



Appeal Decision

Site visit made on 26 March 2025

by A Dawe BSc (Hons), MSc, MPhil, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th June 2025

Appeal Ref: APP/K0425/D/24/3355787

**Old Beckings, Horsleys Green Road, Horsleys Green, Buckinghamshire
HP14 3UX**

- 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 Jon and Tania Gardiner against the decision of Buckinghamshire Council.
 - The application Ref is 24/06476/FUL.
 - The development proposed is demolition of existing garage and shed and construction of detached outbuilding including plant room, garden room/home office, machinery/log store and single garage.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the appeal was submitted, a new National Planning Policy Framework has been published, dated December 2024 (the Framework), including amendments to the section concerning the protection of Green Belt land. I have therefore had regard to these changes in my decision. Furthermore, the Council and Appellant have had the opportunity to comment on the new Framework and so no-one would be prejudiced by those changes being considered under this appeal.

Main Issues

3. The main issues are:
 - i) whether the proposed development would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies;
 - ii) the effect of the proposed development on the openness of the Green Belt;
 - iii) the effect of the proposed development on the character and appearance of the surrounding area;
 - iv) whether any harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the proposal.

Reasons

Whether inappropriate development

4. The Framework, in paragraph 154, sets out that development in the Green Belt is inappropriate unless one of several exceptions apply. Those exceptions include that relating to (d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.
5. Policy CP8 of the Wycombe District Local Plan, adopted August 2019 (the Local Plan) sets out amongst other things that the Green Belt will be protected from inappropriate development. Policy DM43 of the Local Plan, as well as relating to development involving the extension or replacement of a dwelling, also provides a framework to determine decisions relating to the erection of outbuildings in the Green Belt. The policy itself states, amongst other things, that residential outbuildings will be considered appropriate development in the Green Belt within a built-up village identified on the Policies Map or in accordance with a made Neighbourhood Plan. Based on the submitted evidence, neither of those criteria are applicable with this appeal.
6. Policy DM43 then goes on to set out that elsewhere in the Green Belt, any increase in the volume of residential outbuildings will only be considered appropriate development when all of five conditions apply. Two of those conditions relate to the total volume of all existing and proposed outbuildings on the property not exceeding 140 cubic metres; and that no part of the development would exceed 4 metres in height, measured from the lowest adjoining pre-existing ground level.
7. As referred to in the submissions, the proposal would have a volume of 252.8 cubic metres. That would be noticeably and materially more than the combined volume of the outbuildings proposed to be replaced, which from the figures shown on the plans would be 132.38 cubic metres. The proposed development would therefore not satisfy the paragraph 154(d) exception in the Framework. Furthermore, with that proposed volume and a height that would exceed 4 metres, it would clearly conflict with the above requirements of policy DM43.
8. I have no substantive evidence to indicate that any of the other exceptions set out in paragraph 154 of the Framework would be met. Furthermore, in relation to an additional exception added to the new Framework in paragraph 155, I have received no comments from the Appellant or Council to indicate that to be applicable in this case, and I have no basis to find that it is.
9. For the above reasons, I conclude on this issue that the proposed development would be inappropriate development in the Green Belt having regard to the Framework and the relevant development plan policies, which would by definition be harmful to the Green Belt, to which substantial weight should be given.

Openness of the Green Belt

10. Openness, as highlighted in the Framework, is an essential characteristic of Green Belts to which the Government attaches great importance, and which is a separate issue from the character and appearance of an area. Openness of the Green Belt includes both visual and spatial aspects.

11. I understand that the outbuildings on the site were more extensive in the past, however I do not have full details relating to them, including when they were removed, to enable a proper comparison, and have determined the appeal based on the current situation.
12. The proposal would infringe on the openness of the Green Belt by virtue of the additional development on the site, reflected by the increased volume and height compared with the outbuildings it would replace. However, it would be broadly on the same part of the site as the existing outbuildings, albeit with a partly different footprint. Furthermore, its visual effect as seen from public vantage points would be moderated by the presence of a high front boundary hedge to the property and the softening effect of retained trees adjacent and to the rear of the proposal along the site's north-eastern and northern boundaries. For these reasons, the proposal would only represent moderate harm to the openness of the Green Belt.

