



Appeal Decision

Site visit made on 31 July 2025

by **S Leonard BA (Hons) BTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 14 August 2025.

Appeal Ref: APP/D1265/D/25/3361945

Gilleve, Wareham Road, Corfe Mullen, Dorset BH21 3RU

- 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 Burnard against the decision of Dorset Council.
 - The application Ref is P/HOU/2024/03382.
 - The development is the erection of boundary fencing and foundation/base for replacement outbuilding.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The planning application was submitted retrospectively, and on my site visit I saw that boundary fencing and a foundation/base for a future building have been carried out. The appellants have drawn my attention to an error in respect of the planning application in that the height of the fencing as erected, at 2.3m, is lower than the height of 3m as stated on the application drawing Ref SP02-542-YPP 1.
3. The appellants have not submitted a revised plan to replace the above drawing. Notwithstanding the fencing that has been erected, the decision notice specifically confirms which drawings were considered by the Council in reaching the decision. These include the aforesaid drawing. Moreover, the officer report refers to the 3m height stated on this drawing.
4. The planning appeals procedural guidance¹ advises that the appeal process should not be used to evolve a scheme and there are no provisions within the Rules for amendments to be submitted. It is important that what is considered by the Inspector at appeal is essentially the same scheme that was considered by the local planning authority and by interested parties at the application stage.
5. Having considered the change against the substantive and procedural tests set out in the relevant judgement², I do not consider that there is justification for exceptionally accepting the change. Accordingly, I have determined the appeal based on the scheme which was refused by the Council and the plans listed on the decision notice.
6. For the avoidance of further doubt, in accordance with Informative notes 2 and 3 of the Council's decision notice, my decision is based upon drawings LP01-542-YPP 1 (Location Plan) and SP02-542-YPP 1 (Site Plan Fencing) only. It takes no

¹ Procedural Guide: Planning Appeals – England (updated 30 June 2025)

² Holborn Studios Ltd v The Council of the London Borough of Hackney (2018)

account of additional illustrative plans which were submitted with the planning application in respect of a proposed outbuilding.

7. In addition, the Council's reasons for refusal specifically relate to the boundary fencing element of the appeal scheme. It has found no conflict with Green Belt policy or any other harm in respect of the foundation/base located in the south-east corner of the site, which is intended to support a proposed replacement storage outbuilding which is the subject of a separate planning application.³
8. Considered in isolation, the Council's view is that the foundation/base comprises an engineering operation, which, under Paragraph 154 (h) ii of the Framework, is not inappropriate development within the Green Belt provided it preserves its openness and does not conflict with the purposes of including land within it. On the basis that the foundations are sited at ground level and are within the existing residential curtilage, the Council is satisfied that these criteria are met. Based on the evidence before me, and my site inspection, I have no reason to disagree. In any event, given my conclusions below, in respect of the fencing element of the appeal scheme, there is no need for me to consider this matter further, since it will not alter the outcome of this appeal.

Main Issues

9. The main issues are:
 - Whether or not the fencing constitutes inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies;
 - The effect of the fencing on the openness of the Green Belt and the purposes of including land within it;
 - The effect of the fencing on the character and appearance of the area; and
 - If the fencing is inappropriate, whether harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. If so, would this amount to the very special circumstances required to justify the fencing.

Reasons

10. The appeal site lies within open countryside to the south-west of Corfe Mullen within the Bournemouth Green Belt. The site is occupied by a residential bungalow with a soft-landscaped garden area adjacent. The remainder of the site is largely given over to hard standing and includes a mobile home, storage buildings and an area where a number of vehicles are parked. Vehicular access is via Beacon Hill Lane which runs from the south side of Wareham Road.

Whether inappropriate development

11. The Act defines "building" as any structure or erection, and any part of a building. For the purposes of the consideration of Green Belt policies, this includes fencing. Having regard to the nature of the appeal scheme, Paragraph 154 of the Framework is relevant and states that development in the Green Belt is inappropriate unless one of the stated exceptions applies.

³ : LPA Ref P/HOU/2025/00786

12. The evidence before me is that the appeal site has a residential use. As such, the fencing does not meet any of the Paragraph 154 listed exceptions and is therefore inappropriate development in the Green Belt.
13. The appellants' view is that the fencing falls within the remit of Paragraph 154 b). However, this exception specifically relates to appropriate facilities, including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments. Having regard to the use of the appeal site, this does not apply to the appeal scheme fencing.

Openness and purposes

14. The Framework identifies that a fundamental aim of Green Belt policy is to keep land permanently open, and that the essential characteristics of Green Belts are their openness and permanence.
15. The appeal scheme 3m high metal fencing would extend around a long part of the appeal site boundary, comprising the whole length of the southeast side boundary and a significant proportion of the length of the front and rear boundaries.
16. Green Belt openness has both spatial and visual dimensions. The fencing introduces built development onto parts of the site which did not historically exist. Notwithstanding the spaces between the galvanised metal bars, it nonetheless comprises a substantial physical boundary treatment. As such it has an impact on the spatial aspect of openness.
17. The fencing design is such that it affords views through it, in contrast to some other more solid means of boundary treatment such as a wall or close-boarded timber fencing. However, due to the relatively narrow spacing between the vertical bars, together with the inclusion of horizontal bars, the fence would still clearly be perceived as an enclosing structure when viewed from within the appeal site, from neighbouring land and from Beacon Hill Lane. This effect is magnified on the front element of the fencing which has had a green mesh membrane added.
18. Mature vegetation would partly screen the visual impact of the fencing along some of the site boundary, but for a large part, including along the front and rear boundaries, it would be highly visible in wider views.
19. Having regard to the domestic scale and the nature of the development, I find that the aforesaid impact on the openness of the Green Belt in both spatial and visual terms would be localised and modest. Nonetheless, this would be contrary to Paragraph 142 of the Framework which states that an essential characteristic of Green Belts is their openness.

