



Appeal Decision

Site visit made on 6 July 2022

by John Felgate BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Levelling Up, Housing and Communities

Decision date: 13 July 2022

Appeal Ref: APP/D1265/D/22/3294048

Bakers Cottage, Holt Wood, Holt, Wimborne, Dorset BH21 7DT

- 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 & Mrs Jaffarji against the decision of Dorset Council.
 - The application Ref 3/21/0635/FUL, dated 24 March 2021, was refused by notice dated 7 January 2022.
 - The development proposed is construction of a detached garage.
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Decision

1. The appeal is dismissed.

Reasons

2. The Council and appellants both agree that Bakers Cottage is located within the South East Dorset Green Belt (the GB), as defined in the Christchurch and East Dorset Local Plan (the CEDLP), adopted in April 2014. CEDLP Policy KS3 states that development in Christchurch and East Dorset is to be contained by the GB, in order to maintain an area of open land around the South East Dorset conurbation, and to retain the wedges and corridors of land that separate the area's settlements.
3. More detailed policy on green belts is set out in the National Planning Policy Framework (the NPPF). Paragraph 147 states that development which is 'inappropriate' in GB policy terms is to be considered harmful to the GB, by definition. Paragraph 149 goes on to make it clear that new buildings are to be regarded as inappropriate, unless they fall into one of the various exceptions specified in that paragraph.
4. One of those exceptions, at sub-paragraph (c), is for the extension or alteration of a building, provided that this does not result in disproportionate additions over and above the size of the original building. In this context, the original building is defined as the building as it existed on 1 July 1948. In the present case, although the proposed garage would be a separate building, sited several metres from the house itself, the Council has indicated that it is prepared to treat the development as an extension to Bakers Cottage. This approach is also agreed by the appellants, and in the circumstances, I see no clear reason to disagree.
5. But nevertheless, the appeal property has been extended previously, and on the Council's undisputed figures, this has already involved an increase of 69% over and above the dwelling's original floorspace, or 64% over its original

volume. The garage now proposed would add a further 40 sqm or 136 cu m, resulting in an overall cumulative increase of 103% in terms of floorspace, or 113% based on the volume. On either of these measures, it seems to me that a cumulative increase on such a scale would clearly be disproportionate to the original building. Consequently, the proposed development does not benefit from the exception provided by NPPF Paragraph 149(c). As such, it would constitute inappropriate development in terms of GB policy.

6. To my mind it is equally arguable that the proposed garage should be treated as a freestanding building, rather than as an extension. In that case, the issue of cumulative increase would then not arise, and the previous extension to the property would therefore not be relevant. But even so, the garage would still be a new building, and none of the other exceptions listed within NPPF paragraph 149 would be applicable. On any basis therefore, the appeal proposal would represent inappropriate development.
7. I appreciate that Bakers Cottage occupies a large plot, but the question of proportionality relates to the size of the building, not the site. I note that the property is said to have limited storage space, but that does not seem a particularly unusual situation. The proposed garage would offer the opportunity to reduce the visual clutter of parked vehicles around the house, enhancing its setting as a listed building; but realistically, there seems no way of ensuring that it would be used for that purpose, especially given the suggested need for storage of a more general nature. Consequently, none of these matters, either individually or cumulatively, outweighs the harm that would be caused to the GB by reason of the development's inappropriateness.
8. The 'very special circumstances' required by NPPF paragraph 147, for permission to be granted for inappropriate development in the GB, have therefore not been demonstrated.

Other matters

9. The Council accepts that the development would cause no harm to the setting of the listed Bakers Cottage. No contrary view on that matter has been expressed by any other party. I agree that the scale and design of the new building would be acceptable, and that in these respects the setting of the listed building would be preserved. However, this does not overcome the harm that I have identified to the GB.

Conclusion

10. I conclude that, by reason of its inappropriateness in policy terms, the proposed development would cause harm to the South East Dorset GB. In accordance with NPPF paragraph 148, that harm carries substantial weight. The harm is not outweighed by any other considerations, and therefore very special circumstances do not exist.
11. Having taken account of all the other matters raised, nothing changes this conclusion. The appeal is therefore dismissed.

J Felgate

INSPECTOR