



Appeal Decision

Hearing held on 5 November 2024

Site visit made on 5 November 2024

by E Grierson BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 December 2024

Appeal Ref: APP/J0405/W/24/3348951

Horwood House, Mursley Road, Little Horwood, Buckinghamshire MK17 0PH

- 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 Horwood House Properties Ltd against the decision of Buckinghamshire Council - North Area (Aylesbury).
 - The application Ref is 23/02863/APP.
 - The development proposed is the erection of staff accommodation building and related works.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the principle of the proposed development is acceptable in this location with regard to the local development strategy;
 - the effect of the proposed development on the setting of the grade II listed building, Horwood House; and
 - the effect of the proposed development on the character and appearance of the area.

Reasons

Principle

3. The appeal site is a parcel of land within the grounds of the Horwood House Hotel. It is currently an undeveloped area of lawn, partially surrounded by trees and hedging, which is forward of the main hotel building and adjacent to the existing car park. It is in a rural location in the countryside.
4. The proposed development is for a two storey building, set within the land, to be used for the accommodation of staff members working at the hotel. At the hearing, the appellant confirmed that this was to be occupied by staff on both on a permanent and temporary basis.
5. Policies S1 and S2 of the Vale of Aylesbury Local Plan 2013-2033 (the VALP) 2021 collectively seek to ensure that development complies with the principles of sustainable development set out within the National Planning Policy

Framework (the Framework), directing new development to strategic, larger and medium settlements with moderate amounts of development in villages. Policy S3 of the VALP states that other than for specific proposals which accord with policies in the plan to support thriving rural communities and the development of allocations in the Plan, new development in the countryside should be avoided.

6. Whilst the site is within the countryside, outside of any defined settlement, the Council consider that Policy E7 of the VALP, relating to tourism development, would be relevant to the appeal proposal. This provides support for proposals for new or expanded tourism, visitor or leisure facilities, other than accommodation, within or adjacent to settlements or elsewhere subject to a number of criteria. Whilst this policy excludes accommodation, the proposal is not for tourist accommodation and is intended to support the tourism facilities at Horwood House hotel. As such, this policy is relevant to the appeal proposal.
7. Policy E7 stipulates that proposed development relating to tourism development outside of settlements must (a) involve the conversion or replacement of buildings which form part of an existing tourist facility or well designed new building(s) which promotes diversification of agricultural land and other land-based rural businesses, (b) justify a countryside location and minimise environmental impacts, and (c) demonstrate that the need is not met by existing provision within nearby settlements. The parts of criteria (a) and (b) relating to design and environmental impacts will be considered later in this decision. However, criteria (b) and (c) also require the appellant to justify the need for the development in the countryside location and demonstrate that the need is not met by existing provision.
8. The submissions provided by the appellant, both in writing and during the hearing, outline the need for staff accommodation within the grounds of the hotel in relation to recruitment and retention issues currently experienced. It is understood that the hotel is currently understaffed due to its rural location and lack of sufficient staff accommodation and that hotel rooms are currently being used to house staff members as a temporary solution, resulting in a loss of revenue. It has also been outlined that facilities within the hotel are closed due to the lack of available staff, also resulting in missed revenue. A staff questionnaire was undertaken to identify this need and the appellant states that a dedicated HR executive has been recruited, along with hospitality agencies, to source staff, with limited success recruiting from the local area, due to its rural nature and low population density.
9. However, limited information has been provided to evidence the statements above. In their report, the Council outline what they consider is necessary justification to assess the need for the proposed building and it is not unreasonable to require explicit evidence to underpin the requirement for such a large development. Furthermore, it is accepted that the accommodation of staff within the surrounding local area may not fulfil the need for housing staff on the premises in relation to recruitment, operation requirements and the welfare of staff. Nevertheless, no evidence has been provided to demonstrate that alternative options, within the local area, were considered as part of the assessment and, specifically, why these were not considered suitable. As such, the proposed development would not accord with criteria (b) and (c) of Policy E7.

