



Appeal Decision

Site visit made on 10 November 2020

by Graham Wyatt BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd December 2020

Appeal Ref: APP/Y0435/W/20/3250247

15 Gleneagles Close, Bletchley MK3 7RT

- 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 Brendan Healey (Inspire Design and Build) against the decision of Milton Keynes Council.
 - The application Ref 19/03232/FUL, dated 3 December 2019, was refused by notice dated 30 January 2020.
 - The development proposed is described as the "Construction of a four-bedroom detached house together with associated works. At: Land To The North of 15 Gleneagles Close Bletchley Milton Keynes, MK3 7RT. and implementation of Diversion of a right of way approved under application ref 16/02700/FUL".
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Council's decision notice refers to the failure of the appellant to provide an Electric Vehicle Charging Point as part of the development. However, the Council has subsequently accepted that this matter could be dealt with by an appropriately worded condition.

Main Issues

3. The main issues in this appeal are the effect of the proposed development on:
 - the character and appearance of the area;
 - the living conditions of adjoining occupiers with particular regard to outlook at 14 and 16 Gleneagles Close; and,
 - biodiversity at the site.

Reasons

Character and Appearance

4. The appeal site forms a parcel of land that lies to the north of 15 Gleneagles Close. The proposal seeks to erect a detached dwelling and garage on the site. The area is residential in character and contains properties which are typically arranged in a linear manner with private parking areas to the front and gardens to the rear. The northern boundary of the site contains a mixture of trees and hedges with the remainder of the site forming a grassed area.

5. There is a range of style and size of property in the vicinity such as detached dwellings, some of which are linked by garages. However, there remains a degree of uniformity to the street scene which is created by the layout and scale of properties in the vicinity. This gives the area a pleasant and spacious suburban character.
6. In this instance, although the proposed dwelling incorporates a forward facing gable that would be similar to the existing properties, it also proposes an additional, very large cat slide style element that significantly alters the scale of the building. Notwithstanding the extent of the plot and the design of the proposal, its size would be quite out of keeping with the properties that surround it and would dominate this part of Gleneagles Close. The proposal would not respond to local distinctiveness and would create a discordant form of development, failing to accord with the area's established urban grain, in particular the spacious form of development that characterises the area.
7. Although I accept that the proposed dwelling would be on a corner plot at the end of the road, it is nonetheless adjacent to a footpath and a golf course, and is clearly visible from surrounding properties. Consequently, the harm to the established street scene would be clearly visible from public vantage points. Moreover, given the overall size of the proposed dwelling, I am not persuaded that landscaping at the site would provide adequate mitigation, which in any event would take a long time to mature and cannot be relied upon to remain in perpetuity.
8. Thus, the development would result in harm to the character and appearance of the area. It would be in conflict with Policies D1, D2 and D3 of the Milton Keynes Council Plan:MK 2016-2031 adopted 2019 (the MK Plan) and the objectives of the West Bletchley Neighbourhood Plan 2016-2026 which seek, amongst other things, to ensure that developments respond appropriately to the site and surrounding context.

Living Conditions

9. As a result of the arrangement of properties in the vicinity, the appeal site lies beyond the rear building line of Nos. 14 and 16 Gleneagles Close. Therefore, the proposed dwelling would face onto the boundary fence of the rear garden to No. 16. Although the single storey extension to No. 16 includes roof lights, the side elevation of the property does not contain any additional windows.
10. Whilst it may be possible to view the property from the rear gardens of No. 14 and 16, and potentially the conservatory to the rear of No. 16, given the separation distance of the proposal from these properties, I am not persuaded that the development would result in an overbearing form of development that would affect the living conditions that the occupiers of these properties currently enjoy.
11. Thus, the development would not result in harm to the living conditions of adjoining occupiers. It would not be in conflict with Policy D5 of the MK Plan which seeks, amongst other things, to ensure that new developments are not overbearing upon existing buildings and open spaces.

Biodiversity

12. Policy NE3 of the MK Plan requires development proposals to maintain and protect biodiversity and geological resources. Any harm that cannot be

avoided should be adequately mitigated and as a last resort compensated. In addition, any mitigation, compensation and enhancement must also be secured and maintained for the lifetime of the development.

13. I note that the protected Ash tree would be fenced off during the development. However, there is no substantial evidence which sets out a relevant biodiversity assessment of the site, or any mitigation measures for any identified impacts. Consequently, there is no certainty that a condition to control such matters would be effective.
14. Thus, it has not been demonstrated that the proposed development will not harm biodiversity. Therefore, it would conflict with Policy NE3 of the MK Plan, the specific requirements of which are specified above.

Other Matters

15. I accept that, despite its spatial limitations, that the design of the proposed dwelling is acceptable and that suitable materials could be employed. I also acknowledge that the site benefits from an extant planning permission¹ for a smaller dwelling. However, neither this nor any other material consideration that has been advanced, outweighs the harm I have identified above.
16. The Council state that it is currently considering a further application² for a new dwelling at the site. Although I am not aware of the status of this application, the Council confirm that there are material differences to the proposal before me, such as the removal of the detached garage and a reduction in both its width and first floor element.

Conclusion

17. For the reasons given above, and having regard to the development plan when read as a whole, the appeal is dismissed.

Graham Wyatt

INSPECTOR

¹ 16/02700/FUL

² 20/00973/FUL