
Appeal Decision

Site visit made on 20 May 2021

by Adrian Hunter BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd June 2021

Appeal Ref: APP/J0405/W/20/3264044

Manor House Farm, Lower Road, Hardwick HP22 4DZ

- 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 Gregory against the decision of Buckinghamshire Council.
 - The application Ref 20/00976/APP, dated 16 March 2020, was refused by notice dated 24 July 2020.
 - The development proposed is erection of detached dwelling to include car parking and improvements to existing vehicular access.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a detached dwelling to include car parking and improvements to existing vehicular access on land at Manor House Farm, Lower Road, Hardwick HP22 4DZ, in accordance with planning application 20/00976/APP, dated 16 March 2020, subject to the conditions in the attached schedule.

Preliminary Matters

2. For reasons of precision and clarity, I have taken the description of development from the Council's Decision Notice.

Main issues

3. The main issues in this appeal are;
 - Whether the proposal would preserve the setting of Manor House Farm, a Grade II listed building;
 - Whether the proposal would preserve or enhance the character or appearance of the Hardwick Conservation Area (HCA); and
 - The effect of the proposal upon the character and appearance of the area.

Reasons

Listed building

4. The appeal site forms part of the existing garden area of Manor Farm House, which is a Grade II Listed Building. The appeal site comprises a number of areas which include a lawn, a vegetable garden and a former orchard. Other parts of the appeal site which are not in use are presently overgrown. There is also a single storey outbuilding within the site. The boundary of the appeal site with Lower Road is heavily treed. To the east is open countryside.

5. Manor House Farm is a large, detached property, that has been extended over the years, with its principle and most detailed elevation facing onto the walled garden at the rear. Its special interest and significance is informed by its architectural interest as a building that dates back several centuries, with the survival of key vernacular features, combined with a relationship with its surrounding land and the wider countryside.
6. Given the relationship of the appeal site, both in terms of its location and use, it is clearly associated with the listed building. In this respect however, I note that the elevation which faces towards the appeal site is very different to the other elevations, in that it is mainly functional and is not of the same visual quality as the other elevations.
7. Whilst the proposal would result in the provision of a new dwelling in relatively close proximity to Manor House Farm, a significant gap would be provided between it and the proposed development. The dwelling would also respect the position of the listed building in terms of building line and its relationship with Lower Road. Furthermore, the overall height of the proposed dwelling would be lower than Manor House Farm. The ground levels of the appeal site are also lower than those of the adjoining building and this, in combination with the height of the proposed building, would result in the development being subservient to the listed building.
8. The proposed dwelling would be set away from the existing farmhouse and further into the site. As a result, it would be viewed as a separate building. Furthermore, the building would be screened by the presence of existing landscaping. As a consequence, I do not find that the ability to appreciate the listed building would be altered, to such a degree, as to harm the significance of the building.
9. In design terms the appellant has sought to replicate an agricultural building, both in terms of its appearance and in materials and finishes. In their submission however, the Council do not consider the building to be characteristic of an agricultural barn, due to the large glazed openings, the mix of roof heights and designs, along with the various extensions which protrude from the main building.
10. Whilst the building would have a simple central structure, the additional projections and additions, do somewhat detract from the main focus of the building. However overall, I consider that the design would ensure that the proposal would appear as an agricultural building. In terms of the amount and type of fenestration, whilst the proposal would involve full height glazing within the south-west elevation, the amount and size of the openings reflects the agricultural design of the building. The use of stable doors further reinforces this approach. Furthermore, the proposed materials, which includes brick plinth and timber cladding are generally in keeping with local vernacular.
11. Drawing all these together, the appeal site forms part of the setting of the listed building. However, whilst the appeal site forms part of the garden of the farmhouse, the principle and important elevations of the building do not face towards the appeal site, as such the appeal site makes a limited contribution to the setting of the listed building. The proposal would be an agricultural style development, which due to its height and massing and overall relationship with Manor Farm House would be viewed as being subservient to the main building. In this respect, I consider that the proposal would therefore preserve the

setting of the Grade II listed Manor Farm House and I find that the overall historic significance of the listed building would not be harmed.

12. I have had regard to my duty under S66(1) of the Town and Country Planning (Listed Building and Conservation Areas) Act 1990 as to the listed building. Accordingly, I conclude that the appeal scheme would preserve the setting of Manor House Farm and would not harm its significance. Therefore, the proposal accords with Policy BE1 of the Vale of Aylesbury Local Plan (VALP) and Section 16 of the Framework.

Conservation Area

13. The application site falls within Hardwick Conservation Area (HCA), which covers the majority of the village and contains a number of spaces and key buildings, including the appeal site, some of which are listed. These identify and define the historic development pattern and historic land use of the village. The form, scale, materials and detailing of these buildings, along with the open and verdant nature of the area are defining features of its character and appearance. The significance of the HCA therefore lies in the way it includes a range of buildings, their vernacular details and spaces that reflect the historic growth of this rural settlement.
14. Section 72(1) of the Town and Country Planning (Listed Building and Conservation Areas) Act 1990 identifies the desirability of preserving or enhancing the character or appearance of the Conservation Area. This is reflected by Policy GP.53 which requires new developments in and adjacent to conservation areas to preserve and enhance their character and appearance. Policy BE1 of the VALP identifies that all development should seek to conserve heritage assets in a manner appropriate to their significance, including their setting.
15. The provision of a new dwelling would ultimately change the nature and character of the appeal site. However, in this respect I note the appeal site is already in residential use, although it is predominately open and undeveloped. The erection of a permanent dwelling would change the character through the introduction of new built development. However, this does not automatically mean that this would result in harm to the HCA. As already highlighted under the first main issue, the building would appear agricultural in its design and would, when seen from surrounding viewpoints, be subservient to Manor Farm House. In this respect, the overall appearance of the building would be in keeping with its surroundings, with its design and siting complementing surrounding buildings.
16. The proposed dwelling would be set back from Lower Road and would retain an undeveloped and open element, where new landscaping would be provided. The existing trees along the frontage would be retained. This would ensure the existing verdant character of this part of the HCA is preserved. Furthermore, these trees currently provide only a limited opportunity to appreciate the existing listed building with the countryside beyond. The introduction of the dwelling, due to its siting, would not materially change these views. In this respect the proposal would preserve the character and appearance of the HCA.
17. Drawing these aspects together, the proposal would not harm the architectural interest of the HCA. Furthermore, whilst the proposal would introduce an urban form of development onto the site, due to its scale and siting, it would

