



Appeal Decision

Site visit made on 9 September 2025

by **A O'Neill BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28th October 2025

Appeal Ref: APP/J0405/W/25/3367305

**Yew Tree Farm Grendon Road, Chesham Road, Edgcott, Buckinghamshire
HP18 0TN**

- 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 A Selby, EE against the decision of Buckinghamshire Council.
 - The application Ref is 24/03735/APP.
 - The development proposed is two self build properties.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description in the banner heading above is taken from the planning application form. However, there is little evidence submitted regarding the provision of self build properties and I have not been provided with any mechanism by which to secure the proposal as such.
3. As part of their case, the appellant has submitted plans showing a proposed footway link from the site and proposed diversions to a nearby public footpath. I am mindful that the appeal process should not be used to evolve a scheme, and it is important that what is considered by the Inspector is essentially what was considered by the Council. I have therefore proceeded to determine the appeal on the basis of the plans as originally submitted.

Main Issues

4. The main issues are:
 - whether occupants of the proposed development would have reasonable access to services and facilities, including safe and suitable access for pedestrians; and
 - the effect of the proposal on the character and appearance of the area.

Reasons

Access to services and facilities

5. Policy S2 of the Vale of Aylesbury Local Plan 2021 (VALP) is the Council's spatial strategy for the distribution of development. This is informed by Policy S3 and Table 2 of the VALP which define the settlement hierarchy for the area. These policies seek to ensure development is in the most sustainable locations,

focussing on settlements that have the best access to a wide range of services, facilities and employment opportunities.

6. Allied to this, the Buckinghamshire Local Transport Plan 4 2016 – 2036 (the LTP) has an objective to promote sustainable travel choices and to secure good public transport, cycle and walking infrastructure. Additionally, the Council's Highways Development Management Guidance 2018 encourages development that supports sustainable transport, reduces single-occupancy car use, and prioritises access for pedestrians, cyclists, and public transport users.
7. The appeal site is located at the edge of Edgcott which is in the 'Other settlements' category of the settlement hierarchy. Such settlements are described as not sustainable locations for development because they have very limited facilities. The only facility in Edgcott is a church. Future occupiers would need to travel to the village of Grendon Underwood to access other services and facilities including a school, shop and pub.
8. Pedestrian access to Grendon Underwood would be via a footway located on the opposite side of Grendon Road from the site. According to the Council's evidence, and as I observed on my site visit, the footway is approximately 1 metre in width. This means it would not safely support all kinds of pedestrian movement, particularly those with prams or for wheelchair users and other mobility aids. The footway is also unlit therefore compromising visibility and personal safety, especially during winter months.
9. Additionally, there is a wide grass verge between the road and the footway and there is currently no crossing facility to enable pedestrians to cross the road safely. Access across the grass verge would be unsuitable for those with reduced mobility or with prams. The appellant suggests that a footway with a dropped kerb could be provided across the grass verge. Whilst this may overcome the Council's concerns regarding access to the footway from the site, it does not overcome the inadequacies of the footway itself.
10. Moreover, the Council's evidence indicates the services in Grendon Underwood are some 1600 metres away from the site. This which would exceed a reasonable walking distance, particularly for young children travelling to school or when carrying shopping. Consequently, I find that the site would not have safe and suitable access for pedestrians and therefore walking is unlikely to be an attractive alternative to a car for travel to Grendon Underwood.
11. There are no dedicated cycle lanes between the site and Grendon Underwood. Along with the lack of street lighting, I find that the route is not particularly desirable for cycling, particularly in the winter months. Therefore, cycling is unlikely to be a realistic alternative to a private vehicle for travel to Grendon Underwood.
12. A bus stop located close to the site on Grendon Road provides services to Aylesbury where there is a range of services and facilities. The submitted evidence indicates that buses stop in the village up to 8 times per day during the week and 6 times per day on a Saturday. There is no evidence of a bus service on Sundays. Based on the information before me, I am not satisfied that the appeal site would be serviced by a regular bus service which would provide convenient access to services and facilities in Aylesbury. Furthermore, the bus stop would be accessed via the footway on the opposite side of the road to the site, which I have already found does not offer an attractive route for pedestrians.

