

**Application Number: 16/02306/FUL****Erection of 2 bed bungalow to the rear of property****AT 68 Water Eaton Road, Bletchley, Milton Keynes****FOR Mr N Minawar****Target:** Extension of Time**Ward:** Bletchley East**Parish:** Bletchley & Fenny Stratford  
Town Council**Report Author/Case Officer:** Tassama Amlak**Contact Details:** 01908 254962 tass.amlak@milton-keynes.gov.uk**Team Leader::** Katy Lycett, Interim Team Leader (West)**Contact Details:** 01908 252313 catherine.lycett@milton-keynes.gov.uk

## **1.0 INTRODUCTION**

*(A brief explanation of what the application is about)*

The main body of the report set out below draws together the core issues in relation to the application including policy and other key material considerations. This is supplemented by an appendix which brings together planning history, additional matters and summaries of consultees' responses and public representations. Full details of the application, including plans, supplementary documents, consultee responses and public representations are available on the Council's Public access system [www.milton-keynes.gov.uk/publicaccess](http://www.milton-keynes.gov.uk/publicaccess). All matters have been taken into account in writing this report and recommendation.

This application is referred to the Development Control Panel for determination as more than one third party objection to the development has been received and there has also been an objection from the Town Council.

### **1.1 The Site**

The application relates to land to the rear of 68 Water Eaton Road which is a two storey semi-detached dwelling located on the western side of Water Eaton Road.

### **1.2 The Proposal**

The application seeks permission for the erection of a 2 bed bungalow to the rear of the property.

The proposed dwelling will have a depth of 10 metres, a width of 6.2 metres and a height of 4.3 metres with a hipped roof.

## **2.0 RELEVANT POLICIES**

*(The most important policy considerations relating to this application)*

### **2.1 National Policy**

National Planning Policy Framework 2012 paragraphs

Paragraph 5- the need to create sustainable, inclusive and mixed communities.

Paragraph 14 Presumption in Favour of Sustainable Development

Paragraph 17 – Core Planning Principles

Section 7 – Design

### **2.2 Local Policy**

Core Strategy 2013

CSA - Presumption in Favour of Sustainable Development

CS1 Milton Keynes Development Strategy

CS2 Housing Land Supply

CS10 Housing

CS11 A Well Connected Milton Keynes

CS12 Developing Successful Neighbourhoods

CS13 Ensure High Quality, Well Designed Places

CS18 Healthier and Safer Communities

Adopted Milton Keynes Local Plan 2001-2011

D1 Impact of Development Proposals on Locality

D2 Design of Buildings

D2A Urban Design Aspects of New Developments

NE2 Protected Species

NE3 Biodiversity and Geological Enhancement

NE4 Conserving and Enhancing Landscape Character

T10 Traffic

T15 Parking Provision

H7 Housing on Unidentified Sites

H8 Housing Density

H9 Housing Mix

Supplementary Planning Documents

New Residential Design Guide (2012)

Parking Standards (2016)

### **3.0 MAIN ISSUES**

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

#### **3.1 History**

Principle of Development  
Impact on Character and Appearance of the area  
Impact on Residential Amenity  
Impact on Parking

### **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 in Section 6 of this report.

### **5.0 CONSIDERATIONS**

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

#### **5.1 History**

The application site was previously refused planning permission in 2013 (application reference 13/01858/FUL) for the following reasons:

1. The proposed development would, by virtue of the proposed windows to bedrooms in the first floor, result in a loss of privacy through overlooking to the neighbouring properties on Water Eaton Road, to the detriment of the enjoyment of those properties by their occupiers. The proposal is therefore contrary to the advice within the National Planning Policy Framework and policy D1 of the Milton Keynes Local Plan 2001- 2011.
2. The proposed development by virtue of its siting, scale and bulk is considered to be an incongruous and overly large development in the rear garden which would be out of character with the pattern of development in this area. As a result the proposal will harm the character of the area by virtue of an inappropriate use of land and poor design and would be contrary to the advice of the National Planning Policy Framework and policies D1, D2 and H7 of the Milton Keynes Local Plan 2001-2011 and the advice within the Council's New Residential Development Design Guide SPD 2012

Following the refusal of the planning permission the applicant appealed the planning permission (appeal reference number APP/Y0435/A/14/2217210). However the appeal was dismissed on the grounds that the two storey dwelling will result in the overlooking of neighbouring properties. In addition to this the inspector also concluded that whilst the area has a mixed character; the construction of a two storey dwelling would have an adverse impact on the character of the area.

