



Appeal Decision

Site visit made on 19 May 2026

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

an Inspector appointed by the Secretary of State

Decision date: 10 June 2026

Appeal Ref: 6003842

Lambcroft Nursery, Narcot Lane, Chalfont St Giles, Buckinghamshire HP8 4DU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Ralph Salmon on behalf of St Congar Homes Limited against the decision of Buckinghamshire Council.
 - The application Ref is PL/25/0862/OA.
 - The development proposed is described as 'Outline application with all matters reserved except for access for the demolition of existing structures and the erection of up to 18 dwellings and associated infrastructure and landscaping'.
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Decision

1. The appeal is allowed and planning permission is granted for outline application with all matters reserved except for access for the demolition of existing structures and the erection of up to 18 dwellings and associated infrastructure and landscaping at Lambcroft Nursery, Narcot Lane, Chalfont St Giles, Buckinghamshire HP8 4DU in accordance with the terms of the application, Ref PL/25/0862/OA, subject to the conditions in the attached schedule.

Preliminary Matter

2. The application sought outline planning permission, with all matters apart from access reserved for subsequent approval. Therefore, I have treated the drawings showing the layout and appearance of the development as indicative only.

Main Issue

3. The main issue is 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.

Reasons

Whether inappropriate development

4. The appeal site comprises a rectangular parcel of land fronting Narcot Lane. It lies at the end of a row of residential properties and adjoins agricultural land to the rear and side boundaries. The land was formerly used as a nursery and includes areas of hardstanding, dilapidated greenhouses, sheds and storage structures, alongside various paraphernalia and materials associated with the previous use. The site is largely contained by a boundary hedge, and there are several trees within the site and to the boundaries.

5. 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.
6. Saved Policy GB2 of the Chiltern District Local Plan, adopted September 1997 (LP) 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 departs from 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.
7. Paragraph 155 of the Framework sets out that the development of homes, commercial and other development in the Green Belt should not be regarded as inappropriate where all the criteria listed are met. The first being that the development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. Grey belt is defined in the Framework as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143.
8. The Statement of Common Ground submitted as part of the appeal, confirms that the parties agree that the development would utilise grey belt land. Moreover, the Council indicate that the development would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. Based on the evidence before me and given my observations on site, I have no reason to disagree. Accordingly, the proposal would meet part a. of paragraph 155.
9. The Parish Council disagree with this position, based on the contention that Chalfont St Giles would constitute a large built-up area for the purposes of grey belt, and therefore an assessment of the contribution the site makes to purposes (a) (b) and (d) is required. However, Planning Practice Guidance (PPG) is clear that purposes (a) (b) and (d) relate to large built-up areas and towns and that villages should not be considered large built-up areas. While types of settlements may be described in different ways in the Buckinghamshire Settlement Review (May 2025) this does not itself demonstrate that Chalfont St Giles is not a village. Moreover, in the Neighbourhood Plan for Chalfont St Giles Parish 2014-2036 (NP) it is described by the Parish Council as 'Chalfont St Giles Village'. I am therefore satisfied that purposes (a), (b) and (d) are not engaged on account of Chalfont St Giles being a village and not comprising a large built-up area or town, for the purposes of paragraph 156 of the Framework.
10. The Council is currently unable to demonstrate a 5 year supply of housing land. As there is a demonstrable unmet need for the type of development proposed, the proposal would satisfy part b. of paragraph 155. Therefore, relevant to this appeal are the criteria set out at paragraphs 155 c. and d. of the Framework.

