

ITEM 4(d)

Application Number: 20/02153/FUL

Description Two storey front/side extension with 2no dormer windows on front elevation and 1 on the rear (resubmission of 20/01531/FUL)

At 6 Hooper Gate, Willen, Milton Keynes, MK15 9JR

For Mr J Au

Statutory Target: 30 October 2020

Extension of Time: 23 November 2020

Ward: Broughton

Parish: Campbell Park Parish Council

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1.0 RECOMMENDATION

1.1 It is recommended that permission is granted subject to conditions set out in this report.

2.0 INTRODUCTION

The Site

2.1 The application site comprises a large detached residential dwelling located in a residential street on Hooper Gate in Willen. The existing dwelling is set back from the roadway with a footpath and green space running to the front of the application site. Surrounding dwellings are detached. Parking provision is provided to the front of the dwelling with sufficient space for at least 3 cars.

The Proposal

2.2 This application is a re-submission of a previously refused scheme under planning reference 20/01531/FUL and seeks planning permission for a two storey front/side extension measuring 4 metres (depth) x 5.5 metres (width). It would not project

beyond the existing front elevation. The proposal includes 2no dormer windows on front elevation and 1 on the rear. The existing garage would be converted into a study and a new garage created in the extension. At first floor an en-suite shower room and a dressing area to bedroom 1 would be created. The external materials would match the existing dwelling.

- 2.3 The current scheme has reduced the roof ridge by approximately 1000mm over the previously refused scheme.

Background

- 2.4 This application site has had a number of applications in the past relating to various front, side and rear extensions and alterations to the property. The most recent application was for two storey front/side extension and increase roof on existing rear extension which was refused under application reference 20/01531/FUL. Previous to that it was an application for a two storey side extension which was permitted under application reference 16/01083/FUL. A subsequent non-material amendment to this application was submitted under reference 20/01273/NMA which was refused. A rear extension is shown on the block plan, however, this was approved and implemented under the previous 2016 permission. The design and footprint of the extension proposed has previously been permitted under planning permission 16/01083/FUL which has now expired.

Reason for referral to panel

- 2.5 The application has been referred to Development Control Panel by Campbell Park Parish Council who objected to the proposal due to its scale, unsympathetic and bulky roof design which would create an overly dominant and incongruous addition to the existing dwelling and would be out of character with the street scene.

Scope of debate/decision

- 2.6 This application proposal is a full planning application and so all material planning matters 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 3 – Plan-making

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 Plan: MK (March 2019)

Policy D1 - Designing a High Quality Place
Policy D2 - Creating a Positive Character
Policy D3 - Design of Buildings
Policy D5 - Amenity and Street Scene
Policy CT10 - Parking Provision

3.3 Supplementary Planning Documents/Guidance

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

3.4 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.

3.5 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

20/01531/FUL

Two storey front/side extension and increase roof on existing rear extension
REF – 24/08/2020

20/01273/NMA

Non material amendment to application 16/01083/FUL for the amendment to roof design on both side and rear extension and front wall moved in line with existing house on side extension
REF 24.06.2020

16/01083/FUL

Demolition of the existing conservatory to form a new dining room to the rear. Demolish the front of the existing garage to create a side extension with a new garage to the front and an office to the rear on ground floor; with an En-suite Master bedroom on first floor. The front yard will be partly refurbished to form hardstanding area for car parking. The old timber gate and fence to be demolished and replaced with a new brick and wrought iron fence and automated sliding gate.
Permitted 22.06.2016

16/00441/FUL

Demolition of existing conservatory and part demolition of garage. Construction of single storey rear extension, two storey front and side extension including conversion of loft and installation of a front dormer window and rear dormer window, the enlargement of hardstanding for parking, removal of timber gate and fence and erection of brick and wrought iron fence and automated sliding gate (Resubmission of 15/02878/FUL)

Withdrawn 15.04.2016

15/02878/FUL

Demolition of existing conservatory and construction of single storey rear extension. Partial demolition of existing garage to create two storey front extension with a new garage. New front hardstanding area for car parking. Replacement of existing timber gate and fence with a new brick and wrought iron fence and automated sliding gate

Withdrawn 29.12.2015

5.0 CONSULTATIONS AND REPRESENTATIONS

5.1 Campbell Park Parish Council

Objection due to the scale, unsympathetic and bulky roof design which would create an overly dominant and incongruous addition to the existing dwelling and would be out of character with the street scene.

5.2 Cllr Crooks – Broughton Ward

No comments received.

