



Appeal Decision

Site visit made on 1 July 2025 by S Jamieson BA (Hons) MPlan

Decision by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 September 2025

Appeal Ref: APP/Y0435/D/25/3364566

20A Carroll Close, Newport Pagnell MK16 8QQ

- 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 and Mrs Main against the decision of Milton Keynes Council.
 - The application Ref is PLN/2025/0059.
 - The development proposed is a loft conversion with inset dormer to the rear elevation.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

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

Reasons for the Recommendation

4. The appeal dwelling is located at the end of a terraced block on a residential estate. There is a strong degree of uniformity amongst the terraces in the area, particularly in terms of their two-storey scale, dual pitched roof profiles and traditional materials. Despite the addition of photovoltaic panels to some properties, the pitched roof forms on this part of the estate are largely unaltered. The simple roof forms create a consistent rhythm across the terraces which positively contributes to the area's character and visual coherence.
5. Even accounting for the use of matching tiles, the dormer's scale, bulk and flat roofed profile would result in a substantial box-like structure. It would appear as an oddity amongst the otherwise uncomplicated pitched roofscapes of this terrace and those across the wider estate. Due to the dormer's elevated position and the host dwelling's prominent end terrace location, it would also be highly visible from the street. In combination, these factors mean that the development would unacceptably detract from the order and consistency of the built environment at this location.
6. The proposed development would have a harmful effect on the character and appearance of the area. In that regard it would conflict with Policies D1, D2 and D3 of the Milton Keynes Council Plan:MK (2019) and Policy NP6 of the Newport Pagnall Neighbourhood Plan (made 2024) which require development proposals to

respond appropriately to the site and surroundings, to be locally inspired, that the scale and design of extensions relate well to the existing building and the surrounding area, and for development to enhance the character and appearance of the locality.

Other Matters

7. The appellant contends that the appeal site is excluded from the 'General Development Order Withdrawal' (GDOW) referred to by the Council, as the GDOW is based on the provisions of the Town and Country Planning General Development Order 1973 (GDO 1973) which were no longer in force when planning permission was granted for the appeal dwelling in 2010. From what I have seen, there were also no specific conditions removing permitted development rights when planning permission was granted for the appeal dwelling. On that basis, the appellant suggests that a larger dormer could be built without the need to obtain planning permission.
8. However, there is no conclusive evidence to demonstrate that the GDOW only applies to specific properties in the area and that it is not a map based blanket withdrawal of permitted development rights. Moreover, there is also nothing to demonstrate that the GDOW did not include provisions to re-enact the removal of permitted development rights through any subsequent order to the GDO 1973.
9. In any case, this is not a matter for me to determine in the context of an appeal made under section 78 of the Town and Country Planning Act 1990. It is open to the appellant to apply to the Council for a certificate of lawfulness to have this matter determined under Section 192 of the Act, and such an application would be unaffected by the determination of this appeal. The evidence before me suggests that no such application has been made.
10. I have therefore determined the appeal on the basis that planning permission is applied for. Any fallback in respect of permitted development rights in this instance is unproven and so I cannot be certain that there would be a realistic prospect of a similar development being erected under permitted development rights. Therefore, this matter does not override the harm that would result to the character and appearance of the area from the appeal proposal.
11. The appellant's personal desire to extend the appeal property to provide extra space for their family, does not justify the harm identified under the main issue. I also acknowledge that this appeal proposal represents a second iteration of the proposed dormer. Nevertheless, a reduced scheme does not necessarily equate to one that is acceptable in planning terms, and I have considered the appeal proposal on its own planning merits.

Conclusion and Recommendation

12. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

S Jamieson

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

M Russell

INSPECTOR