



Appeal Decision

Site visit made on 16 April 2025

by R Major BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 May 2025

Appeal Ref: APP/X0415/W/24/3350611

Paddock Bungalow, Huntswood Lane, Taplow, Buckinghamshire SL6 0JE

- 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 and Mrs Krishnamohan against the decision of Buckinghamshire Council.
 - The application Ref is PL/23/3483/FA.
 - The development proposed is erection of one detached dwellinghouse, following the demolition of one existing barn, and two associated structures.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Subsequent to the Council issuing its decision the revised National Planning Policy Framework (the Framework) was published on 12 December 2024. The main parties were given the opportunity to comment on the implications of the revised Framework and I have taken into account any comments raised.
3. A Unilateral Undertaking (UU) has been submitted as part of this appeal. It includes obligations relating to the Burnham Beeches Special Area of Conservation which is referenced in the Council's third reason for refusal. This matter is considered later in this decision.

The Appeal Site

4. The appeal site measures approximately 0.38 hectares and is located within the Green Belt. The submitted evidence from both parties states that the appeal site has an equestrian use. However, I observed during my site visit that the appeal site currently appears to be used for the storage of vehicles and various other items. A caravan was also located on the site. Additionally, it appeared as though some form of car repair works were taking place within the largest building on the site. My attention has not been drawn to any planning permission being granted for a change of use from the equestrian use that is detailed within the submissions.
5. Furthermore, in comparison to the details submitted with the appeal, including aerial photography and site photographs, I noted that the area of hard surfacing has been extended into the land north of the existing buildings on site. I have not been provided with any details as to when these works took place or whether they have received planning permission.
6. Consequently, I have determined the appeal based on the submitted information and evidence, rather than my observations of the site and its use during my visit.

Main Issues

7. 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 and the effect on the openness of the Green Belt;
- whether or not the development can achieve biodiversity net gain;
- the effect of the development on protected species and / or their habitats, with particular regard to reptiles; and
- 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 necessary to justify the development.

Reasons

Whether inappropriate development and the effect on openness

8. Paragraph 232 of the Framework requires due weight to be given to existing development plan policies according to their degree of consistency with the Framework.
9. Saved Policy GB1 of the South Bucks District Local Plan (adopted March 1999, consolidated September 2007 and February 2011) (LP) states that planning permission will not be granted for development in the Green Belt other than for identified exceptions. However, these exceptions do not allow for development involving the partial or complete redevelopment of previously developed land (PDL) as set out at paragraph 154 (g) of the Framework. Furthermore, unlike the Framework, Policy GB1 does not permit inappropriate development in the Green Belt in very special circumstances.
10. As such, LP Policy GB1 is not entirely consistent with the provisions of the Framework and therefore the weight to be afforded to this policy is diminished. As the Framework is more up to date than the LP, I give greater weight to the policies in the Framework in this regard and have assessed the appeal on this basis.
11. As mentioned above, the exception at paragraph 154(g) of the Framework allows for the partial or complete redevelopment of PDL, which would not cause substantial harm to the openness of the Green Belt. In this case there are two main elements to consider. Firstly, whether the appeal site is PDL as defined within 'Annex 2: Glossary' of the Framework, and secondly, the impact of the proposal on the openness of the Green Belt.

Whether the appeal site is Previously Developed Land

12. In respect of PDL, and notwithstanding my observations of the appeal site at the time of my visit, the main parties agree that the site has an equestrian use and contains buildings. However, there is a dispute between the parties as to how much of the appeal site constitutes PDL.

