



Appeal Decision

Site visit made on 16 August 2022 by C Glaister BSc (Hons)

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 October 2022

Appeal Ref: APP/K0425/D/21/3287469

Rickyard Cottage, Denner Hill Road, Denner Hill HP16 0HZ

- 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 R Cromar against the decision of Buckinghamshire Council.
 - The application Ref 21/07508/FUL, dated 17 August 2021, was refused by notice dated 13 October 2021.
 - The development proposed is described as "Part two, part first floor side and rear extensions, alterations to roofline, formation of rear gable following partial demolition of existing flat roof rear extension and alterations to rear fenestration".
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Decision

1. The appeal is allowed and planning permission is granted for a part single- part two-storey side/rear extension, roof alterations, a rear gable following the partial demolition of an existing flat-roof rear extension, and alterations to the fenestration at Rickyard Cottage, Denner Hill Road, Denner Hill HP16 0HZ in accordance with the terms of application Ref 21/07508/FUL, dated 17 August 2021 subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 21.073.1 (floor and elevation plans), and 21.073.2 (site plan).
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The description used in the banner heading above is taken from the application form. In the interests of clarity, a description based on the one provided in the decision notice is used for the purposes of the decision.

Main Issues

4. The main issues are:

- whether the proposal is inappropriate in the Green Belt for the purposes of the development plan and the National Planning Policy Framework (2021) (the Framework);
- 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, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

Reasons for the Recommendation

Inappropriate Development

5. 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. Paragraph 149 states that the construction of new buildings should be regarded as inappropriate in the Green Belt, with the exception of, among other things, 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. The Framework defines 'original building' as the building as it existed on 1 July 1948 or, if constructed after this date, as it was built originally.
6. Policy CP8 of the Wycombe District Local Plan (August 2019) (the Local Plan) also seeks to protect the Green Belt from inappropriate development. Policy DM43 of the Local Plan sets out criteria to be met for the extension of a dwelling to be considered appropriate in the Green Belt. In accordance with Policy DM43, an extension is appropriate where, when the volume of the original dwelling is between 240 and 720 cubic meters, the total volume of the resulting building is no more than the volume of the original building plus 50%.
7. The property is a two-storey detached dwelling located within the Green Belt and the Chilterns Area of Outstanding Natural Beauty (AONB). The original property is said to have had a volume of approximately 244m³. It has since been extended, which according to the Council, has amounted to a 102% increase in volume beyond the original building. The Council's calculations suggest the proposal, together with the previous development, would result in a cumulative increase in volume of 135% beyond the original building. These figures are not disputed by the appellant. Accordingly, the property has already been extended beyond what is currently considered acceptable in Policy DM43, and as such, any additional increase would also fail to adhere to the relevant criteria. The proposal, in combination with the previous development, would be very significant, and would represent disproportionate additions over and above the size of the original building.
8. Accordingly, the proposal would be inappropriate development in respect of the Framework, and by definition, be harmful to the Green Belt. Paragraph 148 of The Framework instructs that substantial weight should be given to any harm to the Green Belt, and that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other

harm resulting from the proposal, is clearly outweighed by other considerations.

Openness

9. The area around the site is rural in character, featuring open fields and vegetation. The proposal would result in a marginal increase in the footprint of the property, replacing an existing area of paving. Although the proposal, together with the previous development, would be significant in relation to the original dwelling, due to its overall size, the effect upon the openness of the Green Belt would be very limited.
10. Although the harm would be very limited, the proposal nevertheless would be detrimental to the openness of the Green Belt.

Other Considerations

11. The dwelling is within the AONB, where great weight is afforded to conserving and enhancing the landscape and scenic beauty. The Council believe the existing extension is wholly out of character with the simple design of the original cottage and that it detracts from the scenic beauty of the AONB.
12. The original part of the property is well designed, with a charming character that is well suited to its rural surroundings. The flat-roofed two-storey extension on the rear is entirely at odds with the original building. Its design detracts from the original dwelling, is poorly suited to the character of the area, and dominates the form of the property at the rear. It is clearly visible from the side of the property, where the main entrance to the dwelling is located, and is accordingly a considerable component of the property's appearance when it is approached.
13. The proposal would greatly enhance the appearance of the property as a whole, most notably by removing the flat roof of the extension and replacing it with a roof form appropriate to the original design of the house. The development at the rear would be sympathetic to the rest of the building, and would no longer dominate it, or detract from its appearance. Whilst the proposal would add additional volume to the property, it is very unlikely a redevelopment of the rear would be pursued without further benefits being secured by the homeowner. As such, given the significant negative effect the existing rear extension has on the character and appearance of the dwelling and the surrounding area, and the extent to which the proposal would mitigate this harm, great weight is given to the improvements.
14. The proposal would add some additional bulk to the property overall, and this would constitute inappropriate development. It would also result in very limited harm to openness. However, the weight afforded to the improvements would clearly outweigh the harm to the Green Belt, and very special circumstances would exist in this instance.

Conditions

15. Conditions relating to the commencement of the development, and to ensure adherence to the plans provided, are recommended in the interests of certainty. A condition ensuring the materials used for the external surfaces of the development match those used in the existing building is recommended in

the interests of the character and appearance of the host property and the surrounding area.

16. The Council have cited Policy DM34 of the Local Plan, and suggested a condition requiring both a bat box and a bird box be attached to the structure or a boundary feature. There is no direct link between the harm identified (loss of an area of lawn) and the condition suggested. The condition would not be directly relevant or necessary with respect to the nature of the development. Although Policy DM34 seeks to maximise biodiversity assets, the omission of this condition would not result in a failure to comply with the Local Plan when considered as a whole.

Conclusion and Recommendation

17. Based on the above, and having regard to all matters raised, I recommend that the appeal should be allowed.

C Glaister

APPEAL PLANNING OFFICER

Inspector's Decision

18. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

K Taylor

INSPECTOR