
Appeal Decision

Site visit made on 7 November 2023

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th November 2023

Appeal Ref: APP/Y0435/D/23/3325213

31 Tamworth Stubb, Walnut Tree, Milton Keynes MK7 7DQ

- 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 David Newton against the decision of Milton Keynes Council.
 - The application Ref 23/00454/HOU, dated 23 February 2023, was refused by notice dated 28 April 2023.
 - The development proposed is the erection of a rear extension to create master bedroom and kitchen/lifestyle room.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The description of development given in the above heading is taken from the application form that was lodged with the Council. With the agreement of the appellant, the description was subsequently amended to refer to the erection of a single and 2-storey side and rear extension with a rooflight and to the removal of the rear chimneystack. I have assessed the proposal on that basis.

Main issue

3. The main issue is the effect of the proposed development on the character and appearance of the host building and the local area.

Reasons

4. The appeal property is a 2-storey detached house that occupies a good-sized landscaped plot within a predominantly residential area wherein dwellings are mostly similar in type although vary in size, roof form, design and general appearance. Consequently, there is some variety to the existing built form in the street scene and the local area to which No 31 belongs.
5. The proposal includes a part single storey, part 2-storey side and rear extension. The new first floor element would be set back from the rear of the proposed ground floor with a flat roof that would project above the eaves of the host building. As a result, the rear profile of the completed dwelling would be stepped, both vertically and horizontally, the effect of which would visually 'break down' the scale and mass of the new built form, to some extent.
6. Nevertheless, it would be a sizable addition. The new single storey element would extend across the full width of the host building. It would also be noticeably longer than the rear conservatory to be replaced. The new 2-storey

component would project outwards from the main back wall by over 6 metres and cover much of the existing rear façade. In doing so, the appeal scheme would elongate the built form of the dwelling, significantly enlarge its footprint, and noticeably add to its scale and bulk. The considerable expanse of new flat roof, projecting well above the eaves of the main building, would also relate poorly to the hipped roof of the existing dwelling. For these reasons, the proposed extension would visually overwhelm and thus unduly compromise the form and intrinsic character of the appeal property.

7. Views of the new extension from public vantage points would be limited given its position at the back of the house and the screening provided by a boundary fence and existing vegetation within the site. While this greenery would heavily filter views of the completed dwelling from the road, planting can often be cut back or removed at any time. Consequently, soft landscaping cannot generally be relied on to effectively shield the proposal in the public domain. In any event, the appeal scheme would also form part of the characteristics of the local area as it is experienced and appreciated from nearby dwellings and gardens. When viewed from the adjacent properties that back onto the site, the new extension would draw the eye as an overly large and bulky addition even amongst the varied built form that characterises the local area.
8. I appreciate that the submitted design, choice of materials and pattern of fenestration aim to introduce a contemporary twist to the traditional style of the existing dwelling. The area within which No 31 is located, whilst having a coherent residential character, is capable of successfully accommodating a variety of dwellings in terms of style and general appearance. I note that the site is not within a conservation area, and that others raise no objection on design grounds. Planning policy also welcomes innovative design and, in my experience, developments that contrast in style can contribute to the diversity of an area and add visual interest to the street scene of which they form part. However, for the reasons given, the proposal would be a visually disruptive and obtrusive development and an unwelcome addition to the local area.
9. On the main issue, I conclude that the proposed development would cause significant harm to the character and appearance of the host building and the local area. Accordingly, it is contrary to Policies D1, D2 and D3 of Plan:MK 2016 -2031. These policies seek to ensure that all new buildings are well designed, and that development responds appropriately to the site and its context and enhance the quality of the built environment. These policies underpin the design principles in Policy WNP 15 of the Walton Neighbourhood Plan 2016 – 2031, with which the proposal would also conflict. The appeal scheme is also at odds with the policies of the National Planning Policy Framework (the Framework), which state that developments should be sympathetic to local character and add to the overall quality of the area.

Other matters

10. The elevated position and rearward projection of the new upper rear windows and balcony would lead to a greater level of overlooking of the adjoining rear gardens of neighbouring properties on Samphire Court than would be possible from the existing house. However, in my experience, overlooking of this type is a common characteristic of the relationship between neighbouring houses within main built-up areas. Given the separation distance between the rear of the finished dwelling and existing properties and the oblique angle of view, the

additional overlooking possible would have no significant impact on the living conditions of the occupiers of the Samphire Court properties.

Conclusion

11. Overall, the proposed development would conflict with the development plan, when read as a whole. There are no material considerations, including the policies of the Framework, which indicate that the decision should be taken other than in accordance with the development plan.
12. For the reasons set out above, and having regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR