



Appeal Decision

Site visit made on 7 June 2022

by Mr JP Sargent BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 June 2022

Appeal Ref: APP/X0415/D/22/3290994

Orchard Cottage, Mopes Farm, Denham Lane, Chalfont St Peter SL9 0QH

- 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 Andrew Edgar against the decision of Buckinghamshire Council.
 - The application Ref PL/21/4376/FA, dated 12 November 2021, was refused by notice dated 7 January 2022.
 - The development proposed is a 2-storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are
 - a) whether it would be inappropriate development in this Green Belt location, and
 - b) whether its effect on the setting of the Grade II listed Mopes Farmhouse would cause harm to the significance of that designated heritage asset.

Reasons

Green Belt

3. The *National Planning Policy Framework* (the Framework) says that, in the Green Belt, inappropriate development is, by definition, harmful and the construction of new buildings should be regarded as inappropriate. Framework paragraph 149 then lists the exceptions to this, one of which is the extension of a building provided that it does not result in disproportionate additions over and above the size of the original building.
4. This position is reflected in the *Chiltern District Local Plan*. Policy GB2 says 'limited' extensions to dwellings will not be inappropriate, while Policy GB13 says 'subordinate' extensions will be permitted.
5. The Framework does not define what is meant by disproportionate. Moreover, no precise definition is given in the upper case of the Council's 2 policies as to how 'limited' or 'subordinate' should be interpreted. Approaching the policies in the light of the Framework, I consider I am required to assess whether this would result in a disproportionate addition in terms of its size. This is a separate exercise to a consideration of its visual impact on the surroundings or its effect on openness. Both parties have used floor area as a basis to measure

whether or not this extension would be disproportionate, and I consider such an approach to be reasonable.

6. There are no other additions to the original dwelling at present, and the Council said what is before me would increase the floor area of Orchard Cottage by some 25%. Taking account of the context of policy and guidance given above, in my opinion this increase would not be a disproportionate addition to the house. I also find it would be of a size and scale that mean it can be considered as an extension that was both '*limited*' and '*subordinate*'.
7. An appeal for a similar extension was dismissed at the property in 2021, but in that case the proposal was larger, and would have increased the floorspace by some 35%. What is before me is therefore appreciably smaller, which constitutes a material difference between this case and that previous appeal.
8. Accordingly, I conclude this would not be inappropriate development in the Green Belt, and so would not conflict with the Framework or Policies GB2 and GB13 in the Local Plan.

The effect on the listed building

9. As this would not be inappropriate development under the Framework, there is no requirement to assess its impact on the openness of the Green Belt.
10. To the north is the listed Mopes Farmhouse, which dates from 16th Century, albeit with subsequent additions. The significance of this designated asset lies partly in its architectural detailing, and partly in its age. To my mind, its relatively open context, when seen from the communal land to the rear, contributes positively to an understanding of the building. This is because it alludes to the rural landscape in which it would have been built, and emphasises the historic link to the countryside that was, to a large degree, the reason behind its construction.
11. Although some 32m apart, the appeal property and Mopes Farmhouse are clearly visible together when on the communal land. Orchard Cottage is relatively new, having been granted planning permission as 'enabling development' to facilitate the restoration and reuse of the listed building. With a simple form and roof structure, it has timber boarding on 3 of the elevations with low eaves so, at first floor level, the rooms are served by windows in the gables or by rooflights. As a result, the side elevations and northern gable have a relatively solid appearance. These factors combine to allude to it being a subservient building near to the farmhouse that had agricultural origins as a barn or similar. Therefore, despite its age, it respects its location in the countryside, and contributes positively to the farmhouse's setting and significance by adding to an impression of its rural past.
12. In considering whether to grant planning permission for development which would affect a listed building's setting, special regard should be given to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest it possesses. The Framework emphasises that heritage assets are an irreplaceable resource and great weight should be given to their conservation. It adds that any harm to the significance of a designated heritage asset from development within its setting should require clear and convincing justification.

13. The proposed extension would project from the centre of the rear elevation. Although timber-clad, it would have a half-hipped roof and relatively large windows. To my mind, the added complexity from the roof treatment, together with the scale and design of the windows, would make the building more residential and domestic in character, so drawing it away from having apparently agricultural origins. The scheme would therefore erode the composition of buildings around Mopes Farmhouse, and diminish the contribution the appeal property currently makes to maintaining a rural setting for the listed building. As a result, harm, albeit less than substantial, would be caused to the significance of the designated heritage asset, as its rural past as a farmhouse would be less apparent.
14. In assessing this point, I have noted the Appellant's contention that there is a height difference of some 2.4m between the 2 buildings. However, despite this they are still visible together. Moreover, any impact this may have is diluted by the distance involved and the diverse roof heights at the farmhouse.
15. The Framework says that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation, with any harm to its significance requiring clear and convincing justification. If less than substantial harm is identified to a designated heritage asset, it should be weighed against the scheme's public benefits. Local Plan Policy LB2 seeks to resist development that adversely affects the setting of a listed building, yet it makes no reference to the possibility that such harm could be outweighed by public benefits. This is therefore inconsistent with the Framework in this regard, and so the weight I can afford to any conflict with this policy is reduced.
16. The Appellant has noted the works would sit well on Orchard Cottage, and would create a 4-bedroomed dwelling that would not be excessive on a plot of this size. Such matters though in my opinion amount to private benefits rather than public ones, and do not justify the harm that would result. I am aware of no other public benefits of substance that need to be taken into account.
17. Accordingly, I conclude the development would harm the character and appearance of the area. It would also cause less than substantial harm to the significance of the designated heritage asset, and this harm is not outweighed by any public benefits. As such, it would conflict with Local Plan Policies GC1, LB2 (insofar as it is consistent with the Framework) and H15, and Policy CS20 in *Core Strategy for Chiltern District*, which, together require development to be in keeping with its surroundings, and safeguard listed buildings. It would also conflict with the Framework.

Conclusion

18. The appeal is therefore dismissed.

JP Sargent

INSPECTOR