



Appeal Decision

Site visit made on 12 March 2024

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 April 2024

Appeal Ref: APP/X0415/W/23/3323449

The Blue Ball Public House, Asheridge Road, Asheridge, Buckinghamshire HP5 2UX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr C. Slaughter (The Blue Ball Public House) against the decision of Buckinghamshire Council.
 - The application Ref is PL/22/4411/FA.
 - The development is the siting of mobile home to provide staff accommodation ancillary to The Blue Ball Public House – retrospective.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. On 22 November 2023, all designated Areas of Outstanding Natural Beauty (AONBs) in England and Wales became National Landscapes. This change did not affect the legal designation or policy status of AONBs. Therefore, I have used the term National Landscape in my decision.
3. The development has been carried out, in accordance with the submitted plans.

Main Issues

4. The main issues relevant to this appeal are:
 - whether the proposal would be inappropriate development in the Green Belt;
 - the effect of the development upon the character and appearance of the area; and
 - 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 developments.

Reasons

Whether inappropriate development and effect on openness

5. The appeal scheme seeks the retention of a caravan pitch in the Green Belt. This represents a change of use of the land. Policy GB2 of the Chiltern District Local Plan (1997) (the Local Plan) states that most developments in the Green Belt are inappropriate. However, Policy GB2 outlines that the making of material changes in the use of land, which maintain openness and do not

conflict with the purposes of including land in the Green Belt may be acceptable. This is consistent with the requirements of the National Planning Policy Framework (the Framework).

6. The appellant's Statement of Case explains that the caravan is located in the position of a demolished stable building and that it occupies a greater proportion of the plinth than the stable. This means that the area to the rear of the public house comprising the plinth and the land that makes up the rest of the site was generally open and verdant before the caravan was brought onto the site and therefore generally compatible in appearance with the open fields beyond. Although the caravan is not a building, the pitch has facilitated the parking of a large caravan permanently at the site. This has resulted in an erosion of the spatial sense of openness in the Green Belt.
7. The resultant pitch and caravan are visible from the entrance of the car park with Asheridge Road. In addition, a footpath that runs alongside the side boundary of the site. From this, views of the caravan are possible. Although any such views are likely to vary depending upon the season owing to the presence of landscaping, the physical form of the development would always be perceptible. As such, the development has eroded the Green Belt's visual sense of openness.
8. Although not present at my site visit, as a permanent residence, there is a possibility that items of domestic paraphernalia could be placed around the caravan. The site is defined by the red line shown on the submitted plans. However, the occupation of the caravan is intrinsically linked to the operation of the public house. Therefore, access to the areas beyond the red line by the occupiers of the caravan cannot be discounted.
9. Should this occur, there would be a further erosion of the Green Belt's visual sense of openness. Given that such items would fall outside of the definition of development, it would not be possible to impose an enforceable planning condition to prevent this from occurring.
10. The Framework, at Paragraph 143, sets out the purposes of including land in the Green Belt. The development has resulted in the creation of a more engineered appearance at the expense of the original rural outlook. In consequence, the development has resulted in the encroachment of a larger physical presence into the countryside. This means that the development conflicts with the purposes of including land in the Green Belt.
11. Therefore, I find that the proposal is inappropriate development in the Green Belt because it erodes its sense of openness and conflicts with the purposes of including land within it. In result, I conclude that the development is inappropriate in the Green Belt and has an adverse effect upon openness. The development, in this regard, conflicts with the requirements of Policy GB2 of the Local Plan and the Framework.

Character and appearance

12. The appeal site and Asheridge are in the Chilterns National Landscape. The landscape surrounding the appeal site is characterised by gently undulating land comprising a patchwork of open fields bound by trees and hedgerows. There are several buildings, constructed to a traditional palette of materials, that are dispersed at varying intervals along Asheridge Road. This means that

there are relatively few buildings in the vicinity, which allows the countryside to predominate. This is confirmed by the Council's Chilterns Landscape Character Assessment (2011).

