



Appeal Decisions

Site visit made on 9 April 2025

by **A Price BSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 06 May 2025

Appeal A Ref: APP/K0425/W/24/3350987

13 Lowlands Crescent, Great Kingshill, Buckinghamshire HP15 6EG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Ben Pestell against the decision of Buckinghamshire Council.
 - The application Ref is 24/06052/FUL.
 - The development proposed is the extension to rear of property to form a larger sitting area, and extension of porch to form cloaks/storage area.
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Appeal B Ref: APP/K0425/Y/24/3350986

13 Lowlands Crescent, Great Kingshill, Buckinghamshire HP15 6EG

- 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 Ben Pestell against the decision of Buckinghamshire Council.
 - The application Ref is 24/06053/LBC.
 - The works proposed are the extension to rear of property to form a larger sitting area, and extension of porch to form cloaks/storage area.
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Decisions

1. Appeals A and B are dismissed.

Preliminary Matters

2. As Appeal A relates to a planning permission and Appeal B relates to a listed building consent, I have had special regard to sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
3. The two appeals concern the same scheme under different, complementary legislation. To avoid duplication, I have dealt with both appeals together in my reasoning.
4. I note that amended plans have been submitted. An appeal should not be used to evolve a scheme. In the interest of fairness, I am assessing the proposal based on the same plans the Council made its decision on.

Main Issue

5. The main issue is whether the proposed development and works would preserve the Grade II listed building, Stag House, or any features of special architectural or historic interest which it possesses.

Reasons

Special interest and significance

6. Stag House is a Grade II listed building¹. It is a 19th century former public house constructed in flint with stone quoins and blue and red brick detailing. Later 20th century additions exist, including the front porch and rear extension.
7. Despite the extension and alteration of the listed building over time, the building retains a picturesque and pleasing architectural form. Those later additions have not unduly eroded the building's intrinsic heritage merit.
8. Based on the evidence before me, the listed building's special interest and significance is largely derived from its architectural and historic interest as an illustration of a 19th century former inn, having evolved over time. Important contributors in these regards, which are pertinent to the appeals, are the use of traditional construction techniques and materials, surviving historic fabric and the legibility of the historic core.
9. I note the comments made by the appellant that the listing description does not refer to the rear elevation. Be that as it may, the rear elevation, including the existing extensions which are physically attached to the historic core of the building, form part of the listed building².

Appeal proposal and effects

10. The proposed development and works would involve alterations to the front porch and the enlargement of the rear extension. Within the north elevation, a window opening would be enlarged to accommodate a new doorway.
11. I note from the evidence before me, and my observations on site, that the rear L-shaped extension is a more modern element. It projects forward of the building's historic principal east elevation. Whilst I accept that this later element is somewhat at odds with the older core of the property, the predominantly linear evolution of the building, taken as a whole, nonetheless remains intact and a prominent feature.
12. The proposed extension, whilst remaining subservient to the main building, would compromise this, further extending the footprint of the building to the east and concealing a considerable part of the historic rear elevation (even if left exposed internally), including stone quoin detailing and the historic window arrangement. This would harmfully affect the legibility and integrity of the building. Taken as a whole, it would not conserve the asset in a manner appropriate to its significance. Whilst I have noted the comments in respect of previous extensions and floor areas, my assessment of the scheme has involved more than a simple reliance on the amount of ground covered by the proposal.
13. The proposed works, namely the window alterations, would result in the loss of some historic fabric. Whilst the resultant loss of historic fabric would not be significant, this would not lessen the harm to the listed building overall. Even if the removal of the historic fabric here was found to be acceptable, the introduction of a doorway here would compromise the legibility and integrity of the ground floor plan

¹ List Entry Number: 1125749

² by virtue of section 1(5)(a) of the Act.

and weaken the traditional hierarchy of spaces within the listed building as a whole. The retention of the window, as suggested by the appellant, would not change the harm identified above.

14. I note that the extension would be set to the rear, largely out of sight from the public realm. However, the building is listed for its intrinsic architectural and historic interests and the visibility of the proposed development and works is not a determining factor in considering whether they would preserve those interests. The appellant argues that the extension would be reversible. Even if I were to accept that this, the extension would unlikely be removed after it had been constructed.
15. The proposed alterations to the front porch would replace a relatively modern insertion and, subject to the submission of further details by condition, would preserve the special interest of the listed building and not cause harm to its significance. However, the acceptability of this part of the scheme does not overcome or outweigh the harm identified above.
16. Overall, I conclude that the proposed development and works would fail to preserve the Grade II listed building, Stag House, or any features of special architectural or historic interest which it possesses, contrary to the requirements of sections 16(2) and 66(1) of the Act.

Public benefits and balance

17. Paragraph 212 of the National Planning Policy Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 213 goes on to advise that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting and that this should have clear and convincing justification.
18. With reference to paragraphs 214 and 215 of the Framework, in finding harm to the significance of designated heritage assets, the magnitude of that harm should be assessed. Given the extent of the works relative to the listed building, I find the harm to be 'less than substantial' in this instance. The appellant sets out that if less than substantial harm is identified that this is at the 'very lower end of the spectrum'. Noting caselaw³, there is no requirement upon me to place that harm somewhere on a spectrum and it is, in any case, afforded considerable importance and weight. Paragraph 215 advises that this harm should be weighed against the public benefits of the development, which includes securing the asset's optimum viable use.
19. Economic benefits would be brought about through the construction phase and the general investment into the property. However, the scale of those benefits is short-term and limited by the extent and nature of the proposal. The environmental and social benefits are noted. However, these, in my view, are not inherently dependant on the scheme before me. The primary outcomes of the proposed works namely the extension of the building, would be private benefits to the appellant in terms of additional accommodation and an improved layout.
20. I accept that listed buildings need to evolve. However, I am not persuaded that the scheme before me is fundamentally necessary to facilitate the optimum viable use

³ Shimbles v City of Bradford MBC [2018] EWHC 195 (Admin)

of the building. Moreover, whilst I accept the public benefits of the works, these would inevitably be limited and do not provide clear and convincing justification for allowing the appeal.

21. Overall, the weight that I ascribe to the public benefits that would accrue from the proposal, is not sufficient to outweigh the considerable importance and weight that I attach to the harm I have found. Accordingly, the proposed development and works would fail to preserve the Grade II listed building, Stag House, or any features of special architectural or historic interest which it possesses. Consequently, the proposal would be contrary to the requirements of sections 16(2) and 66(1) of the Act. The proposal would also be contrary to the relevant provisions of Policies CP11, DM31 and DM36 of the Wycombe District Local Plan. These policies, in summary and when taken as a whole, seek to conserve and enhance the historic environment. This is in a similar vein to the objectives of the Householder Planning and Design Guidance Supplementary Planning Document, insofar as the historic environment is concerned.

Other Matters

22. The appellant sets out that the scheme would meet several planning objectives, including in relation to neighbouring amenity, parking, flood risk and biodiversity. However, there is no dispute between the main parties in those respects. I also note that the appellant has undertaken previous works to the property which are argued to be of a high standard, and that there were no neighbour objections. These matters are neutral in my determination of the appeal.
23. I note the frustration of the appellant in respect of communication and engagement with the Council. Such a matter would be best dealt with via the submission of a costs application. I have assessed the scheme based on the evidence before me. None of the other matters raised alter my conclusions on the main issues.

Conclusion

24. For the reasons above and having had regard to the development plan as a whole and all other relevant material considerations, I conclude that Appeal A and Appeal B should be dismissed.

A Price

INSPECTOR