



Appeal Decision

Site visit made on 9 May 2022

by B Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 June 2022

Appeal Ref: APP/J0405/W/21/3279256

Land off Salden Close, Drayton Parslow MK17 0JY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by Mr & Mrs Matthew & Alison Williams against Buckinghamshire Council - North Area (Aylesbury).
 - The application Ref 21/00677/APP, is dated 18 February 2021.
 - The development proposed is the erection of two semi-detached dwellings with attached garages.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was not determined by the Council within the statutorily prescribed 8-week timeframe. As such, following the submission of an appeal it falls to me to determine whether planning permission should be given.
3. The appeal site forms a corner of a larger field that was recently subject to an appeal¹ for five dwellings. The appeal was dismissed on the grounds that the proposal would harm the character and appearance of the area, would not preserve the setting of adjacent heritage assets and would not be a suitable location for housing in strategic housing terms. Although each case must be considered on its own merits, I have had regard to this decision as an important material consideration where appropriate.

Policy Background and Main Issues

4. The Council has stated that had it determined the application it would have found the proposal to be in conflict with its housing land strategy and would harm the setting of the adjacent conservation area and listed building. As such the Council consider that the scheme would conflict with policies S1, S2, S3, BE1, BE2, NE4, NE5, T1 and D4 of the Vale of Aylesbury Local Plan 2021 (LP).
5. The appeal site is located at the end of Salden Close within Drayton Parslow, and consists of a paddock on the edge of the village. The village is defined as a 'smaller village' by Table 2 of the LP. Policies S2 and S3 establish the Council's approach to its settlement hierarchy. Policy S3 explains that the scale and distribution of development should accord with the settlement hierarchy as set out in Table 2. Table 2 explains that small-scale development could be

¹ Appeal Decision Reference: APP/J0405/W/20/3264773

appropriate as it would help maintain existing communities. It explains that such sites would need to be considered against relevant policies in the plan.

6. Policy D4, of the LP, relates to residential development at smaller villages. This includes the requirement for such sites to be substantially enclosed by existing built development, to not adversely affect the character and appearance of the settlement and to not have a significant adverse impact on environmental assets including the historic environment.
7. As such, the main issues are:
 - The effect of the proposal on the character and appearance of the area, and
 - The effect of development on the nearby heritage assets including the Drayton Parslow Conservation Area (DPCA) and Chestnut Farmhouse, a grade II listed building.

Reasons

Character and appearance

8. Drayton Parslow has a largely linear pattern of development with buildings predominantly concentrated along Main Road. The buildings, whilst relatively close knit, provide some gaps between them. As such, roadside fields and gaps between buildings, provide views of the open countryside from the village. Salden Close, adjacent to the site, consists of modern detached and semi-detached dwellings. This has added a secondary tier of development to the rear of several plots of buildings of Main Road, eroding the historic pattern of Main Road to some extent. The appeal site is a paddock with a gently sloping gradient. It is also behind houses that address Main Road and connects to open land to its side and rear. It therefore complements the paddocks and fields that surround the village. As such, the site makes a positive contribution to the rural character and appearance of the area.
9. The proposed development consists of two semi-detached dwellings. The proposed access road would be rural in character with limited kerbing and would not include external lighting. However, the form of development would not reflect its edge of settlement location where development would often become more dispersed to reflect its transition into the open countryside. Furthermore, the proposed development would introduce housing into the corner of a paddock which is current absent any substantive built form. Accordingly, it would encroach into an area of open land beyond the recognised edge of the settlement.
10. Although the settlement is not defined by a boundary within the development plan, such intrusion would fundamentally alter the appearance of the paddock with the proposal intruding into this space. The proposal would accord with the suburban style of houses along Salden Close and their established front building line. However, the proposed dwellings would be positioned at the highest point of the paddock and overlook the remaining field, diminishing the value it provides to the surrounding open context. Consequently, this relationship would result in an awkward juxtaposition between built form and the retained part of the field and surrounding countryside, resulting in unsatisfactory piecemeal development.

11. I have had regard to the appellant's Landscape Visual Assessment, however due to the site makes an important contribution to the surrounding rural context. The appeal site is adjacent to the settlement edge on two sides. However, it is also adjacent to open land to its rear and east side and is not substantially enclosed by built form. Although Chestnut Farm is located to the east this plot has a dispersed character where development is focused towards Main Road, retaining a largely open character behind most of the range of buildings. Moreover, the imposition of conditions, such as to secure specific landscaping, materials or boundary treatment, would not mitigate the effect of the proposal on the open character of the site. Thus, I find mainly through their relationship to existing development, the proposed dwellings would represent incongruous development that would harm the rural character and appearance of the area.
12. Accordingly, the proposal would conflict with LP policies S1, S2, S3, NE4, NE5, T1, D4 and BE2, the National Planning Policy Framework (The Framework) and the National Design Guide. These policies seek, among other matters, for development to respect and complement the vernacular character of the area and to respect the character of the area in terms of settlement form and field pattern.

