
Appeal Decision

Site visit made on 4 October 2017

by H Butcher BSc (Hons) MSc MRTPI

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

Decision date: 29th November 2017

Appeal Ref: APP/N0410/W/17/3179101
Cedar House, Main Drive, Iver, SL0 9DP

- 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 Carl Lindsay against the decision of South Bucks District Council.
 - The application Ref 16/02193/OUT, dated 17 November 2016, was refused by notice dated 9 January 2017.
 - The development proposed is a detached dwelling house and attached garage.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The application was submitted in outline with all matters reserved. Plans showing the position and footprint of the proposed dwelling were included. However, as these are details which are reserved for future consideration I have considered them solely on the basis that they have been submitted for illustrative purposes only.

Main Issues

3. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework and any relevant development plan policies;
 - The effect of the proposal on the openness of the Green Belt;
 - The effect of the proposal on the character and appearance of the surrounding area having particular regard to protected trees, and;
 - Whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations and if so would this amount to the very special circumstances required to justify the proposal.

Reasons

Inappropriate development

4. As set out in the National Planning Policy Framework (the Framework) the construction of new buildings in the Green Belt should be regarded as inappropriate development. Policy GB1 of the South Bucks District Local Plan

(LP) and the Framework set out exceptions to this which include the provision of facilities for outdoor sport.

5. The appeal site forms part of Richings Park Golf Club and the proposed dwelling is intended to be offered as part of a package of remuneration and accommodation for a future General Manager of the club. In providing accommodation for a future employee I do not consider that the dwelling would be a building for outdoor sport. Accordingly the proposal would constitute inappropriate development in the Green Belt.

Openness

6. A fundamental aim of Green Belt policy, as set out in paragraph 79 of the Framework, is to prevent urban sprawl by keeping land permanently open. The proposal would introduce a dwelling onto a site where there is presently not one. This would inevitably lead to a loss of openness which would be harmful to the Green Belt. That the site falls within the ownership of the golf club does not alter my findings in this respect.

Character and appearance

7. The appeal site is located on Main Drive which provides access to a gated residential development. Main Drive is lined by large, mature Oak trees, some of which are sited along the front of the appeal site. The Oak trees contribute positively to the character and appearance of the area and as such are subject to a Parkland Tree Preservation Order.
8. The appeal site is relatively shallow and the canopies of the nearest Oak trees overhang a large proportion of it. It is likely, therefore, that the proposed dwelling would fall within the Root Protection Areas of these trees. I appreciate that all matters are reserved for future consideration. However in light of the constraints imposed on the site by these protected trees and the absence of any evidence demonstrating a house could be accommodated on this plot without causing harm to them I find that the proposal would be detrimental to the character and appearance of the surrounding area.
9. The Council's Arboricultural Officer also raises concerns in respect of pressure from future occupants of the dwelling to reduce or remove the trees to the front of the appeal site. Even if it were possible to retain the trees, due to their large size (up to 30m tall) and their proximity to the proposed dwelling, I consider these to be legitimate concerns which further weigh against the proposal.
10. I therefore find conflict with Policy EP4 of the LP which requires development proposals to take account of, and retain, existing landscape features which are important elements in the character and appearance of the site and wider area.

Other considerations

11. The golf club wishes to employ a General Manager which it considers vital to the continued viability of the club. The ability to offer a house to a future manager would, in the appellant's view, improve the ability and credentials of candidates for this position which would be of benefit to the club.
12. Any review of Green Belt boundaries should take account of the need to promote sustainable patterns of development, and to this end, the Council

could have identified the appeal site as designated 'safeguarded land' as per paragraph 85 of the Framework in order to meet future development needs.

13. The appeal site sits adjacent to an area of residential development. The appellant therefore argues that the proposal would not affect the pattern of development and would, in fact, complement and give balance to the existing street scene. Currently the site is redundant land and at times is used for the dumping of garden refuse by local residents.
14. The appellant refers to a planning application at Boundary Park Equestrian Centre, Wexham Road, Buckinghamshire where a dwelling in the Green Belt was allowed.

Conclusion

15. I have identified that the proposal would be inappropriate development in the Green Belt as defined by the Framework. In addition I have identified adverse impacts on openness. Substantial weight should be given to harm to the Green Belt. I have also identified harm to the character and appearance of the surrounding area. Very special circumstances will not exist unless the harm to the Green Belt and any other harm are clearly outweighed by other considerations.
16. I attach moderate weight to the continued viability of the golf club and the benefit the proposed dwelling would make to this. However, in my opinion, other factors would also contribute to the club's long-term viability. The location of the dwelling in relation to surrounding development and any future decisions about Green Belt boundaries or the designation of land I attach limited weight as this is not currently under review in this district.
17. Whilst a dwelling would not, in itself, appear out of place on the appeal site, given its residential surroundings, I do not consider it would be of any great benefit visually as it would erode the existing semi-rural character of the street. There would also be other ways to deal with the dumping of garden waste other than the building of a dwelling. I therefore afford these matters minimal weight. Similarly, only minimal weight can be attached to the above appeal decision given the lack of detail provided. In any event, each proposal should be considered on its own planning merits.
18. In light of my findings above the substantial weight to be given to Green Belt harm and the harm to the character and appearance of the surrounding area is not clearly outweighed by the other considerations, even when taken together, such that very special circumstances have been demonstrated.
19. The appeal is therefore dismissed.

Hayley Butcher

INSPECTOR