



Appeal Decision

Site visit made on 22 October 2025

by K Jones BA (Hons) DipLA CMLI

an Inspector appointed by the Secretary of State

Decision date: 12 December 2025

Appeal Ref: APP/V1260/D/25/3371433

122 Matchams Lane, Christchurch BH23 6AN

- 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 Stuart Ward against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref is P/25/01701/HOU.
 - The development proposed is erection of an ancillary outbuilding alongside a pre-existing boundary wall.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was also made by Mr Stuart Ward against Bournemouth Christchurch and Poole Council. This application is the subject of a separate decision.

Preliminary Matters

3. The Council issued the decision notice as a 'Grant of Planning Permission', stating that the development has been permitted. However, the decision notice lists reasons for refusal. Based upon the reasons for refusal and the Council's officer report, it is clear that the Council had intended to refuse the application, and the decision notice contains sufficient information for a reasonable person reading it to reach this conclusion. I am therefore satisfied that planning permission was refused. The appellant has interpreted the decision notice as such, and exercised their right to appeal. Accordingly, I have determined the appeal on the basis upon which it was submitted, which is against the refusal to grant planning permission for the development.
4. The application form confirms that the development has commenced, and I was able to see that the building is substantially in place during my site visit, though it has not yet been brought into its intended use. I have determined the appeal on this basis.
5. The appellant states that the rear wall of the building sits within the boundary wall of the site and is not a part of it. However, this does not appear to be the case on the ground, with ducts from within the building venting to the outside of the boundary wall, and a visible break where the southern leg of the wall joins the appeal building. The plans, in particular the Block Plan¹, also show that this part of

¹ Drawing No 25-1605/002 D

the boundary wall is the outward-facing rear wall of the outbuilding, with no additional or doubled rear wall to the outbuilding shown inside the boundary wall. Accordingly, even if it may have been built at a different time to the remainder of the appeal building, I am satisfied that the rear wall of the outbuilding is the external wall visible from outside the site, and have proceeded on that basis.

6. There is disagreement between the parties over the lawful status of the wider boundary wall which encloses the site. However, the description of development and the plans are clear that the wider boundary wall does not form part of this application, and I have not considered it further. I also note that an Enforcement Notice was served by the Council concerning the appeal building alongside other development at the site. This was subject to an appeal which has now been withdrawn. The enforcement notice and any subsequent appeals are a separate matter and have not influenced the outcome of this appeal.

Main Issues

7. The Council considers that there is little functional link between the outbuilding and the main dwelling, and that the building contains all of the facilities required for day-to-day independent living. Although the appeal building contains facilities that could support independent living, this does not necessarily mean that it would function as a separate planning unit from the main house. The description of development applied for is an ancillary outbuilding, and the plans refer to ancillary accommodation. The householder application form was submitted and accepted by the Council and the development has been advertised on this basis. As such, while there is evidence of the building being put to a different use in the past, there is no proposal for separate dwellings before me, and it is important that I consider the development as proposed.
8. In addition, the accommodation is modest, comprising two single-room units, each containing a bedroom, kitchenette, and living space, with an en-suite shower room. There is no evidence of separate utility supplies, and the units share access, garden, and parking arrangements with the main dwelling. Despite being some distance apart, a level path and shared parking area provides a direct connection between the two areas of the site, with no physical delineation between them. The use for family members as described by the appellant would result in many comings and goings between the areas of the site, and nothing on site or in the evidence identifies any practical barriers to such use.
9. Although the appeal building would not be attached to the main house, the foregoing matters point to the accommodation being part and parcel of the existing dwelling, and for these reasons, I do not regard the appeal building as being tantamount to two new dwellings. As such, the use of the site, in its entirety, would remain a single residential planning unit and the occupiers would be regarded as a single household.
10. The Council's reasons for refusal in relation to isolated residential development, its effects on the integrity of European protected sites, and the living conditions of future occupiers with regard to internal space stem from its consideration of the development as two new dwellings. As that is not the scheme before me, there appears to be no good reason why these matters are relevant to my considerations.

11. Accordingly, the main issues in this appeal are:

- whether the development is inappropriate development in the Green Belt as defined in the Framework and relevant development plan policies;
- the effect of the development on the openness and purposes of the Green Belt;
- the effect of the development on the character and appearance of the area; 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 development.

