



Appeal Decision

Site visit made on 17 October 2023

by C Rose BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 October 2023

Appeal Ref: APP/D1265/W/23/3320638

The Old Sawmill, Clayford, Uddens, Wimborne BH21 7BJ

- 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 J Baker against the decision of Dorset Council.
 - The application Ref P/FUL/2023/00500, dated 26 January 2023, was refused by notice dated 17 March 2023.
 - The development is described as 'create covered log drying area'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development in the banner heading above is taken from the application form. However, I have removed reference to the development being retrospective as this is not an act of development.
3. At the time of my site visit the development had been carried out and appeared to accord with the submitted plans. For the avoidance of doubt, I have determined the appeal based on those plans.

Main Issues

4. The main issues are:
 - whether the development is inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework);
 - the effect on the openness of the Green Belt,
 - the effect on the character and appearance of the area,
 - whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the development.

Reasons

Whether Inappropriate Development

5. The appeal building forms part of a larger site in active use as a lumber yard including the cutting and storing/drying of logs for distribution. The site is relatively flat with some buildings on the site fronting a yard area. A public bridleway runs immediately alongside part of the southern site boundary separated by a tall timber fence. The site and wider landscape form part of the South East Dorset Green Belt.

6. The Framework states at paragraph 147 that inappropriate development is, by definition, harmful and should not be permitted except in very special circumstances. The Framework further establishes that the construction of new buildings in the Green Belt should be regarded as inappropriate, subject to a number of exceptions as set out in paragraph 149.
7. The development comprises the retention of a storage building to provide cover for the storing and drying of logs to comply with the relevant legislation governing the sale of logs.
8. The site is part of a brownfield site comprising previously developed land. Paragraph 149 g) of the Framework states that the partial or complete redevelopment of previously developed land is not inappropriate in the Green Belt provided it does not have a greater impact on the openness of the Green Belt than the existing development. There is no requirement under paragraph 149 to separately assess the development against the purposes that the Green Belt serves.
9. The appellant states that the development represents a building for forestry falling under paragraph 149 a) of the Framework. However, the processing of logs for sale on land that does not form part of, or is ancillary to, a forest or comprises the planting and growing of trees, does not fall within a forestry use. As such, the development does not comprise a building for forestry under paragraph 149 a).
10. In light of the above, the effect of the development on the openness of the Green Belt is considered below.

Openness

11. Paragraph 137 of the Framework states that the essential characteristics of Green Belts are their openness.
12. The site is located off a bend in the road and whilst the wider yard is visible at the site entrance and on approach from the south, the appeal building is screened by existing buildings on and adjoining the appeal site and bounded by significant tree planting broadly to the north, east and west. However, from the public bridleway immediately adjoining the southern site boundary, the top of the building is visible above a fence separating the site from the public bridleway.
13. By reason of the associated volume and floor coverage of the building where no building previously existed, it has a spatial effect on the openness of the Green Belt. This is the case regardless of the level of associated activity or the location near to other commercial buildings. Given that the building is visible from the public bridleway, the building also has a visual effect on the openness of the Green Belt. As a result, the building has a significant effect on the openness of the Green Belt, a matter to which I am required to give substantial weight.
14. Whilst logs stored outside of a building on the site could theoretically cover a similar floor area and be stacked on the site such that they have a similar volume to the appeal building, by their nature they are temporary moveable structures. As such their degree of permanence and impact upon openness would be less than that of the development that the appellant states has a life expectancy of 15 years.

15. In light of the above, the development does not fall within the exceptions set out in paragraph 149 of the Framework and should be considered inappropriate development in the Green Belt. I give significant weight to that harm.

Character and Appearance

16. The planting and buildings adjoining the site screen the appeal building on approach from the road. However, from the public right of way, parts of the roof and upper sides and rear of the building are visible. Due to the nature of the materials involved in the construction of the building, comprising corrugated metal sheet roofing and scaffolding poles, it has a functional utilitarian appearance that is an unsympathetic and alien structure adjacent to buildings on adjoining sites of a more pleasing and permanent form. Moreover, by reason of its height exceeding the height of the boundary fence, it is prominent and visible on approach from both directions along the public bridleway.
17. Although the building only covers a small part of the site and is in a commercial setting and constructed from repurposed materials aiding its sustainable design, this does not address or justify the harm caused by reason of its prominence and appearance. In light of the location of the building on the site boundary, planting within the site would not adequately mitigate its visual impact.
18. The appellant has offered an alternative design and/or position for the building, but I am required to consider the development on the basis of the plans before me.
19. As a result of the above, I conclude that the development significantly harms the character and appearance of the area contrary to Policy HE2 of the Christchurch and East Dorset Local Plan Part 1 - Core Strategy (April 2014). Amongst other things, this seeks a design of development of a high quality compatible with or improving its surroundings in architectural style, height and visual impact.

Other Considerations

20. I acknowledge the economic benefits from the development, potential for associated growth and local employment, paragraphs 84 and 85 of the Framework, the support for the growth of businesses and the rural economy and that the burning of logs for heat/fuel represents a renewable source of energy. I also acknowledge the benefits from the use and maximisation of previously developed land/brownfield land, the benefits from the wood being stored under cover in the dry, the government and local requirements for selling dried wood, the potential for less noise in comparison to covering logs with sheeting and to potential health and safety benefits from storage within a building. These matters carry weight in support of the proposal but given the small scale of the development, the weight I attach to them is moderate.
21. I note reference to paragraph 141 of the Framework by the appellant, but this is not directly relevant to the development as it relates to changes to Green Belt boundaries at the policy making stage.
22. I have had regard to the development generating no harm by reason of traffic, noise, smell, contamination, or fumes, and to the lack of harm to trees and neighbouring occupiers and businesses. However, as such matters are

requirements of local and national planning policy, they are neutral in my consideration. Also neutral in my consideration is the possible use of the site pre-dating the introduction of the planning system and the current use potentially being less intrusive than previous uses.

Conclusion

23. The development results in harm to the openness of the Green Belt. As a result, the development is inappropriate development in the terms set out by the Framework. Having regard to the Framework, I give this Green Belt harm substantial weight. The development also results in moderate harm to the character and appearance of the area. These factors weigh heavily against the development.
24. In this context, very special circumstances will not exist unless the harm to the Green Belt and any other harm are clearly outweighed by other considerations. I have given moderate and neutral weight to the other considerations cited in favour of the development. I find that the other considerations in this case do not clearly outweigh the harm that I have identified. Consequently, the very special circumstances necessary to justify the scheme do not therefore exist.
25. Overall, for the reasons given above, the development conflicts with the development plan and there are no material considerations, including the Framework, that would outweigh that conflict. Therefore, the appeal is dismissed.

C Rose

INSPECTOR