



Appeal Decision

Site visit made on 4 February 2025

by V Goldberg BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 April 2025

Appeal Ref: APP/K0425/W/24/3348315

Barn 3, Hooks Farm, Hooks Lane, Marlow Common, Buckinghamshire SL7 2DS

- 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 O Bryant against the decision of Buckinghamshire Council
 - The application Ref is 24/05559/FUL.
 - The development proposed is described as 'demolition of existing barn and erection of a dwelling to include garage. Use of existing access'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The address on the application form does not specify the barn on the farm. The decision notice and appeal form refer to the appeal site as Barn 3, therefore the site address in the banner heading above has been amended to correlate with these documents, as this best reflects the address of the appeal site.
3. During the appeal the Council supplied a copy of its updated five-year housing land supply. The Appellant was given the opportunity to provide comments on this submission and the comments received and the updated position has been considered in this decision.
4. On 12 December 2024, the Government published a revised National Planning Policy Framework (the Framework). Having reviewed the changes, I am satisfied that they do not affect the substantive matters of the appeal and that proceeding without further consultation with the main parties would not be prejudicial to their respective cases.

Background and Main Issues

5. The appeal building has an extant planning permission for the conversion of the existing barn into a dwelling¹. There is a real prospect that this could be implemented and as such it is a material consideration in my assessment. It will therefore be referred to within the main issues below as the fallback position.
6. The appeal site is within the Green Belt, so the main issues are:
 - whether the proposal would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies;
 - the effect of the proposal on the openness and purposes of the Green Belt; and;

¹ 23/07714/FUL

- whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether inappropriate development

7. The site is located within the Green Belt. Paragraph 153 of the Framework sets out that substantial weight should be given to any harm to the Green Belt, and that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 154 of the Framework states development in the Green Belt is inappropriate unless exceptions apply. One of these exceptions is the replacement of a building provided the new building is in the same use and it is not materially larger than the one it replaces. Policy DM42 of the Wycombe District Local Plan 2019 (WDLP) aligns with the Framework, insofar as it relies on the exceptions detailed within the Framework and details that inappropriate development will be refused unless there are very special circumstances.
8. The proposed dwelling would replace an agricultural barn; therefore, the replacement building would not be in the same use as the one it replaces. Whilst the fallback position details a building in the same use as that proposed, an unimplemented permission does not count as the baseline as to whether a scheme would be materially larger than the one it replaces. However, it would be relevant in considering whether very special circumstances exist, which will be set out below.
9. As a result, the proposal does not fall within the exceptions to inappropriate development listed in the Framework, and it would therefore comprise inappropriate development in the Green Belt.

Openness

10. Openness is identified in the Framework as one of the Green Belt's essential characteristics. It has both spatial and visual aspects. Whilst the footprint of the proposed dwelling and garage may be less than the existing single storey barn, the proposed two storey dwelling and detached garage, would have a greater impact on visual openness compared to the existing building. This is because the proposed garage, and garden room of the proposed dwelling in particular, would disperse the built form on site. In comparison, the mass of the existing agricultural building is contained within its linear form. Furthermore, the second storey of the proposed dwelling would be substantially more prominent than the low profile of the existing building within this rural part of the Green Belt.
11. Whilst the proposed dwelling would not be visible from the road given its distance from the access and the thick planting near the entrance, the impact would be perceptible by users of Hooks Farm Estate. For these reasons, despite not negatively effecting the primary purpose of the Green Belt to prevent urban sprawl, the proposal would result in an adverse impact on the visual openness of the Green Belt resulting in moderate harm to the Green Belt.

Other Considerations

12. I have not been provided with the volume of either the existing or proposed building, but it is stated that the floor area of the proposal would be less than the fallback position. Overall, insufficient evidence has been provided to establish whether the proposal would be comparable to the existing barn or the fallback position in terms of volume. This is significant seeing as both the proposed dwelling and garage would have two storeys, whereas the existing barn is a modest single storey structure with low eaves. Given the form and layout of the proposed dwelling with projecting wings, dormers and multiple roof slopes, it has not been demonstrated that the proposed dwelling would not be materially larger than the existing barn or the dwelling comprising the fallback position.
13. Compared to the fallback position, the proposal would be considerably taller and through the form of the proposed dwelling and addition of the detached garage, built form would be dispersed across a wider area. As a result, the proposal would have a much greater impact on the visual openness of the Green Belt compared to the fallback position.
14. The appellant considers that the proposal would be a better design than the fallback scheme due to the diminution of floorspace and the reduction in hard surfacing on site. However, no reduction in hard surfacing is shown within the plans and any reduction in footprint/ floor space does not necessarily result in a better design aesthetically, or in terms of the effect on the openness of the Green Belt. These considerations are therefore not compelling in favour of the appeal scheme.
15. Whilst the proposal would provide needed residential accommodation, the fallback position demonstrates there is an alternative route to meeting this aim. It follows that the fallback position is a less harmful alternative and therefore it carries little weight as a consideration in the scheme's favour in this respect.

Planning Balance

16. The proposal constitutes inappropriate development in the Green Belt and it would cause harm to the openness of the Green Belt. On the evidence provided, the level of harm would be much greater than any harm caused by the fallback position. In accordance with the Framework, I give substantial weight to the harm which would be caused to the Green Belt and its openness.
17. Whilst the fallback position is a material consideration, given that it is a less harmful alternative than the proposal it would not outweigh the harm identified. I therefore find that the other considerations in this case do not comprise very special circumstances necessary to clearly outweigh the harm arising from the appeal scheme.

Conclusion

18. The development conflicts with the development plan and material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

V Goldberg

INSPECTOR