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## Appeal Decision

Site visit made on 16 April 2026

**by Rachel Hall BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 20 May 2026**

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### **Appeal A: APP/X0415/D/25/3376094**

#### **Mortimer House, Village Road, Ballinger, Buckinghamshire HP16 9LQ**

- 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 and Mrs Tony and Cristina Worthington against the decision of Buckinghamshire Council - East Area (Chiltern).
  - The application reference is PL/25/1608/FA.
  - The development proposed is described as 'erection of 2 No. single storey side extensions'.
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### **Appeal B: 6002391**

#### **Mortimer House, Village Road, Ballinger, Buckinghamshire HP16 9LQ**

- 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 and Mrs Tony and Cristina Worthington against the decision of Buckinghamshire Council - East Area (Chiltern).
  - The application reference is PL/25/1609/HB.
  - The works proposed are described as 'erection of 2 No. single storey side extensions'.
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## **Decision**

### **Appeal A**

1. The appeal is dismissed.

### **Appeal B**

2. The appeal is dismissed.

## **Preliminary Matters**

3. As the proposal relates to a listed building I have had special regard to sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (the Act). The Council's decision notice refers also to section 72 of the Act. However, as the appeal site is not within a Conservation Area, that section is not relevant to this decision.
4. There is some disagreement between the main parties as to whether or not Bull Cottage should be treated as a non-designated heritage asset. I note that it is listed on the Buckinghamshire Heritage Portal where its significance is described as an 18<sup>th</sup> or early 19<sup>th</sup> century building, and reference is made to it being 'delisted'. Its inclusion on the Heritage Portal indicates that it may have some heritage significance worthy of it being a non-designated heritage asset. Therefore, for the purposes of this appeal and in the absence of substantive evidence to the contrary, I have treated it as a non-designated heritage asset.

## **Main Issues**

5. The main issues are whether the proposal would preserve a Grade II listed building known as “Mortimer House” (Ref: 1158832) (the LB), or any of the features of special architectural or historic interest that it possesses, and the effect of the proposal on the significance of Bull Cottage (the Cottage) as a non-designated heritage asset.

## **Reasons**

### *Listed Building*

6. The LB dates from the early 19<sup>th</sup> century, with later additions. It is thought to have historically been a public house but has since been converted to a dwelling. The historic element of the building is two storey, comprised of flint with brick dressings, and a hipped, tiled roof. Its historic front elevation is symmetrical with a central front door and sash window above, with sash windows to either side on both floors. Although the building has been substantially extended to the rear in the 20<sup>th</sup> and 21<sup>st</sup> centuries and internally much of its historic features have been removed, the form of the historic front portion of the building remains legible, along with its historic plan form.
7. Given the above, I find that the special interest of the LB, insofar as it relates to these appeals, to be primarily associated with its architectural interest as an early 19<sup>th</sup> century dwelling. The building’s vernacular materials, polite Georgian aesthetic, characteristic sense of symmetry of its form and window placement, and its surviving plan-form make important contributions in that regard. The rear extensions have a simple form that allows the front and side elevations of the historic element of the building to be appreciated from its garden and Village Road.
8. The proposal includes an extension to the side bay window to the kitchen. The bay would be approximately the same height as existing and would extend the same distance from the two storey elevation, but would extend along the full length of the kitchen. Similar to the existing bay, it would have a lead roof and timber windows above a brick and flint plinth to match existing. This would comprise a modest extension without impacting the historic fabric of the building. From the front and rear of the building, its proportions and form would appear similar to existing. From the side, it would fit symmetrically within the brick portion of this elevation, below existing first floor windows. Moreover, as a modest increase in the footprint of the kitchen, it would not diminish the ability to appreciate the historic plan form of the main, front part of the house. Accordingly, this would have a neutral effect on the significance of the LB insofar as relevant to these appeals.
9. The proposed orangery would be added on an area of modern, hard landscaping, on the side elevation that faces on to the garden and is not part of the historic front portion of the building. It would thus not affect the fabric of the historic part of the building or the legibility of the remaining historic plan form there. Its footprint would be roughly square, extending out from that elevation, comprising of three windows to each side, separated by pilasters.
10. Although subservient in height to the historic part of the building and legible as a distinct addition, the orangery would appear as a prominent and sizeable addition to this side of the building that would be highly visible from the front of the building and from its garden. Despite the use of materials to match the existing building,

