
Appeal Decision

Site Visit made on 26 July 2021

by Mr S Rennie BSc (Hons), BA (Hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 August 2021

Appeal Ref: APP/D1265/D/21/3266930

Lawn House, Slough Lane, Horton, BH21 7JL

- 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 S Gilbert against the decision of Dorset Council.
 - The application Ref 3/20/0956/HOU, dated 15 June 2020, was refused by notice dated 23 October 2020.
 - The development proposed is for the erection of a single storey detached double carport.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey detached double carport at Lawn House, Slough Lane, Horton, BH21 7JL in accordance with the terms of the application Ref 3/20/0956/HOU, dated 15 June 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No 18112GH - Rev A PLA001 Location Plan; Drawing No 18112GH - Rev A PLA002 Site Plan: Existing & Proposed; Drawing No 18112GH - Rev A A201 Proposal: Floor plans, section and elevation.

Main Issues

2. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework and any relevant development plan policies.
 - The effect on the openness of the Green Belt.
 - The effect of the proposal on the character and appearance of the area and the existing house.

Reasons

Is the development inappropriate in the Green Belt?

3. The National Planning Policy Framework (the Framework) identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The Framework goes on to state that inappropriate development is harmful to the Green Belt and should not be approved except in

very special circumstances. In addition, the construction of new buildings should be regarded as inappropriate in the Green Belt subject to a number of exceptions as set out in paragraph 149. In this paragraph as one of the exceptions the Framework states that extensions or alterations to buildings are not inappropriate development in the Green Belt if it does not result in a disproportionate increase in size over the original building.

4. The proposal is for an ancillary outbuilding, being a carport. This would not be attached to any existing buildings. On this matter, the Courts found in *Sevenoaks District Council v SSE and Dawe [1997]* that an existing detached domestic outbuilding could be regarded as part of the dwelling and, therefore, that an extension to the outbuilding could be regarded as an extension to the house. The case concerned a proposed extension to a detached domestic garage. On that basis a proposed new outbuilding could, potentially, be regarded as an extension to a dwelling, in some circumstances.
5. In this case the proposed structure would be in close proximity to the house, and it would be seen clearly as an ancillary part of the dwelling. It would be a typical ancillary or supplementary part of the dwelling, being that it is to house the cars for the occupants of the house. In this case, I would regard it reasonable to consider the proposed development a form of extension for the purposes of this main issue.
6. In terms of scale, it is modest in size and would be subservient to the house. It is of a simple structure with open sides. Even when considering the existing additions to the house, the proposed double carport would not mean that cumulatively they are disproportionate to the original house, which was large before it was extended. As such, I do not regard the car port as being inappropriate development in the Green Belt. For these reasons the proposal does not conflict with the Green Belt policies of the Framework.
7. With regards to policy GB3, the modest size of the proposed extension means it would not materially impact the openness of the Green Belt. Furthermore, the carport would not dominate the main house. Finally, although I note the existing garaging, the proposed additional carport is commensurate given that it serves a large house. There is no first floor space that could be used as habitable accommodation. As such, the proposal does not conflict with policy GB3 of the East Dorset Local Plan.

Conditions

8. I have attached the standard time limit condition and a plans condition as this provides certainty. There is no necessity for a condition regarding materials as this is set out sufficiently in the appellant's evidence, such as the use of oak for example.

Conclusion

9. For the reasons given I conclude that the appeal should succeed, subject to the conditions set out above.

Mr S Rennie

INSPECTOR

