



Appeal Decision

Site visit made on 16 October 2023

by C Billings BA (Hons), DipTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th November 2023

Appeal Ref: APP/P1615/W/23/3319044

53 High Street, Aylburton, Gloucestershire GL15 6BZ

- 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 Daniel Tremayne against the decision of Forest of Dean District Council.
 - The application Ref P1423/22/FUL, dated 11 October 2022, was refused by notice dated 16 December 2022.
 - The development proposed is replacement windows and repainting of front elevation.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Aylburton Conservation Area (ACA), due to the loss of the existing shop front and painting of the building.

Reasons

3. The appeal site lies within the central part of the ACA. I am therefore mindful of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), which sets out the need to have special regard to the desirability of preserving or enhancing the character or appearance of conservation areas.
4. The ACA has a strong linear form, focused along High Street/the A48. The ACA has a pleasant traditional feel, despite the main busy A-road cutting through the village. There are a mix of scale and form of buildings in the ACA, although along this part and side of High Street, the character of the ACA is mainly late 19th and early 20th century terraced 2-storey buildings in residential use. The dwellings have stepped pitched roofs, chimneys, and typically vertical emphasis to the fenestration detail. A mix of materials are used on the property frontages, including render, painted walls, and brickwork.
5. The appeal property is in a prominent position within the ACA, on a bend along High Street, directly opposite the junction of High Street and Church Street, which gives the property great presence within the ACA. The appeal building is brick with stone dressings and has a traditional Edwardian painted shopfront which extends across the full width of its frontage. The existing building, including its shopfront makes a positive historical contribution to the original high street function and to the general character and appearance of the ACA.

6. Although the appeal property generally retains much of its original traditional architectural character, there have been later unsympathetic alterations to the front of the property, including a white UPVC front door and aluminium framed windows at the upper floor level. Also, some parts of the shop front timber frames are rotting, which is more evident on closer inspection.
7. The proposed development would however include significant unsympathetic works, which would transform the appearance of the property by removing the traditional shop front fascia boarding and large glazed shop windows and, replacing them with unsympathetic domestic-style windows. In doing so, this would not retain the vertical emphasis or traditional design of the building. The proposed crossed bar glazing Georgian design of the proposed windows would also contribute to the loss of vertical emphasis. This together with the introduction of a row of much smaller windows at ground floor level, would not be in keeping with the original character of the building and its historic use as a shop.
8. Whilst the building has not been in use as a shop for some years and is now in residential use, the design and character of its frontage is a good example of an Edwardian shopfront. It is in a prominent position within the ACA where it provides a positive contribution to the character and appearance of the ACA and the historic origins of the village high street.
9. I appreciate other properties along the High Street have had alterations to their frontage and window design, but the appeal property remains as a good traditional shop front example. Also, due to the limited examples of traditional shop frontages along this part of the High Street, this heightens the importance of maintaining it to preserve the character and appearance of the ACA.
10. The removal of the central gable stack would negatively alter the appearance of the roofline of the property and street scene. The stack is an important typical characteristic along the row of terraced properties, providing a traditional feature which breaks up the expanse of the ridge line.
11. The proposed painting of the brickwork in a dark stone colour, would diminish the strong red brick character and appearance of the building. Whilst the neighbouring building to one side (No 51 High Street) has a stone frontage at first floor level, this property's frontage is set back from No 53 and it has a lower ridgeline than the appeal building, and so does not closely share the form and character of the appeal building. The appeal building in contrast is a prominent building within the terrace, due to its location on the road bend, opposite the junction with Church Road. The appeal property also more closely shares its form and character with its neighbour to the opposite side (No 55), which is also red brick and has the same ridge height as the appeal property. These buildings together form a focal red brick section within the street scene, adding to the characteristic mix of materials used in the ACA.
12. Accordingly, whilst the proposed stone colour to be used to paint the frontage of the appeal property has been chosen carefully to follow examples found in the local area, and that there are examples of painted brickwork within the ACA, the appeal property has a strong and attractive red brick appearance which combined with the shopfront and glazing form and design, makes a positive contribution to the significance of the area.

13. The repair of the rotting timber frames and replacement of the unsympathetic additions, including the UPVC front door would be of public benefit, yet I do not have full details of the proposed frames and door to appropriately assess this public benefit. However, notwithstanding this, the proposed design of windows and door, in combination with the painting of the brickwork and the loss of the shopfront and gable stack would cause substantial harm to the character and appearance of the host building and the ACA and, would not be outweighed by these public benefits. Also, it is likely that more sensitive repairs and/or replacement works could be undertaken which would achieve the same benefits yet not cause significant harm to the character and appearance of the building and ACA.
14. I appreciate the personal benefits to the health and well-being of the appellant and their family by introducing more energy efficient glazing and design to the building frontage and that, the proposed works would help to abate noise and pollution experienced by the occupiers. However, I do not have any substantial evidence in respect of these benefits, nor why the proposed development would be the only solution to achieve such personal benefits. Furthermore, these would not be public benefits that would outweigh the harm caused to the ACA.
15. In view of the above, the proposed development would not preserve the character or appearance of the ACA, due to the alterations proposed, including the loss of the existing shop front and painting of the building. The harm caused to the ACA would be substantial and no public benefits have been advanced which would outweigh such harm. Accordingly, the proposals would conflict with Core Strategy Policy CSP.1 and Allocations Plan Policies AP.4 and AP.5 of the Forest of Dean Local Plan and part 16 of the National Planning Policy Framework, which require development to preserve or enhance the character or appearance of a historic asset, such as Conservation Areas.

Other Matters

16. I have had regard to the Heritage Statement provided as part of the appeal evidence in reaching my decision.
17. The appellant argues that there was lack of opportunity and insufficient time given by the Council to discuss the proposal at the application stage. However, I have reached my decision based on the merits of the appeal proposal. Furthermore, such matters do not amount to public benefits that weigh against the substantial harm caused to the ACA.
18. I note the appellant's view in respect of the weight to be attributed to the Forest of Dean Design Guide, as in their view, it is an outdated document. This document was not referred to in the decision notice and has not had any bearing in reaching my decision on the main issue.
19. The lack of objection from the Parish Council and neighbour support for the proposal have a neutral effect on my decision and do not outweigh the harm identified above.

Conclusion

20. For the reasons given above I conclude that the appeal should be dismissed.

C Billings
INSPECTOR