



Appeal Decision

Site visit made on 23 July 2019

by David Wallis Bsc (HONS) PG DipEP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 August 2019

Appeal Ref: APP/K0425/W/19/3227433

Boundary Farm, Sprigs Holly Lane, Chinnor, Buckinghamshire OX39 4BY

- 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 Bryant against the decision of Wycombe District Council.
 - The application Ref 19/05393/FUL, dated 15 February 2019, was refused by notice dated 3 April 2019.
 - The development proposed is a change of use of existing single storey building to form a two-bedroom home with parking, access and amenity space.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues for the appeal are whether the development would conserve and enhance the natural beauty of the Chilterns Area of Outstanding Natural Beauty (AONB), and the effect on the living conditions of future occupiers with regard to private garden space.

Reasons

3. Paragraph 172 of the National Planning Policy Framework attaches great weight to conserving and enhancing landscape and scenic beauty in an AONB.
4. The appeal building is separated from the highway by a significant distance across expanses of open paddocks, which are free from built form. Despite the field gate entrance off Sprigs Holly Lane, I observed on site no established means of vehicular access to the appeal building across the grazing land.
5. Whilst tracks for various agricultural and other necessary purposes are a feature of the AONB, this does not reduce their potential for being an encroachment upon the countryside. Although being of a 'Green Lane' construction, constituting compressed gravel, the access would starkly subdivide the land and, together with the large turning head and parking area, would have a significant urbanising effect on the landscape. The presence of this access and parking area would intrude upon the countryside and views from the public footpath.
6. I conclude the access would be a harmful encroachment to the special character of the landscape, contrary to policy CS17 of the Wycombe

Development Framework Core Strategy Development Plan Document 2008 (CS) and Saved Policy L1 of the Wycombe District Local Plan adopted 2004 (LP), which have the joint aim of protecting the AONB from development that is likely to damage the special character, appearance or natural beauty of the landscape. The proposal would also be in conflict with policy CS19 of the CS as well as policies C4 and C7(d) of the LP as the access would adversely affect the character, appearance or setting of the designated area. The proposal is not one of those categories of development listed in policy C10 of the LP as being acceptable in the countryside.

7. In respect of future occupier's living conditions, whilst the garden proportions are not typical of the prevailing pattern of development in the area, they would provide a suitable space for private enjoyment and recreation. The garden, set across a mix of surfaces, would provide adequate useable private amenity space as well as ancillary areas for bin storage and other domestic activities.
8. I therefore conclude that the proposal would not harm the living conditions of future occupants. The proposal would accord with policies CS19 of the CS and G3 and G8 of the LP that seek to safeguard the future amenity of residents. It also complies with policy G12 in that it provides suitably located and appropriate facilities for waste management.

Other Matters

9. The single dwelling would offer only a limited contribution towards the rural economy and housing choice in the area. Proposals for landscaping, whilst softening the appearance of development to a degree, would be of limited benefit given the length of time needed for planting to mature. Domestic activity and disturbance would off-set the benefit of any biodiversity enhancements proposed around the appeal site. The lack of dispute on other planning matters is not a benefit in favour of the development.
10. I note the aspiration of the appellant to downsize in their local area and the suggestion that all other nearby houses are too large. These matters are not substantive in merit to justify a departure from the Development Plan, given the proposal is for a permanent open-market dwelling.
11. Whilst an earlier application had officer support, it was the decision of the Local Planning Authority to refuse permission. The appellant has pointed out an access to the existing building could be laid under permitted development. However, I have no substantive evidence to consider whether a development could or would meet the relevant legislation.
12. My attention has been drawn to other accesses that have been permitted, which appear to be for agricultural purposes rather than for domestic-related uses. Whilst taking these into consideration I have drawn my own conclusions on the merits of this proposal on this site.
13. Another example to which I am referred relates to a retrospective application for fencing and gates, which is not directly comparable to the appeal proposal.

Conclusion

14. The appeal development would not conserve and enhance the natural beauty of the countryside and is thus contrary to the Development Plan. I have had

regard to all other relevant planning matters to this appeal, but the cumulative benefits are not sufficient to outweigh the harm identified.

15. The appeal is dismissed.

David Wallis

INSPECTOR