5.3 Cllr Bint – Broughton Ward (Vice-Chair DCC/DCCP)

No comments received.

5.4 Cllr Bradburn – Broughton Ward

No comments received.

5.5 Neighbour/ Third Party Representations

Two letters of objections have been received from nearby neighbours. The material planning considerations are summarised below:

- There is significant increase in the street traffic on the Hooper Gate over the last two years.
- There are large lorries coming in several times a day to load and unload goods. Some days there is almost one every hour. With the planned expansion this traffic will only increase further.
- Do they have the permission to run large commercial business from home?

- Working in NHS I do a lot of night shifts and frequently while sleeping in the day at home, my sleep gets disturbed due to the noise of the lorries reversing and parking.
- The owners are running a business from home on a large scale using the garage and part of the house as a warehouse.
- The business being run from home is causing traffic congestion and noise pollution.
- As there is no provision for parking the staff are parking the cars on the road causing inconvenience to other road users. They block the vision when we are reversing the car.
- By extending the garage it is obvious they will be increasing the storing capacity and expand the business activities.

6.0 MAIN ISSUES

- Design and impact on the character and appearance of the area
- Impact on Residential Amenity
- Parking & Highway implications
- Other matters

7.0 CONSIDERATIONS

Design and impact on the character and appearance of the area

- 7.1 Section 12 of the National Planning Policy Framework (NPPF) highlights that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 127 states that development, amongst other requirements, should function well and add to the overall quality of the area, should be visually attractive as a result of good architecture, layout and landscaping, and should be sympathetic to local character and history. Paragraph 130 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.
- 7.2 Policy D1 of Plan: MK states that development proposals will be permitted if they respond appropriately to the site and surrounding area. It should provide active frontages with defined private areas. Soft and hard landscaping should be provided to soften the streetscape and to continue the green character of Milton Keynes, enhancing the quality of the public realm. Policy D2 states that the layout, scale, boundary treatments and landscaping of the development exhibits a positive character and is locally inspired. Where there is no positive built form character in the surrounding area, new development should be designed to create its own distinctive character or sense of place using existing site features. The design must allow for visual interest through the careful use of detailing. Policy D3 focuses on the appearance of the buildings and that they must contribute to the enhancement or creation of a positive character for the development with forward thinking and distinctive architecture incorporated. It states that buildings as proposed should be of an appropriate scale in relation to other buildings in the immediate vicinity in terms

of their height and massing. In addition, the building's form, massing and facade elements all contribute to the character of the site and create visual interest.

- 7.3 The application is a re-submission of a previously refused scheme which was refused as the increased roof height by virtue of its scale and bulkiness was considered to be unsympathetic, overly dominant and incongruous addition to the existing dwelling and therefore out of character with existing dwelling. It resulted in a top-heavy appearance and an awkward relationship with the existing roof design/height.
- 7.4 Campbell Parish Council has raised objections to the scheme due to the scale, unsympathetic and bulky roof design which would create an overly dominant and incongruous addition to the existing dwelling and would be out of character with the street scene.
- 7.5 The concerns raised are noted, however, the current amended scheme reduces the ridge height of the front/side extension. This reduction to the ridge height, when compared to the previously refused scheme now allows the development to appear as a subservient addition to the main dwelling as the ridge height is no longer proposed to sit flush with the ridge height of the original building. In addition to this, the dormer windows to be inserted at first floor largely replicate the existing dormer window ensuring the design and fenestration is sympathetic to the character of the original dwelling. As such the amended scheme appears more proportionate in scale and does not result in any detrimental impact on the character and appearance of the dwelling and the wider street scene. The scheme introduces 1 dormer and 1 rooflight on the rear elevation. Given these would be to the rear of the site and therefore not visible from the public realm they would not contribute to the overall appearance of the site and the character of the area.
- 7.6 Furthermore, the proposed scheme has the same footprint, height and design as the previously approved scheme under application reference 16/01083/FUL which has now expired. As such the scheme could not reasonably be resisted.
- 7.7 As such the proposal is considered to comply with policies D1, D2 and D3 of the Plan: MK 2019 and Section 12 of the NPPF.

