



Appeal Decision

Site visit made on 18 November 2025

by **P Barton BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 11 December 2025

Appeal Ref: APP/J0405/W/25/3371975

Blossoms, Cobblers Hill, Wendover, Buckinghamshire HP16 9PW

- 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 Tom Pass against the decision of Buckinghamshire Council.
 - The application Ref is 25/01378/APP.
 - The development proposed is demolition of existing dwelling and outbuildings, erection of replacement self/custom build dwelling and outbuildings, erection of gated access and associated works.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Mr Tom Pass against Buckinghamshire Council. This application is the subject of a separate Decision.

Main Issues

3. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - the effect of the proposed development on the openness of the Green Belt; and
 - whether other considerations clearly outweigh the harm to the Green Belt and any other harm as to amount to very special circumstances.

Reasons

Whether inappropriate development in the Green Belt

4. Blossoms is a 2-storey dwelling with a single storey extension set amongst a large parcel of land containing a generous level of landscaping including a significant number of trees. Close to the dwelling are 2 detached single storey outbuildings consisting of a garage and a Nissen hut. The site is accessed off a private drive that also partly serves as a bridleway and is surrounded by open fields and areas of woodland.
5. The proposed development would demolish the existing dwelling and outbuildings and erect a replacement 2-storey dwelling, with accommodation in the roof space,

a detached garage, with a gym/guest room in the roof space, and a detached flat roof structure containing an indoor pool. The existing access into the site would be altered to create a single gated entrance with brick piers, as well as boundary treatment in the form of brick and flint walling, post and rail fencing and estate fencing.

6. The site is located within the Metropolitan Green Belt. The Framework identifies that the fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and permanence. The Framework states that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances.
7. Policy S4 of the Vale of Aylesbury Local Plan (2013-2033) (VALP) states that land within the Green Belt will be protected from inappropriate development in accordance with national policy. As such, there is consistency with the Framework.
8. Development within the Green Belt is inappropriate with the exceptions of the types of development listed in paragraphs 154 and 155 of the Framework. There is no dispute between the parties that none of these apply to the appeal scheme. Based on the evidence before me I have no reason to disagree. Therefore, the proposed development would be inappropriate development within the Green Belt in terms of the Framework and VALP Policy S4.

Openness

9. Openness is an essential characteristic of the Green Belt. In considering the concept of openness, the courts have found that it broadly has visual and spatial dimensions.
10. There is broad agreement between the parties regarding the internal floorspace and the volume of the existing dwelling and outbuildings, and those proposed. There would be a significant increase in the internal floorspace, and the volume of the proposed development compared to the existing buildings on the site. Therefore, the quantum of development would result in harm to the spatial openness of the Green Belt.
11. I observed that the existing house and adjacent detached garage building are visible at the access point into the site from the bridleway as well as to the west across an open field and between gaps in the vegetation. The Nissen hut was not visible from these public vantage points due to its positioning behind the dwelling and garage as well as being amongst the vegetation.
12. Only a modest amount of the built form of the existing buildings on the site is located at first floor level and this is to the existing dwelling, with its narrower elevation facing the bridleway. This first-floor arrangement along with the single storey buildings with either a flat, low-pitched or barrelled roof, gives the built form on the site a very low-key appearance.
13. Although the replacement dwelling would be positioned in a very similar location to the existing dwelling, and only slightly taller, there would be a significant increase in the amount of built form at first floor level. In addition, the wide elevation of the new dwelling, with projecting 2-storey gables, would face the bridleway, creating a more visually dominant building from the public vantage points.

14. Moreover, the new garage would be significantly taller than, and in a forward position to, the existing garage, with a steep pitched roof and dormers, resulting in a building of noticeable scale. From the details before me and from what I saw on site, I am also not persuaded that the proposed landscaping would fully screen the appeal scheme, and the replacement dwelling and garage would still be visible from the altered access and from the bridleway to the west.
15. Due to its low-profile design and its positioning to the rear of the site, views of the proposed pool building would be very limited.
16. Consequently, the proposed replacement dwelling and garage would be more visible, particularly from the bridleway, and would result in harm to the visual openness of the Green Belt.
17. Taking the above factors into consideration, the proposal would have a greater impact on openness than the existing development.

