



Appeal Decision

Site visit made on 7 April 2025

by Guy Davies BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th April 2025

Appeal Ref: APP/N0410/W/24/3351876

Moor House Farm, Lower Road, Denham, Buckinghamshire UB9 5EN

- 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 T Munden against the decision of Buckinghamshire Council - South Area (South Bucks).
 - The application Ref is PL/24/1705/FA.
 - The development proposed is an agricultural building.
-

Decision

1. The appeal is allowed and planning permission is granted for an agricultural building at Moor House Farm, Lower Road, Denham, Buckinghamshire UB9 5EN in accordance with the terms of the application Ref PL/24/1705/FA and subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than three years from the date of this decision.
 - 2) The development shall be carried out in accordance with the following approved drawings:
100_01 site plan
100_02 plan and elevations
 - 3) No development shall take place above ground level until details of the material to be used on the roof of the building hereby permitted has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Preliminary Matter

2. The Environment Agency has objected to the proposal on the grounds that the site lies within Flood Zone 3 but no flood risk assessment has been undertaken as required by footnote 63 of the National Planning Policy Framework (the Framework). Contrary to that statement, a flood risk assessment was submitted with the application, but it contains only a rudimentary assessment of flood risk and does not apply a sequential test as required by paragraph 173 of the Framework. I have given the main parties the opportunity to comment on this issue and consider it further under other matters.

Main Issue

3. The main issue is whether the proposal would preserve the setting of the Grade II listed Moor House Farmhouse.

Reasons

4. Moor House Farm is a well-maintained holding containing grazing land and a range of former agricultural buildings, the majority of which are now used for storage or business uses. At the centre of the holding is Moor House Farmhouse, a Grade II listed building of 18th century date but much altered with modern fenestration. It consists of a gabled range of five bays with symmetrical front alongside which is attached a hipped range of three bays, both in red brick and tile. The heritage statement suggests it had fallen into disrepair by the early 1970's and has since been restored. The historic and architectural interest of the building lies in its age and surviving structure, although little in the way of original detailing remains.
5. The immediate setting of the listed building is open. It has a large lawn to the south and paved seating area to the north but is otherwise surrounded by hard surfacing for parking and the access drive to other parts of the holding. Beyond this immediate setting is a collection of former agricultural buildings of varying ages. These include a grade II listed barn to the east, as well as more modern structures including a line of converted poultry sheds to the west.
6. The proposed barn would occupy a hardstanding associated with the yard around the former poultry sheds and on the boundary with the farmhouse's lawn. While clearly visible from the farmhouse, it would be seen as part of this group of relatively modern buildings and would be of a similar scale. Given the separation from the farmhouse it would not dominate the listed building's immediate setting and would instead be viewed as part of the surroundings. I consider the siting to be acceptable for these reasons.
7. Its design would be functional in appearance, with black shiplap cladding over a brick plinth and a low pitched roof with pantiles. I note the view of the Council that a steeper, clay tiled roof and black feather edged boarding would better reflect the form and materials of the listed farmhouse. However, the proposed design reflects that of the poultry buildings, which are clad in black painted timber with low-pitched corrugated metal sheet roofs. It would also not appear out of place with other buildings on the holding which, with the exception of the listed barn, are of largely modern construction and appearance. Within that context, I consider the building would preserve the setting of the listed farmhouse as it has evolved into modern times, and which now forms the basis on which my judgement is made.
8. Even if I were to take a contrary view that harm would be caused to the setting of the listed building, using the terminology from the Framework it would be less than substantial harm at the very lower end of the scale. The need for the building, a need that the Council accepts, is in my view of public benefit in helping to maintain agricultural operations on the holding and thereby the optimum viable use of the listed building as a farmhouse associated with that agricultural holding. Those benefits outweigh any modest harm that might be caused to the setting of the listed building.
9. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard is paid to the desirability of preserving the setting of the listed building. For the reasons given above, I conclude it would achieve that aim. For the same reasons, I conclude that the proposal would also accord with Policy EP3 of the South Bucks District Local Plan 1999 and Policy CP8 of the

South Bucks District Core Strategy 2011, which require design that is compatible with the character of the site itself, and the protection of heritage assets.

Other Matters

10. The Environment Agency says that the site lies within Flood Zone 3 as shown on the Flood Map for Planning, which arises from fluvial flooding from the River Misbourne that runs through the holding. The proposed site of the barn does not appear to fall within either Flood Zones 2 or 3 as shown on the flood map, but as no allowance has been made for climate change, I have taken a precautionary approach in this appeal and assessed it as if it were in Flood Zone 3a.
11. In such circumstances paragraph 173 of the Framework requires a sequential test to be applied. In this case, the barn is needed to provide animal husbandry, hay and agricultural equipment storage on the holding. Suitable locations for the type of development proposed are therefore confined to the holding, and for practical purposes needs to be readily accessible. As the river is adjacent to all the readily accessible parts of the holding, I consider that there are no obvious alternative sites that would be sequentially preferable to the one proposed. I therefore consider that the proposal passes the sequential test.
12. Buildings used for agriculture fall within the less vulnerable classification in Annex 3 of the Framework. For this classification in Flood Zone 3a, Table 2 of the Planning Practice Guidance indicates that the exception test is not required.
13. In terms of residual flood risk, the flood risk assessment notes that part of the barn would be open sided, and that the remaining part would be for storage of equipment. If it were to flood, damage would therefore be limited and could be further reduced by moving equipment to a safe area. Given the size of the holding and separation from other properties, the proposed barn would be unlikely to increase the risk of flooding elsewhere.
14. Having regard to these matters, I consider that the flood risk is acceptable.

Conditions

15. I have imposed conditions relating to the time limit and identifying the approved plans in the interests of certainty. I have reworded the conditions suggested by the Council for simplicity and accuracy.
16. The appellant suggests that a condition requiring approval of external materials is not required because they are shown on the plans. However, the plans only specify the roof covering as 'tiled cladding' and the extract from the insulated roof panel manual does not specify a colour. As the external appearance of the building is important, I consider a modified version of the condition suggested by the Council requiring approval of the roof covering is necessary.
17. At the application stage, requests were made in representations from interested parties for conditions controlling the use of the building, and noise and disturbance during construction. The proposed use of the barn is for agricultural purposes, and any subsequent use would either need planning permission or need to satisfy nationally prescribed permitted development rights. There is therefore no justification to impose a condition limiting the use of the barn. Given the separation of the site from neighbouring properties, I consider that a condition limiting the construction phase to be unnecessary.

Conclusion

18. I conclude that the appeal should be allowed.

Guy Davies

INSPECTOR