
Appeal Decision

Site visit made on 6 August 2019

by J Wilson BA Hons BTP MRTPI DMS

an Inspector appointed by the Secretary of State

Decision date: 16th August 2019

Appeal Ref: APP/B1740/D/19/3233556

West Lodge, Sway Road, New Milton BH25 5QU

- 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 Mrs Margaret Calderbank against the decision of New Forest District Council.
 - The application Ref 19/10323, dated 12 March 2019, was refused by notice dated 17 May 2019.
 - The development proposed is described as roof alterations to create three dormers.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are: a) whether or not the development is inappropriate in the Green Belt, b) the effect of the proposal upon the openness of the Green Belt and c) whether any harm, by reason of inappropriateness and any other harm, would be clearly outweighed by other considerations.

Reasons

Inappropriateness

3. Paragraph 145 of the National Planning Policy Framework (the Framework) regards the construction of new buildings as inappropriate in the Green Belt. One of several exceptions is the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. The Framework does not set out precisely how disproportionate should be assessed. However the Council's report points to Policy DM20 and relies on Paragraphs 145 c) of the Framework. Policy DM20 states extensions to dwellings in the countryside will only be permitted where they represent a limited extension to an existing dwelling¹; are of an appropriate design and scale; are in keeping with the rural character of the area; do not impact on the openness of the green belt through height or bulk; and that the size and scale should not dominate the existing dwelling.
4. The dwelling has an existing flat roofed dormer which occupies less than half of the roof width and is set well below the ridge. Whilst visible it is relatively modest in the context of the roof slope. The proposal, for three dormers would

¹ The policy sets a limited of not more than 30% of the floorspace (normally)

cumulatively occupy most of the width of the roof, their depth would be around two thirds of the roof slope and the ridges of all three dormers would connect with the highest part of the roof at the ridge. This would result in significant bulk. They would add highly prominent additions to the building which would take up most of the width and more than half the depth of the roof slope. They would be bulky, dominant and discordant features which would result in them being disproportionately prominent. This would be particularly so given the prominence of the building from Sway Road.

5. Accordingly, the proposal would be inappropriate development which, by definition, is harmful to the Green Belt, and substantial weight should be given to any such harm. Development should not be approved unless the harm to the Green Belt, and any other harm, is clearly outweighed by other considerations a matter to which I will return.

Openness

6. As the dormers would primarily affect the building rather than the wider area, I consider they would have only a limited effect on the openness of the Green Belt. Though a small amount of harm would result.

Other Considerations

7. The appellant has drawn attention to the existence of three dormers on a new property very close to the site which they say was allowed on appeal. I have no details of that case and do not therefore know the issues which led to its approval. Nonetheless, I viewed this property on my visit and saw that the dormers on that building were smaller than those in the appeal proposal being located partially below the eaves line and set well down from the ridge. They do not therefore represent comparable circumstances to the appeal proposal and do not set a precedent which I must follow.
8. The appellant highlights that the floorspace will in fact decrease as a result of the formation of the dormers. That may be so, however it does not detract from my findings in respect of inappropriateness. In all green belt cases, design, scale and appearance are factors which are important considerations.
9. The appellant draws attention to the fact that the site is close to a commercial property on the opposite side of the road and in close proximity to another commercial property (a cattery). He also states that the dwelling is located on a secluded plot with no impact on adjoining properties. Whilst there are commercial properties close by the appeal site, it is set apart from them and has little visual connection with those or other buildings. Therefore, the presence of the commercial properties can be afforded very little weight in relation to the appeal proposal.
10. The evidence indicates that the opposite side of the road is designated as National Park (NP) though the proposal would not undermine the NP designation and this proximity weighs neither for nor against the scheme.

Planning Balance

11. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires decisions to be made in accordance with the development plan unless material considerations indicate otherwise. I have found that the appeal proposal would be inappropriate development in the Green Belt and thus, harmful to it. The

Framework makes it clear that such harm should be afforded substantial weight. Additionally, I have found that the proposal would result in limited harm to the openness of the Green Belt.

12. The Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Such circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, are clearly outweighed by other considerations.
13. I have considered the matters cited in support however these would not clearly outweigh the harm that I have identified. Consequently, the very special circumstances necessary to justify the development do not exist. Therefore the development would conflict with: Policy CS2 of the New Forest District Council Core Strategy; to Policy DM20 of the New Forest District Council Local Plan Part 2: Sites and Development Management; and to the aims of the Framework. These policies, amongst other things, seek to ensure that extensions are well designed; do not dominate; relate well to the surrounding built environment; integrate effectively with the street scene; and resist inappropriate development in the Green Belt.

Conclusion

14. For the reasons given above and having regard to all matters raised, the appeal is dismissed.

Janet Wilson

INSPECTOR