Reasons

Inappropriate development

12. Policy KS3 of the Christchurch and East Dorset Local Plan Part 1 – Core Strategy (April 2014) (the Core Strategy) is an overarching strategic policy which sets out that development in the East Dorset District and Christchurch Borough will be contained by the South East Dorset Green Belt, highlighting its purposes in respect of openness. There is no development plan policy which sets out a more detailed approach to decision making in the Green Belt. Consequently, I must turn to the Framework.
13. Paragraphs 153 and 154 of the Framework set out that development in the Green Belt should be regarded as inappropriate development which is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. This is subject to exceptions outlined in paragraphs 154 and 155. The appellant identifies that ancillary residential buildings for existing dwellings do not fall within these exemptions, and the evidence does not lead me to a different conclusion.
14. Accordingly, the development would be inappropriate development that is, by definition, harmful and therefore contrary to national policy to protect the Green Belt. In relation to this main issue, the Council has also found conflict with Policy 3 of the Hurn Neighbourhood Plan (2024). This policy relates to an area of the Green Belt defined within the neighbourhood plan as the Important Local Gap. However, the appeal site lies outside of this area, and the provisions of this policy are therefore not determinative to this appeal.

Openness and purposes of the Green Belt

15. The Framework states that openness is an essential characteristic of the Green Belt. It has a spatial as well as a visual aspect. Notwithstanding the presence of other residential development and varied land uses within the vicinity of the appeal site, the openness of the Green Belt is evident around the property and the wider area.
16. Although the appellant identifies that the building sits behind an exterior wall and is therefore not visible, for my reasons above I do not consider this to be the case, instead finding that the building is clearly visible from outside the site. As a visibly prominent introduction of built form where there was previously none, the appeal

building results in a moderately harmful loss of openness in both a spatial and a visual aspect, resulting in encroachment into the countryside. In this case, even if the development were behind a wall and not clearly visible, the spatial aspect of openness would still be harmed by the introduction of built form.

17. The appellant's planning statement indicates that the main dwelling as allowed at appeal² could be expected to have outbuildings. However, the Inspector of that appeal found it necessary to remove permitted development rights in respect of, amongst other things, extensions, sheds, greenhouses, garages and outbuildings in order to prevent works which may harm openness. The baseline position does not therefore include a likely presence of outbuildings associated with the main dwelling, which might moderate the effects of the appeal building. There is also no evidence indicating that the appeal building has replaced an existing component of built form at the site.
18. As such, the development conflicts with an essential characteristic of the Green Belt and its ability to serve its purpose of safeguarding the countryside from encroachment, as set out in paragraphs 142 and 143 of the Framework.

Character and appearance

19. The appeal site lies in the wooded heathland landscape north of the small settlement at Hurn, in a tract of countryside north of Christchurch. The long, straight road of Matchams Lane is lined by trees and hedgerows resulting in an attractive verdant character. In proximity to some large industrial and urban uses, this wooded character is of considerable value.
20. As I have described above, the external wall of the building is visually prominent from Matchams Lane. This is particularly true on the approach from the north where few other built features are apparent. Although it reflects the contemporary character of the main dwelling behind, and is part of a well-defined residential plot, this visual context is not readily apparent from the public realm. The appeal building instead appears as a substantial bulky and stark structure, close to the road edge and isolated from other development. While these effects are relatively localised, its appearance fundamentally contrasts with the otherwise wooded character of the surrounding area.
21. Accordingly, I conclude that the development harms the character and appearance of the area. It is therefore in conflict with Policy HE2 of the Core Strategy and Policy 2 of the Hurn Neighbourhood Plan: 2022 - 2028. Amongst other matters, these policies seek high quality development which is compatible with or improves its surroundings in terms of bulk, materials, and visual impact. They also seek to conserve the character of the local landscape, including the rural nature of the lanes and the sense of remoteness away from the main roads.

Other considerations

22. The accommodation within the outbuilding would provide additional space for the appellant to support family members. Such support would result in some modest public benefits including easing housing pressures and reducing the burden on social care systems, and I afford these moderate weight. However, the benefits of the development would primarily be personal to the appellant and his family. As in

² Appeal reference APP/E1210/W/19/3234766

general planning is concerned with land use in the public interest, these personal benefits carry limited weight in favour of allowing the appeal.

Green Belt Balance

23. I have found that the development is inappropriate development in the Green Belt which results in a moderate reduction in openness. The Framework indicates that substantial weight should be given to any harm to the Green Belt, including harm to its openness. It is also clear that the harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the development, must be clearly outweighed by other considerations for planning permission to be granted.
24. In this case, the harm to the character and appearance of the area is relatively localised, and there are other considerations which carry moderate weight in favour of the development. However, The other considerations in this case do not clearly outweigh the harm identified. Consequently, the very special circumstances necessary to justify the development do not exist.

Conclusion

25. For the reasons given, the appeal is dismissed.

K Jones

INSPECTOR