
Appeal Decision

Site visit made on 1 July 2022

by Steven Hartley BA (Hons) Dist.TP (Manc) DMS MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 15TH August 2022

Appeal Ref: APP/Y0435/D/22/3297391

5 Kindermann Court, Shenley Lodge, Milton Keynes MK5 7LD

- 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 Nihar Dey against the decision of Milton Keynes Council.
 - The application Ref: 22/00050/FUL, dated 6 January 2022, was refused by notice dated 4 March 2022.
 - The development proposed is the conversion of the loft to habitable space following an increase to the ridge height; insertion of 3 rear facing dormers and 2 front facing roof lights.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development upon the character and appearance of the property and the wider area.

Reasons

3. The appeal property forms part of a modern housing development consisting of mainly detached, two-storey dwellings with double fronted gables with mock-Tudor embellishments. Roof heights and materials are generally uniform and with a mix of hipped roofs and straight gables. The property is located at the head of a short cul-de-sac and where dwellings adjoining it have these characteristics and appearance.
4. The proposed development, by raising the height of the roof by some 2 metres and by altering the roof slope accordingly would, by its changed appearance, have an incongruous and adverse impact upon the area, and especially within the cul-de sac, and its uniformity of appearance.
5. In addition, the greater height of the roof would result in it becoming a too dominant element to the dwelling, adversely affecting its overall character and appearance.
6. On my site visit, I was able to observe other properties which had been extended by an addition to their roof heights. However, number 1 Lawson Place is not located in a cul-de sac and has a more spacious and therefore more

acceptable relationship with its adjoining dwellings when compared to the appeal proposal which has a closer, more visually uniform arrangement with the neighbouring properties. While No. 2 Alston Court is in a cul-de sac, I am not aware of the circumstances relating to its extensions. In any event, I have determined the appeal upon its individual planning merits.

7. For the above reasons, I conclude that, when the proposed development is considered as a whole, it would not accord with policies D1 and D2 of Plan:MK 2019, which require development to be appropriate to its surroundings, with policy D3 where development should be of an appropriate scale in relation to other buildings in its immediate vicinity in terms of its height and massing, or with chapter 12 of the National Planning Policy Framework 2021 which emphasises the need for good design.

Other Matters

8. I consider that the other elements of the proposed design including the dormers and roof lights to be in keeping with the character and appearance of the area. However, I have considered the proposal as a whole and this development is not severable from harmful development.

Conclusion

9. The development would not accord with the development plan for the area when considered as a whole, and there are no material planning considerations which would justify granting planning permission that would conflict with the development plan. Therefore, the appeal should be dismissed.

Steven Hartley

INSPECTOR