



Appeal Decision

Site visit made on 14 April 2025

by L Fleming BSc (Hons) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 23 April 2025

Appeal Ref: APP/J0405/D/25/3360563

College Cottage, The College, Marsh Gibbon, Buckinghamshire, OX27 0HW

- 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 appeal is made by Mrs and Dr Riva and Sam Varma and Mathewlynn against the decision of Buckinghamshire Council - North Area (Aylesbury).
 - The application Ref is 24/03151/APP.
 - The development proposed is construction of a 2-storey extension, internal alterations to the existing house and proposed replacement of the existing front door.
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Decision

1. The appeal is allowed and planning permission is granted for construction of a 2-storey extension, internal alterations to the existing house and proposed replacement of the existing front door at College Cottage, The College, Marsh Gibbon, OX27 0HW in accordance with the terms of the application, Ref 24/03151/APP and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Floor Plan - Existing W2166-01, Roof Plan - Existing W2166-02, Elevations - Existing W2166-03, Proposed Floorplans W2166-10 H, Proposed Elevations W2166-11 H, Proposed Roof Plan W2166-12 C and Existing Locations & Proposed Site / Block Plan W2166-13 B
 - 3) Notwithstanding the submitted details, prior to development above slab level, samples (walls and roof) and details (windows and doors) of the materials to be used in the external construction of the development hereby approved shall be submitted to and approved in writing by the local planning authority. Thereafter the development shall be constructed in accordance with the approved materials samples and details.
 - 4) The rooflights on the south facing roofslope of the extension hereby approved shall be of conservation style, fitted flush with the roofslope.
 - 5) The first-floor window in the north elevation of the extension hereby approved shall be installed with obscured glazing and non-opening at a height below 1.7 metres above the finished floor level of the room in which it is located. Thereafter the window shall be permanently retained as such.
 - 6) Other than shown on the plans hereby approved, no windows, doors or other openings shall be installed or inserted at any time at first floor level or above in any of the elevations of the development hereby approved.

Main Issue

2. The effect of the proposal on the character and appearance of the area bearing in mind the appeal property is a non-designated heritage asset and is within the Marsh Gibbon Conservation Area.

Reasons

3. College Cottage is a modest detached dwelling constructed of red brick with a slate asymmetric pitched roof, it is of a basic traditional character, reflecting other traditional cottages nearby. The Marsh Gibbon Conservation Area (CA) comprises a relatively loose knit pattern of buildings some of considerable age and many historically associated with agriculture but now in use as dwellings. The CA covers the historic parts of the settlement and includes a number of listed buildings, including the grade II listed St Mary's Church. Insofar as is relevant to this appeal the significance of College Cottage, the CA and any relevant nearby heritage assets is founded on traditional architectural interest.
4. Planning permission was granted by the Council for a proposal described as "erection of two storey front/side extension and replacement of existing front door"¹ in September 2024. The ground and first floor plan of that approved extension would be roughly the same size. There is nothing to suggest this scheme could not be implemented should this appeal fail. I therefore compare the appeal scheme with the approved fallback scheme.
5. The fallback scheme is very similar to the appeal scheme. Its main and contended difference is that the proposed first floor of the two storey extension would be larger than the ground floor element, resulting in a small overhang of the ground floor, which would be widely visible from within the appeal site and from a variety of views surrounding it. Such views include from a narrow lane just to the west of the appeal building, various other glimpsed vantage points within the CA and within the setting of the grade II listed St Mary's Church and other heritage assets.
6. The Council allege the overhanging element is unsympathetic and of poor-quality design such that it would have a negative impact upon the character and appearance of the CA and that the increase in the previously permitted extension's prominence in views would compete with the host non-designated heritage asset. It is also suggested this would be harmful within the settings of heritage assets nearby.
7. However, in my view the difference between the approved fallback extension and the proposed extension is very limited. The detail created by the overhang, would be simple, traditional and without any real architectural interest when considered alongside the wider extension or existing appeal dwelling. It wouldn't appear awkward, complicated, poor quality in design or incongruous in any way when compared with the wider non-designated heritage asset. Instead, the proposal and the overhang detail, would have a basic, simple form consistent with the simple traditional character of the appeal property and other buildings nearby.
8. For these reasons, having regard to the fallback scheme, the proposal would not therefore draw any significant attention when viewed from anywhere. It would not

¹ Council reference 24/00457/APP

be prominent or particularly noticeable from anywhere within the CA or the settings of any heritage assets nearby.

9. Consequently, when compared with the fallback scheme, the appeal proposal would not harm the character and appearance of the area having regard to the appeal property as a non-designated heritage asset, the CA and the setting of any other heritage assets nearby.
10. Thus, the proposal would accord with Policy MG1 of the Marsh Gibbon Neighbourhood Plan (2014), Policies BE1 and BE2 of the Vale of Aylesbury Local Plan (2021) and with the conservation and enhancement of the historic environment aims of the National Planning Policy Framework, which all taken together seek to safeguard the character and appearance of an area and avoid harm to heritage assets.

Conditions

11. The conditions imposed are those which have been suggested by the Council. In addition to the standard timescale condition, I have imposed a condition specifying the relevant drawings as this provides certainty. I have also imposed conditions requiring the materials and details of the openings to be agreed and requiring conservation rooflights, both of these conditions are in the interests of safeguarding the character and appearance of the area.
12. Also as requested, I have imposed a condition to ensure the proposed openings do not harm the privacy of people living nearby. For the same reason, given the proximity of the proposal to the plot boundaries, I have also attached a condition preventing any additional openings from being created in the extension without approval.

Conclusion

13. For the reasons set out above, the proposed development would accord with the development plan and therefore having had regard to all other matters raised the appeal should be allowed.

L Fleming

INSPECTOR