
Appeal Decision

Site visit made on 12 November 2025

by **E Worley BA (Hons) Dip EP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 15 December 2025

Appeal Ref: APP/N0410/W/25/3370881

Hill Farm Industrial Estate, Hill Farm Lane, Chalfont St Giles HP8 4NT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Mr Kevin Gray against the decision of Buckinghamshire Council - South Area (South Bucks).
 - The application Ref is PL/25/1742/PIP.
 - The development proposed is described as 'Permission in principle for up to 2 dwellings'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal is for permission in principle. Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has 2 stages. The first stage (permission in principle) establishes whether a site is suitable in principle. The second stage (technical details consent) is when detailed proposals are assessed. This appeal relates to the first of these 2 stages.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent technical details consent application if permission in principle is granted. I have determined the appeal accordingly.
4. A 'Proposed Site Plan' was submitted as part of the application. Given the matters for consideration at this stage, I have treated this as being for illustrative purposes only.

Main Issue

5. The main issue is whether the site is suitable for residential development, having regard to its location, the proposed land use and the amount of development, with particular regard to:
 - whether the proposal is 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 development on the openness of the Green Belt; and

- whether the 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 necessary to justify the proposal.

Reasons

Whether inappropriate development

6. The appeal site is in the Green Belt. The Framework sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Development in the Green Belt is inappropriate unless specific exceptions apply. Relevant to this appeal are the exceptions set out at paragraphs 154(g) and 155 of the Framework.
7. Saved Policy GB2 of the Chiltern District Local Plan, adopted September 1997 (CDLP) sets out that planning permission will be refused for inappropriate development in the Green Belt, but may be given for development falling within the specific exceptions listed. The Framework is clear that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework. Policy GB2 is not entirely consistent with the Framework insofar as it does not include reference to all types of development which may be considered not to be inappropriate or the very special circumstances which could justify otherwise inappropriate development in the Green Belt.

Paragraph 154 g) of the Framework

8. The exception listed at paragraph 154 g) of the Framework allows for limited infilling or the partial or complete redevelopment of previously developed land (PDL) (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt. The Framework defines PDL as land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed).
9. The appeal site lies on the edge of Hill View Industrial Estate. The appellant indicates that it has been used for the ad-hoc storage of cars associated with the businesses operating at the industrial estate since the 1950s. At the time of my site visit, while the site included a small area of hardstanding, it mostly comprised of grass, on which vehicles were parked and was devoid of buildings. The site is adjacent to an area of mature woodland and a short row of residential properties.
10. The appellant's submissions confirm that, while the site has been used for the storage of cars for a significant period, it is not suggested that the use of the land for such purposes itself is lawful. However, it is asserted that, given the functional relationship between the appeal site and the adjoining Hill Farm Industrial Estate, it therefore forms part of the industrial estate and as it is within the curtilage of the developed land, would constitute PDL. Nonetheless, even if the appeal site is within the same planning unit and ownership as the wider site at Hill View Industrial Estate, this is not determinative of the use of the land or that it is within the curtilage

of the developed land. Consequently, based on the evidence before me, I cannot be certain that the appeal site would constitute PDL. Therefore, the proposed development would not satisfy the exception to inappropriate development under paragraph 154 g) of the Framework.