10. It is noted that Policy E7 also requires all relevant development to meet four other criteria (d) to (g). However, these are either not relevant to the appeal proposal or will be considered later in this decision.
11. Policy E8 of the VALP relates to tourist accommodation and states that tourist accommodation in the countryside outside the Green Belt will be supported where a number of criteria are met. The appellant contends that whilst neither Policy E7 or E8 of the VALP are wholly relevant to the proposed development, as it is for accommodation, Policy E8 is the most relevant.
12. However, whilst the proposal is for accommodation and is related to a tourist facility, it is evident that the proposal is not intended to be occupied by tourists as such. Therefore, Policy E8 is not relevant to the appeal proposal.
13. It is noted that the preamble to Policy E8 states that it would be unduly restrictive to limit the development of existing accommodation in the countryside and that in order to support existing businesses the expansion of built tourist accommodation and sites in a way that will improve the quality of the accommodation on offer and the appearance of the site, as long as there is no significant harm to the surrounding area, may be allowed subject to the details of a proposal. However, whilst the proposed development is intended to improve the quality of the accommodation on offer by aiding the recruitment and retention of good quality staff, this statement clearly relates to the provision of additional tourist accommodation and is not relevant to the appeal proposal.
14. Nevertheless, even if I were to consider Policy E8 to be relevant, the criteria stipulates that such proposals would only be supported where it would involve the conversion of existing buildings in accordance with Policy C1 of the VALP. Whilst it is noted that the appellant has already converted buildings on the estate for the intended purpose, the appeal proposal would not meet this criteria. Whilst this is only one criteria out of several, the wording of the policy suggest that the criteria are to be met in full. Therefore, even if it were relevant to the appeal proposal, it would fail to comply with Policy E8 as a whole.
15. Therefore, the proposed development would result in new development in the countryside which is not supported by either Policies E7 or E8 of the VALP and consequently, in accordance with Policy S3, should be avoided.

Listed Building

16. The appeal site is located adjacent to the grade II listed building, Horwood House. Although now used as a hotel, the listing describes it as a mansion, now used as a training centre and includes the service wing, stable block, gate piers and walls to forecourt. The building has more recently been updated to include a number of more modern wings to the rear and western side of the main manor house. It is located within the hotel's wider grounds and parklands which are rural in nature and largely comprised of designed gardens, open fields and well established planting.
17. From the information submitted as part of this appeal and through discussions at the hearing, it appears that the significance of the listed building is derived, at least in part, from archaeological interest relating to a past house, architectural interest as a typical ensemble of buildings by renowned arts and

crafts architects Blow and Billerey, artistic interest of an early 20th century arts and crafts style garden and parkland for the setting for a country house and historic interest due to its association with the aforementioned architects and as the early home and first workplace of, Percy Thrower, known as Britain's first celebrity gardener. The open and rural setting contributes to how this asset is appreciated and this setting makes a positive contribution to the significance of this listed building.

18. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker, in considering whether to grant planning permission for the development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any feature of special architectural or historic interest.
19. It was agreed by both parties at the hearing that there would be no intervisibility between the listed manor house and the proposed development due to the presence of the stable buildings between the two. However, I saw during my site visit, that when entering the car park via the driveway there would be views of both buildings and, as such, the new building would be part of a person's 'experience' when visiting Horwood House. Therefore, it is clear that the proposed development would be located within the setting of this listed building.
20. Nevertheless, the proposed building is well separated from the main section of the listed building, being located adjacent to the car park and closer to the more modern extensions to the hotel. Apart from the car park itself, there are currently no built structures forward of the current hotel, within the car park area, where the proposal would be located. For this reason, the proposed building would form the backdrop of the car park as it is entered. However, the car park is already enclosed by large mature trees blocking most views of the surrounding parklands and, due to the presence of a large number of parked cars, does not appear to form part of the wider countryside.
21. Therefore, whilst the proposed building would certainly be a highly visible addition, it would be viewed alongside the existing car park and tree line, along with the modern section of the hotel, rather than as part of the surrounding countryside and would not be an overly dominant or detracting feature within the setting of the listed building. Consequently, the proposed development would not harm the open and rural setting which contributes to the significance of the listed building.
22. Whilst the proposed building is large in scale, its design is relatively simple and modest and therefore would not visually compete or distract from the significance of the listed building. With a large number of dormers, the proposed roofscape is busy in appearance. However, these help reduce the massing of the building from the front, and reduce its prominence when compared to a traditional two-storey building. Furthermore, whilst the rear elevation lacks any architectural detailing, this contributes to its modest design to ensure it does not compete with the listed building. Nonetheless, it is unlikely that any clear views of both the rear elevation of the proposed building and the listed building are possible simultaneously.
23. It is also noted that the parkland around Horwood House, including the appeal site itself, is a non-designated heritage asset on the Buckinghamshire local heritage list. However, this does not form part of the reason for refusal and I

agree that the proposal would not result in harm to this non-designated heritage asset.

