



Appeal Decision

Site visit made on 12 August 2025

by **P Brennan BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23 September 2025

Appeal Ref: APP/X0415/W/25/3365236

The Burrows, East of Lodge Lane, Chalfont St. Giles HP8 4AX

- 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 John McCarthy Snr, Mr John McCarthy Jnr, Mr Billy Cowley, Mr James Riley, Mr Martin Morgan, and Mr James Cowley against the decision of Buckinghamshire Council - East Area (Chiltern).
 - The application Ref is PL/24/3900/FA.
 - The development proposed is described as: Erection of 6 stable blocks, use of land for keeping of horses, new entrance gates, repair to existing driveway, new hardstanding and laying of electric and water supply.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development used in the heading has been taken from the Council's decision notice. The application form uses a different wording, but the appeal form uses the wording above. The Council wrote to the appellant regarding the change in description and no representations were made. I have therefore used the changed description that I find more accurately describes the proposal.
3. The application form references the site as 'West of Lodge Lane' whilst the decision notice refers to 'Land East of Lodge Lane'. For clarity and to avoid further confusion, I have used the site address as referred to in the decision notice in the heading above.

Main Issues

4. The main issues are:
 - whether the proposed extension would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (The Framework) and any relevant development plan policies and its effect on the openness of the Green Belt;
 - the effect of the proposed development on the character and appearance of the area, giving special regard to its effect on the National Landscape;
 - the effect of the proposed development on highway and pedestrian safety with particular regard to safe access and egress; 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 required to justify the proposal.

Reasons

Inappropriate Development

5. The appeal site is within the Buckinghamshire Green Belt. Policy GB2 of the Chiltern Local Plan 1997 (including alterations 1 September 2011) consolidated September 2007 and November 2011 (CLP) broadly conforms with national Green Belt policy, allowing the development of new buildings in the Green Belt in certain circumstances.
6. Paragraph 154 of the Framework establishes that development in the Green Belt is inappropriate, unless it meets a listed exception. Paragraph 154(b) explains that the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings for outdoor sport and outdoor recreation is not inappropriate provided that the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
7. The proposal relates to the provision of stables comprising 6 individual stable blocks, feed store and toilet with associated hardstanding and paddock, each providing stabling for 2 horses. The 6 plots for the stables would run perpendicular to Lodge Lane. Each of the plots within the wider 9 plot site appear to be separated from each other although no details are before me as to how this would be achieved. A new solid entrance gate with brick gate piers is also proposed. The stables would provide covered shelter for horses and allow owners to provide daily care to their horses.
8. Consequently, the proposed development falls to be considered under the category of outdoor sport and outdoor recreation as set out under paragraph 154 (b) of the Framework. This is a qualified exception under paragraph 154 of the Framework subject to whether the proposal would preserve the openness of the Green Belt and/or conflict with the purposes of including land within it.

Green Belt Purposes and Openness

9. As set out in the Framework, the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and its essential characteristics are therefore its permanence and openness. Considerations of openness have both visual and spatial aspects.
10. The proposed stables, associated hardstanding, and paddock would be dispersed along the existing access track within 6 of the 9 plots that run perpendicular to Lodge Lane. Native hedging to the rear edge of each plot is proposed. The stables would be single storey and would have a wood finish with a pitched roof and external lighting. Car parking provision would be within each hardstanding area. The proposed entrance gates would be solid in form and around 2m in height.
11. The appeal site is within and surrounded by open countryside and is visible from the surrounding fields. Tall Leylandii hedging forms the boundaries to several of the 9 plots. Several small-scale wooden buildings, which are low key in nature, are located in a cluster towards the end of the appeal site. Whilst there are some

existing buildings on site, due to their scale, informal low-key materials, clustered form and lack of formal hardstanding, they have a limited effect on both the visual and spatial openness of the Green Belt. The proposed 6 stables and associated hardstanding, when combined, would lead to a loss of spatial openness which is exacerbated by the spread of the stables across the appeal site. New buildings and associated hardstanding within the site, in the proposed form, would represent a significant intrusion visually and spatially into the openness of the site and the surrounding Green Belt.

