



Appeal Decision

Site visit made on 10 March 2020 by S Watson BA(Hons) MSc

Decision by Kenneth Stone BSc(Hons) DipTP MRTPI

An Inspector appointed by the Secretary of State

Decision date: 23rd April 2020

Appeal Ref: APP/J0405/D/19/3241829

Birch Barn, Church Lane, Padbury, Buckingham MK18 2AJ

- 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 & Mrs G Simpson against the decision of Aylesbury Vale District Council.
 - The application Ref 19/03089/APP, dated 20 August 2019, was refused by notice dated 17 October 2019.
 - The development proposed is demolition of existing storm porch approved under application 17/03977/APP and erection of single storey rear extension.
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Decision

1. The appeal is allowed, and planning permission is granted for demolition of existing storm porch approved under application 17/03977/APP and erection of single storey rear extension at Birch Barn, Church Lane, Padbury, Buckingham MK18 2AJ in accordance with the terms of the application, Ref 19/03089/APP, dated 20 August 2019 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building
 - 3) The development permitted shall be carried out in accordance with the approved plans listed: SIM 328 SUR 001 Revision C, SIM 328 PA 001 Revision C, SIM 328 PA 100 Revision A.

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.

Main Issue

3. The main issue in this case is the effect of the proposal on the character and appearance of the host dwelling and surrounding area, including the Padbury Conservation Area (PCA) and nearby Grade II listed Manor House.

Reasons for Recommendation

4. The appeal site is on the south side of Church Lane and is surrounded by a variety of residential buildings, including historic buildings, converted agricultural buildings, and more contemporary purpose-built dwellings. The appeal site is within the PCA. The PCA appraisal describes the village as having been agricultural and the Church Lane Area as being eclectic in age, and somewhat adversely affected by modern development. The site is also immediately adjacent to a Grade II listed building, Manor House, a sizeable brick L-plan dwelling which appears to have been connected, by use, to the now converted agricultural buildings, including the appeal site.
5. Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 respectively require me to pay special regard to the desirability of preserving the setting of a listed building, and to preserving or enhancing the character or appearance of a conservation area. In this respect national policy on heritage assets is set out in the National Planning Policy Framework (NPPF). At paragraph 192, it sets out matters which should be taken into account including sustaining and enhancing the significance of the heritage asset and the desirability of new development making a positive contribution to local character and distinctiveness.
6. While the existing storm porch is smaller in scale than the proposed extension its design is overly grand for, and therefore incongruous with, the simple design of the host dwelling. The removal of the porch would therefore be beneficial to the character and appearance of the simple dwelling. In contrast, the modern but simple appearance of the proposal would tie into the rear elevation of the ground-floor providing a coherent appearance. Furthermore, given its position, the proposal would be screened from public views by the host dwelling and surrounding boundary treatments therefore limiting any wider impact.
7. From my site visit I noted that the modern residential development along Church Lane, Lodge Close and Manor Close has eroded the agricultural appearance of the area. While it is clear that the area is rural and that it is of some age, the historic form and use is no longer readily legible. Likewise, the host dwelling, by way of additions and alterations likely as part of the conversion or subsequently, no longer strongly resembles a former agricultural building. Given its simple appearance and screened location, I find that the proposal would not result in any further unacceptable harm to the legibility of the historic form and use of the host dwelling or PCA.
8. Although the proposal is within the setting of the listed Manor House, given the existing nature of the design and form of the host dwelling and the limited changes resultant from the proposal, including its scale and materials, it would not diminish or adversely affect its significance.
9. In light of the above, I conclude that the proposal would not be out of keeping with or harmful to the character and appearance of the host dwelling and surrounding heritage assets. As such the proposal would comply with Policies GP.9 and GP.35 *Aylesbury Vale District Local Plan: Written Statement - Part 1* (LP). These policies seek development to, amongst other things, respect the appearance of a dwelling and its setting.

10. In reaching this decision I have also had regard for Policy RA.11 of the LP. However, having considered its wording I find that it is not wholly relevant to the proposal before me which is not for the conversion of a building.

Conditions

11. The Council has suggested conditions it would wish to see imposed in the event that the appeal was allowed. I have considered the suggested conditions against the advice on conditions set out in the Framework and the Planning Policy Guidance.
12. I find that to ensure clarity a condition is necessary requiring that the development is carried out in accordance with the approved plans. Moreover, in the interests of the character and appearance of the building, a condition is required to ensure that the external materials match those existing on the host dwelling.

Conclusion and recommendation

13. For the reasons given above I recommend that the appeal should be allowed.

S Watson

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and concur that the appeal should be allowed.

Kenneth Stone

INSPECTOR