the pilasters separating its windows would be an alien feature that would add to its prominence, appearing to compete with the simple elegance of the historic front façade. The proposed double doors on the front of the orangery, with pilasters to either side, would also weaken the status of the principal elevation as the main entrance. When viewed from the garden, it would sit below three of the four first floor windows on that elevation. However, the placement of its central doors, and its windows to either side, would not align with the placement of the first floor windows above. Though not a historic elevation, it would consequently jar with the existing symmetry of the window placement there, which is a characteristic feature of the building.

11. The proposed orangery would therefore undermine the building's historic and architectural integrity. The appellant has suggested that the proposal would not harm the listed building because it would not be more widely visible. However, listed buildings are safeguarded for their inherent architectural and historic interest irrespective of whether or not public views of the building can be gained. The building has undergone various changes over time, including to its roof with a crown roof said to cover much of the building. However, this does not justify further alteration that would detract from its remaining historic significance. Therefore, for the above reasons, the proposal would not preserve the LB or any features of its historic interest and would harm the asset's significance.
12. Paragraph 212 of the National Planning Policy Framework 2024 (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to the asset's conservation. Paragraph 213 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets and that any such harm should have a clear and convincing justification.
13. Given the modest scope of the works and that the harm would be limited to that arising from the proposed orangery, I find the harm to be at the lower end of less than substantial in this instance, but nevertheless of considerable importance and weight. Where a proposal would lead to less than substantial harm to the significance of designated heritage assets, paragraph 215 of the Framework advises that this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use.
14. The appellant is of the opinion that the proposal would be beneficial because it would deliver investment in traditional heritage construction skills and local contractors and would give rise to associated economic benefits. Given the scale of the proposal this attracts limited weight. An increase in living space amounts to a private benefit. Given the scale of the works and that it relates to a single house, the extent to which it would represent an improvement to local housing stock would be highly limited. Accordingly, public benefits arising from the proposal would not be sufficient to outweigh the harm that I have identified in this instance. I also note that the continued viable use of the appeal property as a residential dwelling is not dependent on the proposal as the building has an ongoing use that would not cease in its absence.
15. Given the above and in the absence of public benefits that would outweigh the harm that would be caused, I conclude that, on balance, the proposed works would fail to preserve the special historic interest of the LB. This would fail to satisfy the requirements of the Act and paragraph 210(a) of the Framework.

Insofar as relevant, the proposal would not accord with Policies LB1 and LB2 of the Chiltern District Local Plan (consolidated 2011) (Local Plan), which generally seek to protect the special interest of listed buildings and their settings.

### *Bull Cottage*

16. The Cottage is described as a two storey, 18<sup>th</sup> to 19<sup>th</sup> century cottage being rendered with a tiled roof, and modern single storey extensions. It is positioned to the rear of the appeal building, with its access running alongside the appeal site. However, there is no substantive evidence of there being any particular historic resonance between the Cottage and the appeal building or its garden. Moreover, there is limited visibility between the two due to intervening boundaries and mature vegetation. In addition, as the proposal would comprise single storey extensions, the extent to which these would be perceptible from the Cottage would be highly limited. Therefore, I find that the proposal would not harm the significance of the Cottage as a non-designated heritage asset.
17. Consequently, with respect to this main issue, the appeal scheme would comply with Policy LB1 of the Local Plan, which seeks to ensure that proposals relating to listed buildings have regard to the effect on its locality.

### **Conclusion**

18. With regard to Appeal A, the proposal would fail to preserve the special historic interest of the LB and would thus conflict with the development plan as a whole. There are no material considerations that would outweigh that conflict.
19. Consequently, given the above and considering all other matters raised, the appeals should be dismissed.

*Rachel Hall*

INSPECTOR