
Appeal Decisions

Site visit made on 9 June 2020

by H Butcher MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 June 2020

Appeal A Ref: APP/J0405/W/19/3242709

Brewers Yard, Wootton Underwood HP18 0SB

- 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 and Mrs Canning Jones against the decision of Aylesbury Vale District Council.
 - The application Ref 18/04074/APP dated 30 October 2018, was refused by notice dated 16 September 2019.
 - The development proposed is 1 & ½ storey extension in place of existing extension. Minor internal alterations. Replacement structure of the existing/outbuilding shed.
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Appeal B Ref: APP/J0405/Y/19/3242708

Brewers Yard, Wootton Underwood HP18 0SB

- 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 and Mrs Canning Jones against the decision of Aylesbury Vale District Council.
 - The application Ref 18/04075/ALB, dated 30 October 2018, was refused by notice dated 16 September 2019.
 - The works proposed are 1 & ½ storey extension in place of the existing extension. Minor internal alterations. Replacement structure of the existing/outbuilding shed.
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Decision

1. The appeals are dismissed.

Preliminary Matter

2. During the course of the appeal Aylesbury Vale District Council, along with three other District Council's in Buckinghamshire, merged to become one unitary authority representing the entire County; namely Buckinghamshire Council. This matter has no bearing on the planning merits of the case.

Main Issues

3. The main issues are the effect of the proposed works on the special architectural and historic interest of Brewers Yard which is Grade II listed, and linked to that, whether it would preserve or enhance the character or appearance of the Wotton Underwood Conservation Area.

Reasons

4. Brewers Yard dates from the C18 and was formerly the laundry for the adjacent Wootton House, which is Grade I listed. Part of its significance and

- special interest is derived from its historic connection to Wootton House as a service building, and its size and status would have reflected this relationship.
5. The property was redeveloped in Victorian times and converted to domestic accommodation which included the introduction of internal walls into what was once a largely open plan building, and the reconfiguration of fireplaces. Part of the building is incorporated into a wall along its east side which partially encloses a yard to the front and gardens to the rear.
 6. The appeal site also lies within the Wootton Underwood Conservation Area (CA). The CA is dominated by Wootton House and its extensive parkland, with the other properties in the village grouped around this. A large part of the significance of the CA is derived from Wootton House and the buildings surrounding it, particularly those which are associated with it, of which Brewers Yard is one. It follows, therefore, that the appeal property makes a valuable contribution to the significance of the CA.
 7. The building originally had a simple rectangular plan form but was later extended with various single storey additions to the south in the C20. The proposal, in part, is to demolish these extensions, to be replaced with an extension with a similar footprint but with a notably higher and more extensive roof form in order to accommodate additional floor space at first floor level.
 8. The new roof form would be visible above, and would extend further along, the east wall detracting from its age and historic purpose as an enclosure. It would also be out of character with the host building having a hipped design whereas the main building at Brewers Yard has a pitched roof with parapet walls at either of the gable ends. Furthermore, the additional bulk created by the enlarged roof would dilute the modest and functional proportions of the original laundry and its status and relationship with its historic surroundings. In addition to this the roof form as proposed set at an elevated level would make it visible in the wider CA.
 9. The proposal also includes the removal of the ground floor section of the western chimney stack. I accept that this has been significantly altered over the years. Nevertheless, there is a strong possibility this could be more historic than it appears on the surface, but in any event removing this would result in the loss of an integral part of the building which holds significance in terms of its historic use over the years.
 10. Bringing these points together the proposal would cause harm to the special architectural and historic interest of Brewer's Yard, and its setting, and would fail to preserve or enhance the character or appearance of the CA.
 11. In addition to this the proposal would conflict with Policies GP9, GP35 and GP53 of the Aylesbury Vale District Local Plan, which collectively seek to protect the historic environment, listed buildings and conservation areas, and the National Planning Policy Framework (the Framework). The harm I have found would be 'less than substantial' given its scale and impact. As per para 196 of the Framework, this harm should be weighed against the public benefits of the proposal.
 12. As set out in the appellant's submitted structural report the existing brick wall which partially encloses the appeal site has suffered from weathering and frost action and has in excess of 300mm of deflection. Removing the existing

- extension would allow this wall to be inspected in more detail and potentially enable remedial measures to be undertaken, which in turn could better secure the long-term protection of the wall. That being said, in my view the existing extension could still be removed and replaced with a more sympathetic replacement than that which is before me, allowing such works to the wall to take place, which is in the interest of the asset and the wider public generally. Notwithstanding this, as a public benefit, it attracts moderate weight.
13. I accept that active use of Brewers Yard reduces the risk of neglect and decay. However, whilst the proposal would provide a larger property more suitable to a family of five, I have no reason to believe that its use would cease upon refusal of the above appeals; rather it would continue to be occupied and cared for. Whilst reopening the window in the boundary wall could better reveal the significance of the asset, the reason behind its blocking in or the date of this occurring are unknown, which limits the weight I can attach to this as a benefit. I accept that the single storey extension to be removed has unsympathetic elements, but to my mind it would be replaced with something more harmful. These matters therefore carry only minimal weight.
14. I therefore find that the weight to be attached to these public benefits is not sufficient to justify the harm that would be caused; harm that must be given considerable importance and weight in the balancing exercise.
15. Having regard to my statutory duties, for similar reasons to those set out above, given the close proximity of Wootton House, and associated with this The Clock Pavilion, and the historic connection between these and Brewers Yard I also find harm to the settings of these Grade I listed buildings, and to the Wootton Park Registered Park and Garden in which it is located.
16. I note the appellant's frustration communicating with the Council and acknowledge their efforts to balance protecting Brewers Yard with their desire for a more suitable family home. Nevertheless, this does not alter my findings above. I also accept that the purpose of listing is not to prevent changes to buildings, but it is incumbent upon me to ensure that the special architecture or historic interest of a building is taken into account in any such works.
17. The appeals are dismissed.

Hayley Butcher

INSPECTOR