

Appeal Decision

Site visit made on 27 April 2017

by Gary Deane BSc (Hons) DipTP MRTPI

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

Decision date: 16 May 2017

Appeal Ref: APP/B1225/D/17/3168736
32 Briantspuddle, Dorchester DT2 7HT

- 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 Jaffar Abbas against the decision of Purbeck District Council.
 - The application Ref 6/2016/0667 was refused by notice dated 17 January 2017.
 - The development proposed is to replace the existing mono-pitched garage roof with a GRP flat roof. New single storey, flat roof rear extension and internal remodel. External alterations to the existing facades including cladding, render and new windows.
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Decision

1. The appeal is dismissed.

Procedural matter

2. At the site visit, I viewed the site from 31 Briantspuddle with the consent of the occupier of this adjacent residential property and did so unaccompanied.

Main issues

3. The main issues are the effect of the proposed development on the setting of 31 Briantspuddle, which is a listed building, and on the character and appearance of the local area. Having considered these issues, it is then necessary to consider whether any harm caused by the proposal would be outweighed by any public benefits.

Reasons

4. The proposal is to enlarge and alter the appeal property, which is a detached bungalow in a good sized plot that lies within the settlement of Briantspuddle.
 5. Of the listed buildings in the area just around the site, 31 Briantspuddle is most likely to be affected by the appeal scheme given its position just beyond the side boundary of the appeal property. This adjacent building dates originally from the late 15th Century. As a listed building of historical value with a traditional style and a wide and prominent frontage to the road, No 31 has a distinctive presence in the local street scene. It makes a significant and positive contribution to the character and appearance of the Piddle Valley Conservation Area (CA), within which the site is located. Both No 31 and the CA are designated heritage assets (DHAs).
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Setting of No 31

6. When considering the impact of a proposal on the significance of a DHA, the National Planning Policy Framework (the Framework) states that great weight should be given to the asset's conservation. The Framework explains that significance, which derives not only from the asset's physical presence but also from its setting, can be harmed or lost through development within its setting. As heritage assets are irreplaceable, the Framework advises that any harm or loss should require clear and convincing justification.
7. According to the Council's draft CA Appraisal Document, No 31 is the oldest domestic property in the CA. With its plastered cob walls, thatched roof and brick chimneystacks, No 31 is also a good example of the local vernacular. Its significance as a DHA is therefore derived from its historic, architectural and visual merit. This can be experienced and appreciated from the road, from where the generous sized well-kept garden positively contributes to its setting.
8. From the road, the completed dwelling would be visually 'read' primarily with No 31 given their close visual and physical relationship notwithstanding other properties further along the highway that include several modern style bungalows. At present, the single storey side projection of No 32, which stands close to the flank wall of No 31, relates uneasily both to the main dwelling and to the adjacent listed building given its roof form which appears almost flat from the road. That the side projection stands noticeably forward of the main front wall of No 32 visually accentuates this awkward relationship.
9. The finished building would be no closer to No 31. It would, however, differ in appearance with the walls of the side projection clad with Cedral click weatherboarding and the introduction of a replacement flat roof at a slightly raised height compared to the existing structure. The appellant states that the new roof would be no higher and little different in bulk than that of a recently approved scheme. However, in this case, the raised roof level would enlarge the side projection and the selected materials would visually exaggerate its presence. In doing so, the proposal would amplify the already uneasy relationship between Nos 31 and 32 in the local street scene.
10. A roadside hedgerow and boundary fence between Nos 31 and 32 would partly obscure views of the proposal and its relationship with the adjacent listed building when seen from the highway and the site. Nevertheless, the appeal scheme would still be largely visible from numerous vantage points along the road. By introducing further visual disharmony between Nos 31 and 32, the proposal would detract from the setting of the listed building. Consequently, the significance of No 31 as a DHA would be significantly diminished by the proposal, to which I attach considerable importance and weight.

Character and appearance

11. From what I saw, the CA is characterised by small settlements containing buildings of differing ages, sizes and styles interspersed by water meadows and fields in the Piddle Valley. Within Briantspuddle, buildings are often sited and orientated differently within their plots with some closer to neighbouring buildings than others. This varied layout is evident in the vicinity of the site, where historic buildings stand alongside more recent additions to the area.

