

Appeal Decision

Site visit made on 16 January 2023

by S Edwards BA MA TCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 February 2023

Appeal Ref: APP/D1265/W/22/3303352

Owls Farm, Dolmans Hill, Lytchett Matravers BH16 6HP

- 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 A Cozens against the decision of Dorset Council.
 - The application Ref P/FUL/2021/05598, dated 15 December 2021, was refused by notice dated 18 July 2022.
 - The development proposed is 'One storage container. Permission needed until 31st December 2022'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development included in the application form has been amended in subsequent documents. I have adopted the description included on the appeal form, which reflects accurately the appeal development, but have removed the words 'temporary retention'. Retention is not an act of development, but as the storage container is in situ, I have considered the appeal on the basis that planning permission is being sought retrospectively.
3. The Council's reason for refusal does not refer to any Green Belt development plan policies. I shall proceed on the same basis.

Main Issues

4. The main issues are:
 - Whether the appeal scheme constitutes inappropriate development in the Green Belt, having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - The effect on the openness of the Green Belt;
 - The effect on the rural, open character of the area; and
 - If found to be inappropriate development, 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 inappropriate development

5. The appeal site comprises a dwellinghouse set within open countryside, which forms part of the South East Dorset Green Belt. A metal container has been installed within proximity to the dwelling, which the appellant seeks to retain on a temporary basis for the storage of personal effects.
6. The Framework makes it clear that inappropriate development is, by definition, harmful to the Green Belt, and should not be approved except in very special circumstances. The construction of new buildings in the Green Belt is regarded as inappropriate development, other than in a limited number of exceptions. The siting of a container for domestic storage does not meet any of the exceptions listed in paragraph 149 of the Framework. Accordingly, the appeal scheme represents inappropriate development in the Green Belt.

Openness

7. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Within the Framework, openness is identified as an essential characteristic of the Green Belt. The container lies within proximity to the road frontage and is a structure of considerable size, which is clearly visible within the street scene, as it protrudes above the site's front boundary fence and the trees offer limited screening in winter months.
8. There is no suggestion that the container has been erected on land where there previously was a building, and this development is therefore reducing the openness of the Green Belt in spatial terms. Due to its size, appearance and siting, the structure stands out as a visually intrusive feature, which is also having an adverse effect on the openness of the Green Belt in visual terms. The development therefore adds to the harm by reason of inappropriateness, contrary to the Framework.

Rural character

9. By reason of its utilitarian and harsh, industrial appearance, the container also appears as an incongruous feature, which detracts from the rural character and appearance of its surroundings. Whilst the structure is painted in a dark green colour to minimise its visual impact, it can nevertheless be seen in public views for the reasons noted above. This emphasises the inappropriate nature of the development, particularly due to its siting in such a sensitive, rural context.
10. Given the above, the appeal development causes unacceptable harm to the rural character of the area, and therefore conflicts with Policy D of Purbeck Local Plan Part 1 (adopted November 2012) which, notably seeks to ensure that proposals positively integrate with their surroundings.

Other considerations

11. As emphasised by paragraph 148 of the Framework, '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. In that respect, I have had regard to the fact that the container is required for a temporary period to store some of the appellant's personal effects, but these considerations do not outweigh the harm to the Green Belt which I have identified.

Planning Balance

12. The appeal scheme constitutes inappropriate development in the Green Belt and reduces openness. Additionally, the development conflicts with the Green Belt purpose of safeguarding the countryside from encroachment. Substantial weight is afforded to the adverse effect which the development is having on the Green Belt. I also give great weight to the harm which the siting of the container is causing to the rural character and appearance of the area. These considerations weigh heavily against the appeal development.
13. When taken individually or cumulatively, the other considerations advanced in support of the scheme do not clearly outweigh the harm caused to the Green Belt. Consequently, the very special circumstances that are necessary to justify inappropriate development in the Green Belt do not exist.

Conclusion

14. For the reasons detailed above, I conclude that the appeal should be dismissed.

S Edwards

INSPECTOR