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## Appeal Decision

Site visit made on 8 February 2017

**by J F Powis BA (Hons) MSc MRTPI**

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

**Decision date: 3 May 2017**

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**Appeal Ref: APP/K0425/W/16/3160690**

**Land adjacent to Summerhill, Heavens Lea, Hedsor, Buckinghamshire  
SL8 5JL**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
  - The appeal is made by Mr Grey of Nascot Homes against the decision of Wycombe District Council.
  - The application Ref 16/06782/OUT, dated 23 June 2016, was refused by notice dated 5 September 2016.
  - The development proposed is construction of 4 dwellings consisting of 1 x detached five bed dwelling, 1 x detached four bed dwelling and 2 x semi-detached three bed dwellings.
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. The application was made in outline with all matters except for access reserved for future consideration. I have dealt with the appeal on this basis, treating the submitted site layout plan as illustrative except with regard to access. For reasons of clarity, the description of development set out above is taken from the appeal form and decision notice.
  3. A narrow strip of land along the western boundary of the site lies within the Green Belt. None of the parties to this appeal have raised an issue about inappropriateness. The application is in outline form but having regard to the submitted plans and what I saw on site, I am satisfied that it would be possible to achieve a layout which avoided the construction of new buildings on land falling within the Green Belt. I therefore consider that the proposal would not be inappropriate development for the purposes of paragraphs 87, 89 and 90 of the National Planning Policy Framework (the Framework). As such, there would be no conflict with saved Policy GB2 of the Wycombe District Local Plan to 2011 (adopted January 2004) (LP) which seeks to protect the Green Belt.
  4. The Council accepts that it is currently unable to demonstrate a five-year supply of deliverable housing sites in the district. Policies in the LP, Wycombe Core Strategy (adopted July 2008) (CS) and Delivery and Site Allocations Plan (adopted July 2013) (DSAP) which relate to the supply of housing are therefore out-of-date when considered in relation to paragraph 49 of the Framework. Consequently, in accordance with paragraph 14 of the Framework, planning
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permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. Nevertheless, I still must have regard to the development plan policies and decide whether or not the appeal proposal accords with them.

5. I note the agreement between the main parties that despite being cited in the Council's reasons for refusal, saved Policy G8 of the LP is not directly relevant to the proposal. Having regard to all the evidence before me, I agree with this position.

## **Main Issues**

6. The main issues are the effect of the proposed development on the function of the designated green space and the character and appearance of the area.

## **Reasons**

### *Background*

7. The appeal site is an irregularly shaped parcel of undeveloped land on the edge of a small settlement known as Hawks Hill / Harvest Hill. Hawks Hill / Harvest Hill is a loose collection of typically large, residential properties situated in generous plots within a semi-rural setting.

### *Designated Green Space*

8. The appeal site is designated as a green space under Policy DM12 of the DSAP. The site is located at the narrowest gap between Hawks Hill / Harvest Hill and a cluster of development along Hedsor Road which forms part of the larger settlement of Bourne End.
9. Policy DM12 states that development that would result in the loss, fragmentation or reduction in size of green spaces will be refused, except in exceptional circumstances. It goes on to set out a number of provisions which apply where, in exceptional circumstances, it can be demonstrated that development within a green space is necessary. The supporting text at paragraph 6.73 explains that green spaces should be retained as a key element of the district's green infrastructure network, considered important for their recreational or amenity value. This is set in the context of overarching green infrastructure Policy DM11 of the same plan and echoes the thrust of Policy CS17 of the CS.
10. I note the appellant's submissions in relation to the age of the green space designation, which appears to date back to 2004 and to have been 'rolled over' into subsequent plans. I have also had regard to the cited comments of the Inspector who examined the DSAP in relation to a future review of site designations. However, whilst the Council has not taken steps to formally review the appeal site's designation or to designate the site as Local Green Space as provided for in paragraphs 76 to 78 of the Framework, the site nevertheless benefits from protection under Policy DM12, which remains part of the adopted development plan. Whilst acknowledging that the Planning Practice Guidance was updated in respect of local green spaces in 2014, Policy DM12 was adopted after publication of the Framework and is generally consistent with it in supporting the creation and protection of green infrastructure networks.

