rear of 57-59 Moores Hill, Olney
Plot 1 - House Type A
Elevations

DATE JUN 2011
SCALE 1:100
DRAWING NUMBER 152-011
REVISION D

Proposed Elevations Plot 2



FRONT ELEVATION (SOUTH)



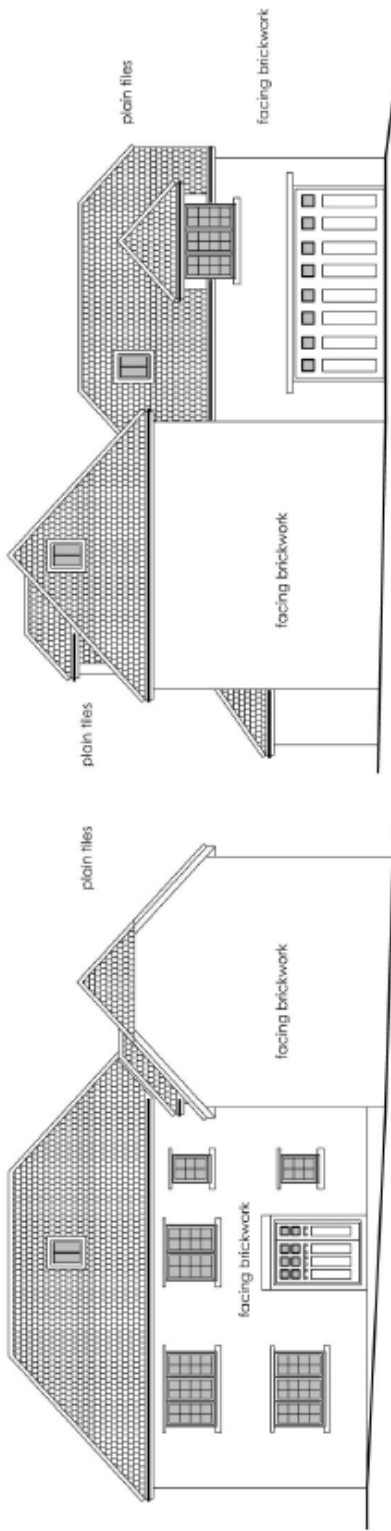
REAR ELEVATION (NORTH)

REVISIONS	EXTERNAL MATERIALS	DATE	DRAWING NUMBER
A 19.11.2012	Adjusted in accordance with floor layout adjustments	JUN 2011	152-013
B 28.11.2012	Revised to suit minor layout adjustments	SCALE	REVISION
C 07.12.2012	Planning submission (minor material amendments)	1:100	D
D 07.02.2013	Roof windows to front elevation adjusted to obscured glazing		

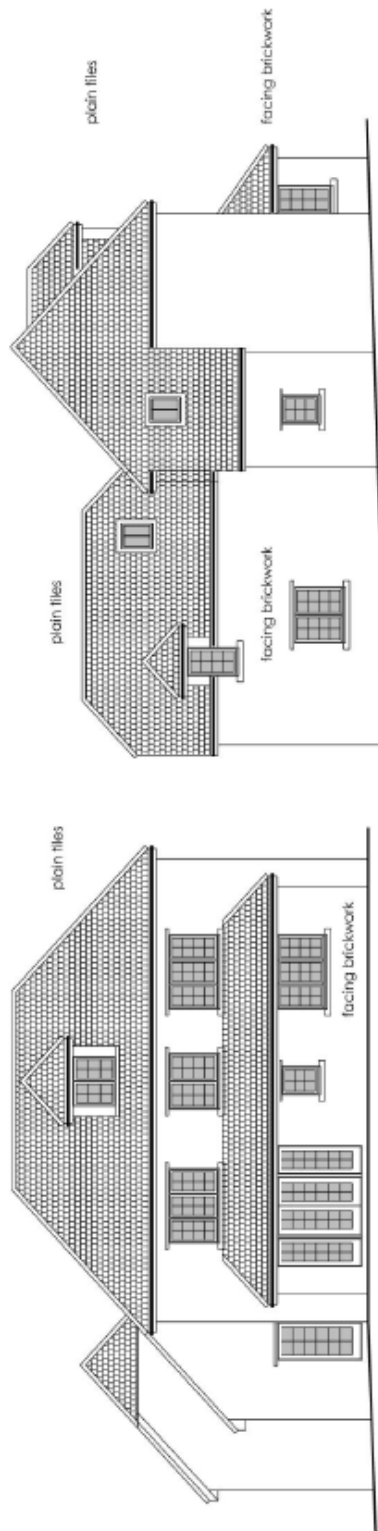
EXTERNAL MATERIALS	DATE	DRAWING NUMBER
WALLS - Red facing brickwork to LPA approval Roughcast render to LPA approval	JUN 2011	152-013
ROOF - Plain tiles, terracotta colour to LPA approval	SCALE	REVISION
JONERY - PVCU, or SW (MDF) window, doors and fascia boards to LPA approval	1:100	D

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 Rear of 57-59 Moores Hill, Olney
 Plot 2 - House Type B
 Elevations

Proposed Elevation Plot 3



FRONT ELEVATION (SOUTH)



REAR ELEVATION (NORTH)

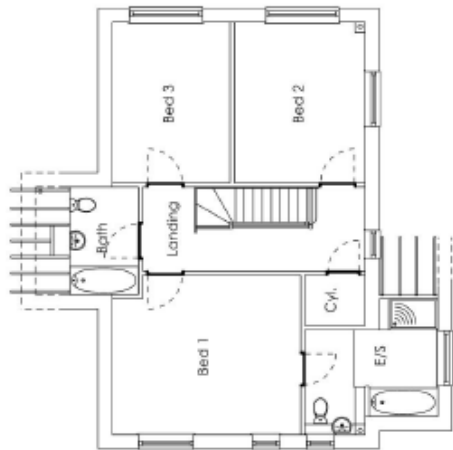
REVISIONS	EXTERNAL MATERIALS	DATE	DRAWING NUMBER
A. 10.11.2012 Adjusted in accordance with floor level adjustments	ROOF - Plain tiles, terracotta colour (LPA approval)	JUN 2011	152-015
B. 11.11.2012 Added new material to external walls	WALLS - Red facing brickwork to LPA approval Roughcast render to LPA approval	SCALE 1:100	REVISION C
C. 07.12.2012 Having submission (final material amendments)	JOINERY - PVCu or SW (White) windows, doors and fascia boards to LPA approval		

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 Plot 3 - House Type c
 Elevations

