



Appeal Decision

Site visit made on 2 October 2017

by K Ford BSocSc (Hons) MSc MRTPI

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

Decision date: 12th January 2018

Appeal Ref: APP/Y0435/D/17/3179676

83 Green Lane, Wolverton, Milton Keynes MK12 5HW

- 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 M Zakir against the decision of Milton Keynes Council.
 - The application Ref 17/00458/FUL, dated 19 February 2017, was refused by notice dated 18 April 2017.
 - The development proposed is single storey rear side extension and loft conversion with rear dormer.
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Decision

1. The appeal is dismissed insofar as it relates to the loft conversion with rear dormer. The appeal is allowed and planning permission is granted insofar as it relates to the single storey rear side extension at 83 Green Lane, Wolverton, Milton Keynes MK12 5HW in accordance with the terms of the application, Ref 17/00458/FUL, dated 19 February 2017, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plan: 83GL/17/100.
 - 3) No development shall commence until details of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Main Issue

2. The main issue is the effect on the character and appearance of the area, including whether the proposal would preserve or enhance the character or appearance of the Wolverton Conservation Area.

Reasons

3. The appeal site is a mid-terrace property in a long uninterrupted row of properties characterised by their uniformity in design and materials. The property backs onto a lane which separates the dwellings on Green Lane and Victoria Street and provides access to the rear of the properties in both roads. There is greater variety in the street scene of the access lane as a result of

differing boundary finishes, residential paraphernalia and extensions but the roof spaces the length of the terrace are unaltered. There is a strong regularity in the main part of the dwellings as a result and this characterises the area.

4. The proposed dormer would extend across the majority of the roof and rise almost directly from the rear wall to end in a flat roof just below the ridge. The dormer would significantly increase the bulk of the roof, rendering it out of scale and proportion to the existing dwelling. It would have a dramatic impact on the form and appearance of the roofscape and be incompatible with the character and appearance of the host property.
5. The proposal would severely compromise the uniformity of the rear rooftop vistas, disrupting the visual coherence of the row. It would therefore be an incongruous addition out of character with the wider area. The absence of roof lights or any other alterations to the appearance of the front elevation of the property does not outweigh the harm I have found. The rear of the property may not be subject to an Article 4 Direction, there is nevertheless a need for new development in the Conservation Area to preserve or enhance the character of the area.
6. The proposal would harm the character and appearance of the host dwelling and wider area. It would adversely affect the valued qualities, significance and special interest of the Conservation Area and would therefore fail to preserve or enhance its character and appearance. Whilst the harm to the significance of the Conservation Area would be less than substantial, the public benefits would not be sufficient to outweigh the harm the development would cause. The proposal would therefore conflict with saved Policy D2 of the Milton Keynes Local Plan 2001-2011 (Local Plan), which requires development to relate well to and enhance the surrounding environment and be of a scale that does not detract from the character of the original building. It also conflicts with saved Policy HC6 of the Local Plan, which states that development proposals within a Conservation Area should preserve or enhance the character and appearance of the area.
7. I note that the Council has raised no objections to the single storey rear extension, which would be small in nature and screened from the public realm. I consequently agree that it would be acceptable and preserve the character and appearance of the Conservation Area. This element of the scheme is clearly severable and separate to the proposed dormer.

Other Matters

8. The appellant has made reference to other dormers that have been permitted in the vicinity. I do not however have full details of these cases in order to draw comparisons with the case before me. In any event, each case is determined on its own merits and I have assessed the case based on the information available.
9. I note the appellant's reasons for the application and the benefits the development would provide. This however is outweighed by the harm of the dormer to the character and appearance of the area and to the Wolverton Conservation Area.

Conditions

10. The conditions set out above are based on those suggested by the Council. Where necessary I have amended the wording of these in the interests of precision and clarity in order to comply with advice in the Planning Practice Guidance.
11. In addition to the standard 3 year time limitation for commencement, I have imposed a condition requiring the development to be carried out in accordance with the submitted plan as this provides certainty. I have imposed a condition requiring details of finishing materials, these are essential to be agreed prior to development commencing to ensure an acceptable form of development in respect of the character and appearance of the area.

Conclusion

12. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be allowed in part and dismissed in part.

K Ford

INSPECTOR