



Appeal Decision

Site visit made on 27 October 2020

by Jonathan Edwards BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 October 2020

Appeal Ref: APP/N0410/W/20/3245382

Denham Manor Nursing Home, Halings Lane, Denham Green UB9 5DQ

- 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 P Jeffery against the decision of Buckinghamshire Council - South Area (South Bucks).
 - The application Ref PL/19/1320/FA, dated 1 April 2019, was refused by notice dated 24 July 2019.
 - The development proposed is erection of 2 no 4 bed chalet style units to provide ancillary staff accommodation for the main use of the site as a Care Home.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. During the course of the appeal, the council who originally determined the planning application merged with a number of other local planning authorities into Buckinghamshire Council. The details in this decision reflect this change.

Main Issues

3. The main issues are:
 - whether the proposal would represent inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and development plan policy; and
 - if the development would be inappropriate, whether the harm by reason of inappropriateness and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

Reasons

Whether inappropriate development in the Green Belt

4. Under paragraph 145 of the Framework, the construction of new buildings is defined as inappropriate development in the Green Belt, although a number of exceptions are set out. While not fully consistent with the Framework, policy GB1 of the South Bucks District Local Plan 1999 (LP) also resists new buildings in the Green Belt unless falling within defined categories.

5. The site lies in the curtilage of the nursing home and so represents previously developed land. Also, the proposal would constitute limited infilling. However, the units would be erected on land that is vacant of buildings and so would reduce the site's spatial openness. Furthermore, the development and loss of openness would be seen from the nursing home rear windows, from its garden and from the adjacent airfield car park through gaps in the vegetation. Consequently, the proposal would have a greater impact on Green Belt openness compared to existing development, even though it would not be seen from any public vantage point.
6. For these reasons, the proposal would not fall within the definition set out at paragraph 145 g) of the Framework. Also, it would not comply with any of the other exceptions at paragraph 145 or any of the categories of permissible development set out under LP policy GB1. As such, I conclude the proposal would be inappropriate development in the Green Belt.

Other considerations

7. The proposed units would be in keeping with the existing nursing home extension and would cause no harm to the character or appearance of the area. These are neutral factors in my assessment. However, I attach positive weight to the more effective use of land as a result of the proposal, although this is a modest benefit given the scale of the development.
8. The accommodation would allow convenient access for occupiers to the nursing home and so may help address staff turnover issues. I attach positive weight to the proposal's benefits in terms of supporting the nursing home business and care provision to the elderly.

Green Belt balance

9. Inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. These would only exist where the harm by reason of inappropriateness and any other harm is clearly outweighed by other considerations. The identified loss of openness would adversely impact on one of the essential characteristics of the Green Belt and the Framework dictates that substantial weight should be given to this harm in the balancing exercise.
10. Having regard to all relevant matters, I conclude that the proposal's benefits and all other considerations would not clearly outweigh the harm that would be caused to the Green Belt. Therefore, very special circumstances necessary to justify the scheme do not exist and the proposal would conflict with LP policy GB1 and the Framework. These aim, amongst other things, to preserve Green Belt's openness by resisting inappropriate development unless very special circumstances exist.

Conclusion

11. For the above reasons, I conclude the appeal should be dismissed.

Jonathan Edwards

INSPECTOR