



Appeal Decision

Site visit made on 23 January 2025

by **Alexander O'Doherty LLB (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13th March 2025

Appeal Ref: APP/D1265/D/24/3346210

Dunromin, Uddens Drive, Clayford, Wimborne BH21 7BJ

- 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 & Mrs Terry Cooper against the decision of Dorset Council.
- The application Ref is P/HOU/2023/06948.
- The development proposed is alterations and extensions to dwelling and extension to domestic outbuilding.

Decision

1. The appeal is allowed and planning permission is granted for alterations and extensions to dwelling and extension to domestic outbuilding at Dunromin, Uddens Drive, Clayford, Wimborne, BH21 7BJ in accordance with the terms of the application, Ref P/HOU/2023/06948, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plan: Proposed Drawing - Proposed Floor Plans, Elevations, Roof Plans, Section, Proposed Site Plan (Drawing No. 7423 – 02).
 - 3) The external materials of the extensions hereby permitted shall match those used in the existing buildings.
 - 4) The development hereby permitted shall be carried out in accordance with the measures specified in section 4 and Appendix C of the Flood Risk Assessment (Enviren Ltd) (Document Ref: 2300326-FRA) (dated: 26 February 2024). The measures implemented shall be retained thereafter.

Preliminary Matters

2. Concerns have been raised relating to alleged inaccuracies in the submitted plans. Even if internal alterations have taken place, the Council considered the submitted Survey Drawing¹ to be consistent with the footprint of the approved plan for the Lawful Development Certificate² (LDC) for the dwelling on site, and I have not been provided with substantive evidence which contradicts this. In common with the Council, I have considered the stables 'as built' in relation to the definition of 'original building' given in the National Planning Policy Framework (the Framework). I have therefore determined the appeal on the basis of the information before me and what I saw on site.

¹ Survey Drawing - Existing Floor Plans, Elevations, Roof Plans, Existing Site Plan, Location Plan, and Existing Photos (Drawing No. 7423 – 01)

² P/CLE/2022/00230

3. The Survey Drawing shows a dwelling, comprised of former stables and an attached caravan. I observed at the site visit that no caravan was attached to the former stables, and that construction works were in progress in the location of the caravan as shown on the Survey Drawing. Although I cannot be certain, I observed that the works appeared to relate to the November 2024 planning permission for proposed alterations to the dwelling³. Notwithstanding these works, for the avoidance of doubt, this appeal decision only relates to the proposed development as shown on the submitted appeal plans.

Main Issues

4. The main issues are:
 - whether the proposed development would be inappropriate development in the Green Belt, having regard to the Framework and any relevant development plan policies;
 - the effect of the proposed development on the openness and purposes 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

Whether Inappropriate Development

5. The appeal site comprises 2 timber-clad buildings and associated outbuildings, located on the west side of Uddens Drive within Clayford. Paragraph 154 of the Framework establishes that development in the Green Belt is inappropriate unless certain exceptions apply. The main parties have focussed on paragraph 154 c) of the Framework which relates to 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.
6. The Council have calculated that the proposed extension to the existing outbuilding would equate to an approximately 43% increase in gross floor area. Although this increase in size would not be insignificant, it would not result in a disproportionate addition over-and-above the size of the original building. As such, this particular element of the proposed development would not constitute inappropriate development in the Green Belt.
7. The Glossary to the Framework 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. Planning permission was granted in 2000 for 4 stables with base & haystore (no base)⁴. The copy of the floor plan submitted by the Council shows a long rectangular building comprising stables and a tack room.
8. The LDC confirmed that the existing use of a building (stables, bunkhouse, utility & caravan) and associated land is lawfully a single residential unit, including all existing ancillary outbuildings. However, paragraph 154 c) relates to the size of the

³ P/HOU/2024/02924

⁴ 03/99/1165/FUL

original building, irrespective of its use. I have therefore taken the original building as comprising the building referred to in the 2000 permission, as built.

9. The Council have mentioned that the caravan which was associated with the former stables and haystore building was physically attached to it and had an internal access to it. This has not been disputed by the appellants. Hence, the caravan constituted an extension to the original building. On this basis, the Council have calculated that, taking account of the proposed works, the total increase in gross floor area of extensions built since the original building would equate to an approximately 87% increase in gross floor area. The accuracy of this figure has not been disputed by the appellants.
10. Considering the above, the proposed development would result in a substantial increase in size over-and-above the original building on site. The extended building would consequently have a much larger massing than the original building. Hence, the proposed development would result in disproportionate additions over-and-above the size of the original building.
11. The appellants have referred to the siting of the proposed works in the context of the site, and the effect of the proposed development on the character and appearance of the area. However, paragraph 154 c) refers to the size of the original building, and accordingly that is the primary focus of my assessment under this main issue. Considering this, and noting the substantial uplift in size identified above, none of these matters change my finding that the proposed works to the dwelling would constitute inappropriate development in the Green Belt. This aspect of the proposed development would therefore conflict with paragraph 154 c) of the Framework.