11. Part c. requires the development to be in a sustainable location. With particular reference to paragraphs 110 and 115 of the Framework, which seek to direct development to locations which limit the need to travel and offer a genuine choice of transport modes, prioritising sustainable transport, and safe access for all users.
12. My attention is drawn to guidance within the National Model Design Code (NMDC) which sets out that access to public transport is key to providing people with choice for everyday journeys beyond the immediate neighbourhood, such as to town centres, schools and employment locations, to reduce reliance on the private car. Further, it indicates that a site or location has good public transport accessibility when dwellings have a public transport stop within walking distance, and that generally, people are prepared to walk further to a railway station or tram stop (10 minutes) than to a bus stop (5 minutes).
13. The nearest railway stations at Seer Green and Jordans and Gerrards Cross are far in excess of the suggested 10 minute walking distance. The appeal submissions indicate that the nearest bus stops to the site at the Three Households/Narcot Lane junction are between 600-750m from the site. In addition to the school service, these stops are served by the 104 bus service, which would enable journeys to Beaconsfield, Seer Green, Uxbridge, Chalfont St Peter and Gerrards Cross, including the rail stations at Seer Green and Jordans and Gerrards Cross. The service operates hourly Monday to Saturday until the early evening and 2 hourly on a Sunday. Despite the limited evening and Sunday services, this would provide a reasonably regular service to larger settlements, and the opportunity to access employment as well as a broad range of shops and services by public transport. Other services including the 106 and 107 operate to Slough and Amersham, however the bus stops are a greater distance from the site.
14. The journey by foot to the nearest bus stops would exceed the suggested 5 minutes people are prepared to travel on foot to a bus stop identified in the NMDC. It would also be greater than the distances recommended in the Active Travel England Standing Advice which sets out that most buildings within the site should be within 400m of a high-frequency bus stop or 800m of a rail/light station or tram stop, with appropriate facilities. Nonetheless, it would not take significantly longer than 5 minutes to walk to the bus stops, which are within a reasonable distance of the site. Moreover, the route along Narcot Lane between the site and the bus stops is direct, comprising a dedicated pavement adjacent to the highway, and therefore would be safe and convenient for users. Indeed, I noted at my site visit there were several people walking along Narcot Lane between the area where the bus stop and other amenities including the public house and shop are located, towards and beyond the appeal site.
15. Taking these factors into account, given the distance to the bus stops is not excessive and the range of destinations that could be accessed, as well as connections to nearby railway stations, the use of public transport to access employment and services in the wider area is likely to be appealing in this case. Consequently, due to the availability and relatively ease of access to public transport, together with the provision of facilities within the village including schools, shops and a surgery, which could also be reached on foot or by bicycle from the proposed dwellings, occupiers of the development would not be wholly reliant on the private car to access day-to-day services and amenities. Overall, while it is inevitable that some residents would choose to travel by private car, for personal

reasons or in poor weather or during winter months, public transport would nonetheless remain a viable option.

16. Thus, given the range of sustainable transport options by which residents could meet their day-to-day needs, the proposed development would offer a genuine choice of transport modes and would therefore be in a sustainable location, with particular reference to paragraphs 110 and 115 of the Framework. It would satisfy the requirements of paragraph 155 c.
17. In addition, as the proposal is for major development involving the provision of housing, it must meet the 'Golden Rules' set out in paragraph 156 of the Framework. While the first rule would be met, the Council contend that the proposed development does not meet the remaining golden rules.
18. Golden Rule b. requires contributions towards necessary improvements to local or national infrastructure. In addition to Community Infrastructure Levy contributions, the appeal scheme would deliver necessary improvements to local infrastructure through planning obligations. The completed legal agreement submitted as part of the appeal would secure a healthcare contribution of £16,991, which is necessary to meet a need to increase capacity at Misbourne Surgery. The need was identified and the figure calculated by the Integrated Care Board, based on the increase in floorspace required to serve the projected population increase. There is no particular evidence that this amount would not be sufficient to provide the necessary GP services to accommodate the additional residents, or that there is an unmet need elsewhere at an alternative surgery that should be provided for.
19. Thames Water indicate that upgrades are required to the foul water network to ensure adequate capacity is available to serve the development. It has not been shown to be the appellant's responsibility to contribute directly towards the necessary improvements, nevertheless, subject to the imposition of a suitable planning condition, occupation of the dwelling could be prohibited until the necessary infrastructure is available. While I note the Council's concern regarding the lack of contributions towards increasing capacity at local schools, the Council has not identified insufficient capacity within local schools to accommodate the increase in school age population to demonstrate that a contribution is necessary in that regard. I am therefore satisfied that the appeal scheme would provide for necessary improvements to local infrastructure and would comply with the second golden rule.
20. Golden rule c. requires the provision of new, or improvements to existing, green spaces that are accessible to the public. New residents should be able to access good quality green spaces within a short walk of their home, whether through onsite provision or through access to offsite spaces. The proposal would provide an area of public open space as set out in the submitted illustrative masterplan, including a Local Area of Play (LAP), to be secured through the section 106 legal agreement. The new landscaped area of green space would therefore be accessible to the public, within a very short distance from the new homes and would therefore meet the locational requirements set out in this criterion. Consequently, I am satisfied that the proposal would meet this golden rule requirement.
21. For the foregoing reasons, the proposal would comply with the golden rules set out in paragraph 156 and would not constitute inappropriate development in the Green Belt. Therefore, it is not necessary to consider the effect of the proposal on Green