Heritage assets

13. The site is adjacent to the DPCA, which consists of two parts. These are focussed around Holy Trinity Church to the west of the village and the junction of Main Road and Highway, to the east. The appeal site is within the setting of the east part of the DPCA. Paragraph 199 of the Framework requires great weight to be given to an asset's conservation when considering the impact of a proposal on its significance. The Council's DPCA Appraisal² identifies that the two historic cores of the village have retained much of their integrity and character, containing a number of buildings of historic interest. Although later infill development has occurred between these areas, the parcels within the split conservation area mostly retains a linear character, especially the eastern parcel.
14. Buildings within the conservation area largely address the street in close knit formations that are set close to the highway. The site is not identified within the Council's Appraisal as contributing an important view to the conservation area. However, the site is the first of several plots behind Main Road that demonstrates the linear pattern of the historic eastern part of the village, with open land behind, that continues along a significant length behind Main Road eastwards. The site is visible from several public vantage points and private viewpoints. In these views the site makes a positive contribution to the countryside setting of the village. It therefore complements the predominant character of open land around the periphery of the DPCA. Accordingly, the appeal site makes a positive contribution to the village's landscape setting and its historic pattern of development.
15. The siting of the proposed scheme would enable some views from Salden Close, through the site, to still be obtained to the east. Nonetheless, the proposal would enclose part of the existing paddock. By introducing built form beyond 7 Salden Close, the proposal would further erode the historic pattern of plots and buildings along Main Road. This would create a sense of disconnect

² Drayton Parslow Conservation Area Appraisal 2004

between this part of the conservation area and its surrounding countryside. The effect of this would be to harm the setting of the DPCA.

16. In accordance with my statutory duty³ I am required to pay special attention and have regard to the desirability of preserving the setting of listed buildings. Chestnut Farmhouse is a half-hipped thatched roof dwelling that originates from the C16. It retains many interesting architectural features including its timber frame, casement windows and brick stacks. It includes a range of barns and outbuildings that are perpendicular to the highway and partially extend into its deep plot. The significance of the listed building seems to derive from its age, architectural interest and traditional rural form.
17. The appeal site is within a field that shares a boundary with the grounds of the listed building. It appears that the north-west end of the barn range dates from C19, with evidence indicating that the rearmost section was added later in the C20. Although of lessened historic significance, this forms a curtilage listed building and illustrates the ongoing evolution of the site. The site is in a corner of the paddock and is set away from the heritage asset. Interconnected views of the listed building are largely screened from the appeal site by intervening landscaping with only the rearmost part of its barn visible. Furthermore, a substantial parcel of open land would be retained between the site and the curtilage of the listed building. As such, due to the separation distance and screening the proposal would not materially erode the rural character around the listed building and preserve its setting.
18. Despite finding no harm to the setting of Chestnut Farmhouse, the proposal would harm the setting of the conservation area, to which I have applied great weight. Accordingly, the proposal would conflict with LP policy BE1, which seeks development that would preserve the character and appearance of the setting of a conservation area.
19. The harm identified to the DPCA would be 'less than substantial'. Paragraph 202 of the Framework, states that where harm to a heritage asset would be 'less than substantial' this should be weighed against the public benefits of a proposal. The proposed dwelling would contribute towards local housing supply and make a small contribution to the local economy both during and post construction. However, even if considered 'public benefits' these would not outweigh the harm found to the conservation area, which the Framework identifies as an irreplaceable resource.

Other Matters

20. A site on Chapel Lane was approved in 2017 for the erection of five dwellings at appeal⁴. That site is also adjacent to the DPCA and on the edge of the settlement. There are some contextual similarities to the proposal the subject of this appeal. In that case, the inspector identified that the scheme would form a logical part of the village and would complement the established pattern of built development. However, the proposal the subject of this appeal is not directly comparable. The appeal site stands within a different context and would contrast starkly with the linear pattern of development within this part of the conservation area.

³ Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

⁴ Planning Appeal Reference: APP/J0405/W/31168864

21. The proposal would deliver two small family houses, contributing to local supply. Also, future occupiers would be likely to assist in sustaining local facilities and services. However, the benefits garnered from two dwellings would represent only a limited gain to the local community on this basis.

Conclusion

22. The proposal would harm the character and appearance of the area, undermine the Council's spatial housing policy and would conflict with the development plan when taken as a whole. This scheme would not therefore represent sustainable development. Therefore, I conclude that the appeal should not succeed and planning permission is refused for the above reasons.

B Plenty

INSPECTOR