11. The proposed development would comprise four dwellings. An existing opening onto Hedsor Hill would provide access to the site. Whilst glimpsed views into the site are possible through gaps between boundary trees and vegetation from points along Hedsor Hill and at the junction of Hedsor Hill and Hedsor Road, the site is not particularly prominent when viewed in its immediate setting.
12. However as part of my visit, I viewed the site from the surrounding viewpoints provided by both the appellant and the Council. The site occupies sloping ground, being at its highest point along the boundary with Hedsor Hill. Due to its elevated position, the site is clearly visible in longer views from surrounding public viewpoints, particularly across open fields from the north-west. From this direction, the site's green and undeveloped nature provides a visual link between open countryside to the north-west and south of the site. Viewed from Hedsor Hill and public footpaths to the south, the site contributes to the distinctive spacious, semi-rural setting of the Hawks Hill / Harvest Hill residential area.
13. Therefore viewed in its broader setting, the appeal site, by virtue of its undeveloped and open character, provides a clear physical and visual separation between the Hedsor Road development and Hawks Hill / Harvest Hill. As such, whilst there is no public access across the site, it nonetheless has inherent landscape value and serves an important function in terms of preventing coalescence between the two settlement areas.
14. The submitted information, which includes an illustrative site layout plan, indicates that the proposed built form could be capable of being accommodated on approximately one third of the site, with the remaining two thirds being utilised for associated gardens and outdoor amenity areas. Whilst this would retain a fair proportion of the site uncovered by built form, it is my view that residential gardens, which might typically include play equipment, outdoor furniture and other domestic features, would constitute a material change to the character of the whole site.
15. As a result, the proposal would significantly erode the quality of the existing green space such that its inherent landscape value would be lost. The scheme would fail to maintain separation between Hedsor Road and Hawks Hill / Harvest Hill, and would effectively close the countryside gap between the settlements in this area. This would give the impression of a continuous stretch of built form, losing the individual identities and character of the two settlements. This would detract from the setting of Hawks Hill / Harvest Hill and adversely affect local landscape quality.
16. The appellant submits that the exceptional circumstances required by Policy DM12 can be demonstrated in this case due to the lack of a five-year housing land supply. However, even if this were to be the case, I am not convinced that the requirements of part (3) of the policy have been shown to be satisfied.
17. My attention has been drawn to a 2011 planning permission for four large detached dwellings on a site known as 'Four Winds', immediately east of the appeal site at Hedsor Hill and now constructed. I note that the development replaced two former dwellings on the site, as opposed to being a wholly undeveloped site prior to permission being granted. The submitted evidence also indicates that unlike the appeal site, the land at Four Winds was not designated as green space. For these reasons, the 2011 permission is not directly analogous to the proposal before me.

18. Having viewed the area, I consider that the intensification of residential development on the Four Winds site has had the effect of consolidating the built form to the south of the Hawks Hill / Harvest Hill settlement, leaving the appeal site as the only area of undeveloped land to separate Hawks Hill / Harvest Hill and development along Hedsor Road. In my view, this has only reinforced the need to protect the site as green space.
19. I therefore conclude that the proposed development would result in the loss of an important green space, causing substantial harm to landscape quality in the surrounding area. As a result, it would be contrary to Policies DM11 and DM12 of the DSAP and saved Policies G3 and C16 of the LP, which together seek to conserve the district's green infrastructure network, protect local landscape quality and maintain local distinctiveness. The proposal would also not accord with the Framework's objective of safeguarding green infrastructure networks with a view to protecting valued landscapes.

#### *Character and Appearance*

20. Given that the appeal proposal is in outline form, I am mindful that considerations of design, landscaping and layout are not matters before me. Notwithstanding this, I noted during my visit the marked predominance of large, detached dwellings set in generous grounds in the part of Hawks Hill / Harvest Hill closest to the site. Properties immediately to the north of the site, which are similarly bounded by Heavens Lea and Hedsor Hill, have plots which span the entire width of the land between the two roads and have individual points of access from the highway. These are features that contribute to the area's spacious, sylvan character.
21. In seeking to accommodate four dwellings on the appeal site, the proposal would be likely to result in smaller plots for each unit than is typically seen in the immediate surroundings. Moreover, the proposed development would include two semi-detached units, each with three bedrooms, which would constitute a perceptible departure from the large and well-spaced nature of the established built form of the Hawks Hill / Harvest Hill area.
22. Whilst the appellant's efforts to show through the illustrative layout plan that existing lines of development to the north and west could be followed by the proposal are noted, I consider that a cul-de-sac style arrangement on the relatively small scale proposed would result in a contrived form of development which would be out-of-keeping with its surroundings.
23. Consequently, the submitted information does not satisfactorily demonstrate how a pattern of development that would maintain the distinctive character and role of the area could be achieved on the site. For these reasons, I conclude that the proposal would result in significant harm to the character and appearance of the site and surrounding area. This would be contrary to Policies DM11, DM12, DM13 and DM14 of the DSAP, Policies CS17 and CS19 of the CS and saved Policies G3 and C16 of the LP, insofar as they seek to ensure that new development respects and maintains the character of its setting.
24. Moreover, the proposal would not accord with the Framework's aim of achieving high quality design which takes account of the different roles and character of areas.

## **Planning Balance and Conclusions**

25. The proposal would provide four new dwellings on the site, bringing social benefits that attract modest weight in the overall balance. The development would also generate employment and investment in the construction sector, bringing economic benefits. These effects would, however, be short-term and limited in extent and so carry little weight in the overall assessment.
26. The appellant points to evidence that the current supply of housing land is in the order of approximately 3.8 years and this figure has not been disputed by the Council. The lack of a five-year housing land supply is in itself a matter to which I attach significant weight. In that context, I attach moderate weight to the development plan policies.
27. Nevertheless, set against that I am mindful that four additional dwellings would make only a small contribution to the considerable shortfall in housing supply that currently exists. I have also found that the proposal would result in substantial harm to the function of the designated green space and significant harm to the character and appearance of the area. In this sense it would conflict with the Framework's objectives of planning positively for the protection and management of networks of green infrastructure and achieving high quality design which has regard to the individual roles and character of areas. This indicates that the environmental dimension of sustainable development would not be achieved. This is a matter which attracts substantial weight.
28. I therefore consider that the adverse impacts of granting permission would significantly and demonstrably outweigh the limited benefits I have identified, when assessed against the policies of the Framework taken as a whole. Overall, the proposal would not constitute sustainable development in the sense of paragraph 14 of the Framework.
29. For this reason, I find that there are no material considerations that outweigh the conflict with the development plan. I therefore conclude that the appeal should be dismissed.

*J F Powis*

INSPECTOR