
Appeal Decision

Site visit made on 6 April 2017

by Mike Fox BA (Hons) DipTP MRTPI

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

Decision date: 13th April 2017.

Appeal Ref: APP/J0405/W/16/3164724

Land off Mill Lane, Haddenham, Buckinghamshire, OX9 3SA

- 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 and Mrs Cyril and Val Lewis against the decision of Aylesbury Vale District Council.
 - The application Ref 16/02905/APP, dated 4 August 2016, was refused by notice dated 13 October 2016.
 - The development proposed is erection of a new bungalow.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the acceptability of the proposal in relation to planning policies concerning isolated new development in the countryside; and the effect of the proposal on the character and appearance of the surrounding rural area.

Reasons

3. The appeal site is in an isolated location in open countryside next to a narrow rural track, known as Mill Lane. It lies about 115m from the nearest development, Scotsgrove Mill, which is a small settlement cluster, at the eastern end of Mill Lane.
4. The Appellants argue firstly that the appeal site is in a developed location with eleven houses and an office development already existing in Mill Lane. They also argue that its eco-credentials in relation to its low thermal values and use of an air-sourced heat pump, plus the disabled friendly provision, make the proposal sustainable.
5. Paragraph 55 of *the Framework*¹ states that new isolated homes in the countryside should be avoided unless (a) there are special circumstances such as the essential need for a rural worker to live permanently at or near their place of work in the countryside; or (b) where a heritage asset or (c) a redundant building is involved; or (d) where the proposed dwelling is of an exceptional quality or innovative design.
6. The Appellants have not provided any justification for the proposed bungalow in relation to the essential need for an agricultural worker to live at this location. There are no grounds in favour of the proposal in relation to heritage

¹ DCLG: National Planning Policy Framework (*the Framework*); March 2012.

assets or disused buildings. Whilst its eco-credentials and disabled friendly provision are acknowledged, I do not consider its design to be of exceptional quality which would be truly outstanding or innovative; and reflect the highest standards in architecture; and significantly enhance its immediate setting; and be sensitive to the defining characteristics of the local area – all four of which are necessary to pass the ‘special circumstances’ test in paragraph 55[4] of *the Framework*.

7. I therefore conclude on the first main issue that the proposal would be contrary to national planning policy which seeks to prevent the spread of new isolated homes in the countryside.
8. I now turn to the second main issue. The proposal, by introducing an urban feature in this remote spot, would be completely out of place and detract significantly from the open and expansive feel of the surrounding countryside. This would be contrary to paragraph 17[5] of *the Framework*, which states that planning decisions need to recognise the intrinsic character and beauty of the countryside. It would also conflict with saved Local Plan² policy GP35, which requires new development to respect the physical characteristics of the site and surroundings.
9. Taking the above matters into consideration, I conclude on the second main issue that the proposal would unacceptably harm the character and appearance of the surrounding rural area.
10. The Appellants refer to the proposed development as sustainable. The proposal would provide a limited short term economic role in the form of employment during the construction of the bungalow and a social role in meeting specialist housing need. In terms of its environmental role, any eco-friendly features would, in my view, be significantly outweighed by the unacceptable harm to the surrounding landscape, which from third party correspondence, is clearly valued by local people. I have therefore taken paragraph 109[1] of *the Framework* into consideration, which states that such valued landscapes should be protected and enhanced.
11. The proposal would also be unsustainably located, being remote from urban facilities, services and employment, with no convenient access to a bus service. This would be contrary to national policy, as set out in *the Framework* (for example in paragraph 17[11] and Section 4: ‘Promoting sustainable transport’).
12. I note the personal circumstances of the Appellants, but the harmful impact of the proposal in an isolated and attractive rural area, outweighs all the arguments in favour of the proposal.
13. In conclusion, I have found that the proposal would not be in accordance with planning policy concerning isolated new development in the countryside; and that it would unacceptably harm the character and appearance of the surrounding rural area. For the reasons given and having regard to all other matters raised, I conclude that the appeal should fail.

Mike Fox

INSPECTOR

² Aylesbury Vale District Local Plan; January 2014.