



Appeal Decision

Site visit made on 15 June 2023

by K Ford MSC MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 July 2023

Appeal Ref: APP/Y0435/W/23/3316180

Land Adjacent To 113 Melrose Avenue, Bletchley, MK3 6PW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant permission in principle.
 - The appeal is made by Mr Jake Forth against the decision of Milton Keynes Council.
 - The application Ref 22/03152/PIP, dated 12 December 2022, was refused by notice dated 27 January 2023.
 - The development proposed one residential detached dwelling. There will not be any non-residential development. Development could also be self-build or custom build.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal is for permission in principle. Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing led development. The permission in principle consent route has 2 stages. The first stage (permission in principle) establishes whether a site is suitable in principle. The second stage (technical details consent) is when detailed proposals are assessed. This appeal relates to the first stage.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent technical details consent application if permission in principle is granted. An applicant can apply for permission in principle for a range of dwellings by expressing a minimum and maximum net number of dwellings as part of the application. In this instance, permission in principle has been sought for a single dwelling on the appeal site. I have determined the appeal accordingly.

Main Issue

4. The main issue is whether the site is suitable for residential development, having regard to its location, the proposed land use, the amount of development and its effect on the character and appearance of the area.

Reasons

5. The appeal site is an irregular shaped plot of grassed land free from built development. It accommodates a large horse chestnut tree which is subject to a tree preservation order and a much smaller tree which sits to the side of it. The site is located on the corner of Melrose Avenue where 2 cul de sacs join and therefore is in a prominent position.

6. The site sits within a residential area comprising semi-detached and detached houses and some bungalows. Properties are generally set back from the highway behind front gardens and driveways with grass verges lining the pavements interspersed with the occasional street tree. This along with the open space that the site provides creates a spacious verdant character.
7. Residential development on the site would be an incongruous addition at odds with the prevailing pattern of development in the area. The built development would have an urbanising effect that would lead to a loss of the open character of the area.
8. The Council define the site as 'Amenity Open Space' with cross reference to paragraph 14.17 of the Plan:MK 2016-2031 (Plan:MK). However, they have not explained why, as identified by the appellant, that the site is not shown as such on the Council's Policies Map which accompanies Plan:MK. Whilst the Plan does not state that all sites are identified on the Map, based on the evidence before me it is not clear whether Policy L3 of Plan:MK applies to the site.
9. Nonetheless, the development would harm the character and appearance of the area and as such would conflict with the part of Policy SD1 of the Plan:MK which requires new development to integrate well with the surrounding built and natural environment and relate well to surrounding areas.

Other Matters

10. The appellant has referenced a bungalow built to the rear of No 113 in support of their case. I do not know the circumstances in which the development was granted planning permission. However, the site is at the end of a cul de sac and therefore in a different location and so the circumstances are not directly comparable. In any event, each case is determined on its own merits and my assessment is based on the information before me.
11. The appellant has indicated that the proposed dwelling could be self build or custom build. However, this falls outside the scope of a stage one permission in principle and therefore does not form part of my considerations.

Planning Balance and Conclusion

12. The National Planning Policy Framework supports sustainable housing growth. The proposed development would be located in a sustainable location and would result in a very small increase in housing development in the area. It would also generate benefits to the local economy. Collectively, I give these matters moderate weight in favour of the proposed development.
13. Nevertheless, the harm that the development would have on the character and appearance of the area generates significant weight that outweighs the benefits associated with the proposed development. The development would conflict with the development plan and there are no other identified considerations that would outweigh the conflict.
14. For the reasons identified above, I conclude that the appeal should be dismissed.

K Ford

INSPECTOR