



Appeal Decision

Site visit made on 29 October 2019

**by David L Morgan BA (Hist) MA (T&CP) MA IoAAS (Build Con) MRTPI
IHBC**

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

Decision date: 15 November 2019

Appeal Ref: APP/J0405/W/19/3227337

The Manor House, Church Walk, Weston Turville, Bucks HP22 5SH

- 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 Dennis Audley against the decision of Aylesbury Vale District Council.
 - The application Ref 19/00033/AP, dated 28 December 2018, was refused by notice dated 5 April 2019.
 - The development proposed is construction of a double car port on white pillars (columns).
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Decision

1. The Appeal is dismissed.

Procedural matters

2. It is apparent from the Council's Appeal Statement that the application for planning permission now the subject of this Appeal was accompanied by a parallel application for listed building consent, which was also refused by the Council. This latter application is not the subject of an appeal, so this decision relates solely to the appeal made under section 78 of the Act.
3. The Appellant also advises that he has received Scheduled Monument Consent (SMC)¹ for the groundworks within the scheduled area of the former Motte and Bailey Castle adjacent to the house associated with the erection of the proposed car port. These works are therefore authorised under the terms of the Ancient Monuments and Archaeological Areas Act 1979 (Section 2 control of works) though they convey no form of approval in respect of the grant of planning permission.
4. The Appellant also refers to 'agreement' expressed by both the Inspector of Ancient monuments and the Inspector of Historic Buildings of the South East Office of Historic England (HE), although there is no written evidence from either to support such a statement. The Council refer in their submissions to the formal response from Historic England as statutory consultees in relation to the applications for planning permission and listed building consent as being 'a no comment response', suggesting deferral to the Council's specialist conservation officers.

¹ This indicated as document 4 in the Appellant's Appeal submissions which is a direction on behalf of the Secretary of State issued by the South East of Historic England dated 15 October 2018.

5. Whilst the grant of SMC is noted, as is the prior informal engagement of HE's officers, in the absence of any formal written comment on the proposals beyond that deferring the Council by them, this apparent acceptance can only carry very limited weight in the consideration of the development proposed.

Main Issues

6. These are a) whether the proposed development would preserve the special architectural interest of the Grade II* listed building known as the Manor House or any features of special architectural or historic interest that it possesses and b) whether they would preserve the character or appearance of the Weston Turville Conservation Area (WTCA).

Reasons

Significance

7. This part of the historic settlement of Weston Turville is certainly heritage asset-rich. The Church, Manor House and the adjacent scheduled remains of the Motte and Bailey Castle, are all assets designated at the highest grades nationally. Moreover these, in addition to the landscaped grounds forming their context, all lie within the WTCA.
8. The house itself is an imposing structure of two main historical phases, each reflected in its two strikingly different principal elevations to the south and west. The former is the earlier, dating from the first half of the C18. This is characterised by its tall elegantly proportioned façade comprising five bays with arched gauged brick window heads and topped with a Modillion or bracketed cornice formed of timber. The central doorway is framed by what looks like a later portico with more overtly Neo-Classical detailing. The west elevation is altogether more expressive with distinctive *Gothick* fenestration marking it clearly as later C18. The returning east elevation is by contrast rather plain, although the eaves cornice continues below the roof and the rear of the double pile block is fenestrated on all floors with a range of window types. The interior of the house retains a range of high-quality architectural features and fixtures commensurate with the quality and status of the external architecture.
9. The house has been subject to substantial alteration and extension in the past, with an extensive ground floor addition to the rear accommodating ancillary service areas and a swimming pool. This is augmented by a first-floor conservatory to the rear of the main house that has access to a flat roofed area enclosed by a decorative balustrade.
10. The SAM, now integrated into a mature and well managed landscape garden, forms a picturesque and verdant backdrop to the house, which contributes positively to its setting. The significance of the house is therefore most evidently expressed in its high-status principal elevations and in the suites of rooms within that reflect the aspirations of the exterior. The generous landscaped garden, embodying the relict archaeological remains, also contributes to that significance. The sum of all these attributes therefor also make a significant contribution to the character and appearance of the WTCA.

