



Appeal Decision

Site visit made on 23 January 2024

by K Reeves BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 March 2024

Appeal Ref: APP/D1265/W/23/3325123

Sturminster Marshall Golf Club, Moor Lane, Sturminster Marshall, Dorset BH21 4BD

- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Read of Sturminster Marshall Golf Club against Dorset Council.
 - The application Ref P/FUL/2023/00233, is dated 15 January 2023.
 - The development proposed is a 2 storey extension to form enlarged restaurant and function room.
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Decision

1. The appeal is dismissed and planning permission is refused.

Preliminary Matters

2. Since the appeal responds to the Council not having determined the application, there is no decision notice. Nonetheless, they have stated it would have been refused, the reasons for which have informed the main issues of the appeal. Specifically, the Council has confirmed that, had the appeal not occurred, planning permission would have been refused on the ground that the proposed development is inappropriate development that results in harm to openness of the Green Belt, and no very special circumstances have been identified which would outweigh the harm to the Green Belt.
3. The description of development in the banner heading above is taken from the application form, except where I have deleted references to the application being a revised proposal as these do not relate to an act of development.
4. My attention has been drawn to an allowed appeal for a materially different proposal for extensions to the appeal building¹. I shall have regard to that Inspector's decision, insofar as it is relevant to the current appeal before me.
5. A revised National Planning Policy Framework (the Framework) was published on 19 December and updated on 20 December 2023. An opportunity was provided to the main parties to make further written comment over these changes. This decision is based on the current Framework and has taken account of the further representations made on this.

¹ Appeal reference APP/D1265/W/21/3285425

Main Issues

6. The main issues are:

- whether the proposal would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies, including the effect on the openness of the Green Belt and the purposes of including land within it; and
- if the proposed development would 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 proposed development.

Reasons

Whether inappropriate development

7. The appeal site is within the South East Dorset Green Belt. Policy KS3 of the Christchurch and East Dorset Local Plan Part 1 – Core Strategy (adopted April 2014) (CS) explains that the most important purposes of the Green Belt are to protect the separate physical identity of individual settlements in the area by maintaining wedges and corridors of open land between them and to maintain an area of open land around the conurbation. However, it does not otherwise address detailed Green Belt policy in the same way as the Framework.
8. More detailed guidance on development in the Green Belt is given in Section 13 of the Framework. In particular, Paragraph 154 of the Framework states that the construction of new buildings in the Green Belt is inappropriate development. However, it lists certain forms of development that are not regarded to be inappropriate. This includes 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 (Paragraph 154(c)). Another exception is the provision of appropriate facilities for outdoor sport, as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it (Paragraph 154(b)).
9. The Framework's glossary defines "original building" as "a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally". There is a difference in opinion between the main parties regarding the volume of the original building. The appellant has reiterated the figure mentioned in the previous appeal relating to this building, which is 852m³. The Council have quoted a figure of 800m³. The appellant contends that the increase in volume would be 296m³ (35% increase) and the Council states that it would be an increase of 420m³ (53% increase). There is therefore a significant disparity between the volumetric figures provided by the main parties.
10. Notwithstanding the difference between the parties on that matter, the Framework specifically refers to "size" and volume is only one possible measure of the total increase in the size of a building. It is also necessary to consider the floor area increase and the physical increase in the size and scale of the building.
11. In terms of floor area, the Council states that the gross external floor area of the original building would be cumulatively increased from 155m² to 381m².

These figures show a 146% increase. There seems to be no dispute with these figures, therefore I am content to rely on them. I also note that the submitted plans indicate that the cumulative increase in the gross internal floor area would be from 135m² to 325m². This is a 141% increase in the gross internal floor area of the original building.

