



Appeal Decision

Site visit made on 5 April 2019

by Rebecca Thomas MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th August 2019

Appeal Ref: APP/J0405/D/18/3218573

**Digbys Brewhouse, Hogshaw Farm, Claydon Road, Hogshaw,
Bucks MK18 3LA**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against refusal to grant planning permission.
 - The appeal is made by Mr & Mrs S E Garrard against Aylesbury Vale District Council.
 - The application Ref 18/02028/APP, dated 8 June 2018, was refused by notice dated 28 September 2018.
 - The development proposed is two storey extension and alterations.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on the character and appearance of the area, in particular with regard to the impact on (i) the existing building and (ii) a non-designated heritage asset.

Reasons

Character and appearance

3. The site is in a rural location with a detached brick farmhouse, and is adjacent to brick and timber agricultural buildings. There is a carport to the rear, as well as the boundary with the neighbour, consisting of fencing and leylandii hedge.
4. The building itself is of brick construction with a slate roof and chimney. The single storey side extension has a 'catslide' roof. This is a modest building with a small outside area to the front and rear.
5. The proposed development would extend the building over the existing single storey and provide additional two storeys to the rear, reflecting the original building. Materials are proposed to match.
6. The building is simple in form and design, and the proposed design and materials reflect the existing building. The appellant says that the proposed extensions follow the established roof form of the building and 'mirror' the existing simple lines of the building which is apparent as the rear extension appears to be a replication of the existing. The appellant refers to a "*marginal step back*" however this is not apparent in the submitted appeal plans. Notwithstanding the above observations, the extensions would envelope the building, dominating its modest scale and undermining its simple form,

features which are characteristic of its historic and architectural significance. Notwithstanding the gable apex windows which would add interest to the elevations, the compound effect of additional plain, domestic proportioned windows would weaken the architectural character of the building whose original elevations are unusually solid and where openings now appear more as interesting features, and would therefore result in the harm to the rural character of the original building.

7. The Council refers to its design guidance¹ and the appellant disputes the relevance of this document. Although the building is converted from a former use, it is before me as a dwelling and as such the design guidance can still provide constructive direction. Even though the extensions would take into account the design and materials, this does not sufficiently overcome the sheer scale of the proposed development and the impact to the existing building.
8. In addition to the above, the appellant has said that if extensions were to comply with the Council's guidance, these would be more harmful and "*...would actually shroud the building with more complicated roof forms...*". Even if this were to be the case, I have not been provided with plans or any other evidence to demonstrate that an alternative proposal might be more harmful. I am not persuaded that there are no alternative arrangements which might be less harmful to the building.

Non-designated heritage asset

9. The building has been identified by the Council as a non-designated heritage asset (NDHA) as a former brewhouse associated with the adjacent farmhouse. The appellant has pointed out that the Council has a system to identify local NDHAs and that the building is not on that list. I note that the Council did not consider the building as a NDHA when it approved the change of use of the building, however, its findings ten years ago do not bind its considerations against current national planning policy.
10. Nonetheless, the building has been identified as such through the application process. The National Planning Policy Framework (the Framework) is clear that the effect of an application on the significance of a NDHA must be taken into account and that a balanced judgement will be required with regard to the scale of any harm or loss and the significance of the heritage asset.²
11. The Framework advises at paragraph 189 that applicants should be required to describe the significance of any heritage assets affected, to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. The building will be significantly altered as a result of the development but no such assessment is before me. In the absence of any evidence regarding the significance of the building to the contrary, I conclude that there is harm to the character and appearance of the NDHA.

¹ AVDC Design Guide: Residential Extensions (1991)

² Paragraph 197

Conclusions on main issue

12. There would be significant changes to the building, which I have concluded would result in unacceptable harm to the character and appearance of the existing building. This in turn impacts a non-designated heritage asset.
13. Policy GP9 of the Aylesbury Vale District Local Plan 2004 (LP) seeks to protect the appearance of existing dwellings when considering extensions, and similarly policy GP35 expects development to respect and complement the existing building, including (amongst others) physical characteristics, building tradition, materials and form. I am not satisfied that the appeal proposals would comply with these policies. I have also taken into account that the proposed development would conflict with the policies found in the Framework, which seek to secure developments which are sympathetic to local character and history, including the surrounding built environment and landscape setting, whilst not preventing or discouraging appropriate innovation or change.
14. I therefore conclude that the proposal does not have regard to the character and appearance of the original building and conflicts with the policies as outlined above.

Other matters

15. The appellant states that an application could be made for the demolition of the existing and replacement with a dwelling of design, scale and form identical to that of the proposed scheme. However I have not been provided with evidence that this is the intention of the appellant and nor have I been provided with a planning permission to confirm that this would be granted permission. In this instance, therefore, I consider that this does not represent a realistic 'fallback position' as submitted by the appellant. The proposal before me falls to be considered on its own merits and this is the approach which I have undertaken in coming to my decision, with regard to the totality of the evidence that has been put to me.

Conclusion

16. For the above reasons and taking account of other matters raised I conclude that the proposed development would be contrary to the development plan when taken as a whole. While the proposal would provide additional living accommodation it does not outweigh the harm it would cause to the character and appearance of the building. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Rebecca Thomas

INSPECTOR