Impact on Residential Amenity

- 7.8 Policy D5 of the Adopted Plan: MK (2019) seeks to ensure that development proposals do not cause an adverse impact on residential amenity. It also seeks to ensure new development is not overbearing upon existing buildings and open spaces. It requires all proposals to create and protect a good standard of amenity for buildings and surrounding areas, and in particular should ensure: The levels of sunlight and daylight within buildings and open spaces, and garden areas in particular, are satisfactory; A reasonable degree of privacy to new and existing private living space and the main private garden area, with overlooking limited to an acceptable degree; New development is not overbearing upon existing buildings and open spaces.
- 7.9 The closest neighbour to the proposed development is no.8 Hooper Gate located to the south-east of the application site. The proposed extension would sit close to the

shared boundary with this neighbour. The footprint and design of the proposed front/side extension has previously been permitted under the 2016 application. Given the orientation of the property, the location of the extension adjacent to this neighbour's front garden and the separation distance of approximately 3.8 metres it is not considered that the proposed scheme would unacceptably change the relationship with this neighbour. In addition, as with the previously approved scheme which has now expired, no windows are proposed in the side elevation facing this neighbour, therefore the impact on neighbouring privacy is considered negligible.

- 7.10 In relation to the neighbour at no.4 (north) the proposed extension would not be visible to this neighbour as it would be blocked by the applicants existing two storey house. As such unacceptable impact would result on the amenity of this neighbour.
- 7.11 Given the above it is considered that the proposed scheme would not result in any unacceptable impact on the residential amenity of neighbouring properties in terms of overbearing impact, unacceptable overshadowing or loss of privacy. As such it accords with Policy D5 of Plan: MK.

Parking & Highway implications

- 7.12 Policy CT10 within Plan: MK states that all development proposals should meet the Council's full parking standards and that on-site parking should not be reduced below the Council's full expectations if the proposal would increase pressure in off-site parking.
- 7.13 A number of objections have been received on grounds that the proposed development would increase the business activities on the site which would in turn increase traffic. Concerns have been raised that as there is no provision for staff parking, and the staff are parking their cars on the road causing inconvenience to other road users. The concerns raised are noted, however, the proposal does not include a change of use of the dwelling or introduce any business activities. As stated below in this report the property does not benefit from planning permission to run a business from home and this concern has been forwarded to the Planning Enforcement Team to investigate further. If there is business being run from home which is beyond what would be considered reasonable for a residential dwelling then the applicant would be advised to apply for further planning permission, in which case we would be able to consider parking for the business as well as the residential dwelling.
- 7.14 The proposed development would not increase the number of bedrooms in the property therefore the parking requirement for the site would not increase. The proposed extension does remove an area of the driveway where two cars are currently able to park, however, at least 3 or 4 spaces are retained on the driveway although they may not all be fully accessible at any one time because of the arrangement of the driveway. Nevertheless the loss of driveway does not drop them below the Parking Standards. Only 2no parking spaces are required for a dwelling of this size.
- 7.15 As such the site exceeds the current parking standards therefore the development is considered to accord with Policy CT10 of Plan: MK.

- 7.16 Given the above the scheme would accord with the current parking standards and accord with the Milton Keynes Parking Standards SPD (2016) Policy CT10 of Plan: MK and the Milton Keynes Parking Standard SPD.

Other matters

- 7.17 A number of neighbours have raised concerns that the application site is being used to run a business from home and that the proposed extension to the garage may be to expand the business which would further increase the inflow of commercial vehicles and noise. The concerns raised are noted, however the proposed development does not give any indication that it is to accommodate expanding a business. As such the proposed scheme could not be reasonably resisted on this basis. However, from what the neighbours have said, the level of business activity associated with the site appears to be beyond what is considered reasonable, or permitted development, for a residential property therefore an enforcement case has been opened to investigate further.

8.0 CONCLUSIONS

- 8.1 The proposal is found to be in accordance with development plan policies and it is therefore recommended that planning permission is granted subject to conditions.

9.0 CONDITIONS

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

- 20.087 - P2 Revision 4 Proposed Plans & Elevations

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

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. 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 Policies D2 and D3 of Plan: MK (2019).

A1.0 FULL CONSULTATIONS AND REPRESENTATIONS

A1.1 Campbell Park Parish Council

“Committee resolved to object to this application due to its scale, unsympathetic and bulky roof design which would create an overly dominant and incongruous addition to the existing dwelling and would be out of character with existing dwelling and the street scene, contrary to policies D1, 2 & 3 of Plan: MK 2019.

Council resolved that the application should be considered and determined by Milton Keynes Council Development Control Panel.”

A1.2 Cllr Crooks – Broughton Ward

No comments received.

A1.3 Cllr Bint – Broughton Ward (Vice-Chair DCC/DCCP)

No comments received.

A1.4 Cllr Bradburn – Broughton Ward

No comments received.

A1.5 Neighbour/ Third Party Representations

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