



Appeal Decision

Site visit made on 4 February 2020 by G Sibley MPLAN MRTPI

Decision by Kenneth Stone BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 March 2020

Appeal Ref: APP/J0405/D/19/3240889

48 Green End, Great Brickhill MK17 9AU

- 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 Brian Wright against the decision of Aylesbury Vale District Council.
 - The application Ref: 19/01315/APP, dated 5 April 2019, was refused by notice dated 19 September 2019.
 - The development proposed is described as garage loft conversion and erection of timber shed.
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Decision

1. The appeal is allowed, and planning permission is granted for a garage loft conversion with new dormer and erection of timber shed at 48 Green End, Great Brickhill MK17 9AU in accordance with the terms of the application Ref: 19/01315/APP, dated 5 April 2019 and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the approved plans listed: Location plan (DWG No. 01/19); Site plan (DWG No. 02/19); Existing and proposed elevations (DWG No. 03/19); Existing and proposed ground floor layout (DWG No. 04/19); Existing and proposed cross sections through loft (DWG No. 05/19); Floor plan and shed (DWG No. 06/19); and First floor plan – proposed (DWG No. 07/19).
 - 3) Notwithstanding condition 2) above, the external surfaces of the development hereby permitted shall be constructed using the following materials: external walls in timber; doors in timber; roof in grey/black roofing, grey hanging tiles to dormer, shed roof in grey roofing felt.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matter

3. In the interest of clarity, I have used the description of development from the Decision Notice in my formal decision above because the description of development from the application form did not mention the dormer window.

The appellant has used this description of development on the appeal form and whilst they have not indicated that the description of development has changed from the application form, their use of this description indicates that they agree this is a correct description of the development.

Main Issues

4. The effect of the proposed development upon the character and appearance of the annexe, No.48 Green End and the street scene.

Reasons for the Recommendation

5. The annexe was previously the garage for No.48 and was converted into an annexe connected to the host dwelling. The annexe is a brick built single storey building that no longer looks like a garage and has the appearance of a residential building. A front door and windows have been installed on the front elevation of the building and solar panels on the front roof slope. The annexe is located within the garden of the host dwelling which is bound by fencing and hedgerows. A certificate of lawfulness has been issued under 12/00308/ACL for the alteration of garage to create a residential annexe. The annexe building is therefore in use with permission as an annexe to 48 Green End and the proposals before me relate to development associated with that use.
6. The proposal would include a box dormer window on the rear roof slope of the annexe as well as the conversion of the first floor of the building and the erection of a shed behind the annexe. The dormer window would be constructed from grey hanging tiles and grey roofing felt and the shed constructed from timber and grey roofing felt.
7. The garden area for No.48, including the annexe, is bounded by fencing and because of this, the site appears connected to the dwelling and therefore within the built-up-area of the village. Whilst the site is at the end of the village it still appears to be within it. The use of the building and its curtilage would not change as part of this development. Therefore, I conclude that the site is already part of the village and would not extend the built-up-area of the settlement.
8. Policy GP.11 of the Aylesbury Vale District Local Plan Written Statement Part 1 (2004) (LP) permits new residential annexes provided they meet certain criteria. The policy does not provide the scope to extend or alter existing annexes. The proposal would extend an existing annexe and thus is not proposing a new annexe. Therefore, the policy is not directly relevant to the proposed development.
9. Policy GP.9 notes that proposals for the extensions of dwelling and annexes would be permitted provided certain criteria are met. The Council did not refer to this policy within the Decision Notice, although it does refer to the policy in the Officer's Report.
10. The dormer window would be located to the rear of the building and consequently would not be overly visible from the public domain. When viewed within the context of the host dwelling, the appearance of the annexe would not appear particularly different. The annexe already has the appearance of a residential building and the dormer window would not change this. Therefore, the annexe's appearance would not be significantly different from the public domain and would remain subordinate to the host dwelling.

11. The proposed dormer window would be located facing the open countryside and would not overlook a neighbouring dwelling so it would not harm outlook, access to natural light and privacy for people who live nearby. The size of the proposed dormer window would appear subordinate to the annexe and because dormer windows are relatively common within the street scene, the proposal would respect the appearance of the dwelling and its setting. The proposal would also need to be in accordance with the Residential Extensions Design Guide. The Design Guide notes that where dormer windows are located on the rear elevation of the building, that larger dormer windows can be acceptable. Given the use of box dormer windows within the street scene and the position and size of the dormer on the rear roof slope, I consider the proposal would be in accordance with the Design Guide.
12. The Council's refusal reason alleges that the proposal would lead to the annexe appearing more independent from the host property. The proposal would not include any new services or facilities that are not already being made available in the annexe. The annexe already accommodates a lounge/diner/kitchen, a bedroom and a bathroom albeit that the areas available for these activities would be increased.
13. The proposed shed would be located to the rear of the annexe. The shed would be constructed from materials that would typically be used in outbuildings within rural areas. The size of the outbuilding appears subordinate to the host dwelling and would not cause harm to the appearance of the host dwelling and would not lead to a proliferation of outbuildings within the garden area of the host dwelling.
14. The site is located within the Brickhill Area of Attractive Landscape which is characterised by scarp slopes, agricultural areas and heath land that are enclosed by River Ouzel and the Grand Union Canal. Development should not harm the key views within the landscape. Given the small-scale nature of the proposed development it would not result in harm to any key views within the local landscape.
15. Due to the size and appearance of the dormer window, and the shed, they would not harm the character or appearance of the annexe and the annexe itself would remain subordinate to the host dwelling. The proposal would not result in harm to the Brickhill Area of Attractive Landscape. Therefore, the proposed development would be in accordance with policy GP.9 of the LP in so far as the policy relates to the need for extensions to not harm outlook and respect the appearance of the host building and to be in accordance with the Design Guide. The proposal would also be in accordance with the National Planning Policy Framework in so far as it seeks to ensure developments are sympathetic to local character.

Conditions

16. The Council has suggested a number of conditions. I have included those which meet the six tests set out at paragraph 55 of the National Planning Policy Framework, rewording, where necessary, for clarity. In addition to the statutory commencement condition, a condition is necessary to ensure that the development complies with the submitted plans in the interests of clarity.
17. The Council has suggested a condition which requires the development to use the materials as specified on the application form. I have included the materials

that are stated on the application form within the condition for clarity. This condition is necessary in the interest of the character and appearance of the area.

Conclusion and Recommendation

18. The proposal would not cause harm to the character and appearance of the annexe, host dwelling or the street scene. Therefore, for the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

G Sibley

APPEAL PLANNING OFFICER

Inspector's Decision

19. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I too agree that the appeal should be allowed.

Kenneth Stone

INSPECTOR