13. The appellants' consider that the whole of the appeal site is PDL and have drawn my attention to an appeal decision¹ at land to the south of the current appeal site. In this other appeal decision the Inspector states that there was "...no dispute between the parties that the existing site, comprising an equestrian stable building set within a wider equestrian site, represents previously developed land".
14. It is therefore clear that there was no dispute between the parties that the referenced appeal site was PDL. However, this referenced appeal relates to a different site edged red to the appeal scheme before me.
15. Limited substantive information or evidence has been provided as to the direct connection or relationship between the referenced appeal site and the current appeal site, other than the appellants' stating that they are within the same ownership. Furthermore, I note the appellants' have also stated that the current appeal site forms part of the wider equestrian site at Cliveden Stud, however very limited information has been provided in respect of Cliveden Stud and the land it includes.
16. In view of the above, I do not consider that the acceptance of an Inspector that a nearby, but different, appeal site is PDL means that the whole of the appeal site before me is also PDL. Consequently, whether the whole of the appeal site is PDL is a matter of planning judgement to be made on the site-specific circumstances.
17. The Council contend that the previously developed section of the appeal site relates to the land enclosed by fencing, with the remainder of the site being open fields and woodland. The Council's case is supported by site photographs and aerial photography.
18. The submitted evidence appears to show a fence situated between the rear corners of two buildings on the site. Whilst this fence was not in place at the time of my site visit, there was some evidence of its previous existence by way of a timber fence post attached to the rear corner of the larger building on the site.
19. Additionally, the appellants' have not contested the previous existence of this fence, and I note the existing site plan shows a clear line between the corners of these two buildings. This line correlates with the fence line shown by the aerial photography. On the evidence before me, it is therefore reasonable to conclude that this fence existed.
20. The submitted photographs and aerial clearly show a difference between the land to the north and south of this fence. The evidence shows the land to the south of this fencing contains the buildings, areas of hardstanding, a number of vehicles and other items being stored. There is no dispute between the parties that this section of the appeal site is PDL and I find no reason to disagree.
21. However, the images and evidence provided show that the land to the north of the buildings and the fence line is open and green, with trees along its northern and western boundaries.
22. The appellants' submission does not detail the relationship between the section of the appeal site that was previously green and the developed section which contains the buildings and hard surfacing. I have also been provided with limited

¹ APP/N0410/W/22/3311441 – Land South of Huntswood Lane, Taplow SL6 0GA

information as to what this green land was specifically used for, and how it was connected to, or accessed from, the developed section to the south.

23. In view of all the above, and from the evidence before me, I find that the land to the north of the buildings and the former fence is not PDL. Consequently, I conclude that the whole of the appeal site is not PDL.
24. In coming to the above view I acknowledge that at the time of my site visit the section of land to the north of the buildings and former fence line, shown on the submitted aerial photography as open, green land, had been hard surfaced and was being used for the storage of cars. I have however been provided with no evidence as to when this hard surfacing works was undertaken or its lawfulness. As such, I do not consider that because this section of land was hard surfaced at the time of my site visit means that it is PDL as per the definition in the Framework, which requires the land to be "*lawfully developed*".
25. As a consequence of the above, a substantial proportion of the proposed dwelling would be sited on the section of the site which I have concluded is not PDL. The first criterion of the exception at paragraph 154 (g) for the development to represent the partial or complete redevelopment of PDL does not therefore apply to the proposed development.

The effect on openness

26. Notwithstanding the above, the effect on the openness of the Green Belt remains relevant in the broader assessment of the impact of the appeal scheme. Openness is one of the Green Belt's essential characteristics and Planning Practice Guidance (PPG) advises that openness is capable of having both spatial and visual aspects.
27. The starting point for this assessment is the comparison between the appeal proposal and the lawful use and development on the site, having regard to case law² where it is established that rather than treating any change as having a greater impact on the openness of the Green Belt, the correct approach is to consider the impact or harm, if any, wrought by the change.
28. For clarity, according to the submitted evidence the lawful use of the site is equestrian use, and not the use(s) I observed during my site visit for which no details or approved planning permissions have been provided. Additionally, on the information before me, the lawful development of the site does not include the area of additional hard surfacing that has been installed to the north of the buildings and former fence line, again for which I have not been provided with any details of approved planning permissions.
29. Therefore, in respect of the lawful use and development of the site, the evidence details how the proposal would result in a reduction in the amount of hard surfacing on the site by 190.8m². This would therefore reduce the visual impact of the existing hard surfacing on the openness of the Green Belt. The removal of the inner gate would also result in a slight improvement to both the visual and spatial openness of the Green Belt.
30. In terms of the buildings, in comparison to the existing buildings on site the proposal would result in an increase in footprint of approximately 7m², and a

² Euro Garages Ltd v SSCLG & Anor [2018] EWHC 1753 (Admin)

reduction in volume of approximately 2.5m³. Consequently, the footprint and volume of the existing and proposed buildings would be very similar in size and unlikely to be visually discernible.

