
Appeal Decision

Site visit made on 31 May 2017

by Helen Cassini BSc(Hons) DipTP MRTPI

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

Decision date: 22 June 2017

Appeal Ref: APP/Y0435/D/17/3168596
65 Cambridge Street, Wolverton MK12 5AE

- 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 Shamshad Ali for Mr Arshad against the decision of Milton Keynes Council.
 - The application Ref 16/02582/FUL, dated 7 September 2016, was refused by notice dated 29 November 2016.
 - The development proposed is a loft conversion with two rooflights to front elevation and dormer to rear elevation (part retrospective).
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Decision

1. The appeal is dismissed.

Procedural Matters

2. At the time of the site visit the two proposed roof lights to the front elevation had not been installed. However, the construction of the rear dormer was nearing completion. On this basis I will therefore deal with the appeal as a part-retrospective application.
3. I have taken the description of the proposal from the Council's decision notice as it provides a full and accurate description of the development. The name of the appellant in the header above is different to that on the original planning application form. However, authority has been given by the original applicant for that change to be made.

Main Issue

4. The main issue of the appeal is whether the proposal preserves or enhances the character or appearance of the Wolverton Conservation Area (the Conservation Area).

Reasons

5. Due to the proposed location of the site in the Conservation Area, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area. In this respect national policy on heritage assets, which includes conservation areas, is set out in the National Planning Policy Framework (the Framework).
6. The Milton Keynes Council Wolverton Conservation Area Review 2009 states that the Conservation Area comprises a mix of residential, industrial,

commercial and open space uses and its character and appearance is, on the whole, derived from this mix of uses. The main residential areas are generally arranged in a pattern of rectangular blocks, creating continuous frontages and enclosed linear views. The blocks of Victorian/Edwardian terraced houses are usually of a regular design and are constructed using similar external materials.

7. The site is also covered by an Article 4 Direction which is intended to control, amongst other things, the enlargement, improvement or other alteration of a dwelling house in order to prevent the loss of the Conservation Area's distinctive features.
8. The appeal site is a modest, 2 storey mid-terraced dwelling with simple and attractive detailing, which respects the character and appearance of the Conservation Area. The two proposed roof lights would be located on the front roof slope. Roof lights situated within front elevations are relatively common within Cambridge Street and the wider locality. The roof lights would be visible from within the public realm on Cambridge Street. However, given the relatively low profile and the existing presence of such development, the visibility of the roof lights would preserve the existing character of the Conservation Area.
9. Once completed, the rear dormer will not be seen from Cambridge Street. Nonetheless, it will be highly visible from what appears to be a well-used alleyway to the rear of the dwelling. Of particular concern is the effect on the views from the alleyway, as this is a defining characteristic of the Conservation Area which contributes to its significance as a heritage asset.
10. Once construction is completed, the ridge height of the dormer will be lower than the main roof. However, as a result of the scale and massing of the dormer, a top-heavy appearance will result which detracts from the presently well-balanced appearance of the rear of the appeal dwelling. The dormer will therefore appear as an incongruous form of development and will materially erode the architectural integrity of the wider terrace and is incompatible with the special characteristics of the Conservation Area.
11. Paragraph 131 of the Framework indicates that the desirability of sustaining and enhancing the significance of heritage assets should be taken into account in determining planning applications. For the purposes of paragraphs 132 to 134 of the Framework, the proposal would lead to less than substantial harm to the significance of the designated heritage assets. Although the appeal scheme leads to less than substantial harm, there is no claimed public benefit arising from the development to weigh against this harm.

Conclusion

12. No harm has been found in relation to the proposed two roof lights. However, I conclude that the dormer will fail to preserve or enhance the character or appearance of the Conservation Area. In the absence of any public benefits to outweigh this harm the proposal therefore conflicts with Policies HE6 and D2 (i) and (ii) of the Milton Keynes Local Plan 2005. When taken together, amongst other things, these policies require development to relate well to and enhance the surrounding environment and avoid inappropriate development in Conservation Areas.

Helen Cassini, INSPECTOR