



Appeal Decision

Site visit made on 11 February 2026

by **D Wilson BSc (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24 March 2026

Appeal Ref: APP/Y0435/W/25/3376393

Lodge Farm, Lower End Road, Wavendon, Milton Keynes MK17 8AJ

- 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 Carl Porter and Charlotte Walters against the decision of Milton Keynes Council.
 - The application Ref is PLN/2025/1603.
 - The development proposed is demolition of existing buildings and replacement with 2 self build dwellings with parking and landscaping.
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Decision

1. The appeal is dismissed.

Applications for costs

2. Applications for costs have been made by Milton Keynes Council against Carl Porter and Charlotte Walters and Carl Porter and Charlotte Walters against Milton Keynes Council. These applications are the subject of separate decisions.

Preliminary Matters

3. The appellant has included a signed Unilateral Undertaking during the course of the appeal which secures the proposed development as a self-build scheme. The Council have advised that the inclusion of a signed Unilateral Undertaking would resolve their second reason for refusal for which I have no reason to conclude otherwise. As such, I have not assessed this matter further.
4. My attention has been drawn to an Emerging Local Plan¹ which has reached the Regulation 19 (Town and Country Planning (Local Planning) (England) Regulations 2012) stage. However, limited information is before me to indicate if any policies have been modified or if there are any unresolved objections. Accordingly, I attribute limited weight to it.

¹ Proposed Submission Milton Keynes City Plan 2050 Regulation 19 plan for consultation October 2025

5. The appellant sought to submit amended plans² at appeal stage which introduce a footway adjacent to the appeal site. The Procedural Guide: Planning appeals – England is clear that the appeal process should not be used to evolve a scheme and that it is important that what is considered by the Inspector is essentially the same scheme that was considered by the Council and interested parties at the application stage. Therefore, in the interests of fairness I have considered this appeal based on the plans before the Council at the time it made its decision, and not the amended plans.
6. A draft National Planning Policy Framework ‘Plan-making and national decision-making policies’ was issued by the Government for consultation on 16 December 2025 (Consultation Draft Framework) and with a deadline for comments by 10 March 2026. A Written Ministerial Statement was published on the same day outlining the key changes proposed. The Consultation Draft Framework has limited weight as a material planning consideration. In respect of the main issues which are pertinent to the consideration of this appeal I have continued to afford full weight to the published National Planning Policy Framework (the Framework) as a whole from the point of view of determining this appeal. The Consultation Draft Framework does not alter or outweigh my conclusions below

Main Issues

7. The main issues are:
 - whether the proposed development would be appropriately located having regard to the Council’s development plan Policies,
 - the effect of the proposed development on pedestrian safety,
 - the effect of the proposed development on the character and appearance of the area, and
 - the effect of the proposed development on the setting of nearby heritage assets.

Reasons

Location

8. Policy DS1 of the Plan:MK 2016-2031 Adopted March 2019 (Plan:MK) sets out the settlement hierarchy and seeks to focus development on and adjacent to, the existing urban area of Milton Keynes at specific locations which are set out within the Policy. It states that within the rural area new development will occur within villages and other rural settlements identified in made neighbourhood plans.
9. Policy DS2 of the Plan:MK sets of the Council’s housing strategy and again states that new housing development will be focused on, and adjacent to, the existing urban area of Milton Keynes as well as the three key settlements. The Policy sets out 13 criteria, none of which would be met by the appeal proposal.

² Site Block Plan (Proposed) Drawing No. 25-01-200-P2
Site Layout Plan – Proposed 2 Unit Scheme Drawing No. 25-01-201-P2

10. The appeal site is located within the open countryside where Policy DS5 states that planning permission will only be granted for development which is essential for agriculture, forestry, countryside recreation, highway infrastructure or other development, which is wholly appropriate to a rural area and cannot be located within a settlement, or where other Policies indicate development would be appropriate. None of which would be applicable to the appeal proposal.
11. I therefore conclude that the proposed development would not be appropriately located. It would be contrary to Policies DS1, DS2 and DS5 of Plan:MK. Amongst other things, these seek to ensure that development is appropriately located in accordance with the Council's settlement hierarchy.

Pedestrian safety

12. The proposed development would be located off Lower End Road, which is subject to a 40mph limit. There are no footways near to the appeal site which would mean that future occupiers would be required to walk along the road to reach the nearest footway link. The road is unlit and the verge would not be suitable for walking on for most pedestrians due to its uneven surface.
13. The appellant has suggested a footpath link could be provided which would pass through the adjacent site which is under the appellant's ownership. I am mindful that a condition could be imposed to require such a link, however, its closeness to the Grade II listed building has the potential to cause harm. As such, in the absence of details to assess this impact I am not satisfied that a condition would be appropriate.
14. I am mindful of the small scale of the proposed development and short distance that future occupiers would be required to walk to reach the nearest footway link. However, it would nonetheless be particularly difficult for families, elderly and occupiers with walking impairments, resulting in the potential for some future occupiers to be particularly disadvantaged.
15. I acknowledge the appellant's suggestion that the proposed development would not be significant and thereby Paragraph 110 of the Framework would not be applicable and that there are other dwellings that do not have footpath links. However, this does not justify safe, suitable and convenient access for all users not being provided by the development.
16. I therefore conclude that the proposed development would harm pedestrian safety and would be contrary to Policies CT2 and CT3 of the Plan:MK and Paragraph 116 of the Framework. Amongst other things, these seek to provide safe, suitable and convenient access for all potential users and create safe, well lit, convenient and attractive walking connections.