31. In terms of height, the ridge height of the largest existing building is very slightly higher than the highest part of the proposed two storey dwelling. However, the flat roof design of the proposed dwelling would increase the eaves height and bulk, at first-floor level, in comparison to the pitched roof design of the largest existing building on site.
32. As a result of its two-storey section the proposed dwelling would also have a substantially larger floorspace than the existing single-storey buildings. As such, I find that this additional bulk at first-floor level would result in some greater visual harm to the openness of the Green Belt in comparison to the existing structures.
33. Additionally, the proposed siting of the dwelling would extend beyond the footprint of the existing buildings on site and therefore result in the introduction of a new building into part of the site where there currently is no building, consequently altering the spatial openness of the Green Belt in this location. Furthermore, the siting of the dwelling on the previously green and open section of the site to the north of the existing buildings would not safeguard the countryside from encroachment, and thus conflicts with one of the five purposes of the Green Belt, as specified at paragraph 143 of the Framework.
34. In view of the above, overall I find the proposed development would have more of an impact on both the visual and spatial aspects of openness than the existing development on this site. The proposal would therefore not preserve openness.
35. Whether the harm to openness would be 'substantial' is a matter of planning judgement. In this case, for the reasons given above, I find that the overall degree of harm to the openness of the Green Belt would be limited and therefore not substantial. Nevertheless, the conclusion remains that the exception at paragraph 154 (g) of the Framework does not apply as a substantial proportion of the proposed dwelling would be sited on the section of the site which is not PDL.

Grey Belt

36. Turning to paragraph 155 of the Framework, the development of homes in the Green Belt should also not be regarded as inappropriate if all the stated criteria (a – d) apply.
37. The first consideration is whether the development would utilise Grey Belt land. Grey Belt is defined in the Framework as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b) or (d) in paragraph 143. Additional guidance is provided in the PPG.
38. There is no dispute between the parties that the appeal site does not perform strongly against these criteria and thus there is agreement that the site should be considered to be Grey Belt. On the evidence before me I see no reason to disagree.
39. Turning to the criteria (a – d) within paragraph 155, the appeal proposal does not meet the definition of major development contained within the Framework and therefore the 'Golden Rules' requirements set out in paragraphs 156 – 157 of the

Framework do not apply. As such, criterion (d) is not applicable to the appeal proposal.

40. With regard to criterion (a), the location of the site would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. The development therefore meets the requirement of criterion (a).
41. The Council have confirmed that they cannot currently demonstrate a 5-year supply of deliverable housing sites, meaning that there is a demonstratable unmet need for the type of development proposed, which in this case is a new dwelling. The requirement of criterion (b) is therefore met.
42. With regard to criterion (c), this requires that the development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of the Framework. Key considerations therefore include the ability of the location to limit the need to travel and offer a genuine choice of transport modes, with sustainable transport modes prioritised, whilst acknowledging that decisions need to take account that transport solutions will vary between urban and rural areas.
43. The Council have referred to facilities within the village of Taplow, which according to their submission is in excess of 2.3km from the appeal site. The appellants' have referred to the village of Burnham (2.5 miles) and Taplow Station (2.2 miles). However, I have been provided with limited detailed information in respect of what facilities and services these villages provide, or the exact distances from the appeal site to any shops, schools, health facilities, public transport links, employment opportunities etc... Nevertheless, I observed on site that there appeared to be no such facilities within the immediate vicinity of the appeal site.
44. I also noted that the highway of Huntswood Lane, on which the appeal site is located, is narrow, did not include footpaths or street lighting, and the Council state that it has a 60-mph speed limit. These factors result in both walking and cycling from the appeal site being unrealistic and unattractive options to access any such services and facilities, particularly for pedestrians with buggies and/or a disability.
45. The appellants' have made reference to nearby bus stops, however I have not been provided with any details in respect of their exact location in relation to the appeal site, the quality of the waiting facilities, the bus route or a timetable to demonstrate the destinations and frequency of buses. The appellants' have also made reference to a nearby bridleway, however no specific details of its location in relation to the appeal site, or to what facilities it provides access to, have been provided.
46. As such, whilst acknowledging and taking into account the rural location of the appeal site, on the evidence before me I find that the appeal site would not represent a sustainable location for residential development in respect of access to services and facilities. It has also not been demonstrated that the appeal site would offer a genuine choice of transport modes for future residents. Therefore, I conclude that future residents of the proposed dwelling would be heavily reliant upon the use of the private car.
47. The appellants' have drawn my attention to a planning application³ approved by the Council for the conversion of two equestrian buildings to form 7no. dwellings. The

³ LPA Ref: PL/22/4027/FA

appellants' state that the distances of this approved site to services and facilities are similar to the distances that the appeal site is from services and facilities.

