



Appeal Decision

Site visit made on 9 April 2025

by A Price BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 May 2025

Appeal Ref: APP/K0425/W/24/3353167

13 Greenlands, Lacey Green, Buckinghamshire HP27 0QJ

- 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 Andrew Oxlade against the decision of Buckinghamshire Council.
 - The application Ref is 24/05373/FUL.
 - The development proposed is the erection of a self-build dwelling with associated parking and amenity space.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The National Planning Policy Framework (the Framework) was updated in December 2024. The main parties were given the opportunity to comment on the updated version. These comments have been taken into consideration.

Main Issues

3. The main issues are:
 - whether the proposed development would be inappropriate development in the Green Belt, having regard to the Framework and any relevant development plan policies and the effect of the proposed development on the openness of the Green Belt;
 - the effect of the proposed development on parking provision and highway safety;
 - the effect of the proposed development on the character and appearance of the area; and
 - whether the 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 proposed development.

Reasons

Whether inappropriate development

4. National Green Belt policy in the Framework sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved 'except in very special circumstances.' There are, however, certain exceptions. One of those, at paragraph 154(e), is limited infilling in villages.

Policies CP8 and DM42 of the Wycombe District Local Plan (LP 2019) conform to the general thrust of national Green Belt policy.

5. The Framework does not define what constitutes either a village or 'limited infilling.' This is a matter of judgement for the decision maker, having regard to the nature and amount of development, the location of the appeal site and its relationship to existing adjoining development. However, there is no dispute between the Council and appellant in respect of the appeal site falling within a village.
6. The supporting text to LP policy DM42 b) iv (limited infilling in villages) at paragraph 6.222 sets out that: 'to be limited infilling the plot must be comparable in size and shape to the average house plots in the village (excluding any that are atypically large or small). The proposed building must be similarly comparable in size and scale.' While this goes somewhat further than the text within the Framework, I do not consider the additional detail to be overly restrictive or contrary to the general thrust of national policy. Instead, it acts to assist in the assessment of limited infilling locally.
7. The appellant contends that the appeal site is of a comparable size and shape to other plots and has set out some examples (16 individually listed sites) of similarly sized plots within the surrounding area. The appellant also sets out a list of 6 individual dwellings which they consider to be of a similar size to that proposed. While these sites are noted, the majority of plots within Lacey Green are large and spacious. Moreover, some of those plots listed by the appellant are considerably larger than the appeal site. The existence of a small number of similarly sized plots and dwellings does not automatically amount to the average size of plots and dwellings across the settlement. These could reasonably be described as outliers. The size of the appeal site is markedly different to the majority of plots within the settlement, comprising an unusually narrow parcel of land. From that perspective, the proposed development would fail to accord with the requirements of LP policy DM42.
8. In respect of openness, the proposed development would undoubtedly introduce built development and massing to a site where there is currently very little. The footprint of the dwelling, its bulk and the accompanying paraphernalia, including dedicated parking and amenity areas, would all inevitably lead to a loss of openness, both physically and visually. However, given the limited width of the plot, the position of established properties and the existing domestic use of the site, the effect on openness could reasonably be described as limited.
9. For the foregoing reasons, I conclude that the proposed development would not fall into an exception listed in paragraph 154 of the Framework and would form inappropriate development in the Green Belt. Substantial weight should be given to this harm. The proposed development would fail to preserve openness, although in the light of mitigating factors, in particular the residential character of the wider area, adverse effects to openness would fairly be described as limited. It follows that the proposed development would be contrary to the relevant provisions of LP policies CP8 and DM42 which, in summary, seek to protect the Green Belt from inappropriate development.

Parking provision and highway safety

10. The area surrounding the appeal site is not subject to a controlled parking zone. Many of the residential properties surrounding the site have private off-street parking in the form of a driveway, with informal parking taking place within Greenlands and Chiltern View Close.
11. While the proposed development would amount to an intensification of the site, it would provide two off-street parking spaces. There is no dispute between the Council and appellant in respect of the parking provision for the proposed development, as this would meet the Council's 'optimum'¹ parking guidance for a 2 bedroom dwelling, both in terms of provision and size.
12. However, the Council has raised concern in respect of the existing No 13. In particular, reference is made to a previous planning consent² at the site. This allowed the extension of No 13. The Council sets out that, as a result of that consent, No 13 requires 3 parking spaces. It is opined that this could not be fully achieved if the proposed development was implemented, leading to harmful off-site parking.
13. While I note the concerns of the Council in this respect, the established dwelling at No 13 does not form part of the appeal site. There is no substantive evidence before me to demonstrate that the previously approved extension scheme could, realistically, be fully implemented if the appeal scheme was allowed. Nor do I have any substantive evidence to confirm if that property is currently a 2 bedroom or 3 bedroom property.
14. Even were I to consider the two sites as one for the purpose of highway matters, only one additional 2 bedroom dwelling would be created here. Based on the evidence before me and my observations on site, taking into account that parking provision for the appeal scheme would be in line with optimum guidance, it is unlikely that the number of parked cars in the highway would rise by a significant volume. In any case, any displaced cars would be accommodated within the unrestricted cul-de-sac, which has been evidenced as having surplus capacity.
15. Due to the layout, nature and character of the cul-de-sac, traffic speeds are likely to be very low and there is no substantive evidence before me to demonstrate that emergency vehicles would be prevented from using the immediately adjacent highway network.
16. Overall, I conclude that matters relating to parking provision and highway safety would be satisfactory in this instance, in accordance with the relevant provisions of LP policy DM33. This policy, in summary, seeks to ensure that development proposals do not have a detrimental effect on highway safety. This is in a similar vein to the provisions of Buckinghamshire's Local Transport Plan 4, Buckinghamshire Countywide Parking Guidance and the Highways Development Management Guidance.