Character and appearance

17. The appeal site is a large parcel of land which contains a single storey, L shaped building as well as a large, corrugated barn. The site is bordered by dense and high vegetation, but the wide entrance allows views into the appeal site. While there is large scale suburban development on the opposite side of the road, the side of the road the appeal site is located on is generally devoid from development and mostly consists of open fields and agricultural development which results in a rural and verdant character and appearance.

18. I note the appellants consideration that the condition of the site is poor and detracts from the character of the area, however, I do not consider the site has a dilapidated appearance. Instead, it has a functional and rural appearance which is generally in keeping with the surrounding area and is not an unexpected appearance in this context.
19. The proposed dwellings would be large and take up most of the width of the plot. They would be set back from the road; however, they would be fronted by a shared courtyard which would be hardstanding for car parking and turning which would be prominent when viewed from the access. I am not convinced that the landscaping proposed would sufficiently soften this impact, instead, the proposal would have a suburban appearance which would be intrusive in the context of the rural and verdant character and appearance of the area.
20. I therefore conclude that the proposed development would harm the character and appearance of the area. It would be contrary to Policies SD1, D1, D2 and D3 of Plan:MK and guidance contained within the New Residential Development Design Guide Supplementary Planning Document Adopted April 2012. Amongst other things, these seek to ensure that development integrates well with the surrounding built and natural environments, respond appropriately to the site and surrounding context, exhibit a positive character and do not detract from the character of the surrounding area.

Heritage

21. The Council allege harm to the setting of listed buildings, the Lodge (Grade II) and Wavendon House (Grade II*). Wavendon House is also set within the Wavendon House landscape (RPG) which is a Grade II registered park and garden which borders the rear of the appeal site.
22. The Lodge is positioned next to the appeal site and is an early 19th century single storey dwelling that is constructed from stone rubble with a frontage that contains a central door, flanked by Doric columns with a bay window on each side. The Lodge is architecturally interesting and is also located at the entrance driveway to Wavendon House and the RPG. As such, the Lodge has a historical association with the wider setting of the estate.
23. For the purposes of this appeal, the special interest and significance of the Lodge is its architectural interest though its appearance as well as its historical association with the wider Wavendon estate through its positioning at the entrance and use as an entrance lodge.
24. Wavendon House is a large country house built during the late 17th century which has painted brick and stuccoed facades, canted bays, sash windows with moulded architraves. The frontage of the building allows for extensive views across the RPG. The building also has a historical significance through its use as a country house, residential school and use as an outstation of Bletchley Park during the Second World War as well as associations with several notable residents.
25. The RPG, and it is a large pleasure ground and park which includes a walled garden. It was laid out in 1768-1772 by Richard Woods reflecting the taste of the period. It is a rough triangle shape with two pear shaped lakes that are connected by a canal with long views possible in either direction with the boundaries being made up of belts of trees and hedgerows.

26. For the purposes of this appeal, the special interest and significance of Wavendon House and the RPG are very much entwined. Wavendon House has a historic setting within the wider Wavendon estate with wide open views of the RPG with many historical features being retained.
27. The appeal site is a large parcel of land which contains a single storey, L shaped building as well as a large, corrugated barn. The site is bordered by dense and high vegetation which restricts some views towards Wavendon House and the registered park and garden. The frontage of the appeal site is also well vegetated which restricts most views of the Lodge from the roadside.
28. The appellant considers that the buildings within the site are derelict and result in a poor quality and neglected environment. However, the appeal site is generally unassuming, and the buildings appear functional which means that they do not detract from the setting of the Lodge and Registered Park and Garden. Instead, I find that the appeal site provides a neutral contribution to these assets through its functional appearance and landscaped surroundings.
29. The proposed development would remove the existing buildings from within the site and introduce two residential dwellings. The proposed dwellings would be substantial in size and would be taller, wider and result in more built form within the appeal site. The design of the dwellings would also be modern and less architecturally refined when compared to the Lodge. I acknowledge the large-scale residential development opposite the site; however, development is generally sparse on the same side of the road as the appeal site with large open gaps which are positive contributions to the RPG.
30. The proposed development would be visible from a distance due to the size of the scheme and amount of built form. This would draw attention away from the Lodge, particularly when travelling along Lower End Road, where instead of the Lodge's frontage the proposed residential development would be seen above, diminishing the architectural interest of the building and the historical association with the wider estate.
31. I acknowledge the boundary vegetation to the rear of the appeal site, which largely screens and separates the appeal site from the RPG. However, it does not fully obscure the site, and I am also mindful that this would also change through the seasons. I note that additional landscaping is proposed and could be secured by condition, but there are risks with its long-term survival, particularly in light of this area forming the proposed gardens where there could be pressure to remove or cut the vegetation in the future.
32. The RPG is immediately behind the site and as such, extensive views of the RPG would be possible should the boundary vegetation be removed which I consider is also a risk as future occupiers may wish to open up these positive views. A condition could prevent removal and require replanting; however, such replanting would take a significant amount of time to reach the maturity of the current vegetation. The proposed development would be visible due to its large scale and would begin to erode the border of the RPG which would diminish the extensive views and historical features.

