
Appeal Decision

Site visit made on 24 August 2021

by Tom Gilbert-Wooldridge MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 10 September 2021

Appeal Ref: APP/Y0435/D/21/3267523

1 Linford Lane, Willen, Milton Keynes MK15 9DL

- 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 Kamaljit Reehal against the decision of Milton Keynes Council.
 - The application Ref 20/01333/FUL, dated 8 June 2020, was refused by notice dated 26 October 2020.
 - The development proposed is alterations to dwelling: front extension with attic accommodation connecting to associated rooms and 2 storey front porch; replacement roof; single-storey side/rear extension; side extension with projecting rear canopy and attic room joined to remodelled outbuilding including front and side extensions to the latter to form west wing of dwelling incorporating triple garage with attic accommodation and associated rooms above; reconfiguration of driveway and installation of sliding access gate; associated landscaping.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development above is taken from the decision notice and appeal form, as it more comprehensively describes the proposal than the application form. The application date is taken from the application form.
3. A new version of the National Planning Policy Framework was published on 20 July 2021. The parties were given the opportunity to comment on any relevant changes and I have taken these comments into account.

Main Issues

4. The main issues are the effect of the development on (a) the living conditions of neighbouring occupiers at 2 Linford Lane and 42 Portland Drive with regard to outlook and privacy and (b) the character and appearance of the area.

Reasons

Living conditions

5. The appeal property has two detached structures along its western boundary. Nearest to the property is a small brick building with a pyramid roof. Beyond that is a 3-bay timber carport with a flat roof. Neither structure is particularly tall. To the west of the appeal property is 2 Linford Lane and 42 Portland Drive. The rear gardens of both No 2 and No 42 are quite short and are enclosed by trees along the shared boundary with the appeal property. The existing brick

building and timber carport are not very prominent from either rear garden due to their size and the screening effects of existing vegetation.

6. No 2 is a large bungalow with a recently constructed side extension along the shared boundary that is tall and windowless. No 42 is a large new two storey property replacing a previous bungalow. The property is currently subject to enforcement action relating to discrepancies between the building as approved and as built. I have not been provided with any details of the differences but note the Council's comments that they are minor in terms of matters relating to living conditions. The rear elevation of No 42 is angled towards the shared boundary. Some of the windows on this elevation are obscured glazed but there are number serving habitable rooms which are not.
7. The proposed extensions would include a wing along the shared boundary with Nos 2 and 42 to replace the existing two detached structures. The wing would be single storey with attic accommodation over the garage and gym/games room. While the back wall of the garage would step in slightly and the pitched roof would slope away from the boundary, the wing would present a long and unbroken structure. The eaves height would be lower than the extension to No 2 but would still be tall for a considerable length of the boundary.
8. Many of the boundary trees would be removed and a replacement hedgerow would not be necessarily as tall. As a consequence, the wing would greatly enclose the rear gardens of both No 2 and No 42 along the shared boundary and have an overbearing effect on the outlook of neighbouring occupiers from these spaces. Unobscured windows on the rear elevation of No 42 would look directly at the extension. They would have similar levels of enclosure to the garden, especially on the ground floor, resulting in a negative effect on outlook.
9. The only openings on the elevation of the wing facing the shared boundary would be high level ground floor windows or rooflights. Due to their position, it is unlikely that anyone standing inside the wing would be able to look at No 2 or No 42. There may be a perception of overlooking especially if the windows or rooflights were opened, but no actual harm would occur in terms of privacy.
10. Concluding on this main issue, the development would have an unacceptable effect on the living conditions of neighbouring occupiers at 2 Linford Lane and 42 Portland Drive with regard to outlook. Therefore, it would not accord with Policy D5 of Plan:MK 2016-2031 which requires all proposals to create and protect a good standard of amenity. Amongst other things, the policy seeks satisfactory outlook and visual amenity from within buildings and private garden areas while new development should not be overbearing.

Character and appearance

11. The appeal property is a detached bungalow situated on a large plot. It has a broadly rectangular footprint with a small front extension on the east side. The property is set back by a substantial front garden and partly screened from the road by mature vegetation. As a consequence, the property does not dominate its plot or the wider surroundings.
12. The surrounding area is characterised by large detached properties on spacious plots, although none have as much space as the appeal property particularly at the front. There is considerable variation in terms of building heights and

designs, but a number of these properties have significant front or side projections giving them a T- or L-shaped footprint.

13. The proposed extensions would greatly increase the footprint and volume of the existing property to the front and side. As noted above, the projecting wing along the western boundary would be long and unbroken and comparable in height to the rest of the property. However, the enlarged property would still be set well back from the road and screened by existing and proposed vegetation in the front garden. The proposed loss of trees along the western boundary next to the extension would not be apparent from the road due to other vegetation and the intervening property at 2 Linford Lane.
14. The L-shaped footprint would reflect the front and side projections of other properties. While the footprint would be much larger in numerical and percentage terms than other properties such as 20-24 Millington Gate, the property would be in proportion with its large plot. The proposed design and materials would be sympathetic to the property and the wider area. Therefore, the extensions would not be out of keeping with the character, appearance and pattern of development in the surrounding area.
15. Concluding on this main issue, the development would have an acceptable effect on the character and appearance of the area. Therefore, it would accord with Plan:MK Policies D1, D2 and D3 and Design Policy 1 of the Campbell Park Neighbourhood Development Plan. Amongst other things, these policies require proposals to respond appropriately to the site and context with a positive character and sense of place, integrating into its surroundings and respecting the character of the area. Moreover, the scale and design of extensions should relate well to the existing building and plot, and not detract from the character of the building or surrounding area.

Other Matters

16. The enlarged property would provide additional and more flexible living space including for the appellant's elderly relatives. While this would allow a more sustainable use of the property, it does not outweigh the harm that would be caused by the development in terms of neighbouring living conditions.

Conclusion

17. For the above reasons, and having had regard to all other matters raised, the appeal is dismissed.

Tom Gilbert-Wooldridge

INSPECTOR