



Appeal Decision

Site Visit made on 18 February 2021

by Scott Britnell MSc FdA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 March 2021

Appeal Ref: APP/X0415/D/20/3262752

Peppers House, 119 Wycombe Road, Prestwood HP16 0HN

- 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 George Doyle against the decision of Buckinghamshire Council.
 - The application Ref PL/20/0743/FA, dated 27 February 2020, was refused by notice dated 18 August 2020.
 - The development proposed is described as 'Revision to previously approved application Ref: PL/19/3539/FA. Proposed detached carport/double garage and store.'
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council's officer report refers to Policy GB13 of the Local Plan (LP)¹. Although not referred to in the refusal reason, the policy is relevant to the proposal. As the appellants have had the opportunity to consider the Council's report neither party will suffer any injustice in my referring to it.
3. Both parties refer to the Draft Chiltern and South Bucks Local Plan 2036 and a copy of the Publication Version has been submitted at appeal. However, neither main party rely on any policies contained in that plan in support of their arguments. Moreover, I understand that the plan has been withdrawn from examination.

Main Issues

4. The main issues are:
 - Whether or not the proposal would be inappropriate development in the Green Belt, having regard to relevant policies of the Development Plan and the National Planning Policy Framework (the Framework),
 - The effect of the proposal on the openness of the Green Belt; and,
 - If the proposal is inappropriate development, whether the harm by reason of its inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify it.

¹ Chiltern District Local Plan Written Statement Adopted 1 September 1997 (Including alterations adopted 29 May 2001) Consolidated September 2007 and November 2011.

Reasons

Whether Inappropriate Development

5. LP Policy GB2 states that most development in the Green Belt is inappropriate development and there is a general presumption against such development. However there are a number of exceptions. This includes at paragraph c, the limited extension or alteration of existing dwellings.
6. In summary, LP GB13 states amongst other things that the Council will permit extensions to dwellings in the Green Belt which are subordinate to the size and scale of the original dwelling and are not intrusive in the landscape. Similarly, and amongst other things, LP Policy GB15 states that in the Green Belt the Council will, in general, permit the construction or extension of ancillary non-habitable buildings within domestic curtilages (where these buildings are separate from a main dwelling provided that such buildings are both small and also subordinate in scale to the original dwelling).
7. Such developments will be considered on their merits, principally in respect of siting, design, external appearance, location in relation to the existing dwelling and its surroundings and the impact on the landscape. The policy definition of 'original dwelling' aligns with that of the Annex to the Framework, as does the overarching approach in Policies GB2 and GB15, insofar as is relevant to this case. The supporting text to policy GB15 states that the erection of an ancillary residential building within the curtilage of a dwelling will be regarded as an extension of that dwelling. Paragraph 145.c) of the Framework similarly sets out how 'disproportionate' additions over and above the size of an original building are inappropriate in the Green Belt.
8. The appellants state that the original dwelling had a footprint of 176 square metres and a volume of 1,150 cubic metres, while the Council are silent on this matter. Both parties indicate that the proposed carport/double garage and store would have a footprint of 49.56 square metres. The appellants state that it would have a volume of 159.83 cubic metres.
9. While the proposed building would be smaller than the original dwelling, the drawings show that it would have a width of 8.4 metres, depth of 5.9 metres and ridge height of 3.95 metres. It would be a substantial building, which in this instance comes close to a third of the original footprint of the host dwelling. Further, the maximum height proposed would, in my view compete with the scale of the dwelling rather than complement it.
10. Although it would be finished in materials appropriate to its surroundings, due to its large footprint, visibility in conjunction with the original dwelling, form and overall scale, the proposed building would not be small or subordinate in scale to the original dwelling. In my view, it would compete awkwardly with it in terms of scale and mass. As such, the proposal would represent inappropriate development in the Green Belt, both within the terms of the development plan and the Framework. I return to openness below.
11. Paragraph 143 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Openness

12. Paragraph 133 of the Framework states that the fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belt are their openness and their permanence. Openness has both spatial and visual dimensions.
13. The proposed building would sit within a substantial residential plot and would be located in front of a fenced off area of the appeal site enclosing animal shelters, beyond which is an enclosed tennis court. While it would not be particularly visually prominent from surrounding views the proposal would add to the quantum of development on site and would introduce a building of significant size into the Green Belt. This would reduce the openness of the Green Belt in terms of not only its spatial but also visual dimensions. Although the reduction in openness would be limited and localised it would be harmful, nonetheless.

Other Considerations

14. The Framework makes it clear at paragraph 144 that substantial weight is given to any harm to the Green Belt. It establishes that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
15. Although I appreciate that the proposal would provide useful garaging and storage facilities this does not amount to very special circumstances. I note that the appellants have not submitted any information with regards to very special circumstances for me to consider.

Other Matters

16. The proposed building due to its siting away from neighbouring dwellings would not harm the living conditions of the occupants of those dwellings. It would also have no adverse impacts on parking provision at the appeal site or highway implications. I note that the Council have reached the same conclusions. However, the absence of harm in respect of these matters is a neutral factor in my overall considerations.
17. The appeal site is located in the Chilterns Area of Outstanding Natural Beauty (CAONB). Paragraph 172 of the Framework states that great weight should be given to conserving and enhancing landscape and scenic beauty in, amongst other designated areas, Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. Given that the proposed building would be sited within an established residential setting, rather than in the open landscape, and seen in conjunction with the host dwelling, I am not of the view that the proposal would fail to conserve the landscape and scenic beauty of the CANOB. However, as with the matters addressed immediately above, this is similarly a neutral factor in my assessment.

Conclusion

18. The proposal would constitute inappropriate development in the Green Belt and further harm to the Green Belt would be caused as a result of loss of openness. These matters carry substantial weight. There are no other considerations in support of the proposal that would clearly outweigh the harm that I have

identified. Consequently, the very special circumstances necessary to justify the proposal do not exist.

19. I conclude that the proposal would conflict with LP Policies GB2, GB13 and GB15, In summary, these seek to prevent inappropriate development in the Green Belt. There would be conflict with Policy LP GC1 and Policy CS20 of the Core Strategy² which seek amongst other things to ensure that development should be in scale with its surroundings and which reflects and respects the character of the surrounding area. There would also be conflict with the Residential Extensions and Householder Development Supplementary Planning Document September 2013, which provides practical guidance on how residential outbuildings may be designed in an appropriate manner, and with the Green Belt aims of the Framework.

20. For the reasons given above I conclude that the appeal should be dismissed.

Scott Britnell

INSPECTOR

² The Local Development Framework Core Strategy for Chiltern District adopted November 2011