



Appeal Decision

Site visit made on 6 August 2019

by J Gibson BUEP MPIA

an Inspector appointed by the Secretary of State

Decision date: 12 September 2019

Appeal Ref: APP/F1610/D/19/3229435

Blacksmiths, Aston Grove, Cold Aston, Cheltenham GL54 3BJ

- 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 and Mrs Kirwan against the decision of Cotswold District Council.
 - The application Ref 18/04783/FUL, dated 10 December 2018, was refused by notice dated 5 March 2019.
 - The development proposed is described as amendments to planning consent 18/01027/FUL - erection of two-storey rear extension, alterations to existing entrance, demolition of kitchen projection and covered link to outbuilding, conversion of existing outbuilding to annex cum home office with associated parking and landscaping.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host dwelling and the surrounding area, including the effect on the Cold Aston Conservation Area.

Reasons

3. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention be given to the desirability of preserving or enhancing the character or appearance of the conservation area. The appeal property is located within the Cold Aston Conservation Area (CA) which is strongly characterised by buildings with distinct stone finishes and a consistent style within a historical village setting.
4. The appeal property is currently occupied by a two storey detached dwelling, linked to a historical single storey blacksmith building, with a spacious garden area. The dwelling sits prominently within the site and is visible from the street scene due to the raised levels of the appeal property. The existing dwelling style has been described as a 'vernacular Cotswold building', notable for its dominant and plain vertical façades. Although a modern construction, the design of the existing dwelling is significant as it enhances the historical character and appearance of the CA by matching the predominant design and materials of other buildings in the surrounding area.

5. I note that an extant planning permission was granted by the Council for an extension to the host dwelling (LPA Ref: 18/01027/FUL). Based on the Council's description in their delegated report, the extant permission was granted on the basis that the design of the extension would replicate the design of the existing building façade, preserving the buildings significant contribution to the historical setting of the CA. Having regard to my observations during the site visit and based on the extant permission approved plans submitted by the appellant, I would concur with the Council's assessment on the value of preserving the existing building façade design. The appeal proposal comprises three elements which deviate from the extant permission: the addition of two bay doors along the elevation facing the rear garden, a redesigned roofline for the lean-to section facing the driveway, and the removal of windows along the side elevation facing the driveway.
6. In this case the primary consideration is the two bay doors proposed on the façade facing the rear garden. The other two elements are considered to have a neutral effect upon the design. Although minor in nature, the inclusion of bay doors along the façade would deviate from the design and style of the host dwelling. The stark, vertical extent of the current building façade is a simple but a distinct representation of the local style I observed. The bay doors would occupy a large portion of the dwelling façade, altering the character and appearance of the dwelling by punctuating and weakening its dominant presentation. The change of building style would subsequently harm the contribution of the existing dwelling design towards to the historical character and appearance of the CA.
7. In accordance with paragraph 196 of the National Planning Policy Framework (the Framework) I consider the harm of the proposal to be less than substantial, and have had regard to whether the proposal offers any public benefits which may outweigh this harm. The proposed extension would afford the current occupants with additional living space and would make efficient use of the land. However, on balance these benefits hold little public value and therefore do not outweigh the harm identified.
8. The appellants have noted the presence of bay windows in the surrounding area, landscape screening along the boundary of the appeal property, and permitted development rights as grounds in support of the proposal. During my site visit I did observe bay windows on nearby properties, however they were sporadic and generally appeared out of keeping with the wider CA. The presence of landscaping along the appeal property boundary would not address the harm to the character and appearance of the existing dwelling and consequently the wider CA. No details of the suggested permitted development fallback position have been provided. In any event I must determine this appeal on its own merits. These considerations do not collectively outweigh the significant importance and weight I must give to the preservation or enhancement of the CA.
9. Accordingly, the proposal would harm the character and appearance of the host dwelling and the surrounding area, including the setting of the CA. The proposal therefore conflicts with Policies EN2, EN10 and EN11 of the Cotswold District Local Plan (2018) and Sections 12 and 16 of the Framework. Collectively these policies seek, amongst other things, to ensure that great weight be given to the preservation, and where appropriate enhancement, of the historic environment.

Other Matters

10. The appeal property is located within the Cotswolds Area of Outstanding Natural Beauty (AONB). Section 85 of the Countryside and Rights of Way Act 2000 requires that I have regard to the purpose of conserving and enhancing the natural beauty of the AONB. Paragraph 172 of the Framework further specifies that great weight must be given to conserving and enhancing landscape and scenic beauty of these areas. Acknowledging the domestic setting of the appeal property and scale of development, in my judgement the proposal would not result in any harm to the AONB.
11. I note the submission received in support of the proposed development. However, this on its own does not overcome the harm which the proposal would have upon the CA.

Conclusion

12. For the reasons given above the appeal is dismissed.

J Gibson

INSPECTOR