



Appeal Decisions

Site visit made on 23 October 2024

by A Dawe BSc (Hons), MSc, MPhil, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 November 2024

26 Pond Head to Whitechurch Road, Milton Abbas, Dorset DT11 0BL

- The four appeals are all made by Paul and Deborah Nixon against the decisions of Dorset Council.
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Appeal A Ref: APP/D1265/W/24/3342637

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The application Ref is P/HOU/2023/05861.
 - The development proposed is described as Proposed single storey side extension and rear extension with rooms in a new roof. Demolition of existing rear extension and remodel of existing garage. Proposed new external brickwork stair and patio area. Proposed removal of rear elevation door and installation of window to match adjacent. Proposed reinstatement of blocked up inglenook fireplace to the existing office at ground floor level. Proposed new sanitary wear, flooring, ceiling finishes and underfloor heating to host dwelling. Proposed extension and repointing of 2no. existing chimneys.
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Appeal B Ref: APP/D1265/Y/24/3342730

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The application Ref is P/LBC/2023/05866.
 - The works proposed are described as being the same as the development proposed in relation to Appeal A.
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Appeal C Ref: APP/D1265/W/24/3349400

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The application Ref is P/HOU/2024/02228.
 - The development proposed is described as Proposed single storey side extension and rear extension. Demolition of existing rear extension and remodel of existing garage.
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Appeal D Ref: APP/D1265/Y/24/3349457

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The application Ref is P/LBC/2024/02730.
 - The works proposed are described as Proposed single storey side extension and rear extension. Demolition of existing rear extension and remodel of existing garage. Proposed new external brickwork stair and patio area. Proposed removal of rear elevation door and installation of window to match adjacent. Proposed reinstatement of blocked up inglenook fireplace to the existing office at ground floor level. Proposed new sanitary wear, flooring, ceiling finishes and underfloor heating to host dwelling. Proposed extension and repointing of 2No existing chimneys.
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Decisions

1. Appeals A, B, C and D are all dismissed.

Preliminary Matters

2. I have considered and determined two separate proposals at the appeal site relating firstly to Appeals A and B and secondly to Appeals C and D. For ease of reference I shall refer to that relating to Appeals A and B as Proposal 1 and that relating to Appeals C and D as Proposal 2. I have dealt with each proposal and appeal on its individual merits but to avoid duplication have considered them together in this document.
3. Proposal 2 differs from Proposal 1 primarily in relation to the proposed side extension's greater set back from the front elevation of the existing house and the increased set-in of the proposed rear extension from the western side elevation. The side extension front set back of Proposal 1 would be similar to that of the existing garage that would be replaced. That of Proposal 2 would involve the loss of the bin store relating to Proposal 1, incorporating this into the proposed workshop room. The rear set-in for Proposal 2 would result in a narrower proposed hall connection element between the existing main house and the main body of the extension concerned than for Proposal 1.
4. The address of the appeal site in the above headers for all four appeals is taken from the respective original application forms, noting that it is also variously referred to as 26 Pond Head on the Council's decision notices, as 26 Milton Abbas on the appeal forms and as 26 The Street on other submitted documents. For ease of reference in this decision, I shall refer to the road concerned as The Street.
5. The description of development in the above header relating to Appeal A is taken from the original application form. However, I note that it includes internal works which relate to the corresponding application for listed building consent, relating to Appeal B. Such internal works are not referred to in the Council's decision notice or the appeal form relating to the proposed development concerning Appeal A, and I have determined that appeal accordingly.
6. That description of the proposals relating to Appeals A and B also includes reference to 'rooms in a new roof'. However, it is clear from the submissions relating to those appeals, including the submitted plans, that this element is not proposed, and I have determined those appeals accordingly.

Main Issues

7. The main issues for all of the Appeals concerned are whether the proposals would preserve the significance of the Grade II listed building known as 26 Milton Abbas (Ref: 1152189) (the LB), and any of the features of special architectural or historic interest that it possesses, and the extent to which it would preserve or enhance the character or appearance of the Milton Abbas Conservation Area (the CA).

Reasons

8. The LB derives its significance from it being a circa 1780 detached cottage typical, and a good example, of the local Georgian vernacular relating to properties within this historic model village. As is also typical, the LB fronts onto The Street behind a substantial open front lawn area. It was previously semi-detached but has now been converted to a single dwelling, including

associated internal changes to facilitate that. However, it retains significant historic features including its plastered cob walls, hipped thatch roof, brick end chimney stacks, lead panelled windows, and central wooden plank front door. Those external features, particularly as presented to the street, generally reflect the design of those others that are typical of and prominent in the formation of this model Georgian village. As such, it has significant value as part of that group of historic buildings and the CA generally.

