

Appeal Decisions

Site visit made on 13 July 2021

by S Edwards BA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 September 2021

Appeal A Ref: APP/K0425/W/20/3257987

Routs Green Farm, Retreat Lane, Bledlow Ridge HP14 4AT

- 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 Angell against the decision of Buckinghamshire Council – Wycombe Area.
 - The application Ref 20/05848/FUL, dated 27 March 2020, was refused by notice dated 3 June 2020.
 - The development proposed is demolition of the detached barn, annex and porch and erection of extension with basement area, internal alterations and erection of detached 3-bay garage to front, landscaping to garden with associated hard and soft landscaping.
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Appeal B Ref: APP/K0425/Y/20/3257988

Routs Green Farm, Retreat Lane, Bledlow Ridge HP14 4AT

- 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 Angell against the decision of Buckinghamshire Council – Wycombe Area.
 - The application Ref 20/05849/LBC, dated 27 March 2020, was refused by notice dated 3 June 2020.
 - The works proposed are demolition of the detached barn, annex and porch and erection of extension with basement area, internal alterations and erection of detached 3-bay garage to front, landscaping to garden with associated hard and soft landscaping.
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Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matters

3. The revised National Planning Policy Framework (the Framework) published on 20 July 2021 sets out the Government's planning policies for England. Policies within the Framework are material considerations which should be taken into account for the purposes of decision-making from the date of its publication. The parties were given the opportunity to comment on this matter, and I have had regard to the updated Framework for the determination of these appeals.
4. On 1 April 2020, Wycombe District Council ceased to exist and became part of a new Unitary Authority known as Buckinghamshire Council. I have determined the appeals on this basis.

5. The appeal scheme affects a listed building, and I shall therefore have special regard to sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act). Both appeals relate to the same site and raise similar issues, and I shall therefore consider them in a single document, in the interests of brevity.
6. The description of the proposed development and works as detailed on the application form has been amended in subsequent documents. I have adopted the description included within the appeal form, which sets out accurately and precisely the extent of the proposed development and works.

Main Issues

7. The main issues are:
 - Whether the proposal would constitute inappropriate development in the Green Belt, having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - The effect of the proposal on the openness of the Green Belt;
 - The effect of the proposal on the character and appearance of the surrounding area, including the landscape and scenic beauty of the Chilterns Area of Outstanding Natural Beauty (AONB);
 - The effect of the proposed development and works on the special interest of the Grade II listed building known as Routs Green Farmhouse and the curtilage listed barn; and
 - If found to be inappropriate development, whether the harm, by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the proposal.

Reasons

Whether inappropriate development

8. The appeal site comprises a Grade II listed property located within the Green Belt. The Framework sets out that inappropriate development is, by definition, harmful to the Green Belt, and should not be approved except in very special circumstances. Paragraph 149 c) permits the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.
9. Policy DM43 of the Wycombe District Local Plan¹ (LP) is broadly consistent with the Framework, in that it requires extensions of dwellings located in the Green Belt to be limited in scale. Where the volume of the original dwelling is between 240 and 720 cubic metres, the policy stresses that the total volume of the resulting building shall be no more than the volume of the original building plus 50%.
10. The supporting text to Policy DM43 explains that the baseline in each case is the original building, which is the building as it existed on 1 July 1948 or, if the first building was constructed later than this, the first building constructed.

¹ Adopted August 2019.

There is however significant disagreement between the main parties regarding the size of the original building, and in particular whether the volume of the barn should be included within the calculations, to establish the permissible scale of any additions.

11. I understand that the site benefits from an extant planning permission² to construct an extension, which would increase the cumulative volume of the property by approximately 58%. However, and whilst the existence of an extant approval may constitute an important consideration, my role as the decision-maker is to assess whether or not the scheme before me would be materially larger than the existing building which it is proposed to alter and extend.
12. Historic maps show that the site once comprised the farmhouse and a number of adjoining structures, several of which are no longer present. It is argued that the size and scale of the 'original building' in 1948 was significantly larger than the remaining volume of the original building now on site. Neither the supporting text to Policy DM43 nor the definition included in Annex 2 to the Framework explicitly state that the whole of the original building shall remain in existence. However, there is limited evidence before me to ascertain whether the curtilage listed barn and former structures formed part of the original dwelling which the appellants are seeking to extend.
13. It is also of note that the proposed basement level does not appear to have been included within the calculations, even though the supporting text to Policy DM43 emphasises the need to assess three dimensional mass, including any basement. As confirmed by the Courts³, this is a material consideration which should be taken into account in determining whether the building would or would not be materially larger.
14. Even if I were to accept that the volume of the proposed additions would fall within the allowance set out by Policy DM43, this is only part of the assessment to establish whether an extension would constitute a disproportionate addition over and above the size of the original building. The assessment requires a matter of planning judgment, having regard to other factors.
15. Setting the volume calculations aside, it is clear that the appeal scheme, due to the floor space, footprint and overall scale and massing of the extensions, would amount to a disproportionate addition over and above the size of the original building. For these reasons, the proposal would constitute inappropriate development in the Green Belt. The appeal scheme would therefore fail to accord with LP Policies CP8 and DM43, and paragraph 149c) of the Framework, which seek to protect the Green Belt from inappropriate development.

