

Appeal Decision

Site visit made on 18 April 2017

by Elizabeth Lawrence BTP MRTPI

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

Decision date: 04 May 2017

Appeal Ref: APP/Y0435/D/17/3168268

1 Lynott Close, Crownhill, Milton Keynes, MK8 0DJ.

- 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 Raj Patni against the decision of Milton Keynes Council.
 - The application Ref 16/03222/FUL dated 7 November 2016, was refused by notice dated 6 January 2017.
 - The development proposed is for a part two storey and part single storey rear extension and loft conversion with front and rear dormers.
-

Decision

1. The appeal is dismissed.

Main issues

2. The first main issue is the effect of the scheme on the character and appearance of the local area. The second main issue is the effect of the scheme on the living conditions of the occupiers of 2 Lynott Close (No.2), with particular regard to visual impact and privacy.

Reasons

Character and appearance

3. The Appeal site is located within a modern housing area that is characterised by detached and semi-detached two storey dwellings with uncluttered hipped and gable roofs. The Appeal dwelling occupies a prominent and elevated position adjacent to the junction of Redding Grove and Lynott Close and on the inside of a slight bend in Redding Grove. As a consequence the front, southern flank and rear elevations of the dwelling are clearly visible within the street scene.
 4. The existing dwelling has a simple pitched roof with gable ends and matching front porch. It is one of a pair of matching detached dwellings which frame the entrance to Lynott Close.
 5. Policy D2 (i) and (ii) of the Milton Keynes Local Plan (Local Plan) requires new development to relate well to and enhance its surroundings. It should generally be in scale with surrounding buildings in terms of height and massing. This policy is consistent with the National Planning Policy Framework
-

(NPPF), which seeks to ensure that new development reflects the identity of local surroundings and responds to local character.

6. The eaves height of the proposed rear extension would be materially higher than the eaves height of the host dwelling and there would be large expanse of stark brickwork above the proposed first floor rear window. The proposed front gable extension would similarly have a higher eaves height than the host dwelling, although it would be lower than that of the proposed rear extension. The expanse of brickwork around the proposed rear dormer extension would be visually stark and would result in that part of the dwelling appearing to have a flat roof at third floor level. The rear brick parapet wall around the proposed roof terrace would similarly be visually stark and appear as a high flat roof over the ground floor extension.
7. The proposed narrow second floor windows in the north and east elevations would fail to respect or reflect the existing windows and the proposed circular window would be out of alignment with the windows below. The extension would be visually unbalanced as a result.
8. Finally, having regard to its elevated position the proposed additions would increase the perceived height of the dwelling and would appear over-dominant alongside No.2, which sits at a lower level.
9. As a consequence of these factors the resultant dwelling would be visually poorly proportioned and unbalanced. The overall extension would seriously harm the character and appearance of the host dwelling and the street scene. This harm would materially outweigh the benefits for the Appellant and his family that would result from the additional accommodation.
10. I conclude on the first main issue that the proposed extension would unacceptably harm the character and appearance of the street scene and the locality. It would therefore conflict with policy D2 (i) and (ii) of the Local Plan and the NPPF.

Living conditions

11. The proposed roof terrace, which would be located close to the rear garden of No.2, would be large enough to provide an outdoor recreational and entertainment area. Such use would result in the direct overlooking of the rear garden at No.2. In addition, due to its elevated position, the perceived sense of overlooking resulting from the use of the terrace would be heightened.
12. The Appeal dwelling sits at a higher level and projects several metres forward of the front of the dwelling at No.2. As a consequence the proposed front and north elevations of the resultant dwelling would dominate the approach to and front garden at No.2. To the rear the brick built dormer, parapet wall around the terrace and the high eaves height of the rear extension, with its associated large expanses of plain brickwork would be visually tall and stark. These features would all be overbearing when viewed from the rear garden at No.2.
13. I conclude on the second main issue that the proposal would materially harm the living conditions of the occupiers of No.2, due to loss of privacy and its overbearing visual impact. It would be contrary to policy D1 (iii) of the Local Plan, which seeks to ensure that new development does not have an

unacceptable impact on the living conditions of the occupiers of neighbouring properties.

Conclusion

14. Conclusions on both main issues amount to compelling reasons for dismissing this Appeal, which the imposition of conditions would not satisfactorily address.

Elizabeth Lawrence

INSPECTOR