
Appeal Decision

Site visit made on 19 August 2020

by Helen B Hockenhull BA (Hons) B. PI MRTPI

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

Decision date: 08 September 2020

Appeal Ref: APP/K0425/D/20/3250730

Briarden, Upper Icknield Way, Cadsden, Bucks HP27 0NA

- 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 Alan Stirrat against the decision of Wycombe District Council.
 - The application Ref 19/07813/FUL, dated 1 November 2019, was refused by notice dated 18 March 2020.
 - The development proposed is a single storey ground floor extension to provide living room and boot room. Link between house and home office above garage at first floor.
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Decision

1. The appeal is dismissed.

Procedural matter

2. On 1 April 2020, Wycombe District Council merged with Aylesbury Vale District Council, Buckinghamshire County Council, Chiltern District Council and South Bucks District Council to become a single Unitary Authority, Buckinghamshire Council. Until such time as they are revoked or replaced, the development plans for the merged local planning authorities remain in place for the area which they relate to within the Buckinghamshire Council Unitary Authority. It is therefore necessary, where the development plan contains material that is relevant to the planning judgement to be made in this case, to refer to policies set out in the plans produced by the now dissolved Wycombe District Council.

Main Issues

3. The main issues in this case are:
 - whether the proposal is 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 development on the openness and purposes of the Green Belt;
 - if the proposal 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

4. The property forms a two-storey detached house with a detached double garage which was built around 2011 replacing a detached bungalow. The site lies to the west of Upper Icknield Way in Cadsden and is located within the Chilterns Area of Outstanding Natural Beauty (AONB) and also within the Green Belt.

Inappropriate development

5. Paragraph 145 of the Framework regards the construction of new buildings in the Green Belt as inappropriate development. The Framework outlines a number of exceptions to this. The most relevant to this case is 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.
6. Policy DM43 of the Wycombe District Local Plan sets out the approach to the extension or replacement of an existing dwelling in the Green Belt. The supporting text clarifies the meaning of original building and states that it should be considered to be the building existing on 1 July 1948 or, if the first building was constructed later than this, the first building constructed.
7. The Policy goes on to state in part 1e) that where the volume of the original dwelling is between 240 and 720 cubic metres, the total volume of the existing building should be no more than the volume of the original dwelling plus 50%.
8. I am advised by the Council that the dwelling has a volume of approximately 479 cubic metres and that this represents an increase of around 29% on the original bungalow on the site. The appeal scheme would increase the volume of the property by a further 46 square metres resulting in a cumulative volume increase just over 69% of the original bungalow. These figures are not disputed by the appellant.
9. As the overall increase in volume would be more than 50% of the original building, the proposal would form a disproportionate addition over and above the size of the original building.
10. Policy DM43 also includes a framework to determine decisions relating to the erection of outbuildings serving dwellings in the Green Belt. It states that the combined volume of all outbuildings should not exceed 140 square metres and that the total number of existing and proposed outbuildings should not exceed 25% of the volume of the original building. In the appeal case, the volume of the double garage and other outbuildings exceeds 140 square metres so that linking the dwelling to the garage as proposed, would be contrary to Policy DM43.
11. Briarden has a large curtilage and the footprint of the appeal property with the proposed extensions would be around 11.5% of the residential plot. The adjacent ménage and paddock in the ownership of the appellant contributes to the open countryside setting of the dwelling. I acknowledge that the extensions proposed would in themselves be relatively small in footprint terms. However, I must assess the proposal against Local Plan Policy DM43 and the cumulative increase in volume over and above the original building in order to assess the appropriateness of this further development in the Green Belt.

12. In conclusion, the appeal scheme would result in disproportionate additions to the original dwelling. Consequently, the proposal would not comply with any of the exceptions in paragraph 145 of the Framework and would form inappropriate development in the Green Belt.

Openness

13. A fundamental aim of Green Belt policy, as set out in paragraph 133 of the Framework is to keep land permanently open; the essential characteristic of Green Belts is their openness and permanence. Openness has both spatial and visual dimensions. The appeal scheme proposes single storey ground floor extensions and a first-floor link between the house and the home office above the garage. The increase in built development on the site would result in a loss of openness to the Green Belt and fail to safeguard the countryside from encroachment.

Other considerations

14. I acknowledge that the proposed extensions would be of a high-quality design complementing the existing house and constructed in matching materials. The scheme would therefore conserve the landscape and scenic beauty of the Chilterns AONB. I also note that there would be no amenity issues such as overlooking or loss of privacy affecting the living conditions of the occupants of neighbouring dwellings. These factors weigh in favour of the proposal.

Other Matters

15. The appellant has brought my attention to a development at the former Askett Nursery, a site also in the Green Belt and AONB. It is submitted that the development of this site for five dwellings, which has been granted planning permission, would have a greater impact on the openness of the Green Belt than the appeal before me. I have not been provided with the full details of this case in order to assess it against the appeal scheme. In any event each proposal should be considered on its individual merits.

Conclusion

16. The Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the harm to the Green Belt and any other harm is clearly outweighed by other considerations. I consider that the harm by reason of inappropriateness and the adverse effect on the openness of the Green Belt are clearly not outweighed by the other considerations outlined above. Very special circumstances necessary to justify the development do not therefore exist.
17. For the reasons given above and having regard to all other matters raised, I dismiss this appeal.

Helen Hockenfull

INSPECTOR