



Appeal Decision

Site visit made on 23 January 2024

by L Francis BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 January 2024

Appeal Ref: APP/K0425/W/23/3325714

**Solinger Farm, Little Hampden, Great Missenden, Buckinghamshire
HP16 9PT**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Lord & Lady Hollenden against Buckinghamshire Council - West Area (Wycombe).
 - The application Ref 22/08318/FUL, is dated 15 December 2022.
 - The development proposed is the erection of a powder coated aluminium glasshouse sited on a dwarf brick wall in keeping with existing brickwork within the property.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a powder coated aluminium glasshouse sited on a dwarf brick wall in keeping with existing brickwork within the property at Solinger Farm, Great Missenden, Buckinghamshire HP16 9PT in accordance with the terms of the application, Ref 22/08318/FUL, dated 15 December 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: site location plan, block plan, 22045.
 - 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.
 - 4) Prior to first use of the glasshouse hereby permitted, details of biodiversity enhancement measures to be installed at the site, including details of the timescale for installation, shall be submitted to and approved in writing by the local planning authority. Any such measures as may be agreed shall be installed in accordance with the agreed timescales and thereafter retained as so installed.

Preliminary Matters

2. This appeal relates to the failure of the Council to give notice of its decision on the application for proposed development within the prescribed period. However, since the submission of the appeal the Council has provided a statement setting out its position on the proposed development, concluding that it would have granted planning permission subject to conditions.

3. Accordingly, there is no dispute between the two main parties, such that there are no main issues for consideration. Neither are there any representations from interested parties to consider.
4. The National Planning Policy Framework (the Framework) was updated in December 2023, during the consideration of the appeal. There have been no substantive changes to the paragraphs relevant to the issues raised by this appeal.

Conditions

5. The Council have provided some suggested conditions which I have considered against advice in the National Planning Policy Framework and Planning Practice Guidance. I have attached the standard time limit condition (1) and a plans condition (2) as this provides certainty. Condition 3 is necessary to require that the materials to be used would match those of the existing dwelling. I do not find that a condition requiring the Council's agreement to the precise colour of the finish of the aluminium powder coating would be necessary given the secluded location of the site.
6. I have attached a condition (4) drafted in line with the Council's suggestion of securing biodiversity enhancements given that Policy DM34 of the Wycombe District Local Plan 2019 requires all development to protect and enhance biodiversity. Given the small scale of the proposals, measures could include a bird or bat box as suggested by the Council.

Conclusion

7. Having no reasons to dispute the position of the Council, I conclude that the appeal should be allowed.

L Francis

INSPECTOR