Other considerations

18. Details are before me of a Certificate of Lawfulness¹ and an extant Planning Permission² at the appeal site. The former relates to an outbuilding to provide a pool, a 3-bay garage and a rear extension to the dwelling that all accord with Schedule 2, Part 1 Classes A and E of the Town and Country Planning (General Permitted Development) (England) Order (Amended) 2015. The latter includes the demolition of the existing rear conservatory and the erection of a single storey link between the dwelling and the garage that would be converted to habitable accommodation.
19. I have had regard to the relevant case law³ and on the basis of the evidence before me, including the detail and nature of the accommodation provided by the fallback position compared to the appeal scheme, I am satisfied that there is a real prospect that the fallback development would occur if the appeal proposal does not go ahead.
20. The fallback position would utilise the existing house and outbuildings. The new single storey link would be generously recessed between the converted garage and the dwelling with a flat roof to match the existing extension and glazing to both sides, resulting in a lightweight infill structure with minimal visual presence. The rear extension to the dwelling would also have a flat roof reflecting the height of the existing extension and would be screened from public vantage points by the existing dwelling and converted garage. Moreover, the visual impact of the new pool and garage buildings would be partly mitigated by their positioning to the rear of the dwelling, their low-profile design as well as the level of surrounding vegetation. The fallback position would retain the overall low-key nature of the built form on the appeal site.
21. The appeal scheme would result in a marked reduction to the volume, internal floorspace and footprint on the site compared to the fallback position and this would have a positive impact on spatial openness, particularly to the rear of the replacement dwelling. Nevertheless, as detailed above, the proposed replacement house and garage would add a significant amount of built-form at first floor level,

¹ Certificate of Lawfulness Ref: 24/01815/CPL

² Planning Permission Ref: 24/01405/APP

³ Mansell v Tonbridge and Malling BC & others [2017] EWCA Civ 1314

whilst the garage would be located closer to the bridleway, which is currently open and clear of any buildings. Consequently, the proposal would not retain the low key nature of the existing buildings on the site and would result in a greater level of harm to the visual openness of the Green Belt compared to the fallback position.

22. I have considered the planning permission⁴ issued by Wokingham Borough Council from 2017 in support of the proposal. This is materially different to the appeal scheme before me, as the bulk of the new building was located to the rear where views are limited from outside the site and there were no detached outbuildings proposed. As such, a comparison is of limited relevance in this instance, and I have considered the appeal before me on its individual merits.
23. Therefore, considering the above, I have found that the effects on openness of the proposed development would be more harmful than those of the fallback position and as such I afford it limited weight.
24. The proposal would deliver a self-build/custom build energy efficient replacement dwelling. I am mindful that the fallback position would not deliver the same level of energy efficiency measures than those incorporated into the appeal scheme. However, the limited scale of the development means that I afford these benefits limited weight.
25. The appeal site is within the Chilterns National Landscape (CNL). Section 85 of the Countryside and Rights of Way Act 2000 (as amended) requires that regard be had to the purposes of conserving and enhancing the natural beauty of National Landscapes. There is also a duty under Section 245 of the Levelling-up and Regeneration Act 2023 to seek to further the purpose of conserving and enhancing the natural beauty of these areas. These purposes also include increasing the understanding and enjoyment by the public of the special qualities of the National Landscapes.
26. The visual dimensions of the openness of the Green Belt do not exhaust all relevant factors relating to the visual impact of a proposal in the Green Belt. These are different assessments, and it is possible that a different conclusion on openness could be reached to that on the effects on the CNL. The Council concluded that the proposal would conserve and enhance the CNL and from my own observations, I see no reason to come to a different conclusion. Due to the small scale of the proposal, and thereby the small scale of these associated benefits, I afford this limited weight.
27. It is asserted that the appeal site is not at risk of flooding, not located within a Conservation Area, not a listed building, contains no trees subject to a Tree Protection Order, and the proposal would have no adverse impact on highway safety or the natural environment. A lack of harm in these respects are neutral considerations that weigh neither for nor against the proposal.
28. I acknowledge that the proposal did not generate any objections from the Parish Council or from neighbours. Nevertheless, I must consider the appeal based on its merits.
29. The Council has indicated that the site is within the Zone of Influence of the Chilterns Beechwoods Special Area of Conservation and that as the proposal

⁴ Planning Permission Ref: 162149

would not result in a net increase in residential units, it is not material to the assessment of the proposal. Given my reasoning in respect of the main issues and that the appeal is dismissed, I have not considered the matter further.

30. The applicant has referenced a replacement dwelling and a 2-storey property with a large garage to its front, that are both near to the site. I have limited information relating to the circumstances of these developments, and as such, I cannot be certain that these are directly comparable to the appeal proposal which limits the weight I can attach to these cases in my decision.

Planning Balance

31. Paragraph 153 of the Framework is clear that substantial weight should be given to any harm to the Green Belt, including harm to its openness. I have found that there would be harm to the Green Belt by reason of the proposed development's inappropriateness and its effect on openness.
32. The Framework states that the potential harm to the Green Belt by reason of inappropriateness and any other harm resulting from the development must be clearly outweighed by other considerations for planning permission to be granted. The other considerations in this case, as detailed above, are not sufficient to comprise the very special circumstances necessary to justify this development. This would be contrary to the Framework and VALP Policy S4.

Conclusion

33. The proposal conflicts with the development plan as a whole and the material considerations, including the Framework, do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal is dismissed.

P Barton

INSPECTOR