

Appeal Decisions

Site visit made on 8 January 2025

by **Sarah Manchester BSc MSc PhD MEnvSc**

an Inspector appointed by the Secretary of State

Decision date: 18th February 2025

Appeal A Ref: APP/J0405/W/24/3345229

1 The Close, Hardwick, Aylesbury, Buckinghamshire HP22 4DY

- 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 and Mrs Chris and Claire Johnston against the decision of Buckinghamshire Council - North Area (Aylesbury).
 - The application Ref is 23/03786/APP.
 - The development proposed is part single storey part 2-storey rear extension. Proposed internal alterations to the existing house.
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Appeal B Ref: APP/J0405/Y/24/3345228

1 The Close, Hardwick, Aylesbury, Buckinghamshire HP22 4DY

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mr and Mrs Chris and Claire Johnston against the decision of Buckinghamshire Council - North Area (Aylesbury).
 - The application Ref is 23/03787/ALB.
 - The works proposed are part single storey part 2-storey rear extension. Proposed internal alterations to the existing house.
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Decision

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

Preliminary Matters

3. The revised National Planning Policy Framework (the Framework) was published on 12 December 2024. This is a material consideration in the determination of the appeals. However, the changes are not directly relevant to the main issue in the appeals such that the changes will not prejudice the interests of the parties.
4. As the proposal is in a conservation area and relates to a listed building I have had special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (the Act).

Main Issue

5. The main issue is whether the proposal would preserve a Grade II listed building, "1, 2 and 3, The Close" (Ref: 1117841), and any of the features of special architectural or historic interest that it possesses, and the extent to which it would preserve or enhance the character or appearance of Hardwick Conservation Area.

Reasons

6. The Conservation Area (the CA) covers the historic core of Hardwick. This small rural settlement is characterised by haphazardly arranged detached and semi-detached buildings, including many listed buildings, in plots of varying shapes and sizes. The CA is unified by the traditional building materials and verdant mature trees and hedgerows. The significance of the CA, insofar as it relates to these appeals, is associated with the general form and historic character and appearance of the settlement.
7. The appeal property is one of 3 cottages formed by the subdivision of the early 17th century listed building house (the LB). The LB is a 2-storey building with timber frame, herringbone brick infill and a plinth with rubble stone, brick and render. A small weatherboard outbuilding with hipped thatch roof, referred to in the listing description, has been converted to internal living space and there is a 20th century single storey lean-to the rear elevation of No 1. Given the above, I find the special interest of the LB, insofar as it relates to these appeals, is primarily associated with its historic fabric, modest form and vernacular construction.
8. The 20th century lean-to would be replaced with a 2-storey extension finished in render, and black timber cladding and roof tiles to match its host. A new single storey flat roof extension, with retractable full height glazing in grey aluminium frames, would extend from this across the historic rear elevation. The rear window in the weatherboard extension would be replaced with a doorway to serve the new glazed extension. To the first floor, a rear window opening would be replaced with a door to serve the proposed 2-storey stair turret, an existing window would be blocked up and a new window opening would be created.
9. As the lean-to extension has no historic or architectural merit, there are no in principle concerns in relation to its replacement. The first floor extension would be modest in size, but nevertheless it would be a bulky addition at first floor and roof level. I note the suggestion that the proposal would be reminiscent of 17th and 18th century staircase arrangements. However, the original stairs were internal, in the general area of the existing stairs to the rear of the chimney breast. Therefore, the stair turret would be an alien feature, with no historic precedent. The new first floor openings in the rear elevation would result in a minor loss of historic fabric.
10. As the weatherboarding to the thatched extension was replaced in 2015, the new door opening would result in negligible loss of historic fabric. However, the glazed extension would be an overtly contemporary feature, the design and materials of which would not respect or reflect the historic building. The proposal would be an incongruous, poorly related and dominant feature in the context of the modest rear elevation. It would erode the legibility and detract from the architectural and historic interest of the early rural vernacular LB house.
11. The proposed stair turret extension in particular would enable the internal living space to be reconfigured. The relocation of the mezzanine stairs would enable the creation of a first floor bathroom, following the removal of the existing stairs. The ground floor bathroom would be replaced by a WC and utility room and the partition between the kitchen and dining room would be removed. The internal partitions and stairs are not original and the internal alterations would not affect the original plan form or result in the loss of historic fabric.

12. The evidence suggests that other options have been explored and discounted, including on grounds relating to impacts on historic joists or that they would not achieve the objective of a first floor bathroom. I accept that first floor bathrooms are convenient and in keeping with modern living standards. However, there is little substantive evidence that the bathroom arrangements could not be enhanced without the harm that I have found. Moreover, on the basis that the property does have a bathroom, the modernisation of the property in this regard carries little weight in favour of the scheme.
13. My attention has been drawn to extensions to Grade II listed buildings elsewhere. In the case of 43 High Street Long Crendon, the extension at least partly replaces a series of unsympathetic earlier extensions set below the level of the garden. The first floor extension is set away from No 43 and it appears well related to its host and neighbouring development. The replacement of masonry extensions with a lightweight glazed link would better reveal the significance of No 43. At Primrose Cottage, the contemporary additions, although large, extend away from the cottage and previous unsympathetic extensions that concealed the original form and historic fabric of that listed building would be removed. Neither scheme is directly comparable to the proposal and award-winning extensions to listed building elsewhere do not provide a justification for the appeals.
14. Despite the harm that would be caused to the listed building, the proposal would not harm the character or appearance of the CA. Unlike listed buildings, the significance of a CA is dependent upon how it is experienced. In this case, taking into account its siting, scale, and limited prominence in views, the proposal would not be detrimental to the CA thus preserving its significance. Notwithstanding the absence of harm to the CA, I find that the proposal would fail to preserve the special interest of the listed building. Consequently, I give this harm considerable importance and weight in the planning balance of these appeals.
15. Paragraph 212 of the Framework advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to the asset's conservation. Paragraph 213 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets and that any such harm should have a clear and convincing justification. Given the scale and nature of the proposal, I find the harm to be less than substantial but nevertheless of considerable importance and weight.
16. Where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, paragraph 215 of the Framework advises that this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing the asset's optimal viable use. The removal of the lean-to extension, which is poorly related to the LB, would be a small benefit. The internal alterations would not better reveal the historic plan form of the original house. The extended and enhanced living space would be primarily a private benefit. No 1 is small but nevertheless the LB is already in residential use and its continued viable use would not cease in the absence of the proposal. The limited public benefits would not be sufficient to outweigh the harm that I have identified.
17. Given the above, I conclude that on balance, the proposal would fail to preserve the special historic interest of the Grade II listed building. This would fail to satisfy the requirements of the Act, paragraph 212 of the Framework and conflict with policies BE1 and BE2 of the Vale of Aylesbury Local Plan (VALP) 2013-2033 Adopted

September 2021 that seek, among other things, to ensure that proposals respect local distinctiveness and vernacular character and that they at least avoid harm, if not better reveal, the significance of heritage assets. As a result, the proposal would not be in accordance with the development plan.

Conclusion

18. For the reasons set out above, and having regard to all matters raised, I conclude that the appeals should therefore be dismissed.

Sarah Manchester

INSPECTOR