
Appeal Decision

Site visit made on 27 September 2016

by Jonathan Tudor BA (Hons), Solicitor (non-practising)

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

Decision date: 17 November 2016

Appeal Ref: APP/C1625/D/16/3156074

Washbrook Mill, Edge Road, Painswick, Gloucestershire GL6 6NF

- 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 C Hargreaves against the decision of Stroud District Council.
 - The application Ref S.16/0543/HHOLD, dated 11 March 2016, was refused by notice dated 17 May 2016.
 - The development proposed is extension to property, double garage and landscaping (revised scheme).
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the existing dwelling and the area.

Reasons

3. The appeal site comprises a former corn mill converted into a residential dwelling and a detached double garage set within a generous plot. It lies in a pleasant rural valley, between the settlements of Edge and Painswick, within the Cotswolds Area of Outstanding Natural Beauty (AONB). The site is adjacent to Edge Road and accessed from a lane and public footpath.
4. The land slopes away from the road and lane down towards a brook before rising to the east. The building reflects the topography, graduating from one to three storeys as the land falls. Though Washbrook Mill has undergone change, the alterations have been sympathetic and the dwelling has a linear visual coherence with pitched stone slated roof, gabled dormer windows and local stone construction. It makes a simple but enchanting contribution to the character and appearance of the area.
5. The northern elevation can be seen from Edge Road at a wide gate and through gaps in the hedge partially screening the site. It is reasonable to suppose that views would be clearer during the autumn and winter months. Turning into the lane and public footpath there are views looking down on to the property from the west. Similar points confirming views from public vantage points are made by the Inspector in previous appeal decisions¹ and by the Council Officer in her report relating to the current proposal.

¹ APP/C1625/D/16/3143500 & APP/C1625/D/16/3143503

6. The surrounding public rights of way network includes the Cotswold Way, a promoted national long distance walking trail. The proximity of settlements and location within an AONB make it likely that the area would be frequented by locals and visitors. In any event, the potential and means exist for the appeal site to be seen by the public.
7. Washbrook Mill has an extensive planning history. The current proposal involves a part three-storey and part single-storey extension to the south elevation, a single storey extension to the north elevation, a replacement garage block with ancillary accommodation and changes to windows and landscaping.
8. The Council advises that the proposal has similarities with two previous schemes dismissed in the appeals already referred to and with a 2015 planning consent.² The main differences between the proposed development and that extant consent are the size and design of the extension to the north and a change to the dormer windows on the west elevation. The Council advises that the garden room would be significantly larger than the 20 square metre lean-to extension consented in 2015.
9. The garden room would be a sizeable extension of 39 square metres protruding about 6.4 metres from the northern elevation of the original building into the garden and towards Edge Road. Those figures have not been disputed. The apex of the substantial oak-framed gable end would rise well above the eaves line of the existing dwelling. A dormer window would be removed to accommodate the gabled roof design and another dormer installed closer to existing dormers to the east. The two central dormer windows would be bunched awkwardly together whereas currently the existing dormers are in two sets of two, fairly equally spaced along the northern side of the roof. Overall, the scale and design of the extension would significantly disrupt and dominate the modest northern façade of the main dwelling.
10. The appellant has drawn my attention to a further extant permission dating from 2007 which has only been implemented in part.³ In addition to a three-storey element to the south it allowed for a larger garage with annexe room to the rear. Part of the appellant's case is that the current proposal involves no increase in the relevant footprint or floor area over the 2007 permission and that it is merely transferring the same area from the rear of the garage to the rear of the main dwelling, a few feet away. It is argued that the impact would be negligible when viewing the site as a whole from the north.
11. I note the Council's view that in 2007 the large garage and annexe room was considered acceptable partly because it was physically separate from the main dwelling and did not increase its overall bulk and massing. Whilst I recognise the ingenuity of the appellant's approach, I find that I am more persuaded by the Council's view that the current proposal is significantly different in that, despite no overall increase in area, it would materially change the northern elevation of the main dwelling to its detriment.
12. The position of the garage to the west of the main dwelling is similar in the 2007 consent and the current proposal. I do not, however, share the appellant's view that because the garage is on higher ground an extension to it

² S.15/1252/HHOLD

³ S.07/2264/FUL

would be more prominent than one attached to the main dwelling. The garage nestles into the slope and cannot be seen as easily as the main dwelling from Edge Road. Therefore, I consider that a rear extension to the main dwelling would appear more prominent viewed from the north.

13. In the previous appeal decisions the Inspector considered the size and dominance of gable dormers to be a significant factor in dismissing both appeals. The appellant maintains that aspect has been addressed in the new proposal by the reintroduction of traditional dormer windows on the western elevation. The Council Officer's report confirms that they are in keeping with the scale and design of the existing dormers. Therefore, the appellant argues, the cumulative negative effects identified by the previous Inspector have been reduced. It is also noted that complimentary high quality and sustainable locally sourced materials would be used
14. The appellant cites paragraph 60 of the National Planning Policy Framework (the Framework) which advises that decision makers should not attempt to impose architectural styles or stifle innovation. Whilst the positive aspects of the proposal are acknowledged, in dismissing both appeals the Inspector also found both the smaller and larger versions of a single storey extension to the northern elevation to be unacceptable. I consider that the adverse effects of the design and scale of the large garden room on the main dwelling persist and are decisive.
15. Much weight has been placed by the appellant on the 2007 permission but there is no guarantee that such a proposal would inevitably gain consent if presented today. Since then planning policy has changed with the introduction at national level of the Framework in 2012 and the adoption of the Stroud District Local Plan (the Local Plan) in 2015. Whilst the 2007 consent could, in theory, still be implemented in its entirety, the passage of time and the subsequent planning applications for modified schemes, along with the extant 2015 permission, make it reasonable to conclude that it is unlikely to be fully implemented. Therefore, I give it limited weight. In any event, my task is to consider the merits of the appeal before me.
16. The primary adverse effect is caused by the garden room extension. However, the effect of the proposal in its totality also needs to be considered. The Council find no particular negative effect in the substantial south elevation extension in itself, taking into account that the extant 2015 consent includes a similar extension. Notwithstanding that, I agree with the Council that the cumulative impact of large extensions to the north and south would be detrimental to the existing dwelling by so radically changing its form and character.
17. It is the combination of the above factors that leads me to conclude that the proposal would harm the character and appearance of the existing dwelling and, therefore, the local area. It follows that it conflicts with Policy HC8 of the Local Plan and Chapter 7 of the Framework, which, amongst other things, require good design and that the size and form of extensions are in keeping with the scale and character of existing dwellings and their setting and location.
18. The Framework places great weight on conserving landscape and scenic beauty in AONBs. As the appeal site is located within a valley with areas of woodland limiting views and the proposal is for alterations to a dwelling rather than a new build, I agree with the Inspector who considered the previous similar

appeals that the proposal would not harm the wider landscape. It would not, therefore, be contrary to Policy ES7 of the Local Plan or Chapter 11 of the Framework which aim to conserve or enhance the scenic beauty of the AONB. However, that does not outweigh the substantive harm that I have identified to the character and appearance of the dwelling and the more immediate area.

Other Matters

19. The proposal would enhance living accommodation within the property and various aspects would improve its thermal and energy efficiency. However, such benefits could equally arise from the implementation of the 2015 extant permission. In any event, those factors do not outweigh the harm already identified and do not lead me to alter my decision.

Conclusion

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

Jonathan Tudor

INSPECTOR