



Appeal Decision

Site visit made on 8 August 2022

by Sian Griffiths BSc(Hons) DipTP MScRealEst MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 5TH September 2022

Appeal Ref: APP/J0405/D/22/3296208

The Hollies, Main Street, Grendon Underwood, Buckinghamshire HP18 0SP

- 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 Ms Kate Whittington against the decision of Buckinghamshire Council.
 - The application Ref 21/04566/APP, dated 25 November 2021, was refused by notice dated 16 February 2022.
 - The development proposed is demolition of existing detached single storey garage. Erection of two storey side and single storey rear extensions.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of existing detached single storey garage. Erection of two storey side and single storey rear extensions at The Hollies, Main Street, Grendon Underwood, Buckinghamshire HP18 0SP in accordance with the terms of the application, Ref 21/04566/APP, dated 25 November 2021 and the plans submitted with it, subject to the following conditions attached at Appendix A.

Main Issues

2. The main issues are:
 - The effect of the proposals on the character and appearance of the Grendon Underwood Conservation Area, and
 - The effect of the proposals on Great Crested Newts.

Reasons

Character and Appearance

3. The appeal dwelling is one of a pair of semi-detached, two storey houses both being of brick, with clay tile roof. Both dwellings have decorative clay tiles vertically hung on the front gable. The appeal dwelling has a large modern detached double garage which would be subject to demolition in order to facilitate the proposed extension.
4. At the site visit I noticed that the adjacent dwelling (Fair View) has been subject to a substantial side extension which appears to have almost doubled its width. The officer's report states that the pair have 'largely retained their symmetry', but I do not agree. In this regard I consider the original architectural integrity of the pair has been significantly compromised.

5. The appeal property sits within the Grendon Underwood Conservation Area (CA) and specifically the Middle Farm area, which is characterised by the farm and its associated outbuildings as well as 5 other properties West End; West End Cottages, Fairview, Sunnyside and the sixteenth century thatched and listed Minstrel Cottage, they form a cohesive grouping. Other than Minstrel Cottage, the properties within this part of the CA are of *'red brick and of uniform scale; their character, appearance and setting being enhanced by enclosure in the form of trees, in front of Middle Farm, a wrought iron railing fence, in front of West End and trees and hedgerows elsewhere.'*
6. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that there is a need to pay special attention to the desirability of preserving or enhancing the character or appearance of a CA.
7. I consider the contribution of the pair of dwellings to the CA has been significantly compromised by the extension to Fair View already. Moreover, I do not consider the existing double garage serving The Hollies contributes positively to the CA. In light of the existing unbalanced nature of the relationship between The Hollies and its neighbour and the proposed loss of the double garage, it is my view that the overall impact of the extension on the significance of the CA and its character and appearance would be neutral.
8. It is not clear from the officer's report whether the appeal dwelling is considered to be a non-designated heritage asset, however, I am aware that Paragraph 203 of the Framework states that the effect of an application on the significance of a non-designated heritage asset should be taken into account and that applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. In light of my conclusions on the impact of the proposals on the CA, the impact on The Hollies as a Non Designated Heritage Asset (should it be considered as such) would not alter my views.
9. I consider the extension would be seen as a contemporary addition to the host dwelling, rather than a somewhat unsuccessful pastiche. It would not therefore undermine the character of the host dwelling, instead sitting comfortably adjacent to it.
10. Policy BE1 (Heritage Assets) of the Vale of Aylesbury Local Plan (2021) (VALP) requires that all development (including residential extensions) should *"conserve heritage assets in a manner appropriate to their significance, including their setting, and seek enhancement wherever possible"* and that proposals which *"affect the significance of a non-designated heritage asset should be properly considered, weighing the direct and indirect impacts upon the asset and its setting"*.
11. Policy BE2 (Design of New Development) of the VALP seeks development proposals that respect and complement the established character and appearance of the surrounding area, including local distinctiveness, materials, design and proportion.
12. In light of the existing side extension to the adjacent dwelling, there is clearly a case for a similar extension to the side of The Hollies, subject to it being subservient to the host dwelling. I have considered the proposed design, which would result in the demolition of the garage, which in my view does not make a

positive contribution to the CA. Overall, I do not agree that the proposed development would be at odds with the character and appearance of the CA, and that the impact would be 'neutral' overall.