12. The appeal site is visible from the field to the north and from longer views along Lodge Lane when approaching from the north. Existing boundary hedging to some of the plots along with some tree cover on and adjacent to the site, partially screens some of the plots. The site is also visible from fields to the east. Due to existing screening, the site has limited visibility from the south. The plots nearest to Lodge Lane and the proposed gates are visible from Lodge Lane and land to the west of the appeal site.
13. Several of the existing Leylandii hedges are proposed to be removed and replaced with native hedgerows. Whilst this would be beneficial to the site's biodiversity, native hedging would be lower in height and would take some time to establish, leaving open views in the meantime. The proposed gates would not represent the agricultural nature of the site and wider surroundings and would be highly visible from Lodge Lane due to their height, solid appearance, and associated brick piers.
14. Given the visibility of the existing site, the proposed stable blocks' locations with accompanying hardstanding, spread across the 6 plots within the appeal site, would have moderate harm to the visual openness of the Green Belt. The removal of the existing vegetation screening as proposed would further increase the prominence of the buildings and thus exacerbate the harm to the visual openness of the Green Belt. The proposed entrance gates would also harm the visual openness of the Green Belt. Consequently, overall, the proposal would have a considerable harmful effect on the openness of the Green Belt and would result in encroachment of development in conflict with a purpose of the Green Belt.
15. The appellant has drawn my attention to the Council's Green Belt review published in 2016. This review appears to identify that when assessed against the 5 purposes of Green Belts, the purpose of including the wider area including the appeal site was only to prevent neighbouring towns merging into one another and to safeguard the countryside from encroachment. The appellant considers that the appeal site, including the proposed development, would continue to undertake the two roles identified. Nevertheless, I have concluded that the proposal would conflict with the fundamental aim of keeping land permanently open and conflict with the purpose of encroachment.
16. As a result, the proposal would not preserve the openness of the Green Belt and would conflict with the purposes of including land within it. As such, it has not been demonstrated that the development would meet the exception listed in Paragraph 154(b) of the Framework. On this basis, the proposal would be inappropriate development in the Green Belt which is, by definition, harmful to the Green Belt.

Character and Appearance

17. The appeal site is within the open countryside, and close to the villages of Little Chalfont, Chalfont St Giles, Chalfont St Peter, and Chorleywood Bottom. The site

would also be within driving distance of Amersham. The stretch of Lodge Lane that the appeal site is accessed from, has an open visual aspect surrounded by fields used for agricultural and/or equestrian paddocks and grazing land. The site is accessed via an existing unsurfaced track with low, agricultural metal gates at the entrance. During my site visit I observed that the site was subject to fly tipping, was not generally well maintained and, at the time of my visit, no horses appeared to be within the appeal site. However, despite the general condition of the site, due to its agricultural undeveloped appearance alongside its use as grazing land/paddock, it makes a positive contribution to the rural character and appearance of the area.

18. The site is within the Chilterns National Landscape (previously referred to as the Chilterns Area of Outstanding Natural Beauty) and within the Rolling Farmland Landscape Character Area, specifically that of the Little Chalfont Rolling Farmland. The area's key characteristics are identified as large arable fields and rough grassland delineated by a network of hedgerows in the north and smaller fields of paddock, pasture and rough grazing are typical of the south, which the site contributes positively towards. The area is noted to have small winding rural roads and lanes with little traffic and an intimate character with an overall remote and tranquil character. The area has a strategy to conserve and enhance the woodland, farmland and historic parkland which is retained between settlements, and which contributes to the rural, peaceful character of Little Chalfont Rolling Farmland.
19. I note the appellant's comments regarding the appeal site and its surroundings not accurately reflecting the landscape characteristics identified in the Character Area outlined above. However, the current use of the site and the adjacent fields reflects that of the area's key characteristic of 'smaller fields of paddock, pasture and rough grazing'. The surrounding roads to access the appeal site also match that described above. As such, the appeal site represents and contributes to the Rolling Farmland Landscape Character Area of the CNL.
20. The appellant has also drawn my attention to the use of the neighbouring property and fields, which includes information that appears to have been taken from a website. However, I am not aware of the authorised use of the neighbouring property, and those details are not before me. The use does however appear to accord with the uses of farming, woodland, horse riding and livery along with paddocks and fields that are identified within the character area.
21. I acknowledge that a building comprising of 2 stables was granted planning permission in 2023 (PL/23/0506/FA) on plots which do not form part of the appeal site. However, there are significant differences between the 2 applications including the number of stable blocks and the amount of hardstanding proposed. In addition, the proposed stable blocks would be taller than that previously approved and this proposal includes new entrance gates. Consequently, the proposed 6 buildings of 2 stables each and associated works, both on their own and when combined with the previously approved stables, would be significant development in a protected area that would be out of character and discordant with the identified landscape characteristics of the area and small fields of paddock/grazing land that are located within the vicinity of the appeal site.
22. Furthermore, the 6 stable buildings and associated hardstanding areas alongside the large solid gates and brick piers form a combined mass of built development