13. Springhill and Grendon Prisons are located to the south east of the site and planning permission has been granted for a new prison on adjacent land. While future occupiers may be employed at the prison, access on foot would be via the footpath on the opposite side of Grendon Road, which I have found would not be a safe or attractive route for pedestrians. Furthermore, even if employment opportunities were available nearby, future occupiers would need to travel for other services and facilities including schools and shops. As such, this consideration does not alter my conclusion on this matter.
14. The permission for the new prison is subject to a legal agreement to secure financial contributions to improve the bus services to and from the prison. The information submitted indicates these improvements seek to address the mismatch between the shift times of those employed at the proposed prison and the times of the morning and evening buses. As such, I do not find this would enhance the bus provision to the extent that it would provide a sufficiently regular service to present a genuine alternative option to a private car for travel to these destinations.
15. I acknowledge the appellant's commitment to installing an electric vehicle charging point and cycle storage. However, the presence of these features does not guarantee their use, particularly as I have found cycling is unlikely to be an attractive option for most. Furthermore, this does not overcome the lack of sustainable transport choices, and I attribute this benefit limited weight.
16. I note the findings of the RTPI Report 'The Location of Development 4' (October, 2024) which suggests over reliance on the private car should receive minimal weight in the planning balance. However, this report does not form part of the development plan against which this appeal is assessed and the weight to be given to the accessibility of the appeal site in the planning balance is a matter for me.
17. Taking all of the above into account, I find that the proposed development would not have reasonable access to services and facilities. Nor would it have safe and suitable access for pedestrians. As such the proposal conflicts with VALP Policy T5 which requires mitigation is provided against unacceptable transport impacts which arise directly from development. It would also conflict with Paragraph 115 b) of the Framework requires development to ensure that safe and suitable access to the site can be achieved for all users. Furthermore, the proposal would fail to meet the sustainable travel aims of the Framework, the LTP and the Council's Highways Development Management Guidance, as set out above.

Character and appearance

18. The VALP identifies 'Other settlements' as places where it is likely that any development would cause harm to the local environment. Part j. of Policy S2 limits housing development in rural areas, in line with other relevant policies in the VALP and principally Policy D5. This policy states that new homes in 'Other settlements', where there is no neighbourhood plan in place, will only be granted permission for infilling of small gaps within developed frontages, and for the replacement of existing homes, where there would be no adverse effect on the character of the countryside.
19. The character of the area is described in the appellant's Landscape and Visual Impact Assessment (LVIA) (Egon Environmental, May 2025) as a largely flat plateau landscape, with an intensively farmed agricultural character of large open

fields and somewhat fragmented landscape character. The appeal site is representative of this landscape character type as it comprises a flat open field which is part of a larger parcel of open land with boundaries defined by hedgerows and mature trees, affording views across the wider landscape.

20. In the absence of a neighbourhood plan, the appellant contends that the village boundary is defined by the physical 'Edgcott' village sign located to the south of the site. However, the site is located south of the main built form of the village and relates more to the open rural character of the area, than the built form of the village. In its current undeveloped state, the site makes a positive contribution to the verdant and open rural character of this part of Grendon Road.
21. The appellant's LVIA concludes that the proposed development would have a negligible landscape and visual impact. While I saw that the site is largely screened from distant viewpoints identified in the LVIA by existing trees and hedgerows, the proposed development would be clearly visible from Grendon Road and the public footpath that runs along the northern boundary of the site.
22. To the north of the site are outbuildings associated with Yew Tree Farm and there is a Nissen hut located to the south. Whilst I appreciate the design of the proposed dwellings has taken cues from the adjacent outbuildings, the long and low built form would dominate the width of the site. Furthermore, the domestic appearance of the dwellings would be at odds with the adjacent farm buildings which are part of the rural character of this part of Grendon Road.
23. Consequently, the proposed dwellings would appear as a conspicuous and incongruous feature within the landscape, and their design and appearance would not sufficiently mitigate this impact. The development would result in a prominent encroachment of built development into the open countryside that would erode the verdant and open rural character and appearance of the area.
24. The site does not, in my judgement, represent a small gap in a developed frontage, as required by Policy D5. This is due to the size of the site and the absence of any other development beyond the Nissen hut to the south. Furthermore, this policy requires that development has no adverse effect on the character of the countryside, and in this case the proposal would result in harm to the character and appearance of the area for the reasons set out.
25. It is suggested that the proposed new prison will affect the appearance of the village. However, this development will be located on the other side of the road, some distance south east of the appeal site and would relate to the built form outside the village. As such, it would not be viewed in the context of the ribbon development within the village adjacent to Grendon Road.
26. Taking all of the above into account, I find that the proposal would unacceptably harm the character and appearance of the area. As such it would conflict with VALP Policy BE2 which requires development to respect and complement the character and context of the site and its setting. Although it is not referenced in the Council's reason for refusal, I have also found conflict with Policy D5, as set out above.

