



Appeal Decision

Site visit made on 9 January 2025

by Eleni Marshall BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th January 2025

Appeal Ref: APP/Y0435/D/24/3353995

Black Horse House, 2 Cranfield House, Wavendon, Milton Keynes, MK17 8AW

- 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 Branko Lolich against the decision of Milton Keynes City Council.
 - The application reference is 24/01185/HOU.
 - The development proposed is removal of first floor balcony and erection of first floor/ side and rear extension with new gable end roof, part loft conversion with side/rear dormers, rooflights and Juliette balcony, alteration to front driveway pier and brickwall, and installation of solar panels to front pitch roof.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have utilised the Council's description of the development as per the decision notice as I feel it more concisely describes the development.
3. The National Planning Policy Framework (the Framework) was revised on 12 December 2024 since both the determination of this proposal and the submission of this appeal; however, the key changes are not considered to impact upon the determination of this appeal in relation to the main issues noted below.

Main Issue

4. The main issue is the impact of the proposal upon the host dwelling and the open character of the countryside.

Reasons

5. The appeal site is a 5-bedroom, 2 storey, detached dwelling which is located on the edge of a cluster of development along Cranfield Road and around the junction with Crow Lane and Crabtree Lane. The dwelling is the last in the row along Cranfield Road with open fields to the north and east (opposite) with the dwelling standing, in policy terms and by definition, within the open countryside. The appeal site is located on a large plot, and I note, from the relevant planning history, that the host dwelling has previously been altered in the form of two storey and single storey side and rear extensions. Whilst the dwelling is set back from the public highway, I found that there were clear views of the front elevation and the southwestern end/roof of the host dwelling from Cranfield Road but none of the rear.
6. There are several elements to the appeal proposal, aside from the proposed extensions/roof alterations, including alterations to the front driveway pier and brick wall and the installation of solar panels to the front pitched roof – the latter

appearing to have already been installed at the time of my site visit. The Council's refusal reason is specific to the design and massing of the proposals and their integration with the host dwelling/the open countryside location. The refusal reason, nor the Council's delegated report, does not raise any issue with the other elements of the proposal before me and I find no reason to conclude differently on those matters based upon the evidence before me and my site visit. The appeal will, therefore, focus upon the proposed extensions to the host dwelling in the context of the main issue outlined above.

7. Whilst the proposal is located within the open countryside by definition, and I acknowledge the open fields to the north and east of the appeal site, I do not find that the proposal would result in negative visual impact upon to the open character of the countryside. The appeal site is not visually prominent within its rural setting. The proposal would, largely, be located to the side and rear of the host dwelling which, as acknowledged by the Council, would not be visible from the street scene and the site is generally well screened by surrounding trees and landscaping. Whilst I do not consider the proposals to constitute limited extensions for reasons discussed below, and I acknowledge that openness can have both spatial and visual considerations and that character and appearance are separate matters, I do not find that the proposal would result in such adverse harm to the character of the open countryside in a rural setting that would be sufficient to warrant refusal.
8. The existing first floor side/rear balcony would be enclosed, as a result of the proposals, to form a bathroom for the main bedroom and a second-floor side/rear extension which would be erected over with a Juliette balcony featuring a pitched roof combined with a flat top roof design (essentially a crown roof). The ridge height of the proposal is intended to match the existing, highest, ridge height of the dwelling. The second-floor extension, to the rear, would raise the existing rear wall resulting in protrusion in the region of 3.34 metres from the rear roof slope with the proposed design being of a combined pitch and flat rooftop design.
9. As can be seen from the plans before me the cumulative extensions would significantly increase the overall scale and massing of the host dwelling in terms of massing even though the footprint would essentially be unchanged. In the context of Plan:MK 2016-2031 (LP) Policy DS5 there is support for limited extensions to existing buildings in the open countryside. The proposal before me cannot, reasonably, be described as a limited extension in the context of the host dwelling.
10. The host dwelling's existing character and appearance is, I find, traditional as can be seen from the photograph of the rear elevation provided by the appellant as well as the submitted plans. The extensions would not exceed the existing ridge height of the host dwelling; however, I find that the proposed roof design and intended fenestration, would be entirely at odds with the host dwelling and would fail to integrate appropriately with the host dwelling. In addition to this the existing hipped roof on the main roof slope of the principal part of the dwelling is proposed to be altered to a gable end roof which would be readily visible from the front of the site within the street scene of Cranfield Road. In isolation, the alteration could be considered minor, however, the existing dwelling in terms of bulk, scale and massing is balanced and largely symmetrical. The introduction of a gable end roof would unbalance the host dwelling which I consider to be inappropriate to the character and appearance of the host dwelling. I acknowledge that the proposal is not resulting in any expansion of the foundations and is not resulting in any

