



Appeal Decision

Site visit made on 5 December 2019

by R Sabu BA(Hons) MA BArch PgDip ARB RIBA

an Inspector appointed by the Secretary of State

Decision date: 10th December 2019

Appeal Ref: APP/J0405/D/19/3239370

The Laurels, Old Farm, Pitstone, Bedfordshire, UK LU7 9RD

- 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 Blunt against the decision of Aylesbury Vale District Council.
 - The application Ref 19/02354/APP, dated 26 June 2019, was refused by notice dated 26 September 2019.
 - The development proposed is described as, 'two storey side extension and internal alterations'.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey side extension and single storey rear extension at The Laurels, Old Farm, Pitstone, Bedfordshire, UK LU7 9RD in accordance with the terms of the application, Ref 19/02354/APP, dated 26 June 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin no 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 plan: 02 PL Rev B
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Procedural Matters

2. While I note the description of development on the application form, since the proposal also includes a single storey rear extension, I have used the description from the decision notice in the decision above.
3. Since only one name is stated on the appeal form, the appeal proceeds on this basis and I have used one name in the header above.

Main Issues

4. The main issues are:
 - The effect of the proposed development on the character and appearance of the host building and surrounding area; and
 - The effect of the proposed development on the living conditions of the occupiers at No 37 Old Farm (No 37) with particular regard to outlook.

Reasons

Character and appearance

5. The appeal site lies within a residential area of relatively modern two storey dwellings in a traditional style. The appeal property lies adjacent to two Grade II listed buildings which are set within larger plots such that the immediate vicinity of the site has a more open character and appearance.
6. The host building is set towards one side of its plot such that there is significantly more space to the front, rear and northern side of the property than to the south east side of the building. The proposed two storey extension would extend across almost the full width of the space to the side of the host building. Since the open character of the site is derived primarily from the space to the front, rear and north of the dwelling, given the modest width between the host building and south eastern boundary, the loss of this gap would not adversely affect the open character and appearance of the host building and surrounding area.
7. While I note the guidance within the Design Guide Residential Extensions (DG) regarding two storey side extensions, the proposed gap would not be significantly less than 1m and the proposal would not undermine the aim of the guidance to preserve the open character of the area. Furthermore, the proposed materials would match the existing building and the proposed form and fenestration would be in line with the host property. Therefore, overall, the proposal would be in harmony with the character and appearance of the area.
8. The south elevation of the host building can be seen from the highway from between Nos 37 and 39 Old Farm (Nos 37 and 39) and the character and appearance of this wider context is less open than the appeal site and adjacent listed buildings. From the evidence before me, the view of the appeal site from between Nos 37 and 39 is dominated by the two-storey flank elevation of the host building and the openness of the site is therefore not apparent from this viewpoint. Consequently, while the proposed development would be visible from the highway, it would not adversely affect the open character and appearance of the appeal site or wider area.
9. The proposal would also include the removal of part of the laurel hedging that borders the site. Given the more urban character and appearance of the wider more densely built area around the appeal site, the laurel hedging does not provide a meaningful contribution to the rural character of the village. While the hedge is visible from the highway, only a small portion of it can be seen above a boundary wall and outbuilding. Consequently, the proposed removal of a section of the laurel hedge would not adversely affect the spacious character and appearance of the host building or surrounding area.
10. While the Council has not mentioned the listed buildings in their reasons for refusal, I am required as statutory duty to have regard to these matters when considering the appeal. From the evidence before me, the significance of the adjacent Grade II listed buildings, Whitefriars and Icknield, lie in the evidence of historic vernacular architecture with original detailing. Since these buildings are not visible from the site and given the significant separation distance between these buildings and the proposed development, the scheme would preserve the significance of these heritage assets.

11. Consequently, the proposed development would not harm the character and appearance of the host building and surrounding area. Therefore, it would not conflict with Policy 6 of the Pitstone Neighbourhood Plan 2013 – 2033 Referendum Edition (PNP) which requires alterations to existing buildings to reflect and enhance the character and scale of the surrounding buildings among other things. It would also not conflict with Policies GP9 and GP35 of the Aylesbury Vale District Local Plan Written Statement January 2004 Part 1 (LP) which together require proposals for development and extensions to dwellings to respect the appearance of the dwelling, site and the surroundings. It would also not conflict with the DG or National Planning Policy Framework (Framework) in this respect.

Living conditions

12. No 37 is situated to the south of the appeal site. The garden of this property is an irregular shape that wraps around the rear and side of the building such that the existing outlook from the northern part of this garden is dominated by the two-storey flank wall of the appeal property as well as the tall laurel hedge along the boundary.
13. While the proposed two storey side extension would bring the flank elevation closer to the garden of No 37, since the outlook to the rear of the garden would remain open and given that the existing outlook to the north of the garden is currently somewhat restricted by the existing building, the outlook of the occupiers of this adjacent property would not be significantly altered or unduly detrimentally affected as result of the proposed development.
14. The Council does not consider that the proposed development would harmfully affect the outlook of the occupiers of No 39 Old Farm (No 39) and from the evidence before me, I see no reason to disagree.
15. Consequently, the proposed development would not harm the living conditions of the occupiers of No 37 with particular regard to outlook. Therefore, it would not conflict with LP Policies GP8 and GP9 which together seek development that would not unreasonably harm any aspect of the amenity of nearby residents and protect the character of outlook among other things. It would also not conflict with the DG and the Framework in this regard.

Other Matters

16. I note concerns regarding light and privacy to No 39. I also note concerns regarding noise, the stability of a tree and use of the extension. However, the Council has not objected in these respects and from the evidence before me I see no reason to disagree.
17. I also note comments regarding permitted development, however these have not altered my overall decision.

Conclusion

18. Having had regard to all other matters raised, it is concluded that the appeal should succeed, and planning permission should be granted subject to conditions necessary for the avoidance of doubt and in the interests of proper planning; and that seek to safeguard the character and appearance of the area.

R Sabu INSPECTOR