Character and appearance

20. The vicinity of the appeal site is rural and verdant in nature and is characterised by sporadic built development set amongst large open fields. The fields are often bounded by mature trees and hedging, or in the case of the equestrian land adjacent to the appeal site, by low post and wire fencing which is in keeping with the countryside location and maintains the openness of the fields.
21. Moreover, this part of Beacon Hill Lane comprises a typical narrow rural road with no pavements, and it is edged with treed, hedged and grassed roadside verges and property frontages which are defined by mature soft landscaping.

22. The green colour of the fencing and its open mesh design which allows some soft landscaping around it to be partially visible through the structure, would go some way to aiding its visual assimilation into its rural surroundings as well as providing a visual connection with the existing green on-site storage building in the northern corner of the site.
23. However, notwithstanding this, the galvanised steel fencing is noticeably industrial in nature and is strongly at odds with the distinctly rural character of the area and the aforesaid typical existing boundary treatments. Its design is more appropriately suited to that of a commercial site, and it appears incongruous within the otherwise verdantly edged Beacon Hill Lane. Its height and length combine to exacerbate the visual impact of the scheme, particularly in views from the public realm of Beacon Hill Lane when approaching the site from the southeast direction due in part to rising ground levels to the east of the appeal site.
24. I have noted the appellant's proposal to extend the existing frontage Laurel hedging and plant either in front of or behind the frontage fencing to soften its visual impact. However, notwithstanding the proposed use of a landscape condition to secure this planting, I am not persuaded on the basis of the evidence before me that there would be sufficient space or appropriate growing conditions to enable such planting to be successfully carried out. In coming to this view, I have noted the proximity of the frontage fencing to the hard surfacing located on the highway and on the appeal site, including that associated with the recently laid foundation/base for a future new outbuilding.
25. Moreover, even if it were proven to be possible to undertake such planting, I cannot be certain that the landscaping would be implemented and thereafter retained, and this is not a reason to allow development that is otherwise unacceptable.
26. My attention has been drawn to the previous presence of visually prominent close-boarded fencing along part of the front boundary. However, the evidence before me is that this fencing only occupied a relatively short section of the site frontage in comparison to the appeal scheme. Moreover, it has been removed, and I have no evidence that it was lawfully erected. As such, this does not alter my views in respect of the visual impact of the appeal scheme.
27. For the above reasons, I conclude that the appeal scheme fencing results in material harm to the intrinsic rural character and appearance of the countryside. As such, it is contrary to Policies HE2 and HE3 of the *Christchurch and East Dorset Local Plan: Part 1 Core Strategy* (2014) in so much as these policies, amongst other things, seek to ensure that new development protects and seeks to enhance the landscape character of the area and is compatible with or improves its surroundings in terms of, inter alia, scale, height, materials and visual impact.
28. This accords with Chapter 12 of the Framework which seeks to achieve well-designed places.

Other considerations

29. The appellants' cited primary reason for requiring the boundary fencing is to improve the security of the property. I accept that to serve this purpose, the boundary treatment needs to be higher than that allowed under Permitted Development. Also, I have no reason to doubt that the appeal site has been

subject to previous break-ins, noting its location bounded by open fields to the rear and side and fronting onto a quiet rural lane where built development is sporadic with gaps in between.

30. In the absence of cogent evidence of actual incidents, and details of the number and nature of the occurrences, I attach moderate weight to this benefit of the appeal scheme fencing. In apportioning this weight, I also take account of the residential use of the site, noting that there are other residential properties nearby, and there is no evidence before me that these dwellings require a similar design of security boundary fencing.
31. The appellant has not cited any public benefits associated with the appeal scheme fencing.

Green belt balance

32. The appeal scheme fencing represents inappropriate development in the Green Belt as defined by the Framework. The Framework indicates that this is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Moreover, the development results in a modest loss of spatial and visual openness, thereby adversely impacting upon one of the essential characteristics of the Green Belt and one of its main purposes of safeguarding the countryside from encroachment. I have also found harm to the character and appearance of the area because of the appeal scheme fencing. I attach moderate weight to this harm, having regard to the minor level scale and nature of the development.
33. 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. Government policy dictates that, in carrying out the balancing exercise, substantial weight is to be given to any harm caused to the Green Belt, including harm to its openness.
34. I conclude that the security benefits cited in support of the appeal scheme fencing, to which I have attributed moderate weight, do not clearly outweigh the substantial harm that the development causes to the Green Belt. Consequently, the very special circumstances necessary to justify the development do not exist. As such, the development conflicts with Chapter 13 of the Framework which aims to protect the Green Belt.

Conclusion

35. Therefore, for the reasons given above, I conclude that the appeal should be dismissed.

S Leonard

INSPECTOR