



Appeal Decisions

Site visit made on 24 October 2023

by A Price BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th November 2023

Appeal A Ref: APP/Y0435/W/23/3316491

Greenhill View, The Row, Newton Blossomville, Milton Keynes MK43 8AL

- 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 Noel Sibbald against the decision of Milton Keynes Council.
 - The application Ref 22/02415/HOU, dated 23 September 2022, was refused by notice dated 21 November 2022.
 - The development proposed is described on the application form as 'take down existing conservatory and part existing tiled roof replace with larger extension and flat roof.'
-

Appeal B Ref: APP/Y0435/Y/23/3316483

Greenhill View, The Row, Newton Blossomville, Milton Keynes MK43 8AL

- 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 Noel Sibbald against the decision of Milton Keynes Council.
 - The application Ref 22/02416/LBC, dated 23 September 2022, was refused by notice dated 21 November 2022.
 - The works proposed are described on the application form as 'take down existing conservatory and part existing tiled roof replace with larger extension and flat roof.'
-

Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matters

3. The two appeals concern the same scheme under different, complementary legislation. To avoid duplication, I have dealt with both appeals together in my reasoning.
4. Appeals A and B relate to development and works to a listed building located within a conservation area. In this respect I have had special regard to the requirements of sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issue

5. The main issue is whether the proposal would preserve the Grade II listed building, Greenhill View and Trinity Cottage, or any features of special architectural or historic interest which it possesses, and the extent to which the proposal would preserve or enhance the character or appearance of the Newton Blossomville Conservation Area.

Reasons

Special interest and significance

Listed building

6. The appeal site is formed of a dwelling known as Greenhill View, set within a large garden plot within the village of Newton Blossomville. It forms part of a Grade II listed building which comprises Greenhill View and Trinity Cottage¹, dating from the 18th century and once forming three cottages. The building is predominantly finished in colourwashed rubble stone, with a thatched roof over. A later 20th century extension exists to the rear.
7. Despite the extension and alteration of the listed building over time, the building maintains an aesthetically pleasing architectural form and those alterations have not unduly eroded the listed building's overall intrinsic heritage merit.
8. Based on the evidence before me, I find that the building's special interest and significance is largely derived from its architectural and historic interest as an illustration of an 18th century rural dwelling and its visually charming architectural style. Important contributors in these regards, which are pertinent to the appeal, are its surviving historic fabric, the use of traditional construction techniques and materials and the legibility of the historic core.

Conservation Area

9. The appeal property is also located within the Newton Blossomville Conservation Area (the CA).
10. The special interest and significance of the CA is largely derived from the preservation of its historic and picturesque townscape, with a narrow central road abutted by predominantly residential properties, all within a wider rural setting. Consistent building materials of stone, render and thatch dominate the village and CA. The appeal property, as a prominent stone and thatched roofed house, positively contributes to the character and appearance of the CA and thereby to its significance as a designated heritage asset.

Appeal proposal and effects

Listed building

11. The proposal would involve the demolition of part of the existing 20th century single-storey rear extension and its replacement with a larger contemporary extension.
12. I note from the evidence before me, and my observations on site, that the established extensions have introduced elements which project forward of the building's historic rear elevation. Whilst I accept that these later elements are at odds with the historic core of the building, and to some extent interrupt views of the first floor of the rear elevation, this core nonetheless remains largely intact and legible.
13. The proposed extension, whilst remaining subservient to the appeal property and of only a relatively limited floorspace, would compromise the legibility of

¹ List Entry Number: 1289277

the historic core. It would obscure a greater part of the historic rear elevation than is currently the case, competing with the primacy of the historic core. In doing so, the proposal would harmfully erode the historic and architectural integrity of the listed building and would not conserve it in a manner appropriate to its significance. That the proposed extension would be of a contemporary, lightweight and simplified design approach does not overcome this. The large areas of glazing proposed would compete with and distract from the more modest fenestration across the rear elevation of the building, and its overall solidity. Moreover, although I note that some of the upper floor, including two window openings, would be revealed as a result of the proposal, this would be at the cost of the ground floor of the property, including an historic window opening, becoming obscured.

