



Appeal Decision

Site visit made on 20 January 2026 by E Street BSc (Hons) MSc

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 February 2026

Appeal Ref: APP/K0425/W/25/3374665

Saddleback Farm, Lower Icknield Way, Longwick, Buckinghamshire HP27 9RL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by Mr J Colinswood against Buckinghamshire Council - West Area (Wycombe).
 - The application Ref is 25/06384/FUL.
 - The development proposed is described as the “erection of a remembrance chapel, with associated pathway and parking area in connection with the children’s memorial garden and foodbank.”
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Decision

1. The appeal is dismissed, and planning permission is refused.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Application for Costs

3. An application for costs was made by Mr J Colinswood against Buckinghamshire Council – West Area (Wycombe). This application is the subject of a separate decision.

Preliminary Matter

4. I have used the description of development from the application form. Given the extent of the difference between it and the appeal form, neither parties would be prejudiced. It has been clarified that the site address is as per the appeal form and is reflected above.

Main Issues

5. The main issues are a) the principle of the proposed development with specific regard to its location, b) the effect of the scheme on the character and appearance of the area c) whether or not biodiversity net gains can be achieved.

Reasons for the Recommendation

Principle of Development

6. Policy DM44 of the Wycombe District Local Plan 2019 (LP) refers to development in the countryside outside of the Green Belt, with a list of criteria with which the development should accord. The main parties agree that the site is located within

the countryside. However, the dispute lies in whether the development would support an existing rural enterprise or business located in the countryside, which is proportionate to the existing. A strategic policy of this nature is used to direct services and other uses to be within settlements. Whilst to support rural economy, the policy doesn't restrict alternative schemes in the open countryside out right.

7. The site was granted planning permission for the use of the land as a memorial garden through an enforcement appeal in 2024. It was acknowledged that the use would not fall within the prescribed list, however it was allowed, on the planning balance and the benefits it would bring. Therefore, the use of the land has now been established in its own right. The introduction of the chapel would seek to expand and support the memorial space.
8. It has been acknowledged that the proposal would not support a business due to the nature of the charitable trust, the associated foodbank and a lack of income generation. However, there is no evidence to suggest that the scheme is not an enterprise. Typically, an enterprise doesn't have to make any money and can be for an end goal or to provide a service/function for the benefit of people. Whilst a memorial garden and associated buildings generally are in more centrally located places, the land and use it would be associated with already has permission. It just happens to be in the countryside.
9. The Council contends that the chapel is not required to support the enterprise, but a place of reflection is generally found alongside a memorial garden, and it would allow a sheltered space for year-round remembrance. A building for remembrance would not conflict with the wider use of the memorial garden and would support its overall aims. The footprint of the building would be modest in terms of the memorial garden and its use and would resultantly be proportionate to the existing. Resultantly, principle of development would be acceptable. It would thus comply with Policies DM44 and DM35 of the LP and the National Planning Policy Framework (the Framework) which amongst other things seek to ensure that development is located in the correct places.

Character and Appearance

10. The appeal site is an open parcel of land which has been landscaped in such a way to form a memorial garden with paths running to the centre and a place for contemplation. The wider area is characterised by farm buildings, open fields and hedgerows with established planting giving an agrarian feel and a strong, high-quality sense of rurality. The surrounding buildings are modest in scale and are reflective of the wider character.
11. The proposed building is to be sited in the centre of the memorial garden and would be akin to a typical chapel. Whilst in footprint terms it would be proportionate to the use of the memorial garden, historically a chapel of this type would typically be found within a settlement with other buildings in close proximity. Resultantly it would be an unusual building type and design to be situated within an open field and surrounding agrarian buildings which would detract from important open countryside views. Moreover, the prevailing building type is agrarian in nature alongside which this alternative design would be visually different and obtrusive. Consequently, it would be prominent and unacceptably detracting from the well-established rural feel of the locality. Its set back from the highway and the hedgerows shielding the garden would not make the scheme acceptable.

12. The appellant has advised that an alternative location has been considered, but the separation from the cluster of existing buildings is functionally and aesthetically appropriate. However, I am not sufficiently convinced that there are no alternative ways in achieving the aims in a more sensitive way which would be representative of and sympathetic to the area. Moreover, whilst Policy DM35 does not explicitly state how buildings should be located, they should respond to the context which, as established above, the proposal would not.
13. With the above in mind, the proposal would cause unacceptable harm to the character and appearance of the area, as such, there would be conflict with Policies DM44 and DM35 of the LP and the Framework, Together, these seek to ensure that development proposals are of a high-quality design and standard.

Biodiversity Net Gain (BNG)

14. The Council state that the proposal fails to demonstrate how a net gain in biodiversity could be achieved. The appellants have provided a full BNG metric and supporting statement. The Council contend that there would be an on-site biodiversity net loss of 23.29% whereby the appellant has advised that the proposal would meet 10.9% in land within the applicant's ownership but outside of the application site.
15. The Council has raised concerns that the offsite arrangements have not been secured prior to the decision. However, the location of off-site gains are matters to be resolved. There has clearly been some work up front to establish the baseline situation and thus what a net gain might be both qualitatively and quantitatively. I am satisfied due to the small scale of development and the detail of implementing new trees to meet the net gain that a legal agreement to secure the provision can be done post decision during the discharge of/compliance with the biodiversity gain condition if required.
16. The absence of such at this stage, taking into account the above, would not sufficient grounds to resist the proposed development. In regard to this main issue. The proposals therefore have the capability to comply with Policy DM34 of the LP, The Councils Biodiversity Net Gain Supplementary Planning Document 2022 and the Framework, which amongst other things seeks to ensure new development provides net gains for biodiversity.

Planning Balance and Recommendation

17. The concerns raised by the appellant with regards to the Council's handling of the application are for the main parties to discuss outside of the appeal process.
18. The appeal scheme would give rise to harm to the character and appearance of the area. The harm would be localised, but wide ranging and long lasting in its influence. It would result in conflict with the development plan. I afford these matters substantial weight.
19. I am mindful of the level of local support for the chapel, and I agree that the principle thereof would be acceptable. It would support visitors in having a contemplative space and for bereaved families to use year-round despite weather conditions. This community benefit would attract moderate weight taking into account my findings above on alternative siting specifically. Important a function though it would serve, the weight afforded to the benefits of the scheme would be

insufficient to outweigh the harm to the character and appearance of the area. My findings against the other two main issues amount to a lack of harm which would be neutral in the balance.

20. I have therefore been given no other sufficiently compelling reason, taking into account other material considerations advanced, to recommend an outcome other than in accordance with the development plan. I therefore recommend that the appeal should be dismissed.

E Street

APPEAL PLANNING OFFICER

Inspector's Decision

21. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed, and planning permission is refused.

John Morrison

INSPECTOR