
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/17/3168595
34 Cambridge Street, Wolverton MK12 5AJ

- 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 R Malik against the decision of Milton Keynes Council.
 - The application Ref: 16/02544/FUL, dated 5 September 2016, was refused by notice dated 29 November 2016.
 - The development proposed is two rooflights to front elevation and erection of rear dormer (retrospective).
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Decision

1. The appeal is dismissed.

Procedural Matters

2. At the time of the site visit the proposed development was complete. On this basis I will therefore deal with the appeal as a 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.
4. 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

5. The Council has only raised objection with regard to the rear dormer and has no concern in relation to the roof lights located in the front elevation. Based on the evidence before me, and from my own observations, it is considered that the front roof lights are an appropriate addition to the existing dwelling. Against this, the main issue of the appeal is therefore whether the rear dormer preserves or enhances the character or appearance of the Wolverton Conservation Area (the Conservation Area).

Reasons

6. 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).

7. 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.
8. 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.
9. 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 dormer cannot be seen from Cambridge Street, but is highly visible from what appears to be a well-used alleyway to the rear. 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. It is noted that the ridge height of the dormer is lower than the main roof. However, as a result of the scale and massing of the dormer, a top-heavy appearance has been created which detracts from the presently well-balanced appearance of the rear of the appeal dwelling. The dormer therefore appears as an incongruous form of development and materially erodes 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. Accordingly, I conclude that the dormer fails to preserve the character or appearance of the Conservation Area. In the absence of any public benefits to outweigh this harm the dormer 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