Paragraph 155 of the Framework

11. Paragraph 155 of the Framework states that the development of homes in the Green Belt should not be regarded as inappropriate, where all of the criteria listed are met. There is no dispute between the parties that the site comprises grey belt land, and that the proposed development would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. Given my observations on site, I have no reason to disagree. Accordingly, the proposal would meet part a) of paragraph 155.
12. Furthermore, the Council indicate that it is currently unable to demonstrate a 5 year supply of housing land, with a current supply of 0.91 years. Thus, in accordance with footnote 56 of the Framework, there is a demonstrable unmet need for the type of development proposed. In light of this, the proposal would satisfy part b) of paragraph 155. As the proposal is not major development involving the provision of housing, part d) of paragraph 155, which requires the development to meet the 'Golden Rules', is not applicable. The matter in dispute is therefore whether the proposal would satisfy part c), which requires the development to be in a sustainable location, with particular reference to paragraphs 110 and 115 of the Framework.
13. The site is not isolated by virtue of its location close to other built development. Moreover, while it is beyond the confines of the main built-up part of the settlement, the distance to Chalfont St Giles is not excessive. The appellant suggests the facilities and services therein, which the Highway Sustainability Statement indicate include a public house, GP surgery, local shops, a school, and bus stop providing public transport links to larger settlements, could be reached by active transport modes including walking and cycling, and that occupiers of the residential properties near to the site often walk into Chalfont St Giles for their day-to-day needs.
14. However, while the route along Hill Farm Lane, between the site and Mill Lane is surfaced, and a public right of way, it comprises a narrow, single track rural lane, without a demarcated footway or streetlights. It also slopes upwards to the appeal site, which may be difficult to navigate and includes steep verges in part, that would fail to offer effective refuge for pedestrians if required to allow vehicles to pass. Thus, while this part of the route may be relatively lightly trafficked, given it is a private road, the nature of the route would be likely to deter pedestrian and cycling journeys, in the most part, to and from the village, particularly so in the evenings and during the winter months.
15. On balance, it is therefore unlikely that future occupiers of the dwellings would utilise sustainable transport modes, including walking and cycling, to access facilities and amenities in Chalfont St Giles and would therefore be largely reliant on the use of a car to serve their day-to-day needs. Furthermore, even if provision was to be made within the development for cycle parking and electric vehicle charging points, there is no mechanism to secure the use of such transport modes by future occupiers of the dwellings. That the proposed development would be

located near to existing dwellings does not address nor override the concerns I have outlined in relation to the high reliance of future occupiers of the dwellings on the private car to access services, facilities and public transport.

16. While paragraph 110 of the Framework recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, it also sets out that the planning system should actively manage patterns of growth in the interests of promoting sustainable transport. In addition, paragraph 115 of the Framework is clear that it should be ensured that sustainable transport modes are prioritised, and suitable access to the site can be achieved for all users.
17. In relation to identifying sustainable locations, the PPG sets out that, when making decisions regarding planning applications on grey belt land, authorities should ensure that the development would be in a sustainable location, and where grey belt land is not in a location that is, or can be made sustainable, development on this land is inappropriate. The PPG is clear that, whether locations are sustainable should be determined in light of local context and site or development-specific considerations. In the particular circumstances before me, as there appear to be very limited realistic alternatives to journeys by car to and from the site, in this case, the proposal would therefore fail to prioritise sustainable transport modes. Consequently, the proposed dwellings would not be in a sustainable location and would fail to satisfy part c) of paragraph 155 of the Framework.
18. A number of appeal decisions which were allowed have been referred to by the appellant, in which the Inspectors considered the proposal in the context of paragraph 110 of the Framework. In the case of Land adjoining Hydon Farm¹ the Inspector was satisfied the proposal would be in a sustainable location, given that the site was in close proximity to public footpaths that would encourage walking. Moreover, I note that at Broadheath Farm², the appeal site was located within a settlement, and while there were limited services and facilities, did not give rise to conflict with development plan policies relating to accessibility/sustainability.
19. At The Willows³, the Council did not raise any concern regarding the suitability of the site for housing development, having regard to access to services and facilities. Moreover, despite the lack of paved footpaths or street lighting, which the Inspector considered would be likely to discourage walking, there were bus stops nearby which would be relatively easy to access from the site which would provide access to some sustainable forms of transport. I note that in the case of the appeals at Land east of Woodcock Hill⁴ there was a Class Q fallback position for residential development at the site. In the appeal at Beacon Platt⁵, the Inspector considered that, given the site was reasonably served by public transport, it was not an unsustainable location. The Inspector at Field between 84 and 90 Rook Lane⁶ found that, given the proximity of the site to a primary school, a village hall, and a bus service, future occupiers would have a genuine choice of transport modes. Consequently, from the details before me, these cases are materially different to the appeal proposal.

