



---

## Appeal Decision

Site visit made on 1 July 2020

**by Michael Boniface MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 6 July 2020**

---

**Appeal Ref: APP/J0405/W/19/3243931**

**10 Church Street, North Marston, MK18 3PH**

- 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 R Symonds against the decision of Aylesbury Vale District Council.
  - The application Ref 19/02466/APP, dated 4 July 2019, was refused by notice dated 7 November 2019.
  - The development proposed is one dwelling.
- 

### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues are the effect of the development on the character and appearance of the area and whether the development would preserve or enhance the character or appearance of the North Marston Conservation Area.

### Reasons

3. The appeal site comprises garden land between established residential properties of a traditional design. Although the land is currently unkempt and overgrown, it nevertheless contributes to the verdant, loose-knit rural character of this part of the village and allows views towards trees and other greenery in the countryside beyond.
4. The development would introduce a two-storey building into the gap, infilling the space and significantly enclosing the street scene, eroding the spacious and leafy character that I have described. Although narrow gaps would be left either side of the proposed building, through which glimpsed views towards the countryside might be gained, these would not compensate for the harm that would arise.
5. The proposed design seeks to reflect the Victorian properties adjacent on Schorne Lane but would nonetheless appear as an oddity in the street scene, squeezed into a narrow plot in a contrived manner between the buildings either side, which are splayed to follow their respective street alignment.
6. There are occasions where a new building can enhance the character and appearance of a conservation area, but this is not one of them. For the reasons I have set out, the development would fail to preserve or enhance the character and appearance of the North Marston Conservation Area and would

result, in the terms of the National Planning Policy Framework (the Framework), in less than substantial harm.

7. I have had regard to the public benefits that would arise from the development, including a contribution towards rural housing supply. This matter attracts little weight given that the Council can currently demonstrate a five-year housing land supply, albeit with an element of windfall development, and the limited contribution that would be made by a single dwelling in any case. The proposal would also make a more efficient use of land and support the local economy, services and facilities but again, the benefit arising would be limited.
8. Overall, the totality of the public benefits arising would not outweigh the heritage harm that I have identified. That being the case, the Framework's presumption in favour of sustainable development cannot apply, notwithstanding that the Council's policies for the supply of housing are agreed to be out of date.
9. I note that a Lawful Development Certificate has confirmed that the appellant could construct a double garage on the site but the scale, mass and height of such a building is not comparable to the scheme before me. As such, this matter does not alter my conclusions. I have also had regard to other development undertaken in the village which the appellant suggests is out of keeping but these properties do not alter the overall character that I have identified and do not justify allowing further inappropriate or detrimental development.
10. The development would harm the character and appearance of the area and the North Marston Conservation Area. This would be in conflict with policies GP35 and GP53 of the Aylesbury Vale District Local Plan (2004) which seek high quality design that is appropriate within its context and specifically seeks to protect the character and appearance of conservation areas. I attach significant weight to the harm arising from these conflicts and there are no material considerations in this case that indicate a decision other than in accordance with the development plan.
11. In light of the above, the appeal is dismissed.

*Michael Boniface*

INSPECTOR