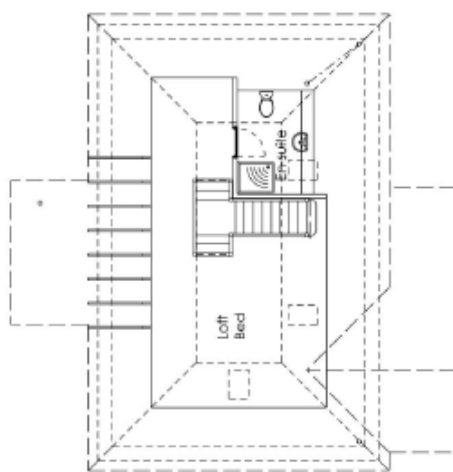
Proposed Floor Plans Plot 1



GROUND FLOOR PLAN



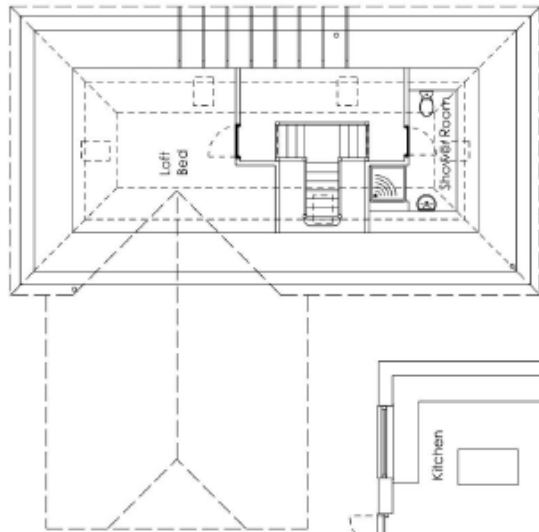
FIRST FLOOR PLAN



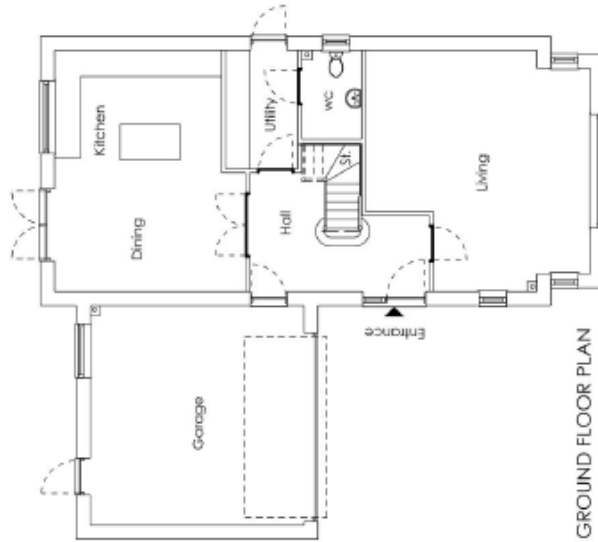
LOFT FLOOR PLAN

REVISIONS	
A	11.10.2012 Potential loft windows shown
B	19.11.2012 Generally updated prior to new Planning submission
C	23.11.2012 Adjustments to floor layout and date following client comments
D	28.11.2012 Minor adjustments to client needs
E	29.11.2012 Windows and doors updated
F	07.12.2012 Planning submission (minor material amendments)
G	07.03.2013 Loft floor plan roof windows updated

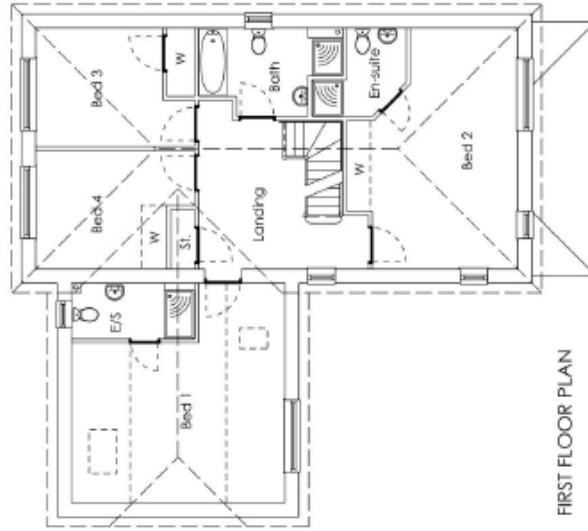
STEPHEN COLE ARCHITECTURAL DESIGN		Homes • Development • Design • Architecture	
1 ST FLOOR, 24 HIGH STREET SOUTH, OLNEY, BUCKINGHAMSHIRE, MK46 4AA 07795 246179			
Rear of 57-59 Moores Hill, Olney		DATE	MAY 2012
Plot 1 - House Type A		SCALE	1:100
Floor Plans		DRAWING NUMBER	152-010
		REVISION	G