Openness

16. A fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Although not defined in the Framework, openness is identified as one of the essential characteristics of the Green Belt. The Courts⁴

² Local Planning Authority Reference 19/06100/FUL.

³ *Feather v Cheshire East Borough Council v Mr Christopher Wren and Mrs Susan Wren* [2010] EWHC 1420 (Admin).

⁴ *Turner v SSCLG & East Dorset Council* [2016] EWCA Civ 466.

have subsequently confirmed that the openness of the Green Belt has a spatial aspect as well as a visual aspect.

17. Although it is to some extent screened by mature landscaping along parts of the site's boundaries, the appeal property lies in an open and prominent position, within the highly sensitive landscape setting of the Chilterns AONB. It is accepted that the demolition of the garage and garden room would restore openness within part of the site, but this would be largely negated by the construction of a new addition along the site's northern boundary. Similarly, the gain in openness resulting from the loss of the extension and barn would be replaced by new, larger additions which would, in part, be constructed on land where there are presently no buildings.
18. As noted above, the appeal scheme would represent a considerable increase in built development within the site. Consequently, the proposal would reduce openness, both in visual and spatial terms, which would add to the harm by reason of inappropriateness, contrary to the Framework.

Character and appearance

19. The appeal site is located within an area of rural character which, in the main, only comprises a few scattered residential properties set within spacious open plots with open fields beyond. As noted above, Routs Green Farm lies within the Chilterns AONB and there is no doubt that the surrounding landscapes provide the site with an attractive rural setting.
20. Whilst it is noted that some of the existing structures are proposed to be demolished, the scale of the appeal scheme would overall be significant. In particular, it is of note that the footprint, depth and massing of the flat roof projection would be considerably larger than the historic farmhouse. It would overwhelmingly dominate the listed building and fail to remain subservient to the host building. This new rear addition is proposed to be set into the hillside and buried into the ground, but this would only partially reduce its visual impact within the AONB.
21. The identified harm would be exacerbated by the assertive contemporary design approach of this addition, which would be constructed with a flat roof and include vast expanses of glazing. Whilst it is unobjectionable in isolation, the design of the rear extension would, together with its excessive scale and horizontal emphasis result in a form of development which would appear at odds with its surroundings. Furthermore, the proposed built form would encroach significantly into what currently largely remains an undeveloped open area. In so doing, the appeal scheme would erode the rural character of the site and undermine its role as an integral part of the surrounding landscape.
22. The proposal is supported by a Landscape and Visual Impact Assessment⁵, which shows that in selected views, the development would be screened by the existing vegetation, and I have no reasons to question that this would not be the case from certain positions and at certain times of the year. However, there is no certainty that the proposed development would be similarly screened especially during the winter months, when trees are not in leaf. I am also concerned that some of these views may rely on off-site vegetation, which is

⁵ Reference 6663.LVIA.02 (dated March 2020).

not guaranteed to remain in place for the lifetime of the development. This limits the weight which can be afforded to this consideration.

23. For the foregoing reasons, the appeal scheme would unacceptably harm the character and appearance of the surrounding landscape, and fail to conserve and enhance the landscape and scenic beauty of the Chilterns AONB, to which I ascribe great weight, in accordance with paragraph 176 of the Framework. The proposal would therefore be contrary to LP Policies CP9, CP10 and DM30. Amongst other things, these seek to ensure that proposals conserve the natural and historic environment whilst also protecting and where possible enhancing the natural beauty of the Chilterns AONB. The appeal scheme would also not accord with LP Policy DM35, which sets out the Council's approach to securing high quality design in development, accompanied by a strong sense of place.

