

Appeal Decision

Site visit made on 26 January 2024

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

an Inspector appointed by the Secretary of State

Decision date: 07 February 2024

Appeal Ref: APP/Y0435/D/23/3331845

182 Wolverton Road, Newport Pagnell, Milton Keynes MK16 8JL

- 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 and Mrs Price against the decision of Milton Keynes City Council.
 - The application ref 23/01496/HOU, dated 5 July 2023, was refused by notice dated 13 September 2023.
 - The development proposed is to raise an existing part of the roof of the dwelling to create a loft conversion, a new side box dormer and to replace the existing conservatory with a single storey rear extension.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. A revision to the National Planning Policy Framework 2023 (the Framework) was published on 19 December 2023. The amendments made did not have a material bearing upon the issues in this appeal, and it was therefore not necessary to seek comments from the main parties upon it. Where I have referred to the Framework, it is that of the December 2023 version.

Main Issues

3. The main issues are the effect of the development upon (i) the character and appearance of the area; (ii) the living conditions of the occupiers of No.2 Walnut Close in terms of privacy and (iii) the effect of the proposal upon the housing mix of the area.

Reasons

Character and appearance

4. The appeal property is a semi-detached bungalow where the pair of dwellings have a double pitched roof and with flat roofed front extensions. They remain very largely as originally constructed when viewed from the front. They have relatively long, open and level front gardens and which include hard standing for parking and access to integral garaging. There are other single storey

dwelling to each side, though these are of a different design with higher roof lines.

5. The appellant has referred to other properties in the area which demonstrate a variety of architectural styles. However, the pair of semi-detached bungalows, by their general symmetry and overall design, create a distinctive and pleasing architectural style of their own and which contributes positively and distinctively to the character and appearance of the area.
6. The proposed extension would add a second floor to part of the bungalow and would include a box dormer running along the side of the dwelling close to its boundary and facing No.2 Walnut Close. While the extension would not exceed the ridge height of the adjoining property, it would nevertheless harm the attractive symmetry of the pair of semi-detached houses when seen from the public domain in front of them, while the height and design of the box dormer would introduce a bulky, incongruous, and unsympathetic element to the property.
7. The local planning authority (LPA) raises no objection to the proposed rear extension, and I have no reason to disagree. However, overall, the proposed development would not be of good design and would have an adverse impact upon the character and appearance of the host property, the pair of semi-detached dwellings when taken together, and the area as a whole.
8. Therefore, I conclude that the proposed development would not accord with policies D1, D2 and D3 of the Milton Keynes Local Plan:MK 2019 (LP) which require development to respond positively to the local character and appearance of the area, or with the Newport Pagnell Neighbourhood Plan 2021 (NP) which requires the same.

Privacy of the occupiers of No.2 Walnut Close

9. The proposed dormer would be close to the boundary with no.2 Walnut Close and would include bedroom windows which would face the adjoining property. While they would face a blank wall, they would afford views which directly overlook the private open space of the adjoining property. While the occupiers of the neighbouring dwelling have not objected to the proposed development upon this specific point, I consider that the degree of overlooking would have a very significant and adverse impact upon their privacy and any future occupiers of the property.
10. Therefore, I conclude that the proposed development would not accord with LP policy D5 which requires that development should provide a reasonable level of privacy with overlooking limited to an acceptable degree.

Housing mix

11. LP policy HN9 states that there is a presumption against the loss of a bungalow(s) (or a single storey dwelling) by demolition or by its conversion to two or more storeys. Its aim is to retain dwellings suitable for those with specific needs in the Borough, including those with impaired mobility and to provide for an aging population.

12. I appreciate that single-storey dwellings can be occupied by persons who do not have such personal requirements and equally, that if the host property is converted to a part two storey dwelling that it would still contain ground floor accommodation, possibly suitable for persons with mobility difficulties.
13. However, the addition of a part first floor is likely to mean that the property would be more attractive to families and less attractive to those with such mobility issues, contrary to the aims of LP policy HN9.
14. The appellant has referred to the provisions in the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO) which permits, in certain circumstances, additional storeys and which might provide a fall-back position. However, I have no details before me to indicate that the provisions of the GPDO would apply in this particular case.
15. Therefore, I conclude that the proposed development would not conform to policy HN9 for the reasons which I have stated.

Conclusion

16. For the above reasons, I conclude that the appeal should be dismissed.

S. Hartley

INSPECTOR