



Appeal Decision

Site visit made on 16 January 2023

by L Fleming BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th January 2023

Appeal Ref: APP/J0405/Y/22/3298345

**Winsors Farmhouse, 43 High Street North, Stewkley, Buckinghamshire
LU7 0EZ**

- 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 Ross Eades against the decision of Buckinghamshire Council - North Area (Aylesbury).
 - The application Ref 21/02282/ALB, dated 28 May 2021, was refused by notice dated 20 November 2021.
 - The works proposed are replacement of tarmac roadside apron between footpath and front gates. To be block paving under the gates continued to the footpath.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The evidence refers to a planning application for the same scheme. However, I confirm that the appeal before me concerns only the application for listed building consent.
3. Section 7 of the Planning (Listed Buildings & Conservation Areas) Act 1990 (the Act), states listed building consent is required for the demolition of a listed building or for its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest. Neither the Council nor the appellant have presented any substantive evidence to suggest that listed building consent is not required, I have therefore determined the appeal on its merits on the basis of the evidence before me.

Main Issue

4. Whether the proposed development/works would preserve the grade II listed Winsor's Farmhouse or its setting and any features of special architectural or historic interest that it possesses and whether the scheme would preserve or enhance the character or appearance of the Stewkley Conservation Area.

Reasons

5. The appeal property is a grade II listed dwelling and associated structures known as Winsor's Farmhouse (Winsor's Farmhouse) which is also within the Stewkley Conservation Area (CA). The proposal seeks to replace an existing section of tarmac hard surfacing with granite paving between the entrance gates to the appeal property and the footway of High Street North.

6. The Act requires special regard to be given to the desirability of preserving a listed building or its setting and any features of architectural or historic interest it possesses. Furthermore, paragraph 199 of the National Planning Policy Framework (the Framework) states that when considering the impact of new development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Significance of Winsor's Farmhouse and Stewkley Conservation Area

7. Winsor's Farmhouse is late C16-C17, two storey, brick and timber frame with herringbone brick infill on its main front elevation. Remodelled in C20 it has a plain tiled roof, brick chimneys and casement windows. Insofar as is relevant to this appeal the significance of the grade II listed building derives from the traditional architectural detailing of the farmhouse and the associated buildings as part of a historical farmstead now encompassed within a village.
8. The CA covers the majority of the long and narrow built-up part of a rural village, mainly following High Street North and High Street South. There are a variety of traditional properties some dating back to the medieval period. The buildings utilise traditional materials such as thatch, brick and slate and display many traditional architectural details and the village is set in a rural agricultural landscape. Thus, insofar as is relevant to this appeal, I find the significance of the CA is founded on the variety and quality of the traditional architecture, the positioning and layout of the built form in the surrounding countryside and the historical relationship of the settlement with agriculture.

Effects on the significance of Winsor's Farmhouse and Stewkley Conservation Area

9. Paragraph 194 of the Framework requires applicants to describe the significance of any heritage assets that may be affected by a proposal including any contribution made by their setting. It goes on to advise that this should be proportionate to the assets importance and sufficient to understand the potential impact of a proposal on its significance when assessed using appropriate expertise.
10. I have considered the photographs of other properties nearby in the appellant's statement of case. I also acknowledge the comments regarding being flexible with regard to the type of material used for the finished surface of the proposal. However, the most detailed plan before me is a document titled "Site entrance plan in word". However, the scale of that plan is not clear and it also does not indicate how the proposal would be constructed or finished. There are also no substantive details before me which allow me to understand the proposed method of construction along the edges of the proposed hard-surfacing or where it meets the existing boundary wall and gates.
11. Without accurate and clear details which show exactly how the proposal would be constructed and finished I cannot therefore properly assess the potential impact of the proposal on significance and therefore whether the scheme would harm the grade II listed Farmhouse or its setting and any features of special architectural or historic interest that it possesses. This includes understanding whether or not any historic fabric associated with the listed building would be affected by the proposed development.
12. The proposed area of paving appears relatively large and prominently positioned between the road and the farmhouse and a wall and gates. If it is

not sensitively constructed and finished it would have the potential to harm the setting and historic fabric of the listed building. Therefore, in the absence of substantive evidence which demonstrates otherwise, I must take a precautionary approach and find the proposal would harm the significance and fail to preserve the grade II listed building. Consequently, as I have found the scheme to be harmful to the significance of a traditional building within the CA, it follows, in this case, that the proposal would also fail to preserve the character, appearance and significance of the CA as a whole.

13. The harm I have identified to the significance of both heritage assets would be less than substantial. In which case paragraph 202 of the Framework requires it to be weighed against the public benefits of the proposals, including where appropriate, securing optimum viable use.
14. I acknowledge the comments that the existing surfacing is patchy and uneven, and the proposal would address this. However, even if I accepted this as a public benefit, it would not outweigh the great weight I must attach to the harm I have identified to the designated heritage assets.
15. In reaching these conclusions I have also noted the comments about the Council's handling of the appellant's proposals. However, I confirm I have determined the appeal on its planning merits only.
16. Overall, I find the proposal would fail to preserve the grade II listed building and its features of special architectural or historic interest and would harm the character, appearance and significance of the CA. For these reasons the scheme would fail to accord with the development plan, particularly Policy BE1 of the Vale of Aylesbury Local Plan 2013-2033 (2021) which amongst other things seeks to ensure good design and that proposals do not cause harm to designated heritage assets.

Conclusion

17. For the reasons given above and taking into account all other matters raised, I conclude that the appeal should be dismissed.

L Fleming

INSPECTOR