



Appeal Decision

Site visit made on 29 July 2024

by S D Castle BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 August 2024

Appeal Ref: APP/D1265/W/24/3343534

Shirewood Store, Park Lane, Dorset, Woodlands, BH21 8LL

- 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 Storofile Limited against the decision of Dorset Council.
 - The application Ref P/FUL/2022/04799, dated 24 July 2022, was refused by notice dated 12 June 2023.
 - The development proposed is extension to existing commercial storage building.
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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 and the proposal's effect on the openness of the Green Belt and the fundamental aim of including land within it; and
 - if the proposal would be inappropriate development, would the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations. If so, would this amount to the very special circumstances required to justify the proposal.

Reasons

Green Belt

3. The appeal site is within the Green Belt. Paragraph 142 of the National Planning Policy Framework (the Framework) identifies the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The Framework advises that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
4. Framework paragraph 154 outlines that the construction of new buildings, other than in connection with a limited number of specific exceptions, should be regarded as inappropriate in the Green Belt. One of the exceptions cited (para 154 c) is the extension of a building provided that it does not result in disproportionate additions over and above the size of the original building.

5. The Framework does not define what constitutes disproportionate additions, but in Annexe 2 it defines the original building as being as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally.
6. The appeal site has a lengthy planning history. Originally an agricultural site, it is currently occupied by a commercial storage company (Storofile Limited) that provides long term archive storage. The appellant advises that Storofile purchased the freehold of the site in 2002.
7. The Council calculate the 'original building' to have had a footprint measuring approximately 55m x 27.5m, giving a total footprint area of approximately 1512.5 sq m. The Council's calculation is derived from the proposed site plan of a planning application for a barn and workshop granted permission in 1985¹. The 1985 site plan depicts 2 barn buildings (a pre-existing building and a proposed building) in a similar location to the current existing commercial storage building on the site. The Council asserts that the pre-existing barn shown on the 1985 plans is the 'original building' for the purposes of applying Framework paragraph 154c.
8. In contrast, the appellant contends that the pre-existing building shown on the 1985 site plan is irrelevant to the assessment of the appeal as it is no longer present. Instead, the appellant asserts that the footprint of the 'redundant farm buildings' shown on a 1995² site plan should be taken as the 'original building' as 'this is the earliest plan from the planning history which shows the subject building'. Whilst the footprint of the 'redundant farm buildings' shown on the 1995 plan appears to accord with the footprint of the current building, this represents limited evidence to suggest that it must therefore be taken to be the 'original building'.
9. The current existing building is in a similar location to that of the barns shown on the 1985 plan and has an appearance indicative of a building that has been previously extended or is the amalgamation of 2 buildings. The past extension or amalgamation of the original building is indicated by notable differences between the southern and northern halves of the existing building. Particularly noticeable is the variation in the height of the cladding above the blockwork. Furthermore, the 2002 aerial image within the appellant's statement shows the northern and southern halves of the building with variations in the appearance of their roofs.
10. The planning history includes a site plan from 1988³ that depicts a single building of a similar scale and location as the current existing building. The southern half of the existing building has an off-centre ridge similar to that approved for the proposed barn by the 1985 permission. This strongly suggests that in the roughly 3 years following the granting of the 1985 permission, the pre-existing barn shown on the 1985 plan was either extended or amalgamated with a structure similar to the barn proposed by the 1985 permission. Such a scenario is supported by the disjointed appearance of the current building. The evidence before me, therefore, suggests that the 'original building' is the pre-existing barn shown on the 1985 plan as asserted by the Council.

¹ LPA ref: 3/85/0829

² LPA ref: 03/95/0037/FUL

³ LPA ref: 3/88/1662

11. The appellant advises that the existing building on the site has a footprint of approximately 3140 sq m. The scale of the existing building, therefore, indicates that significant, and disproportionate, additions over and above the scale of the 'original building' have already occurred.
12. The appellant advises that the proposed extension would add a further 1125 sq m, amounting to a 35.8% increase in the footprint of the existing building. It is clear that, given the scale of the existing additions to the 'original building', the current proposed extension would represent a further disproportionate addition over and above the size of the 'original building'. That would be the case even if I took both the pre-existing and proposed barns shown on the 1985 plan to represent the built form of the 'original building'. As such, the extension subject of this appeal would not meet the exception set out in the Framework at paragraph 154(c).
13. The main parties agree that the proposed building would be on previously developed land (PDL) and I see no reason to disagree. Furthermore, the extension would be well screened to public views by existing boundary vegetation. The extension would, nevertheless, introduce a significantly greater quantum of development, in terms of the volume of built form, on the site. Consequently, there would be a significant detrimental spatial effect on openness because of the greater bulk of the extension.
14. For the reasons above, the development would not accord with any of the exceptions to inappropriate development set out in Framework paragraph 154. As such, the development would be inappropriate development, harmful to the openness of the Green Belt and the fundamental aim of Green Belt policy to prevent urban sprawl by keeping land permanently open.

Other Considerations

15. The proposed extension would support a well-established business within a rural area, increasing employment at the site from 6 to 8 employees. I note the appellant has contacted local estate agents, and has performed internet searches, but has been unable to identify suitable alternative sites. The Framework supports the sustainable growth and expansion of all types of businesses in rural areas. As such, significant weight is given to the economic benefits of the proposal.
16. The Framework is clear that the use of PDL is encouraged subject to suitable opportunities existing. Due to the identified Green Belt policy conflict, the development cannot be viewed to represent a suitable opportunity to develop a PDL site and only limited weight is afforded to this policy consideration.
17. Whilst the extension would not be readily visible from public viewpoints, neither would it contribute positively to the character and appearance of the area. As such, the limited visual impact of the proposal is afforded only limited weight.

Green Belt Balance

18. The Framework states 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.

19. The development would be inappropriate development which is, by definition, harmful. There would be harm to the openness of the Green Belt and conflict with the fundamental aim of Green Belt policy to prevent urban sprawl by keeping land permanently open. These matters attract substantial weight against the development. Having considered all matters in support of the development, they collectively would not clearly outweigh the identified harm to the Green Belt. Consequently, the very special circumstances necessary to justify the development do not exist. The development would therefore conflict with the provisions of Section 13 of the Framework and the overarching aim of Policy KS3 of the Core Strategy, both of which seek to protect the openness of the Green Belt.

Planning Balance and Conclusion

20. Substantial weight is given to the identified conflict with the Framework relating to Green Belt harm. The weight given to other considerations in favour of the proposal noted above would not outweigh that identified harm. The proposal would, therefore, conflict with the development plan, when read as a whole, and there are no other considerations, including the Framework, that outweigh the identified conflict.
21. For the reasons given above, the appeal is dismissed.

S D Castle

INSPECTOR