12. I acknowledge that the Council have approved a separate planning application for the ground floor element of the appeal proposal². That element of the proposal forms a notable proportion of the floor area of the proposed development and it is a material fallback. However, the appeal proposal would lead to a further increase in the size of the building that would not be insignificant, particularly in terms of volume. Furthermore, the introduction of the large roof dormer would represent a sizeable physical enlarging of the massing and bulk of the roof, which is currently retained in its original form. When seen in context with the existing extensions attached to the building, there would be additions on most faces of the building resulting in the original form being substantially changed to a significantly larger building.
13. The proposed development, when taken with existing extensions, would represent such a substantial increase in the cumulative scale and massing that it would comprise disproportionate additions over and above the size of the original building. The proposal would therefore not meet the criteria in Paragraph 154(c) of the Framework.
14. My attention has been drawn to two appeal decisions relating to development in the Green Belt. The first is the case of Beech Lane³, which related to the extension of a bungalow and was allowed on 10 September 2019. However, that was allowed on special circumstances due to a material fallback for a larger extension than the extension being proposed. As the appeal proposal before me is for a larger extension than the Council have approved, the two appeals are not directly comparable. The second is the case of Meriden⁴, which involved a loft conversion and the replacement of a garden studio. That was allowed on 8 December 2021. However, that proposal involved the removal of existing elements of the building and whilst it appears that the additions to the roof were not considered to be disproportionate, I have not been provided with substantive details of that proposal. As such, it is difficult to make a sufficient comparison between that case and the proposal before me. My conclusion that the proposal is disproportionate is not altered by these appeal decisions.
15. In terms of Paragraph 154(b), the Framework does not provide any definition of what constitutes "appropriate facilities". As a result, this is a matter of judgement for the decision maker.
16. In this case, the proposal would see an extension of the existing restaurant and the enlarging of the first floor function room. Whilst the facilities will be used by members of the golf club, it is highly probable that the building will be frequented by a significant number, potentially a greater number, of visitors not using the outdoor sport facilities. In particular, the dormer extension would create a more attractive environment for hiring out the function room for conferences. Without compelling evidence to the contrary, it appears that the facilities would not be predominantly related directly to the use of the outdoor

² Dorset Council application reference P/FUL/2021/04248

³ Appeal reference APP/U1240/D/19/3228676

⁴ Appeal reference APP/V1260/D/21/3276504

sport facilities. I am therefore not convinced that the proposal can be considered to be an appropriate facility for outdoor sport.

17. However, if it were to constitute an appropriate facility for outdoor sport, then the development must also not have a greater impact on the openness of the Green Belt, and the purposes of including land within it.
18. Openness can be perceived spatially and visually. Spatially, notwithstanding the approval given by the Council for the ground floor element of the proposal, the increase in floor area would be considerable. By occupying space that is currently outside terrace space, the development would inevitably reduce the openness of the site. Visually, the proposed development would be seen from the open golf course, the car park and the public footpath that passes through the site. The proposal would see the building enlarged at ground and first floor. The dormer extension with its large overhang would be a significant projection occupying a substantial amount of the roof slope even allowing for it being set down from the ridgeline and set in from the sides of the roof. The roof is currently in its original pitched form and the enlargement at first floor would be a notable increase in massing and bulk at a higher level on the building. In combination, the floor area, volume, massing and bulk of the proposal would cause considerable harm to openness.
19. On this basis, the proposal would fail to preserve the openness of the Green Belt and by not keeping land permanently open it would conflict with the purposes of including the land in the Green Belt as set out in the Framework and Policy KS3 of the CS. As such, the proposal would not meet the criteria in Paragraph 154(b) of the Framework.
20. For the reasons given, I conclude that the proposed development would be inappropriate development in the Green Belt having regard to the Framework and Policy KS3 of the CS. The Framework states that inappropriate development is, by definition, harmful to the Green Belt and that substantial weight should be given to any harm to the Green Belt. Such development should not be approved except in very special circumstances.

Other considerations

21. The proposed ground floor addition would result in a considerable amount of additional space in the restaurant. The enlargement of the function room on the first floor would result in a more spacious area and significantly more light entering that room. These additions would provide a more attractive prospect for third parties hiring out the building for events or conferences. This in turn would help the long-term financial viability of the business. This is supported by a letter from chartered accountants, Harrisons. They state that the income from membership and green fees is limited by the size of the course and therefore it is important to find other revenue streams. Whilst they also assert that the proposal is vital for the future of the golf club, it is noted that the extension of the restaurant already has permission, and it is not sufficiently demonstrated by the evidence before me that the future of the club hinges on enlarging the function room. It has also not been shown that additional income cannot be generated through other means or reuse of other buildings on site. As such, I afford moderate weight to the improved financial viability of the business.

22. I find that the other considerations in this case do not clearly outweigh the harm the development would cause to the Green Belt by reason of the proposed development's inappropriateness, and harm to the openness to the Green Belt. Consequently, the very special circumstances necessary to justify the development do not exist.

Conclusion

23. The development would conflict with the development plan when taken as a whole and the provisions of the Framework. Other considerations do not constitute the very special circumstances necessary to justify the development. Therefore, for the reasons given, the appeal should be dismissed.

K Reeves

INSPECTOR