48. Whilst I have been provided with a copy of the Officer Report for this approved application, I have not been provided with any plans or maps to demonstrate how close this approved application is to the appeal site, or whether occupants would use the same highways and routes to access services and facilities. As such, limited details of the site-specific circumstances of this approved application have been provided and I can therefore draw no comparison between this approval and the appeal scheme before me in terms of the sustainability of the two sites.
49. Furthermore, I am not bound by previous decisions of the Council and each application must be judged on its own merits. I have therefore exercised my own judgement on the sustainability of the appeal scheme before me. Consequently, I attribute limited weight to this approval, for a conversion scheme, in my consideration of the sustainability of the appeal site.
50. The Council has made reference to a recently dismissed appeal decision⁴ for two dwellings, commenting that this site is situated approximately 400m north of the current appeal site. Within this appeal decision the Inspector comments that “...*the proposed dwellings would not benefit from good accessibility to local services and facilities... a pedestrian would need to walk quite a distance...*”. The Inspector also states that “... *the relevant sections of these roads for the majority have no pavements or streetlights, and 60 mph speed limits. As such this would not provide a desirable route for pedestrians and it is unlikely that occupants of the proposed dwellings would choose to access local services and facilities on foot.*”.
51. Whilst from the Inspector's wording I can see some broad similarities with the appeal site before me, again I have been provided with limited information in respect of the exact relationship between this site and the current appeal site, and the routes occupiers would take to access the nearest services and facilities. Furthermore, as mentioned, each application must be judged on its own merits and the sustainability of a site is very much dependent on the site-specific circumstances. This therefore limits the weight I attribute this previous appeal decision in my consideration of the appeal proposal before me.
52. In view of all the above, on the evidence before me I find that future residents would be heavily reliant upon the use of the private car and the appeal site would not represent a sustainable location for residential development with respect to the accessibility of local facilities and sustainable modes of transport.
53. I conclude that the appeal site is not in a sustainable location and therefore would not meet the requirement of criterion (c) of paragraph 155 of the Framework.

Conclusion on whether inappropriate development and effect on openness

54. For the above reasons, I conclude that the proposed development does not meet any of the exceptions listed in LP Policy GB1 and paragraph 154 of the Framework. It does also not meet all the required criteria within paragraph 155 of the Framework. The development therefore represents inappropriate development within the Green Belt as defined by the Framework, which is, by definition, harmful

⁴ APP/X0415/W/24/3343403 – The Walled Garden, Cliveden Stud Cottages, Cliveden Road, Taplow, Buckinghamshire SL6 0HL

to the Green Belt. The proposal would also cause limited harm to the openness of the Green Belt.

Biodiversity Net Gain

55. The planning application was submitted prior to the mandatory requirement to provide 10% biodiversity net gain (BNG) under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).
56. However, the appeal site is within the South Bucks Heaths and Parklands Biodiversity Opportunity Area and the development is required to provide biodiversity net gain in accordance with Core Policy 9 of the South Bucks District Council Core Strategy Development Plan Document (2011) (CS) and the Council's Biodiversity Net Gain – Supplementary Planning Document (updated 2022) (SPD).
57. In this regard, Core Policy 9 does not identify a specific percentage increase in BNG that would be required from development, and my attention has not been drawn to any specific percentage increase required by the SPD. In such circumstances, it is not uncommon for details of biodiversity net gain to therefore be secured by a planning condition.
58. The appeal submission is accompanied by an Ecological Appraisal⁵ (EA) which states that the proposal presents an opportunity to secure a number of net gains for biodiversity including through the provision of additional native tree planting, new roosting opportunities for bats and additional nesting habitats for birds. The application was also accompanied by a plan titled 'Ecological Enhancements' detailing measures to be incorporated into the proposed development.
59. Furthermore, in response to concerns raised by the Council's Ecology Officer a further document was produced by the appellants' ecologist which detailed additional measures such as the green roof on the dwelling, new areas of wildflower planting and the provision of two new reptile hibernacula features. Additionally, the submitted information details that the proposal would result in a 190.8m² reduction in the amount of hard surfacing on the site, which would also help to achieve BNG.
60. In view of the above, the appellants' have put forward several measures that would increase biodiversity on this site and given the level of built development being proposed within a relatively large site, I am satisfied that a net gain in biodiversity can be achieved on this site through this development. On this basis, I consider it would have been appropriate, reasonable and necessary for the details and delivery of biodiversity net gain to be secured by a planning condition were the appeal to be allowed.
61. Therefore, I conclude that subject to securing and implementing an appropriately worded planning condition to secure biodiversity net gain, should the appeal be allowed, the development would comply with Core Policy 9 of the CS where it seeks the conservation, enhancement and net gain in local biodiversity resources.

