



Appeal Decisions

Site visit made on 18 November 2021

by Paul Thompson DipTRP MAUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th December 2021

Appeal A: APP/Y0435/W/21/3270105

Ivy Cottage, Willen Road, Milton Keynes Village, Milton Keynes MK10 9AF

- 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 D Adams against the decision of Milton Keynes Council.
 - The application Ref 20/02638/FUL, dated 20 October 2020, was refused by notice dated 14 December 2020.
 - The development proposed is construction of a single storey extension to the side of the Listed Building, attached to it with a fully glazed link connected to the comparatively recent rear lean-to extension.
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Appeal B: APP/Y0435/Y/21/3270108

Ivy Cottage, Willen Road, Milton Keynes Village, Milton Keynes MK10 9AF

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr & Mrs D Adams against the decision of Milton Keynes Council.
 - The application Ref 20/02639/LBC, dated 20 October 2020, was refused by notice dated 14 December 2020.
 - The works proposed are Listed building consent for construction of a single storey extension to the side of the Listed Building, attached to it with a fully glazed link connected to the comparatively recent rear lean-to extension.
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Decision

Appeal A

1. The appeal is allowed and planning permission is granted for construction of a single storey extension to the side of the Listed Building, attached to it with a fully glazed link connected to the comparatively recent rear lean-to extension at Ivy Cottage, Willen Road, Milton Keynes Village, Milton Keynes MK10 9AF in accordance with the terms of the application, Ref 20/02638/FUL, dated 20 October 2020, subject to the attached schedule of conditions.

Appeal B

2. The appeal is allowed and listed building consent is granted for Listed building consent for construction of a single storey extension to the side of the Listed Building, attached to it with a fully glazed link connected to the comparatively recent rear lean-to extension at Ivy Cottage, Willen Road, Milton Keynes Village, Milton Keynes MK10 9AF in accordance with the terms of the application Ref 20/02639/LBC dated 20 October 2020 and the plans submitted with it, subject to the attached schedule of conditions.

Procedural Matters

3. The two appeals concern the same scheme under different, complementary legislation, so I have dealt with both appeals together in my reasoning.
4. The National Planning Policy Framework was revised on 20 July 2021 (the Framework). The main parties have had the opportunity to comment upon the relevance of any revised content of the Framework and I have had regard to any responses received in my decision.

Main Issue

5. The main issue is whether the proposal would preserve a Grade II listed building, Ivy Cottage, and any of the features of special architectural or historic interest that it possesses, including its setting.

Reasons

Significance and setting

6. The appeal concerns Ivy Cottage, a detached cottage of 17th Century origin, with rooms in its attic principally served by dormers. The roof is of intricate thatching, with hipped ends, and the walls beneath are timber-framed with colour washed brick infill. The cottage has been altered over time, particularly through extensions added in the latter part of the 20th Century, including the lean-to to the east which incorporates a porch and storeroom.
7. Despite later alterations, the significance of the cottage is derived from its architectural and historic interest, as a noteworthy example of a 17th Century cottage in the village. Moreover, the ornate thatch roof and exposed timber frame ensure that its architecture is decorative. The cottage is close to the road and is situated within a sizeable plot, so its traditional appearance also makes an important contribution to the character of its surroundings.
8. I am mindful of the definition of 'setting' contained in the Framework, as being the surroundings in which a heritage asset is experienced. In so far as is relevant to this appeal, the cottage is very prominent within its immediate surroundings and its relationship with its garden is also important. These aspects therefore form an integral part of the historic setting of the listed building, which contributes to its understanding and significance.

The proposal

9. The proposal is for a single storey extension, which would join the cottage through a flat-roofed glazed link to the northern side of the existing lean-to extension. It would be sited parallel to the northern boundary of the garden and primarily forward of the east façade of the cottage. The roof would be clad in plain clay tiles and hipped at either end, beneath which would be painted brickwork and dark-stained timber windows and mullions.