across the site, which would lead to a harmful form of urbanisation and encroachment within the countryside location. As such, the proposed development would be detrimental to the character and appearance of the area.

23. With regards to the appeal site's location in the Chilterns National Landscape, I have given great weight to the duty imposed by Section 85 of the Countryside and Rights of Way Act 2000 to have regard to conserving and enhancing the natural beauty of National Landscapes.
24. Based on my site visit and the evidence before me, I am not satisfied that the 6 individual stable blocks spread across the 9-plot site is a suitable design and layout response for this important landscape setting within the open countryside and the requirements of Policy LSQ1 for development within the Chilterns National Landscape. I have found that the proposal would be harmful to the character and appearance of the area. Consequently, I consider that the proposed development would not conserve and enhance the Chilterns National Landscape.
25. Accordingly, I find conflict with Policies LSQ1 and R13 of the CLP and Policy CS22 of the Core Strategy for Chiltern District, adopted November 2011 (CS) in relation to the effect of the proposed development on the character and appearance of the area and landscape character. These policies, amongst other things, seek and support development including for new equestrian facilities that does not have a harmful impact on landscape character; protects, conserves and, where possible, enhances landscape character and local distinctiveness; safeguards views and relates positively to its landscape setting in terms of layout, built form, height, mass, scale, design and visual impact of development.
26. The proposal would also be contrary to the Framework which, amongst other things, seeks development that achieves high quality design that is sympathetic to and contributes positively to local character with regard to its surroundings and context and protects and enhances valued landscapes.

Highway and Pedestrian Safety

27. Policies TR2 and TR3 of the CLP supports development that includes a satisfactory means of access and where standards of road safety are maintained. Paragraph 116 of the Framework identifies that development should only be refused on highway grounds where there would be an unacceptable impact on highway safety or the cumulative impact on the road network would be severe. Paragraph 117 acknowledges that development should create places that minimise the scope for conflict between pedestrians, cyclists, and vehicles.
28. The individual plots are proposed to be accessed via an existing track that in turn has a direct access onto Lodge Lane. This highway has a 60mph speed limit and has no footpaths, streetlights, or parking restrictions. To the north, when entering the adjacent residential area, the speed limit is reduced to 30mph. The road is classified as a 'C' road. The carriageway is approximately 5m in width. The access to the appeal site would therefore require a visibility splay of 2.4m x 151m, as advised by the Highway Authority and is undisputed by the appellants.
29. The red-line site plan only covers the existing access track and therefore the ownership of the land, within the required visibility splay, is unknown. The required visibility splay would over sail third party land to both the north and south. When exiting the site, the visibility splay to the north (right) can be achieved and is within

the ownership of one of the appellants, but to the south (left) it cannot. However, the access is an existing arrangement. In this context, the use of the access for the proposed development would accord with existing manoeuvres on the highway and would not introduce substantively new or unusual activity.