Protected Species

62. The appellants' EA details that there are no records of amphibians or reptiles within or adjacent to the site. Furthermore, whilst the EA identifies that the existing woodland,

⁵ Prepared by Icon Ecology – October 2023

grassland and tall ruderal vegetation features on the site provide opportunities for amphibians and reptiles, given their relatively small extent (within the site), they are of no more than limited value. The EA therefore concludes that the site has negligible value for amphibians and reptiles and it is highly unlikely that they would be affected by the proposal.

63. Nevertheless, the EA acknowledges that individual reptiles, such as grass snakes, could make use of these suitable habitats on an ad-hoc basis and therefore recommends precautionary measures, by way of destructive searches and construction safeguards, are put in place during the construction phase. The appellants' ecologist has also proposed that additional post-development habitat for reptiles be created on the site through the provision of two hibernacula and additional shrub planting.
64. The Council's Ecologist however states that based on the submitted information and photographs, and the good connectivity of the site with other suitable habitats, there is a likelihood that reptiles may be present on this site. The Council therefore assert that a reptile presence / absence survey is required prior to determination.
65. In support of this view the Council has referred to Circular 06/2005: Biodiversity and Geological Conservation (the Circular) where it states that it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted.
66. In view of the advice of the Circular, I accept that it would not be suitable to impose a planning condition requiring further survey works for the presence of reptiles to be undertaken as part of any approval. However, the appellants' case is that the limited amount and value of these vegetation features on the appeal site, means it is highly unlikely that reptiles would be affected. The appellants' therefore argue that requiring further survey works in respect of reptiles would be disproportionate to the predicted degree of risk in consideration of the scale of the proposed development.
67. To that affect, the Circular does also state that developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by the development.
68. The appellants' ecologist has therefore made an assessment on the likely impact of the appeal proposal on reptiles, concluding that it is highly unlikely that they would be affected by the proposal. The submitted EA also includes mitigation measures to protect reptiles in the unlikely event that they are present on site, as well as the provision of post-development habitats. These measures and provisions could be secured by a suitably worded planning condition.
69. Furthermore, the appellants' ecologist has also commented that in the scenario whereby such a reptile survey was carried out, and the presence of reptiles was confirmed on site, given the scale of the site the same mitigation measures as those being put forward would be recommended.
70. The Council has not directly responded to these points, or provided any specific evidence that the appeal site is likely to contain reptiles. Furthermore, I do not find that the Council has provided any clear reasoning as to why they disagree with the conclusion of the EA that the vegetation features on the appeal site are limited, that

the site has negligible value for reptiles, and that it is therefore highly unlikely that reptiles would be affected by the proposal.

71. In view of all the above, and on the evidence before me, I find that there is not a reasonable likelihood that there are protected species on this site. Further survey works are therefore not required.
72. Consequently, I am satisfied that subject to a planning condition securing the suggested mitigation measures, in the event that I allow the appeal, the development would not have an adverse impact on protected species. The development would therefore accord with Core Policy 9 of the CS where it seeks to ensure that biodiversity resources within South Bucks will be conserved and enhanced.

