



Appeal Decision

Site visit made on 10 January 2024

by Eleni Randle BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th February 2024

Appeal Ref: APP/V3120/D/23/3329736

Glenwood, Section of A420 Running through Buckland, Buckland, Faringdon, Oxfordshire, SN7 8QS

- 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 Helen Authers against the decision of Vale of White Horse District Council.
- The application Ref P23/V0629/HH dated 14 March 2023, was refused by notice dated 25 July 2023.
- The development proposed is ground floor single storey extensions, front aspect porch and extend garage to rear. First floor extension over utility-entrance-garage to create bedrooms. Second floor, storage area access with dormers (sustainability light). Ground level, change drive layout to allow better movement and parking of vehicles commensurate with number of bedrooms. Include EV point externally or to garage internally. Temporary container to front aspect allowing storage of assets whilst work is carried out.

Decision

1. The appeal is allowed, and planning permission is granted for ground floor single storey extensions, front aspect porch and extend garage to rear. First floor extension over utility-entrance-garage to create bedrooms. Second floor, storage area access with dormers (sustainability light). Ground level, change drive layout to allow better movement and parking of vehicles commensurate with number of bedrooms. Include EV point externally or to garage internally. Temporary container to front aspect allowing storage of assets whilst work is carried out at Glenwood, Section of A420 Running through Buckland, Buckland, Faringdon, Oxfordshire, SN7 8QS in accordance with the terms of the application ref: Ref P23/V0629/HH dated 14 March 2023 subject to the following conditions:
 - 1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission;
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: SITE_LOCATION Sheet No A11012 C, Block Plan A4 4001 and proposed plans Sheet No A1 1010;
 - 3) The external finishes of the development hereby permitted shall match in material, colour and style those of the existing building;
 - 4) The temporary container to the front aspect of the appeal site, required to allow storage of assets whilst work is carried out, will be removed from site and the site reinstated as appropriate around this area, within one month of completion of the approved development.

Procedural Matters

2. I have utilised the Council's description of the proposal as I find that it more concisely describes the development which is the subject of this appeal.
3. Since the determination of the application, and the submission of this appeal, a revised National Planning Policy Framework 2023 (the Framework) was adopted on 5 September 2023. The appeal was, however, submitted two weeks after this date. In addition the National Planning Policy Framework was again revised in response to the Levelling-Up and Regeneration Bill: reforms to national planning policy consultation on 19 December 2023. The refusal reason generically references the Framework however, it is not considered that this latest revision impacts upon the determination of this appeal given the main changes to the Framework.

Main Issue

4. The main issue is the impact of the proposal upon the Buckland Conservation Area as a result of scale, bulk, design and external appearance.

Reasons

5. The appeal site is a detached dwelling in the village of Buckland which is sited within the Buckland Conservation Area (CA) with the neighbouring property, to the northwest, noted as being a Grade II Listed Building. The proposal seeks permission for ground and first floor extensions as well as a loft conversion including dormer windows. Given the appeal site's location within the CA at Section 72 of the Planning (Listed Buildings in Conservation Areas) Act 1990 (as Amended) requires that special attention shall be paid to the desirability of preserving and enhancing the character and appearance of the CA.
6. The Council acknowledge that an extant permission exists under reference P20/V2525/HH (the existing permission) which grants permission for a first-floor extension to the side top of garage to form a master bedroom, first floor gable extension on top of existing entrance porch and utility to form two bedrooms. Copies of the relevant documents have been submitted relating to this existing permission so I can see the proposals which have previously been approved as part of the consideration of this appeal.
7. I note that the existing permission was granted on the 3 February 2021 subject to a condition that development must be begun not later than the expiration of three years. This means, therefore, that the appellant has less than two weeks to implement the existing permission as a fallback position in the event this appeal failed. Despite this, I have no evidence before me to suggest that if this consent lapsed the appellant could not obtain the same (existing) permission again, via a resubmission of that same scheme, in the event that this appeal failed. The planning policy against which the existing permission was determined remains the same as at the point of determination of this appeal. There are no material considerations before me which would suggest that such a permission would not be re-approved. On this basis, I consider that the proposals within the existing permission still remain a material consideration within the determination of this appeal considering the timescales noted.
8. Compared to the existing permission's proposal the appeal proposal seeks to further enlarge the dwelling through ground and first floor extensions and a loft conversion. The first-floor extension would be added above the existing garage

