



Appeal Decision

Site Visit made on 14 June 2021

by Mr Ben Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 July 2021

Appeal Ref: APP/N0410/W/21/3268337

Pinewood Nurseries, Wexham Street, Stoke Poges SL3 6NB

- 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 T Robinson against the decision of Buckinghamshire Council - South Area (South Bucks).
 - The application Ref PL/20/3971/FA, dated 19 November 2020, was refused by notice dated 19 January 2021.
 - The development proposed is for the change of use of land for the parking of private ambulances.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposed development is already in use but I have adjusted the description of development, to remove reference to it being retrospective, as this is not a description of development. Additionally, the use has resulted in the provision of a number of structures that the Council recognises as insubstantial but is nevertheless unconvinced that these are temporary buildings. However, the proposal as presented relates purely to a material change of use and this was the terms in which the application was considered and determined. I shall therefore consider the appeal within the same framework.

Main Issues

3. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt having regard to local and national policies; and
 - if the proposal would be inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to very special circumstances to justify it.

Reasons

Inappropriate development

4. The site is within the Metropolitan Green Belt. The development plan for the district includes the South Bucks District Local Plan 1999 (consolidated 2007 and 2011)(LP). Saved policy GB1 of the LP identifies that most development in the Green Belt would be inappropriate apart from the listed exceptions at (a) to (h). Saved policy GB1(g) relates to uses of land which would not compromise

the purpose of including land in the Green Belt and which would permanently retain its open and undeveloped character. This policy is largely consistent with the National Planning Policy Framework (The Framework).

5. The Framework explains that the Government attaches great importance to the Green Belt and that substantial weight is to be afforded to any harm. Paragraph 145, of the Framework, establishes that new buildings would be inappropriate unless they fall within one of the listed exceptions. Furthermore, paragraph 146 relates to certain other forms of development that would not be inappropriate, provided they preserve the openness of the Green Belt, and do not conflict with the purposes of including land within it. I agree with main parties that the proposal would be a material change of use as referred to by paragraph 146(e).
6. Therefore, to understand whether or not the proposal would be inappropriate development requires assessment of its impact on openness and whether it would result in encroachment into the countryside.
7. The openness of the Green Belt has both spatial and visual dimensions. The effect to openness, with respect to the proposal, would principally be through visual harm. The appeal site is located to the rear of the nursery site but is within an open and exposed area of the site. Views of the appeal site can be obtained from the wider nursery site and the adjacent hospital car park. Some screening is located to the rear of the site consisting of planting and an earth bund.
8. The proposal relates to the parking of up to 20 vehicles within the site. The proposal would result in an increase in vehicular, associated with the business, movements to and from the site. The appellant suggests that these would be off-site for much of the time. However, during my visit I saw that the parking area was largely occupied. There is also no indication that vehicles would be parked elsewhere overnight, especially noting that a 24-hour service is provided from the site. As such, although the vehicles are mobile, the ongoing visual effect of the use would be of a site that contains parked vehicles for most of the time. This would result in an intrusion of activity into the Green Belt.
9. Furthermore, the use is accompanied by several temporary buildings including cabins, a wash garage, storage, staff accommodation and toilets. Also, screens have been erected to define both the car park compound and the staff amenity area. These components, and the associated buildings, seem to be features which are integral to the proposed use. As such, the use would include a collection of associated commercial and amenity related paraphernalia that also has a relatively wide visual impact on the surrounding area. Consequently, despite the presence of surrounding buildings, the proposed use would erode the open character of the site. Local vehicular activity, such as the use of the adjacent car park serving the hospital and movements associated with the golf course, do not alter my view of the visual impact of the proposal. Therefore, the proposal would have a moderately harmful impact on the openness of the Green Belt.
10. Also, the proposed use would represent an encroachment of commercial activity into agricultural land that would conflict with a main purpose of the Green Belt. This would therefore be contrary to a fundamental aim of the Green Belt to prevent urban sprawl and keep land permanently open.

11. As it has not been demonstrated that the proposal would preserve the openness of the Green Belt, and would result in encroachment, it would be inappropriate development in the Green Belt which is, by definition, harmful to the Green Belt.

Other Considerations

12. The use operates partly in support of the adjacent Wexham Park Hospital. The appellant explains that the business provides parking of ambulances in support of the transfer of patients to the nearby hospital. The hospital uses the service for all short notice patient discharges as the facility is available 24 hours a day. The facility also provides a service for other local hospitals for emergency and non-emergency transfers in and around the Greater London region. This therefore provides an important community service.
13. The appellant explains that the operator of the facility could not find an alternative site and approached the appellant for assistance. It seems that the ambulances are principally used to move patients between their home and hospital and to be transferred between hospitals. Therefore, being located adjacent to a hospital presents benefits to the efficiency of movement if the adjacent hospital is either the transfer destination or pick-up point. However, the evidence indicates that not all business is connected to Wexham Park hospital and actually relates to only around 50% of the business. Services are also provided to the Harefield and Hillingdon Hospitals. This means that a large part of the business gains no real geographic benefits in the location of the appeal site.
14. The business is required by Wexham Park Hospital to provide an eight-minute response time. However, there is limited evidence in regard to the assessment that was undertaken for site selection, in terms of the geographic area considered, or the technical requirements of the business. Although possible alternative sites in Iver were considered and rejected, this does not illustrate that a robust assessment has been undertaken. I am therefore unconvinced that the appeal site presents the only geographically suitable site for the proposed use. Accordingly, overall whilst the benefit of the service to the local community is significant, the specific site proposed conveys only moderate weight in support of the proposed use.
15. It is recognised that the proposal offers a relatively unique set of circumstances that would be unlikely to be repeated by others elsewhere. Although special circumstances need not be rare to be successfully made, the largely unique circumstances of the proposal have been taken into account in this case.
16. Interested parties including the adjacent Hospital have offered support for the use. These note the benefits of its proximity to the adjacent hospital and the resultant convenience to patients. These comments contribute moderate weight in favour of the proposal.

Whether there would be Very Special Circumstances

17. Paragraphs 143 and 144 of the Framework set out the general presumption against inappropriate development within the Green Belt. They explain that such development should not be approved except in very special circumstances. Very special circumstances to justify inappropriate development 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.

18. I have concluded that the appeal scheme would not preserve the openness of the Green Belt and would result in encroachment into the Green Belt. The proposal would therefore be inappropriate development that would, by definition, harm the Green Belt. Paragraph 144 of the Framework requires substantial weight to be given to any harm to the Green Belt.
19. On the other hand, the other considerations identified, including the public benefit of the delivery of a convenient service for attendees of the adjacent hospital, are benefits of only limited to moderate weight in favour of the proposal.
20. As such the harm to the Green Belt is not clearly outweighed by the other considerations identified and therefore the very special circumstances, necessary to justify the development, either alone or in combination, do not exist. Accordingly, the proposal fails to adhere to the local and national Green Belt policies I have already outlined.

Conclusion

21. The proposed development would not accord with the development plan or national policy in relation to Green Belt. There are no other considerations which outweigh these findings. Accordingly, for the reasons given, the appeal should not succeed.

Mr Ben Plenty

INSPECTOR