Belt openness or purposes or demonstrate that very special circumstances exist. The Framework is clear that development which complies with the golden rules should be given significant weight in favour of the grant of permission.

22. The proposal would fail to accord with Policy GB2 of the LP as it would not constitute one of the exceptions to inappropriate development listed therein. However, given that Policy GB2 is not fully consistent with the approach of the Framework in relation to the Green Belt, I attribute greater weight to the compliance with the Framework in this case, which would outweigh this conflict.

Planning obligation

23. A signed and dated agreement under Section 106 of the Town and Country Planning Act 1990 has been submitted which provides for various obligations. It would secure 50% of the residential units as affordable housing, a healthcare contribution as set out above, the provision of on-site public open space, to include a LAP and future management and maintenance of the site by a management company. Having regard to the evidence before me, I am satisfied that the planning obligations are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind to the development. As such, they would meet the tests set out in paragraph 58 of the Framework and Regulation 122 of the CIL Regulations.

Other Matters

24. I am mindful of concern expressed by interested parties regarding flooding in the locality, and comments made by the Lead Local Flood Authority in relation to the submitted surface water drainage scheme. However, there is no compelling evidence that the proposal would exacerbate flooding in the area, including flooding of the existing highway, subject to a suitable planning condition to ensure the provision of an appropriate drainage system to serve the development, informed by site specific infiltration rate testing, comes forward as part of a reserved matters application.
25. The Highway Authority has raised no objection to the proposal in principle on highway safety grounds, having regard to the capacity of the local highway network and visibility at the access to the site from Narcot Lane, which is also used by pedestrians, cyclists and horse riders. While I note the purported benefits of an alternative access arrangement, I must assess the proposal on the basis of the information before me.
26. The proposed layout of the development is not before me at this outline stage. However, there is no compelling reason why a detailed layout could not come forward in a manner that responds positively to the site context, having regard to the character and appearance of the area.
27. The appeal submissions indicate that the site lies within the Amber risk zone for Great Crested Newts (GCN) where there is highly suitable/suitable habitat and GCNs are likely to be present. Guidance from Natural England is clear that evidence should be provided to either demonstrate that a proposal poses no risk to GCNs, or an assessment of the risk to GCNs and set out any measures proposed to safeguard against significant risks and compensate for any impacts, including through licencing. Subject to conditions to ensure the development is carried out in

accordance with the district licencing scheme, the Council indicate that it is satisfied that adverse impacts on GCNs would be suitably addressed, having regard to the regulations. Based on the evidence before me, I have no reason to reach a different conclusion.

28. In addition, the Council is satisfied that, in light of the findings set out in the submitted Preliminary Ecological Assessment Report, and providing the development is carried out in accordance with conditions to secure on-site habitat creation, ecological enhancement measures, a sensitive lighting and a Construction Environmental Management Plan to safeguard protected and priority species that may be found on site during construction works, the proposal would not have an adverse effect on ecology.
29. Given the overall scale and residential nature of the development, and subject to the details at reserved matters stage, there is no particular evidence that either the type or level of activity would be particularly harmful in terms of noise and disturbance or excessive levels of light from vehicles. Moreover, there is no compelling evidence that the proposed development would lead to a loss of agricultural land that would have a tangible effect on food production generally, that it would affect water pressure in the area, overhead power supply or Wi-Fi or lead to unacceptable levels of pollution.
30. Concern has also been raised about the development's impact on the mental health of existing residents. While I acknowledge the strength of opposition, this alone is not a reasonable basis to refuse planning permission. The appeal must be determined in accordance with the development plan and relevant material considerations. The purported mental health harm is not sufficiently substantiated and does not outweigh the overall planning balance or conclusion.
31. I note comments by interested parties that granting planning permission would set a precedent for future development. However, I have considered the proposal on the evidence before me and the specific circumstances that apply in this case, any future applications will be considered on their own planning merits.