Character and appearance

17. Notwithstanding my assessment of the Green Belt above, the Council's third reason for refusal relates to character and appearance.

¹ As referenced at Table 6. Residential car parking standards (up to 10 dwellings).

² 19/07544/FUL

18. The site is located within the Chilterns Area of Outstanding Natural Beauty. Areas of Outstanding Natural Beauty (referred to as National Landscapes) are designated for the purposes of conserving and enhancing natural beauty. Section 85(1) of the Countryside and Rights of Way Act 2000 (as amended) places a duty upon me to have regard to these purposes in this decision. Supporting this objective, the Framework paragraph 189 sets out how great weight should be given to conserving and enhancing landscape and scenic beauty in National Landscapes.
19. The area to the south of the site has a rural character, largely comprising agricultural land. Built form exists in the landscape, most of which relates to Lacey Green. The area to the north of the site unquestionably forms part of the settlement and has a suburban character. The appeal site does not contribute in any meaningful way to the rural character of the surrounding area and, in my view, makes a neutral contribution to the landscape character of the National Landscape.
20. While the detailed design and scale of the proposed dwelling would be somewhat at odds with the majority of dwellings within Greenlands, I accept that there is variation in the appearance of dwellings within Chiltern View Close. This, combined with the gable design feature and use of matching materials, means that it would assimilate acceptably. In respect of the impact on landscape character, the proposed development would have a neutral effect. The site is self-contained and has limited significance in terms of the wider National Landscape character.
21. Overall, the proposed development would not harm the character or appearance of the surrounding area and would not conflict with the relevant provisions of LP policies CP9, DM30, DM32 and DM35. These policies, in summary and when taken together, seeks to ensure high quality design in development which respects its context, including landscape character. This is in a similar vein to the provisions of the Residential Design Guidance insofar as good design is concerned.

Other considerations

22. The appellant has drawn my attention to a previous planning consent at No 13, as referenced above. This is their fallback position. I have been provided with the measurements of the approved scheme for comparison with the appeal scheme before me and note that the appeal scheme would be 30.84sqm less than the approved extension (a 33% difference).
23. I acknowledge that the approved extensions would likely add considerable bulk to the existing No 13, projecting into the appeal site. I also accept that both schemes would be visible from the highway and would partly fill an existing gap. However, the additional floorspace under that approved scheme would be spread out across a larger plot and include discrete elements such as a front porch. From that perspective, I am not of the view that the approved scheme would have a similarly harmful effect when compared with the appeal scheme. Moreover, given that the permitted scheme would not wholly achieve the desired outcome of the appellant, I cannot be certain that there is any greater than a theoretical possibility that the extant scheme would be implemented in full. In this respect, I attach no more than moderate weight to the permitted scheme as a fallback position.
24. I accept that the proposed development would provide an additional unit of accommodation in the area, that this would be in a sustainable location and make

efficient use of the site. I also acknowledge that some economic benefits would come about, including during construction and in terms of local spend post occupation. Nevertheless, these benefits would inevitably be very limited due to the scale and nature of the scheme. I attach very limited weight to these considerations.

25. I note the proposed self-build nature of the scheme, an objective supported by the government. However, there is no substantive evidence before me to demonstrate demand and supply for such housing in the area, or a mechanism before me to secure such a scheme. I give this consideration very limited weight.
26. My attention is drawn to a development at Chiltern View Close. However, I do not have any details of the planning history or planning balance undertaken there in order to draw any comparisons. Moreover, the appellant notes that the policy context was different. Examples of developments across the wider district are not directly comparable to the appeal before me, which is positioned in Lacey Green. I afford these considerations limited weight.

Green Belt Balance and Conclusion

27. The proposed development would be inappropriate development in the terms set out by the Framework and would result in a harmful loss of openness to the Green Belt. The Framework requires that substantial weight should be given to any harm to the Green Belt.
28. The identified harm to the Green Belt would not be outweighed by the other considerations (equating to no more than moderate weight overall) and, therefore, the very special circumstances required to justify a grant of planning permission do not exist.
29. I therefore conclude that the appeal should be dismissed.

A Price

INSPECTOR