



Appeal Decision

Site Visit made on 23 August 2021

by Mr James Blackwell LLB (Hons)

an Inspector appointed by the Secretary of State

Decision date: 06 September 2021

Appeal Ref: APP/J0405/W/21/3272735

Beech Field, Cane End Lane, Bierton, Aylesbury HP22 5BH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant permission in principle.
 - The appeal is made by Ms Gayle Finnis against the decision of Buckinghamshire Council.
 - The application Ref 20/02169/PIP, dated 30 June 2020, was refused by notice dated 18 December 2020.
 - The development proposed is the erection of a single dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since determination of the planning application, the 2019 iteration of the National Planning Policy Framework (Framework) has been superseded. The main parties have had the opportunity to comment on the changes. I have therefore determined this appeal with regard to the current version, published in July 2021.
3. The proposal is for permission in principle. Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in principle and the second stage ('Technical Details Consent') is when the detailed development proposals are assessed. This appeal relates to the first of these 2 stages.
4. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent Technical Details Consent application if permission in principle is granted. I have determined the appeal accordingly.

Main Issue

5. The main issue is whether the site is suitable for residential development, having regard to its location, the proposed land use and the amount of development.

Reasons

6. The appeal site is located on the western side of Crane End Road, outside of the settlement limits of Bierton. The site is flanked on all sides by open grassland/agricultural land, which gives the site a strong rural character. Whilst the surrounding context is punctuated by some low-level built

development, the prevailing landscape character of the area is countryside in nature.

7. Whilst the appeal site itself does also include some built form, this primarily comprises a stable, associated menage and other minor incidental buildings. The site is otherwise made up of open grassland. The existing buildings and associated equestrian use of the site are wholly commensurate with the rural character of the wider surroundings. Conversely, the introduction of residential development in this location would fundamentally undermine the countryside character of the site, by giving rise to an urbanising effect which would significantly diminish its rural credentials. This would visually disrupt the open countryside setting, thereby harming the wider landscape character of the area.
8. Although there are examples of other built form in close proximity to the appeal site, this is mostly consistent with the rural nature of its countryside setting. The dwelling to the north has an agricultural justification given its tie to Caven Farm. The space demanded by the crematorium further north also necessitates its open landscape setting. Whilst the business premises to the south are less reflective of the area's prevailing character, such use would not in itself justify further urbanisation of the rural landscape, particularly through the introduction of a residential dwelling, which is of a wholly different character.
9. Notwithstanding the above, in terms of accessibility, the site is located close to the village of Bierton which does offer some limited local services, and could be accessed on foot or bike. The site is also close to a bus stop which offers links to more built-up centres, including Leighton Buzzard and Aylesbury. Each of these would offer access to a greater range of local facilities and services. Whilst some reliance on private vehicle will invariably be expected in rural locations such as this, overall, I consider the accessibility of the site to be reasonable. Nonetheless, this would not in itself outweigh the harm that the development would cause to the wider landscape character of the area, as identified above.
10. For these reasons, I consider that the introduction of a dwelling in the location proposed would harm the character of the area. As such, the site would not be suitable for residential development. The proposed development would conflict with Policy GP35 of Aylesbury Vale District Local Plan (2004) (AVDLP), which requires new development to respect and complement the physical characteristics of its site and surroundings, as well as the natural qualities and features of the area. The development would also conflict with Policies NE4 and BE2 of the emerging Vale of Aylesbury Local Plan 2013 – 2033 (Emerging LP), which require new development to respect the character and distinctiveness of its local surroundings and settlement form. Finally, the development would conflict with the overarching objectives of the Framework (2021), which recognises the intrinsic character and beauty of the countryside, and puts great emphasis on its protection.
11. I find no conflict with Policy D3 of the Emerging LP, as this relates to small villages and not the countryside. Given the reasonable accessibility of the site to local services, I find no conflict with Policies S1 or T1 of the AVDLP, Buckinghamshire's Local Transport Plan 4 March 2016 – 2036 nor with the Highways Development Management Guidance (2018). These policies and

guidance direct development to the most sustainable locations in the district, and seek to ensure that it would not have an unacceptable impact on the local highway network.

Other Matters

12. Although the Council's development plan policies which specifically deal with the location of new housing are out of date, Policy GP35 of the AVDLP forms part of the development plan and is relevant to the appeal. As such, paragraph 11(d) of the Framework (2021) is not engaged in this instance.
13. The application for residential development which was approved at Hulcott (Ref 18/02026/APP) was approved by members against officer recommendation. It was also deemed to be located within the settlement of Hulcott, as opposed to within the open countryside. As such, this decision only carries limited weight in my decision. In terms of the planning application for a new business centre just south of the appeal site (under Ref 20/01270/APP), this is pending determination, and there is no indication whether or not this will be permitted. As such, this has no bearing on this appeal.
14. Irrespective of whether or not the appeal site is deemed to have been previously developed, the site is not currently vacant, nor does it appear to be underused. As such, any benefit deriving from the re-use of previously developed land would not outweigh the substantial harm that the development would cause to the landscape character of the area in this instance.
15. I acknowledge that the additional unit would make a modest contribution to the Council's overall supply of housing. It would also provide limited support to the local economy, and would help facilitate the protection and care of the appellant's horses. Nonetheless, these would be minor benefits of the proposal, and unfortunately would not outweigh the harm that would be caused to the wider landscape character of the area as identified above.

Conclusion

16. For the reasons given above, having considered the development plan as a whole, the approach in the Framework (2021), and all other relevant material considerations, the appeal is dismissed.

James Blackwell

INSPECTOR