

Appeal Decisions

Site visit made on 25 October 2016

by Jonathan Hockley BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 21 November 2016

Appeal Ref: APP/K0425/W/16/3153908

**Old Callow Down Farm, Wigans Lane, Bledlow Ridge, Buckinghamshire
HP14 4BH**

- 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 Mrs E Cave against the decision of Wycombe District Council.
 - The application Ref 16/05850/FUL, dated 23 March 2016, was refused by notice dated 8 June 2016.
 - The development proposed is the provision of a fully glazed linking structure between the dwelling and ancillary barn. Formation of pond and change of use of land to residential curtilage.
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Appeal Ref: APP/K0425/Y/16/3153907

**Old Callow Down Farm, Wigans Lane, Bledlow Ridge, Buckinghamshire
HP14 4BH**

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mrs E Cave against the decision of Wycombe District Council.
 - The application Ref 16/05851/LBC, dated 23 March 2016, was refused by notice dated 8 June 2016.
 - The works proposed are the provision of a fully glazed linking structure between the dwelling and ancillary barn. Formation of pond and change of use of land to residential curtilage.
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Decision

1. The appeals are dismissed.

Main Issues

2. The main issues in these cases are as follows:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework and the development plan;
 - Whether the proposal would preserve the special architectural and historical interest of the Grade II listed buildings, as well as any effect on the character and appearance of the surrounding area, including upon the Chilterns Area of Outstanding Natural Beauty (AONB).
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Reasons

3. Old Callow Down Farm lies in open countryside to the north west of the village of Bledlow Ridge, within the Chiltern Hills. The attractive undulating countryside is criss-crossed by various footpaths, with the Chiltern Way, Ridgeway Walk and the Bledlow Circular Ride all passing close to the site. Lodge Hill, a prominent local landmark and a site of special scientific interest, lies to the north of the site.
4. The farm consists of a number of buildings, with a Grade II listed farmhouse set towards the south end of the site. A large barn just to the north of the farmhouse is also listed. The proposal seeks to link the two listed buildings with a fully glazed structure. Also proposed within the overall scheme is the formation of a pond and the change of use of land to residential curtilage. Within the curtilage of the site there are various other agricultural and storage buildings, including 3 buildings along the north east boundary of the site which are proposed to be demolished as part of the scheme.

Whether inappropriate development

5. The National Planning Policy Framework (the Framework) identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The Framework states that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances. The construction of new buildings should be regarded as inappropriate in the Green Belt subject to a number of exceptions as set out in paragraph 89. One of the exceptions is the extension of a building, provided that it does not result in disproportionate additions over and above the size of the original building. The term 'original building' is defined as "a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally" (Annex 2: Glossary).
6. Policy GB2 of the Wycombe District Local Plan to 2011, 2007 (the LP), states that development will not be permitted in the Green Belt for any purposes other than a limited range of development types, including those contained within Policy GB6. Policy GB6 allows for extensions to the gross floorspace of dwellings in the Green Belt of up to 50% (unless the floorspace to the resultant building is less than 120m²). Extensions will also not be permitted where they would result in the total floorspace of all extensions to the original dwelling having a gross floorspace of more than 120m² or are detrimental to the character and appearance of the existing building. Despite its age, the noted policies in the LP accord generally with the thrust of the Framework, aside from the reference to character and appearance, and I therefore accord them substantial weight.
7. Old Callow Down Farmhouse has been extended previously, but there is disagreement between the parties over the size of such extensions. The appellant states that the floorspace of the original dwelling is some 224.5m²; the Council consider that the original dwelling, as under the definition within the Framework, was 175m² in 1948, and that the extensions thus far have extended the property to some 260m², a 48% increase. The appellant considers that 65.5m² of extensions have been constructed.

8. There is therefore disagreement between the parties over the size of the original dwelling, the size of the dwelling as it stands at present, and the size of former extensions.
9. At present the house is of an elongated 'L' shape, with the original western elevation of the building being shorter than the combined extensions to the rear. The initial extension to the building is noted in the listing as being of 19th century age. The listing of the building dates from 1985. I have therefore taken this to be the 'original' building. Given the evidence provided to me, including multiple plans and a Heritage Statement¹, I consider the floorspace of the original building to be closer to the Council figure than that provided by the appellant.
10. I have been provided with a plan dating from 2000 which contains plans for a kitchen extension, and evidence notes that in 2014 that consent was granted to raise the roof of this extension to allow a further bedroom to be built, as well as extending the kitchen. It is not clear though how much floorspace such extensions added to the original dwelling.
11. When using the 65.5m² size of the existing extensions provided by the appellant and the Council original dwelling size of 175m², this results in an extension of some 37%. The proposed extension to provide a glazed linking structure would have a floorspace of 12.5m². Adding this to the figure with a sum of 78m² to the original dwelling results in a total addition of 44.5%. Using the Council's figures for the extensions would result in a 48% increase without the proposed link, or 56% with the link.
12. It is clear therefore that there are significant discrepancies between virtually all the figures that have been provided to me. Without precise measured and annotated plans it is difficult for me to come to a firm conclusion on this issue. Using differing permutations of the figures provided by both parties results in overall extension figures of over 50%, just under 50%, or well under 50%, but the evidence is unclear and inconclusive as to which side of the line the application would fall. Whilst considering the totality of the extensions I have also therefore considered the size of the proposed link. This is modest, at 12.5m². I do not consider that even if the size of the link takes the total extensions of the building to just over 50% that the proposal would result in disproportionate additions over and above the size of the original building.
13. I do not consider in this context that the joining together of the farmhouse, and the barn, which has previously been converted to residential accommodation should mean that the floorspace of the barn should be counted in the overall extensions calculation. In physical, pure arithmetical terms at least there would be very little difference between the link as proposed and an extension that extended to the barn and didn't connect and in that scenario only the proposed extension would be considered.
14. For all of the reasons outlined above, I therefore conclude that the proposed extension would not be inappropriate development in the Green Belt. In this regard it would not conflict with the relevant aspects of Policy GB6 of the LP, or to the Framework.

