



Appeal Decision

Site visit made on 13 May 2024

by Ben Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 June 2024

Appeal Ref: APP/K0425/W/23/3326033

Monkton Farm Spring Coppice Lane, Speen, Princes Risborough HP27 0SU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Steve Dorrell against the decision of Buckinghamshire Council - West Area (Wycombe).
 - The application Ref is 22/07370/FUL.
 - The development proposed is Demolition of existing farmhouse. Replacement single storey dwelling. Solar panels to roof. Repositioned access track with entrance gates. New landscaping. Removal of 7 trees within Woodland TPO and replacements. Installation of packet waste treatment plant. Car parking to existing courtyard.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council's RfR4 noted that in the absence of a Preliminary Ecological Appraisal (PEA) it was unable to assess the effect of the proposal on biodiversity. The appeal has been supported by a PEA¹. This has identified that the site includes suitable habitats for commuting and foraging bats, reptiles, amphibians, small mammals and nesting birds. Also, the provided Bat Emergence and Re-entry survey found the demolition of the house would lead to the loss of a brown eared transitional roost. This recommends that compensation for the lost roost be provided within Barn 2 through the addition of accessible roof tiles.
3. The Council has concerns that the bat compensation measures, as proposed, may be inadequate. Nonetheless, it is content that a suitable replacement roost can be provided. This, and the Council's other identified ecological issues, could be suitably addressed through the imposition of conditions. These could be used to secure a Landscape and Ecological Management Plan (detailing habitat creation and enhancements), tree root protection details, reptile mitigation strategy, the mitigation measures outlined in the PEA at chapter 9 and compensatory roost habitat. As this is no longer a matter of dispute between main parties, I shall consider the issues raised by RfR4 to be resolved.
4. The Council's RfR2 identifies the farmhouse as a non-designated heritage asset (NDHA). Planning Practice Guidance (PPG) states that it is important that decisions to identify NDHAs are based on sound evidence. The Council identify that the building has both architectural and historic interest as a vernacular farmstead group. It explains that the farmstead's formal status as a NDHA is

¹ Preliminary Ecological Appraisal, July 2023, by JohnWenman ecological consultancy

ready for formal adoption, and it is due to be put onto the Council's local list shortly. This accords with the PPG which states that NDHA can be designated during the decision-making process and that entry on a local list would be helpful. Therefore, entry onto the Council's local list of historic buildings is not mandatory or a determinative factor for such status.

5. In November 2023, Areas of Outstanding Natural Beauty (AONB) were renamed as National Landscapes. I have used the new designation, where appropriate in my decision, but quoted the AONB when referring to local and national policy.

Main Issues

6. The main issues are:

- whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (The Framework) and any relevant development plan policies;
- the effect on the openness of the Green Belt;
- The effect of the proposal on the character and appearance of the area including the Chilterns National Landscape;
- if the proposal would be inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to very special circumstances to justify it.

Reasons

Inappropriate development

7. The development plan for the district includes the Wycombe District Local Plan [2019] (LP). LP Policy DM43 relates to the replacement or extension of dwellings in the Green Belt. This states that a replacement dwelling will only be considered as appropriate development if it satisfies a listed criterion. In particular regard to this proposal, section 1e) relates to where a dwelling is between 240 and 720 cubic metres (gross external volume), the replacement dwelling must not exceed the volume of the original building plus 50% of its volume. Section 1f) identifies that where the volume of the building is greater than 720m³, the total volume of the resulting building must be no more than 1080m³.
8. The accompanying commentary to the policy states that LP policy DM43 relates to two categories of the Framework. The Framework explains that the Government attaches great importance to the Green Belt and that substantial weight is to be afforded to any harm. Paragraph 154 establishes that new development would be inappropriate unless it meets a listed exception. Paragraph 154(d) states that the replacement of a building would not be inappropriate provided that the new building is in the same use and is not materially larger than the one it replaces.
9. The phrase 'Materially larger' is not defined by the Framework. This is therefore ultimately a matter for the decision maker, with much depending on the individual circumstances of the proposal. However, a conclusion on this matter cannot be arrived purely on a mathematical calculation as a single factor as the

test is primarily an objective one based on size, as referenced by the Framework. Nonetheless, the Council's policy and its reference to acceptable proportional increases, provide a useful starting point.

