



Appeal Decision

Site visit made on 1 July 2025 by E Street BSc (Hons) MSc

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 July 2025

Appeal Ref: APP/J0405/D/25/3366287

1 Hanghill Cottage, Painsend Road, Drayton Beauchamp, Buckinghamshire HP23 6JX

- 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 Jason Buckley against the decision of Buckinghamshire Council - North Area (Aylesbury).
 - The application Ref is 25/00179/APP.
 - The development proposed is a first floor side extension with new windows.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues are a) whether the proposal would be inappropriate development in the Green Belt; b) the effect of the proposal on the openness of the Green Belt and c) if the scheme would be inappropriate development, whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, as to amount to the very special circumstances required to justify it

Reasons for the Recommendation

Inappropriate Development

4. Policy S4 of the Vale of Aylesbury Local Plan (2021) (LP) is broadly consistent with the approach of the National Planning Policy Framework (the Framework) in so far that small scale development will be supported providing it preserves the openness of the Green Belt and is not out of proportion. Paragraph 154 (c) of the Framework explains that the extension or alteration of a building in the Green Belt might not be inappropriate development therein, provided that it does not result in disproportionate additions over and above the size of the original building. For the purposes of the Framework, the original building is as it existed on 1 July 1948 or, if constructed after this date, as it was built originally. The LP goes on to identify that extensions should be normally no more than 25-30% volume increase of the original building.

5. Prior to the dwelling being extended previously (2020 planning permission), a single storey lean to side extension existed, matching the one on the neighbouring dwelling. Its size was not taken into account when assessing the volumetric increase of the 2020 permission. The buildings are thought to date roughly from the 19th Century with said extension being added sometime afterwards. The appellant admits there is no evidence to support the fact that this occurred pre-1948. No original plans of the building are available and the appellant's language on describing the side element is ambiguous, relying solely on the construction form and materials which, it is conceivable, could have been made to look older than they are. I agree that the side element was of some age, using the neighbouring dwelling as an indication, but taking into account the above, I am not convinced that it was built pre 1948 and, for the purposes of this assessment, not original.
6. The Council has calculated that the original building would be 296 cubic metres. With the 2020 permission and the appeal scheme, this would amount to a 42.5% uplift in volume. On the basis of the above, I am less inclined to agree with the appellant's position which would, effectively then deleting the volume of the historic lean to extension, result in the volumetric increase being less than 20%. Not only would the proposals therefore breach the figures set out by Policy S4, the works taken as a whole would shroud and erode the primacy of the modest semi-detached dwelling. Qualitatively and quantitatively therefore, and whilst not being of significant mass in and of themselves, the proposed works in the appeal scheme would result in disproportionate additions over and above the size of the original building.
7. Consequently, the proposed development would be inappropriate development in the Green Belt. It would be harmful by definition thereto and conflict with both Policy S4 and the Framework which, amongst other things, seek to protect the Green Belt from inappropriate development.

Openness

8. Openness is an essential characteristic of the Green Belt. Such has a visual and spatial aspect. The latter can be taken to mean the absence of built form. The proposal would not increase the land take that the overall dwelling has. It would, however, increase the height to the side of the building which would also have an unavoidable reducing effect on the openness of the Green Belt in both the spatial and visual aspect sense being additional visible built form where there was previously none. This would conflict with the purposes of the Green Belt, in its openness and permanence, as referred to by Policy S4 and section 13 of the Framework.

Other Considerations

9. The Council have not identified any other harms arising from the proposal; however, this would be a neutral matter in any balancing exercise. The appeal site is located within the Chilterns National Landscape (CNL). The Council is satisfied that the scheme would not result in harm to the CNL and would conserve it. Moreover, due to the nature of the scheme in that it does not provide a new dwelling or vastly increase built form beyond its existing confines, I have no reason to disagree with their conclusions.

Conclusion and Recommendation

10. The proposal would result in inappropriate development within the Green Belt. It would also reduce the Green Belt's openness. These harms are worthy of substantial weight as per the direction of the Framework. For the reasons I have explained, the other considerations would not be sufficient to clearly outweigh the harms I have found. Such that the very special circumstances necessary to justify the proposal do not exist.
11. For the reasons given above the appeal scheme would not comply with the development plan and I have been given no compelling reason, taking into account other material considerations advanced, to deviate therefrom. I therefore recommend that the appeal should be dismissed.

E Street

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison

INSPECTOR