
Appeal Decision

Site visit made on 6 February 2017

by Rory Cridland LLB (Hons), Solicitor

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 21 February 2017

Appeal Ref: APP/N0410/W/16/3156990
Scout Hut, Institute Road, Taplow SL6 0NS

- 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 Chris Newton, 1st Lent Rise and Downey Scout Group against the decision of South Bucks District Council.
 - The application Ref 16/01022/FUL, dated 28 May 2016, was refused by notice dated 26 July 2016.
 - The development proposed is a single storey rear extension and rear freestanding covered area.
-

Decision

1. The appeal is dismissed.

Preliminary matter

2. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.

Main Issues

The main issues are:

- (i) whether or not the proposal is inappropriate development in the Green Belt;
- (ii) the effect of the proposal on the openness of the Green Belt; and
- (iii) if the development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

Reasons

Whether or not the proposal is inappropriate development in the Green Belt

3. The appeal site is situated in the Green Belt and consists of a single storey wooden structure which is used as a scouts/girl guides hut as well as for other community activities. It is located close to the junction with Hitcham Road and
-

integrates well into its surroundings. To the rear is an area of hard standing which serves as an outdoor children's play area. To the east is an area of car parking and another structure of similar appearance and size, while to the north are playing fields. Overall, the site benefits from a considerable sense of openness.

4. Policy GB1 of the South Bucks District Local Plan (1999) restricts development within the Green Belt other than in a limited number of defined circumstances. However, Policy GB1 is of some age and its provisions are not consistent with the guidance set out in the National Planning Policy Framework (the Framework¹). Paragraph 215 of the Framework advises that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework¹. I therefore afford policy GB limited weight and it is to the provisions of the Framework that I turn in assessing the application.
5. The Framework indicates² that, other than in connection with a small number of exceptions, the construction of new buildings in the Green Belt should be regarded as inappropriate. The extension or alteration of a building providing that it does not result in a disproportionate addition over and above the size of the original building is one of the listed exceptions. The central question is therefore whether the extension proposed, taken cumulatively with any previous alterations to the original building, would constitute a disproportionate addition.
6. The term original building is defined in Annex 2 of the Framework as being the building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally. The Council has indicated that the original structure was around 137m². In support of this it has provided copies of the original plans for the building together with calculations showing the conversion from imperial to metric. This has not been challenged by the appellant and I am satisfied that the plans and accompanying calculations are a good indication of the structure as it was originally built.
7. The present structure occupies an area of approximately 207m². This represents an increase in floor space of around 51% over and above its original size. I note that the appellant has confirmed that a planning permission for a similar sized extension approved in 1999 was not implemented and the original building may have been extended as far back as the 1970's. Nevertheless, this increase in size, while not disproportionate in itself, is nevertheless a considerable increase to the size of the original building.
8. The proposal would increase the structure by around a further 84m². When added together with the increase above, it would result in an increase in floor space of more than double that of the original structure. This would represent a disproportionate addition. Even excluding the free standing roof cover proposed, the overall increase in size would amount to an increase in floor space of more than 80% over that of the original building. Again this would represent a disproportionate addition and would not come within the exemption set out in paragraph 89.

¹ The closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.

² at Paragraph 89

9. Consequently, in not benefitting from any of the listed exceptions, I find that the scheme would constitute inappropriate development within the Green Belt, which the Framework states is, by definition, harmful and should not be approved other than in very special circumstances³.

The effect of the proposal on the openness of the Green Belt.

10. The Framework indicates that openness is an essential characteristic of the Green Belt. In my view, openness has both a visual and spatial dimension and the absence of visual intrusion does not, in itself, mean that there is no impact on the openness of the Green Belt. In this case, the Council accepts that, in view of its location to the rear of the site, the visual impact of the proposal would be limited. I agree with that assessment.
11. Nevertheless, the addition of the proposed extension would add built form where presently there is none, impacting spatially on the openness of the site and its surroundings. While I acknowledge that some reduction in openness is not ruled out by the Framework, it is nevertheless a key characteristic of the Green Belt and any such reduction requires justification either by means of an exemption or by demonstrating that very special circumstances exist.
12. Consequently, I find that the proposal would impact negatively on the openness of the Green Belt, the effect of which would be to cause further harm contrary to guidance set out in the Framework.

Other considerations

13. The scout hut is used for community use in addition to use by the Scouts Association. This is clearly of benefit to the local community and I afford this a considerable amount of weight in support of the application. I also note that a previous extension of similar size was granted planning permission in 1999 due to exceptional circumstances and which the appellant has indicated was never implemented.
14. However, I have found above that the proposal would be inappropriate development within the Green Belt as defined by the Framework. Furthermore, I have found that it would have a negative impact on openness, which the Framework indicates is a key characteristic of the Green Belt. In considering a planning application, Paragraph 88 of the Framework states that the resultant harm should be given substantial weight.
15. On balance, while I recognise that its community function provides a valuable resource to local residents, I do not consider that the appellant has demonstrated that very special circumstances exist which would justify a departure from the guidance set out in the Framework.

Conclusion

16. For the reasons set out above, I conclude that the appeal should be dismissed.

Rory Cridland

INSPECTOR

³ at Paragraph 87