10. The Council's calculations² explain that the existing farmhouse has a footprint of 86.87sqm and an eaves height of 6.7m, forming a cubic volume of 823m³. This would mean that the scheme would be subject to criteria 1f) of LP policy DM43 and would fail this threshold in being greater than 1080m³. The Appellant refutes these figures and demonstrates, through annotated dimensions³, the size of the existing house, including an eaves height of 5.65m. The Appellant states that the existing building is 641m³ and the replacement dwelling would be 947m³ resulting in a volumetric increase of 47.7% above the original building. Accordingly, the Appellant asserts that the proposal would be subject to, and comply with, criteria 1(e).
11. The main difference between the calculations for the existing dwelling appears to be the eaves height, with a difference of 1.05m. This would reduce the Council's volume calculation by around 91.21m³ to about 731.79m³. As the Council has not explained how it determined the eaves height, I am inclined to accept the Appellant's dimensioned figures instead. As such, the proposal falls to be considered under criterion 1f) of LP policy DM43.
12. The Appellant has not provided dimensioned drawings for the proposed dwelling. The Council calculations show that the replacement dwelling would create a volume of 1200m³, with the raised platform adding 155m³, whilst the Appellant states that the proposed dwelling would be 947m³. Although the Appellant's figures have been calculated using AutoCAD, it is not specified in detail how the volume of the proposal was determined and what was taken into account. The main difference between the disputed figures, for the proposed dwelling, seems to be whether the raised platform should be included in the calculation. Although the platform would not create habitable space, it would be an integral part of the building and forms part of its volume, nonetheless. As such, based on the submitted evidence I find that the proposed dwelling would exceed 1080m³ and be impermissible by virtue of LP policy DM43 1(e).
13. The proposed dwelling would be a single storey form with a flat roof providing a low profile that follows the surrounding landscape. Although shorter than the original building, the proposal has an extensive footprint and would be artificially raised by its surrounding deck. Moreover, its overall size would be further emphasised by the scale of its proposed canopy, increasing its roof form. As such, the overall size of the proposed building would be extensive, and therefore deemed to be materially larger than the dwelling it would replace.
14. Consequently, as it has not been demonstrated that the proposal would be any of the exceptions listed in Paragraph 154 of the Framework, it would amount to inappropriate development in the Green Belt which is, by definition, harmful to the Green Belt.

Effect on openness

15. Paragraph 142, of the Framework, identifies that the fundamental aim of the Green Belt is to prevent urban sprawl and keep land permanently open. The

² Council's Statement of Case, appendix B

³ Appellant's Statement of Case, appendix 1

openness of the Green Belt has both spatial and visual dimensions. The proposed dwelling would be located within the open Green Belt. The proposal is at the end of a long access drive with surrounding fields providing boundary screening that limits views of the site from the north and west.

16. However, open views are available of the farmhouse and the roofs of its subsidiary buildings from Spring Coppice Lane. Furthermore, views from the site take in a valley and distant views to the southeast creating a string visual connection between the existing buildings on site and the highway and distant countryside. The proposed dwelling would have a low profile, reducing its visual impact on the surrounding area and would be partly screened by proposed planting. As such, visually the harm to the openness of the Green Belt would be limited. Nonetheless, spatially the proposed dwelling, with its large footprint and encroachment into open space, would represent a significant intrusion into the openness of the site and the surrounding Green Belt.
17. Consequently, the proposal would have a moderately harmful effect on the openness of the Green Belt.

Character and appearance

18. Spring Coppice Lane is a country lane that serves a small number of dwellings within a dispersed pattern of development in the open countryside. Monkton Farm consists of a main farmhouse and adjacent outbuildings that are arranged around a common courtyard to the rear of the main dwelling. The traditional farmstead group stands within a range of small fields and woodland areas. The site is within the Chilterns National Landscape and the farmhouse has been designated a NDHA by the Council. The site, and the cluster of buildings within, form a traditional rural grouping of farm buildings that make a positive contribution to the character and appearance of the area.
19. The farmhouse is of traditional design, with flint walls and brick quoins and soldier course detailing. It has red brick stacks within a tiled roof and offers a pleasant symmetry of form. By consisting of traditional, locally sourced materials and being of decorative design, the building has interesting architectural features that integrate it well within the landscape. It is significant through being a good example of a Chilterns farmhouse within a rural setting. The building is on raised land providing views toward Spring Coppice Lane and the distant countryside beyond. Tree groups screen the building from some wider views. Nevertheless, the farmhouse is a relatively prominent building within public views from the highway.
20. To the rear of the main building are three further buildings, in a U-plan, that address a central courtyard. These are of varying quality but include features that add to the historic interest of the site. The farmhouse and surrounding outbuildings create a coordinated grouping of farm buildings that inter-relate to form a pleasant and intact group. The significance of the farmhouse, as a NDHA, seems to derive from its traditional design, use of traditional materials and its positive contribution to the surrounding landscape.
21. The proposed demolition of the farmhouse would result in substantial harm to this NDHA. The significance of the building is of moderate heritage value, enhanced by its group value, a view shared by the Appellant's Heritage

