Planning Inspectorate

Appeal Decision

Site visit made on 12 February 2026

by S F Murphy BSc (Hons) MSc MRTPI MISEP CEnv.

an Inspector appointed by the Secretary of State

Decision date: 10 March 2026

Appeal Ref: APP/K0425/W/25/3376271
Bethel Methodist Church, 148 Marlow Bottom, Marlow Bottom, Buckinghamshire, SL7 3PP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr R Gascoyne against the decision of Buckinghamshire Council.
- The application Ref 25/05219/FUL.
- The development proposed is demolition of existing church and the erection of 2 no. semi-detached dwellings.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant submitted into the appeal a Daylight and Sunlight Assessment intended to address the third reason for refusal. The Council have been given the opportunity to comment on this document. Although the appeal process should not be used to evolve a scheme, I am satisfied that this assessment has not materially altered the proposal and that no interested party would be prejudiced if I took it into account. I have therefore considered it accordingly.

Main Issues

3. The main issues are:

- whether it has been demonstrated that the proposed development would be acceptable with respect to the loss of a community facility;
- the effect of the proposed development on the character and appearance of the surrounding area, including the visual quality of the Chilterns National Landscape (CNL) (formerly Area of Outstanding Natural Beauty (AONB));
- the effect of the proposed development on the living conditions of the occupants of numbers 146 and 150 Marlow Bottom with reference to outlook, privacy, sunlight and daylight;
- the effect of the proposed development on trees, with particular regard to off site trees; and
- the effect of the proposed development on highway safety, with particular regard to the provision of parking.

Reasons

Community facility

4. The appeal site comprises a vacant church, formerly occupied by Bethel Methodist Church. Retention of land or buildings that are in, or have been, occupied for community use is sought by Policy DM29 of the Wycombe District Local Plan adopted August 2019 (the Local Plan). This requires that land or buildings currently or last occupied for community use must be retained unless it has been clearly demonstrated through an exhaustive needs assessment that the land and/or buildings are surplus to any community needs. Paragraph 98 c) of the National Planning Policy Framework (the Framework) also seeks to guard against the unnecessary loss of valued community facilities, including places of worship, where this would reduce the community's ability to meet its day-to-day needs.

5. The appellant contends that the church closed in July 2023 following a decline in attendance making it difficult to sustain regular services and activities, following which there has been a sustained period of vacancy. No substantive evidence is before me of the length of duration this decline took place, what the decline would appear as in numbers and what congregation numbers would be required to sustain the place of worship prior to its closure. I note that the period of vacancy includes a period when the church was being marketed for sale alongside its subsequent purchase.

6. I also cannot identify evidence to confirm that for the marketing period the building was advertised as a community facility suitable for other community uses or that any investigation took place into community need within the area. Furthermore, whilst I note that information has been provided detailing why parties did not proceed with purchasing the property, it is unclear whether those parties intended on purchasing the property for a community use or another use. It is also unclear whether a range of terms were openly promoted and whether any guide price used reflected an agreed valuation for the building based on its community use.

7. The appellant has though provided information relating to the availability of other places of worship that are within walking and driving distance of the appeal site. The evidence details that youth programs and community events that were taking place at the appeal site have been relocated to Marlow Bottom Village Hall which is a 12 minute walk from the appeal site, and St Marys Church to which no distance is given.

8. However, whilst I note the presence of other places of worship alongside the village hall, there is very little evidence that an exhaustive needs assessment of the appeal site has taken place to demonstrate it is surplus to any community need, besides a place of worship, as required by Policy DM29 or for the provision of community facilities as required by paragraph 98 of the Framework.

9. My attention has been drawn to an appeal decision[1] within the same Local Plan area concerning the loss of an existing nursery for the erection of a pair of semi-detached dwellings. This appeal decision concluded that whilst it was purported that ample nursery facilities were available in the locality, no robust evidence was provided to indicate the nursery in question was surplus to requirements, that demand for its services had dwindled or that other nurseries in the locality had

[1] APP/K0425/W/24/3344804

available capacity to accommodate the needs of the appeal site nursery. As such, the Inspector for that decision concluded the loss of the nursery was not justified. Given my conclusion above, I find the conclusion drawn that the proposed loss of the nursery conflicted with Policy DM29 is comparable to this proposal.