increase to the overall height of the existing roof, however, the design of the proposal fails to successfully integrate appropriately with the host dwelling for the reasons I have set out.

11. Overall, I find that the design of the proposal is inappropriate in terms of its response to the character and appearance of the host dwelling itself. The proposed crown roof design seeks to create more space and volume with accommodation at second floor level which, in terms of a response to the host dwelling, appears contrived. Whilst modern additions can, in some cases, be integrated with more traditionally designed host dwellings I do not consider that, in this case, the proposal is successful in its intentions.
12. The proposal by virtue of its design and mass would result in a development that I consider to be of an inappropriate design and scale for the host dwelling with a design that would, overall, not integrate well. Whilst the alterations, to the rear, would not be visible from within the public domain I find that the proposal would be inappropriate by way of design for the host dwelling itself in terms of its scale and character which is not overcome, or outweighed, by limited visibility beyond the boundary of the appeal site itself.
13. The proposal would be contrary to LP Policy DS5 that seeks to control extensions, within the open countryside, to limited extensions to existing buildings. The proposal would also be contrary to LP Policy D1 which requires proposals to respond appropriately to the site and surrounding context, LP Policy D2 which requires the massing/scale and appearance of buildings to exhibit a positive character and LP Policy D3, which requires that the proposed scale and design of extensions to existing buildings relate well to the existing building and plot and do not detract from the character of the existing building.
14. I note the appellant's reasoning for the proposals that are before me and also note that they are able to source matching materials to be consistent with the existing host dwelling, however, whilst the appellant's reasoning is noted, these matters do not overcome the concern as to inappropriateness by design outlined. The host dwelling is already very large, within a site which extends to in the region of 0.6 acres as well as taking into account the dwelling in the context of the size of the garden. Whilst I acknowledge that the distance from the kitchen wall to the rear fence, screening by large trees and the proposal not having an impact upon neighbouring residential amenity this does not overcome the concern I have identified with regard to bulk, scale and massing in the context of the host dwelling.
15. I have taken into account that this part of Milton Keynes is not in the Green Belt nor a Conservation Area, however, it is located within the open countryside with the relevant policy being LP Policy DS5 as outlined, and a lack of such designation does not dilute the requirement for appropriate design. I have no evidence before me to suggest that this area is highly likely to be surrounded by further housing in the next 5 to 10 years. At the point I am determining this appeal, the proposal is a dwelling located within the open countryside and cannot be assessed speculatively on what may, or may not, happen within the next decade in terms of site context.
16. The appellant has also outlined/referred to general details as to options to purchase land which are stated to be alongside the appeal site as well as making reference to other land purchases and construction of further homes stated to be nearby. Despite this an option to a developer of this nature cannot reasonably carry any

material weight in the consideration of the current proposal based upon consideration of the site as it stands, at the point of determination, against the relevant policies of the Local Plan as is the starting point in accordance with S38(6) of the Planning and Compulsory Purchase Act 2004.

Conclusion

17. For the reasons outlined above, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

Eleni Marshall

INSPECTOR