Proposals

11. The proposals are for a flat-roofed open double carport of asymmetric form located on the eastern elevation of the house but attached to the modern single storey extension to the rear of the historic structure. The footprint of the carport is determined by the requirement to accommodate two vehicles in covered proximity to the side entrance of the house and to avoid interference with the SAM. The felted flat roof is supported on four columns described as 'Roman Doric to match existing porch' (presumably those forming the portico on the front elevation) which are topped by a 'Dentil cornice to match existing' (presumably a reference bracketed eaves cornice on the south and east elevation) which is in turn surmounted by a decorative balustrade. This latter element is again indicated as matching an existing feature, incorporating slim bottle balusters and dies, or low piers, finished with ball finials, topping the modern single storey extension to the rear of the house.

Effect on Significance

12. The genesis of the design may readily be understood. A carport is an essentially utilitarian structure that provides a measure of weather protection for parked vehicles and their occupants leaving or returning home in inclement conditions. This factor determines its location. As considered above, its asymmetric format is governed by a desire to achieve this utility whilst safeguarding the archaeological interest of the SAM. Beyond this, the embellishment of the structure with Neo-Classical architectural references garnered from the house is, one assumes, an attempt to contextualise and integrate the structure with the architecture of the house.
13. An understanding of the effects of the proposals are not assisted by a series of inaccuracies in the drawings. The front elevation on the larger drawings seriously misjudges the height of the existing house, whilst the flank elevations significantly misrepresent the ground floor fenestration and window and recessed porch heads and their relationship with the proposed structure.
14. Despite this however, it is clear to me that the assemblage of disparate architectural details, drawn from elements of the house, have been applied as a form of dressing in an attempt to contextualise the structure. This is, however, to fundamentally misunderstand the language of classical architectural that defines the main house, and which is such a significant component of its special interest and significance. The asymmetrically placed columns lack the required measured spacing, or intercolumniation, and are set beneath the dentil cornice that lacks both a frieze and architrave, key components necessary to providing a convincing entablature. The balustrade above, with its thin and widely spaced balusters, compounds the general lack of architectural conviction that the whole structure expresses.
15. This confection of utility and misapplied architectural detail would stand in very awkward and dissonant contrast with the dignified order and measured detail of the house, significantly diminishing the special architectural interest and thus significance of the building as a consequence. I reach this conclusion having taken account of the proposal's location adjacent to the rear extension on the more discreet eastern elevation of the building. However, the south elevation of the house, one of its primary facades, is best appreciated at some distance to the south, where the harmony of its proportions may be best understood. Here

the proposal would be clearly inter-visible with this elevation, where the awkward and dissonant contrast with it would be made plain.

16. The proposed development would thus fail to preserve the Grade II* listed building, the desirability of such is anticipated by section 66 of the Act, and to which the Courts attach considerable importance and weight. It also fails to meet the expectations of paragraph 193 of the National Planning Policy Framework (the Framework), which expects great weight be given to the conservation of designated heritage assets. The proposal would also conflict with local development plan policy that seeks to underpin these national statutory and policy objectives.
17. It follows logically that where harm has been identified to the exterior of the listed building, the character and appearance of the conservation area in which it is located is consequently impaired. The proposals therefore fail to preserve the character and appearance of the WTCA contrary to the expectations of section 72 of the Act and again in contravention of paragraph 193 of the Framework and local development plan policies. I accept that the proposed development is generally screened from public view, and I readily concede that in the context of the WTCA as a whole this harm would be limited. However, section 72 of the Act makes no such qualification or allowance, and the statutory test remains unmet.

Planning balance and conclusion

18. Paragraphs 195 and 196 of the Framework require the decision maker, having identified harm to a designated heritage asset, to calibrate its magnitude before undertaking a balancing exercise of such harm against public benefit. I readily conclude that the degree of harm, in relation to both listed building, and in particular the conservation area, is less than substantial. This however does not equate in my view to less than substantial planning objection, especially where the expectations of both sections of the Act have not been met.
19. The Appellant advances no explicit argument that the proposals would constitute a form of public benefit that might in some way justify the proposals, should any measure of harm be identified. Whilst the provision of the carport as an 'amenity' for occupiers may be generously interpreted as optimising the use of the building, the weight to be apportioned such a proposition would have been very limited. In any event, it would be very significantly and demonstrably outweighed by the harm identified to the heritage assets affected.
20. For the reasons given above and having considered all matters raised in evidence I conclude that the appeal should fail.

David Morgan

Inspector