10. Therefore, I consider that the evidence before me does not adequately address the requirements set out in Policy DM29 of the Local Plan to demonstrate the appeal site is surplus to any community need and, as such, the proposal conflicts with Policy DM29 which seeks to safeguard community facilities which play an important role within the community. The proposal would also conflict with paragraph 98 of the Framework which seeks to positively plan for the provision of community facilities and guarding against their unnecessary loss.

Character and appearance including the Chilterns National Landscape

11. The appeal site is located within the CNL and I am mindful of my statutory duties to conserve and enhance the natural beauty of the area. Paragraph 189 of the Framework places great weight on the conservation and enhancement of the landscape and scenic beauty in National Landscapes requiring development within such areas to be limited. Policy DM30 of the Local Plan requires development proposals to deliver the highest quality design which respects the natural beauty and enhances a sense of place and local character.

12. The village of Marlow Bottom is a residential area with varying housing styles, sizing and massing with differing gaps between dwellings that provide access to the rear gardens. This is reflected in the housing immediately surrounding the appeal site located on the road also named Marlow Bottom where predominantly dwellings are detached and single or two storeys high. The land rises away from the highway such that driveways and dwellings are at a higher elevation than Marlow Bottom. Whilst there is no distinct style of housing, the rhythm of this part of Marlow Bottom includes dwellings in modest sized plots set back from the highway with boundaries demarcated by hedges, singular trees or low walls which positively contribute to the appearance of the street. Although semi-detached dwellings are not the predominant housing style, there are semi-detached dwellings on Marlow Bottom, including No 146.

13. The appeal property is set back some considerable distance from the highway with hardstanding to the front to provide carparking spaces and to the side to provide access to the rear of the church building. It is positioned between existing residential development with two storey dwellings to either side and to its rear. The front part of the church has a pitched roof whereas the rear parts of the building have a flat roof. There is a small rear garden with steep topography.

14. The proposed development would introduce a pair of semi-detached dwellings four storeys high in a townhouse style with dormers to the front elevation on the fourth floor. Due to the topography of the land, the rear elevation would appear as three storeys due to the ground floor being positioned lower than the surrounding land.

15. Notwithstanding that the front and rear building lines would be similar to other dwellings located on the northern side of Marlow Bottom, due to the proposed height and massing of the dwellings, they would introduce a new discordant built form in the street scene. Whilst I noted a limited number of dwellings on Marlow Bottom were three storeys in height, the windows in the third storeys were skylights providing a recessive characteristic. In contrast, the proposed dormer

windows in the fourth storey of the proposed development would add bulk and the eye would be unacceptably drawn to its prominence.

16. The proposed dwellings would take up much of the width of the existing plot. This would give an impression of the dwellings being squeezed in and dominance in the street scene. The appellant has drawn my attention to other dwellings on Marlow Bottom that are set in narrow plots. However, those plots are two storey dwellings of a similar height and massing to surrounding dwellings and sit comfortably within their plots.

17. The limited existing vegetation and any proposed landscaping scheme along the frontage of the appeal site would not adequately screen or soften the proposal and in any case such features are not permanent and may change over time.

18. For these reasons, I conclude the proposed pair of four storey semi-detached dwellings would be a highly prominent, incompatible and visually obtrusive feature in the street scene and would be out of character with the spacious, lower-level surrounding dwellings on the street. It would create a discernible departure from the prevailing character of the street scene and would be significantly harmful to the character and appearance of the immediate area and would not conserve and enhance the natural beauty and visual qualities of the CNL. Consequently, in this regard, it would conflict with Policies DM30 and DM35 of the Local Plan which require development proposals to achieve high quality design respecting the character and appearance of the surrounding area with conserving and enhancing the natural beauty of the CNL. The proposed development would also conflict with paragraph 135 of the Framework which seeks development proposals that are sympathetic to local character including the surrounding built environment.

Living conditions of neighbouring occupiers

19. The proposed dwellings would be set back a small distance from the common boundary with Nos 146 and with 150. The proposed dwellings rear elevation would project further back than the building line of No 146. Whereas, for the front elevation it would project further forward than No 150 particularly given that No 150 is L shaped with the shorter elevation closer to the appeal site. Whilst the topography of the land has been used, there would remain a substantial block of development with a considerable overall height above the existing chapel building and above both Nos 146 and 150. This would unacceptably dominate the outlook from the rear facing windows of No 146 and the side facing windows of No 150 alongside the rear amenity space. I consider this would be overwhelming causing significant harm to the outlook for the neighbours at Nos 146 and 150.