Openness & purposes of the Green Belt

12. The Planning Practice Guidance (PPG) advises that openness is capable of having both spatial and visual aspects⁵. The increased footprint on site arising via the proposed works to the dwelling (described above) would reduce the openness of the Green Belt in spatial terms, albeit by a limited degree. The resulting increase in height and bulk caused would not be substantial, but this would nevertheless reduce the openness of the Green Belt in visual terms. These effects would be localised, but even so, the proposed development would result in harm to the openness of the Green Belt. It follows that the proposed development would undermine the purpose of the Green Belt in terms of its assistance in safeguarding the countryside from encroachment.

Other Considerations

13. Paragraph 153 of the Framework makes it clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances, and 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.
14. The proposed development would utilise sustainable construction methods and would be a more energy-efficient building than the building shown on the Survey Drawing. However, the scale of the benefits in these respects have not been

⁵ Paragraph 64-013-20250225

quantified. Given the modest scale of the proposed development, on the limited information before me it appears that the benefits in this regard would not be significant. Similarly, the proposed 10% biodiversity net gain on site would not comprise a significant uplift. These matters amount to little weight in favour of the proposed development.

15. Paragraph 2 of the Technical housing standards – nationally described space standard (March 2015 (amended 19 May 2016)) states that the requirements of the standard for bedrooms, storage and internal areas are relevant only in determining compliance with the standard in new dwellings and have no other statutory meaning or use.
16. Nevertheless, I acknowledge that, as the part of the building shown on the Survey Drawing which contained the habitable accommodation only measured approximately 41.8 square metres (i.e. excluding the office, former stables, utility, and shower room areas), it likely offered a very cramped living environment for a 2-bedroom dwelling. The former stables would be converted into domestic storage, but this area would not comprise habitable accommodation. Even so, the remainder of the proposed works to the dwelling would significantly increase the amount of habitable accommodation available in the dwelling, thereby bringing it up to an acceptable standard. Hence, the proposed development would serve to promote the health and well-being of the current and future occupiers of the site, which is encouraged by paragraph 135 f) of the Framework. Accordingly, this matter attracts substantial weight in favour of the proposed development.
17. The site is located within Flood Zone 3 and consequently is at a high risk of river flooding. The submitted Flood Risk Assessment concludes that through the mitigation methods identified, the proposed development would result in a significant betterment over the existing situation, and would be robustly protected from flooding. Specifically, in comparison with the building shown on the Survey Drawing, the floor levels of the habitable accommodation would be raised up by approximately 425 mm. The benefits in this regard have not been disputed by the Council. The proposed development would accordingly result in considerable benefits in terms of enhancing the safety and well-being of the current and future occupiers of the site. As such, this matter attracts very significant weight in favour of the proposed development.

Other Matters

18. In comparison with the building shown on the Survey Drawing, the proposed development would represent an improvement in visual terms. However, given that the building would be largely shielded from public vantage points, the proposed development would not meaningfully enhance the character and appearance of the area. This is a neutral matter, which does not weigh in favour of the proposed development.
19. The proposed development would entail a limited increase in the footprint of the dwelling in the context of the size of the site as a whole. No substantive evidence has been provided which demonstrates that such a minor development would have any adverse effects on a SSSI or the natural environment in general, including watercourses.
20. I observed that the site could be safely accessed by vehicular traffic. The proposed development would not encroach upon any existing rights of way. The appellants

will be aware of the legislation surrounding public rights of way due to these matters being highlighted in Council's consultation responses and Officer's Report. The LDC confirmed the residential use of the dwelling, and the evidence does not suggest that the proposed development would generate a material increase in foul water.

Balancing of Considerations

21. The proposed works to the dwelling would be inappropriate development in the Green Belt and would result in a reduction in its openness. These matters carry substantial weight.
22. The benefits of the proposed development in terms of promoting the safety, health, and well-being of the current and future occupiers of the site, as described in detail above, go to the heart of the liveability of the dwelling and the welfare of its occupants. Collectively, these benefits result in very significant weight in favour of the proposed development. They clearly outweigh the harm identified. Considering the case in the round, and noting in particular that the proposed development would safeguard the dwelling from risks associated with flooding, very special circumstances exist. The proposed development would comply with the Green Belt aims of Policy KS3 of the Christchurch and East Dorset Local Plan: Part 1 - Core Strategy (adopted 2014) and the Framework, and consequently would be acceptable.

Conditions

23. I have had regard to the conditions suggested by the Council. I have considered them against the advice on conditions set out in the Framework and the PPG.
24. Conditions are necessary, in the interests of clarity and enforceability, setting out the timescale for the commencement of development (condition 1) and the approved plan (condition 2), respectively. A condition is necessary controlling external materials to ensure that the proposed development would have an acceptable appearance (condition 3). A condition is necessary requiring that the proposed development is carried out in accordance with the proposed mitigation measures detailed in the Flood Risk Assessment, to ensure that the proposed development is protected from flooding (condition 4).
25. Householder development is exempt from the biodiversity gain condition referred to in the PPG. The evidence does not indicate that planning permission would otherwise be refused in the absence of planning conditions requiring the installation of bat and bird boxes, meaning that such conditions would not be necessary in the terms of paragraph 57 of the Framework, which also stresses that planning conditions should be kept to a minimum.

Conclusion

26. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations (including the representations of all interested parties), I conclude that the appeal should be allowed.

Alexander O'Doherty

INSPECTOR