



Appeal Decision

Site visit made on 7 November 2023

by G Sibley MPLAN MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 January 2024

Appeal Ref: APP/Y0435/D/23/3328567

2 Portfields Road, Newport Pagnell MK16 8BL

- 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 Vivian Tilley against the decision of Milton Keynes City Council.
 - The application Ref 23/00973/HOU, dated 23 April 2023, was refused by notice dated 19 June 2023.
 - The development proposed is the erection of a single storey side and front extension, with loft conversion and dormer to rear with roof lights to front and side.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Following the issuing of the council's decision notice the National Planning Policy Framework (the Framework) has been updated. As the updates do not fundamentally alter that part referred to by the parties, it has not been necessary to consult them further.

Main Issues

3. The main issues are: the effect of the proposed development upon the character and appearance of the area; and the effect of the proposal on local housing mix.

Reasons

Character and Appearance

4. No 2 Portfields Road is a single storey, semi-detached property that has a small gable with a pitched roof that extends out from the front elevation. The attached dwelling is similarly designed as are most of the dwellings in the immediate area. The roofs of the dwellings in the area are also generally uncluttered with limited additions. Whilst there are some variations in terms of the materials used in their construction as well as some minor alterations to the dwellings, the consistency of their form and design is a positive feature of the area.
5. The proposed side extension would maintain the ridge line of the roof. However, it would extend the front gable making it substantially larger than the gable on the attached dwelling and this would unbalance the pair of houses. Furthermore, the larger gable would contrast poorly with the other similarly designed dwellings. This would create inconsistency within the street scene which would detract from this positive feature of the area.

6. The small scale of the proposed roof lights would be limited additions to the roof and would not clutter either roof slope. Given the location of No 2 on a junction the rear of the roof is visible from the roadside. As such, the dormer window would be in a relatively prominent location and would be seen from further afield. Accordingly, the scale of the proposed dormer window would dominate the rear roof slope and its bulky appearance would detract from the simple and uncluttered roof. The disproportionate scale of the dormer window and its lack of subservience to the existing dwelling would be detrimental to the existing character of the property and the local area.
7. The design of the extensions would create a significantly larger dwelling that would unbalance the attached dwelling as well as appear inconsistent with the surrounding similarly designed dwellings. Whilst extensions and alterations have been built in the area, these are generally of a modest scale and proportionate to the dwellings. In comparison, the scale and design of the extensions with particular regard to the extended gable and dormer window would fail to do this.
8. Therefore, the proposed development would harm the character and appearance of the area and would conflict with Policies D1, D2 and D3 of Plan:MK 2016 - 2031 (LP) and Policy NP4 of the Newport Pagnell Neighbourhood Plan. These policies seek, amongst other matters, to ensure development proposals as a whole respond appropriately to the site and surrounding context.

Housing Mix

9. Policy HN9 of the LP states that there will be a presumption against proposals that would result in the loss of a bungalow(s) (or single storey dwelling) via demolition or its conversion to two or more storeys. It states that the purpose of this is to retain properties to accommodate an ageing population and for those with impaired mobility or specific needs.
10. The proposal would convert the loft space to create a first floor. This would subsequently make No 2 a two-storey dwelling and result in the loss of a single storey dwelling. Therefore, the scheme would conflict with Policy HN9 of the LP.

Other Considerations

11. A certificate of lawfulness was issued by the council in March 2023. This states that a loft conversion and rear dormer window amongst other development at No 2 would comply with the relevant criteria of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting or amending that order). As such there is more than a merely theoretical prospect of this fallback scheme being implemented. Furthermore, given that both dormer windows would be sited on the rear roof slope it would not be physically possible for both schemes to be carried out.
12. Accordingly, the appellant could implement a fallback scheme that would be similar to that proposed, insofar as it relates to the roof conversion and the loss of a single storey dwelling. Consequently, the proposal would have a similar effect upon the local housing mix as the certificate of lawfulness scheme. Therefore, I give significant weight to this fallback position on this matter.

13. The fallback scheme could be implemented and as such the existing dwelling can already be converted to a two-storey building regardless of the outcome of this appeal.
14. However, the development proposed involves substantial additions over and above the fallback scheme. The proposal, as a whole, would be substantively different to the certificate of lawfulness scheme. This fallback scheme would likely be less harmful given the extent of works would be much reduced. Accordingly, I give modest weight to this fallback position with regard to character and appearance. As concluded above, the proposal would harm the character and appearance of the area and I attribute significant weight to this harm. Overall, the fallback scheme would not overcome the harm I have found in relation to character and appearance.

Conclusion

15. For the reasons given above I conclude that the proposal would conflict with the development plan as a whole. Whilst the certificate of lawfulness would provide other material considerations that would overcome matters relating to housing mix this would not overcome concerns related to the schemes effect upon character and appearance. Accordingly, the material considerations would not indicate that a decision should be made other than in accordance with the development plan. Consequently, the appeal should be dismissed.

G Sibley

INSPECTOR