Heritage

24. The appeal property is a handsome farmhouse which, according to the listing description, dates from the 17th century and was subsequently extended in the 18th and 19th centuries. The listed building retains much of its historic character, as exemplified by the original bay, which is of timber frame construction, with brick infill and a flint plinth. The significance of this Grade II listed farmhouse derives primarily from its architectural and historic interest as a typical vernacular cottage, which would have in all likelihood been constructed to provide accommodation for an agricultural worker.
25. The appeal site also comprises a detached barn, which is classified as a curtilage listed building under Section 1(5)(b) of the Act, and its preservation therefore carries the same considerable importance and weight as the principal listed building. Whilst it has been subject to a number of unfortunate alterations and repairs, the building holds significant architectural historic interest, through the use of local materials and by reflecting traditional methods of construction which are characteristic of the Chilterns area. As the sole surviving structure of a former collection of utilitarian agricultural buildings associated with the farmstead, the barn also retains considerable historic interest. As such, the curtilage listed barn makes an important contribution to the significance of the Grade II listed farmhouse.
26. The appeal scheme includes the construction of a large extension with flat roof which, as noted above, is characterised by its contemporary design and horizontal emphasis. As shown in the appellants' submissions, which include references to several large, contrasting extensions to listed buildings in other parts of the country, a modern design approach is in some instances appropriate. However, the proposed rear extension would, by virtue of its excessive width, depth and overall scale, harmfully contrast with the simplicity of the farmhouse, and its earlier modest size. As a result, it would dominate the host property, to the detriment of its significance. This, together with the contemporary design approach, would fail to reflect the vernacular design which characterises the listed building.
27. Furthermore, the siting of the extension would appear at odds with the loose arrangement which would have historically defined the courtyard. This would be exacerbated by the formal appearance of the proposed landscaping scheme, which would detract from the presently understated nature of the garden, thus causing harm to the setting of the listed farmhouse.

28. Whilst the Structural Inspection⁶ carried out on behalf of the appellants has identified a number of issues, there is no suggestion that the detached barn could not be repaired and either carry on being used for storage or repurposed. I therefore see no justification for the demolition of this curtilage listed barn, as its loss would erode the special interest of the Grade II listed farmhouse, and have a harmful effect on the understanding and appreciation of the former farmstead.
29. The proposed development and works would cause less than substantial harm to the special architectural and historic interest of Routs Green Farm and the curtilage listed building, to which I ascribe considerable importance and weight. In such circumstances, paragraph 202 of the Framework requires the harm to be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
30. It is suggested that the appeal scheme would safeguard the listed property for future generations, although there is no substantive evidence before me suggesting that the continued occupation of the listed property is dependent on the proposed development and works. The demolition of the existing garage, which is of little architectural interest, and the construction of a new structure to the south-east of the farmhouse would assist with re-instating the loose courtyard plan which would have historically characterised the farmstead, and enhance the setting of the listed building. However, when considering the harm that the proposed development and works would cause to the special interest of the farmhouse and its setting, as well as the curtilage listed barn, such harm would not be outweighed by the public benefits associated with the appeal scheme.
31. Given the above, the proposed development and works would fail to preserve the special interest of Routs Green Farmhouse and the curtilage listed barn. Accordingly, the appeal scheme would be contrary to LP Policies CP11 and DM31 which notably seek to ensure that proposals conserve and where possible enhance the significance, special interest, character and appearance of heritage assets.

Other considerations

32. The Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved, except in very special circumstances. Paragraph 148 adds that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
33. The appellants have identified a number of benefits and factors in favour of the proposal which, they feel, would constitute very special circumstances when combined together. My attention has been drawn to the design and landscaping quality of the appeal scheme, which it is argued, would include sustainability measures, enhance the setting of the listed farmhouse and improve the ecological value of the site. Other presented benefits include the removal of a number of poor quality outbuildings. Furthermore, the appellants have indicated that the proposed development and works would safeguard the listed building for future generations, although no substantive evidence has been

⁶ The Cox Clifford Partnership, Job No:11457, dated 29 June 2020.

presented in this regard, thus limiting the weight which can be afforded to this consideration.

Planning Balance

34. The proposal would constitute inappropriate development in the Green Belt and would reduce openness. In accordance with the Framework, I give substantial weight to the harm which would be caused to the Green Belt and openness. Furthermore, significant weight is afforded to the harm which would be caused to the landscape and scenic beauty of the Chilterns AONB. Great weight is ascribed to the harm which the proposed development and works would cause to the special interest of the listed building and the curtilage listed barn. The appeal scheme would therefore conflict with national and local planning policy.
35. Against that, I afford some weight to the benefits which the proposal would bring to the living conditions of existing and future occupiers of the property. Moderate weight is also afforded to the sustainability and ecological measures associated with the appeal scheme. Some weight is ascribed to the demolition of the outbuilding and garage, which is proposed to be relocated closer to the dwellinghouse. The proposal would assist with safeguarding the long-term future of the listed property, but so would the previously approved scheme. I attach significant weight to the extant scheme, not least because it may represent a 'fallback' which the appellants could implement in full, but also as an indication that some acceptable works can be carried out, whilst ensuring the retention of the curtilage listed barn.
36. Overall, the harm resulting from the proposed development and works would not be clearly outweighed by other considerations advanced in support, whether taken individually or cumulatively. Consequently, the very special circumstances that are necessary to justify inappropriate development in the Green Belt do not exist.

Conclusion

37. There are no considerations which indicate that the appeals should be determined, other than in accordance with the development plan. For the reasons detailed above, and having regard to all other matters raised, I conclude that both appeals should be dismissed.

S Edwards

INSPECTOR