



Appeal Decision

Site visit made on 23 September 2020

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 15 October 2020

Appeal Ref: APP/D1265/D/20/3250770

80 Wayside Road, St Leonards, Ringwood BH24 2SJ

- 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 Dr Daniel Rushen against the decision of Dorset Council.
 - The application Ref 3/19/2457/HOU, dated 6 December 2019, was refused by notice dated 2 March 2020.
 - The development proposed is a new extension to ground floor to provide additional ground floor and first floor accommodation. Remove existing roof and install new roof to provide chalet style bungalow.
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Decision

1. The appeal is dismissed.

Main Issues

2. It is considered that the main issues are:
 - (a) Whether the proposal would be inappropriate development for the purposes of the National Planning Policy Framework (the Framework);
 - (b) The effect of the development on the openness of the Green Belt and the purposes for including land within it;
 - (c) The effect of the development on the visual amenity of the Green Belt and character and appearance of the area; and
 - (d) If the development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Reasons

Whether the proposal would be inappropriate development for the purposes of the Framework and development plan policy

3. The appeal property is an already extended bungalow with accommodation in the roofspace and is located within the Green Belt. The proposed development includes alterations to the property to increase the height of the roof and extensions to the front and rear elevations to create a chalet style bungalow.
4. The Framework refers to the alteration of a building as not being inappropriate development provided that it does not result in disproportionate additions over

and above the size of the original, rather than existing, building. The measurement of the proportionality of a particular alteration is a matter of the relative increase between the physical size of the original and resulting buildings. The Framework identifies that an original building is one which existed in 1948 or later if it was built after this date. However, no guidance is provided in national planning policies about what constitutes disproportionate additions and, as such, a judgement is required to be made.

5. Contained in the Planning Officer's report are calculations of the increase in the physical size from the original building to the size of the proposed chalet bungalow if this appeal succeeded. Allowing for existing and proposed alterations, cumulatively these calculations identify increases in volume from 269cu m to 699cu m; footprint from 68sq m to 115sq m; floor area from 68sq m to 277sq m and the maximum height from 5.7m to 8.35m. These figures are not challenged by the appellant and there are no reasons for me to adopt different calculations. My judgement is that these calculations demonstrate there would be a significant increase in the size of the original building if this appeal was allowed.
6. By reason of cumulative scale, it is concluded that the proposed development would result in disproportionate additions to the original building thereby comprising inappropriate development in the Green Belt and, as such, it would conflict with the Framework. Paragraphs 143 and 144 of the Framework state that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances and that substantial weight should be attached to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. The question of any other harm and the other matters in this case are now considered.

The effect of the development on the openness of the Green Belt and the purposes for including land within it

7. The scale of the proposed development would have an impact on the openness of the Green Belt because of the additional height, bulk and size of the enlarged property, especially at roof level. Accordingly, it is concluded that there would be unacceptable harm caused to the openness of the Green Belt. However, the effect on openness should be considered against the context of the other built forms of development associated with the property. When viewed as part of this group of buildings, the harm to the openness of the Green Belt would be limited.
8. By reason of there being alterations to a property within an extensive residential curtilage, it is concluded that the proposed development would not prejudice the purposes of the Green Belt, in particular safeguarding the countryside from encroachment.

The effect of the development on the visual amenity of the Green Belt and character and appearance of the area

9. The property reflects the character of other dwellings fronting Wayside Road which are set back from the road and sited within extensive and verdant curtilages. All the dwellings are situated within countryside which has an open and verdant character and appearance.

10. By reason of the siting of the property, the existing group of buildings and the lack of any impact upon trees or hedges, the proposed chalet style bungalow would not materially alter the character and appearance of the surrounding area. Further, and although the size of the property would increase at roof level resulting in the appearance of a bulkier building, the effects on the visual amenity of the Green Belt would not, for similar reasons, be of such significance to justify refusal of this appeal.
11. On this issue it is concluded that the proposed development would not cause unacceptable harm to the visual amenity of the Green Belt and character and appearance of the area.

If the development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development

12. The appeal scheme has been judged not to cause harm to the purposes and visual amenity of the Green Belt. However, these matters merely result in there being no additional harm to that arising from the inappropriate development and the weight attached to them needs to be tempered accordingly. Therefore, moderate weight has been attached to these considerations.
13. A number of examples of altered dwellings within the surrounding area have been provided by the appellant. However, the full details of these other dwellings have not been provided to determine if their planning circumstances are comparable to the appeal scheme. For the same reasons, similar weight is given to the appeal at Peaslake which was for the erection of a garage rather than alterations to a dwelling.¹
14. At Forest Pines Riding Stables² the erection of a dwelling was assessed by the Council against the Framework's criterion for the redevelopment of previously developed land and found not to be inappropriate development in the Green Belt. Accordingly, in the determination of this appeal limited weight is given to the types schemes for erecting new dwellings or converting existing buildings to residential accommodation within the Green Belt which are not assessed to be inappropriate development by the Framework.
15. Limited weight is also given to the claimed beneficial effects upon energy efficiency, carbon emissions and sustainability associated with the appeal scheme. This weight has been accorded because new development, including alterations to existing dwellings, are expected to meet higher construction standards than older properties. The same weight has been given to the absence of any objections from neighbours and statutory consultees to the appeal application.
16. It is noted that the appeal scheme is a resubmission of a previous application refused by the Council. However, this appeal has been determined based upon the proposed development before me to assess.

¹ Ref APP/Y3615/D/15/3128756

² Ref 3/19/2235/FUL

Conclusion

17. These other considerations, even when taken together, do not clearly outweigh the harm by reason of inappropriateness, the limited harm to the openness of the Green Belt and the conflict with national policy. Accordingly, it is concluded that the very special circumstances required to justify the development do not exist and, taking into account all other matters, this appeal should be dismissed.

D J Barnes

INSPECTOR