¹ Heritage Statement, Asset Heritage Consulting June 2015

15. Openness in terms of the Green Belt means freedom from development and is therefore only partially concerned with visibility. The proposal would increase the mass and footprint of the house and therefore openness in isolation would be reduced. However, case law has established² that where development is found to be 'not inappropriate' applying paragraphs 89 or 90 of the Framework, it should not be regarded as harmful either to the openness of the Green Belt or to the purposes of including land in the Green Belt.

Effect on the listed building and character and appearance

16. Old Callow Down Farmhouse dates from the 15th or early 16th century according to the listing. The property has a timber frame of cruck construction, with areas of rendered and brick infill, including some noticeable areas of red and vitreous chequer brick. Although the façade is towards the west, the effect of the extensions to the building in the 19th century and more recently have changed the shape of the building from a simple three bay cottage to a building with an 'L' shaped plan, and has shifted the emphasis of the building to the east.
17. The 3 bay timber barn with a half hipped tiled roof was constructed in the late 18th century. The Heritage Statement indicates that the building was moved to the north east in the late 19th century as part of general improvements to the farmyard. This moved the barn further away from the farmhouse, widening the gap between the buildings. It is speculated that this may have been to improve circulation around the farm and the domestic amenity of the farmhouse. An extension on the south east side of the barn brings the current building closer to the Farmhouse.
18. The Planning (Listed Building and Conservation Areas) Act 1990 requires special regard to be given to the desirability of preserving a listed building and any features or architectural interest it possesses. The significance of the Farmhouse, as far as its exterior is concerned, lies essentially in the survival of the cruck frame and its legibility as a former hall house. I consider that the 19th century rear wing adds to the significance of the building; despite being relatively more modern, it adds to the story of the building's development and growth, and is well proportioned when set against the original cottage. The external significance of the barn derives from its group value and functional relationship with the farmhouse, along with the retention of much of its historic fabric. Despite the documented movement of the barn, this functional and group relationship is maintained and the pair of buildings are clearly read as a farmhouse and subsidiary, albeit substantial, barn.
19. Policy HE2 of the Local Plan states that development requiring the extension of any listed buildings will not be permitted unless the siting, design and external appearance of the proposal would respect the listed building's character and appearance, preserve, restore or complement its features of special architectural or historic interest, and contribute to the character or appearance of any group of listed buildings. Policy CS17 of the Wycombe Development Framework Adopted Core Strategy, 2008 (the CS) states that the Council will conserve and improve the environmental assets of the District by requiring the preservation or enhancement of historic environments.

²Lee Valley Regional Park Authority, R (on the application of) v Epping Forest District Council & Anor (Rev 1) [2016] EWCA Civ 404

