



Appeal Decision

Site visit made on 23 September 2019

by Thomas Bristow BA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 October 2019

Appeal Ref: APP/B1740/D/3235215

High Corner, Christchurch Road, Kingston BH24 3BQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 as amended against a refusal to grant planning permission.
 - The appeal is made by S. Lloyd / N. Maskell against the decision of New Forest District Council.
 - The application Ref 19/10626, dated 14 May 2019, was refused by notice dated 10 July 2019.
 - The development proposed is described on the application form as the 'demolition of existing outbuilding and construction of a new outbuilding'.
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Decision

1. The appeal is dismissed.

Main issue

2. The main issue is the effect of the proposal on the openness of the Green Belt and in respect of local character and appearance.

Reasons

3. High Corner is located within a corner plot next to Rod Lane and an access road parallel to Christchurch Road (part of the B3347). I understand that a house here was originally permitted in 1968 in connection with Moorehouse Farm, albeit that tie has since fallen away. The plot of High Corner is of substantially greater length, along Rod Lane, than width, by Christchurch Road. The Council's officer report explains that the appeal site, the location of the proposed outbuilding, would be some 50m or so away from the existing dwelling by consequence. There is presently a timber outbuilding within the appeal site. That has the form of a standard field shelter/ stable, and is accessed via Rod Lane.
4. High Corner is relatively close to the southernmost extent of Ringwood projecting southwards along Christchurch Road. There is a small handful of other properties nearby, which are typically set within similarly spacious plots with established gardens punctuated by mature trees. The area, though, has a strongly rural character. Rod Lane is narrow and winding. It is, in large part, flanked by embankments and hedgerows. The surrounding area is principally characterised by good-sized arable fields, transitioning to a more sylvan character around North Kingston and Sandford. As the topography is relatively level there are, on occasion, expansive views of the landscape. I saw that was

the case across the field immediately on the opposite side of Rod Lane towards distant wooded hillsides.

5. When approaching the appeal site from the west, despite a slight rise in ground level between Rod Lane and the appeal site, on account of boundary features and its limited height, the existing outbuilding is barely perceptible. Instead the appeal site and hedgerows bounding it are essentially consistent with verdant undeveloped surroundings. There are few buildings between Christchurch Road and Kingston Great Common in this area, fewer still that are prominent in the landscape. The appeal site falls within the Green Belt around Bournemouth, Christchurch and Poole which, in this location, extends a relatively short distance eastwards to meet the boundary of the New Forest National Park.
6. Each proposal must be determined on its merits in accordance with the development plan unless material considerations indicate otherwise. In brief, and amongst other things, policy CS2 'Design quality' of the New Forest Core Strategy (adopted 26 October 2009, the 'CS') and policy DM20 'Residential development in the countryside' of the Sites and Development Management Plan (adopted 14 April 2014) seek to ensure that all development respects local distinctiveness, including that of the countryside. Broadly, that is an objective shared with paragraph 170(b) of the National Planning Policy Framework ('NPPF'), and one reiterated in the Planning Practice Guidance.¹ The NPPF further sets out how the essential characteristics of Green Belts are their openness and permanence, and that the construction of new buildings generally represents inappropriate development in the Green Belt necessitating very special circumstances in order to be justified.²
7. I have noted the family circumstances of the appellants, and acknowledge that the proposal would suit their needs well and aid natural surveillance here. Boundary features to the site would provide some natural screening, and a relatively modest area of the plot of High Corner would be occupied by the development proposed. When approaching from the east the proposed outbuilding would be visible, in part, in conjunction with High Corner and its neighbours. When approaching from the west, against a backdrop of trees and being timber-clad, the proposal would reflect a rural aesthetic to some extent. As noted above there are occasional buildings in the wider area, and permitted development rights enable the creation of certain outbuildings without the need for specific planning permission (including in the Green Belt). There are therefore certain benefits to the proposal, and various factors that would moderate the extent of its effects.
8. However the benefits arising would be essentially personal, whereas it is the function of planning to consider the public interest. There is little substantive justification for the location of the outbuilding, its scale, or for other options for meeting the family's needs or improving security which have been discounted (for whatever reason).³ The proposal would represent a significant increase in scale compared to the existing field shelter. The Council cites the change in footprint being from around 27 square metres ('sqm') to around 101.46sqm, close to a fourfold increase. The proposed outbuilding would also incorporate

¹ Including Reference ID: 26-007-20140306.

² NPPF paragraphs 133, 143-146.

³ Mentioned only in so far as robust evidence in that respect may have weight in the appellants' favour.

floorspace at first floor level, resulting in an overall height of some 5.2m. That would substantially exceed that of the existing field shelter.⁴

9. By consequence of its scale and bulk, the proposal would be readily apparent from vantage points outside the appeal site (particularly around the entrance from Rod Lane, which must inevitably be kept free from obstruction). That would be detrimental to the natural and open character here. The visual presence of the proposed outbuilding would be exacerbated by its design, including that a projecting gable element would face obliquely towards the access. That, combined with the windows and rooflights proposed, would appear clearly residential as opposed to a more functional design typical of agricultural buildings. In scale, design and separation from High Corner the outbuilding would, in my view, be perceived as a separate entity and be capable of readily functioning as such with little internal alteration.⁵
10. For the above reasons the proposal introduce development detrimental to the openness of the Green Belt in terms of its footprint, scale, and landscape prominence. More generally the proposal would be incongruous within, and detract from, the rural character of its surroundings. There is no suggestion that any of the exceptions to the general principle that the construction of new buildings in the Green Belt is inappropriate development in NPPF paragraphs 145 or 146 are applicable, and the benefits of the scheme do not justify allowing the appeal in the light of the harm that would result.

Conclusion

11. For the above reasons, having considered the development plan as a whole, the approach in the NPPF and all other relevant material considerations, I conclude that the appeal should be dismissed.

Thomas Bristow

INSPECTOR

⁴ Noting that a building of this height and scale would not be permitted development, including with reference to the limitations of Schedule 2, Part 1, Class E, E.1(d) and (e) of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

⁵ There comes a point where a condition requiring an ancillary use be maintained would conflict with the nature of development in actuality (and thereby likely be unreasonable and unenforceable with reference to NPPF paragraph 55). My judgement, for the above reasons and with regard to section 55(2)(a) of the Town and Country Planning Act 1990 as amended, is that situation would likely arise in this instance.