



Appeal Decision

Site visit made on 30 June 2025

by **G Sibley MPLAN MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13 August 2025

Appeal Ref: APP/N0410/W/25/3358857

Cranford House, Boundary Road, Taplow, Maidenhead SL6 0EZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a grant of planning permission subject to conditions.
 - The appeal is made by Mr and Mrs Schindler against the decision of Buckinghamshire Council - South Area (South Bucks).
 - The application Ref PL/24/1603/FA was approved on 16 December 2024 and planning permission was granted subject to conditions.
 - The development permitted is demolition of the coach house and residential outbuildings and erection of a dwellinghouse with associated driveway, parking and landscaping.
 - The condition in dispute is No 13 which states that: Notwithstanding the provisions of Article 3 and Class E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking and re-enacting that Order with or without modification) no outbuildings shall be erected(sic) within the curtilage of either the proposed dwelling hereby permitted or the existing dwelling known as Cranford House.
 - The reason given for the condition: The site is located within the Metropolitan Green Belt where strict control over development is necessary in order to maintain the openness of the Green Belt. (Policy GB1 of the South Bucks District Local Plan (adopted March 1999) refers.)
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue relevant to this appeal is whether the condition in dispute is reasonable and necessary.

Reasons

3. Planning permission was granted for the demolition of the Coach House and residential outbuildings and the erection of a dwellinghouse with associated driveway, parking and landscaping. The Officer's Report identified that the development would have been inappropriate development in the Green Belt given that what was proposed was larger in scale than the existing built form on site that would be demolished and this would harm the openness of the Green Belt. However, there were other considerations which outweighed the harm and provided the very special circumstances required to justify the proposed development. The other considerations involved a fall-back position which included an outbuilding approved in 2016¹ as well as the Coach House that had been granted permission by the Council to be extended² and the demolition of the existing outbuildings. The permission to extend to the Coach House also involved the restriction of permitted development rights under Classes A, B and E of the

¹ Council Reference: 16/01258/CLOPED

² PL/21/3518/FA

Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking and re-enacting that Order with or without modification) (GPDO).

4. Whilst there may be disagreement between the parties over the exact calculations, it is evident that the approved development being smaller in scale overall than what could have been built as part of the fall-back development formed part of the justification for the approved development. It is clear that the 2016 approval for the outbuilding formed part of the Council's considerations, and it is not clear that the Council would necessarily have found that the other considerations would have outweighed the harm if this was not taken into account. It was determined that the fall-back position would have a much greater impact upon the openness of the Green Belt than the proposed development which formed part of the other considerations sufficient to outweigh the harm to the Green Belt and provide the very special circumstances to justify the development.
5. The National Planning Policy Framework states that planning conditions should not be used to restrict permitted development rights (PD rights) unless there is a clear justification to do so. Furthermore, the Planning Practice Guidance advises that the blanket removal of freedoms to carry out small scale domestic alterations are unlikely to meet the tests of reasonableness and necessity.
6. Condition 13 only restricted PD rights to erect outbuildings for the existing and approved dwellings and as such this was not an area wide or blanket removal of freedoms. The condition is also precisely defined by reference to the relevant provision in the GPDO. As a result, such a condition would be reasonable.
7. Whilst outbuildings permitted under Class E of GPDO should be incidental to the enjoyment of the dwellinghouse, taking into consideration the considerable size of the associated plots for Cranford House and the approved dwelling, development permitted by Class E could allow for up to 50% of the associated plots to be occupied by further development. While other conditions and limitations of the GPDO may potentially control this such that the 50% figure may not be possible, it could still amount to a considerable quantum of development that could have a harmful effect on the openness of the Green Belt.
8. The approved development and the associated plots for the two dwellings are relatively well screened from wider viewpoints in the Green Belt. However, there is both a visual and spatial aspect to openness and even if outbuildings would not necessarily be overtly visible within the area, new development can still have a spatial effect, reducing the openness of it. Given that the fall-back position, including the demolition of the existing outbuildings, formed part of the basis for granting permission for the development, the restriction of rights to build outbuildings remains relevant. To remove the condition would undermine the basis of the grant of permission for this replacement building in the Green Belt in the first instance.
9. If condition 13 were to be removed entirely, it could lead to substantial development on the two plots. Such development, alongside that approved, could result in a built form that is substantially greater in scale than the fall-back position. The scheme, as approved, concentrated this development which limited the sprawl of built form across the two plots. This could undermine the very special

circumstances that justified the development which was otherwise determined to be inappropriate development in the Green Belt.

10. Whilst the description of development for the original permission included the demolition of the existing outbuildings, if the permission was granted without the condition in dispute new outbuildings could be built. The original permission only included the demolition of those outbuildings and would not prevent them from being rebuilt.
11. The appellant notes that they or future occupiers would be unable to erect outbuildings, but this condition would not prevent this as a matter of principle, only that they would have to seek planning permission to do so. This would allow the Council to apply relevant Green Belt policy. Whilst other houses in the area may benefit from PD rights to erect outbuildings, the particular circumstances of this case provides clear justification to restrict the PD right to erect outbuildings. It is not evident that the surrounding dwellings were subject to applications based on similar circumstances.
12. For the reasons given above, I have found that there is clear justification for the restricting of permitted development rights for outbuildings. As such, the condition in dispute is reasonable and necessary having regard to protecting Green Belt openness.

Conclusion

13. For the reasons given above, I conclude that the appeal should be dismissed.

G Sibley

INSPECTOR