20. For sunlight and daylight, I consider there would be an impact, albeit transient and temporary at points during the calendar year and times of day. However, I do not accept that there would be such a loss of sunlight/ daylight into habitable rooms of nearby dwellings that the proposed development would result in a significant impact, including the east facing windows of No 150.

21. The separation distances between the proposed development and properties to the rear of the appeal site located on Hazel Close are such that I have no concerns with regards to overlooking or privacy with views from the north eastern elevations of the new houses. There would be side windows to the proposed development for the landing. To avoid overlooking, a condition could be imposed requiring the windows to have obscured glass. For the large rear windows that

would serve the lounge and bedroom, whilst there would be overlooking from these down into the gardens of 146 and 152, this would be in a similar way to that which currently exists between neighbours and in a manner where 2 – 3 storey dwellings that are approximate side by side.

22. Notwithstanding that the development would be acceptable in terms of its effects on sunlight, daylight and privacy, due to the scale and massing of the proposed development, I conclude that the proposal would have a significant overbearing impact on Nos 146 and 150 Marlow Bottom. This would result in harm to outlook conflicting with Policy DM35 of the Local Plan which requires development to preserve the amenities of neighbouring properties and paragraph 135 f) of the Framework which seeks a high standard of amenity for existing and future users.

Trees

23. Eleven trees have been identified within the appellants Arboricultural Impact Assessment (AIA) as being within and adjoining the appeal site. Of the 11 trees, 10 of these are classified as Category C (young trees or of a low quality, in adequate condition with a life expectancy of at least 10 years) with four of these identified to be removed, all located on the appeal site. One tree (T1) is classified as Category B (trees of moderate quality with estimated life expectancy of at least 20 years) being an oak tree located on neighbouring land to the front of No 146. T1 stands close to the common boundary line and its well-developed canopy and root protection area (RPA) would extend over the parking area for Plot 2.

24. To facilitate the proposed development, there would be some loss to the existing vegetated space to the front of the appeal site through the extension of the hard surface area. The AIA states this extension would be a 5% incursion into the RPA of tree T1. There would also be an incursion of 7% into the RPA of tree T2 through the creation of a patio area and construction of cycle storage in Plot 2. The AIA states that such incursions are within the tolerance limits set out within BS5837:2012.

25. Concern is raised that damage to tree roots for tree T1 from the proposed development could lead to ill health in the tree leading to a loss of its canopy and thereby lessening the positive impact on the street scene that the tree currently has as it is a prominent feature.

26. I acknowledge that there is much hard surfacing already surrounding tree T1 over its RPA for both the appeal site and No 146. However, extending the hard surfacing would be a cumulative incursion into the RPA which should be avoided. This would be worsened given the very limited area of unsurfaced ground within the RPA in the appeal site and that two gate piers are proposed to be constructed within the RPA. I have noted the AIA proposes works within the RPA would be carried out using hand tools with some limited mechanical excavation. However, I am not satisfied that the proposed extension to the permanent hard surfacing is essential to outweigh the harm to tree T1.

27. The incursion to tree T2 would be on the periphery of its canopy which is an area already covered by hard standing. Much of the area beneath the canopy of tree T2 is to become garden. No evidence has been provided as to the installation of the cycle storage however such details could be the subject of a condition to ensure the protection of tree roots. Given the categorisation of T2 and that much

of the area beneath its canopy would become garden, I am satisfied that harm to this tree would not be likely.

28. The Council has found no unacceptable harm in respect of the works to the remaining trees both on and close to the appeal site and the evidence does not lead me to a different conclusion.

29. Nevertheless, I conclude that overall, the proposed development would have a harmful effect on tree T1 due to the cumulative increase in permanent hard surfacing area proposed at the appeal site within its RPA. This would likely result in increased pressure to the RPA thereby undermining its long-term retention. Given its position in the street scene, any loss would be notable on the character of the area. The proposed development would conflict with Policies DM34 and DM25 of the Local Plan which together seek a high quality and appropriate character in the design of development proposals for the spaces around them.

Highways and parking

30. The proposed development would provide garage car parking on the ground floor with additional parking for two cars in tandem on the driveway for each dwelling. Policy DM33 of the Local Plan requires new development to provide sufficient parking to meet the needs of future occupants and to ensure there would be no significant adverse impact from overspill parking.

31. Both parties have referred to the Buckinghamshire Countywide Parking Guidance 2022 which sets out the necessary parking provision for new development. The appeal site is located within Zone C (low population). The carparking provision required in Zone C is categorised as three parking spaces for six habitable rooms or three bedrooms, three parking spaces for seven habitable rooms or four bedrooms; and four car parking spaces for eight or more habitable rooms or five bedrooms. Furthermore, the appeal site is in an accessible location with bus stops and a footpath with facilities and services including a school and shops close to the site. As such, this is a location which could support lower levels of car ownership and consequently lower parking demand.

32. The Council's main concern is with regards to public and highway safety on account of a lack of a fourth carparking space alongside manoeuvring of vehicles within the site which could lead to additional on-street parking. However, based on the submitted plans, I only identify seven habitable rooms for a pair of three-bed semi-detached dwellings. This would require three parking spaces for compliance with the guidance, and this is shown on the submitted plans.

33. With regard to manoeuvrability of vehicles within the appeal site, I noted on my site visit several other dwellings where on site carparking was taking place in tandem or with a narrow driveway. As such vehicles using the appeal site would manoeuvre in a similar manner to what currently exists at other dwellings on Marlow Bottom.

34. I therefore conclude that the proposal would provide sufficient on-site parking and would not result in an increased risk to highway safety. Therefore, the proposal accords with policy DM33 of the Local Plan alongside the Buckinghamshire Council Local Transport Plan 4 adopted April 2016 and the Buckinghamshire Council Highways Development Management Guidance adopted July 2018 which

collectively seek to ensure new developments provide appropriate car parking in the right places to ensure no significant adverse impacts from overspill parking.

Other Matters

35. The appellant has highlighted that an Inspector can initiate an award of costs within their submitted evidence. However, in this case, I do not have any substantive evidence that unreasonable behaviour has resulted in unnecessary or wasted expense at the appeal stage.

36. The appellant has also brought to my attention an appeal decision[2] which they state demonstrates support for the provision of a single dwelling in circumstances where there is a shortfall of deliverable housing. Whilst I recognise the weight afforded in that decision to the supply of new homes where there is a shortfall alongside the creation of jobs, that decision found the identified harms did not significantly and demonstrably outweigh these benefits. Having regard to my findings above, the circumstances of the other appeal are not directly comparable and in any event, I have determined this appeal on its own merits. I return to this below.

Planning Balance

37. The most recent five-year housing supply statement outlines that the Council have a supply of deliverable housing land equivalent to 1.96 years which is a considerable shortfall. The appellant has brought the Written Ministerial Statement dated December 2024 to my attention and I have had regard to this.

38. Paragraph 11 d) of the Framework explains in such situations planning permission should be granted unless the application of policies that protect areas or assets of particular importance set out in footnote 7, provides a strong reason for refusing the development proposed. A National Landscape is listed within footnote 7 and as such, the tilted balance is not engaged.

39. The Framework at paragraph 73 recognises that small and medium sized sites can make an important contribution and are often built out relatively quickly. The Framework further supports the development of windfalls sites and of under-utilised land with great weight to be given to the benefits of using suitable sites within existing settlements for homes and substantial weight to the value of using suitable brownfield land for that purpose. Given the scale of the scheme, there would be some modest social and economic benefits during the period of construction and following their occupation. The appeal site is previously developed land as defined by the Framework and is in a residential area within walking distance of services and facilities. The proposed development would also conform with Building Regulations with regards to energy savings and water usage. These considerations weigh in favour of the proposal.

40. I have found the proposal to be acceptable in respect of highways, and I afford this matter neutral weight.

41. However, I have concluded that the effect on the character and appearance of the local area, on the outlook of neighbours and the effect on tree T1 would result in significant harm. I have further concluded that inadequate evidence has been

[2] APP/H1705/W/25/3365525

presented to demonstrate the community facility is no longer required. These are the prevailing issues.

42. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it.

Conclusion

43. For the reasons given above the appeal should be dismissed.

S F Murphy

INSPECTOR