The current application differs from the previous submission as the proposed dwelling will now be single storey and is significantly small than the previous submission.

## 5.2 Principle of Development

Paragraph 14 of the National Planning Policy Framework states that:

*“... at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development. Where the development plan is absent, silent or relevant policies are out-of-date the Council must consider favourably applications for housing development and should grant permission unless:*

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
- Specific policies in this Framework indicate development should be restricted.”*

The Council does not currently have a five year housing land supply and so the principle of residential development in appropriate sustainable locations is to be encouraged. The site is considered to be located within a sustainable location within the built up area of Bletchley, well served by services and facilities, the application therefore complies with the provisions of paragraph 14 of the National Planning Policy Framework. And so subject to satisfying other material planning considerations covered by other national and local policies as assessed below, the principle of the development is acceptable.

## 5.3 Impact on the character and appearance of the area

Policy D2 of the Local Plan states that the new development should relate well to and enhance the surrounding environment. The surrounding area is mixed in character with semi-detached dwellings on Water Eaton Drive and Frensham Drive has a more open character including three detached dwelling. The proposed development will reflect the character of Frensham Drive and the introduction of a single storey bungalow will not detract from the prevailing character.

It should also be noted that the dimensions proposed dwelling would comply with the legislation for a single storey outbuilding under Class E of the General Permitted Development Order (2015) if the proposal was not for a new dwelling. This is a material planning consideration that carries some weight and it is therefore considered that given that the owners of No. 68 Water Eaton Road could erect a an outbuilding of an identical size; The Council could not justify refusing the application on character grounds.

It is considered that on the balance the proposed dwelling will reflect the general character of the development in the vicinity and therefore meet the requirements of Policy D2.

## 5.4 Residential amenity

Saved Policy D1 of the Milton Keynes Local Plan 2001-2011 seeks to protect the amenities of neighbouring occupiers. Furthermore, the core planning principles in Paragraph 17 of the National Planning Policy Framework details that planning decisions should seek to secure a good standard of amenity for

all existing and future occupants of land and buildings.

The revised layout would provide an improved area of amenity open space for future occupiers of the bungalow and the proposed dwelling is single storey and therefore the proposed windows are not considered to give rise to an adverse impact on the amenities of neighbouring properties. As such, no objections are raised with regards to Saved Policy D1 of the Milton Keynes Local Plan 2001-2011.

## 5.5 Parking provision and access

Policy D1 states that planning permission will be refused for development that is harmful due to inadequate access to the site. Access to the site is via Frensham Drive. There is sufficient width to provide an acceptable vehicular access to the site and the visibility splay is sufficient to ensure that there will be no undue impact on highway safety from cars entering or leaving the site. The proposal is therefore in line with Policy D1 of the Local Plan.

Policy T15 requires that development meets the Councils Parking Standards. 2 off street parking spaces are provided to serve the proposed development and this is in accordance with the Councils parking standards.

## 5.6 Conclusion

The application site is surrounded by existing dwellings and there will be some loss of outlook to these houses, however, this will not be unduly significant. There will be no undue loss of privacy from overlooking, loss of light or general amenity. The proposal complies with the basic standards in the New Residential Design Guide and Policies D1 and D2 of the local Plan. Sufficient off street parking is provided and the impact on the local highway network will be negligible. It is recommended that planning permission be granted subject to the conditions set out at section 6 of this report

## 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 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 51 of the Planning and Compulsory Purchase Act 2004

2. Prior to the occupation of the development hereby permitted the car parking area shown on the approved drawings shall be constructed, surfaced and permanently marked out. The car parking area so provided shall be maintained as a permanent ancillary to the development and shall be used for no other purpose thereafter.

