
Appeal Decision

Site visit made on 30 September 2025 by T Morris BA (Hons) MSc

Decision by Andrew McGlone BSc MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 December 2025

Appeal Ref: APP/J0405/D/25/3369390

40 High Street, Waddesdon, Buckinghamshire HP18 0JA

- 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 Ms Chrysilla Lewies against the decision of Buckinghamshire Council.
 - The application Ref is 25/00698/APP.
 - The development proposed is erection of pergola and bin store.
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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.

Preliminary Matters

3. The development has already been undertaken, and I am considering the appeal on that basis.
4. The description of the development on the application form is extensive. I have therefore used the description from the decision notice because it accurately reflects the scheme that is before me. However, I have removed the wording in relation to it being a householder application and retrospective as neither are an act of development.

Main Issue

5. The main issue is whether the development preserves or enhances the character or appearance of the Waddesdon Conservation Area (CA).

Reasons for the Recommendation

6. The appeal site comprises a two-storey mid-terraced dwelling situated in the CA. In addition to the Waddesdon Manor, the significance of the CA is partly derived from its collection of late 19th and early 20th century buildings which were mostly commissioned by members of the Rothschild family. It is a rare example of a linear settlement in Aylesbury Vale, characterised in part by its regularity including blocks of properties of similar widths, depths, building orientation and positions within plots. Although the higher status buildings are individually designed, they share architectural features and detailing with buildings of different social status. This contributes to a coherent appearance overall which is a positive element in terms of the character and appearance of the CA.
7. The appeal property is located in the High Street, Waddesdon village identity area, as identified in the Waddesdon Conservation Area Review (CAR) (2014). The High Street is the primary route through the village with views contained by the buildings

on either side. The property forms part of a terrace on the High Street which is identified as an 'other important building' in the CAR. The terrace has a generally coherent appearance particularly in terms of its roof form and fenestration. The front gardens are mostly open and free of any tall structures, aside from some trees and planting, albeit these are positive features in that they contribute to a verdant character. The openness of the front gardens allows for an appreciation of the terrace and together with the trees and planting, contributes positively to the character and appearance of the CA.

8. Due to the height of the pergola and its prominent siting in the front garden of the appeal property, it is an incongruous feature which erodes the openness of the front gardens at the terrace. Even accounting for its natural materials and its green colour, given its notable size, it nevertheless has a conspicuous presence to the front of the property. Therefore, it detracts from the appreciation of the terrace which is an important building along the main route through the village. Consequently, the pergola is harmful to the character and appearance of the CA.
9. Given the obvious position of the bin store adjacent to the footpath together with its visibility above the fence line, it is an obtrusive feature which harms the openness of the front garden area. As a result, it detracts from views of the terrace along the High Street, albeit to a lesser extent than the pergola given it is lower in height. With regard to other bin stores in the area, the example at 56 High Street has a different design and is lower in height, sitting in line with the railings at that property. The bin store at 44 High Street appears to be of a similar design, however, it is mostly obscured from view by the planting to the front of the property. Hence, these bin stores are more discreet compared to that at the appeal site.
10. I am also conscious that there are bins visible in the street scene, but these are generally lower in height than the bin store and are more discreet, and they can be moved away from the front boundary. In contrast, the bin store at the appeal site is located in a prominent position in the street scene that is harmful to it, and when it is viewed alongside the pergola, they are incongruous features that detract from the appreciation of the front of the terrace and the general coherence of the CA.
11. I understand that the development was sought following the removal of a maple tree in the front garden, which the evidence provided indicates was approved under application reference 23/02500/ATC. However, it is clear from the evidence before me, including the wording on the decision notice, that the Council's concerns are focussed on the pergola and the bin store, not the maple tree.
12. Even so, I have had regard of the appellant's comments on the condition of the front garden following the removal of the tree, as well as the general reasons for the development. I also note the photograph of the front garden provided; however, this does not change the harm caused by the proposal. I also see no reasons why the property would appear neglected and unsightly without the development. Furthermore, while I understand that the tree was removed to address the structural issues, it does not follow that the erection of the pergola and bin store was necessary for the same reasons.
13. Moreover, the pergola in particular is a more visually disruptive feature than a tree or tall garden planting, which, as I have already identified, are characteristic features in front gardens in the CA. Even if such features were of comparable size, trees and planting have a natural appearance unlike the pergola. Indeed, the CAR identifies that trees are crucial to the character of the CA. There are also limited

details of plans for foliage to screen the pergola before me. In any case, this would take time to establish, and even once established, it would not be sufficient to screen the pergola. Nor could its presence be secured in perpetuity.

