



Appeal Decision

Site visit made on 26 November 2024 by M Long BA(Hons) MSc MRTPI

Decision by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 February 2025

Appeal Ref: APP/J0405/W/24/3348349

Land at Winchendon Road, Chearsley, Buckinghamshire HP18 0DP

- 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 James Gibson against the decision of Buckinghamshire Council - North Area (Aylesbury).
 - The application Ref is 24/01146/APP.
 - The development proposed is the demolition of existing agricultural barn and erection of residential dwelling.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matter

3. Following the submission of the appeal, a revised National Planning Policy Framework (the Framework) was published on 12 December 2024. In this instance, the matters most relevant to the main issues set out below are unaffected by the revisions to the Framework. However, when the Council determined the planning application which led to this appeal, it had a 4.7 year supply of deliverable housing land. There is no evidence before me to suggest that it can now demonstrate a minimum of five years supply of deliverable housing sites. Having regard to the updated provisions in the Framework, Paragraph 11 d (ii) of the Framework is engaged and this is taken into account in the planning balance and conclusion.

Main Issues

4. The main issues are:
 - whether the appeal site is a suitable location for the proposal having regard to the development plan and national policy; and,
 - the effect of the proposal on the character and appearance of the area, including its landscape.

Reasons for the Recommendation

Location

5. Within Policy S2 (Spatial strategy for growth) of The Vale of Aylesbury Local Plan (2021) (VALP), the Council directs strategic levels of growth and investment to its main towns, which is to be supported by growth at larger, medium and smaller villages. This Policy sets out that, in rural areas, housing development will be strictly limited. It confirms that this is likely to be incremental infill development and should be principally in line with Policy D5 (Housing at other settlements) of the VALP. Policy D5 permits new homes in '*other settlements*' (my emphasis) that are not defined as villages in the settlement hierarchy where they infill small gaps in developed frontages or replace existing homes.
6. The appeal site contains an existing barn structure and is accessed from Winchendon Road, a narrow rural lane. It lies within an area of open fields to the north of the village of Chearsley and there are no other buildings in its immediate surroundings. The site is evidently in the countryside for planning purposes. The provision of a new dwelling at this location is contrary to the spatial strategy set out in Policy S2. It is also not permitted by Policy D5 as it is not in any recognisable settlement and, in any case, this policy does not include provisions relating to the demolition of an agricultural building and its replacement with a dwelling.
7. Walking or cycling to the nearest villages and local facilities and services would not be practical as Winchendon Road is largely unlit with no continuous footway. As such, occupants would likely be heavily reliant on a private vehicle, which further indicates that the location of the appeal site is not a sustainable location for a dwelling.
8. I understand a previous approval under Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 for conversion of the existing barn on the appeal site to a dwelling has expired. In any case, there is an extant planning permission to convert the barn to a dwelling (LPA Ref 22/02739/APP). I find no reason to doubt that there would be a real prospect that the appellant would seek to implement the extant planning permission should planning permission not be forthcoming for the appeal proposal. Furthermore, as the proposal lies within the footprint of the extant planning permission to convert the barn, it would not be possible to implement both schemes. In locational terms, the construction of one dwelling under the appeal scheme, instead of one dwelling under the extant planning permission, would not be a material change.
9. Overall, I conclude the appeal site would not be a suitable location for the proposal having regard to the development plan and national policy. It would conflict with the spatial strategy set out in Policy S2 and is not in an 'other settlement' and so the criteria under Policy D5 of the VALP do not apply. It is also contrary to the Framework which sets out that the planning system should be genuinely plan-led.
10. Notwithstanding the above, in this particular instance, there is a fallback option which establishes the principle of one new dwelling at the site. This is a matter which I shall come back to in my planning balance.