Character and appearance

13. As referred to above, the proposed development would be broadly in the same location as those elements it would replace. Although extending further to the rear and of greater height, it would be of a design with features and materials that would complement the main house, the rear wing in particular, subject to details of those materials that could be secured by condition. Furthermore, it would appear subservient to the main house in terms of its degree of separation and noticeably lower height.
14. As previously referred to, existing trees would also be retained that would continue to provide a softening effect along the property's north-eastern and northern boundaries. There would also not be any significant additional closure of the gap between buildings associated with the appeal site and the neighbouring house. Although higher than the existing outbuildings, the degree of set back of the proposal from the road, set within a large plot, and behind a high front boundary hedge, albeit reliant on its long-term maintenance, would further ensure a limited degree of prominence in the streetscene. Furthermore, for the above reasons, and taking account of the submissions and my observations, there is no substantive evidence to indicate that the proposal would be tantamount to the creation of a new dwelling.
15. The existing garage building proposed to be replaced, which has a flat roof and is of no particular architectural merit, has signs of wear and deterioration in places and is in relatively poor condition in comparison with the main house. However, those factors are not to such a level as to significantly detract from the appearance of the house, particularly due the garage's modest height and subservient scale and massing, together with its incorporation of complimentary red brick. The existing separate shed, also proposed to be removed, is completely dilapidated but not a prominent feature on the site due to its current, largely collapsed, state and location near the side boundary to the side and rear of the garage. As such, for the purposes of my green belt balance below, the proposal would not represent a significant enhancement to the character and appearance of the surrounding area when compared to the existing situation.
16. For the above reasons, I conclude on this issue that the proposed development would not cause unacceptable harm to the character and appearance of the surrounding area. As such, in respect of this issue, the proposal would accord with

policies DM30, DM32, DM35 and DM36 which together, amongst other things, require development to conserve, and where possible enhance, the natural beauty of the Chilterns Area of Outstanding Natural Beauty (AONB); protect and reinforce the positive key characteristics of the receiving landscape and existing settlement patterns; demonstrate attractive and high quality design; respect the character and appearance of the existing property and surrounding area and for extensions to an existing dwelling not to be tantamount to the creation of a new dwelling.

Other considerations

17. The host dwelling, Old Beckings, is a Grade II listed building (LB). The existing outbuilding is separated from the main house by a narrow passageway with a connecting wall incorporating a pedestrian access to the rear garden. I have therefore had special regard to the statutory duty to pay special attention to the desirability of preserving the significance of the LB, and features of special architectural or historic interest that it possesses, and its setting.
18. The LB's significance is drawn primarily from its historic late 17th century house, including its red and grey chequer brick on the front elevation, first floor band course, flint plinth, old tile roof with wooden eaves and flanking brick chimneys, and central 6-panelled door with rectangular fanlight. The building has been extended to the rear with a 1920s weatherboarded wing. The existing garage outbuilding projects beyond that wing with the dilapidated shed beyond that.
19. Those existing outbuildings would be removed to make way for the proposal. However, they are not of any particular historic or architectural significance, including in the context of the LB, and as previously indicated, the garage is in a relatively poor condition, with the shed completely dilapidated. Furthermore, again as I have previously found, the proposal would be of a design that would include features and materials to complement the main house; and would appear subservient to the main house in terms of its degree of separation and noticeably lower height.
20. The proposals would also include the sealing up of an existing utility room doorway and insertion of a new doorway into that room, relating to the main house. However, it relates to the 1920s addition to the LB and would be discrete in nature and location such that it would not harm the integrity of the LB.
21. For the above reasons, the proposal would preserve the significance of the LB, and features of special architectural or historic interest that it possesses, and its setting. However, these findings do not translate to representing a significant enhancement to the LB or its setting, for those reasons relating to the comparison I have previously made with the existing outbuildings.
22. I have had regard to the Appellant's claim that precedence should be given to the policies relating to heritage assets over those concerning the Green Belt or at least be subject to a weighing process. It is claimed that it is only because of the building being listed that any permitted development rights have been removed in this case.
23. However, I have determined the appeal on its merits based on the applicable policies. It is not for me to assess under this appeal if any permitted development rights would apply and that the proposal would be lawful in those different circumstances, and there is no claimed fall-back position to take into consideration. Furthermore, my conclusions in relation to the character and appearance of the

area and the integrity of the LB relate to different considerations and factors to those relating to my findings that the development would be inappropriate development in the Green Belt with moderate harm to its openness.

Green belt balance and conclusion

24. I have found that the proposed development would be inappropriate development in the Green Belt. I have also found that there would be harm to the openness of the Green Belt, albeit only moderate. Having regard to paragraph 153 of the Framework, substantial weight should be given to any harm to the Green Belt, including harm to its openness.
25. I have found that the proposal would not cause unacceptable harm to the character and appearance of the surrounding area, and that the integrity of the LB and its setting would be preserved, such that these are neutral factors. I have also found that the proposal would not represent a significant enhancement when considering those issues, in terms of any beneficial effects, thereby attracting little weight in these respects. As such, and in light of all my findings relating to the other considerations, in having regard to paragraph 153 of the Framework the harm that would be caused to the Green Belt by reason of inappropriateness and loss of openness would not be clearly outweighed by other considerations. The very special circumstances necessary to justify the proposed development do not therefore exist.
26. Therefore, for the above reasons, I conclude that the appeal should be dismissed.

A Dawe

INSPECTOR