



Appeal Decision

Site visit made on 19 November 2024

by A J Sutton BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 January 2025

Appeal Ref: APP/V1260/D/24/3343005

Bentley House, Arrowsmith Road, Poole BH21 3BD

- 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 David Kirk against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref is APP/23/00936/F.
 - The development proposed is Garage with annexe at first floor.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework and any relevant development plan policies;
 - The effect of the proposal on the openness of the Green Belt; and
 - 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 proposal.

Reasons

3. During this appeal process, a revised National Planning Policy Framework – December 2024 (the Framework) was published. This states the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It requires, when considering any planning application, that substantial weight is given to any harm to the Green Belt. Policy PP2 of the Poole Local Plan (Local Plan) states, amongst other matters, that the Council will carefully manage the Green Belt in accordance with national policy. In this regard the local policy is consistent with the latest Framework.

Whether Inappropriate Development

4. Some of the Green Belt provisions in the previous version of the Framework have been changed in this latest iteration of the Framework. However, similar to the previous version, the Framework- Dec 2024 states that the construction of new buildings should be regarded as inappropriate in the Green Belt. Moreover, paragraph 154 and 155 of the Framework identifies exceptions to this, which include, at

paragraph 154 c) 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.

5. The appellant's statement indicates that the provision in paragraph 154 c) is relevant in this case. While the proposal is described as a garage and annex, the submitted plans show this would be an extension to an existing building on the site. For this reason, I agree this exception in the Framework is most relevant in this appeal. Reference is also made to paragraph 154 d) of the Framework which concerns the replacement of a building; and this is a matter which will be dealt with in due course.
6. The parts of the Framework (Paragraph 154 c) and d)) referenced in this appeal have not been amended in this most recent revision of the Framework. For this reason, it is not necessary to seek submissions on the Framework Dec 2024 in this case, and I am satisfied that no party's interests have been prejudiced by taking this approach.
7. Addressing paragraph 154 c), 'disproportionate additions' is not defined in the Framework. Nor does local policy or guidance provide advice on this matter.
8. The parties agree that the floor space of the original dwelling was 179 m². The evidence suggests that this has already been considerably extended. With regards the existing dwelling, the officer's report for a previous application stated the volume to be over 1286 m³. However, that calculation includes outbuildings. While conflicting figures are provided with regards existing floor space, the evidence advanced in this appeal, indicates that the existing floor area of the dwelling is at least 344 m². The proposed annex would increase this existing floor space of the building by a further 134 m².
9. As the parties highlight, satisfying this exception of the Framework is not simply a mathematical exercise. The original dwelling is described as a cottage. The planning history for the property shows that the footprint and the volume of the dwelling has been extended with a combination of single and two storey additions. With significant extensions in situ, the existing dwelling now comprises a large family home.
10. The appeal property is expansive, and it has been drawn to my attention that large dwellings are not uncommon in this area. This may be so, but the footprint and volume of the dwelling subject of this appeal far exceeds the size of the original cottage; the original small building at the property has already been substantially altered to form a sizeable family home.
11. This proposal would be subservient and modest in scale when compared to the existing dwelling. Be this as it may, the proposed two storey extension in this case, along with the existing extensions, would increase the footprint and volume of the original dwelling considerably, and the much extended dwelling would be in excess of 100% of the size of the original cottage. The resultant development, when considered cumulatively with existing extensions, would be a disproportionate addition over and above the size of the original building.
12. As a proposed extension to a building, the exception stated in paragraph 154 d) relating to replacement of a building is not relevant in this case. Moreover, the proposal would not qualify as an exception set out in paragraph 154 c) of the Framework for the reasons set out above. The proposal would therefore comprise inappropriate development in the Green Belt.

Openness

13. Confined to an existing hardstanding the proposed extension would not encroach significantly into the undeveloped parts of this sizeable plot. However, while cars are currently parked in this space, the hardstanding is largely devoid of permanent structures, and it is therefore relatively open as a consequence.
14. The proposed extension may be modest relative to the existing building, but with three bays for vehicles at the ground level and additional living accommodation at the first floor, this would be a significant structure. This two storey extension would fill an existing space at the front of the dwelling, and given its scale, this would result in a significant spatial change. Moreover, the development would fill a significant space at first floor level and in turn this would erode the existing openness at this aspect of the property.
15. Attention has been drawn to an appeal decision which highlights that parked vehicles can result in harm to openness. It is also asserted that there is already urban sprawl at the property with hardstanding and numerous park cars. While this extension could accommodate vehicles, I find nothing before me that would provide certainty that cars would not be parked on remaining hardstanding or on the long driveway at this property. Not only would there still be scope to park several cars at the property, but this development would also result in a loss of existing openness at the upper floor level, and it would be harmful in this regard. This matter has not altered my findings on this issue for this reason.
16. Consequently, I conclude on this issue, that the proposal would result in a loss of openness to the Green Belt. Whilst the effect would be limited and localised given the scale of development and extensive screening at the property, harm to the openness of the Green Belt nevertheless would occur and this attracts substantial weight.

Other Considerations

17. The appellant asserts that the development would not conflict with the purposes of the Green Belt. However, even if I accept this, for the reasons outlined, the proposal would be inappropriate development in the Green Belt and there would be harm to the openness of the Green Belt. Very special circumstances to justify inappropriate development will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
18. It is understood that planning permission was granted for a replacement dwelling at the property. However, that permission is now lapsed. While I note that the Council's reason for refusing a subsequent application for a replacement dwelling did not relate to Green Belt harms, there does not appear to be an extant permission for such a development at the appeal property. Moreover, even if such a development was proposed, while the Framework identifies replacement buildings as an exception, this is provided that the new building, amongst other matters, is not materially larger than the one it replaces.
19. In any event, as already stated this proposal is for an extension; a replacement building is not proposed in this case. Moreover, details of an alternative proposal have not been submitted with this appeal. In light of the above factors, this suggested fall back is hypothetical at best and consequently this attracts very limited weight.
20. With regards environmental concerns raised, the appellant has suggested that a replacement dwelling would conflict with the Council's climate change policies. It is also asserted that the proposed extension would have a smaller environmental impact

than would be the case for a replacement building. Minimal information has been submitted to consider this factor in detail. However, even if I accept the appellant's assertion on this, the development is small such that any resulting environmental benefit would attract limited weight.

21. It is highlighted that other properties on Arrowsmith Road have larger annexes than that proposed in this scheme. This may be so, but very little information about the circumstances leading to those neighbouring developments have been advanced, and therefore I have not been able to consider them in detail. Only limited weight can be attached to this matter for this reason.
22. The proposal would extend the living accommodation at the dwelling, but this benefit would mainly be limited to occupants of the dwelling. The benefit would therefore be small and attracts limited weight accordingly.

Conclusion

23. I have found that this proposal would be inappropriate development in the Green Belt and would lead to a loss of openness in this part of the Green Belt. These are matters that I attach substantial weight to. Balanced against these harms are the other considerations discussed above, which at most carry limited weight.
24. Even when considered together, these considerations do not clearly outweigh the harms to the Green Belt. As a result, the very special circumstances that are necessary to justify the proposal do not exist. The proposal is therefore contrary to Policy PP2 of the Local Plan and the Framework. There are no other considerations which outweigh this finding. The appeal should accordingly be dismissed.

A J Sutton

INSPECTOR