Reason: To ensure adequate parking provision at all times so that the

development does not prejudice the free flow of traffic or the safety on the neighbouring highway.

3. 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.

4. Details of the proposed finished floor levels of all buildings and the finished ground levels of the site, in relation to existing site levels of surrounding property, shall be submitted to and approved by the Local Planning Authority before any work commences. The development shall be carried out in accordance with the approved levels. (G03)

Reason: To ensure that construction is carried out at suitable levels having regard to drainage, access, the appearance of the development and the amenities of neighbouring properties.

5. No development shall occur above slab level until details of the proposed boundary treatment of the proposed and existing dwellings has been submitted to and approved by the Local Planning Authority. The development of the site shall be carried out in accordance with the approved details. The approved fence, hedge or wall shall subsequently be retained to the satisfaction of the Local Planning Authority.

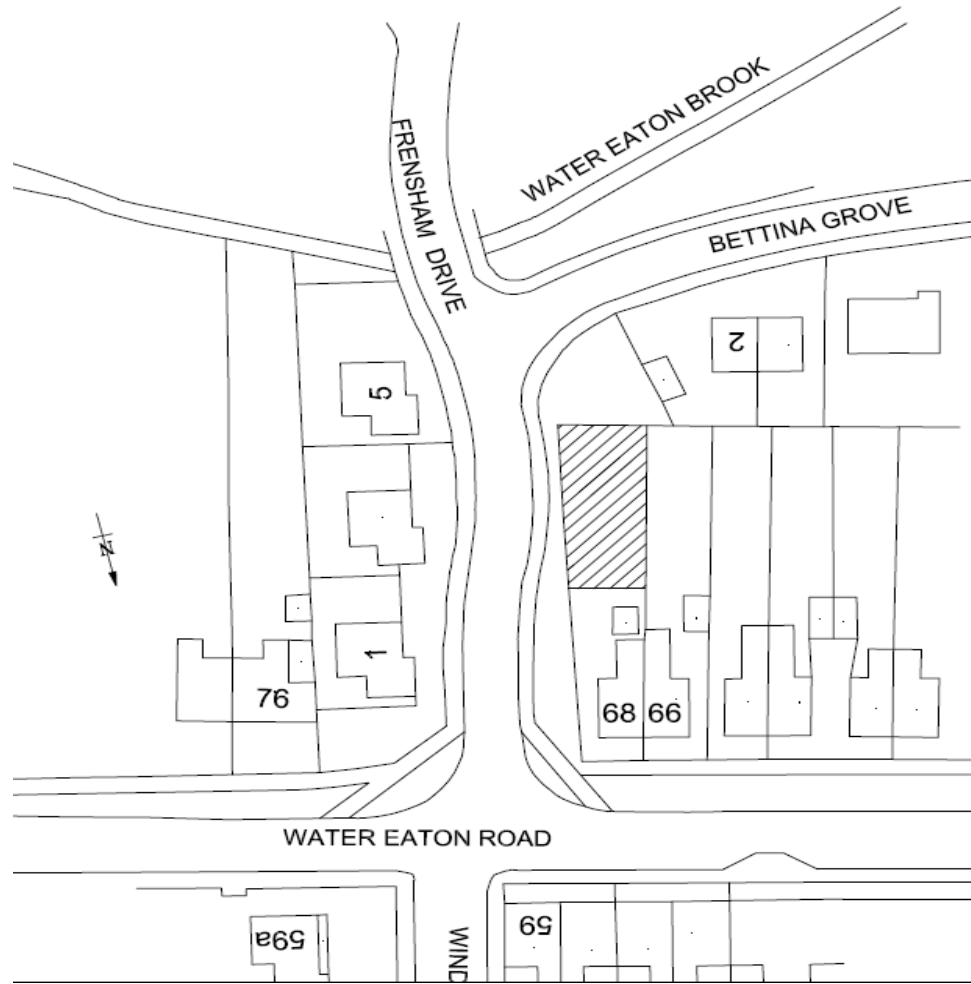
Reason: To protect the amenities of the locality and safeguard the privacy of neighbouring properties.

