



Appeal Decision

Site visit made on 2 August 2021

by Rachael Pipkin BA (Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th August 2021

Appeal Ref: APP/N0410/D/21/3273621

The Manor House, Middle Green, Wexham SL3 6BS

- 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 Simon Heywood against the decision of Buckinghamshire Council - South Bucks Area.
 - The application Ref PL/20/3552/FA, dated 22 October 2020, was refused by notice dated 1 February 2021.
 - The development proposed is erection of barn style domestic garage and store for estate machinery and equipment.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. On 1 April 2020, South Bucks District Council ceased to exist and became part of a new Unitary Authority known as Buckinghamshire Council. The development plans for the merged Local Planning Authorities will remain in place for the area within the new Unitary Authority they relate to until such time as they are revoked or replaced. I shall therefore determine the appeal having regard to the policies of the South Bucks District Local Plan 1999 (LP).
3. During the course of the appeal, a revised National Planning Policy Framework (the Framework) was published, replacing the 2019 version. The policies of the Framework that are material to this case have not fundamentally changed. I have proceeded to determine the appeal having regard to the revised Framework.

Main Issues

4. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies;
 - 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 inappropriateness, and any other harm, would be clearly outweighed by other considerations. If so, would this amount to the very special circumstances required to justify the proposal.

Reasons

5. The appeal site comprises a detached dwelling and a number of outbuildings set within generous grounds. It is located within the Metropolitan Green Belt.

Whether inappropriate development in the Green Belt

6. Paragraph 147 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. The construction of new buildings should be regarded as inappropriate in the Green Belt subject to a limited number of exceptions as set out in paragraph 149 of the Framework. Relevant to the appeal is criteria (d) replacement of a building, provided the building is in the same use and not materially larger than the one it replaces.
7. Policy GB1 of the LP also seeks to control development in the Green Belt and restricts the construction of new buildings unless it falls within certain exceptions. This allows for limited extension, alteration or replacement of existing dwellings. It makes no reference to ancillary or outbuildings.
8. Although not cited in the Council's decision notice, the appellant has referred to Policy GB10 of the LP. This allows for ancillary buildings within residential curtilages in the Green Belt where they would be of a small scale in relation to both the size of the dwelling and the residential curtilage. This policy is not consistent with the Framework which does not allow for new buildings unless they are replacing an existing building. I therefore give this policy less weight.
9. The proposed outbuilding would be a detached building positioned to the rear of the Manor House adjacent to the boundary with Southend Cottage. The proposed structure would be single-storey within an overall height of around 5 metres and would have a large footprint, indicated to be 9 metres by 7.6 metres. It would therefore be a substantial sized building.
10. The appellant has stated that the proposed outbuilding would be a replacement to one that previously occupied that part of the site and that this building was removed due to high winds and nearby trees causing damage. I have no evidence as to when this occurred. I have been provided with copies of historic maps dating back to 1932 and 1992 which suggests that a structure may have occupied this part of the site.
11. I did not observe any evidence of a building during my site visit. The historic maps suggest a modest structure, with a significantly smaller footprint than that proposed, may have occupied part of the site. However, I have no details of the size or height of the previous structure nor what its use was.
12. Even if I were to accept there had been a building on the site, it seems to me that, on balance, given the significant size of the proposed outbuilding and the smaller footprint of the previous structure as shown on the historical maps, the proposed outbuilding would be materially larger than any previous building it seeks to replace. For this reason, it would not meet the exception set out in paragraph 149(d) of the Framework.
13. This leads me to conclude that the proposal would be inappropriate development in the Green Belt. It would conflict with both Policy GB1 of the LP and national policy to protect Green Belt. I attach substantial weight to this harm.

Openness of the Green Belt

14. Paragraph 137 of the Framework states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It identifies openness as an essential characteristic of the Green Belt. There is no definition of 'openness' in the Framework although it is commonly taken to mean the absence of built or otherwise urbanising development. An assessment of openness requires a consideration of the scale of the development, its locational context and both its spatial and visual implications.
15. The proposal would result in a building where there is currently none. This would be physically larger in all three dimensions than the limited area of hard surfacing that currently occupies part of the area that would be developed. As a consequence, there would be some moderate harm to the spatial openness of the Green Belt.
16. The appeal site is enclosed by a fence, boundary walls and a timber gate. This restricts public views into the site. With the proposed outbuilding positioned towards the rear of the site and set against the existing tall boundary walls, it would not be widely visible from public viewpoints. It would not therefore be visually prominent when viewed from the surrounding area. Consequently, it would cause limited harm to openness in visual terms.
17. I conclude that the appeal proposal would result in a small loss of openness thereby causing limited harm to the Green Belt. It would therefore be contrary to the objectives of the Framework.

Other considerations

18. The appellant requires storage for large equipment used in connection with the upkeep of the extensive grounds to The Manor House as well as log storage and parking. However, this is a personal benefit of the scheme to which I give limited weight.
19. The siting and design of the proposed development would not impact on The Manor House which is a Grade II listed building. It would therefore preserve the listed building in accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. This is a neutral factor.
20. The proposal would not cause harm to neighbouring occupiers. This factor is also neutral.
21. I have been referred to development at Southend Cottage which adjoins the site and is also within the Green Belt. It is stated that the Council granted permission for a large workshop within the garden. The appellant considers the Council should be consistent in its decision making. However, I have not been provided with the full details of the circumstances of any development of this adjoining site. I therefore give this very limited weight.
22. My attention has been drawn to the alleged illegal use of this adjoining workshop. However, this is not a matter before me and does not relate to the merits of the case. It therefore neither weighs in favour or against the proposal.
23. I acknowledge the Council's planning officer was invited to undertake a site inspection but none was made. However, this is a procedural matter and does

not have any bearing on my assessment of the merits of the case. This is therefore also a neutral factor.

The Green Belt Balance

24. I have concluded that the proposal would be inappropriate development and would therefore, by definition, be harmful to the Green Belt. I have also found that it would cause limited harm to the openness of the Green Belt. These are matters to which I give substantial weight as required by paragraph 148 of the Framework.
25. The proposal would provide the personal benefit of storage and parking for the appellant. This minor and private benefit would have very little weight and would not outweigh the substantial harm to the Green Belt I have identified. Consequently, the very special circumstances necessary to justify the development do not exist.
26. As such the proposed development would be contrary to the Framework. It would also conflict with Policy GB1 of the LP which sets out that the Green Belt should be protected against inappropriate development.

Conclusion

27. For the reasons set out above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Rachael Pipkin

INSPECTOR