



Appeal Decision

Site visit made on 15 July 2024

by Les Greenwood MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th August 2024

Appeal Ref: APP/Y0435/D/24/3343783

46 Foxhill, Olney, Milton Keynes MK46 5DE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Peter Moore against the decision of Milton Keynes City Council.
 - The application Ref is 24/00240/HOU.
 - The development proposed is a single storey front extension.
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Decision

1. The appeal is dismissed.

Preliminary matter

2. Amended plans were submitted during the course of the application, reducing the depth of the extension to allow more space for frontage parking. The Council considered the application on the basis of those amended plans, which I take to represent the proposal for the purposes of this appeal.

Main issues

3. The main issues are the effects of the proposal on:
 - i) The character and appearance of the house and this part of Foxhill; and
 - ii) Living conditions next door at 44 Foxhill, in terms of light and outlook.

Reasons

Character and appearance

4. Foxhill is a residential street, lined by a mix of modern houses generally set in staggered building lines. No 46 is a semi-detached house, set back in its plot with an integral, single garage sticking out a few metres at the front, as is typical here. The proposal is to convert the garage to a dining room and add an extension projecting more than 5m further forward, to provide a bedroom for a disabled family member. The extension would have a dual pitched roof, with a hip at the front.
5. Despite the staggered building line, this sizeable forward extension would become a dominant feature in the street scene in views from both directions along Foxhill, sitting fully forward of the other half of this pair of semi-detached houses, No 44. It would significantly reduce the degree of spaciousness created by the set back of properties from the street on this side of Foxhill. The steep

pitch of the proposed roof, much steeper than that of the main house, would furthermore make this an overly tall and bulky addition. I note the presence of a couple of other large garages to the front of houses on Foxhill, but these appear to be more strategically positioned on corner plots. In its particular position, the proposed extension would be an overly large and visually intrusive addition.

6. I conclude that the proposal would unacceptably harm the character and appearance of the building and this part of Foxhill. It conflicts with Plan:MK 2016-2031 (PMK) policies D1, D2 and D3 and the National Planning Policy Framework (the Framework), which aim to secure high quality design that responds appropriately to the site and the surrounding context, including in terms of layout, massing and scale.

Living conditions

7. The proposed extension would sit next to the boundary with No 44, which has an adjoining, matching garage. The nearest window at No 44 is a high level slit window on the first floor and likely serves a bathroom. It is in any case high enough up so that its light and outlook would be little changed. The nearest ground floor window is set well away, on the other side of No 44's garage. There would be some overshadowing and reduction in outlook from No 44's front drive, but the property's main living and garden spaces would not be significantly affected.
8. I conclude that the proposal would not materially harm living conditions at No 44 next door, in terms of affects on light or outlook. It therefore accords in this respect with PMK policy D5 and the Framework, which aim to ensure a good standard of amenity, including in terms of sunlight and daylight, avoiding an overbearing effect.

Other matters

9. I am sympathetic to the appellant's wish to provide a ground floor bedroom for a disabled family member and have had regard to the Public Sector Equality Duty set out in the Equality Act 2010. No particular justification has been provided for the size of the proposal, however, and I note that the overall project includes the conversion of the existing garage into a dining room. It therefore seems to go beyond what is strictly required to meet the stated need. On a proportional assessment, I am not convinced that the need for this accommodation is an overriding factor here.

Conclusion

10. Notwithstanding my findings on the second main issue, and taking account of the need for the accommodation, my objection in relation to the first main issue is sufficiently compelling for me to find that the proposal conflicts with the development plan for the area, taken as a whole. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should not succeed.

Les Greenwood

INSPECTOR