6. Pursuant to the Town and Country Planning General Permitted Development Order 2015 or any Statutory Instrument revoking or re-enacting that Order, the provisions of Article 3(1) and Classes A and B; of part I of Schedule 2 to the said Order (relating to extensions, enlargement and alterations to the dwelling and roof) 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 amenities of surrounding properties.

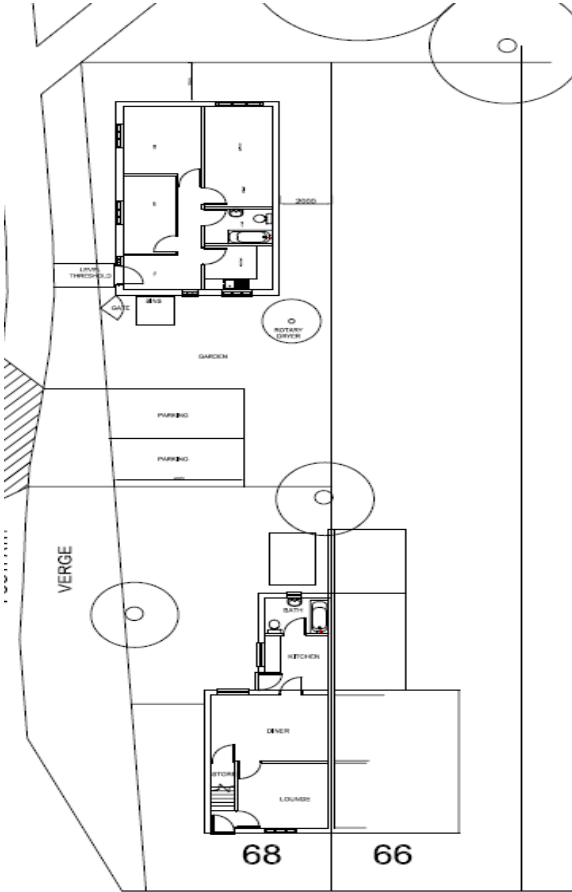


Block Plan





Proposed Layout



## **Appendix to 16/02306/FUL**

### **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 13/01858/FUL  
Erection of two 2 bed flats to the rear of property  
REF 18.10.2013

### **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**

A3.1 Environmental Health Manager  
Environment Agency  
Parish - Bletchley & Fenny Stratford  
Ward - Bletchley East - Cllr Gowans  
Ward - Bletchley East - Cllr Webb

#### **Local Residents**

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

57 Water Eaton Road Bletchley Milton Keynes  
55 Water Eaton Road Bletchley Milton Keynes  
2 Bettina Grove Bletchley Milton Keynes  
5 Frensham Drive Bletchley Milton Keynes  
3 Frensham Drive Bletchley Milton Keynes  
1 Frensham Drive Bletchley Milton Keynes  
27 Bettina Grove Bletchley Milton Keynes  
31 Bettina Grove Bletchley Milton Keynes  
64 Water Eaton Road Bletchley Milton Keynes  
37 Bettina Grove Bletchley Milton Keynes  
20 Bettina Grove Bletchley Milton Keynes  
29 Baccara Grove Bletchley Milton Keynes  
42 Frensham Drive Bletchley Milton Keynes  
20 Bettina Grove Bletchley Milton Keynes  
7 Frensham Drive Bletchley Milton Keynes  
12 Bettina Grove Bletchley Milton Keynes  
23 Baccara Grove Bletchley Milton Keynes

#### **Officer Response**

No objection  
No comment  
Object on grounds overdevelopment and loss of parking  
No comment  
Object on parking grounds

The objections in summary relate to harm to the character of the area, the lack of parking, and the impact on neighbouring residents.