13. Although the appeal scheme does not represent the provision of a new building and would not result in a decline in existing equine activities, the development has resulted in the siting of a caravan permanently. The caravan has a different appearance to the previous, now demolished, stable building. In result, the development has resulted in the placement of a larger object with a more engineered and bulky appearance that conflicts with the natural landscape that surrounds the site.
14. Furthermore, the development's form notably contrasts with the gently varying land levels that are a feature of the surrounding area. This means that the stark appearance of the development has changed the character of the site from being relatively open with limited amounts of built form to one with larger physical structures.
15. During day-time periods, the caravan is readily viewable from the entrance to the public house's car park. Therefore, the full extent of the development is perceptible to passers-by and users of the public house's car park. In addition, the physical mass of the caravan is viewable from the footpath that runs to the side of the site. Whilst such views are filtered to a limited degree, the increase in physical form would be perceptible irrespective of the amount of foliage that may be present.
16. The development is also visible from the section of Asheridge Road between the public house and the nearby Flintstone Cottage. Although such views are relatively limited owing to the presence of the public house and other paraphernalia associated with its operation, the physical mass associated with the development would be perceptible to a limited degree.
17. My attention has been drawn to a previous appeal¹ at this location for the siting of five caravans. The Inspector did not find that these caravans would harm the character of the area. However, there are notable differences between the preceding development and the current scheme. These include differences in location, which mean that the five caravans would not have been as prominent when viewed from the car park entrance, or the nearby footpath. In addition, the previous scheme included landscaping that would have screened the caravans.
18. Owing to the presence of hard surfacing that surrounds the current scheme, it would not be possible for additional landscaping to be planted that might screen the plinth and caravan. In consequence, these notable differences mean that the effects of the schemes would be different, and consequently there is no inconsistency with the previous Inspector's findings.
19. I therefore conclude that the development has a significant adverse effect upon the character and appearance of the area. The development, in this regard, conflicts with the requirements of Policies GC1 and LSQ1 of the Local Plan; and Policies CS20 and CS22 of the Chiltern District Core Strategy (2011). Amongst other matters, these seek to ensure that developments relate well to the

¹ APP/X0415/W/21/3280021

characteristics of the site; conserve and enhance the natural beauty of the landscape; and be of a high standard of design.

Other Considerations

20. The appellant's Statement of Case describes the nearest bus stop as being 1.2 miles from the site. In addition, there are limited homes nearby that could be occupied by staff from the public house and the development provides accessible accommodation for employees. The development therefore supports the ongoing viability of the business. However, the development seeks the permanent siting of the caravan. Therefore, it is possible that at some point a different member of staff might not have the same travel requirements, which give rise to the need for the development. Consequently, I give this matter a moderate amount of weight.
21. By reason of the potential tie between the development and the public house, any employee would not need to use a vehicle to travel to their place of work. However, any benefits of this are tempered by the fact that occupiers would need to journey to locations outside of the village, such as to access leisure facilities. Therefore, it is unlikely that this would result in a substantial reduction in the number of vehicle movements meaning that this can be attributed a limited amount of weight.
22. The development would result in the re-use of land on which a stable was previously located. This means that it can be regarded as the reuse of previously developed land. However, the scale of land that is to be used is relatively small. Furthermore, the resultant dwelling, in the form of the caravan would not facilitate a large household. There is also no compelling evidence before me that indicates that there is a notable shortfall in housing land supply in the surrounding area. Therefore, this carries a limited amount of weight.
23. It has been suggested that a condition could be imposed to tie the usage of the caravan to the current operator of the public house. However, there is no reason to believe that the caravan would not be present at the site for a significant period. Therefore, this is a matter that also carries a limited amount of weight.

Other Matters

24. The site is inside the Zone of Influence of the Chiltern Beechwood Special Protection Area (the SPA). As I am dismissing the appeal for other reasons, I do not need to give the potential effects on the SPA further consideration.
25. The appellant has referenced a previous appeal in Norfolk². However, the previous appeal site is located a significant distance from the current site. It therefore follows that the level of prominence and relationship with neighbouring sites would be different. In addition, the Norfolk site does not appear to be in a National Landscape. In result, the findings of the previous appeal are not pertinent to the scheme before me.
26. It has been demonstrated that the development would not have an adverse effect upon the living conditions of the occupiers of neighbouring properties; ecology; or the highway system. Whilst these are matters of note, they are only some of the issues that must be considered when assessing a proposed

² APP/L2630/W/21/3289198

development. In result, they do not outweigh my findings in respect of the main issues.

Planning Balance and Conclusion

27. Paragraphs 152 and 153 of the Framework set out the general presumption against inappropriate development within the Green Belt. They explain that such development should not be approved except in very special circumstances. Very special circumstances to justify inappropriate development will not exist unless the potential harm to the Green Belt, by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
28. I have concluded that the appeal scheme is an inappropriate development and by definition harm the Green Belt. In coming to this conclusion, I found that the appeal scheme would result in an adverse impact on the openness of the Green Belt. Paragraph 153 of the Framework requires substantial weight to be given to any harm to the Green Belt.
29. In addition, the proposal would have a significant adverse impact upon the character and appearance of the area, including the National Landscape. The Framework, at Paragraph 182 states that great weight should be given to conserving and enhancing landscape and scenic beauty in such areas.
30. The other considerations I have identified, whilst carrying moderate weight as matters in favour of the development, do not outweigh the cumulative harm I have identified. As such the harm to the Green Belt, and any other harm resulting from the development, are not clearly outweighed by the other considerations. Thus, the very special circumstances necessary to justify the development do not exist and therefore the scheme fails to adhere to the local and national Green Belt policies that I have already outlined. Therefore, for the preceding reasons, the appeal should be dismissed.

Benjamin Clarke

INSPECTOR