LOFT PLAN



GROUND FLOOR PLAN



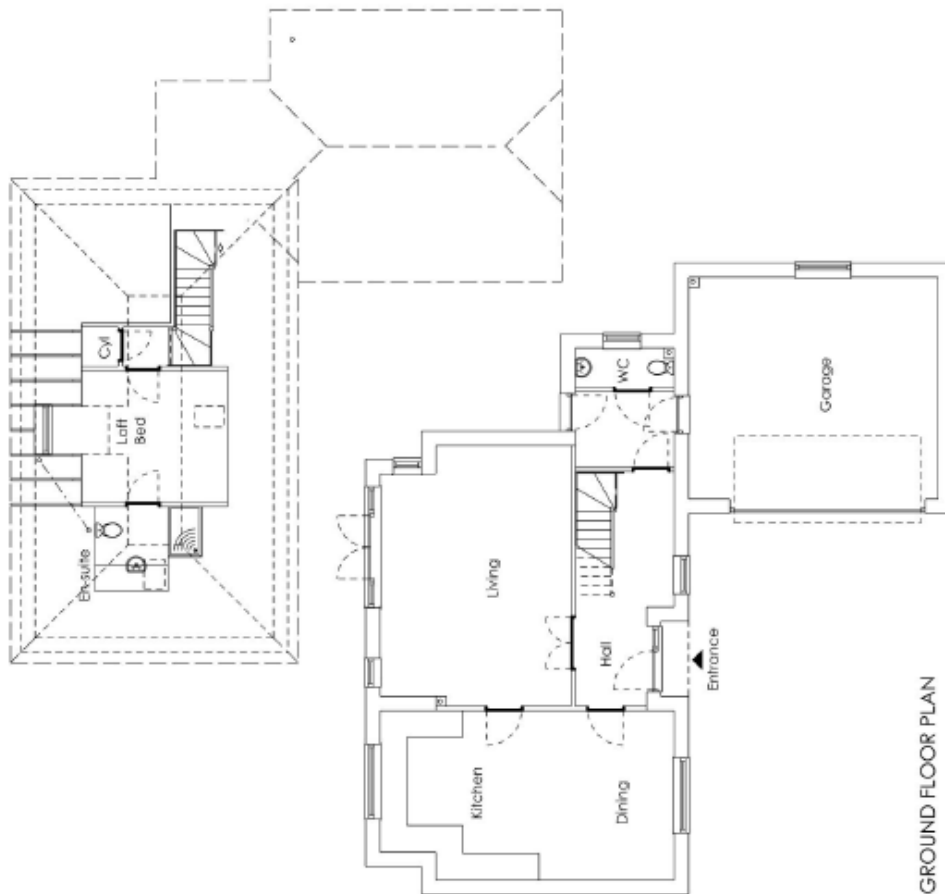
FIRST FLOOR PLAN

REVISIONS
 Generally updated prior to new Planning submission
 A. 25.11.2012
 Minor adjustments to client feedback
 B. 28.11.2012
 Minor adjustments to client feedback
 C. 28.11.2012
 Planning submission (minor material amendments)
 D. 07.12.2012

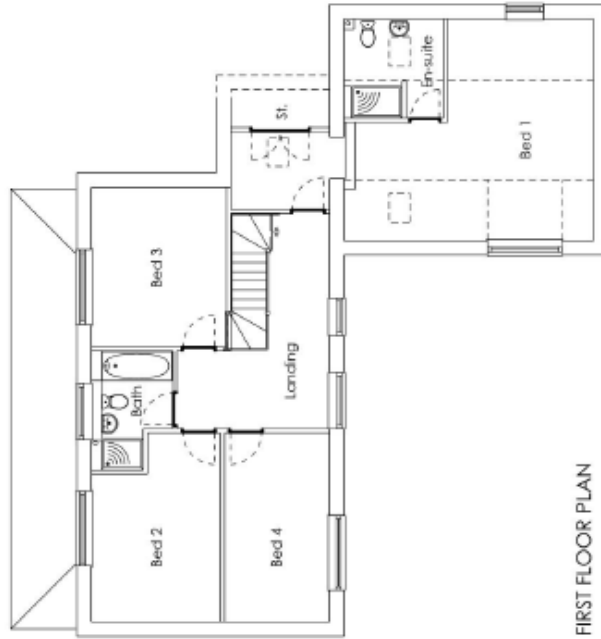
STEPHEN COLE ARCHITECTURAL DESIGN Homes • Development • Design • Architecture
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 Rear of 57-59 Moores Hill, Olney
 Plot 2 - House Type B
 Floor Plans
 DATE MAY 2012
 SCALE 1:100
 DRAWING NUMBER 152-012
 REVISION D

Proposed Floor Plans Plot 2

Proposed Floor Plan Plot 3



GROUND FLOOR PLAN



FIRST FLOOR PLAN

- REVISIONS**
- A 19.11.2012 Generally updated prior to new Planning submission.
 - B 20.11.2012 Site access to loft floor adjusted generally updated to suit.
 - C 23.11.2012 Adjustments to floor layout and slab following client comments.
 - D 28.11.2012 Minor adjustments to client req's.
 - E 02.12.2012 Planning submission (minor material amendments).

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Rear of 57-59 Moores Hill, Olney
 Plot 3 - House Type C
 Floor Plans

DATE MAY 2012
 SCALE 1:100
 DRAWING NUMBER 152-014
 REVISION E

Appendix to 12/02586/MMAM

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 11/01433/FUL

Erection of 3 detached two storey dwellings detached garage, landscaping vehicle and pedestrian access, hard surfacing, and drainage. Permitted 19.09.2011

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 Landscape Services Manager - Trees

No comments received.

Olney Town Council

No comments on the application

Local Residents

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

Katrine Clickers Yard Yardley Road
58-76 (evens), 80, 82 & 102 Dingleberry Olney
35 – 73 (odds) Moores Hill Yardley Road Olney
6 East Street Olney

Comments were received from the occupiers of 4 dwellings in Dingleberry. Two of those comments raise concerns about overlooking resulting from the additional roof lights in the current proposal, one raises concerns about overlooking and the increase in size of the houses and one raises issues regarding the monitoring of the landscaping of the site as originally approved.

With regards to overlooking and the increase in size of two of the properties please see Section 5 above. The issue regarding monitoring of the landscaping is not a matter that can be considered in relation to this application, but appropriate landscaping is required by conditions attached to the recommendation.