
Appeal Decision

Site visit made on 27 July 2021

by Mr W Johnson BA(Hons) DipTP DipUDR MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 August 2021

Appeal Ref: APP/K0425/W/21/3268172

Field 1 and 2 North of Agricultural Compound, OS Parcel 4155, Kiln Lane, Lacey Green, Buckinghamshire HP27 0PT

- 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 Gary Putnam against the decision of Buckinghamshire Council - Wycombe Area.
 - The application Ref 20/06533/FUL, dated 17 June 2020, was refused by notice dated 14 September 2020.
 - The development proposed is described as: 'manège'.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. For clarity, I have taken the name of the appellant and the address of the site from the appeal form as in both instances they are more precise. I have also inserted 'OS' in the address as it is listed on the decision notice.
3. The Government published the revised National Planning Policy Framework on 20 July 2021 (the Framework), which forms a material consideration in the determination of the appeal. The main parties have had an opportunity to comment on the significance of the changes, but no comments have been received. Therefore, I will not prejudice either main party by taking the Framework into account in reaching my decision.

Main Issue

4. There is agreement between the main parties that the development does not amount to inappropriate development inside the Green Belt. Therefore, it is not necessary to consider the effect of the proposed development on Green Belt openness. Additionally, the demonstration of very special circumstances is not required. On the evidence before me, I have little reason to disagree with the main parties on this matter.
5. Therefore, the main issue of this appeal is the effect of the proposed development on the character and appearance of the appeal site and the surrounding Chilterns Area of Outstanding Natural Beauty (the Chilterns AONB).

Reasons

6. The appeal site currently comprises the upper part of 2no. larger fields, where the lower sections are located adjacent to Kiln Lane, which is on a lower land

level when compared to the site due to the surrounding topography. However, the proposed manège would only be located within one field, which currently has equestrian paraphernalia located within it, enclosed by a timber post and rail fence. To the rear of the site is a mature hedgerow that extends along the entire rear boundary of the site to the adjacent Grim's Ditch bridleway¹ (the bridleway) and in the opposite direction, through adjacent agricultural fields.

7. Paragraph 176 of the Framework states that great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs. The Framework also notes that AONBs have the highest status of protection in relation to landscape and scenic beauty. Policy CP9 and CP10 of the Wycombe District Local Plan 2019 (LP) seeks to conserve the natural and historic environment and protect and enhance the Chilterns AONB by protecting them from harmful development, amongst other things. In addition to the above, LP Policies DM30 and DM35 seek to deliver the highest quality design, which respects the natural beauty, enhancing the sense of place and local character, and improving the character of the area, whilst retaining positive characteristics.
8. I do not have the full details that were before the Inspector on the previous appeals². However, I acknowledge that the scheme before me is highly likely to result in less excavation works than on the previous scheme. Nonetheless, the proposed manège would be still form an incongruous addition within the landscape. The site is highly visible from the bridleway and from Kiln Lane, especially when travelling towards the site from the settlement. The site is also readily visible from a public footpath³, which connects Kiln Lane and Goodacres Lane. During my visit I viewed the site from all of these locations.
9. The site's existing connection to surrounding fields, countryside and the Chilterns AONB means it has value in terms of its contribution to the overall landscape and scenic beauty of the area. This would be significantly eroded as a result of the proposed development. Additionally, in this instance, I am not convinced that a suitably worded condition could be imposed to ensure that otherwise unacceptable development could be made acceptable.
10. My attention has been drawn to an approved planning application⁴ by the appellant in support of his submission. Whilst a decision notice has been provided, there is no documentation regarding the Council's analysis of this scheme. Without this detailed information a comparison between this scheme and the case before me cannot be drawn and therefore I give little weight to it in the determination of the appeal. Although, I do note that the Council does not consider the situation surrounding the schemes on the approved planning application and this appeal to be comparable.
11. For all of the above reasons, I therefore conclude that the proposed development would unacceptably fail to conserve or enhance the natural beauty of the Chilterns AONB. This would be contrary to the character and appearance aims of LP Policies CP9, CP10, DM30, DM35 and the requirements of the Framework.

¹ LAG/21/1

² APP/K0425/W/16/3144886 and APP/K0425/W/16/3144878

³ LAG/20/1

⁴ 20/08202/FUL at Mudds Bank Stud Farm

Other Matter

12. I have had regard to various other matters raised by the appellant, including no objections from Historic England⁵. However, I have considered the development on its own merits and concluded there would be harm to the character and appearance of the Chilterns AONB. A lack of harm associated with heritage is a neutral factor that weighs neither for nor against the development. I have considered this appeal on its own merits and concluded that the proposed development would be unacceptable for the reasons set out above.

Conclusion

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

W Johnson

INSPECTOR

⁵ Letter dated 210 July 2020