The Planning Inspectorate

Appeal Decision

Site visit made on 24 September 2020

by Eleni Randle BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 September 2020

Appeal Ref: APP/K0425/D/20/3247073
The Stable, Hatches Lane, Great Kingshill, HP15 6DS

- 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 Professor Martin Aylward against the decision of Wycombe District Council (now Buckinghamshire Council).
- The application Ref 19/07029/FUL, dated 20 August 2019, was refused by notice dated 10 December 2019.
- The development proposed is householder application for removal of first floor window to ground floor beneath and insertion of rooflight over previous window position.

Decision

1. The appeal is dismissed.

Procedural Matters

2. I have utilised the description of the development as found on the Council's decision notice as it more concisely describes the development than that on the appellant's original application form.

3. Since the determination of the application it is noted that Wycombe District Council, as per the decision notice, is now Buckinghamshire Council.

Main Issues

4. The main issues are i) the impact of the proposal upon the character and appearance of the existing dwelling and ii) the impact of the proposal upon the Chilterns Area of Outstanding Natural Beauty.

Reasons

5. The appeal site is within a residential curtilage and is noted to be within the Green Belt, however, there are no concerns raised with regard to Green Belt matters within the Council's decision or submissions. The appeal site is also located within the Chilterns Area of Outstanding Natural Beauty (AONB).

Character and Appearance

6. The appeal site is of brick and flint construction with a clay tiled roof on the edge of the settlement. During my site visit I noted that the appeal site, and the terrace within which is stands, are quite a visual contrast to the more modern dwelling immediately opposite The Stable itself. Around the appeal site has a rural appearance and character by comparison as would be expected with a former farmyard conversion scheme. The appeal site is also located in close proximity to Hatches Lane with only around a meter or so set back from the edge of the road.

7. The combination of this results in their visual appearance, as traditional barn conversions to be of importance and contribute positively to the character and appearance of the area. There are, however, a large volume of rooflights which have started to erode overall the agricultural character of the traditional buildings in the terrace. The front elevation of The Stable itself is currently well balanced and character appropriate. It has managed to retain its rural feel as an attractive residential conversion to date. The front elevation (two storey element) of the appeal site (shown in plan re: FE/109) is simple and uncluttered.

8. I acknowledge that the appeal site only has one ground floor window and it is stated that the adjoining properties have three ground floor windows. I do not have sufficient evidence before me to comment upon the windows which benefit the adjoining properties. In any case the presence of windows in other sites is of limited weight given that each case is considered on its own merits. Whilst the building is, of course, residential it is still originally an agricultural conversion where policy seeks to retain the character and fabric of the original building whilst allowing an alternative use.

9. The Chilterns Buildings Design Guide advises that traditionally, farm buildings did not have many openings in them and that adding to them is an easy way of eroding the original character. Similarly, it advises that breaking into the roof slopes with roof lights can be destructive, introducing alien features to the traditional farm barn.

10. I note, from the submissions and my site visit, that there are a number of existing roof lights within the front of the terraced row as a whole (ten in total with five at the appeal site). The appeal site already benefits from 50% of the rooflights found within the front elevation of the terrace and I find that an additional rooflight will further detract from the character of the building and create a roof line which would appear even more cluttered. I find that adding to these results in a cumulative impact which will continue to detract from the character of the building. I find it would also make the right-hand side of the appeal site look overdeveloped compared to the simple elevation as it stands.

11. Whilst it is not adding an additional window overall, the proposal, to relocate a three-pane window, as submitted, would cut into what is an attractive brick and flint panel. Relocating the window will also, I find, interrupt the string course in the building and represent an incongruous addition in this part of the building. It would also contribute to an over domestication of the traditional elevation, by centralising the window, and would therefore be out of keeping with the character and appearance of the existing property. I do not, therefore, find that relocation of the window as proposed respects the character and appearance of the existing property.

12. The appellant has submitted the Bidwells sales details which includes a sketch of the "as complete" proposals in accordance with the originally approved elevations[1], as well as copy of the application drawings. I am unsure as to why the conversion was not undertaken in accordance with the originally approved plans. I acknowledge it originally approved additional windows in the front elevation of what is now the appeal site. However, the original application only

[1] 19/06509/FUL

had two skylights in the front elevation (over what is now The Dairy House) and maintained the roofline on the appeal site itself.

13. The circumstances before me, and the site, now look different with the appeal site itself already benefitting from five skylights. I find the cumulative effect of the changes, taking into account how the site appears at the time of my visit, to erode the character of the original building which was converted, impact upon the appearance of the area and thus not improve the character of the area.

14. I find the proposal would conflict with Wycombe District Local Plan 2019 (LP) Policy DM35 which requires development to improve the character of the area and retain existing positive characteristics with the natural and built context. The same policy also requires design which is appropriate in character. The proposal would also conflict with LP Policy DM36 which requires alterations to existing dwellings to respect the character and appearance of the existing property.

15. As a result of this above I also find that the proposal would conflict with the Chilterns Buildings Design Guide which seeks to avoid the intrusion of unsuitable new openings into farm buildings.

Chilterns Area of Outstanding Natural Beauty

16. At the time of my visit I noted, as I approached the appeal site from the South East on Hatches Lane on foot, that appeal site stands in an area with a notably more rural feel on the edge of Great Kingshill. The appeal site, and its surroundings are already described in paragraph 6 above. As a result of the previously described setting I find their visual appearance, as traditional barn conversions to be of importance and contribute positively to the character and appearance of the area due to their prominence on the edge of Great Kingshill and the road.

17. As previously discussed in this decision I find that the proposal would result in an over domestication of the building which would affect the character and appearance of the building itself. This, combined with my finding that the appeal site is visually important in terms of contribution to the character and appearance of the area, leads me to find that the proposal would have a detrimental impact upon the character and appearance of the AONB.

18. As a result of the above I find that the proposal would conflict with LP Policy DM30 which requires development within the AONB to deliver high quality design which respects the built heritage of the Chilterns and enhance the sense of place and local character.

Other Matters

19. It is noted that the appeal site is not listed, included in the Council's list of heritage assets of architectural or historical significance. The impacts identified are not reduced because the appeal building is of no special or historic interest and does not have any special protections.

20. The financial expenditure which has gone into the additional works stated to improve residential amenities is also noted, however, financial expenditure of this nature is of limited weight within the determination of this appeal.

Similarly I note the social and environmental benefits stated by the appellant, however, I am not convinced based on the evidence before me that these are sufficient to outweigh the issues I have found within this decision. Planning gains relating to the original conversion, and those adjoining the appeal site, are of limited weight.

21. I note that the appellant states they are open to discussion surrounding alternative ways forward and makes reference to previous applications and planning history on both the appeal site and neighbouring properties. Despite this, I can only consider the scheme before me which was the subject of the refusal and not any alternatives. Alternative schemes would need to form the subject of a new application.

22. The schemes submitted on the adjoining properties include porches, a flue and a single rooflight. None of the applications proposed re-location of a window as is part of this appeal proposal. Previous application decisions do not set a precedent as each case should be considered on its own merits.

23. Comments regarding inconsistency as to decisions made over the last ten years are noted, however, decisions are made based upon the Local Plan in force at the time and any relevant materials considerations. The starting point for the determination of any application is the Local Plan as set out in S38(6) of the Planning and Compulsory Purchase Act 2004.

Conclusion

24. For the reasons outlined above, and taking account all other matters raised, I conclude that the appeal should be dismissed.

Eleni Randle

INSPECTOR