



Appeal Decision

Site visit made on 13 June 2023

by A.Graham BA(hons) MAued IHBC

an Inspector appointed by the Secretary of State

Decision date: 4TH July 2023

Appeal Ref: APP/Y0435/W/23/3315816

7 Bilbrook Lane, Furzton, Milton Keynes MK4 1LU

- 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 Anthony Byrne against the decision of Milton Keynes Council.
 - The application Ref: 22/02966/HOU dated 29 November 2022, was refused by notice dated 24 January 2023.
 - The application is for proposed vehicular crossover access and block paved driveway.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description above has been taken from the Appellant's original planning application form and differs slightly from both that used on the Council's decision notice and on the Appeal form. Accordingly I have used the description on the original application form as this equally describes the development proposed.

Main Issues

3. The main issues are the impact of the proposal upon the amenities and landscape character of the area and the impact of the proposal upon the safe and efficient use of the highway.

Reasons

4. The appeal property is a sizeable modern house that fronts onto a noticeable bend in the residential street of Bilbrook Lane. The house is unusual in its design sporting effectively two flanking wings around a central glazed gable. Despite this, the site is fairly typical of the wider development that appears to have intentionally focussed its design to integrate landscape and reinforce its relationship to the nearby lake area whilst creating large houses in their own distinct garden plots.
5. Currently the appeal site contains significant areas of planting, hedges and trees that epitomise this character. These lend an important landscape setting to the nearby stream that runs alongside the rear of the plot and over which the estate road runs upon a small bridge that narrows the highway as it crosses.

6. As it stands the principal vehicular access into the property is beyond what is a fairly tight bend as one comes around the corner onto a straighter area of Bilbrook Lane. As the road straightens this is where the current driveway is located. The driveway serves what appears to have been a large double garage at one time, however it is unclear as to whether these apertures in the building still serve as garage provision. Nevertheless, a sizeable area of hardstanding is present to the front of the garage where the Appellant can accommodate three cars.
7. The proposal before me intends to create a separate, second, vehicular access to allow more space for parking up to five vehicles. The location chosen for this would be directly upon the bend in the street as it emerges over the small bridge. The justification is partially due to enable visitor parking off the public highway and I saw on my site visit that signs requesting drivers to park sensibly were present outside the property. This suggests there are some issues around parking here and is reflected in the Appellant's statement of case.
8. Through the creation of this second access, the scheme would need to remove one tree and would construct a driveway within the likely root protection areas of two other flanking trees. The proposed driveway would also be built upon the existing grass verge that is outside of the Appellant's ownership.
9. During my site visit I was struck by the effectiveness of the verges and areas of land around the stream that appeared to act as an effective green corridor through and behind the houses. This area offers a significant contribution to the character of the area. I consider therefore that the existing side garden of the appeal property, the highway verge and tree and scrub planting all contribute to not only the visual appearance of the area but also its potential biodiversity value.
10. Through the implementation of this proposal the scheme would introduce more hardstanding, vehicles and would result in a significant loss of landscape. I consider that such an action would cause significant and serious harm to the visual amenities of the area and that the character and appearance of the estate as a whole would suffer as a result. Further to this I consider that the removal of more landscaping and the replacement with hardstanding, albeit of permeable construction, would have the potential to undermine the functioning of this area as a pleasant green corridor. In light of this I consider that the Policy requirements of Policy L2, D1, D2 and D5 of the Milton Keynes Development Plan (2019), which seek to accommodate good design that is responsive to context would not be met.
11. In assessing the impact of the proposal upon the safe and efficient use of the highway I consider that when approaching from the north, there could be opportunity for drivers to gain such speed as to make seeing any reversing vehicle from the proposed driveway difficult. Moreover, the position of the driveway upon the bend would similarly make it difficult for intervisibility between pedestrians and drivers.
12. I do concur however with the Appellant that the approach from the south would see vehicle speeds considerably reduced as they emerge from the bridge over the adjoining stream. However, even if this were to be the case, I find the potential for harm due to the location of this proposed driveway, immediately

upon the bend in the road, as having the potential to introduce a significant highway safety issue where there currently is none.

13. Ultimately, this proposal seeks to increase the capacity of this site for more vehicular parking to such a degree as to cause significant harm upon the safe and efficient use of the highway through its awkward position upon a tight bend. As a result I consider that the proposal before me would be in conflict with Policy CT2 of the Milton Keynes Development Plan (2019).
14. In light of the above issues I consider that the scheme would represent a harmful intrusion into the local area that would both cause harm to the landscape character and appearance of the area as well as harmfully affecting highway safety. As such this appeal must fail.

Conclusion

15. For the reasons given above, and taking into account of all other matters raised, I dismiss the appeal.

A Graham

INSPECTOR