



Appeal Decision

Site visit made on 3 July 2017

by D. M. Young BSc (Hons) MA MRTPI MIHE

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

Decision date: 18 July 2017

Appeal Ref: APP/Y0435/D/17/3173517

139 Church Street, Wolverton, Milton Keynes MK12 5LA.

- 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 L Khalid against the decision of Milton Keynes Council.
 - The application Ref 16/03343/FUL, dated 2 November 2016, was refused by notice dated 16 January 2017.
 - The development proposed is the installation of two roof lights to front roof slope for loft conversion (retrospective application).
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Decision

1. The appeal is allowed and planning permission is granted for the installation of two roof lights to front roof slope for loft conversion at 139 Church Street, Wolverton, Milton Keynes MK12 5LA in accordance with the terms of the application, Ref 16/03343/FUL, dated 2 November 2016, and the plans submitted with it.

Preliminary Matters

2. The development has already taken place and I have considered the appeal accordingly.
3. The site and surrounding area are within the Wolverton Conservation Area (WCA). Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires that in the exercise of planning powers in conservation areas, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the WCA.

Reasons

5. Paragraph 131 of the "*National Planning Policy Framework*" (the Framework) requires account to be taken of the desirability of sustaining and enhancing the significance of heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. At the local level these aims are reflected in Policy HE6 of the "*Milton Keynes Local*

Plan 2005" (the LP) while Policy D2 seeks to ensure that development is compatible with, and enhances, the surrounding environment.

6. The appeal property is a traditional two-storey, mid-terrace dwelling on the southern side of Church Street. It is set within a wider residential area characterised by long rows of traditional terraced dwellings arranged along mainly straight, parallel streets. A defining characteristic of the estate is undoubtedly the consistency of design particularly to the road facing facades.
7. With regard to roofscape, the WCA appraisal states: *'Whilst diverse in detail, the general absence of dormer windows and rooflights from front roof slopes and the simplicity of the unbroken roof materials reflect the overall simplicity of the buildings and reinforces the consistency of the townscape'*.
8. However, whilst this description may well have been accurate at the time of writing, as I saw when I visited the area and as highlighted by the appellant, rooflights of one form or another are common features particularly along Church Street. Within a short walk of the appeal property I observed at least ten other examples of similarly proportioned rooflights. Given the height of dwellings and the restricted width of the road, these were only readily visible from the opposite side of the road in extreme upward views or at a distance in more oblique views. In either case, the rooflights at No 139 cannot reasonably be claimed to draw the eye or interrupt the vistas along Church Street.
9. I accept that some of the rooflights I observed may not benefit from planning permission. However, there is nothing before me to suggest their removal is likely. In any event, it is an inescapable fact that the rooflights are in situ and form an intrinsic part of the Church Street roofscape. To that end, I conclude that the development does not harm the character and appearance of the WCA. There is thus no conflict with Policies HE6 and D2 of the LP or the Act.

Conclusion

10. For the reasons given above and taking into account all other matters raised, I conclude that the appeal should succeed.

D. M. Young

Inspector