



Appeal Decision

Site visit made on 27 September 2022 by C Glaister

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 November 2022

Appeal Ref: APP/K0425/D/21/3287729

White House, North Road, Widmer End HP15 6ND

- 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 Tower Hakes against the decision of Buckinghamshire Council.
 - The application Ref 21/06958/FUL, dated 25 June 2021, was refused by notice dated 8 September 2021.
 - The development proposed is described as "Proposed construction of an outbuilding to provide bicycle storage, maintenance facilities and an electric charging point".
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Decision

1. The appeal is dismissed.

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.

Main Issue

3. The main issues are:
 - whether the proposal would be inappropriate development 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;
 - the effect of the proposal on the character and appearance of the area, including whether it would preserve or enhance the Chilterns Area of Outstanding Natural Beauty.
 - if the proposal would be 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

Whether Inappropriate Development

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. 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 the 'original building' as the building as it existed on 1 July 1948 or, if constructed after this date, as it was built originally.
5. Policy CP8 of the Wycombe District Local Plan (August 2019) (the Local Plan) seeks to protect the Green Belt identified on the Policies Map from inappropriate development. Policy DM43 of the Local Plan states that residential outbuildings will be considered appropriate development in the Green Belt within a built-up village identified on the Policies Map. It also states that elsewhere in the Green Belt, any increase in the volume of residential outbuildings will only be considered appropriate when they meet all of the conditions provided. This includes, that the total volume of all existing and proposed outbuildings on the property would not exceed 140 cubic metres; and, that no more than 50% of the curtilage outside of the dwelling would be occupied by outbuildings. The Policy is clear in stating that all conditions must be met for development to be appropriate. The Policy does not state that 'outbuildings on the property' refers only to those close to the main house.
6. The Council have confirmed that the site is located within the Green Belt. They have also confirmed that the site is not within an area classified as a built-up village, and is not within an area included in the tier system.
7. There are existing outbuildings on the site. The Council have indicated that the cumulative volume of all existing outbuildings amounts to 180m³, and that the outbuilding proposed would increase the cumulative volume to 304m³. The appellant has not disputed the figures provided by the Council. The combined volume of all existing outbuildings is therefore already over the 140m³ permitted by Policy CP8. The additional volume of the proposal would result in a combined volume that far exceeds what is permitted.
8. Accordingly, the proposal would be inappropriate development, and result in harm 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 property has a very large garden, and the wider area is characterised by open fields. However, the outbuilding proposed, in isolation, would have a volume of only 124m³. It would also be sited at the front of the site, near to the road, where openness is less of a defining feature. As such, although the proposal in combination with existing development would be excessive, the

overall effect upon the openness of the Green Belt would be limited, both visually and spatially.

10. Although the harm would be limited, the proposal would nevertheless be detrimental to the openness of the Green Belt.

Character and Appearance

11. The site is within the Chilterns Area of Outstanding Natural Beauty (AONB), where great weight is afforded to conserving and enhancing the landscape and scenic beauty. The Council are satisfied that the proposal would deliver a high-quality design, respect the natural beauty and built heritage of the Chilterns, and enhance the sense of place and local character. There is no reason to disagree with the Council on these matters.
12. The front building line of properties nearby varies, and some are much closer to the road. There is also an outbuilding in a comparable location at an adjacent property. The proposal would be sited in the corner of the driveway, and a considerable amount of the space would be left open. It would also be located behind hedges and trees that would soften its appearance and partially obscure it from public views.
13. The proposal would therefore respect the existing sense of openness found at the front of properties along the road, and the general character and appearance of the area. The Council have referred to the Householder Planning and Design Guidance Supplementary Planning Document (January 2020) (SPD) in the reason for refusal, but no further details relating to the SPD are included in the officer report. The proposal would generally accord with the advice provided in the SPD, including, that the outbuilding should not dominate or detract from the main building, and that it should be subservient to the main building in scale, mass, and bulk.
14. Accordingly, the proposal would not harm the character and appearance of the area, and would preserve the Chilterns Area of Outstanding Beauty. It would therefore accord with Policies CP9, DM30, and DM35 of the Local Plan which together seek to ensure development achieves a high quality of design, respects the natural beauty and built heritage of the Chilterns, and creates positive and attractive buildings and spaces.

Other Considerations

15. The site is within relatively close proximity to an area designated by the Council as a Tier 1 Large Urban Area. The site is nevertheless not a part of this designation, and its immediate surroundings are clearly defined by limited residential development and open fields. The site's proximity to a Tier 1 designated area therefore holds little weight.
16. The appellant has suggested that permitted development rights would allow them to construct a similar outbuilding at the rear of the property. There is limited evidence to suggest that this would be likely to happen, and there is a lack of detail about what could be pursued. This therefore holds very little weight.
17. The only consultation response submitted for the appeal was made by Hughenden Parish Council, who expressed no objection to the proposal subject to it meeting certain size restrictions. A lack of third-party objections does not

weigh in favour of the appeal, nor does a lack of harm to matters such as living conditions, trees, highway safety, or flooding.

18. The property has a very large garden, and the outbuilding would occupy a relatively minor amount of the site's land. Nevertheless, the proposal must accord with the development plan, and the Framework, which seek to protect the Green Belt from inappropriate development.
19. The outbuilding would provide bicycle parking, and an electric vehicle charging point. Bicycle parking, and an electric vehicle charging point could both be provided without requiring the outbuilding proposed. This could also be achieved by other means without significant differences to the condition of the battery.
20. The proposal would provide work to tradespeople. This would be limited to the construction of one outbuilding. This therefore holds very little weight. The appellant states that the outbuilding would support the health and wellbeing of an elderly family member by providing suitable parking. There is already space to park on the driveway, and the benefits associated with the outbuilding would be very minor. It therefore holds very little weight.
21. The same benefits that the appellant would receive from the development could also benefit future occupants. The benefits are very minor and hold very little weight. The appellant states that the Council seemingly failed to work in a positive, creative, or proactive manner by failing to respond to their attempts at communication. This is not a matter relevant to the merits of the planning appeal.
22. The sum of the above considerations would not clearly outweigh the substantial weight attributed to the harm to the Green Belt, and very special circumstances do not therefore exist.

Conclusion and Recommendation

23. The proposal would be inappropriate development in the Green Belt and would be detrimental to openness. It would therefore conflict with the Framework, and the aims of CP8, and DM43 of the Local Plan. The other considerations do not clearly outweigh these harms, and the very special circumstances necessary to justify the development do not therefore exist.
24. The absence of harm to the character and appearance of the area, and the AONB would not mitigate the harm identified to the Green Belt. Based on the above, and having regard to all matters raised, I recommend that the appeal should be dismissed.

C Glaister

APPEAL PLANNING OFFICER

Inspector's Decision

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

K Taylor

INSPECTOR