- Assessment⁴. The Framework states that in weighing applications that affect a NDHA, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the asset.
22. The replacement dwelling would be single storey, with a flat roof and would be of contemporary design. The Council's Chilterns Buildings Design Guide [2010] recognises that the conservation objectives of the guide do not mean that there is no place for contemporary design, but such schemes should be in harmony with their site, surrounding buildings and the countryside.
23. The proposed building would have a long but narrow footprint that would extend past the rear wall of the stables and would sever the outbuildings by the relocated driveway. In layout terms, the proposal would fundamentally alter the arrangement and historical hierarchy of buildings severing the existing visual relationship, to the detriment of the group. The group relationship would be substantially compromised. The repositioning of the replacement dwelling, away from the farmstead group, would have a harmful effect on the spatial relationship of the traditional farm buildings within the group.
24. In design terms, the proposed dwelling would include large glass walls with a cantilevered flat roof. Although, having a lightweight floating roof design, the form would be out of character with the Chilterns vernacular of built form. It would be an incongruous addition to its open setting and its contemporary design has not been sufficiently justified. Furthermore, due to the poor relationship of forms, the proposal would have a harmful effect on the retained buildings and their historic group value. Although the separation of forms provides an opportunity to express a change in architectural language, the sense of disconnect and juxtaposition of built forms would not permit the retained buildings to retain the integrity of the grouping. As such, the proposed dwelling would fail to harmonise with the site or the surrounding countryside.
25. In taking a balanced judgement, the historic significance of the NDHA is moderately low. However, the effect of the proposal in seeking its full demolition and replacement with a building that would relate poorly to its surrounding, would cause substantial harm to the NDHA, and modest harm to the character and appearance of the group and wider area.
26. The site is within the Chilterns National Landscape, which covers a large proportion of the district and represents the highest scenic quality. LP policy DM30 seeks development in the AONB to conserve its natural beauty and deliver the highest quality design which respects the built heritage of the Chilterns. Moreover, the Framework requires great weight to be given to conserving and enhancing the landscape and scenic beauty of an AONB. The National Landscape includes a variety of character areas including villages with brick and flint houses, tranquil valleys and broadleaved woodlands. The proposal would fail to respect its setting within the National Landscape. The proposed development would have a form that would remove a traditional dwelling and replace this with a scheme that fails to respect its local context or the surrounding countryside.
27. Accordingly, the proposal would result in harm to the character and appearance of the area including the Chilterns National Landscape. Consequently, the proposal would conflict with LP policies DM30, DM31 and DM35 and the

⁴ Heritage Assessment, by JPHeritage, August 2022

Framework. These seek, among other matters, for development to conserve the natural beauty of the AONB, to resist harm to the significance of a NDHA (unless the harm is outweighed by other land use benefits) and to retain existing positive characteristics of an area.

Other considerations

28. The proposed dwelling would incorporate solar panels and a range of energy efficiency measures that would substantially enhance the carbon footprint of this residential plot. The scheme would therefore include a range of sustainable construction benefits.
29. The proposal would create some employment during construction and would include energy efficiency measures that would reduce the carbon footprint of the existing dwelling with a building with higher energy efficiency.
30. The Appellant refers to support gained from the Chilterns Society. However, this support is qualified in that it is dependent on the scheme complying with the Chilterns Building Design Code. This guidance includes the requirement, at 3.11, to retain as many of the positive features as possible, especially those that link the site to the surrounding area, and to use pitched roofs and avoid flat roofs. As such, I afford this support limited weight.

Whether there would be Very Special Circumstances

31. Paragraphs 142 and 143 of the Framework set out the general presumption against inappropriate development within the Green Belt. They explain that such development should not be approved except in very special circumstances. Very special circumstances to justify inappropriate development will not exist unless the potential harm to the Green Belt, by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
32. I have concluded that the appeal scheme would be inappropriate development that would, by definition, harm the Green Belt. I have also concluded that the appeal scheme would result in moderate harm to the openness of the Green Belt. The proposal would also fail to complement the character and appearance of the area and would result in substantial harm to the NDHA, and moderate harm to the Chilterns AONB, these are further points of significant weight. Paragraph 153 of the Framework requires substantial weight to be given to any harm to the Green Belt.
33. On the other hand, the other considerations I have identified are of limited to moderate weight in favour of the proposal. As such, the harm to the Green Belt is not clearly outweighed by the other considerations identified and therefore the very special circumstances necessary to justify the development do not exist. Accordingly, the proposal fails to adhere to the local and national Green Belt policies I have already outlined.

Conclusion

34. For the above reasons, the appeal is dismissed.

Ben Plenty

INSPECTOR