9. The LB has been previously extended across the whole of the rear of the house with a relatively modern single storey flat roof extension and separately accessed conservatory, both being of no particular historic or architectural significance. To the side of the LB is an existing relatively modern detached timber clad garage which again is of no historic or architectural interest.
10. The CA's significance is derived from its purpose built design and layout as a cohesive and ordered village with mainly 18th and 19th cottages, parish church and various other buildings. This includes a high degree of uniformity in the design of the predominant Georgian vernacular houses and in the use of local materials. Furthermore, as set out in the CA Appraisal, it is thought to be one of the first examples in the United Kingdom of a planned village, and provides evidence of the vision of the rural idyll at that time.
11. An important aspect of the layout and appreciation of the historic cottages within the streetscene, whether they are still semi-detached or have since been formed into single dwellings, is the extent to which they retain their historic features and degree of separation in a formal street layout. The large open front lawn areas and spacing of the cottages provide a pleasant openness to the streetscene. Added to that, the backdrop of the fairly steep sided vegetated valley sides to the rear of the properties, seen over the top of or via the gaps between buildings, provides a sense of intimacy to the village.
12. Whilst the cottages in The Street have undergone a variety of extension work, particularly to their rear, the frontage streetscene generally reflects the prominence of those historic rectangular cottages. Nevertheless, development has occurred in a number of the gaps to the side of the cottages, such as the garage associated with the LB concerned. A small number of such side buildings are set towards the front of the main house concerned, like that existing at No. 26 and as proposed in both cases, albeit to different extents. Some of those also have higher roofs than that of No. 26's existing garage.
13. However, the presence of those side buildings set towards the front of the houses concerned is not the norm and does not reflect a general fundamental change to the character of the CA. Other properties with buildings to the side have them generally set further back towards the rear, thereby not having that same relationship to the LBs as is proposed in these cases or substantially detracting from that regular detached layout and appearance of the cottages within the streetscene.
14. The existing garage, whilst diluting that historic gap between properties, and including a modern front door that dominates the front elevation, is nevertheless of modest width and height. The proposed side extension both for Proposals 1 and 2 would have a width and degree of separation from the main house similar to that existing, thereby also maintaining the historic footprint and lines of the LB in this respect. I also note the intention to include a more

traditional front door reflecting others in the street. However, the height of the respective side extensions would be noticeably greater than the existing garage.

15. That greater height of the side extension roof for both proposals would not be of such an extent to significantly impinge on views of the vegetated steep valley side to the rear of the property. This is also in the context of the existing retaining walls seen to the rear to varying extents from the street, albeit partially obscured by vegetation. Nevertheless, a combination of that additional height, the resultant increased prominence of the roof slope and gable end; together with the still limited degree of set back from the front of the LB, even with proposal 2; would result in the extension in both cases competing with the main LB, more so than the existing garage.
16. Both proposals, in terms of the side extensions, would therefore have a dominating effect on the LB. Furthermore, for the same reasons, they would have the effect of drawing the eye. As such, despite the presence of those other existing gap developments in The Street, both proposals would further break what is still a distinct rhythm created by the historic cottages and spaces between them in the context of the CA, albeit less so with proposal 2, being set further back.
17. The proposed rear extension for both proposals would be set further back than the existing rear extension. Furthermore, its pitch slate roof with ridge height similar to the eaves level of the main LB, and new, higher retaining wall abutting it to its rear, would be more prominent than the existing flat roof and wall behind it, respectively. Furthermore, that rear element of the proposed extensions, for both proposals, would be visible to varying degrees from the street, particularly the eastern section that would extend close to the property's side boundary.
18. However, the western end of both proposed rear extensions would be set in from the western side of the house, unlike the existing conservatory, albeit that the latter is not a prominent feature as viewed from the street. Furthermore, the more visible eastern end would be set well back from the front of the house and beyond the line of its rear elevation. As such, in the context of the extent of retained vegetated backdrop, it would be unlikely to significantly impinge on views of the valley side from the street. It would also not be an unusual or alien feature in the context of the significant number of albeit varying rear extensions to cottages in the CA generally. In that context, despite the greater prominence of the pitched roof than existing, that rear element of the proposals would not dominate the LB as seen from the front, or significantly affect that distinct streetscene rhythm referred to above.
19. The higher roof and retaining wall features would also be likely to impede views outwards from the first floor windows of the main LB towards the rear garden and immediate valley side. However, the steep nature of that rear garden would ensure the likelihood of a significant amount of the valley side still being visible from those rooms.
20. The proposals would also remove those existing rear extensions attached to the whole width of the rear side of the LB, with only relatively modest sized, glazed connections proposed to link the main house with the respective extensions. This would therefore have the positive effect of exposing a significant amount

of the historic rear elevation and associated footprint of the LB, albeit that the proposed rear extension in each case would only be set away from that elevation by a small amount and with a noticeably higher roof than that of the existing extension. The western end of the LB's rear elevation, which to varying extents for the respective proposals would not have any new extension directly to its rear, would also have a small amount of external wall reinstated in place of the former doorway into the current conservatory.