Effect of the proposal

10. The listed building has undergone much change, particularly in the late 20th Century, and the proposal would add to the extent of accommodation. However, I am conscious that buildings continually evolve and further change should be managed and not prohibited. The proposed extension would be a combination of traditional and modern domestic forms, but its half-hipped roof,

white-painted brickwork and some larger areas of glazing would fuse together and assimilate well with the historic architecture and fabric of the cottage. The form, scale, siting, and appearance of the proposal would therefore be complimentary and subservient to the cottage.

11. The inclusion of a glazed link from the lean-to would set the proposed extension away from the northeast corner of the cottage, thereby ensuring that it would not be harmful to the legibility of the historic floor plan layout of the listed building. Moreover, while it would be visible in views back toward the cottage from certain parts of its garden, the proposal would appear as a clear and distinct addition that would not compete with or distract from the setting of the cottage within its garden. It would also be partly visible from Willen Road, but the recessive nature of its height, including that of the glazed link, mean the proposed extension would likely be perceived as an outbuilding. Hence, it would not be prominent within the public domain and only have limited prominence from the private domain.
12. The reconfiguration of the internal layout within the lean-to and movement of the kitchen from the original cottage to the proposed extension would be a further evolution of the cottage, which would not be harmful to its plan form or the understanding, interpretation, or appreciation of its significance.
13. In the decision relating to an appeal for an extension¹ directly off the lean-to, the Inspector considered it would be harmful so weighed the public benefits against those harms. This differs from the appeal scheme before me, as I have not identified harm, so it is not necessary for me to consider public benefits associated with the current proposal.
14. In light of the above, I conclude that the proposal would preserve the special historic interest, including the setting, of the Grade II listed building. This would satisfy the requirements of sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), paragraphs 197 and 199 of the Framework and would not conflict with the heritage aims of Policy HE1 of the Plan:MK 2016-2031 (Adopted March 2019).

Other Matters

15. The appeal property is situated within the Milton Keynes Village Conservation Area (CA). I have had regard to Section 72(1) of the Act, which requires that special attention be given to the desirability of preserving or enhancing the character or appearance of the conservation area. Unlike listed buildings, the significance of a conservation area is more widely experienced. Under such circumstances, proposals must be judged according to their effect on a conservation area as a whole and must therefore have a moderate degree of prominence. Given my findings in the main issue, I find that the proposal would not be detrimental to the CA and thus preserve its significance. I note that the Council also raised no objection in this respect.
16. The appeal property is near to the Church of All Saints, which is designated as a Grade I listed building. I have therefore had regard to the statutory duty referred to in the Act. However, given the proximity and physical relationship of the proposal with this designated asset, its setting will be preserved and the proposal will not detract from it.

¹ Appeal Refs: APP/Y0435/W/19/3232481 and APP/Y0435/W/19/3232488.

Conditions

17. In addition to the standard time limits for both appeals, in the interests of clarity I have specified the approved plans in Appeal A. This is unnecessary in Appeal B, as the decision incorporates the plans. In the interests of preserving the special interest of the listed building, conditions for the schedule and samples of materials are necessary, including for proposed rainwater goods.

Conclusion

18. For the reasons given above, I conclude that both of the appeals should be allowed.

Paul Thompson

INSPECTOR

Schedule of Conditions

Appeal A: APP/Y0435/W/21/3270105

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: P(0)001, P(0)005, P(0)006, P(0)007 and P(0)008.
- 3) No development shall take place above slab level until a schedule of the external materials, including new rainwater goods, and sample panels of the materials to be used in the construction of the development have been erected on site and submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved details prior to the first use of the proposed extension.

Appeal B: APP/Y0435/Y/21/3270108

- 1) The works authorised by this consent shall begin not later than three years from the date of this consent.
- 2) No works shall take place above slab level until a schedule of the external materials, including new rainwater goods, and sample panels of the materials to be used in the construction of the works have been erected on site and submitted to, and approved in writing by, the Local Planning Authority. The works shall thereafter be carried out in full accordance with the approved details prior to the first use of the proposed extension.

END OF SCHEDULES