
Appeal Decision

Site visit made on 10 May 2016

by Amanda Blicq BSc (Hons) MA CMLI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19 May 2016

Appeal Ref: APP/J0405/D/16/3146697

Rose Cottage, Gibraltar, Aylesbury, Buckinghamshire HP17 8TX

- 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 Mrs Julia Smith against the decision of Aylesbury Vale District Council.
 - The application Ref 13/02920/APP, dated 19 August 2013, was refused by notice dated 28 January 2016.
 - The development proposed is 2 storey and single storey extensions with part demolition (70m³).
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the Gibraltar Conservation Area.

Reasons

3. Rose Cottage is an L-shaped period red brick two-storey dwelling, with a symmetrical front façade, and to the rear, a two storey gable ended wing with further single storey projection. It appears to have undergone minor upgrading works over the years, mainly visible in the fenestration and what appears to be a more recent closed front porch. However, the original form, with corbelled eaves, simple pitched roofs and brick chimney stacks, remains intact.
 4. The dwelling is sited in a relatively large garden within the small hamlet of Gibraltar, which falls within the Dinton, Westlington, Upton and Gibraltar Conservation Area (CA). The evidence before me does not include details of the features that have contributed to the CA's designation, but I noted on my visit that the nearby lane contains a series of dwellings with period features, including thatched roofs.
 5. The development would comprise the demolition of the single-storey extension and its replacement with a further two-storey structure perpendicular and attached to, the retained two-storey rear wing. This extension would be fractionally narrower in width and depth than the main body of the host dwelling, and would have a slightly lower ridge line. It would also be offset from the host dwelling and would extend beyond its existing right hand flank
-

wall. There would be further one and two-storey gable ended projections on the sides of this extension, as well as single-storey pitched roof extensions on both sides of the retained wing, one of which would require removal of the flank wall at ground level. There would also be a prominent chimney stack rising from ground level adjacent to the one of the single storey extensions.

6. Having reviewed the evidence before me, I have concluded that the development would increase the ground floor area of Rose Cottage by some 75%, and the overall width of the two-storey extension would be some 50% wider than the original front façade. The extension would reflect the roof pitch and gable end forms of the host dwelling, but would add four additional gables of differing height and depth.
7. As such, the original form and simplicity of the original building would be subsumed by the extent and bulk of the development and its proposed mix of features and proportions. The resultant style of the dwelling would appear confused and contrived, and although the features would replicate those found on the host dwelling, their arrangement would lack the clarity of form that it currently displays. Notwithstanding that the evidence before me does not expand upon the CA designation, Rose Cottage retains a modest integrity of form and feature that merits respect, and it makes a notable contribution to the overall character and appearance of the CA within the Gibraltar area.
8. The Council's Design Guide¹ advises that extensions should not distort the shape of the host dwelling, and that extensions should be set within the original building lines. By enveloping the rear of the host dwelling into another larger and more complex extension, the proposal before me would significantly alter the footprint of the original dwelling, and distort and disguise the original form. Furthermore, although located to the rear of Rose Cottage, it would project beyond one flank wall to a significant degree, and would overwhelm the proportions of the front façade.
9. Consequently, by virtue of the size and positioning of the various elements of the extension, the proposals would not be subservient to the host dwelling and nor would the development complement or reflect the underlying architecture. I disagree with the appellant that the positioning of the rear extension minimises its impact; the main section is sited some 3.5 metres from the retained wing of the property, and is also attached to the host dwelling at both first and second floor level.
10. Paragraph 132 of the National Planning Policy Framework (the Framework) requires local planning authorities to give great weight to a heritage asset's conservation, and Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires councils to pay attention to the desirability of preserving or enhancing the character or appearance of conservation areas. Even where a proposed development would lead to less than substantial harm, Paragraph 134 of the Framework states that such harm should be weighed against the public benefits of the proposal.
11. In this instance, the development would neither conserve nor enhance the host dwelling, and would cause harm to both the character and appearance of the host dwelling and the wider CA. However, Rose Cottage is set back from the road, and views from adjacent properties and the public domain would be

¹ Aylesbury Vale District Council Design Guide, Residential Extensions, 2013

limited. As such, I consider such harm to be less than substantial but there would be no public benefit to be gained to outweigh the harm so identified.

12. In the light of the above, the design and form of the development would overwhelm and detract from the host dwelling, and the significance of original features contributing to the building's overall appearance and the character of the CA would be adversely affected. Consequently, the development would be contrary to Policy GP9 of the Local Plan² which requires extensions to respect the appearance of the host dwelling and its setting, and the guidance contained within the Design Guide as outlined above. It would also be contrary to the provisions of Paragraph 134 of the Framework, and Section 71 (1) of the Act with respect to the historic environment, both as outlined above.

Other matters

13. I note that the Council has taken some time to determine the application, but timeliness is outside the scope of this appeal.

Conclusion

14. For the reasons given above and taking all matters into account, I conclude that the development would not comply with the relevant policies of the Council's Local Plan and that the appeal should be dismissed.

Amanda Blicq

INSPECTOR

² Aylesbury Vale District Local Plan, January 2004