

Appeal Decision

Site visit made on 2 August 2017

by Penelope Metcalfe BA(Hons) MSc DipUP DipDBE MRTPI IHBC

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

Decision date: 8 August 2017

Appeal Ref: APP/N0410/D/17/3177631

Navarone, Wood Lane, Iver Heath, Buckinghamshire, SL0 0LG

- 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 B S Khurl against the decision of South Bucks District Council.
 - The application Ref 17/00108/FUL, dated 19 January 2017, was refused by notice dated 21 March 2017.
 - The development proposed is new glazed cover over existing swimming pool.
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Decision

1. The appeal is dismissed.

Main issues

2. I consider that the main issues in this case are a) whether the proposal constitutes inappropriate development in the Green Belt, b) its effect on the openness of the Green Belt and on the character and appearance of the area, and c) if it is inappropriate development, 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

3. The National Planning Policy Framework (the Framework) sets out several categories of new buildings which are not inappropriate development in the Green Belt as does saved policy GB1 of the South Bucks District Local Plan 1999 (the local plan). These categories do not include domestic outbuildings.

Inappropriate development

4. The proposed glazed cover is a domestic outbuilding which, in my opinion, would be located too far from the main house, at some 20 metres, to be considered as an extension to the house. It does not, therefore, fall into any of the categories referred to above. I conclude that the proposal would be inappropriate development in the Green Belt. Such development is, by definition, harmful and is contrary to the guidance in the Framework and local plan policy GB1. The resultant harm should be given substantial weight in determining the appeal.

Openness and character and appearance

5. The Framework states that the essential characteristics of Green Belts are their openness and permanence. The appeal site comprises a substantial two storey detached house on a large plot, set well back from the road. It was permitted as a replacement dwelling and permitted development rights were removed to allow the Council to continue to exercise strict control over development in the Green Belt. The rear garden is level and mainly laid to grass, with a swimming pool surrounded by a paved area, a garden room and some other structures.
6. The proposed glazed cover for the swimming pool would be approximately 12m x 9m with a maximum height of approximately 2.7m. The submitted plans indicate that at its nearest point it would be located approximately 20m from the main house. Although it would not necessarily be unduly out of scale in the context of the size of the house and gardens, I consider that the proposal would be substantial in respect of its floor area. Notwithstanding its glazed construction and relatively lightweight appearance, its size is such that it would result in a material reduction in the openness of the Green Belt. Its resemblance to an agricultural or horticultural greenhouse is of little relevance here as it is not intended for either of those uses.
7. The house is set back from the road and the rear of the property is screened from any public view from the road by the house itself and the garage and trees. The cover would therefore be visible only to immediate neighbours. While this limited visibility mitigates the impact to some extent, it does not overcome the intrinsic harm to openness. I conclude that the proposal would erode the openness of the Green Belt, contrary to the guidance in the Framework and local plan policy GB1.
8. The appeal property is located in a rural area and is one of a number of large houses set back from the road amongst mature vegetation. The proposed cover would appear similar to a large greenhouse in some respects, it would be largely screened from public view and the plot is large. However, I consider that its size would be excessive in this context. This would not necessarily be sufficient reason on its own to dismiss the appeal, but its location in the Green Belt adds weight to my concerns about its size.
9. The Council refers to the possibility of the development acting as a precursor to further development of a similar nature to this proposal. While it is an established planning principle that each case is determined on its merits, allowing this appeal would make it difficult for the Council to resist similar proposals. If this were to happen I consider that the resultant cumulative effect would prejudice the aims and objectives of the Green Belt, including safeguarding the countryside from encroachment.
10. I conclude that the proposal would cause unacceptable harm to the character and appearance of the area, contrary to the guidance in the Framework and local plan policy GB1.

Conclusions

11. The harm caused by the inappropriateness of the development carries substantial weight, as does the harm to the openness of the Green Belt. I have found that there would be some adverse impact on the character and

appearance of the area which although not sufficient in itself to dismiss the appeal adds further weight against the development.

12. For the reasons given above and having regard to all other matters raised, I conclude that there are no considerations sufficient to clearly outweigh the harm to the Green Belt. There are, therefore, no very special circumstances to justify the development. It conflicts with the Framework and local plan policy GB1 and the appeal is dismissed.

PAG Metcalfe

INSPECTOR