13. I therefore do not consider that there would be offence to Policies BE1, BE2 of the VALP, nor the relevant parts of the Framework.

Great Crested Newts

14. Policy NE1 (Biodiversity and Geodiversity) of the VALP seeks to protect and enhance biodiversity, and that there should be a net gain in biodiversity on minor and major developments.
15. Paragraph 174 of the Framework also requires that development should contribute to and enhance the natural and local environment, and specifically at d) to minimise impacts on and providing net gains for biodiversity.
16. I have considered whether an appropriately worded planning condition may overcome the council's objections on the grounds of potential impact on Great Crested Newts. Following agreement from the appellant, I consider the application of suitably worded planning conditions would address this.
17. I therefore consider the concerns of the council in relation to Great Crested Newts could be overcome ensuring the proposals would be aligned to Policy NE1 of the VALP, and paragraph 174 of the Framework.

Conditions

18. As well as the usual condition (1) specifying timescales for the implementation of the planning permission, I also consider it necessary to attach conditions relating to the materials for the extension (2). In the interests of certainty, I have also attached conditions specifying the approved plans (3).
19. To ensure the car parking is laid out in accordance with the plans and to minimise any impact on car parking within the highway, I have imposed condition 4.
20. I have also attached conditions (5 and 6) requiring operation under a group licence and certificate in order to avoid adverse impact on Great Crested Newts, a protected species, and their habitat.
21. A further condition (7) has been applied in order to ensure the development provides habitat for bats and birds through the use of boxes, to provide a net gain for biodiversity in accordance with VALP policy NE1.

Conclusions

22. For the reasons given, and having regard to all other matters raised, the appeal is allowed, subject to the conditions set out at Appendix A.

Sian Griffiths

INSPECTOR

Appendix A: Schedule of Planning Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) No development shall commence until details of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 3) The development hereby permitted shall be carried out in accordance with the following approved plans: Existing Ground Floor Plan (20_05 100); Existing First Floor Plan (20_05 101); Existing Second Floor Plan (20_05 102); Existing Roof Plan (20_05 103); Existing Section AA and BB (20_05 110); Existing Front and Rear Elevation (20_05 120); Existing Side Elevation (20_05 121); Existing Site Plan (20_05 002); Site Location Plan (20_05 001); Proposed Parking Plan (20_05 303); Site Plan (20_05 002); Proposed Section AA and BB (20_05 310); Proposed Front and Rear Elevation (20_05 320); Proposed Side Elevation (20_05 321); Proposed Ground Floor Plan (20_05 300); Proposed First Floor Plan (20_05 301); Proposed Roof Plan (20_05 302); Proposed Street Elevation (20_05 322) and the Design and Access Statement.
- 4) Prior to bringing the extension hereby permitted into use, vehicle parking as shown on the Proposed Parking Plan, reference 20_05 303, shall be laid out and shall thereafter be retained as such in perpetuity.
- 5) No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's organisational licence (ref WML-ORXX).
- 6) No development hereby permitted shall take place unless and until a certificate from the Delivery Partner (as set out in the District Licence WML-ORXX), confirming that all necessary measures in regard to great crested newt compensation have been appropriately dealt with, has been submitted to and approved by the local planning authority and the local authority has provided authorisation for the development to proceed under the district newt licence. The Delivery Partner certificate must be submitted to this planning authority for approval prior to the commencement of the development hereby approved.
- 7) Prior to bringing the extension hereby permitted into use biodiversity features comprising 1 integrated bat box and 1 bird box shall be installed to the dwelling and the biodiversity features shall thereafter be retained in perpetuity.