21. I note the concerns of the Council's Conservation and Design Officer relating to the design of the proposed new windows in the rear elevation of the main house, relating to the wc and hall. However, they are shown as matching each other and although narrower than others on the rear elevation would be in the context of the differing sizes of those relating to the existing study and the lesser degree of symmetry to that rear elevation.
22. For these reasons, for both proposals, the rear extension element, and changes to the LBs rear elevation, would be unlikely to cause additional harm to the integrity of the LB and CA.
23. In respect of the proposed extensions to the height of the chimneys, I note that there are varying heights of these features relative to the corresponding roofs of cottages in the CA generally. This appears to be due to other actual chimney extensions or the varying thicknesses of thatch on the roofs. In that context, the proposed extensions would neither dominate the LB or look out of place in the context of the CA.
24. Furthermore, with the limited internal alterations to the main LB, and that proposed segregation of the extension's contrasting open plan layout, I consider the proposals unlikely to significantly compromise the integrity or function of the LB in terms of internal layout. Additionally, the intended reinstatement of the inglenook fireplace in the proposed office would be a positive feature.
25. Nevertheless, for the above reasons, despite having found certain aspects of the proposals to be acceptable, due to the harm that would be caused by their respective side extension elements, they would both fail to preserve the special interest of the LB and the significance of the CA. For the purposes of the planning balance, which I shall come on to, this harm carries considerable importance and weight.
26. Paragraph 205 of the National Planning Policy Framework (the Framework) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 206 goes on to state, amongst other things, that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification.
27. Given the nature of the proposals in relation to the LB as a whole and their relatively small-scale in the context of the CA generally, the harm caused to those heritage assets would be less than substantial in this case. Having regard to paragraph 208 of the Framework, as I have found there would be less than substantial harm to the significance of designated heritage assets, this harm should be weighed against the public benefits of the proposals including, where appropriate, securing their optimum viable use.

28. The extent of exposure of the LB's historic rear elevation and associated footprint, and the reinstatement of an element of external wall on that elevation as referred to above, would amount to public benefits attributed to both proposals. However, the extent of such benefits would be tempered respectively due to the small degree of separation from the main house of the proposed rear extensions and their noticeably higher roofs than that of the existing extension; and the small extent of wall reinstatement work involved. Furthermore, in respect of the intended reinstatement of the inglenook fireplace referred to above, whilst beneficial, I have no substantive basis to consider this could not be implemented independently of the rest of the proposals, subject to any necessary permissions.
29. I note the claim made that the proposals would reduce pressure within the historic LB to create more open plan living. However, notwithstanding my findings in relation to the proposed rear elements and internal layout, there is no substantive evidence to indicate that the layout and amount of space comprising the existing dwelling is unsuitable or unviable for modern living, even if not open plan.
30. For the above reasons, the public benefits would be insufficient to outweigh the less than substantial harm that would be caused to the LB and CA.
31. In light of the above, both proposals 1 and 2 would fail to preserve the significance of the LB and features of special architectural or historic interest that it possesses and would fail to preserve the character and appearance of the CA. The proposed works would therefore fail to satisfy the requirements of sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Furthermore, for the same reasons, they would be contrary to policy 5 of the North Dorset Local Plan Part 1 dated January 2016 (the Local Plan), and policies MA3 and MA4 of the Milton Abbas Neighbourhood Development Plan 2019 – 2031 which together set out, amongst other things, for any development proposal affecting a heritage asset, the need to have regard to the desirability of sustaining and enhancing the significance of that asset and securing a viable use for it that is most consistent with its conservation; that great weight will be given to its conservation when considering any proposal that would have an impact on its significance; that clear and convincing justification for any development that would cause harm to the significance of a designated heritage asset will be required; that any new development should respect the historic distinctiveness of Milton Abbas, and that new construction here should be of a rural village character and celebrate the village's heritage; and that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
32. The proposals would also be contrary to paragraph 203 of the Framework which highlights, amongst other things, the desirability of sustaining and enhancing the significance of heritage assets.
33. The Council, in its planning decision notices, also refers to policies 24 and 28 of the Local Plan. However, those policies relate to the general design of development and alterations or extensions of existing dwellings in the countryside, and not to specific considerations relating to heritage assets and development within Milton Abbas.

Conclusion

34. For the reasons given above, all four appeals should be dismissed.

A Dawe

INSPECTOR