



Appeal Decisions

Site visit made on 27 November 2019

by Mr Kim Bennett BSc DipTP MRTPI

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

Decision date: 24 January 2020

Appeal A Ref: APP/N0410/W/18/3216751

Boons Cottage, Horseshoe Hill, Littleworth Common, Burnham SL1 8QE

- 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 & Mrs McShane against the decision of South Bucks District Council.
 - The application Ref PL/18/2675/FA, dated 13 July 2018, was refused by notice dated 7 September 2018.
 - The development proposed is a single storey orangery.
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Appeal B Ref: APP/N0410/Y/18/3216757

Boons Cottage, Horseshoe Hill, Littleworth Common, Burnham SL1 8QE

- 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 Mr & Mrs McShane against the decision of South Bucks District Council.
 - The application Ref PL/18/2676/HB, dated 13 July 2018, was refused by notice dated 7 September 2018.
 - The works proposed is a single storey orangery.
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Decisions

1. The appeals are dismissed.

Preliminary Matters

2. The Council referred to conflict with Saved Policy C8 of the South Bucks District Local Plan 1999 (LP) in its decision notice in respect of the planning application under Appeal A. However, it has since confirmed that the policy is no longer saved and expired in 2007. I have therefore disregarded reference to that particular policy.
3. The applications were made on a single form and the description of development is thus the same for both. However, in addition to the listed building considerations, the planning considerations as part of the section 78 appeal also relate to Green Belt issues. I will therefore consider both issues as part of this single decision letter.
4. The proposal involves a listed building. As such sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) require that I have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Accordingly, I have determined the appeals on that basis.

Main Issues

5. The main issues are: first, the effect of the proposal on the special architectural and historic interest of the Grade II listed building; second, whether the proposal would be inappropriate development in the Green Belt; third, the effect of the proposal on the openness of the Green Belt; and fourth, if the proposal would be inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

Reasons

Listed building considerations

6. Boons Cottage is located on the corner of Horseshoe Hill and Dropmore Road and comprises a part two storey part single storey building attached to Brook End. The latter is an C18 two storey building which is Grade II listed. Originally, Boons Cottage was built as an extension to Brook End, but at some stage was subdivided to form an independent dwelling with a high brick wall dividing the rear gardens of each property. It has been extended at the side and rear with single storey extensions and part of these run along the common boundary between the two properties.
7. The proposal is to erect an orangery beyond the existing rear extension which would extend a further 2.65 metres in depth and be adjacent to the common boundary with Brook End. It would be single storey in height with a part pitched/part flat roof. It would have matching tiles and brickwork to Boons Cottage with windows and doors in natural oak.
8. In my view, the key significance of the historic principal building, Brook End, lies with its relatively simple rectangular form, timber casement windows which are traditionally detailed and typical of the period, and the imposing steeply pitched and tiled roof which has an attractive cornice detail beneath the eaves. The roof is also somewhat unusual being hip ended and gable ended at either end of the building. I accept that there have been some less than sympathetic alterations at the front, and also at the rear with a single storey flat roofed extension, but the original form, historic fabric and understanding of the original building largely remains.
9. The historic interest and dominance of the building has already been somewhat compromised by the proximity of the rear extension to Boons Cottage, which already extends well past the rear elevation of Brook End. The proposed extension would extend still further beyond the rear elevation of Brook End albeit by only a limited amount. However, in doing so, it would further erode the dominance of the principal historic building. Additionally, I agree with the Council that the proposed part pitched/part flat roof would also detract from the form and character of the steeply pitched roof of Brook End. For a combination of these reasons the proposal would cause harm to the historic interest of the principal listed building. The fact that some harm has already been caused by the existing extension and boundary wall, is not a good reason to further erode the historic interest of the building.

