The Planning Inspectorate

Appeal Decision

Site visit made on 2 September 2020

by C J Ford BA (Hons) BTP MRTPI

a person appointed by the Secretary of State

Decision date: 29 September 2020

Appeal Ref: APP/V1260/D/20/3251886
19 Salisbury Road, Burton, Christchurch, BH23 7JG

- 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 Mark Geary-Pepper against the decision of Bournemouth, Christchurch and Poole Council.
- The application Ref 8/19/1540/HOU, dated 30 November 2019, was refused by notice dated 30 March 2020.
- The development proposed is extension over the top of an existing ground floor lounge to create a further two bedrooms and bathroom.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are;

   i) whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (`the Framework') and any relevant development plan policies,

   ii) the effect on the openness of the Green Belt and,

   iii) would the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons

i) Inappropriate development

3. The appeal site lies within the South East Dorset Green Belt. The Framework sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It goes on to specify that the construction of new buildings should be regarded as inappropriate development but an exception 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.

4. Policy H14 of the 2001 Borough of Christchurch Local Plan sets out that extensions to dwellings in the Green Belt will only be granted planning

permission if three criteria are met, the first being, `the proposed extension does not significantly increase the size of the existing dwelling'.

5. Consequently, as the Framework has regard to the `original building' and the policy the `existing dwelling', there is a significant inconsistency. The Framework sets out that where policies were adopted prior to the publication of the Framework, due weight should be given to them according to their degree of consistency with the Framework. Accordingly, given the identified significant inconsistency, limited weight is given to Policy H14 and the critical consideration is whether the proposal would be inappropriate development having regard to the Framework.

6. As the proposed two bedrooms and bathroom would be above an existing lounge, there would not be an increase in the external footprint of the building. However, there would be a sizeable increase in the volume and floor area of the building at the first floor level. The Council's calculations are that the proposed development, in combination with earlier extensions, would result in the original building being increased by 76%.

7. In light of the above, it is considered the proposed development results in disproportionate additions over and above the size of the original building and it should be regarded as inappropriate development for the purposes of the Framework.

ii) Openness

8. The Framework emphasises that a fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

9. Spatially there would be a loss of openness above the ground floor level of the building. As this would be at the front of the building and visible in public views from Salisbury Road, there would also be a visual loss of openness. However, due to the small scale of this particular extension, the impact in both respects would be limited and it is therefore considered the harm to openness would be moderate. Nevertheless, paragraph 144 of the Framework states that substantial weight should be given to any harm to the Green Belt.

iii) Very special circumstances

10. Paragraph 144 also sets out that very special circumstances will not exist unless the harms resulting from the proposal are clearly outweighed by other considerations. The appellant advises that the extension would facilitate the care of an elderly relative. Although I sympathise with the appellant, particularly at the current time, the personal circumstances of the appellant are temporary relative to the permanent harm the development would cause to the Green Belt. Limited weight is therefore given to this consideration.

11. The appellant also considers the development would improve the visual appearance of the building, providing a better balance between the ground and first floor levels which in turn would be more consistent with the style and layout of other properties in the area. The Council raise no objection to the design of the extension and there is no reason to disagree with that view. Overall, it would preserve the character and appearance of the area and likewise the Burton Conservation Area. As this would be expected of all development, neutral weight is given to this consideration.

12. The combined weight of the other considerations in this case is limited while, in accordance with the Framework, substantial weight is given to the harm to the Green Belt by reason of inappropriateness and the harm caused to the openness of the Green Belt. It is therefore found the other considerations do not clearly outweigh the harm that has been identified. Consequently, the very special circumstances necessary to justify the development do not exist.

13. Although the proposal would not conflict with Policy H14, I give limited weight to that for the reason set out above. There would also be no specific conflict with Policy KS3 of the 2014 Christchurch and East Dorset Local Plan Part 1 – Core Strategy which is a high level strategic Green Belt policy. However, it would conflict with the Framework which expresses the great importance the Government attaches to Green Belts.

Conclusion

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

C J Ford

PLANNING DECISION OFFICER