



Appeal Decision

Site visit made on 26 November 2020

by B Davies MSc FGS CGeol

an Inspector appointed by the Secretary of State

Decision date: 10 December 2020

Appeal Ref: APP/N0410/W/20/3247363

St Andrews, Wood Lane, Iver Heath, Buckinghamshire, SL0 0LD

- 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 Sanjeev Gill (Select Parking) against the decision of Buckinghamshire Council.
 - The application Ref PL/19/3011/FA, dated 16 August 2019, was refused by notice dated 8 January 2020.
 - The development is the change of use to have parking storage on site. This storage is for short term parking facilities for the cars varying from 1 – 3 weeks.
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Decision

1. The appeal is dismissed.

Procedural matters

2. On 1 April 2020 South Bucks District Council merged with other local planning authorities into a new Unitary authority named Buckinghamshire Council. While the original application was submitted to South Bucks District Council, the authority's new name has been referred to in the banner heading above.

Preliminary matters

3. The application is retrospective. I am satisfied that the development carried out is the same as that which has been applied for.

Main issues

4. The appeal site is located in the Metropolitan Green Belt. Accordingly, the main issues are:
 - whether or not the proposal will be inappropriate development in the Green Belt as defined by the National Planning Policy Framework and the local development plan;
 - the effect of the development on the openness of the Green Belt;
 - the effect on the living conditions of the occupants of Wood Lane, with particular regard to disturbance from traffic;
 - the effect of the proposal on the character and appearance of the area; and,
 - if the development will be inappropriate, whether the harm to the Green Belt by way of inappropriateness and any other harm, will be clearly

outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

Reasons

Whether the proposal will be inappropriate development

5. Paragraph 146 of the National Planning Policy Framework (2019) (the 'Framework') lists certain forms of development that are not inappropriate in the Green Belt. It is not suggested that the development will comprise any of these and, by this definition, it will therefore be inappropriate.
6. However, Policy GB1(g) of the South Bucks District Local Plan (adopted 1999, consolidated September 2007 and February 2011)(the 'SBDLP') allows development for 'other uses of land' providing it would not compromise the purposes of including land in the Green Belt and would permanently retain its open and undeveloped character.
7. Although the area was empty of cars at my site visit, the Council reports that over 100 cars were present when they viewed the site (date unknown). The appellant states that there are typically between 70-100 cars stored and that the site is full for about half of the month. I acknowledge that each car remains on site for a short period of approximately 1 to 3 weeks, but I consider the important measure is that there are typically between 70 and 100 cars on the site, which altogether represents a substantial volume. The number of vehicles would be such that they will not preserve the openness of the Green Belt.
8. I noted that the site is largely screened from the public domain by conifer trees. If pre-dating the development of the car park, the trees will reduce the visual impact of the loss of openness. However, the harm from the reduction in openness in spatial terms will remain significant and in conflict with Policy GB1 of the SBDLP.
9. The Council states that the site was an open, undeveloped agricultural field in 2017. By the time of my site visit the entire field was covered with a substantial thickness of gravel hardstanding. The change of surface of the land, which I consider amounts to an engineering operation, means that the site will no longer be undeveloped in character. This is also in conflict with the requirements of Policy GB1.
10. The development does not meet any of the exceptions listed in the Framework and will not otherwise preserve the openness and undeveloped character of the Green Belt as required by Policy GB1 of the SBDLP. I therefore conclude that it will be inappropriate development in the Green Belt.

Any other harm – living conditions of neighbours

11. The appeal site is behind the house at St Andrews, which sits at the end of a quiet, narrow, rural lane that also provides access to a small number of neighbouring properties.
12. The development will introduce a significant number of vehicle movements to the lane. Precise figures have not been provided, but if there are between 70 to 100 cars on the site at any one time and these only remain for 1 to 3 weeks, I surmise that the number of vehicle movements will be considerable. I understand that cars are driven onto the site using a vehicle carrier, reducing

the number of trips, but this will subsequently introduce very large vehicles to the narrow country lane. I consider that the number of trips associated with the development and introduction of large vehicles will be likely to harm the living conditions of neighbours by reason of increased noise, vibration, smell, pollution and disturbance. I have no evidence before me to suggest otherwise.

13. Working hours could be limited via a condition, but the appellant's suggested timings would result in commercial traffic using the lane for the majority of the day, which for the reasons above would be likely to cause an unacceptable degree of harm to occupants of nearby residential properties.
14. The development will therefore be in conflict with Policy EP3 of the SBDLP, which states that proposals must not be detrimental to the amenities of nearby properties by reason of noise, vibration, smell, pollution, disturbance and the impact of traffic. There is also conflict with Policy TR5 of the SBDLP, which states that where a development would generate additional traffic, it will only be permitted where it would not have an adverse effect on the amenities of nearby properties.

Any other harm – character and appearance of the area

15. The lane approaching the site is rural in character, and the area is surrounded by flat, open fields. Based on the commercial character of the development and the number of associated trips with large vehicles, I consider that use of the site as a large car park will be detrimental to the prevailing quiet, residential and rural character of the area.
16. I accept that on-going maintenance of the road could potentially be secured with a condition, but this is not sufficient to overcome the overall harm to the character of the area.
17. The development will therefore be in conflict with Policy EP3 and TR5 of the SBDLP, which state that permission will not be granted for uses, including those generating additional traffic, which would be detrimental to the character of nearby properties and the locality, including rural lanes.

Other considerations

18. The appellant has suggested that 'Grasscrete' could be used as an environmentally friendly solution for surfacing the area. I also note that lorries always enter and exit the site in a forward gear, which reduces the risks to highway safety along the narrow access lane. These factors may reduce the overall impact of the development, but they do not contribute to any potential benefits from the scheme.

Planning balance and conclusion

19. The development will be inappropriate development in the Green Belt, which is a matter that I afford substantial weight in the planning balance. There will also be harm to both the living conditions of neighbours and the character of the area. I conclude that the harm to the Green Belt by way of inappropriateness will not be clearly outweighed by the identified other considerations so as to amount to the very special circumstances necessary to justify it. I therefore conclude that the appeal should be dismissed.

B Davies, INSPECTOR