not appear as a dominant form of development. Existing trees along the frontage would be retained, along with an element of landscaped frontage. As such, the proposal would preserve the overall character and appearance of the HCA.

18. I have had regard to my duty under S72(1) of the Town and Country Planning (Listed Building and Conservation Areas) Act 1990 as to the desirability of preserving or enhancing the character and appearance of the Conservation Area. Accordingly, I conclude that the appeal scheme would preserve the character and appearance of the HCA and therefore, in this respect, accords with Policy BE1 of the VALP and Section 16 of the Framework.

Character and appearance.

19. The introduction of residential development and associated activity onto the currently open and mainly undeveloped appeal site, would extend built development closer to the open countryside. However, in this respect, the appeal site is located on land that is currently in residential use. As such, it exhibits a different characteristic to the countryside to the east of the appeal site, which is predominately open and devoid of built development. Furthermore, the appellant has drawn my attention to the designation of the land to the east as an Area of Attractive Landscape, which whilst bordering it, does not include the appeal site within it. For me, this supports my overall conclusion that, whilst the appeal site is open and mainly undeveloped, it has more in common with the settlement than the countryside. Therefore, whilst this land may currently be an area of transition between the existing built development and the countryside, in my view, it forms part of the village.
20. Careful attention has been paid to the overall design of the dwelling, the proposed materials to be used and the provision of additional landscaping. Furthermore, the overall scale, bulk and massing of the proposed dwelling would be subservient to and in keeping with those around it. Therefore, when viewed from within the village, or from the wider countryside, the proposed development would be in keeping with its location on the settlement edge.
21. For the above reasons, I therefore conclude that the proposed development would not harm the character and appearance of the area and, in this respect, would accord with Policies GP.35 and RA8 of the Aylesbury Vale Local Plan (AVLP) and Policies BE2 and NE4 of the VALP and the Framework.

Conditions

22. The conditions suggested by the Council have been considered in light of the advice contained within the Framework and the National Planning Practice Guidance. A standard implementation condition, along with a requirement to implement the scheme in accordance with the approved plans is necessary.
23. To ensure the safeguarding of the character and appearance of the area, a condition is necessary with regards to the provision of all external materials. For the same reason it is appropriate to require the submission of a hard and soft landscaping scheme, along with details of new boundary treatments and the retention of the existing boundary wall. It is also necessary to require the submission of full details of proposed finished levels to protect the character of the area and nearby buildings.

24. To protect highway safety, it is appropriate to attach conditions to ensure the access is altered to comply with current standards and to ensure that the proposed parking, garaging and turning arrangements are provided and retained in accordance with the submitted plans.
25. It is necessary to impose a condition requiring the submission of the details of the proposed means of disposal of foul and surface water, to ensure the proposal is adequately drained.

Conclusion

26. For the above reasons, I conclude that the appeal should be allowed, subject to the conditions set out in the attached schedule.

Adrian Hunter

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall be commenced within three years from the date of this permission.
2. The development hereby permitted shall only be carried out in accordance with approved drawings GREGORY/S3/P/03-REV-A, GREGORY/S3/P/04-REV-A and GREGORY/S3/P/05-REV-A.
3. No development above damp proof course shall take place on the dwelling hereby permitted until samples of the materials proposed to be used on the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved materials.
4. No work permitted by this permission shall commence until samples / details of the windows and doors to be used in the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved details.
5. No development shall take place on the dwelling hereby permitted until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. For hard landscape works, these details shall include; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials where relevant. For soft landscape works, these details shall include new trees and hedgerows and trees to be retained showing their species, spread and maturity, planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities. These works shall be carried out as approved prior to the first occupation of the development so far as hard landscaping is concerned and for soft landscaping, within the first planting season following the first occupation of the development or the completion of the development whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
6. No development shall take place on the building hereby permitted until details of all screen and boundary walls, fences and any other means of enclosure, including a scheme for the retention of the existing wall along the site frontage have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter only be carried out in accordance with the approved details and the building hereby approved shall not be occupied until the details have been fully implemented.
7. No development shall take place until full-details of the finished levels, above ordinance datum, of the ground floor of the proposed building, in relation to existing ground levels have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with a scheme of work that shall first have been submitted to and approved in writing by the local planning authority.

8. No part of the development shall be occupied until the existing means of access has been altered/upgraded to comply with Buckinghamshire County Council's guide note "Private Vehicular Access Within Highway Limits 2013".
9. The scheme for parking, garaging and manoeuvring indicated on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose.
10. Works on site shall not commence until details of the proposed means of disposal of foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved scheme of drainage.