



Appeal Decision

Site visit made on 1 September 2023

by Robert Fallon B.Sc. (Hons) PGDipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 September 2023

Appeal Ref: APP/K0425/D/22/3310711

**Cadsden House, Cadsden Road, Cadsden, Princes Risborough,
Buckinghamshire, HP27 0NB**

- 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 Jonathan Stackhouse (Julius Bahn Ltd.) against the decision of Buckinghamshire Council.
 - The application Ref 22/06886/FUL dated 8 July 2022, was refused by notice dated 21 September 2022.
 - The development proposed is described on the application form as "Single storey oak framed garden room extension to rear".
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Decision

1. The appeal is dismissed.

Procedural matter

2. The revised National Planning Policy Framework ('the Framework') was published on 5 September 2023. Having reviewed this document, I am satisfied that the policy applicable to the scheme before me remains unchanged from the previous Framework¹. As a consequence, I did not consider there to be a need to reconsult the parties and have determined the appeal in light of the new Framework document, which is a material consideration that should be taken into account.

Main issues

3. The main issues are:
 - the effect of the development on the character and appearance of the existing dwelling;
 - whether the proposal would be inappropriate development in the Green Belt, and if so, the effect of the development on the openness of the Green Belt;
 - if the development is inappropriate, 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 the development.

¹ National Planning Policy Framework, Ministry of Housing, Communities and Local Government, 20 July 2021.

Reasons

Appeal site context

4. The appeal site consists of a handsome and imposing detached house of substantial scale hailing from the 18th/19th century finished in an off-white render with prominent roof gables, a plain tile steep pitched roof, decorative ridge tiles & bargeboards, large projecting chimneys, timber casement windows & doors and a feature bay window with timber sash window. It is set in large grounds enclosed by mature trees and forms part of a loose-knit cluster of dwellings on Cadsden Road which fall within the Green Belt and Chilterns Area of Outstanding Natural Beauty (AONB).

The effect of the development of the character and appearance of the existing dwelling

5. By reason of its part-hipped roof sloping away from the parapet wall/flat roof of the adjacent single storey extension, the scheme would appear ungainly, contrived and disjointed from the main house. This harm would be compounded by the use of extensive glazing and a large outward facing gable, both of which would be out of character with the solid to void ratio, window composition, articulation and proportions of the property's south east elevation.
6. The appellant states that the garden room was designed with different features from the host building to convey its intended leisure use and give it a different architectural identity to that of the main house. Be that as it may, in this particular instance I do not consider that the scheme before me would successfully integrate with the architectural style of the host building for the reasons stated. However, that is not to say that scope does not exist for an alternative design or approach, but the planning merits of any future proposals are a matter between the parties.
7. I also recognise that the scheme has been designed to take advantage of the scheme's southerly aspect to maximise solar gain and lower energy consumption. However, that does not justify or outweigh the harm I have identified.
8. In view of the above, I conclude that the scheme would appear incongruous and out of place and cause significant harm to the character and appearance of the existing dwelling. The proposal would therefore conflict with Policies DM35 and DM36 of the Local Plan², which collectively seek, amongst other things, to ensure that development; (1) is of a high quality design; and (2) respects the character and appearance of the existing property.
9. I also find that the scheme conflicts with Paragraphs 126 and 130 of the Framework, which collectively seek, amongst other things: (1) the creation of high quality, beautiful buildings; (2) development that is visually attractive as a result of good architecture; and (3) development that is sympathetic to local character. In reaching a decision, I have also given significant weight to Paragraph 134 which states that development which is not well-designed should be refused.

² Wycombe District Local Plan, Adopted August 2019, Wycombe District Council.

Whether the proposal would be inappropriate development in the Green Belt, and if so, the effect of the development on the openness of the Green Belt

10. The appellant states that the cubic volume of the original dwelling is 1,210 cubic metres whereas the Council records it as 1,132. Whichever figure is used, the total volume of the original building already exceeds the 1,080 cubic metre limit for the resulting building referred to in Policy DM43 of the Local Plan. As a consequence, it would not be possible for any scheme comprising an increase in cubic volume to accord with this policy, or that of Policy DM42 which explicitly refers to Policy DM43.
11. However, Paragraph 149 of the Framework does not refer to specific numerical figures in setting an upper limit;- it merely states that new buildings in the Green Belt should be regarded as inappropriate development, unless they fall within a number of exceptions, which include, amongst others, an extension to a building that does not result in a disproportionate addition over and above the size of the original building. The Framework therefore retains flexibility in the case of extensions to substantial dwellings and does not set a ceiling to this.
12. I recognise that the proposed extension would occupy a significant footprint, but given the substantial size of the original building, I am satisfied that it would not constitute a disproportionate addition to this. In view of this, and because of the flexibility for extensions established by Paragraph 149 of the Framework, it is my view that the scheme would not constitute inappropriate development in the Green Belt.
13. In light of the above, I conclude that the proposal would comply with Policy CP8 of the Local Plan which seeks to protect the Green Belt from inappropriate development. For the same reason, I also find that it would accord with Paragraph 149 of the Framework.
14. Although the proposal does not accord with Policies DM42 and DM43 of the Local Plan, these policies are not wholly consistent with the Framework inasmuch as they establish an upper limit for the resulting building and so I have given the scheme's conflict with these only modest weight in my assessment. In view of this, and because Policy CP8 of the Local Plan is consistent with the Framework insofar as it relates to this proposal, I conclude that the development's compliance with it and Paragraph 149 of the Framework outweigh the conflict with Policies DM42 and DM43.

Conclusion

15. Although I have concluded that there is no harm in respect of the main issue relating to the Green Belt, I am nonetheless satisfied that the harm identified in respect of the main issue relating to character and appearance is sufficient to still justify dismissal of the appeal.
16. All representations have been taken into account, but no matters, including the scope of possible planning conditions, have been found to outweigh the identified failures, harm and policy conflict. For the reasons above, the appeal scheme should be dismissed.

Robert Fallon

INSPECTOR