10. Given the above, I find that the proposal would cause harm to, and would fail to preserve the special architectural and historic interest of the Grade II building.
11. The harm caused would be less than substantial and under such circumstances, paragraph 196 of the Framework says that such harm should be weighed against any public benefits of the proposal including, where appropriate, securing its optimum viable use. In that regard I note that the building is currently in residential use with apparently adequate amenities, and whilst I understand the desire of the appellant for increased floorspace, it does not appear to be a fundamental requirement for continued residential use. Accordingly, I attach limited weight to that issue. No other public benefits have been drawn to my attention which would outweigh the harm identified.

Green Belt considerations

Whether inappropriate development

12. The Council's approach towards development within the Green Belt is set out in Policies GB1 and GB10 of its LP. Those policies allow for extensions to properties within the Green Belt, unless they, together with other extensions, are not of a small scale in relation to the size of the original dwelling. In that regard paragraph 3.45 in the supporting statement to policy GB10 says that an increase in floorspace of more than 50% of the original dwelling will not be regarded as small scale. The policy approach is generally consistent with the Framework which refers in paragraph 145, amongst other criteria, to extensions being regarded as acceptable in policy terms provided they do not result in disproportionate additions over and above the size of the original building.
13. With regard to the above, the Council considers that the starting point for the calculation should be after the sub division of Boons Cottage from Brook End and I agree with that approach. In that respect, the Council advises that Boons Cottage was single storey until 1975 and therefore the original floorspace was 35 sqm and not 70sqm as suggested by the appellant. I have not been presented with any persuasive evidence to the contrary in that respect. As referred to above, the property was then extended under various permissions resulting in an increase of 70sqm. Adding the proposed extension to the previous extensions would result in a cumulative increase of approximately 120% according to the Council calculations. Again, I have not been presented with any evidence to the contrary from the appellant.
14. Given that position and the increase in overall floorspace from the original building, together with the further increase in proposed volume and change in visual appearance, I find that the further cumulative increase would be a disproportionate addition over the original dwelling and therefore inappropriate development. As a result, it would be contrary to Policies GB1 and GB10 of the LP and guidance within the Framework. In that regard, the Framework makes it clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Effect on openness

15. The appellant argues that the proposed extension would be well designed, would be small in size, in proportion with the existing building, and would not

be highly visible. Leaving aside the impact upon the adjoining listed building, I would not disagree that the design and use of matching materials would be in keeping with the existing building of Boons Cottage. Although the extension would be clearly visible from Dropmore Road it would be seen in the context of a building within the existing curtilage and there would be a limited additional impact on openness of the Green Belt. However, notwithstanding these points, they are not a good argument for a further incremental increase in the overall size of the building compared to its original size, in that successive increases in built form, however limited in size, would clearly undermine the objectives of Development Plan policies and guidance within the Framework.

Other considerations

16. The Framework makes it clear that very special circumstances will not exist unless the potential harm, by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. In these respects, the appellant has raised the following issues.
17. My attention has been drawn to a number of examples locally where large extensions have been built, including directly opposite in Horseshoe Hill which I observed at my site visit. However, the full details of those cases in terms of specific site histories or site circumstances, are not before me and I have reached my findings above based on the particular site issues of this appeal.
18. Finally, whilst I note that the appellant argues that a freestanding orangery could be erected under permitted development, that is not the proposal before me and bearing in mind that one of the objectives of the extension is to provide more internal living space, I do not regard that as a realistic fallback position.

Conclusion

19. The proposed extension would amount to inappropriate development which the Framework makes clear is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Whilst there would be limited harm in terms of openness within the Green Belt, the other considerations raised, do not in my view, clearly outweigh the totality of harm, which is necessary for the development to be acceptable. Consequently, the very special circumstances needed to justify the proposal do not exist. Accordingly, there is conflict with Development Plan policy and the Framework as referred to above.
20. All matters mentioned in support of the appeal have been taken into account but they do not, either individually or collectively, alter the conclusion that the proposed development would fail to preserve the special architectural and historic interest of the listed building, and that the development would be inappropriate development within the Green Belt. For the above reasons, I conclude that both appeals should be dismissed.

Kim Bennett

INSPECTOR