33. Wavendon House is located a large distance away from the appeal site and due to landscaping within the RPG, views are not generally possible. However, Wavendon House and the RPG are generally entwined, therefore, irrespective of visibility, the erosion of the border of the RPG would also be harmful to Wavendon House, diminishing the value of the wider setting.
34. I therefore conclude that the proposed development would cause harm to the settings of The Lodge, Wavendon House and the RPG and would cause harm to their significance.

Other Matters

35. The appellant has referred to other appeals in an attempt to justify their case. I do not have the full details in respect of such examples so I cannot be sure of the circumstances. In any case, I have determined the appeal on its own merits, based on the evidence before me.
36. In regard to Eagle Farm³, it was found that the development would not harm the character and appearance of the surrounding area which differs from the appeal proposal before me where I have found harm.
37. In respect of Tack Farm⁴, this related to a larger scheme and while weight was given to the provision of self-build housing and the use of brownfield land, this weight was also in the context of the Council's lack of 5-year housing land supply which differs from the appeal before me.
38. The appellant has referred to developments within the RPG; however, I am not aware of when they were built, or the circumstances which led to their consent. Accordingly, the examples referred to by the appellant are not comparable to the scheme before me and do not provide justification for the proposed development.
39. The proposed dwellings would be designed to provide accessible and adaptable accommodation; however, this attracts limited weight in the context that some users would be disadvantaged from being unable to reach the nearest footway link safely.
40. The Council did not include a deadline date for interested parties to comment on the appeal, however, as I am dismissing the appeal I have not sought to address this matter further.

Heritage and Planning Balance

41. Paragraph 205 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 asset's conservation. Paragraph 206 goes on to advise that significance can be harmed or lost through alteration or destruction of the heritage asset and that this should have a clear and convincing justification. This balance will be referred to as the heritage balance.

³ APP/Y0435/W/23/3317652

⁴ APP/J1860/W/24/3354156

42. A second balance (the planning balance) is found in section 38(6) of the Planning and Compulsory Purchase Act 2004, which says development should be in accordance with the development plan unless material considerations indicate otherwise.
43. Given the scale of the proposed development and its visibility, I find the harm to be less than substantial and at the middle of the spectrum, but nevertheless of considerable importance and weight. Under such circumstances, paragraph 208 of the Framework advises that this harm should be weighed against the public benefits of the proposal.
44. There is no disagreement between the parties that there is a significant undersupply of self-build homes. The provision of two self-build homes would make a small contribution in the context of the significant undersupply, however, it would nonetheless attract significant weight in favour of the appeal scheme.
45. The Council is able to demonstrate a 5-year housing land supply; however the provision of two dwellings would still be a significant benefit through supplying new homes.
46. Turning first to the heritage balance, taking the above matters into account, the benefits of the proposed scheme would not outweigh the harm caused through the location of development, pedestrian safety, character and appearance and heritage. The proposed development would therefore be contrary to Policy HE1 of the Plan:MK which amongst other things, seeks to ensure that permission for proposals that cause less than substantial harm to a designated heritage asset will only be granted where the harm is demonstrably outweighed by public benefits delivered by the scheme.
47. I have found that the proposed development would be contrary to Policies DS1, DS2, DS5, CT2, CT3, SD1, D1, D2, D3 and HE1 of Plan:MK. These Policies are generally consistent with the Framework in seeking to promote sustainable development in rural areas, ensure safe and suitable access to the site can be achieved for all users and are sympathetic to local character and history, including the surrounding built environment and landscape setting. Based on the small scale of the proposed development the magnitude of harm would be moderate.
48. Policy GS2 of the Emerging Local Plan sets out the Council's housing strategy and seeks to support small sites that are brownfield and within settlement boundaries. However, this only attracts limited weight in favour of the proposed development.
49. There is disagreement between the parties in terms of whether parts of the appeal site constitute previously developed land. However, even if I were to accept the appeal site was previously developed land, this would not be a significant benefit in favour of the appeal scheme.
50. In regard to the planning balance, the adverse impacts of the proposal would outweigh the limited benefits.

Conclusion

51. The proposal would conflict with the development plan as a whole and the material considerations, including the Framework, do not indicate that the appeal should be decided other than in accordance with it. Therefore, for the reasons given, the appeal should not succeed.

D Wilson

INSPECTOR