14. The appellant also refers to solar panels, advertisements, as well as new build homes which include dropped kerbs and parking spaces in the CA. However, none of these are the same type of development as the pergola and bin store and are not therefore directly comparable. Consequently, these examples do not lead me to conclude that the development is acceptable in terms of its effects on the character and appearance of the CA. As such, the development would not preserve or enhance the character and appearance of the CA.
15. Paragraph 212 of the National Planning Policy Framework (the Framework) advises that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the assets conservation. This is irrespective of whether any potential harm amounts to substantial or less than substantial harm to its significance.
16. Having had regard to paragraph 215 of the Framework, I find that as the development affects a limited part of the CA, the harm to the CA is relatively localised, and therefore the development causes less than substantial harm to the significance of the designated heritage asset. The Framework advises that this harm should be weighed against the public benefits of the proposal.
17. I have considered the benefits which have been put forward by the appellant, including that in their view, the development improves the appearance of the garden and thus the CA more generally. However, for the reasons explained, the proposal does not improve the garden's appearance.
18. Reference is also made to the disruption caused by HS2 lorry traffic, solar farms and additional homes in the area. In that regard, I acknowledge that public benefits could arise through creating a better living environment for existing and future occupiers in terms of noise, privacy, peace and wellbeing. However, there is limited evidence before me of the ways in which the development reduces noise at the property. Furthermore, as the pergola is mostly open and is situated close to the footpath, I am not convinced that it would provide significant benefits in terms of privacy, peace and wellbeing at the site. Consequently, this would amount to no more than a modest public benefit and I give this matter limited weight.
19. Aside from some reference to the planting of flowers, there are limited details before me explaining how the proposal supports biodiversity and ecology at the site. As such, and in the absence of any compelling evidence to the contrary, such measures would amount to no more than a modest public benefit.
20. In light of the above, the public benefits of the development do not outweigh the less than substantial harm to the CA and the great weight I must apply to the heritage asset in line with the Framework.
21. I therefore conclude that the development fails to preserve or enhance the character or appearance of the CA. It therefore conflicts with Policies BE1 and BE2 of the Vale of Aylesbury Local Plan 2013 – 2033 and Policies WAD1 and WAD8 of the Waddesdon Parish Neighbourhood Plan 2013 – 2033 (NP), which require that developments are in keeping with the historic character of the village, conserve and enhance the historic character and appearance of the area, reflect the character of

the street landscape and complement character of traditional buildings.

22. The Council refer to Policy WAD10 of the NP, however, this relates to views into and out of the CA and I find no conflict in this regard. Similarly, the development is in accordance with Policy WAD11 of the NP, as that relates to the list of buildings of local note in Appendix B of the NP, but the appeal property is not listed as a building of local note. However, an absence of conflict with these policies does not overcome the harm of the development.

Other Matters

23. That the appeal site is not located within an area of attractive landscape and/or local landscape area or within an area of established residential area of special character or residential area of exceptional character, are neutral factors which do not weigh in favour of the appeal. Likewise, the absence of objections from the Ward Councillor or the Parish Council and third parties is also neutral and does not alter my findings overall.
24. There are no reasons before me to suggest that the ownership of the houses adjacent to the appeal property is a relevant consideration on the appeal, which is instead based on the planning merits of the development. Similarly, even if the pavements have been damaged by HS2 traffic, that is a separate matter to the development which is subject of this appeal.
25. I have had regard to the rights of the appellant under Article 1 of the First Protocol and Article 8 of the Human Rights Act 1998. Article 1 of the First Protocol States that every person is entitled to the peaceful enjoyment of their home. Article 8 affords the right to respect for private and family life. Dismissal of the appeal would interfere with the appellant's rights under both Article 1 of the First Protocol and Article 8 because their enjoyment of their home and front garden would be affected. However, these are qualified rights, any interference may be justified where it is in accordance with the law and is necessary in a democratic society, applying the principle of proportionality. The harm that I have identified to the CA is such that dismissal of the appeal would be a proportionate and necessary response. It would not violate the appellant's rights under Article 1 of the First Protocol or Article 8. The protection of the public interest cannot be achieved by means that are less interfering of their rights.

Conclusion and Recommendation

26. The development conflicts with the development plan and there are no other considerations, including the provisions of the Framework, that indicate that a decision should not be taken in accordance with it. I therefore recommend that the appeal should be dismissed.

T Morris

APPEAL PLANNING OFFICER

Inspector's Decision

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

Andrew McGlone

INSPECTOR