



Appeal Decision

Site visit made on 11 December 2020

by A Denby BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 February 2021

Appeal Ref: APP/Y0435/D/20/3258082

22 Haydock Close, Bletchley, MK3 5LL

- 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 & Mrs Randall against the decision of Milton Keynes Council.
 - The application Ref 20/00997/FUL, dated 23 April 2020, was refused by notice dated 19 June 2020.
 - The development proposed is two storey rear extension.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the living conditions of the existing occupiers of No 7 Thirsk Gardens, with particular regard to outlook.

Reasons

3. The appeal site comprises a detached two-storey dwelling located within a primarily residential area at the end of a cul-de-sac. The existing dwelling is positioned to one side of the wide plot, in close proximity to the rear site boundary. There is currently fencing to the rear site boundary with a hedge beyond.
4. The appeal scheme proposes the demolition of an existing conservatory to the rear and erection of a two-storey extension. There is an existing two-storey projection with gable end which is in close proximity to the rear boundary. However, the other two-storey elements of the existing property are inset further from the boundary. As such the site retains a sense of spaciousness, and this offers some relief from the built form in outward views from No 7.
5. The proposal would have the same eaves height as the existing dwelling and the rear elevation would be flush with that of the existing gable projection. It would however extend slightly beyond the existing main side elevation, being in line with an existing ground floor bay window.
6. Consequently, whilst the extension would be inset, it would still result in a substantial rear wall in close proximity to the rear boundary. When viewed from No7 this would be a dominant feature, particularly when considered in combination with the existing gable wall. The roof to the proposed extension would be hipped, sloping away from the site boundary with a ridge height lower

- than the existing gable. Nonetheless, it would still add to the overall bulk and mass of the proposal and be visible from No 7.
7. Considering the above, and extent of development along the boundary, there would be little visual relief from the built form when viewed from No 7, in particular their garden area. Existing landscaping would partially screen the proposal, though this would not be sufficient to screen the substantial rear elevation, particularly at first floor level, or mitigate its harmful visual impact on No 7.
 8. Due to the orientation of the site, the proposal would also result in overshadowing to the rear part of the garden area of No 7. The extent of the harm would not be sufficient in its own right to withhold planning permission, nevertheless, it does add to my above stated concerns.
 9. The proposal, due to its size, proximity and extent along the boundary would be a dominant and enclosing feature which would have an oppressive effect and result in the occupants of No 7 feeling hemmed in.
 10. The proposal would therefore be contrary to the overall amenity protection aims of Policy D5 of the Milton Keynes Council Plan: MK 2016-2031, adopted 2019 (LP), and Policy D2 of the West Bletchley Neighbourhood Plan which, amongst other aims, seek to ensure developments relate well to their surroundings and a good standard of residential amenity is maintained. For the same reasons the proposal would also be contrary to Paragraph 127(f) of the National Planning Policy Framework, which requires development to achieve a high standard of amenity for existing users.
 11. LP Policy D3 appears to relate more to the design of development and its impact on the character and appearance of the surrounding area. The Council's reason for refusal did not raise any concerns in this regard and therefore, with regards to the main issue in this appeal, I do not find conflict with that policy.
 12. My attention has been drawn to other properties in Haydock Close which the appellant states were permitted to extend in close proximity to adjacent dwellings. However, limited details have been provided and I do not know the full circumstances of those schemes. In any event each case must be considered on its own merits and these other sites and schemes do not, therefore, lead me to a different conclusion.
 13. I note the appellant has attempted to address the Council's objections to a previous scheme on the site. They have also stated that the Council did not provide adequate opportunity to make amendments during the planning application process. Whilst I appreciate this would have been a disappointment to the appellant, it would not justify the harm I have identified.

Conclusion

14. For the reasons given above I conclude that the appeal should be dismissed.

A Denby

INSPECTOR