Conditions

32. The conditions set out in the accompanying schedule are based on those agreed by the parties should the appeal be allowed. Where I agree the conditions are necessary, I have amended the wording, in the interests of precision and clarity, and to comply with advice in the PPG. Some of the Council's conditions include detailed lists of requirements of what it would like to see submitted. Where this is not necessary to make the condition precise or enforceable I have not included such lists so the parties can agree what is necessary to satisfy the conditions considering the situation and guidance applicable at the time approval is sought.
33. In addition to the standard conditions relating to the submission and timing of the reserved matters and the commencement of the development, I have imposed a condition specifying the relevant drawings, in so far as they depict the site location and access, as all other matters are reserved. A condition is necessary to secure the suitable construction of the access to the site, in the interests of highway safety. I have amended the wording of the condition in the interest of preciseness.
34. It is necessary to impose a condition to ensure adequate foul drainage capacity is available to serve the development. The condition suggested by the Council has

been amended to include provision for occupation of the development where capacity exists, so that occupation is not dependent on off-site sewage work upgrades being carried out, the timing of which was not in the appellant's gift to control.

35. To ensure the efficient use of natural resources, in accordance with Policies CS4 and CS26 of the Core Strategy for Chiltern District, adopted November 2011, a condition is necessary to restrict water usage in the development.
36. A condition to agree details of a surface water drainage scheme as part of the reserved matters application in relation to layout, including future maintenance thereof, is necessary to ensure the development does not exacerbate the risk of flooding. To minimise risks from any land contamination, due to the previous use of the site, conditions are necessary to ensure any contamination identified during the build process is appropriately dealt with. A condition to require an Arboricultural Method Statement and Tree Protection Plan is necessary to ensure the long term well-being of trees on the site, in the interests of the character and appearance of the area.
37. To mitigate any adverse impacts upon GCNs, conditions are necessary to ensure compliance with the Council's Organisational Licence, and other mitigation measures. Conditions are necessary to agree a Habitat Management and Monitoring Plan, Construction Environmental Management Plan and lighting strategy so as to secure the required on-site habitat creation and maintenance, together with ecological enhancement measures in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended).
38. In addition, given the proximity to residential properties, a condition is necessary to require the submission of a scheme for the control of the environmental effects of the development during the construction phase is necessary to safeguard the living conditions of the occupiers of surrounding dwellings.

Conclusion

39. The proposal would give rise to conflict with Policy GB2 of the LP and would therefore conflict with the development plan as a whole. However, material considerations, including the weight to be attached to the policies within the Framework, would outweigh this conflict. For the above reasons, I therefore conclude the appeal should be allowed.

E Worley

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall take place not later than two years from the date of approval of the last of the reserved matters to be approved.
- 2) Application for approval of the reserved matters shall be made to the Local Planning Authority not later than the expiration of three years from the date of this permission.
- 3) Details of the appearance, landscaping, layout and scale "the reserved matters" shall be submitted to and approved in writing by the Local Planning Authority before any development takes place and the development shall be carried out as approved.
- 4) The development to which this planning permission relates shall be undertaken solely in accordance with the following drawings: Location Plan dwg. no.PL5379/1B and Illustrative Masterplan dwg. no. PL5379/3D, in so far as it relates to the access to the site from Narcot Lane.
- 5) The development hereby permitted shall not be occupied until the means of access has been constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
- 6) Prior to the first occupation of the development, a statement shall be submitted to and approved in writing by the Local Planning Authority that either:
 - a) Confirms that foul water capacity exists off site to serve the development; or
 - b) Confirms all foul water network upgrades required to accommodate the additional flows from the development have been completed; or
 - c) Includes an Infrastructure Phasing Plan to allow the development to be occupied. Where such a plan is approved, no occupation of the development shall take place other than in accordance with it.
- 7) The dwellings hereby approved shall be constructed to meet, as a minimum, the higher standard of 110 litres per person per day using the fittings approach as set out in the 'Housing: optional technical standards' guidance and prescribed by Regulation 36(2)(b) of the Building Regulations 2010.
- 8) The application for the reserved matter of 'layout' shall include a detailed surface water drainage scheme for the site, based on the Soakaway Investigation Report (GSI 2444, July 2025, Geocon) and FRA and SuDS Strategy Report (FRA20243.1A, 17 September 2025, prepared by The PES), to sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The submitted details shall:
 - i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - ii) include a timetable for its implementation; and,

- iii) provide, a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The development shall be carried out in accordance with the approved details. The sustainable drainage system shall be managed and maintained thereafter in accordance with the approved management and maintenance plan.