12. The proposed rear extension would be a sizeable addition. It would be substantial in scale and bulk, extending across the full width of the existing dwelling. It could not reasonably be described as visually subordinate to the host building as the appellant suggests. Rather, the rear of the dwelling would be overwhelmed by the size and mass of the new extension, the visual effect of which would be accentuated by long horizontal roof lines across the proposed façade. The new flat roof, and that of the side projection, would also visually conflict unsatisfactorily at eaves level, being noticeably higher than that of the existing dwelling. As a result, the proposal would fail to harmonise with the design of the existing building, in conflict with the advice in the Council's Supplementary Planning Document, *Purbeck District Design Guide* (SPD).
13. The new rear extension would not be readily seen from the road given the screening provided by the host building and No 31. This element of the appeal scheme would be visible from public footpath beyond the rear of the site. From this location, views towards the finished building would be from some distance and filtered through the foliage of existing vegetation. As a result, the new rear addition is unlikely to draw the eye. Nevertheless, parts of the new rear extension would be visible from No 31, as would be the side projection, as proposed to be changed. These private views are no less important as they encompass the character of the local area as it is experienced and appreciated by others. Furthermore, the statutory duty to preserve or enhance the character or appearance of a CA equally applies whether or not the development is available to public view or prominent.
14. From No 31, the proposal would appear as an overly large and bulky addition. It would spoil the intrinsic character of the host building and cause harm to the visual character of the CA. Furthermore, by causing material harm to the setting of a listed building and diminishing its significance, the side projection, as proposed, would also reduce the contribution of No 31 to the CA.
15. Taken together, I find that the proposal would have a deleterious effect on the character and appearance of the local area and that of the CA, which would fail to be preserved. I attach considerable importance and weight to this harm.

Public benefits

16. The harm caused by the proposal both on the significance of No 31 and the CA as heritage assets would be less than substantial. In those circumstances, the Framework states that the harm should be weighed against the public benefits.
17. The finished development could be expected to achieve a good standard of thermal insulation and the extra accommodation would improve the living conditions of the appellant and his family. These matters would provide some wider social and environmental benefits that weigh in support of the appellant's case. The development would also contribute to the local economy through the provision of jobs and the sale of construction materials. However, none of these considerations outweigh the harm that I have identified.

Conclusion on the main issues

18. On the main issues, I conclude that the proposed development would adversely affect the setting of a listed building and cause significant harm the character and appearance of the local area. As such, it is contrary to Policies D and LHH

of the Purbeck Local Plan Part 1: Planning Purbeck's Future (LP). These policies aim to ensure that development positively integrates with its surroundings and conserves or enhances the appearance, setting or character of heritage assets. The proposal also conflicts with the statutory duty, the Council's SPD and several core principles of the Framework, notably with regard to protecting designated heritage assets.

Other matters

19. The Parish Council raises no objection and several interested parties support the proposed development. While I have taken these representations into account, along with all the evidence before me, the points raised do not outweigh the harm that I have identified.
20. Some reliance is placed on the recently approved schemes to extend and alter No 32 to support the appellant's case. From the limited information provided, it would appear that the approved developments included raising the height the main roof in its entirety and so these schemes are not directly comparable with the proposal before me. That the previously approved schemes have proved not to be financially viable for the appellant to implement is insufficient reason to allow an unsympathetic form of development, as proposed.
21. The appellant states that a large outbuilding could be erected in the garden of No 32 broadly in line with the garage and near to the boundary fence through the exercise of permitted development rights. That structure would differ to the appeal scheme in nature and scale and there is no certainty that it would come forward if planning permission were to be refused. In any event, I have assessed the development for which planning permission is sought.
22. The appellant is critical of the Council's handling of the application and states that it was reluctant to discuss possible changes that he considers might have led to a mutually acceptable solution. The appellant is also critical of the input provided by the Council's Conservation Officer and to what he considers to be disproportionate weight and an over reliance placed on that advice by the Case Officer. However, my remit is solely to determine the appeal.

Conclusion

23. For the reasons given above, I conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR