Planning Inspectorate

Appeal Decision

Site visit made on 13 October 2026

by Chris Preston BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 November 2026

Appeal Ref: APP/N0410/C/25/3375197
Stowe Farm, Seymour Court Road, MARLOW, SL7 3BX

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
- The appeal is made by The Collection GB against an enforcement notice issued by Buckinghamshire Council - South Area (South Bucks).
- The notice was issued on 18 September 2025.
- The breach of planning control as alleged in the notice is: Without planning permission, a material change of use of the land to a (sui generis) mixed use, comprising:
  Residential, agricultural, equestrian, AND vehicle sales, the commercial parking of vehicles.
- The requirements of the notice are to:
  (1) Cease the use of the Land for vehicle sales;
  (2) Cease the use of the Land for the commercial parking of vehicles;
  (3) Remove all equipment, paraphernalia and vehicles brought onto the Land in connection with the unauthorised mixed use, from the Land; and
  (4) Remove from the Land all materials and debris resulting from complying with steps (1) to (3) of this notice.
- The period for compliance with the requirements is four months from the date the notice takes effect.
- The appeal is proceeding on the ground set out in section 174(2)(a) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.

Decision

1. The appeal is allowed, the enforcement notice is quashed and planning permission is granted on the application deemed to have been made under section 177(5) of the 1990 Act (as amended) for the development already carried out, namely the material change of use of the land to a (sui generis) mixed use, comprising residential, agricultural, equestrian, AND vehicle sales and the commercial parking of vehicles at Stowe Farm, Seymour Court Road, MARLOW, SL7 3BX as shown on the plan attached to the notice and subject to the following conditions:

   1) The car sales and commercial parking and storage of vehicles shall only take place within the existing buildings (other than the covered structure within the paddock to the north of the manage which is not part of the development approved by this permission) and manege area.

   2) Customer visits to the car sales and storage use shall only take place between the hours of 08:30-18:00 Monday to Friday, 09:00-16:00 Saturday; and not at all on Sundays or Bank Holidays.

Procedural Matters

2. Following my accompanied site visit a revised version of the National Planning Policy Framework (the Framework) was issued by the Government. The parties have been given the opportunity to comment on the implications of any changes to

the Framework in respect of the appeal and I have taken those comments into account in reaching my decision.

3. At my site visit I noted that a covered structure has been erected in one of the paddocks, just to the north of the manege. That structure was used to house boats which, from what I was told, were the left over stock from a boat sales business which has since ceased trading. That business was distinct from the car sales business which forms part of the mixed use alleged in the current enforcement notice (EN). Furthermore, the EN relates purely to a material change of use, as opposed to operational development.

4. As such, my decision makes no comment on the lawfulness, or otherwise, of the structure in question. The erection of the building does not form part of the deemed application for planning permission in relation to the current proceedings, under s177(5) of the Act. In other words, any decision to grant permission in respect of the appeal on ground (a) does not relate to the construction or use of the building in question.

The Appeal on Ground (a)

5. The appeal was made under Ground (a) alone. Based on the stated reasons for issuing the EN, the main issue in the determination of the appeal is whether the development amounts to inappropriate development within the Green Belt (GB) and, if so, whether very special circumstances exist to justify a grant of permission.

Whether Inappropriate Development within the Green Belt

6. The appeal site is situated within the GB where policy DM42 of the Wycombe District Local Plan (2019) (the Local Plan) applies. Subject to certain clarifications that policy essentially defers to the policies of the National Planning Policy Framework (the Framework) which states that development within the GB is inappropriate unless it meets one or more of a specified number of exceptions. Those exceptions are set out at paragraph GB7.

7. A number of former stable buildings have been converted for use in connection with the luxury car sales business which forms part of the mixed use of the site as a whole. That includes office space and small workshops for car repairs and general storage. Cars, which are advertised for sale online, are also stored in the open on the former manege.

8. Paragraph 1(b) of policy GB7 allows for the re-use of an existing building providing that it is of permanent and substantial construction and is lawful in planning terms. The former stables would meet those criteria and their re-use would fall within the scope of that part of policy GB7.

9. Under paragraph 1(e) of GB7, the redevelopment of previously developed land is not inappropriate providing it would not cause substantial harm to the openness of the GB. The manege would constitute previously developed land amounting to operational development and/or an engineering operation for which planning permission was previously granted. Given that a material change of use constitutes “development” in planning terms, the use of the manege for the purpose of car sales and the parking of cars associated with that use can be considered to fall within the term “redevelopment” in my view.

10. As evidenced by the photographs provided and what I was able to witness at my site visit, quite a number of cars are parked on the manege and those do have some impact on the openness of the GB in spatial terms. However, the former use of the manege would not have been completely open, with the horses themselves, associated vehicles, jumps or other equipment.

11. Furthermore, in visual terms, the manege is entirely enclosed from and public viewpoints. One cannot see it from the road to the front and I was unable to see it or the cars parked on it from the public bridleway to the rear of the site, despite making concerted efforts to do so. Putting the spatial and visual aspects together the impact on the openness of the GB is moderate at most and most certainly could not be considered as substantial.

12. The remainder of the land is largely unaffected, remaining in use as paddocks, with the exception of the covered structure which falls outside the scope of the EN. In technical terms the EN alleges a material change of use across the entirety of the land. Under paragraph 1(f)(iii) of policy GB7 the material change of use of land is not inappropriate providing that the impact on the openness of the GB is minimised and that there would be no significant conflict with the purposes of the GB.

13. Given the limited alteration or change in respect of the area outwith the buildings and manege, the effect on openness is minimised and there is no conflict with the purposes of the GB resulting from the MCU across the land as a whole. To ensure that would remain the case, a condition could be imposed, as suggested by the Council, to restrict any car sales and the associated storage/ parking of cars to the buildings and manege area.

14. Accordingly, I am satisfied that the material change of use that has taken place is not inappropriate, having regard to the terms of paragraphs 1(b), 1(e) and 1(f)(iii) of policy GB7.

15. I note that the Council accept that the land can be considered to fall within the definition of Grey Belt. However, little information is presented to indicate that there is an unmet need for the development in question, nor in relation to sustainable transport options. As such, I could not conclude that the development would meet the terms of paragraph 1(g) of policy GB7.

16. However, that does not alter my conclusion in respect of compliance with paragraphs 1(b), (e) & (f)(iii). For all of those reasons, when viewed holistically, I am satisfied that the material change of use that has taken place of the land and buildings does not amount to inappropriate development, as defined by policy GB7 of the Framework. Given that policy DM42 of the Local Plan largely defers to the Framework in respect of what constitutes inappropriate development, I am satisfied that the development complies with the aims of that policy.

Other Matters

17. The Council's reason for issuing the EN related to the effect on the GB and its view that the MCU amounted to inappropriate development. No other reasons were given. In the course of discussing whether the development met the terms of paragraph 1(g) of policy GB7 the Council did raise the issue that the site is not well served by public transport such that it is within an unsustainable location in respect

of modes of travel. No specific policy of the Local Plan has been referred to by the Council in that respect.

18. That issue has been raised again in respect of the revised policies of the Framework. In particular, the Council has referred to the headline objective of Section 4 of the Framework which is to encourage sustainable patterns of development by maximising the use of suitable land within settlements, enabling development that will support the rural economy and limiting development away from settlements to help safeguard the intrinsic character and beauty of the countryside.

19. It is the case that the site is outside of the settlement of Marlow but it is close to the edge of the town, with only a single field separating it from the built up area. In addition, the nature of the business, selling luxury cars, is such that customers are likely to travel from distance for specific vehicles. That would be the same if the business was located in a town or otherwise. Customers are unlikely to be contained entirely within Marlow or its immediate environs. Thus, even if the site was within the confines of the town vehicular trips from further afield would be highly likely.

20. The intensity of the use is also low-key. Visits to view cars are by appointment only. There is no external signage and the entrance is gated such that people can only access with the arrangement of the appellant. It seems probable that would remain the case given that the site is still also used for residential purposes such that the appellant is unlikely to want large volumes of traffic passing the house.

21. He estimates that around 4 vehicles a day visit the site in association with the car sales business and I have no reason to doubt that figure. Consequently, the trip generation is limited. The Framework does not seek to exclude all development from rural areas. Policy TR3 states that development proposals which could generate significant amounts of movement should be in locations that are sustainable. The level of traffic in this instance is not significant and I am satisfied that the location is acceptable, given the nature of the use and likely travel patterns.

22. The enforcement notice does not allege any harm to the character and appearance of the area, including the Chilterns National Landscape. Given that the MCU has had no visual effect beyond the boundaries of the site, which is extremely well-screened within the landscape, I am satisfied that there is no harm in that respect. The development will add to the rural economy in terms of employment and associated economic benefits, albeit that the impact is modest, commensurate with the small scale of the business.

23. Putting all of that together, I find no conflict with the over-arching objectives of Section 4 of the Framework. I also note that Policy S5, which relates to the approach to developments outside of settlements, does not apply to development within the GB, by virtue of paragraph 5 of that policy. Moreover, in line with that paragraph, where development is not inappropriate within the GB it should be approved unless the benefits of doing so would be substantially outweighed by the adverse effects, when assessed against the policies of the Framework, and applying paragraph 2 of policy SP5.

Conditions

24. The Council has put forward two conditions in the event that the appeal is allowed. For the reasons set out above, I am satisfied that a condition to prevent the parking and/or storage of vehicles, other than within the existing buildings and manege area, is necessary to make the development acceptable in planning terms. Also, in the interests of the living conditions of residents living nearby I am satisfied that the suggested condition to limit the operating hours of customer visits to the car sales business is necessary.

Conclusion

25. For the reasons given above, I am satisfied that the development does not amount to inappropriate development within the GB. It complies with relevant local and national planning policies in that respect. In such circumstances it is not necessary for the appellant to demonstrate very special circumstances to justify the development.

26. In the absence of any other harm and having regard to the modest economic benefits arising, the development complies with the policies of the development plan and no material considerations have been presented to indicate a decision other than in accordance with that plan. In those circumstances, Policy S3(1)(c) of the Framework indicates that the development should be approved without delay. Paragraph 5 of Policy S5 of the Framework also indicates that development should be approved, given that the benefits of doing so are not significantly outweighed by any adverse effects.

27. It follows that the appeal shall succeed on ground (a) and I shall grant planning permission for the use, as described in the notice, subject to the conditions set out above. The enforcement notice will be quashed.

Chris Preston

INSPECTOR