24. Therefore, for the reasons above, the proposed development would not harm the setting of the grade II listed building, Horwood House. As such it would not conflict with the Policy BE1 of the VALP and relevant sections of Policy E7 of the VALP. These policies collectively seek to ensure that all development conserve heritage assets in a manner appropriate to their significance, including their setting, and seek enhancement wherever possible, minimising environmental impacts. Whilst included within the Council's second reason for refusal, Policy BE2 of the VALP is not relevant to this main issue.

Character and Appearance

25. The appeal site is located within the Landscape Character Area (LCA) of Claydon Tributary. The Aylesbury Vale Landscape Character Assessment identifies the landscape character as a small valley draining from the higher claylands to the east and north down to the Claydon Brook in the west, which has a strong landscape pattern defined by hedgerows. The parkland around Horwood House is also specifically included as a distinctive feature within this assessment. The assessment finds that the condition of the landscape as a whole is good and that overall, the strength of character combined with the moderate visibility result in a landscape with moderate sensitivity.
26. Horwood House is comprised of a cluster of connected buildings, the original listed manor house and service wings and more modern additions with a large car park to the front. It is set within landscaped grounds with a long tree-lined driveway providing access from Mursley Road. This is surrounded by the parkland, open countryside dominated by robust belts of trees and hedgerows with some woodland cover.
27. Whilst the Landscape Character Assessment indicates that overall, the LCA has moderate sensitivity, the appellant considers the sensitivity of the landscape receptor in which the site is set is medium/low. The historic context of the house and parkland is noted. However, I agree that, due to the relationship between the site and the existing uses of the hotel and its grounds, including the modern additions to the building, and its separation from the wider countryside by existing vegetation, the sensitivity would be less than the wider LCA.
28. Two landscape guidelines within the Landscape Character Assessment seek to encourage the retention and strengthening of the historic hedgerow pattern by infilling gaps and establishing new hedgerow trees and, the survey, management and restoration of parkland associated with Horwood House. The Council have outlined that the historic hedgerow pattern has already been disrupted within the grounds of Horwood House by recent planting to the north west of the existing car park which has obscured the historic field pattern. During the hearing, the appellant confirmed that this was done as per the details within a previous planning approval.
29. Nevertheless, during my site visit I noted that the historic hedgerow pattern within the grounds of the hotel was not strongly recognisable and did not contribute significantly to the landscape character of the site or the surrounding area. Therefore, whilst the proposal would not meet the aforementioned guidelines to encourage the strengthening of the historic

hedgerow pattern or the restoration of parkland associated with Horwood House, due to the nature and scale of the appeal site, such restorative works would have little impact on the overall LCA.

30. The proposed building would be set away from the main cluster of buildings that make up Horwood House Hotel. However, it would be located directly adjacent to the existing car park on an area of lawn largely enclosed on three sides by existing vegetation, located within the grounds of the hotel rather than the wider parkland. It would also not extend any further north west than the two modern wings of the main hotel. Therefore, whilst physically separate from the main hotel, the proposed building would still be viewed as part of the hotel complex and not as a standalone building in the wider landscape.
31. Whilst the proposal would be a prominent addition to the appeal site, as there is currently no built form in this location, it would be set within the topography of the land and would be significantly lower in height than the more modern additions to the hotel. Therefore, it would appear as a relatively subservient outbuilding to the main cluster of buildings which would not appear at odds with the existing arrangement or character of the receiving landscape. Taking this into account, along with the sensitivity of the landscape receptor in which the site is set, the proposed development would not have a major adverse landscape character impact on the site or its setting.
32. Whilst the hotel is set away from the main road on private land, there are several public footpaths in the surrounding area from which the proposed development would be visible from. Whilst these views would be partially screened by existing and proposed tree and hedge coverage, glimpses of the building would still be possible particularly during winter when tree coverage is reduced. The proposal would also be highly visible to visitors of the hotel when entering the car park. However, from these public vantage points, the proposal would be seen in the context of the existing hotel buildings and car park for the reasons outlined previously. As such, it would have limited visual impact to the immediate and mid-distance setting from which it is visible.
33. Along with existing vegetation surrounding the appeal site, the mitigation proposed would also help to limit wider views of the proposed development from outside of the hotel complex and soften its appearance within the rural landscape. Enhancing the backdrop of the proposed building would largely block views of the wider landscape from the appeal site and adjacent car park. However, these views are already limited due to existing tree coverage and therefore would not harm any perception of the viewer of the wider rural setting. Whilst a landscape strategy plan has been provided, details, such as suitable tree species, can be agreed with the Council as part of a condition relating to landscaping.
34. Consequently, the proposed development would not harm the character and appearance of the surrounding area with regard to landscape and visual impacts. It would therefore comply with the relevant sections of Policies BE2, NE4 and E7 of the VALP which, in part, seek to ensure that all new development proposals respect and complement the physical characteristics of the site and its surroundings, recognising the individual character and distinctiveness of particular landscape character areas and their sensitivity to change and contribution to a sense of place, with tourism development respecting the character and appearance of the location.

