

Appeal Decision

Site visit made on 15 November 2016

by P Jarvis Bsc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 01 December 2016

Appeal Ref: APP/Y0435/D/16/3159410

14 Lambourn Court, Emerson Valley, Milton Keynes MK4 2DA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Hamant Kara against the decision of Milton Keynes Council.
 - The application Ref 16/01233/FUL dated 10 May 2016 was refused by notice dated 5 July 2016.
 - The development proposed is a first floor extension over garage with first floor link to main property and single storey rear extension.
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Decision

1. The appeal is dismissed insofar as it relates to the first floor extension over garage with first floor link.
2. The appeal is allowed and planning permission is granted for a single storey rear extension at 14 Lambourn Court, Emerson Valley, Milton Keynes MK4 2DA, in accordance with the terms of application ref: 16/01233/FUL dated 10 May 2016, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with approved plans: 1:1250 site location plan, 1:200 block plan and drawing nos. 002A and 003A (ground floor plan and elevations as proposed) insofar as they relate to the single-storey rear extension.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those in the existing building.

Main issue

3. The main issue is the effect on the character and appearance of the streetscene.

Reasons

4. The appeal site is located at the southern end of a cul-de-sac of modern properties in a relatively prominent location adjacent to the turning head. It is occupied by a large two storey dwelling with detached double garage to the side. There are a number of dwellings of the same design and appearance within the immediate street scene.
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5. Whilst there is some variety in terms of the extent to which dwellings within the wider cul-de-sac occupy plot widths, those towards the southern end within which the appeal site is located are more spacious with relatively generous gaps to the side boundaries, particularly at first floor level.
6. The proposed first floor extension would extend over the existing garage creating a large addition to the side of the dwelling of about two thirds of the width of the main dwelling, with hipped roof over and ridge height just below that of the main dwelling. This would result in two storey built form extending across almost the whole width of the plot, which would be readily visible in the streetscene. Overall this would introduce a form of built development that would not appear subservient to the existing dwelling and would create an overly large building for the plot, which would dominate the streetscene.
7. I have noted the extended dwelling at No. 15, though in contrast to the appeal site, it occupies a larger plot off a private drive at the end of the road and is not readily visible in public views from the main streetscene. The appellant has also drawn to my attention to a permission for a first floor extension at No. 12 which would also result in the majority of the plot width being occupied by a two storey building. However, that plot is much smaller in width and the proposed extension would be proportionate and subservient to the existing dwelling with the overall extended dwelling not appearing over dominant.
8. I therefore consider that the proposal would have a harmful effect on the character and appearance of the host dwelling and wider streetscene. It would thus fail to comply with Policies D2 and D2A(i) of the Milton Keynes Local Plan 2001-2011 (2005) which seek to ensure that buildings are well designed and relate well to the surrounding area by being in scale with buildings in the immediate vicinity, not detracting from the character of the original building and reinforcing quality and locally distinctive design elements.
9. It would also fail to comply with the National Planning Policy Framework, which seeks development of good design which adds to the overall quality of the area, reflects the identity of local surroundings and takes the opportunities available for improving the character and quality of an area.
10. However, I note that the Council does not object to the proposed single storey rear extension and in my view it would complement the design and scale of the host dwelling and would thus comply with the above policies. As it is a physically separate element I intend to issue a split decision.

Conclusions

11. I conclude that for the above reasons the proposed first floor extension would not be acceptable and the appeal is dismissed in respect of this element.
12. However, subject to conditions to ensure that the single storey rear extension is built in accordance with the approved plans and matching materials to ensure that it is sympathetic with the existing dwelling, I conclude that in respect of this element, this appeal should be allowed and planning permission granted.

P Jarvis

INSPECTOR