Other Considerations

73. The Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
74. The Council has confirmed that they cannot demonstrate a 5-years supply of deliverable housing sites. The appellants' have stated that the Council's most recent housing land supply document⁶ refers to a 0.89-year supply of housing, however the Council has not had an opportunity to comment on this. In any event the provision of one additional dwelling would make a limited contribution to the Council's housing land supply. Nevertheless, even in the appellants' scenario with a severe shortfall in housing supply, I attribute moderate weight to the social benefits arising from the provision of one dwelling.
75. The appellants' state that the development of PDL is a benefit of the appeal proposal and I acknowledge paragraph 124 of the Framework seeks to make as much use of PDL as possible. However, accompanying footnote 49 is clear that the policy in paragraph 124 does not apply if there would be conflict with other policies in the Framework.
76. For the reasons given earlier, I have concluded that the whole of the appeal site is not PDL and the development represents inappropriate development in the Green Belt as per paragraphs 154 and 155 of the Framework. Consequently, whilst I accept that part of the site is PDL, this benefit does not outweigh conflict with other policies in the Framework.
77. Economic benefits would arise from the proposal, including contributions to the local economy during the demolition and construction phases of the development. These however would be short term benefits. Further economic benefits would also arise from additional spending in the wider area by future occupants of the dwelling. Cumulatively, given the scale of development the economic support to the area arising from the appeal proposal would be relatively small. I therefore attach limited weight in respect of the economic benefits.
78. The appellants' claim that the little or no impact the proposal has upon the openness of the Green Belt is a benefit which weighs in favour of the appeal

⁶ South Planning Area Five-Year Housing Land Supply Position Statement - January 2025

scheme. For the reasons given earlier in this decision I have concluded that the appeal proposal would result in limited harm to the openness of the Green Belt. This limited harm nevertheless weighs against the proposed development.

79. The appellants' state that the proposed dwelling would include sustainable elements, and the development would improve biodiversity. As detailed above, I am satisfied that subject to the imposition of a planning condition the appeal proposal could result in biodiversity net gain on this site. However, at this stage limited substantive details as to the overall scale of any biodiversity enhancement measures that could be achieved have been provided. Also, no energy statement has been provided to demonstrate the energy efficiency level that the proposed dwelling would achieve. This therefore limits the weight I can attribute to these matters in favour of the appeal proposal at this stage.
80. I note the quality of proposed materials to be used within the development and that the proposal would result in the built development on this site being moved away from existing trees. I attribute limited weight to these matters.
81. The appellants' have stated that the financial contribution towards the Burnham Beeches Special Area of Conservation (SAC) is a benefit of the appeal proposal. Whilst this matter is discussed below, any such financial contribution would be a requirement to mitigate against occupants of the proposed dwelling adding to recreational disturbance within the SAC, rather than a benefit. This purported contribution is therefore a matter which neither weighs for, nor against, the appeal scheme.

Green Belt Balance

82. The appeal proposal constitutes inappropriate development in the Green Belt and results in limited harm to openness. By virtue of paragraph 153 of the Framework this harm attracts substantial weight.
83. The Framework makes it clear that the harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the development, must be clearly outweighed by other considerations. I find that there are matters which weigh in favour of the scheme. However, collectively these other considerations do not clearly outweigh the harm to the Green Belt identified above.
84. Consequently, the very special circumstances that are necessary to justify inappropriate development in the Green Belt do not exist in this case.

Other Matters

85. The proposed development is identified within the appeal documentation as being located within the 5.6km buffer zone of the SAC. This is a European Designated Site afforded protection under the Conservation of Habitats and Species Regulations 2017 as amended.
86. The Council's third reason for refusal on the decision notice refers to occupants of the proposed dwelling adding to recreational disturbance within the SAC and the lack of appropriate mitigation measures to secure suitable strategic access management and monitoring. The appeal includes a signed UU which contains obligations relating to the SAC.

87. Had I been minded to allow the appeal I would have carried out an appropriate assessment (AA) of the effect of the proposal on the integrity of the SAC. However, as the proposed development is unacceptable for other reasons, an AA is unnecessary as undertaking one would not change the outcome of the appeal.

Planning Balance and Conclusion

88. Overall, I am satisfied that subject to the imposition of suitably worded conditions, should I have been minded to allow the appeal, the proposed development would not have an adverse impact on protected species and could secure biodiversity net gain. However, I have concluded that the appeal proposal constitutes inappropriate development in the Green Belt and results in limited harm to openness.
89. As mentioned previously the Council has confirmed that it cannot currently demonstrate a 5-years supply of deliverable housing sites and consequently paragraph 11(d) of the Framework applies. However, for the reasons detailed within this decision, the aforementioned harm to the Green Belt provides a strong reason for refusing the development in accordance with paragraph 11(d)(i) of the Framework. As such, the proposal does not benefit from the presumption in favour of sustainable development set out in the Framework.
90. The proposal conflicts with the development plan taken as a whole and there are no material considerations, including the Framework, to suggest the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, the appeal is dismissed.

R Major

INSPECTOR