30. Several landowners utilise the site for access to grazing land for their horses, and this would likely continue with or without the proposed development. Moreover, the number of horses on the site could also increase which could, in turn, intensify the use of the access. During my visit of approximately 40 minutes, whilst only a snapshot in time, I observed only a handful of vehicles using the road. I did not observe any pedestrians walking along the carriageway or its adjacent grass verges and therefore found the road to be lightly used during my visit.
31. As such, whilst the proposed development could result in additional vehicular movements daily, I am not convinced that this would result in traffic of sufficient scale to be detrimental to the safety of highway users and result in an adverse impact on highway safety.
32. Furthermore, there is no evidence before me that the existing access is dangerous, or its use has led to incidents eroding the safety of highway users. As a result, no highway impacts have been established by the Council to support its concerns that the proposed access would not be safe or suitable as a result of the required visibility splay to the left when exiting the site having not been met. On this basis, the proposed development would not have a demonstrably adverse effect on the existing access which would continue to operate in a safe manner.
33. Consequently, the use of the proposed access would not materially increase the risk of accidents due to the limited increase in new vehicle movements associated with the proposed stabling. Accordingly, I find no conflict with Policies TR2 and TR3 of the CLP or paragraphs 116 and 117 of the Framework, the requirements of which have been outlined above, in respect of highway safety with particular regard to visibility at the access.

Other Considerations

34. Reference is made by the main parties in relation to a Statement of Equestrian Need (SEN) which identifies that the proposed development would see a total of 9 horses stabled on site. The SEN briefly outlines that the stables are required to provide secure and dry accommodation for the horses, as well as to provide a dry place to store feed and medicines as well as a place for people to wash their hands and use the facilities. The appellant also asserts that the proposal is required to satisfy the Animal Welfare Act 2006 (the Act) which, amongst other things, requires horses to have a suitable living environment and identifies the type and size of necessary stable accommodation that is necessary. However, this requirement is to ensure that owners of horses provide suitable equestrian accommodation. Whilst the SEN outlines why the stables are required, no information is provided that identifies where the horses are currently stabled and why they are now required to be stabled on the appeal site as opposed to elsewhere. Consequently, I can only attach limited weight to this in my decision.
35. A Biodiversity Matrix is submitted as part of the proposal which identifies that the required 10% BNG cannot be achieved on site and that off-site credits will be required. The proposal would also see the removal of *Leylandii* hedging to the benefit of the site's biodiversity and their replacement with native hedging. Whilst

this would be beneficial alongside other ecological proposals, these would have been largely required as mitigation due to the loss of habitat, with limited gain achievable on site or in support of the proposal. Accordingly, I only attach limited weight to this in my decision.

36. The appellant has drawn my attention to two appeal decisions in Gravesend and Gateshead relating to equestrian facilities within the Green Belt. However, both relate to established equestrian facilities with stables and/or riding schools, and neither are located within a National Landscape. Whilst these have been informative, with respect to consistency of approach, they have not materially assisted my assessment of this proposal and are not therefore directly comparable to the appeal before me.

Whether there would be Very Special Circumstances

37. Paragraphs 153 and 154 of the Framework set out the general presumption against inappropriate development within the Green Belt. They explain that such development should not be approved except in very special circumstances. Very special circumstances to justify inappropriate development will not exist unless the potential harm to the Green Belt, by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
38. I have concluded that the appeal scheme would result in considerable harm to the openness of the Green Belt. As such, I have also concluded that the appeal scheme would be inappropriate development that would, by definition, harm the Green Belt. Paragraph 154 of the Framework requires substantial weight to be given to any harm to the Green Belt. Furthermore, the proposal would harm the open character of the countryside and would fail to conserve and enhance the Chilterns National Landscape, points of further significant weight.
39. On the other hand, the other considerations I have identified above are of limited weight in favour of the proposal. As such, the harm to the Green Belt is not clearly outweighed by the other considerations identified and therefore the very special circumstances necessary to justify the development do not exist. Accordingly, the proposal fails to adhere to the local and national Green Belt policies I have already outlined.
40. Consequently, the proposal would be inappropriate development and as such harmful to the Green Belt. The proposed dwelling would therefore be contrary to Policy GB2 of the CLP and the Framework.

Conclusion

41. For the above reasons, the proposal conflicts with the development plan and the material considerations, including the Framework and the very special circumstances test therein, do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal is dismissed.

P Brennan

(INSPECTOR)