



Appeal Decision

Site visit made on 7 August 2020

by R Sabu BA(Hons) MA BArch PgDip ARB RIBA

an Inspector appointed by the Secretary of State

Decision date: 1st September 2020

Appeal Ref: APP/Y0435/W/20/3249605

1 Savoy Crescent, Central Milton Keynes, Milton Keynes MK9 3PU

- 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 Stonegate Pub Company against the decision of Milton Keynes Council.
 - The application Ref 19/03160/FUL, dated 22 November 2019, was refused by notice dated 27 January 2020.
 - The development is erection of 1no. timber pergola, 11no. static timber planters, astro turf and 6no.branded canvas barriers.
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Decision

1. The appeal is allowed and planning permission is granted for erection of 1no. timber pergola, 11no. static timber planters, astro turf and 6no.branded canvas barriers at 1 Savoy Crescent, Central Milton Keynes, Milton Keynes MK9 3PU in accordance with the terms of the application, Ref 19/03160/FUL, dated 22 November 2019, and the plans numbered 3260-30 Rev AB, 3260-31 Rev A and 3260-32.

Procedural Matters

2. I have used the description of development from the application form, omitting any wording that is not an act of development.
3. From the evidence before me and my observations during the site visit, the development described above already exists on the site. I observed no obvious discrepancy, and none have been identified by the parties, between it and the submitted drawings before me. I am therefore content to determine the appeal on the development as built.

Main Issue

4. The Council has not objected to the timber planters, astro turf or canvas barriers. From the evidence before me I see no reason to disagree. Therefore, the main issue is the effect of the timber pergola on the character and appearance of the area.

Reasons

5. The site is located in a prominent position at the end of Savoy Crescent, a pedestrianised route lined with restaurants and bars in central Milton Keynes. The area has a vibrant and open feel with outdoor seating being a common feature of the area.

6. The pergola is open on three sides and partially covered by vertical timber planks along one side which faces a public area. It is sited on the outer edge of the site and is visible on approach from the south along Savoy Crescent. From this approach, the open ends of the pergola are visible such that the thickness of the roof and support posts at the side of the pergola can be seen. These elements are relatively modest in thickness when viewed against the wider route through the street and from the north such that they do not adversely affect the open character of Savoy Crescent. Therefore, the pergola does not unduly restrict views along Savoy Crescent.
7. To the west of the site lies a large public area that is adjacent to a car park. As such, the pergola is most visible from this approach. While the slotted fence design is most noticeable from the public realm to the west, given the particular position of the site at the end of the public area, the majority of this pedestrian zone remains open. Moreover, given that the pergola allows views, albeit modest, through to the seating area and only runs along part of this boundary, it does not harmfully diminish the open permeable feeling of the area, nor unduly prevent surveillance of the public realm.
8. I acknowledge the evidence regarding materials. The timber pergola would be in keeping with the timber planters both on the site and along Savoy Crescent. While the corrugated roof does not appear to be a common feature in the area, it is not prominent from street level. Therefore, the materials of the pergola do not adversely affect the character and appearance of the area.
9. Consequently, the pergola does not harm the character and appearance of the area. Therefore, it does not conflict with Policies D1, D2 and D3 of Plan:MK 2016 – 2031 Adopted March 2019 which among other things require development to respond appropriately to the site and surrounding context, seek boundary treatments of a development to exhibit a positive character or sense of place for a development and contribute to the enhancement of a positive character for a particular area.

Other Matters

10. While I note the evidence relating to a temporary permission, given my finding above, such a condition would not be necessary. I also acknowledge the evidence regarding the contribution of the timber pergola to the overall refurbishment of the unit and effect on the vitality of the city centre. However, these points have not been determinative for the outcome of this appeal.

Conditions

11. I note the conditions suggested by the Council. Since the development has been erected, the conditions relating to the commencement of development and specifying plans are not necessary. However, the approved plans are stated in the decision in the interests of certainty.

Conclusion

For the reasons given above, the appeal should be allowed.

R Sabu INSPECTOR