
Appeal Decision

Site visit made on 8 October 2019

by J Gibson BUEP MPIA

an Inspector appointed by the Secretary of State

Decision date: 7 November 2019

Appeal Ref: APP/J0405/W/19/3233657

Stable Cottage, 42 Bishopstone Road, Stone, Aylesbury HP17 8QX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Simon Shaw against Aylesbury Vale District Council.
 - The application Ref 18/03203/APP, is dated 10 September 2018.
 - The development proposed is to convert existing stables to residential use, demolition of existing single storey lean extension to the front of Stable Cottage to create a new entrance and demolition of existing triple garage and construction of new triple garage and construction of a new annex extension to the rear.
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Decision

1. The appeal is dismissed and planning permission is refused.

Procedural Matters

2. The original description of development was revised and agreed during the planning application process to more accurately reflect the development proposed. I have therefore used the revised description in the heading above in the determination of this appeal.
3. During the course of the application a number of revised plans were submitted in response to comments from Council's Design and Heritage Officers. To remove any doubt, I have had regard to the plans listed in the appellant's drawing schedule dated 20 March 2019. I note there is some conjecture between the parties as to the latest revisions of the plans of development to be considered. However, I am satisfied that the most up to date details of the proposed development have been considered by the relevant parties based on the evidence before me, and as such there would be no prejudice to any party by my consideration of the revised plans in the determination of this appeal.
4. The appeal was submitted on 21 July 2019 as a result of the Council failing to make a decision within the statutory period. The Council has confirmed that had it retained jurisdiction to determine the revised application it would have refused planning permission.

Main Issue

5. Based upon the submitted policies, my site visit and the representations from the appellant, Council consultees and interested parties, I consider the main issue is the effect of the proposed development on the character and appearance of the host dwelling and surrounding area.

Reasons

6. The appeal property is a two storey detached dwelling known as Stable Cottage. The site includes a number of ancillary buildings to the rear of the appeal property including a stable building attached to the host dwelling, a detached garage and barns/sheds for storage purposes. The buildings visible from Bishopstone Road maintain a traditional appearance through the consistent use of white render on the building façades, with some exposed red brick details and grey slate tile roofing. The design and materials of the appeal property are generally in keeping with the character and appearance of neighbouring dwellings and the surrounding area.
7. Historically the appeal property was used as an ancillary building to Stone House at 38 Bishopstone Road, which is a Grade II Listed Building, but now serves an independent residential dwelling with no perceivable visual or functional relationship remaining. Due to its historic function the appeal property is oriented towards the rear of the site, facing away from the primary street frontage. The elevation of the appeal property facing Bishopstone Road is currently defined by an incongruous single storey lean-to extension, which achieves an unbalanced and haphazard appearance in relation to the host dwelling and more broadly within the Bishopstone Road street scene. The proposed development involves the demolition of this lean-to and the erection of a centralised two storey front extension serving as the new entrance to the dwelling.
8. The proposed front extension, as well as the proposed rear annex and the conversion of the stable building for residential use, is intended to balance the overall design of the host dwelling whilst incorporating some modern architectural features to juxtapose the historical rural design and setting. However, the combined height, width, depth and design of the proposed front extension would result in an overly prominent feature which would appear disproportionate to the host dwelling. The proposed front extension and entrance overhang would extend beyond the existing lean-to footprint and match the height of existing dormer windows, which combined with the vertical wood panelling and the protruding metal clad frame would unduly increase the visual bulk of the extension.
9. The resulting effect would be to overwhelm the traditional features of the host dwelling and detrimentally interrupt the existing roof lines and hips. The modern style dormer window proposed on the front elevation would similarly contribute towards this effect, although to a less harmful degree. I note these contemporary architectural features would introduce a point of interest to the building within the street scene. However, they would not outweigh the described harm to the character and appearance of the host dwelling and the surrounding area.
10. The other components of the proposal, when compared to the proposed front extension, achieve a more successful balance between maintaining the traditional appearance and function of the host dwelling and the harmonious incorporation of modern design elements. The rear annex and stable conversion to residential use maintain a subordinate single storey relationship with the host dwelling, whilst balancing the layout of the appeal property by framing the rear courtyard. The proposed triple garage within the front garden of the appeal property would result in a more prominent location but would

accord with an established pattern of low set garages on this side of Bishopstone Road. The materials, colours and tones of the proposed extensions would be consistent across each of the additions, unifying their modern stylings, tying in with the existing colours and tones of the host dwelling and the materials traditionally associated with rural buildings. Despite these considerations, they would not outweigh the harm previously identified.

11. The appellant's statement of case documents correspondence between the appellant and the Council discussing the proposed design. Although regrettable, the discussions and delays experienced through this process do not fall within the scope of the appeal as I must determine this appeal on planning merits.
12. The Council considers Stable Cottage to be a non-designated heritage asset (NDHA) having regard for its traditional appearance and historical connection to Grade II Listed Building - Stone House at No 38, which is not disputed by the appellant. Paragraph 197 of the National Planning Policy Framework (the Framework) requires a balanced judgement when considering the scale of any harm or loss (whether direct or indirect) and the significance of the heritage asset.
13. The appeal property currently achieves a traditional appearance through its design, building materials and colours, but offers little to the wider character of the Bishopstone Road street scene due to the dwelling's orientation and the discordant first floor lean-to extension. The proposal seeks to improve the presentation of Stable Cottage towards Bishopstone Road, but consequently introduces an overly dominant front entrance extension which would detract from the traditional features and function of the host dwelling. The proposal would result in direct harm to the host dwelling and consequently its significance as a NDHA. Having considered the suggested benefits of the proposed scheme in the above reasoning, it is my judgement that on balance the proposal would not outweigh the harm identified to the character and appearance of the host dwelling and the surrounding area.
14. The appellant's suggested benefits of the proposal include the increase in usable living space within the dwelling, the reorientation of the appeal property to address Bishopstone Road, the proposed green façade treatment to soften the appearance of the Bishopstone Road elevation, and the removal of the discordant lean-to extension. In my judgement, on balance, the suggested benefits of the appeal proposal would not outweigh the harm identified to the character and appearance of the host dwelling and the surrounding area.
15. Accordingly, notwithstanding the acceptability of some elements of the proposal, as a whole I find that the appeal proposal would harm the character and appearance of the host dwelling and the surrounding area. It would therefore conflict with saved Policies GP9 and GP35 of the Aylesbury District Local Plan (adopted January 2004) and the Residential Extensions Design Guide (amendment adopted November 2013). These policies and guidelines seek, amongst other things, to ensure that new development appropriately complements the physical characteristics of existing dwellings, sites, surrounding areas and the historic scale and context of their setting.

Other Matters

16. Concerns have been raised that the appeal proposal would harm the living conditions of neighbouring occupiers by way of light, shadow effects and privacy. However, I do not consider there to be any harm acknowledging the existing relationship between the appeal property and neighbouring properties, and the combined separation distance and low set nature of the proposed garage in relation to neighbouring properties. In any event, even if the effect on neighbouring occupiers was acceptable, it would not outweigh the harm identified.

Conclusion

17. For the reasons given above I conclude that the appeal should be dismissed, and planning permission refused.

J Gibson

INSPECTOR