
Appeal Decision

Site visit made on 11 July 2017

by Andrew Owen BA(Hons) MA MRTPI

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

Decision date: 26 July 2017

Appeal Ref: APP/K0425/W/17/3173426

Ivy Cottage, Bryants Bottom Road, Bryants Bottom HP16 0JS

- 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 Robert Dell against the decision of Wycombe District Council.
 - The application Ref 16/07048/FUL, dated 18 July 2016, was refused by notice dated 10 October 2016.
 - The development proposed is construction of new dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (the 'Framework') and development plan policy;
 - the effect of the proposal on the openness of the Green Belt;
 - the effect of the proposal on the character and appearance of the area which lies within the Chilterns Area of Outstanding Natural Beauty (AONB); and
 - if the development would be inappropriate, whether the harm to the Green Belt by way of inappropriateness and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

Reasons

Inappropriate development

3. The site is within the Green Belt. Paragraph 89 of the Framework is clear that the construction of new buildings in the Green Belt is inappropriate. However, it adds that exceptions to this include limited infilling in villages. Policy GB9 of the Wycombe Development Framework Core Strategy (the 'Core Strategy') is identified in the Council's decision and defers to national Green Belt policy, now set out in the Framework. Saved Policy GB2 of the Wycombe District Local Plan to 2011 (the 'Local Plan') is also listed in the Council's decision and, insofar as it relates to the appeal proposal, refers to Policy GB4 of the Local

Plan which states that limited infilling in the identified built up areas within the Green Belt may be appropriate. These local policies are consistent with the Framework and I give them significant weight.

4. Policy GB4 lists the built up areas that are washed over by the Green Belt. Bryants Bottom is not included within this list. I note that the parish council's website identifies Bryants Bottom as a village, and that the appellant's suggested definition of a hamlet would exclude this settlement. However, Bryants Bottom is a small, albeit long, linear settlement with a public house providing the only community facility. As such, I consider it is too small a settlement to be deemed a village for the purposes of paragraph 89 of the Framework and it is not unreasonable for it to be excluded from the list of built up areas in the Green Belt in Policy GB4.
5. Therefore whilst the development would represent the limited infilling of a gap in a row of dwellings, it would nonetheless fail to accord with paragraph 89 of the Framework and Policy GB4 and therefore would be inappropriate development which would cause significant harm to the Green Belt.
6. Paragraph 88 of the Framework says substantial weight should be given to any harm to the Green Belt, and that development should not be approved unless the harm to the Green Belt, and any other harm, is clearly outweighed by other considerations. It is therefore necessary for me to consider whether any other harm is caused by the proposal and then balance the other considerations against the totality of that harm.

Openness

7. The site is currently undeveloped and, as one of only a few gaps in the linear settlement, it provides a valuable open element to the street scene, particularly as the other gaps in the settlement are more obscured by trees and do not have the same degree of visual openness. It also allows views from the road to the woodland at the rear of the site, although, due to the steep gradient of the rear part of the site, much of this woodland would remain visible above the proposed house in the same way that it is visible above the neighbouring houses. Nonetheless, the development would considerably reduce the openness of the site and the vicinity, and would therefore cause significant harm to the openness of the Green Belt. The impact on openness weighs against the development, and is in addition to the inappropriateness of the proposal in principle.

Character and appearance

8. The proposed dwelling would be 'T' shaped and would be set back further from the road than its neighbouring houses. However there is no uniform building line in this part of the settlement, and I do not consider the house's position on the plot would appear demonstrably inconsistent with its surroundings.
9. Similarly, the dwelling would be wide and would occupy the majority of the width of the plot. However some of the other dwellings locally, notably those to the north west, occupy a comparable proportion of their plot widths, whilst others, such as Ivy Cottage, are similarly wide. Indeed there is no overarching consistency to the houses in the area in terms of their scale. Consequently I do not consider the proposal would appear incongruous in the context of the neighbouring properties.

10. The development may involve some excavation due to the rising ground in the rear of the site. However the front part of the site, where the development would be positioned, is mostly flat and the amount of excavation necessary would be minimal. Indeed, many of the other properties in the immediate vicinity have excavated some of the slope to build into it.
11. Paragraph 115 of the Framework advises that great weight should be given to conserving the landscape and scenic beauty of AONBs. I consider the relatively small scale of the proposal, its setting within a row of other dwellings and its limited visibility in the wider landscape results in it having no harmful impact on the AONB.
12. Accordingly, in these respects, the proposal would not harm the character and appearance of the area and hence would accord with Policy G3 of the Local Plan and CS19 of the Core Strategy which both require a high standard of design and layout, and Local Plan Policy G7 which requires development to take account of views and topography. It would also comply with Policy CS17 of the Core Strategy and Policy L1 of the Local Plan which seek the conservation of the special character of the AONB.

Other considerations

13. The design and finishing materials of the dwelling would reflect that of the adjoining property at Ivy Cottage. However this would be expected of any development and it carries little positive weight.
14. The blank side elevation of Mickleden is prominent from views from the south east along Bryants Bottom Road. Although the proposal would substantially obscure this elevation, I do not consider it is particularly unattractive, and I give minimal weight to this consideration.
15. The Council have a shortfall in providing a five year supply of housing. The proposal would make a contribution, albeit limited, to this and therefore I give this moderate weight.
16. The appellant refers to a case in Ibstone which, he suggests, implies that any infill development would be prevented by the Council. However it appears that that site was not within the Green Belt, so was considered against different policies to the proposal before me. Notwithstanding this, each case must be determined on its own merits. I therefore give little weight to this matter.

Planning Balance and Overall Conclusion

17. I consider that the development causes significant harm to the Green Belt by way of its inappropriateness and to its openness, and the Framework states that substantial weight should be given to this harm. Balanced against that are the other considerations identified above. I give neutral weight to the lack of harm to the character and appearance of the area. I conclude that the combined weight of the other considerations does not clearly outweigh the harm to the Green Belt and therefore there are no very special circumstances to justify the proposal.
18. Consequently, the development conflicts with Policies GB2 and GB4 of the Local Plan, Policy GB9 of the Core Strategy and the Framework which all aim to protect the Green Belt from inappropriate development.

19. Therefore, for the reasons given above, and taking account of all other considerations, I conclude that the appeal should be dismissed.

Andrew Owen

INSPECTOR