



Appeal Decision

Site visit made on 25 February 2020

by L Page BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 March 2020

Appeal Ref: APP/Y0435/D/20/3245638

7 The Glebe, Lavendon MK46 4HY

- 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 and Mrs Martynski against the decision of Milton Keynes Council.
 - The application Ref 19/02745/FUL, dated 19 October 2019, was refused by notice dated 16 December 2019.
 - The development proposed is extension and alterations to a dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Following refusal of the application the appellants have submitted revised plans under the appeal, which comprise elevation and floor plans showing a material reduction in the scale and layout of the proposal. The 'Planning Appeals: Procedural Guide' makes it clear that 'the appeal process should not be used to evolve a scheme and it is important that what is considered by the Inspector is essentially what was considered by the local planning authority, and on which interested people's views were sought'. Subsequently, the appeal has been assessed on the basis of the proposal set out in the application.
3. The appellants have questioned whether some elements of the proposal require planning permission. However, this is not a matter for an appeal made under section 78 of the Town and Country Planning Act 1990. It is open to the appellants to apply to have the matter determined under sections 191 or 192 of the Act. Any such application would be unaffected by the determination of this appeal.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

5. The site is in an area residential in character with variation in property type. Generally, properties of the same type appear in groups, within which there is a degree of uniformity. Contrast between groups creates interest, whilst uniformity within groups creates coherence. Together, these elements create an area with a distinctive character and appearance.

6. The appellants evidence the variation in property type and point to a number of extensions in the area. However, I have no evidence before me to understand their individual planning circumstances and indeed whether or not they are lawful. In any event, they do not detract from the uniformity of their respective group and properties remain identifiable by type and relate well to one another.
7. The appeal property is a chalet bungalow within a group of other such bungalows. Their group layout forms a parallel row with pairs on each end set perpendicular. The property is located within one of these pairs, at the southern end of the row. The appellants reference a dormer extension at one of the bungalows, but no substantive evidence about its planning history has been presented. Its presence alone would not automatically lead to another proposal being acceptable. In any event, the group of bungalows still appears consistent in design. Arguably, they possess greater uniformity compared to groups of other property types in the area, and this should be preserved.
8. In this context, the proposal would add significant scale to the appeal property and even though the visual impact would be less obvious from the roadside, it would still remain a fundamental change in design. Therefore, the proposal would be at significant odds with every other bungalow in the group. Subsequently, it would disrupt the current level of uniformity and introduce something that is overly dominant to the detriment of the character and appearance of the area.
9. The appellants mainly consider the proposal's contrasting relationship with other property types is a basis for its acceptability. However, in my judgment the proposal would harm the established uniformity of this group of bungalows.
10. The proposal would harm the character and appearance of the area. It therefore conflicts with Policies D1, D2 and D3 of Plan:MK (2019). These policies seek, amongst other things, that the scale and design of proposals respect the local context and the character of existing buildings and the surrounding area.

Other Matters

11. There is no evidence quantifying the carbon benefits of the proposal or how it would meet specific policies within the development plan. Since no cogent argument has been provided, I am unable to give it any more than limited weight in my decision.
12. The support from an interested party which together with an absence of objection, do not in themselves mean that the proposal is acceptable. The appeal has been determined based on the development plan, material considerations and the evidence presented.
13. The comments relating to the Council's administration of the application do not relate to the planning merits and as such are outside the scope of this appeal.

Conclusion

14. For the reasons given above, the appeal is dismissed.

Liam Page

INSPECTOR