



Appeal Decision

Site visit made on 18 October 2022

by Nichola Robinson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th November 2022

Appeal Ref: APP/J0405/W/22/3298213

Land off Chapel Lane, Turweston NN13 5JA

- 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 R Sollis (MAP-R Developments Ltd) against the decision of Buckinghamshire Council.
 - The application Ref 20/03979/APP, dated 15 November 2020, was refused by notice dated 17 December 2021.
 - The development proposed is demolition of existing garage building and erection of two detached dwellings with access, parking and amenity space together with a replacement garage.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the surrounding area and whether the development would preserve or enhance the Turweston Conservation Area and the setting of the Grade II Listed Buildings at Manor Farm House and Manor Farm Barn.

Reasons

3. The appeal site forms part of a field located on Chapel Lane in the village of Turweston. The site contains a garage and is bordered by a thick screen of vegetation. A public footpath¹ runs along the site's western boundary connecting Chapel Lane and Main Street. The site is located at the southern edge of the village and the surrounding land to the south and east is generally open fields, except for a small row of dwellings along South Bank to the southeast of the site.
4. The site is located within the Turweston Conservation Area (CA), the boundary of which covers most of the village. The prevailing character of the area is that of dwellings in a traditional rural vernacular and the village retains a strong sense of historic identity. This, and the use of traditional materials such as stone gives the village a distinctive tight-knit and verdant rural character and appearance that reflects the historic linear settlement pattern. The physical relationship with the open countryside makes a positive contribution to the character and appearance of the CA and contributes to its significance. The site forms part of views into and out of the village and marks a transition from the

¹ ref: TUW/12/1

traditional village vernacular to a more rural character, making a positive contribution to the character and appearance of the area and the CA.

5. The Vale of Aylesbury Local Plan 2013-2033 (2021) (VALP) does not define settlement boundaries. Consequently, it is a matter of judgement whether the appeal site lies within the existing developed footprint of the village where new residential development may be acceptable in accordance with VALP Policies S3 and D4. The appeal site is an open field beyond the continuous built form of the village and has a stronger physical relationship to the open countryside than the built-up area of the village. Therefore, it does not accord with the definition of existing developed footprint set down in VALP Policy D4 and lies in the open countryside, in which VALP Policy S3 sets out that new development should have regard to maintaining the individual identity of villages and should be avoided, especially where it would compromise the character of the countryside between settlements.
6. An appeal at the same site was dismissed in 2020². In the previous appeal, the Inspector was of the view that the introduction of development on the field would remove its green and open nature. That, he reasoned, would interrupt the relationship between the historic core of the village and its wider rural setting. The current proposal would be confined to a smaller part of the field than the previous proposal and the number of dwellings has been reduced from 6 to 2. The proposed dwellings would be of an appropriate scale, appearance and palette of materials to the site setting and the 2 dwellings would be seen as a continuation of existing development on Chapel Lane. Whilst it is noted that the site is not located in a valued landscape as defined by the National Planning Policy Framework (the Framework), nonetheless its open nature and relationship with the surrounding countryside makes an important contribution to the character and appearance of the area. The proposal would urbanise part of this open field which would compromise views into and out of the village and would be at odds with the open and rural character of the village and the surrounding countryside, thereby harming the character and appearance of the CA.
7. The appellant has sought to amend the scheme previously dismissed at appeal. Nevertheless, these alterations have not convinced me that the CA's character and appearance would be preserved or enhanced. For the reasons given above the proposal would result in a harmful effect on the character and appearance of the CA and the surrounding area.
8. As the appeal property is within a Conservation Area, I have therefore had special regard to section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act). I find that the siting of the proposed dwellings would harm the significance of the CA. Given the size and scale of the proposal I find that the harm would be less than substantial in this instance but nevertheless of considerable importance and weight. Under such circumstances, paragraph 202 of the Framework advises that this harm should be weighed against the public benefits of the proposal. I acknowledge that the development would result in 2 dwellings which would contribute to the area's housing requirement. I therefore attach moderate weight to this public benefit. However, this would not outweigh the harm identified above to the significance

² Ref APP/J0405/W/19/3240362

of the CA, the conservation of which the Framework indicates should be given great weight.

9. The appeal site is located within the setting of 2 Grade II Listed Buildings: Manor Farm Barn and Manor Farm House. Statute requires that I pay special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest³. Manor Farm House is a grade II, 17th century farmhouse located on the east side of Main Street. Manor Farm Barn is located to the east of the Manor Farm House and is also grade II and dates from the 17th century. These buildings are considered to be of high significance by virtue of being designated as listed buildings. They primarily derive their significance from the historic and architectural interest of their built fabric. They also derive some secondary significance from their landscape setting.
10. The previous Inspector found that the proposal would harm the setting of these listed buildings. The current appeal differs as it is reduced in scale and confined to the southwest corner of the field where intervening modern development at The Old Dairy and Old Well House disrupts views of these listed buildings. This intervening development and the gently sloping nature of the appeal site are such that the proposal would not dominate views of these listed buildings. Consequently, their setting would be preserved and not harmed.
11. Given the above, I have found that the proposal would not harm the setting of listed buildings. However, it would fail to preserve or enhance the character and appearance of the CA and would result in harm to the wider rural character of the area. This would fail to satisfy the requirements of the Act, paragraph 197 of the Framework and it would conflict with those aims of VALP Policy BE1 which, amongst other matters, support development proposals that do not cause harm to, or which better reveal the significance of heritage assets and which require development proposals that cause less than substantial harm to a designated heritage asset to weigh the level of harm against the public benefits that may be gained by the proposal. I also find conflict with those aims of VALP Policies S3, NE4 and BE2 which, amongst other matters, require that all new development proposals consider the characteristics of the landscape character area and respect and complement the physical characteristics of the site and its surroundings, avoiding new development in the open countryside where it would compromise the character of the countryside between settlements. I also find conflict with the Framework which requires that great weight should be given to the conservation of designated heritage assets and that decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting. As a result, the proposal would not be in accordance with the development plan.

Conclusion

12. Whilst I have found that the proposal would preserve the setting of the two listed buildings, the appeal proposal would result in harm to the character and appearance of the area and would fail to preserve the character and appearance of the CA. Consequently, it fails to accord with the development

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

plan taken as a whole. Therefore, for the reasons given above, the appeal should be dismissed.

Nichola Robinson

INSPECTOR