



Appeal Decision

Site visit made on 5 April 2019

by Rebecca Thomas MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th August 2019

Appeal Ref: APP/J0405/D/19/3222203

2 The Cottages, High Street, Dinton, Aylesbury HP17 8UW

- 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 Benjamin Dodd against the decision of Aylesbury Vale District Council.
 - The application Ref 18/03384/APP dated 27 September 2018, was refused by notice dated 22 November 2018.
 - The development proposed is first floor rear/side extension.
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Decision

1. The appeal is allowed and planning permission is granted for a first floor rear/side extension, in accordance with the terms of the application, Ref 18/03384/APP, dated 27 September 2018, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved drawing: 1845-p/01.
 - 3) The external materials to be used in the construction of the extensions hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue of the appeal is the effect of the first floor side and rear extension on the character and appearance of the existing dwelling.

Reasons

3. The appeal site is located within the village of Dinton, on the High Street. There is access from New Road where there is parking to the rear. The house is a two storey semi-detached building which is white painted stone with brick detailing and a slate roof. It has additions to the side and rear, including a 'catslide' lean-to extension to the side and a mono-pitched single storey extension to the rear. There are painted brick additions to first floor at the neighbouring property adjoining the appeal site.
4. The pair of semi-detached dwellings are relatively simple and with few alterations to the front. To the rear, it is clear that both have had extensions. The nearby buildings also have a variety of different extensions and alterations. I was able to see on the site visit that the plots are irregular and small.

5. The front of the dwelling would not be affected and the overhang at first floor would allow movement through the plot, whilst enabling the additional living space. The proposed development reflects sensitive design which takes into account the existing building and the site and plot constraints and does not dominate the existing building.
6. The Council says that the Design Guide on Residential Extensions expects extensions to recognise the shape of the existing building, and I consider that this is the case in this instance. The gable feature next door would be reflected in the proposed development and the ground floor extension would reflect the size and shape of the existing (albeit slightly larger). The existing chimney would be retained.
7. The proposed materials include natural slate roofing to match the existing and this would harmonise with the existing building and extensions to the side and rear. I also note that the proposals ensure that eaves and ridge levels remain below that of the host dwelling. Whilst I accept that there would be an additional amount of built form, this would not harm the character and appearance of the host dwelling.
8. 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 satisfied that the appeal proposals would comply with these policies. I have also taken into account the National Planning Policy Framework (the Framework) and I find no conflict with the policies, 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.
9. Therefore, I conclude that the proposed development is sensitively designed in terms of form, materials and size and as such I find no harm to the character and appearance of the existing dwelling.

Other Matters

10. The appeal site is located within the Dinton, Westlington, Upton and Gibraltar Conservation Area. The Conservation Area (CA), in its entirety, is therefore a designated heritage asset. I note that the parties agree that there is no harm to the CA however I am obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of that area as required by Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.
11. As described above, I find that there would be no harm to the existing dwelling as a result of the development, in particular the traditional front elevation. In addition to this, the location of the proposed development to the side and rear reflects the ad hoc development which has occurred at other properties in the immediate locality. It is possible that there may be very limited glimpses of the proposed development from New Road, however this would not harm the character or appearance of the CA due to the gabled design of the development, set within the context of this plot and to the rear of existing dwellings.

12. Policy GP53 of the LP seeks to protect CAs and will not permit development where there is harm to the character or appearance of the CA. This policy is broadly consistent with the Framework, which states that when considering the impact of a development on the significance of a designated heritage asset great weight should be given to the conservation of the heritage asset. However, I acknowledge that the wording of some of the policies are more prescriptive. The Framework is broader and states that new development should respond to local character and history, add to the overall quality of the area and be visually attractive as a result of good architecture and landscaping.
13. The Framework is clear in section 12 that high quality design should be achieved through planning. This includes ensuring that developments will function well and add to the overall quality of the area over the lifetime of the development, are visually attractive and are sympathetic to local character and history, whilst not preventing or discouraging appropriate innovation or change.
14. As seen from the High Street, the appeal site is set in an elevated position with a tall mature hedge fronting the roadside and the neighbouring property has a single storey stone projection which would prevent easy views of the proposals from the street. Views from the High Street would be limited, if any, from both directions. In this regard, there would be no harm to the CA, which would thus be preserved. Concerns have also been raised with regard to overdevelopment of the site however I find that the appellant has taken into account the existing extensions to the dwelling and the small plot size.
15. Other concerns have included loss of light to neighbouring properties. Due to the orientation of the proposed extension, the limited extension beyond the rear wall and distance from neighbouring properties I have no concern with regard to the impacts to living conditions of neighbouring properties.

Conditions

16. I have imposed conditions as set out in my decision above, having had regard to the proposal and the guidance set out in the Planning Practice Guidance.
17. I have imposed standard conditions relating to the commencement of development (1). It is necessary to require compliance with the submitted plans (2) in the interests character and appearance. The final materials proposed for the walls are not confirmed and it is appropriate to require that these match the existing in the interests of protecting the character and appearance of the existing dwelling (3).

Conclusion

18. For the reasons given above and taking into account all other matters raised, I conclude that the appeal is allowed.

Rebecca Thomas

INSPECTOR