



Appeal Decision

Site visit made on 30 August 2023

by P J Staddon BSc, Dip, MBA (Distinction), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 September 2023.

Appeal Ref: APP/J0405/D/23/3324058

27 Baker Street, Waddesdon, Buckinghamshire HP18 0LG

- 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 & Mrs P Harris against the decision of Buckinghamshire Council.
 - The application Ref 23/00659/APP, dated 28 February 2023, was refused by notice dated 20 April 2023.
 - The development proposed is 'detached garage building in rear garden, with studio and games room in the roof, with link roof to existing summer house.'
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Decision

1. The appeal is dismissed.

Procedural matter

2. In the course of the appeal, the National Planning Policy Framework (the Framework) was updated, with a new version issued in September 2023. As the changes in the new version have no bearing on the main issue in this case, it was not necessary for me to consult the parties.

Main issue

3. The main issue is the impact of the proposal on the character and appearance of the area, including whether it would preserve or enhance the character and appearance of the Waddesdon Conservation Area (WCA).

Reasons

4. The appeal property is a former public house, The Bakers Arms, which has been converted into a dwelling house. It is situated on the south side of Baker Street in Waddesdon and within a row of dwellings. The 2-storey main building is of modest proportions and includes an ornate decorative tile panel bearing the words 'Ye Bakers Arms'. It is sited directly fronting the footway, with an outbuilding on its east side set a little further back. There is a drive width between the main building and the outbuilding (now seemingly converted to residential use) and this space is secured by an electrically operated gate.
5. To the rear of the buildings, there is a large garden¹, the eastern part of which is hard surfaced and in use for the parking of cars. The western part includes a

¹ The appellants' Design and Access Statement indicates that the whole appeal site is 'approximately 1470 square metres'.

patio and ornamental fish pond close to the house and, beyond that, a landscaped lawn. At the bottom of the garden there is a modest scale single storey summer house, sited in the south-west corner, which is timber clad with a tiled pitched roof.

6. Beyond the garden, there is a drainage ditch and some small trees and vegetation, and further south, there is a new housing development at Golden Mede, which is at an advanced stage of construction. To the east and west of the appeal site there are mature garden areas which contain some small-scale sheds and garden buildings, along with attractive vegetation and trees, some of which are quite large.
7. The appeal premises and its garden fall within the designated WCA, which covers the historic village core and Waddesden Manor to the west of the village. The new development at Golden Mede, and the gardens to the west, relating to dwellings at Baron's Court, are outside the WCA.
8. The appeal proposal would comprise a 2-storey building positioned at the southern end of the garden. It would span most of the space between the existing summer house and the eastern garden boundary. It would include 3 garage spaces, a workshop and a lobby at ground floor level, the lobby providing a staircase to the first-floor spaces, which are notated as 'studio/office', 'playroom', 'landing' and 'cloaks'. Buckinghamshire Council's (the Council) officer report says that the ground floor building footprint would be approximately 100 square metres and that the height would be 6.4 metres. The proposal also includes a link roof to the summerhouse, creating a covered area between the 2 buildings.
9. The building would be timber clad with pitched tiled roofs, which would include gable features at either end. The north elevation, which would face back towards the house, would include 3 garage doors and 2 large first floor windows serving the studio/office and playroom, set within the gable features.
10. The appeal proposal would be an extremely large outbuilding sited in a distinct zone of mature gardens between the houses on Baker Street and Barons Court to the north, and Golden Mede and Grove Way to the south. Whilst there are some garden outbuildings within this zone, they are typically small in scale and low rise, and do not disrupt the attractive mature and verdant character of the area. By contrast, the appeal proposal's large footprint, 2-storey height and attendant roof link to the existing summerhouse, would appear as an overlarge, incongruent and discordant feature, which would jar with the prevailing character of the area. Although there would be some screening afforded by trees and vegetation in public views from the south, it would still appear unduly prominent and out of character. It would also be visible and imposing in private views from nearby properties.
11. I have noted the Council's view that the proposal would not harm the significance of the WCA, but this appears to be at odds with its finding of visual harm within the WCA. Section 72(1) of the Planning (Listed Building and Conservation Areas Act) 1990 directs that I must pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area. Paragraph 199 of the Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset (which includes a conservation area), great weight should be given to the asset's conservation. Paragraph 201 says that where

'substantial harm' to a heritage asset would result, a proposal should be refused consent unless certain exceptions are fully met. Paragraph 202 states that where harm would be 'less than substantial', the harm should be weighed against the public benefits of the proposal.

12. I have not been provided with detailed evidence on the significance of the WCA, but I have noted the appellants' submitted heritage statement and the Council's submissions, including the recorded views of its heritage officer. However, the character and appearance of this corner of the WCA is defined by mature gardens with little notable built development south of the established row of Baker Street buildings. The appeal proposal would neither preserve or enhance the character that I have identified and would be harmful to it. Whilst that harm would be less than substantial, the proposal, being for private use, would not generate any public benefits that could be weighed against that harm.
13. I have noted the appellants' submissions regarding a need to house vehicles, to provide space for home working, and the desire to create a 'physical barrier' between the site and the Golden Mede development, to provide privacy and noise protection. However, there is no reason to suggest that garaging and home working needs cannot be met in other ways, without the harm that I have identified. Moreover, the Golden Mede housing is some distance away, and its privacy and noise implications would have been considered when it was permitted.
14. In conclusion, I find that the appeal proposal would be harmful to the character and appearance of the area and the WCA. This would conflict with policies BE2 of the Vale of Aylesbury Local Plan (adopted September 2021) and policy WAD1 of the Waddesdon Parish Neighbourhood Plan, which require new development to respect and complement the character of the locality. It would also conflict with policy BE1 of the Vale of Aylesbury Local Plan, which seeks to protect designated heritage assets, including designated conservation areas, from harmful development. It would further conflict with the Council's Residential Design Guide, the Framework's paragraph 130, and the National Design Guide at sections C1, I1 and I2, which, amongst other matters, encourage garage proposals to avoid being prominent, and new developments to be sympathetic to local character, history and identity.
15. For the above reasons, the appeal is dismissed.

P. Staddon

INSPECTOR