



Appeal Decision

Site visit made on 5 January 2023

by R E Jones BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 January 2023

Appeal Ref: APP/D1265/D/22/3300334

Sweet Briar, Newmans Lane, West Moors, Dorset BH22 0LW

- 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 Mrs Lyn Colloff against the decision of Dorset Council.
 - The application Ref P/HOU/2022/01416, dated 2 March 2022, was refused by notice dated 30 May 2022.
 - The development proposed is single storey rear extension.
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Decision

1. The appeal is dismissed.

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 (the Framework) and any relevant development plan policies;
 - the effect of the proposal on the openness of the Green Belt; and
 - 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

Whether inappropriate development

3. The Government attaches great importance to Green Belts. The 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.
4. Paragraph 149 of the Framework indicates that the construction of new buildings should be regarded as inappropriate in the Green Belt, subject to certain exceptions, including that listed under exception (c) "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". "Original building" is defined in Annex 2 of the Framework as a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally.
5. Saved policy KS3 of the Christchurch and East Dorset Local Plan (adopted April 2014 (the Local Plan) sets out the purposes of the Green Belt and its boundaries but does not otherwise address detailed Green Belt policy in the

same way as the more recent Framework. Therefore, I have had regard to it only insofar as it relates to the purposes described.

6. The proposal would extend the living room at the rear and provide a dining area and utility room. It would square off part of the rear elevation by adjoining the existing kitchen extension. In doing so additional mass would be added to the dwelling.
7. I recognise that the proposed extension would not project beyond the rear building line. It would also be subordinate to the rear façade in terms of design, while mirroring the form and material finishes of the existing additions it would adjoin.
8. However, assessing proportionality is primarily an objective test based on size relative to the original building. The Council's evidence on this matter is that the previous extensions to the original building, have resulted in an increase of 83% in floor area. The proposal would appreciably add to this, while also increasing the dwelling's massing. Cumulatively the proposed scheme results in a substantial uplift that leads to, in my view, disproportionate additions to the original dwelling in the context of the Framework.
9. I therefore conclude that the proposed extensions to the dwelling would be inappropriate development that is, by definition, harmful to the Green Belt. In accordance with paragraph 148 of the Framework, this is a matter to which I attach substantial weight.

Openness

10. The Framework indicates that openness is an essential characteristic of the Green Belt. The Supreme Court has recently held that a consideration of openness in any given case is a matter for the decision maker and may or may not include a consideration of the visual aspect of openness. For the purposes of this appeal, I have considered both the visual and spatial aspects of openness.
11. The rear of the host building is, in part, surrounded by trees and hedgerow which screens views of it from windows and garden areas of the neighbouring dwellings. A rear landscaped boundary would also screen views of the proposed extension from the fields to the rear, while views from the neighbouring paddock land to the north would be diminished.
12. Nonetheless, the proposal would introduce built form into a part of the site which is currently undeveloped and as such would inevitably affect the spatial openness of the site. However, in isolation, the loss of openness would be small.

Other considerations

13. The extension would allow four generations of the family to reside at the dwelling. Whilst that would allow the wider family to all reside together the case presented by the appellant is limited in detail. There would be no additional bedrooms to cater for the increased residents and I have nothing to convince me that the house is too small for the needs of the occupants. Moreover, planning permission runs with the land rather than with the applicant or appellant. Therefore, if the appeal were allowed, the resultant

development would be a permanent feature within the Green Belt. I therefore give the personal circumstances of the appellant limited weight.

14. Other than on Green Belt grounds there are no objections to the proposed extension. However, the absence of harm in other respects is not a positive consideration, as acceptability in design and amenity terms is to be expected.

The Green Belt Balance and Conclusion

15. The proposal would constitute inappropriate development in the Green Belt, which is, by definition, harmful to the green belt and should not be approved except in very special circumstances. It would also result in some harm to the openness of the Green Belt. Paragraph 148 of the Framework requires me to give substantial weight to any harm to the Green Belt.
16. Paragraph 148 of the Framework says that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. The other considerations do not clearly outweigh the totality of the substantial harm that arises as a result of the development's inappropriateness and its impact upon the openness of the Green Belt. The very special circumstances necessary to justify the proposal do not therefore exist.
17. For the reasons set above, I dismiss the appeal.

RE Jones

INSPECTOR