20. The proposed linking structure would be fully glazed, aside from a small brick dwarf wall on its west side. The structure would have double doors within it that would open towards the garden area to the east, and would incorporate doors to both the farmhouse and the barn. The link would be attached to two modern extensions and so would not physically affect any historic fabric.
21. The gap between the barn and the farmhouse is reasonably substantial, measured at some 5m by the appellant, and the link would have the effect of changing the overall plan of the listed buildings from the existing 'L' shaped farmhouse and linear barn to an overall 'U' shape. This would reduce the dominance of the house in the overall farmyard, lessening the subsidiarity of the barn to the main dwelling and creating one large building. Although I note that the glass design and flat roof of the proposal would ensure that the design was fairly lightweight and primarily see through, the structure would still be visible and the creation of a permanent physical link between the two buildings would have a detrimental impact on the farmyard setting and the character and appearance of both listed buildings.
22. Furthermore, I am not convinced that the flat roof and glass nature of the proposal would preserve or enhance the listed buildings. The design would appear incongruous and out of place within its traditional setting. Nor do I consider that the proposal would ensure that the two buildings would appear for all intents and purposes separate; it would be clear from the buildings and the farmyard that the buildings were linked to become one large residential structure.
23. I am referred to an appeal decision for a case at Model Farm, Hampton Poyle³, where it was found that a glass link between a farmhouse and cart shed would not harm the significance of the heritage assets. However, in that case the 'garden link' maintained the overall linearity of the farmhouse, and the cart shed would remain fully subordinate to the main building. Furthermore, each case must be considered on its own merits.
24. I note the evidence concerning the previous location of the barn. However, the movement of the barn appeared to take place between 1877 and 1898, a substantial time ago. The movement of the barn is ascribed to help in circulation and living conditions and I agree with this assessment. It was therefore moved historically as part of the growth and development of the farmyard. The proposed link would create a physical link which has seemingly not been in place previously, enclosing the two buildings together.
25. The Framework makes it clear that when considering the impact of a proposed development on the significance of a listed building, great weight should be given to its conservation. Significance can be harmed or lost through alteration of the heritage asset, and as they are irreplaceable, any harm should require clear and convincing justification. For the reasons given above, I consider that the proposed structure would result in harm being caused to the significance of both listed buildings. However, given the lack of impact upon historic fabric I am satisfied in this case that the degree of harm caused would be less than substantial.
26. In such situations this harm should be weighed against the public benefits of a proposal, including securing the asset's optimum use. The buildings are

³ APP/C3105/W/15/3128928, APP/C3105/Y/15/3128930

already in full residential use, and it has not been shown that their continued occupation is in anyway dependent on the proposed works. The appellant considers that the proposed demolition of three buildings within the overall farmyard would significantly enhance the setting of the heritage assets, and refers to Historic England guidance in this respect⁴.

27. However, I do not consider that the removal of these structures would necessarily improve the setting of the buildings. The three buildings to be demolished are of varying heights and are clearly subordinate agricultural buildings. As such they appear appropriate to their surroundings, are not intrusive, and have a neutral effect on the listed buildings. As a consequence, what public benefits there might be of the scheme are insufficient to outweigh the harm caused and the proposal would not preserve the special architectural and historical interest of the Grade II listed buildings. The proposal would therefore be contrary to the Framework, as well as Policy HE2 of the Local Plan and CS17 of the CS.
28. The site lies within the Chilterns AONB. As well as the high landscape quality, the AONB is characterised by the consistent use of materials, including brick and flint, both of which are present on the appeal site. The surrounding public footpaths, take advantage of the attractive landscape and special qualities of the area. On my site visit I walked many such footpaths, including the Chiltern Way, which borders the appeal site on its western side, the Ridgeway, which climbs Lodge Hill to the north, and the Bledlow Circular Ride, which runs along the base of Lodge Hill. Due to intervening landscaping and the existing buildings on the site, the appeal site is not visible from the Chiltern Way, and views from Lodge Hill are too distant for the proposal to have an effect.
29. However, clear views across a field are possible of the appeal site from the Circular Ride. At present views of the gap between the farmhouse and the barn are partially screened by an existing timber workshop and tree behind. However, the timber workshop is proposed to be demolished, and as a result I consider that views of the gap between the buildings would be more noticeable to users of this footpath, particularly in winter when intervening landscaping would be sparser. From this view the proposal, despite the glass nature of the link, would appear as one substantial building, and the design and materials of the link would appear out of place within the surrounding buildings and landscape. For the same reasons as above, I also do not consider that the proposed demolition of the outbuildings will contribute significantly to the character and appearance of the AONB. Historic farmsteads are a recurring feature throughout the AONB, and the buildings are clearly agricultural structures.
30. The proposal would therefore have an adverse effect on the character and appearance of the surrounding area, including upon the Chilterns AONB. The scheme would be contrary to Policy L1 of the Local Plan, which states that for any proposal within the AONB special attention will be paid to the conservation of its scenic beauty. Development will not be permitted if it likely to damage the special character, appearance or natural beauty of the landscape.

⁴ 'The Setting of Heritage Assets', Historic England 2015

Other Matters

31. The proposal includes provision for the regularisation of the residential curtilage of the property, and for the construction of a large pond in front of the barn. Both parties consider that with the inclusion of suitable conditions such proposals would not cause harm. Based on all that I have seen and read I have no reason to disagree with this view. However, given that I am dismissing the appeals for other reasons, I have not considered this matter further.

Conclusion

32. I have concluded that the proposal would not be inappropriate development in the Green Belt having regard to the National Planning Policy Framework and the development plan. However, this does not outweigh my findings on the adverse effects of the proposal on the special architectural and historical interest of the Grade II listed buildings. It has not been shown that public benefits would outweigh this harm, and the proposal would conflict with the Framework and the development plan. The proposal would also cause harm to the character and appearance of the surrounding AONB, a factor which adds weight to my overall decision.
33. Therefore, for the reasons given above, and having regard to all other matters raised, I conclude that the appeals should fail.

Jon Hockley

INSPECTOR