The Planning Inspectorate

Appeal Decision

Site visit made on 2 December 2019 by S Watson BA(Hons) MSc

Decision by P J Davies BSc (Hons) MA MRTPI

An Inspector appointed by the Secretary of State

Decision date: 28th January 2020

Appeal Ref: APP/K0425/D/19/3235851
Willow View, Windmill Lane, Widmer End, Buckinghamshire HP15 6AU

- 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 Mark Newman against the decision of Wycombe District Council.
- The application Ref 19/06376/FUL, dated 23 May 2019, was refused by notice dated 6 August 2019.
- The development proposed is extension to out-building.

Decision

1. The appeal is dismissed

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matter

3. Since the application was determined, the Council adopted the Wycombe District Local Plan (LP) in August 2019. This supersedes the 2011 Local Plan and the Core Strategy DPD and is now the development plan for the purposes of the appeal.

Main Issues

4. The appeal site is located within the Metropolitan Green Belt. Accordingly, the main issues in this case are:

   1) whether the proposal would be inappropriate development in the Green Belt, having regard to the revised National Planning Policy Framework (the Framework) and any relevant development plan policies;

   2) the effect on the openness of the Green Belt; and,

   3) whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by any other considerations and if so whether this would amount to the very special circumstances required to justify the proposal.

Reasons for the Recommendation

5. Paragraph 143 of the Framework establishes that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 states that substantial weight should be given to any harm to the Green Belt and that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

6. Subject to a number of exceptions, the Framework makes it clear that the construction of new buildings should be regarded as inappropriate in the Green Belt. The listed exceptions are set out in paragraph 145 of the Framework and include the 'extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building'.

7. LP Policy DM43 says that any increase in the volume of residential outbuildings may be considered appropriate when all stipulated conditions apply. In all cases development will also be required to respect the open character of the Green Belt and appear proportionate to the original dwelling, taking particular account of visual impact.

8. In this instance the development would include an extension to an existing outbuilding in order to provide a workshop attached to the machinery store which was allowed under appeal[1]. I note the argument that the proposal is effectively an extension to an original building, but the proposal nevertheless relates to a secondary building which is ancillary in use and function to an existing dwelling. In this context, it should be considered in relation to the whole site. I also recognise that whilst the proposed extension would be a significant addition it would not be, by way of its size and design, disproportionate to the existing outbuilding.

9. One of the conditions of LP Policy DM43 is that the total volume of all existing and proposed outbuildings on the property would not exceed 140 cubic metres. The Council's calculations, which are not disputed by the appellant, indicate that the total volume of outbuildings on the property is some 445.83 cubic metres. I accept that such computations should be applied to the individual circumstances of each case. In this instance, the appeal property benefits from a very large garden. The proposal would occupy a small percentage of the site area and it would be proportionate in this sense.

10. However, the proposal would result in an incremental increase in the volume of built development on the site. In particular, the cumulative effect of the proposal would result in an outbuilding of significant scale and mass. I acknowledge that the proposal would be seen in the context of a domesticated garden, is within a cluster of existing buildings, and would not protrude into open undeveloped land. However, the proposal would result in a building which would take on a utilitarian appearance and form. It would no longer be akin to a domestic garden building typically found in residential curtilages, and because of its resulting scale, it would not appear proportionate to the existing modest dwelling, which is visible behind the building.

[1] APP/K0425/C/17/3178891

11. Paragraph 133 of the Framework identifies that openness is one of the essential characteristics of Green Belts, along with permanence. The Courts have confirmed that the openness of the Green Belt has a spatial aspect as well as a visual aspect. This means that the absence of visual intrusion does not in itself mean that there is no impact on the openness of the Green Belt as a result, but equally this does not mean that the openness of the Green Belt has no visual dimension.

12. As observed by the previous Inspector, I saw that the character and context of the appeal site is not open in the sense of undeveloped fields and countryside. I also saw that the site is enclosed, and the building screened by mature trees which restricts public views. However, in views from the end of the garden, the disproportionate scale of the building relative to the existing dwelling would be readily apparent. The degree of prominence would be small, and the harm would be localised. However, the proposal would add some 73 cubic metres of built form to the site. It would make an already substantial building much larger, fundamentally altering its perception as a domestic garden adjunct. In these circumstances the proposal would result in visual intrusion that would erode the existing sense of openness within the site. I have had regard to the previous appeal decision but note that this was in relation to a smaller building. Whilst there has been little change to the site characteristics, the effects of the proposal on the Green Belt would be greater. I have therefore determined the appeal on its own merits.

13. Outside Green Belt considerations, I concur that there would be no material harm to the character and appearance of the wider area, and that the natural qualities of the Chilterns Area of Outstanding Natural Beauty would be preserved. Nevertheless, a lack of harm in this regard is not itself a benefit and carries neutral weight in my overall consideration.

14. I conclude that the proposal would be inappropriate development in the Green Belt, and harm to the Green Belt would be caused as a result of loss of openness. These matters carry substantial weight. Having regard to all the considerations raised, I find none that clearly outweigh the harm to the Green Belt. Consequently, the very special circumstances necessary to justify inappropriate development in the Green Belt do not exist. The proposal therefore conflicts with LP Policy DM43 and the Framework.

Conclusion and Recommendation

15. For the reasons given above I recommend that the appeal should be dismissed.

S Watson

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and the Appeal Planning Officer's report and concur that the appeal should be dismissed.

P J Davies

INSPECTOR