



Appeal Decision

Site visit made on 23 July 2025

by Jennifer Wallace BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 August 2025.

Appeal Ref: APP/K0425/Y/24/3356981

Church Cottage, Turville Valley Road, Turville, Buckinghamshire RG9 6QU

- 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 James Fulford against the decision of Buckinghamshire Council - West Area (Wycombe).
 - The application Ref is 24/06144/LBC.
 - The works proposed are repairs and alterations to the internal and externals.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal relates to an application for listed building consent where the building lies within a conservation area. I have had special regard to sections 16(2) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) which require me to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses; and to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
3. The Council's reason for refusal refers to the negative harm of the proposal on, among other things, the settings and special qualities of surrounding listed buildings. The duty under section 16(2) of the Act applies to the setting of the subject listed building only ('its setting'), and so there is no requirement on me to assess the effect of the proposed works on the settings of surrounding listed buildings.
4. The 'Arrangements for Handling Heritage Applications – Notification to Historic England and National Amenity Societies and the Secretary of State (England) Direction 2021' (the Direction) requires Historic England to be notified where the works include the demolition of all or a substantial part of the interior of the principal building. The direction further clarifies that such demolition includes any staircase. The Council did not carry out this notification. However, as I have concluded that consent should not be granted in any event, little would be gained by delaying the decision to undertake that notification. However, had my decision been otherwise, I would have provided an opportunity to do so.
5. I have taken the description of development in the banner heading above from the application form. The Design, Access and Heritage Statement (DAHS) sets out in more detail the works proposed to be undertaken. The Council's Officer report and the appellant's statement both refer to additional works which have already taken

place. I sought clarification of the works for which consent was sought and the response did not include the works which have already been carried out. Consequently, I have considered the appeal on the basis of the works listed in the DAHS, as confirmed in the subsequent email. In any event, there is insufficient evidence before me to allow me to fully assess the works carried out as they are not fully indicated in the plans before me.

6. There are works proposed with which the Council did not express concern. However, s16(2) of the Act places a statutory duty on me as set out previously. As the appellant's DAHS includes an explanation for each of the proposed works, I am satisfied that no party has been prejudiced in my exercise of this duty which considers works with which the Council did not set out any concerns.

Main Issue

7. The main issue is whether the proposal would preserve the Grade II listed building Church Cottage or any features of special architectural or historic interest which it possesses and whether the proposal would preserve or enhance the character or appearance of the Turville Conservation Area.

Reasons

Special Interest and Significance

8. Church Cottage¹ is a Grade II listed building. It dates from the 17th century and has a visible timber frame infilled with brick noggin and a clay tiled roof. It is a modest dwelling with a simple internal layout, and a 20th century extension to the rear. It sits within the churchyard of St Mary's Church. While the internal layout is noted as being reminiscent of agricultural workers cottages, there is the suggestion that Church Cottage was historically used in association with the church.
9. From the information before me and my observations at my site visit, I find the special interest and significance of the listed building to be mainly derived from its architectural and historic interest as a domestic property from the 17th century. Important contributing factors in this which are pertinent to the appeal are its use of traditional methods of construction and materials, surviving historic fabric and the legibility of its historic plan form.
10. The site lies within the Turville Conservation Area (CA). Its character and appearance are mainly derived from its evolution as a rural settlement nestled in the landscape and comprising modest vernacular structures with very little modern development apparent. Church Cottage occupies a prominent position within Turville and adds considerably to its historic and aesthetic charm. Church Cottage positively contributes to the character and appearance of the CA as a whole and thereby to its significance as a designated heritage asset.

Works and Effects

11. It is proposed to remove the triple window and brickwork in the rear elevation at ground floor level and install a French door, with a lintel above. I have no reason to dispute that the bricks in the rear elevation are relatively more recent and represent a different form of construction to the timber frame. However, that does not mean that the fabric is not of value in demonstrating the evolution of the

¹ List Entry Number 1125645 added 22 January 1986

building. Furthermore, the French door would be a clearly modern addition which would be discordant with the pattern of fenestration. Its additional width would make it particularly prominent in comparison to the modest original openings to the building, disrupting the hierarchy of openings to the building. While it is likely there was direct access to the rear garden prior to the construction of the bathroom extension, this is no longer the case and would not justify alterations which would not respect the special interest of the building.

12. The installation of a rooflight to the rear roof slope would introduce a relatively large opening on a modest pitched roof. This would appear as an incongruous break in the clay roof tiles. The appellant's evidence on the presence of historic fabric is contradictory, with the DAHS referring to historic rafters and the appeal statement referring to both there being no historic fabric and the loss of historic fabric. There is no substantive evidence before me that Church Cottage was re-roofed which would allow me to reach a conclusion on this. However, in any event, the insertion of an uncharacteristic opening contradictory to the special architectural interest of the building would not be justified.
13. At my site visit I observed a roof light in the rear roof slope of an adjacent property. However, I do not have full details of that proposal, including fundamentally, whether that building is listed. Nor is there any evidence before me to demonstrate how the window reflects the surrounding conservation area. In any event, decisions taken elsewhere, even in proximity to the site, would not alter my assessment of the effects of this aspect of the proposal on the special interest of Church Cottage.
14. It may be that levels of sunlight and daylight to some rooms do not meet the levels set out in the BRE Report, 'Site layout planning for daylight and sunlight: a guide to good practice' (BR209). However, this guidance is designed to be used to assess the effects of new development. There is no expectation that it is to be applied retrospectively to existing dwellings in the absence of surrounding development which could affect levels of sunlight and daylight. The size and position of the existing windows, and levels of sunlight and daylight they allow into the building, reflect the time in which the building was developed and contribute to its special interest.
15. Neither the French door nor the rooflight would be readily visible from any public area. However, the protections for listed buildings are in place because of their inherent special interests. The ability of alterations to be viewed by the public does not change these special interests and so would not change my assessment of the effects of the proposed works.
16. It is proposed to remove the door at the foot of the staircase in the living room. There is some dispute between the parties as to the original position of the staircase. In light of the evidence before me, I am inclined to agree with the Council's position that the door reflects an important part of the historic use of the property with respect to retaining heat within the main living space. Consequently, its removal from its current position would harm the historic interest of the listed building. This would not be overcome by its reuse elsewhere in the property.
17. It is not in dispute that the staircase is a modern addition. It was not readily apparent at my site visit that the current steps were uneven. A failure to comply with current building regulations is not a reason to remove existing fixtures. Nor is

