The Planning Inspectorate

Appeal Decision

Site visit made on 30 September 2020

by David Carter BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th November 2020

Appeal Ref: APP/Y0435/W/20/3245763
17 Clifford Avenue, Bletchley, Milton Keynes MK2 2LT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Mrs Pieronilla Martuccio against the decision of Milton Keynes Council.
- The application Ref 19/02658/FUL, dated 13 October 2019, was refused by notice dated 27 November 2019.
- The development proposed is a new chalet bungalow in rear garden plus parking for new and existing dwelling.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of the proposed development on the decision notice and appeal form has been simplified to, "erection of bungalow with parking for new and existing dwelling". Since the appellant has adopted this on the appeal form, I have determined the appeal on this basis.

3. Mr Angelo Martuccio is identified as the appellant on the appeal form. However, it has been confirmed in correspondence that the appellant is Mrs Pieronilla Martuccio who is also the applicant on the planning application form.

Main Issue

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

Reasons

5. No 17 Clifford Avenue occupies a larger plot than other nearby dwellings. The proposed 2 bedroom chalet bungalow would be positioned in the south-east corner of the existing garden to No 17. The ground floor area of the bungalow would be relatively generous compared to existing dwellings nearby and, its ridge height would be sufficient to enable a bedroom and bathroom to be provided in the roof space.

6. The orientation of the proposed bungalow would be perpendicular to the host property (No 17). This would ensure that separation distances between the new bungalow and existing dwellings would satisfy minimum requirements in the Milton Keynes Design Guide (2012) although adjoining residents have

objected regarding potential overlooking adjacent properties including their rear gardens from first storey windows.

7. Many nearby properties have been extended to the rear and, also have some form of domestic scale outbuildings in their rear gardens but, there are no structures comparable in scale to the appeal proposal amongst them. This means that the proposed bungalow would appear as an incongruous and overbearing, backland feature that would dominate and change the traditional character of the rear gardens for a significant number of properties forming the established pattern of development on Water Eaton Road, Windsor Street and, to a lesser extent Clifford Avenue.

8. The character and appearance of the area has already been affected to some degree by the removal of existing trees and vegetation on the footprint of the proposed dwelling. While these features were not protected, the appeal proposal does not include soft landscaping in mitigation yet, the proximity of the proposed bungalow to the eastern and southern boundaries would appear to substantially preclude such measures being provided on the appeal site. This implies that planting to soften the effects of the new development would have to occur within the gardens of neighbouring properties.

9. The appellants evidence has drawn my attention to 2 other schemes that have been granted planning permission. I do not have all the detail but have noted that scheme Ref: 12/01334/FUL approved the construction of a new dwelling at the end of an existing cul-de-sac located between 2 existing bungalows. The other scheme Ref: 16/02143/FUL approved a new dwelling behind an existing apartment building along a mixed frontage including commercial buildings. Therefore, I do not consider that either of these schemes is directly comparable to the current appeal proposal.

10. Accordingly, I conclude that the appeal proposal would represent an inappropriate form of development harmful to the character and appearance of the area. As such, the proposal conflicts with the development plan, Plan:MK 2016-31 (adopted 2019) Policies D1, D3 and D5. These policies together seek to encourage a high quality of design in new development having a positive effect on local character and amenity.

Other Matters

11. The appellant's evidence sets out the desire to construct the new bungalow to provide accommodation for an elderly person who currently resides at No 17. However, the proposal would be larger than an annex for a dependant relative. The appellant explains this would enable the rooms in the roof space to provide accommodation for a live-in carer. It is also necessary as the bungalow would be an entirely separate dwelling because, the existing house at No 17 would be sold to finance the new development. While I respect the desire to provide accommodation for an elderly person those considerations are not sufficient to overcome the harm I have identified arising from the inappropriate form of development proposed.

Conclusion

12. For the reasons given above and, taking account of all the matters raised, I conclude the appeal should be dismissed.

David Carter

INSPECTOR