Character and appearance

11. The site is in the Brill-Winchendon Hills Area of Attractive Landscape (AAL) which has a high scenic quality provided by open rural hills and undulations, and a strong settlement pattern of small nucleated villages on hilltops and dispersed isolated farms. It is also in the Chearsley Ridge Landscape Character Area, which has a well-defined ridge, mixed agricultural features, good views in all directions and an open character. These characteristics are consistent with my observations of the appeal site and the general locality.
12. The existing barn structure at the appeal site has a gabled main building, mono-pitched off-shoot and large openings in its front and rear elevations. The barn is most appreciable from the site entrance, although the upper parts of the building are visible above the hedgerow in views along Winchendon Road. The rear of the barn faces onto open fields which allow for sweeping views over the local landscape.
13. The extant planning permission for the conversion of the barn into residential accommodation would retain the form and structure of the existing barn with a gabled main building and mono-pitched offshoot. In that instance, the existing cladding would be incorporated. The proposed glazing would reuse and allude to the existing large openings in the barn. In these respects, it would reflect the agrarian form and appearance of the barn, thereby being sympathetic to the rurality of the immediate surroundings, including the landscape. This would be evident in views from Winchendon Road.
14. The appellant suggests that the dwelling would have a lesser footprint than the existing barn. Even so, the proposal would have wider front and rear elevations than the existing barn. Although the building would be set into the sloping ground and would be lower than the tallest part of the barn and the extant scheme, the homogeneous roofline would combine with the width and overall mass to form a considerable bulky form. Together with the 'anthracite zinc/aluminium' cladding and minimal openings to the front elevation this would give the dwelling a stark industrial aesthetic. This would be seen in views along Winchendon Road, particularly in the vicinity of the site entrance and would be at odds with the agrarian surroundings.
15. Even though public views of the rear elevation would be more distant, that elevation would be punctuated by numerous window and door openings of varied size over two-storeys, which would convey an overtly domestic appearance. This would be further compounded by the lower sections of white brick, the raised patio with exterior steps and the potential for other residential domestic paraphernalia which could be placed in the larger domestic curtilage when compared to the extant planning permission.
16. As a result, the proposal would be a discordant addition which would not be sympathetic to the rurality of its surrounding landscape. In these respects, it would not be comparable to the fallback planning permission for a barn conversion. There would be conflict with the Vale of Aylesbury Design Supplementary Planning Document 2023 which seeks buildings within rural and lower density areas within the Vale to be simply integrated into their setting to be at one with the landscape.
17. The potential for planting close to the proposed dwelling has been suggested. However, I do not have detailed information relating to any such planting. In any

case, given the proposed building's prominent siting close to Winchendon Road, it is unlikely that planting would be sufficient to fully assimilate the building's unsympathetic design.

18. The design and access statement suggests that there are examples of contemporary buildings across the wider AAL, although I have not been provided with any detailed information in this respect. The appellant also suggests that there are policies in the VALP which encourage modern, innovative design albeit they point to Policy BE1 (Heritage assets) which is not directly relevant to a new build dwelling in the countryside. In this instance, having regard to the specific design of the proposal and its site-specific context, it would not sit comfortably within the countryside. It would also be counter to the requirements in the Framework for developments to be sympathetic to local character and to recognise the intrinsic character and beauty of the countryside.
19. With regards to the planning permission 'Land to the South of Aylesbury Road, at Cuddington' for the 'demolition of farm buildings and the erection of two dwellinghouses with parking, amenity space, landscaping, and associated works'¹, the officer report noted that the 'two buildings have been designed with agricultural influence'. Having seen the related drawings provided by the appellant, I would agree. Therefore, it is understandable in that instance why the Council concluded that development would be respectful of the rural location. Given the clear character and appearance harm that would result over and above the fallback position in this instance the appeal proposal is therefore not comparable.
20. I conclude that the proposal would result in significant harm to the character and appearance of the area, including its landscape. It would conflict with Policies BE2 (Design of new development) and NE4 (Landscape character and locally important landscape) of the VALP which seek proposals that respect and complement local character and distinctiveness, including in terms of form, architectural detailing and materials; and to carefully consider matters including height, scale, elevations, roofline and overall colour palette in considering the characteristics of the local landscape character area.

Planning Balance

21. The harms I have found in regard to the two main issues would be in regard to the principle of the appeal scheme and its effect on the character and appearance of the area. Due to the nature of them and their scope, they would be worthy of significant weight, as would the resulting conflict with the development plan.
22. There is an extant planning permission for a dwelling at the appeal site. Be this as it may, this would be worthy of only moderate weight when assessing the scheme as a whole since, as a fallback position, it only establishes the principle of a dwelling and not necessarily this dwelling which is fundamentally different in design and appearance terms and from which there would be harm as I have explained in regard to the second main issue.
23. In the absence of a demonstrable five year supply of deliverable housing sites, paragraph 11 d (ii) of the Framework is engaged and the most important policies are out of date. The proposal would make a contribution towards the provision and mix of housing in the district. There would also be social and economic benefits

¹ LPA Ref 24/00546/APP

through the construction of the dwelling and future contributions of its occupants to the services and facilities in the wider area. The quantum of development being for one dwelling would however limit the scope of and thus weight one would afford to these benefits. Consequently, having particular regard to key policies in the Framework for securing well-designed places and my findings on the harm to the character and appearance of the area, the adverse impacts of granting a planning permission would significantly and demonstrably outweigh them when assessed against the policies in the Framework taken as a whole. The presumption in favour of sustainable development would therefore not apply to the appeal scheme.

24. With this and the above in mind, material considerations do not indicate a decision other than in accordance with the development plan. I thus recommend the appeal be dismissed.

Conclusion and Recommendation

25. For the reasons given, I recommend that the appeal should be dismissed.

M Long

APPEAL PLANNING OFFICER

Inspector's Decision

26. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

M Russell

INSPECTOR