there a robust explanation as to how the removal of the door would provide a safer access.

18. The existing crittal style windows are identified as being post-1930s. This reflects the evolution of the building through time. Consequently, their removal and replacement with timber framed windows would not automatically represent a heritage benefit. There is no evidence before me to demonstrate that other options of refurbishment or means of improving the thermal performance of the building have been considered. Furthermore, the submitted plans only show sample windows, and the window in the east elevation does not appear to be accurately shown on the submitted plans. While the details of the windows could be addressed by condition, this adds to the level of uncertainty as to the effect the proposed works would have on the special interest of the building.
19. It has been put forward that a number of the works relating to the walls, floors and exterior would be necessary to address a damp issue in the building. While this may be the case, there is no evidence before me in the form of any assessments as to the extent of the issue to demonstrate that the works would be proportionate and necessary to address the issue.
20. The existing chimney pot is coloured buff and appears to be a recent addition. It is incongruous given the prevailing use of red brick and the preponderance of terracotta coloured chimney pots in views across Turville. The installation of another modern and poorly related addition would not preserve the architectural interest of the building.
21. In relation to the CA, the proposed external works would relate to individual details to one property. Given the nature of the proposed alterations and the variety to the detailing of the properties within the CA, the majority of these works would not be unduly prominent or readily appreciable. Nevertheless, this would not be the case in relation to the discordant chimney pot, which would lessen the positive qualities of the CA as a whole, albeit in a modest way.
22. Taken together, these works would fail to preserve the Grade II listed building Church Cottage or any features of special architectural or historic interest which it possesses. This would be contrary to the requirements of section 16(2) of the Act. They would also fail to preserve or enhance the character or appearance of the CA, contrary to s72(1) of the Act. Consequently, the proposal would harm the significance of both designated heritage assets.

Public Benefits and Balance

23. Paragraph 212 of the National Planning Policy Framework (the Framework) sets out that great weight should be given to the asset's conservation, irrespective of whether this would amount to substantial harm, total loss or less than substantial harm to significance. Paragraph 213 further advises that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification.
24. Given the scale of the works proposed to Church Cottage, I find that the harm to its significance I have identified above would be less than substantial and in the mid-point of that category. The harm to the significance of the CA would be at the lower end of less than substantial. Nevertheless, these harms carry considerable importance and weight. In such circumstances, paragraph 215 of the Framework

confirms that these harms should be weighed against the public benefits of the proposal, which includes securing the asset's optimum viable use.

25. Economic benefits would arise while the works are being carried out. There would be social and environmental benefits from the improvements to the housing stock in addressing the issues the appellant has identified with damp, the liveability of the building and concerns with respect to the state of repair of the property. There is clear support for the proposal from surrounding occupiers for the appellant and the contribution they make to the community. There are works proposed, such as the replacement of the existing uPVC rainwater goods, which intend to improve the longevity of the historic fabric and as such would be heritage benefits of the proposal. These would be public benefits which would flow to the wider community and attract weight in favour of the appeal.
26. While it has been put forward there would be accessibility improvements from the installation of the French door, it is not clear from the plans before me how access to or from the rear of the property would be achieved. Given the step to the front door, I cannot be certain that this would represent a public benefit.
27. Furthermore, a number of the proposed works, in particular the installation of the French doors and roof light, and the removal of the interior door to the stairs, would be private benefits to the appellant. Their wish to create a living space that would reflect their personal wishes is understandable. However, the works would not conserve the asset in a manner appropriate to its significance.
28. There is no substantive evidence before me that the works are required to secure the optimum viable use of the asset as a dwelling. Nor is there a clear and convincing justification for the works where I have found harm. Overall, in giving considerable importance and weight to the identified harm to the significance of the designated heritage assets, I find that this would not be outweighed by the public benefits arising from the proposal.
29. I acknowledge that there are works proposed which would not harm the special interest of the building. However, the proposal represents a comprehensive suite of works. Given the number of works which I have found to be unacceptable or for which an insufficient justification has been provided, it would not be rational to issue a split decision.
30. The proposal would not preserve the Grade II listed building Church Cottage or any of the features of special architectural or historic interest which it possesses; and would not preserve or enhance the character or appearance of the CA. This would be contrary to the requirements of sections 16(2) and 72(1) of the Act, and the provisions within the Framework which seek to conserve and enhance the historic environment. It would also be in conflict with Wycombe District Local Plan (August 2019) (LP) Policies CP9, CP11 and DM31 which taken together require the special interest of heritage assets to be conserved and enhanced.
31. The Council's reason for refusal referred to LP Policy DM35. This relates to placemaking and design quality but makes no specific reference to designated heritage assets. It therefore would not be of direct relevance to my decision.

Conclusion

32. For the reasons given above, the appeal should be dismissed.

Jennifer Wallace

INSPECTOR