
Appeal Decision

Site visit made on 1 March 2022

by Martin Chandler BSc, MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 March 2022

Appeal Ref: APP/X0415/D/21/3280969

Two Parishes, Long Bottom Lane, Jordans HP9 2UT

- 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 Stalder against the decision of Buckinghamshire Council - East Area (Chiltern).
 - The application Ref PL/21/1951/FA, dated 12 May 2021, was refused by notice dated 19 July 2021.
 - The development proposed is a single storey rear extension and conversion of an existing double garage with a roof terrace above and associated alterations to the hard landscaping.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - i) whether the proposal represents inappropriate development within the Green Belt;
 - ii) the effect of the proposal on openness;
 - iii) the effect of the proposal on the character and appearance of the surrounding area; and
 - iv) whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons

Inappropriate Development

3. The fundamental aim of Green Belt policy in the National Planning Policy Framework (the Framework) is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence.
4. 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 development in the Green Belt. However, an identified exception to this is the extension or alteration of a building provided that it does not

result in disproportionate additions over and above the size of the original building.

5. The appeal site represents a large parcel of land which is occupied by a generous, detached dwelling. Based on the evidence before me, the building has already been extended in a significant manner, essentially doubling its size. In addition, the outbuilding to the rear of the site, which would be linked to the dwelling as a result of the proposal, is a later addition.
6. On the face of it, the proposed works would appear to be minor. However, that is not the basis of the requirements of the Framework. The Framework makes explicit reference to the original building, which has been substantially increased in size. Although the bulk and mass of the outbuilding already exists, it is not original to the site. Consequently, through linking the two buildings, the footprint and mass of the overall structure would be drastically larger than that of the original building. Accordingly, despite the relatively minor nature of the proposal, cumulatively, I am entirely satisfied that the proposal would result in additions that would be disproportionate to the size of the original building.
7. I therefore conclude that the proposal would represent inappropriate development within the Green Belt. As a consequence, it would fail to comply with the Green Belt protection aims set out within the Framework, as well as Policies GB2 and GB13 of the Chiltern District Local Plan (Adopted 1997, including alterations adopted 2001, and consolidated in 2007 and 2011). Taken together, these policies establish the local requirements for development within the Green Belt.

Openness

8. Notwithstanding my conclusions regarding inappropriate development, as set out above, due to the presence of the double garage, the size and scale of the newly built form, and the location of the proposed extension, the proposal would have very little effect on the openness of the Green Belt. Visually, it would be well screened to the rear of the site, and spatially, the infilling of the gap would be of little consequence to the existing levels of openness.
9. I therefore conclude that the proposal would not have a harmful effect on openness.

Character and Appearance

10. For the same reasons identified above, the proposal would have very little effect on the character and appearance of the surrounding area. I note the comments from the Council regarding whether the proposal would be subordinate. However, while such an assessment is relevant for the effect on the Green Belt, because much of the bulk already exists, I find that from a character and appearance perspective, the proposal would have very little impact. Cumulatively, it would create a large extension to the rear. However, this would form part of an already large dwelling on a generous parcel of land. Consequently, I am satisfied that the proposal would complement the form of the existing building.
11. I therefore conclude that the proposal would not harm the character and appearance of the surrounding area. Accordingly, it would comply with Policy CS20 of the Core Strategy for Chiltern District (2011) which seeks a high

standard of design which reflects and respects the character of the surrounding area.

Other Considerations

12. I note the planning history of the site and the fact that previously approved developments would have increased the presence of built form on the site. However, based on the evidence before me, these permissions were some time ago and I have nothing before me to suggest that they have been materially commenced. Accordingly, they do not represent valid fallback positions and therefore, they attract very little weight in my assessment of the appeal.
13. I also note that the existing garage cannot currently be accessed by vehicles and that no objections were raised to the proposal. However, Green Belt policy in the Framework is very clear, and for very special circumstances to exist to justify the development, such other considerations have to clearly outweigh the harm to the Green Belt.
14. Paragraph 148 of the Framework requires that substantial weight be given to any harm to the Green Belt. On this basis, the other considerations advanced by the appellant fall somewhat short of clearly outweighing this harm. I therefore conclude that very special circumstances to justify the proposal do not exist.

Conclusion

15. I have found that the proposal would not harm the openness of the Green Belt, and that it would not harm the character and appearance of the surrounding area. However, these are not direct benefits of the proposal and consequently, they weigh neutrally in my assessment of the appeal.
16. The proposal would, however, represent inappropriate development within the Green Belt. In accordance with the Framework, this is a matter to which I give substantial weight, and one which would not be clearly outweighed by other considerations. Accordingly, the appeal should be dismissed.

Martin Chandler

INSPECTOR