¹ APP/R3650/W/24/3352222

² APP/R0660/W/24/3354674

³ APP/V1505/W/24/3345053

⁴ APP/M3645/W/24/3343193 & APP/M3645/W/24/3343194

⁵ APP/M3645/W/24/3339699

⁶ APP/M3645/W/24/3347815

20. I appreciate I have reached a different decision to that of the Inspector in relation to the appeal at Woodside House⁷, whereby, despite the fact that future occupants would be dependent on the use of a private car to meet their day-to-day needs, having regard to the context of its rural location, the proposal was found to be in a sustainable location. However, I have determined the appeal on its own merits, based on the evidence before me.
21. My attention is also drawn by the appellant to planning permission granted by the Council for the demolition of existing buildings and the erection of 3 dwellings close to the appeal site⁸. The Council's Delegated Decision report indicates that the scheme in that case differed from the appeal before me as, not only was the site PDL, but it was considered that the proposed development would lead to a reduction in vehicular movements overall. Reference is also made to planning permission granted by the Council for 5 dwellings on the northeastern edge of Chalfont St Giles, which it is suggested is in a remote location, with no direct access to pedestrian infrastructure and removed from the built-up area. Similarly, the planning history for that site indicates that the permission was granted on the basis that the proposal was for the demolition of existing buildings and redevelopment of the site. Accordingly, these developments are not directly comparable to the appeal proposal, and I therefore attribute them very limited weight.
22. Therefore, the proposal would constitute inappropriate development in the Green Belt and would conflict with the policies in the Framework which seek to protect Green Belt land and Policy GB2 of the CDLP. In addition, given my findings above, in relation to the location of the development, it would conflict with the aims of Policy CS26 of the Core Strategy for Chiltern District, adopted November 2011 (the CS), which expects development proposals to, among other things, provide safe, convenient and attractive access on foot and by cycle, making suitable connections with existing footways, public footpaths, bridleways, restricted byways and cycle ways, local facilities and public transport so as to maximise opportunities to use these modes. The Council's refusal reason also cites Policy TR2 of the CDLP, Policy CS25 of the CS and the Buckinghamshire Council Local Transport Plan 4 (adopted April 2016). However, it is unclear from its submissions as to how conflict with these policies would arise.

Openness

23. My assessment at this stage relates to the principle of the site for residential development, and does not include details such as height, massing, scale and design, which are to be considered at the technical details consent stage. Even if I were to accept the existing use of land for the parking of vehicles was lawful, the proposed dwellings would be likely to be significantly taller and of greater visual bulk than parked vehicles. They would also be more permanent in nature and would introduce built development, and associated domestic accoutrements, where there is currently none. In that regard the proposed development would diminish the openness of the Green Belt in spatial terms.
24. The appeal site is well contained visually due to the presence of the adjacent mature woodland and adjoining residential development and the existing development at Hill Farm Industrial Estate. As such, the effects of the proposed

⁷ APP/M3645/W/24/3347328

⁸ LPA Ref: PL/22/1491/FA

development on the visual openness of the Green Belt would be limited. Nonetheless, the Framework requires that substantial weight is given to any harm to the Green Belt.

Other considerations

25. The Council indicate that it is unable to demonstrate an adequate supply of housing land, with a current supply of 0.91 years. While 2 houses would not greatly increase total supply, the proposal would nevertheless make a valuable contribution towards housing supply having regard to the current supply position, which is well below Government expectations. This weighs heavily in favour of the scheme given the level of shortfall in the authority area.
26. The appellant contends that the appeal proposal would offer benefits in terms of the cessation of the existing ad hoc storage use of the land, which it is suggested is unsightly, and any unlawful uses taking place on the land. However, given the lack of certainty regarding the lawful use of the site, any suggested benefits in that regard are a matter of limited weight.
27. Notwithstanding the location of the site, in the absence of any compelling evidence that the land would constitute PDL, the appeal proposal would not benefit from the support offered by the Framework which encourages the use of PDL for homes.
28. As the Council is unable to demonstrate an adequate supply of housing land, paragraph 11d) of the Framework falls to be considered. Nevertheless, on the basis that the proposal would be inappropriate development in the Green Belt, policies in the Framework that protect areas or assets of particular importance provide a strong reason for refusing the development proposed. Thus, the proposal in this case does not benefit from the presumption in favour of sustainable development.

Green Belt Balance and Conclusion

29. For the foregoing reasons, the proposal would not meet the exceptions set out in the Framework regarding development on land comprising PDL in the Green Belt or development of homes on grey belt land and is therefore inappropriate development. The proposal would also harm the openness of the Green Belt and would not be in a sustainable location.
30. The other considerations in this case do not clearly outweigh the harm identified. Consequently, the very special circumstances necessary to justify the development do not exist. As such, the site is not suitable for residential development, having regard to its location, the proposed land use and the amount of development. The proposed development would therefore conflict with both the development plan as a whole, and policies in the Framework, in respect of protecting Green Belt land and promoting sustainable transport. There are no material considerations that indicate the appeal should be determined other than in accordance with the development plan.
31. I therefore conclude that the appeal should be dismissed.

E Worley

INSPECTOR