- which would also be extended off the rear. Two new front facing gables would be added off the front elevation along with a new porch and the roof space would be converted to a storage area with the addition of two rear dormers and external materials are stated to match existing (and this can be conditioned).
9. The appeal site is opposite a parking area accessed off Orchard Road. At the time of my site visit I did not find that the appeal site is particularly prominent, or any more prominent than other dwellings within Buckland accessed off Orchard Road, as a result of the host dwelling being set back from the edge of the highway. This is then combined with varying trees and vegetation along shared boundaries which I find means that direct views of the appeal site are largely restricted to the car park immediately opposite, where I parked at the time of my site visit, or the street scene stood outside the site itself. When approaching the appeal site from the direction of Wheelwright Court general views of the dwelling are largely obscured by a large garage building which is adjacent with its rear elevation facing onto Orchard Road. When approaching from the other direction, views of the dwelling are largely obscured by trees which, combined with the aforementioned setback, means that it is only realistically the existing roof structure which is visible in general views.
 10. Whilst I note the existing permission was itself reduced down from an originally larger scheme, the proposed extension to the rear of the property would not realistically be visible from the street scene or the public domain. Whilst the refusal reason states that the scale and bulk of the extensions would detract from the special character of the CA; the Council's report before me simply outlines that it is the officer's opinion that the extension would result in an oversized building that would dominate this prominent position. No evidence, or reasoned assessment has been put forward as to how the Council consider that this would diminish the quality of the historical character nor how it would erode the appreciation of the CA as a designated heritage asset.
 11. When comparing the previously approved elevations, in particular approved plan PE/001, whilst I appreciate some design differences and additional massing, I find that from within general views of the CA, the general bulk, scale, and massing would not be dissimilar to that which could already be undertaken as a result of the existing consent. Whilst the Council's refusal reason states that the proposal would be incongruous because of its design and external appearance, the Council has not progressed any evidence of assessment as to actual design or external appearance. The only commentary provided, within the delegated report, is specific to the proposal being considered as overly bulky resulting in an oversized building.
 12. Based upon the general built form that I saw at the time of my site visit I have no reason to find that the proposed design of the proposal would detract from the special character of the CA and find that overall, the proposal would introduce design features which would complement the host dwelling and its location within the CA. The existing frontage of the host dwelling does not currently enhance or add to the CA or street scene, and I find that the current roof form is generally at odds with other roof forms which are characteristic within the locality (generally pitched roofs which are tiled and/or thatched).
 13. The proposal before me would result in a more balanced design and introduce gabling which is more characteristic within the village. The dormers to the rear of the proposal would also be more characteristic, as evidenced by the

appellant, than the existing flat roof dormer which is found in the front elevation of the host dwelling. In addition, from what I saw at the time of my site visit, and the evidence provided by the appellant, the proposed design before me is more consistent with design cues taken from the locality.

14. The proposed development would not appear congruous as a result of its design and external appearance and nor would the scale and bulk of the extensions, taking into account the extant consent as well as some extension being to the rear, detract from the special area of the CA. I find that the proposal would result in a neutral impact to the special character of the CA as a designated heritage asset and that there is no harm which needs to be considered against any public benefits in accordance with the Framework.
15. The proposal would be consistent with Vale of White Horse Local Plan 2031 Part 1 (LP1) Policy CP39 which seeks to ensure that new development conserves, and where possible enhances, designated heritage assets and LP1 Policy CP37 which requires development to respect the local character and distinctiveness of the CA in terms of the development siting, size, scale, height, proportions, design, and form. The proposal would also be consistent with Vale of White Horse Local Plan 2031 Part 2 (LP2) Policy DP37 which requires development to respect the local character and distinctiveness of the CA and be sympathetic to the pattern of development as well as taking into account important views within, into or out of the CA and show that these would be retained and unharmed.
16. The Council's delegated report refers to the proposal being contrary to LP2 Policy DP38, however, this policy is not carried forward to the refusal reason which is before me within the decision notice. I note, however, that LP2 Policy DP38 relates to listed buildings and is likely applicable to the proposal due to it being within the setting of a listed building. The Council's delegated report does make comment as to diminishing the quality of the historical character and eroding the appreciation of the heritage assets as well as noting several listed buildings being in the vicinity including Eleys which borders the plot to the north. Whilst this is acknowledged there is no evidence as to assessment, by the Council, as to why they find the proposal would erode the appreciation of the heritage assets. Based upon the evidence before me, and my site visit, I have no reason to refuse the proposal based upon impact to the setting of a listed building applying LP2 Policy DP38.

Other Matters

17. I note an objection from Buckland Parish Council relating to the proposal representing a considerable increase in size over the scheme previously approved as well as bulk and scale and prominence within the street scene. I have dealt with these matters within the main issue of this decision letter. When viewed, within the street scene, I do not find that the proposal would be out of scale with properties in the immediate surroundings and in the CA taking into account the overall scale (excluding the rear extension to the garage) of the existing permission. I do not find the proposal, for the reasons set out within this decision letter, would harm the CA.
18. It is commented that the proposal would unacceptably overbear and overlook properties at the rear and side of the appeal site, however, the Council have notably considered potential impacts upon residential amenity and concluded that the neighbours would not be harmed by the development, and based upon

my site visit, the evidence before me and taking into account this assessment I have no reason to conclude differently on this occasion relating to amenity.

19. Other objections are noted in relation to overlooking and loss of privacy, which I have dealt with in the paragraph above. Comments as to scale, massing and general design principles have been dealt with in the context of both the host dwelling and the CA within the main issues of this decision letter.
20. Comments are made, on a practical note in relation to the large Leylandii hedge adjacent to the proposed garage extension but no further context is provided as to this to be mentioned. I assume; therefore, it is in relation to potential damage to the hedge in question, however, from the proposed ground floor plan this element of the extension appears to be a sufficient distance from the red line boundary with the third-party comment confirming that the Leylandii hedge in question is on their land. In relation to parking for the duration of the build, this would not be a reason for refusal and the nature of extensions to a single residential dwelling means that they will, essentially, be short term in nature.
21. Light pollution has also been raised; however, I have no evidence before me to support that an extension to an existing residential dwelling would result in a refusal reason being necessary on the basis of light pollution.

Conditions

22. The Council's questionnaire suggests three standard conditions with no other conditions being regarded as necessary. A time condition is attached to comply with Section 51 of the Planning and Compulsory Purchase Act 2004. A condition requiring the development to be in accordance with the approved plans is required to control and define the development which is granted consent. A condition requiring materials to be used in the construction of external surfaces of the development to match those used in the existing building is required to ensure an appropriate finish for the approved extensions.
23. I have applied a condition requiring removal of the storage container, and appropriate reinstatement of the area, within one month to ensure this is removed in a timely manner to avoid unnecessary impact to the site and CA as a result of this temporary element.

Conclusion

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

Eleni Randle

INSPECTOR