Other Matters

27. Benefits of the proposal include the use of a range of sustainability measures and a biodiversity gain. There would also be some economic uplift in the local economy during the construction process and from the future spending of future occupiers. However, the contribution of 2 dwellings to the housing supply would be limited, as would the magnitude of the other benefits. As such, these benefits only attract limited weight in favour of the appeal.
28. The appellant has drawn my attention to paragraph 124 of the Framework which promotes an effective use of land while safeguarding and improving the environment and ensuring safe and healthy living conditions. Considering the harm I have identified in relation to the proposal's impact on the character and appearance of the area and the lack of safe pedestrian access, I do not find that the proposal meets the aims of the Framework in this regard.
29. I have had regard to the Ministerial Statement dated 30 July 2024, which sets out the Government's intention to deliver sustained economic growth but also to ensure homes are built in the right places. The Statement identifies the Government's priority for development on brownfield land to deliver housing development. However, the appeal site does not fall within the Framework definition of brownfield land, and, as such this consideration does not alter my overall conclusions on the main issues of this appeal.
30. The appellant asserts that the proposal complies with VALP Policy GP24. However, this does not form part of the current development plan, nor have details of the policy been submitted. Therefore, this consideration does not alter my conclusions on the main issues of this appeal.
31. I appreciate that the proposal may have no adverse impact on the living conditions of neighbouring occupiers, and I note that no objections have been received from members of the public. However, the lack of objection does not equate to a lack of harm.
32. I understand that the current appeal proposal is reduced in scale from a previous proposal on the site. However, this does not materially affect my consideration of the merits of the appeal proposal.

Planning Balance

33. The appeal proposal conflicts with VALP Policy T5 which requires mitigation against transport impacts arising from development. The proposal also conflicts with Policy BE2 which requires development to respect and complement the character and context of the site and its setting and Policy D5 which requires that development has no adverse effect on the character of the countryside.
34. Paragraph 232 of the Framework makes it clear that due weight should be given to existing policies according to their degree of consistency with the Framework. In this respect the Framework expects development to promote sustainable travel modes, such as walking and cycling, that limit future car use. Furthermore, the countryside is not protected for its own sake, but its intrinsic character and beauty is recognised by the Framework which also indicates new development should be sympathetic to local character. Therefore, the conflict between the proposal and Policies T5, BE2 and D5 should be given significant weight in this appeal.

35. As there are no policies before me which positively favour development of this kind in this location and as the proposal would be contrary to the policies referred to above, there would be a conflict with the development plan as a whole.
36. The Council has confirmed that it cannot currently demonstrate a five year supply of deliverable housing sites. In these circumstances, footnote 8 of the Framework establishes that paragraph 11d) is engaged. There is nothing before me to suggest that the policies identified in footnote 7 of the Framework provide a strong reason for refusing the development proposed under paragraph 11 d) i). Hence, the balance in paragraph 11 d) ii) applies.
37. Paragraph 11 d) ii) states planning permission should be granted unless '*any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, ...*'. In addition, measures set out to achieve well designed places in paragraphs 135 and 139 of the Framework constitute key policies for the purposes of paragraph 11 d) ii).
38. The Framework seeks to significantly boost the supply of homes. The main parties agree that the Council has a supply of 4.0 years. Whilst the Framework does recognise the contribution that small sites can make to meeting the housing requirement for an area, two dwellings would make a minimal contribution to the overall supply of housing and as described above, the associated benefits would be limited. I therefore attribute these benefits limited weight.
39. Consequently, the lack of safe and convenient access to services and facilities via walking, cycling and public transport as well as the unacceptable harm to the character and appearance of the area, would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. As a result, the presumption in favour of sustainable development does not apply.

Conclusion

40. For the reasons given above, I conclude that the proposal would conflict with the development plan as a whole and there are no material considerations, including the Framework, that would outweigh that conflict. Therefore, the appeal is dismissed.

A O'Neill

INSPECTOR