- 9) Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:
 - i. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
 - ii. A site investigation, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - iii. The site investigation results and the detailed risk assessment (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - iv. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (iii) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.
- 10) Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented in accordance with the approved details.
- 11) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation

scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

- 12) No development shall take place until an Arboricultural Method Statement, which shall include a Tree Protection Plan, has been submitted to and approved in writing by the Local Planning Authority. This shall show details of all work within the root protection areas of the retained trees and hedges both within and around the site including details of protection measures for the trees and hedges during the development, and information about any excavation work, any changes in existing ground levels and any changes in surface treatments within the root protection areas of the trees, including plans and cross-sections where necessary. In particular, it shall show details of specialised foundations, ground protection measures and no-dig construction where appropriate. The work shall then be carried out in accordance with this method statement. The approved Tree Protection Plan shall be adhered to during the construction period.
- 13) No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's Organisational Licence (WML-OR152, or a 'Further Licence') and with the proposals detailed on plan "Lambcroft Nursery: Impact plan for great crested newt District Licensing (Version 1)", dated 31st July 2025.
- 14) No development hereby permitted shall take place unless and until a certificate from the Delivery Partner (as set out in the District Licence WML-OR152, or a 'Further Licence'), confirming that all necessary measures regarding great crested newt compensation have been appropriately dealt with, has been submitted to and approved by the planning authority and the authority has provided authorisation for the development to proceed under the district newt licence. The delivery partner certificate must be submitted to this planning authority for approval prior to the commencement of the development hereby approved.
- 15) No development hereby permitted shall take place except in accordance with Part 1 of the Great Crested Newt Mitigation Principles, as set out in the District Licence (WMLOR152, or a 'Further Licence') and in addition in compliance with the following: - Works which will affect likely newt hibernacula may only be undertaken during the active period for amphibians. - Capture methods must be used at suitable habitat features prior to the commencement of the development (i.e., hand/destructive/night searches), which may include the use of temporary amphibian fencing, to prevent newts moving onto a development site from adjacent suitable habitat, installed for the period of the development (and removed upon completion of the development). - Amphibian fencing and pitfall trapping must be undertaken at suitable habitats and features, prior to commencement of the development.
- 16) The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Net Gain Calculation (Green Shoots Ecology, August 2025) and including:
 - a. a non-technical summary;
 - b. the roles and responsibilities of the people or organisation(s) delivering the HMMP;

- c. the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- d. the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development;
- e. the details of ecological enhancements, including integrated bat boxes, integrated swift boxes, and gaps at ground level of boundary fences has been submitted to, and approved in writing by, the local planning authority.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

- 17) Before any construction works hereby approved are commenced, a Construction Environmental Management Plan (CEMP) detailing, in full, measures to protect existing habitat during construction works and to safeguard protected and notable species, shall be submitted to and approved in writing by the Local Planning Authority. The CEMP should be completed in accordance with the British Standard on Biodiversity BS 42020:2013.
- 18) Prior to the installation of external lighting, full details including height, design, location, intensity and shall be submitted to and approved in writing by the local planning authority. The lighting installation shall then be carried out in accordance with the approved details.
- 19) No development shall take place, including and works of demolition, until a scheme to control the environmental effects of the construction work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
 - i. the control of noise and vibration
 - i. the control of external light
 - ii. the control of dust, smell and other effluvia
 - iii. the control of rats and other vermin
 - iv. the control of surface water run-off
 - v. the proposed method of piling for foundations (if any)
 - vi. proposed construction and demolition working hours
 - vii. hours during the construction and demolition phase when delivery vehicles, or vehicles taking materials, are permitted to enter or leave the site.

The construction of the development shall be carried out in accordance with the approved scheme.

*******end of conditions*******