Planning Balance

35. During the hearing and within the appeal submissions, the appellant outlined a number of benefits which would arise from the proposed development. The benefits outlined would largely relate to the resolution of the current recruitment and retention issues by providing accommodation for staff, allowing the hotel to compete with other hotels in a more urban setting and recruit staff from outside the local area including from overseas. This would release the hotel rooms which are currently being occupied by staff, potentially increasing the number of guests visiting the hotel. The increase in staff levels would also allow the re-opening of out of use facilities within the hotel.
36. As well as the financial benefits to the business, the appellant has indicated that this would improve the customer offering and experience. During the hearing, the appellant mentioned the possibility of working with local attractions to offer accommodation packages. Additional guests to the hotel would therefore benefit the local community and may also enable the hotel to hire more staff, contributing to the wider economy. However, as outlined previously, no evidence has been provided to sufficiently demonstrate that the proposed development would categorically deliver these benefits or that these could not be achieved by alternative accommodation elsewhere.
37. The proposed development would provide staff members onsite accommodation with single occupancy rooms, en-suites and communal rooms for rest and recuperation. It would also reduce the need for staff to travel on and off site during the hours of darkness and on the surrounding country lanes, which are not suitable for walking. These factors would not only benefit the safety and wellbeing of staff but would also provide environmental benefits from the reduction in staff movement.
38. The appellant has also stated that the proposal would provide biodiversity net gain on the appeal site and within the hotel grounds. However, the Council have stated that these are a requirement under local and national policy and is therefore a neutral factor. It is also noted that the development of the existing Gatehouse on the grounds of the hotel has been granted listed building consent and has been undertaken to provide twelve bedspaces for staff members. Whilst this may help to reduce the amount of accommodation required in the proposed building, it would not overcome the need for the development and the conflict identified.
39. Overall, whilst the proposed development would seem to provide a number of social, economic and environmental benefits, those in relation to recruitment of staff have limited evidence supporting them. Nevertheless, the conflict identified with Policy E7 of the VALP, resulting in unjustified development in the countryside, is substantial. As such, this would not be outweighed by the weight of the other considerations combined.

Other Matters

40. An appeal decision¹, for a change of use of an ancillary building to be used as a holiday let at Bridge House, Verney Road, Addington, Buckinghamshire, has been brought to my attention. This decision considers the proposal under Policy E8 of the VALP, where the benefits of the proposed development were

¹ APP/J0405/W/22/3308848

considered to outweigh some limited and minor conflict with this policy. However, in this instance, the conflict with the relevant policy is not considered to be limited or minor and, as outlined above, the benefits would not outweigh the conflict with the relevant policy. Therefore, this appeal decision is not comparable to the appeal before me.

41. A number of references have been made to pre-application consultations between the appellant and the Council, and the conduct of the Council during this time and during the lifetime of the application. However, whilst this may be useful to set the scene, these matters have no bearing on my consideration of the appeal proposal.

Conclusion

42. The proposed development would not harm the character and appearance of the surrounding area or the setting of the grade II listed building, Horwood House. However, without sufficient evidence to prove contrary, it would represent unjustified development within the countryside and the principle of the proposed development in this location is therefore not acceptable.
43. Therefore, for the reasons given above and having had regard to all other matters raised, the proposal would conflict with the development plan taken as a whole and I conclude that the appeal should be dismissed.

E Grierson

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Miles Young	Director, Westbourne Planning
Karim Kassam	Owner and Managing Director, Horwood House
Caroline Morrone	General Manager, Horwood House
Alastair Macquire	Director, ES Landscape Planning

FOR THE LOCAL PLANNING AUTHORITY:

Dipanwita Chatterjee	Principal Planning Officer
Jenny Martin	Senior Heritage Officer
Jonathan Bellars	Landscape, Architecture and Urban Design Team Leader