14. Whilst the appellant alleges that there would be no harm to the building's historic fabric, no substantive information is before me detailing the removal of the existing extension from the historic core and what repairs may be necessary. Even were these matters to be found acceptable, they would not outweigh or overcome the harm identified above.
15. I note that the proposal would be set to the rear, out of sight from the public realm. However, the building is listed for its intrinsic architectural and historic interest and the visibility of the proposal is not a determining factor in considering whether it would preserve the special architectural or historic interest of the building. That the proposal would not affect the front or side elevations would not compensate for the identified harm or sufficiently justify the proposal.
16. Overall, I conclude that the proposed development and works would fail to preserve the Grade II listed building, Greenhill View and Trinity Cottage, or any features of special architectural or historic interest which it possesses, contrary to the requirements of sections 16(2) and 66(1) of the Act. Consequently, the proposals would harm the significance of this designated heritage asset.

Conservation Area

17. Notwithstanding the harm that has been identified above in respect of the listed building, the position, nature and extent of the proposals are such that they would not be readily visible from any public vantage point within or adjacent to the CA. Unlike listed buildings, the significance of a CA is dependent upon how it is experienced. For the reasons above, I consider that the proposals would have a neutral effect on, and would therefore preserve, the character and appearance of the CA as a whole.
18. Accordingly, I conclude that the proposal would preserve the character and appearance of the CA and would meet the requirements of Section 72(1) of the Act. As such, it would not harm the significance of this designated heritage asset. Nevertheless, the lack of harm in this respect does not weigh for or against the appeal and does not alter my conclusion in respect of the listed building.

Public benefits and balance

19. Paragraph 199 of the National Planning Policy Framework (the Framework) advises that when considering the impact of a proposed development on the significance of designated heritage assets, great weight should be given to their

conservation. Paragraph 200 goes on to advise that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting and that this should have clear and convincing justification.

20. With reference to Paragraphs 201 and 202 of the Framework, in finding harm to the significance of designated heritage assets, the magnitude of that harm should be assessed. Given the extent of the development and works relative to the building as a whole, I find the harm to the listed building's significance would be 'less than substantial' in this instance but, nevertheless, of considerable importance and weight. Under such circumstances, Paragraph 202 advises that this harm should be weighed against the public benefits of the proposal, which includes securing the asset's optimum viable use.
21. Economic benefits would be brought about through the construction phase and the general investment into the property. However, the scale of those benefits is short-term and very limited by the extent and nature of the proposal. The primary outcomes of the proposed development and works, namely the additional accommodation, the ability to clean upper floor windows and providing additional light and outlook to the master bedroom window, would be private benefits to the appellant that do not provide clear and convincing justification for allowing the appeal.
22. I accept that the proposal, which includes the removal of part of the existing extension, may enable repairs to take place or avoid damage going forward. However, this in my view is not dependant on the scheme before me. Moreover, I am not persuaded that the scheme before me is fundamentally necessary to facilitate the optimum viable use of the building.
23. I accept that the removal of part of the existing poor quality rear extension would sustain and enhance the significance of the listed building. Nevertheless, its replacement with an inappropriate extension would override any public benefit gained from its removal.
24. Overall, the weight that I ascribe to the public benefits that would accrue from the proposal, is not sufficient to outweigh the considerable importance and weight that I attach to the harm I have found. Accordingly, the proposal would fail to preserve the Grade II listed building, Greenhill View and Trinity Cottage, or any features of special architectural or historic interest which it possesses. Although I have found the proposal would preserve the character and appearance of the CA, this is a neutral consideration in the balance.
25. Overall, the proposal would be contrary to the clear expectations of Sections 16(2) and 66(1) of the Act, and the provisions within the Framework which seek to conserve and enhance the historic environment. It would also not accord with Policy HE1 of the Plan:MK 2016-2031 (adopted 2019), which in summary seeks to sustain and enhance the significance of heritage assets.

Other Matters

26. I acknowledge that no objections have been received in respect of the proposals from neighbours or third parties, and one letter of support was received. Nevertheless, the lack of objection, or support, in this regard has not led me to an alternative conclusion on the main issue.

Conclusion

27. Appeal A: The proposal would conflict with the development plan. There are no material considerations which indicate that a decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that Appeal A should be dismissed.

28. Appeal B: For the reasons given, I conclude that Appeal B should be dismissed.

A Price

INSPECTOR