



Appeal Decision

Site visit made on 20 November 2024

by Bhupinder Thandi BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 November 2024

Appeal Ref: APP/V1260/W/24/3340607

Longcroft Tin, Barrack Road, West Parley, Dorset BH22 8UB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Dick against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref is 8/23/0481.
 - The development proposed is erection of replacement detached dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal site extends across two Council administration areas. The Council indicate that no separate planning application has been submitted to Dorset Council. It has also been brought to my attention that the redline plan does not include a means of access from the adopted highway to the site. As I am required to determine the appeal before me, I have proceeded on this basis.
3. The Council advise that there are ongoing enforcement proceedings relating to a neighbouring dwelling. However, this is not a matter which is before me as part of this appeal, and it has not influenced my decision.

Main Issues

4. The main issues are:
 - Whether the proposal is inappropriate development in the Green Belt having regard to any relevant development plan policies and the Framework;
 - The effect of the proposed development upon the character and appearance of the area; and
 - The effect of the proposal upon the Dorset Heathlands Special Protection Area (SPA) and Ramsar site and Dorset Heath Special Area of Conservation (SAC).

Reasons

Whether the proposal is inappropriate development in the Green Belt

5. Policy H13 of the Christchurch Local Plan (2001) (LP) relates to the replacement of dwellings in the Green Belt. The policy states that proposals will be supported where the replacement dwelling is not significantly greater in size than that of the existing; the scale, design and materials and siting of the

- dwelling is in keeping with the countryside setting and it does not replace a temporary dwelling or one where the residential use has been abandoned.
6. The Framework states 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 is regarded as inappropriate in the Green Belt save for a number of specified exceptions. One such exception is the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.
 7. The proposed development would see the existing flat roofed single storey bungalow at the appeal site demolished and replaced by a pitched roof bungalow with a formalised access track and vehicular parking area.
 8. The proposed development would be in the same use as the existing dwelling. It would be 0.9m taller and larger in terms of footprint by around 6.5sq.m compared to the existing lawful dwelling on site.
 9. The Framework does not define the term "materially larger" and it is therefore a matter of planning judgement for the decision maker. The size, footprint, volume, height and width can all be relevant factors but the general intention of it is to allow the replacement of a building with another of a similar size.
 10. In this context I acknowledge that the replacement dwelling would be larger in terms of size and height, however, the overall size of it would be marginally bigger when compared to the existing house. In my judgement the proposed development would not be materially larger than the building it would replace. As such, it would not constitute inappropriate development in the Green Belt as set out in paragraph 154 d) of the Framework.
 11. As I have found that the proposal would not constitute inappropriate development it is not necessary for me to assess the impact of the development on the openness of the Green Belt.
 12. The proposed development would not be inappropriate development in the Green Belt and therefore would not cause harm to it. In this regard it would accord with LP Policy H13 and the Framework.
 13. I note the council have referred to Policies KS1 and KS3 of the Christchurch and East Dorset Local Plan Part 1 – Core Strategy (2014) (CS) in the first reason for refusal, however, I find that with specific regard to this appeal I give them negligible weight in coming to my decision.

Character and appearance

14. Development along Barrack Lane is sporadic in nature comprising a mix of residential and commercial uses set varying distances from the road. The wider area comprises open countryside including a Site of Special Scientific Interest which forms part of the Dorset Heathlands SPA, Ramsar and SAC.
15. The appeal site comprises a corrugated metal sheet clad single storey dwelling and an unauthorised brick chalet style house that sit within a large rectangular field. The field also contains a number of structures and miscellaneous items. The existing dwelling because of its modest scale and utilitarian appearance within an open setting has a low-key appearance commensurate with the rural appearance of the area.

16. The dwelling proposed would be constructed from rendered blockwork, concrete roof tiles and upvc windows. The proposal also involves the formalisation of the track within the site and creation of a hard surfaced parking area.
17. With its limited architectural detailing and interest and its modern materiality the proposal would have a functional form and its uninspiring appearance would not represent good design or design that is reflective of its rural context.
18. The building would sit next to a large formalised area of hardstanding that would extend from the site access that would erode the local green environment. In addition, in the absence of defined limits to the amenity area domestic structures and paraphernalia could be spread over a great deal of the field compared to the domestic plot defined under the Certificate of Lawfulness (Reference: 8/14/0436). This domestication of the site would unacceptably erode the area's open rural appearance.
19. I acknowledge that views from Barrack Lane would be limited, however, for the reasons set out above the proposed development as a whole would not be well designed and would not enhance its surroundings.
20. The appellant contends that the parking area is required for a wheelchair accessible vehicle. However, this does not outweigh the harm that I have identified in respect of this matter.
21. As such, the proposed development would harm the character and appearance of the area contrary to Policy HE2 of the CS which, amongst other things, requires high quality design and the enhancement of areas of recognised local distinctiveness or development to improve its surroundings including in terms of architectural style, materials and landscaping.

Impact upon the Dorset Heathlands SPA, Ramsar site and SAC

22. The appeal site lies within 400m of the Dorset Heathlands SPA, Ramsar site and SAC. The Dorset Heathlands are an extensive network of lowland heath recognised for their importance for nature conservation. As such, the Dorset Heathlands is recognised by the Conservation of Habitats and Species Regulations 2017 as an area of international importance.
23. The Council's third reason for refusal relates to the effect of the development upon the integrity of the SPA, Ramsar and SAC sites. However, as I have found harm in respect of the character and appearance of the area which is significant enough to dismiss the appeal there is no benefit in me pursuing this matter any further.

Other Matters

24. I acknowledge that the Framework and emerging local plan support self-build and the proposed development has been advanced as a self-build replacement dwelling. However, as there is no legal agreement or planning obligation ensuring that the dwelling is carried out as such, I give this negligible weight in coming to my decision.
25. The appellant has commented that development has recently taken place along Barrack Road. However, based on the limited information provided there is no certainty that it is comparable to the appeal scheme before me. In any event

every application and appeal must be considered on its own merits, as I have done. This factor does not lead me to reach a different conclusion in respect of the appeal.

Conclusion

26. For the reasons set out above the appeal does not succeed.

B Thandi

INSPECTOR