
Appeal Decision

Site visit made on 2 December 2025

by **C Rose BA (Hons) BTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 15 December 2025

Appeal Ref: APP/D1265/D/25/3373665

The Walled Garden, Colehill Road, Lytchett Matravers, Dorset BH16 6BS

- 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 A and N Howard against the decision of Dorset Council.
 - The application Ref is P/HOU/2025/03797.
 - The development proposed is extend and convert existing garage to form residential annexe to The Walled Garden.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The main house itself is not a listed building but within its grounds are Grade II listed walls (List Entry Number 1120583) to a former walled garden of the Manor House (now demolished). To the northeast of the site is the Grade I listed Parish Church (List Entry Number 1171322) and Grade II listed church yard walls (List Entry Number 1120584). There is no dispute between the main parties that given the scale and location of the proposal, it would not cause harm to the setting and significance of these heritage assets and does not conflict with Policy H2 of the Purbeck Local Plan (2018 – 2034) (2024) (LP) that seeks to give great weight to protecting, and where possible enhancing Purbeck's designated heritage assets. As I have no reason to disagree, I do not need to deal with this matter any further.

Background and Main Issues

3. The appellant seeks to convert and extend an existing garage to form a new annexe for ancillary use for an elderly parent in need of care. Therefore, the main issues are:
 - whether the proposed development would be for residential purposes integral to the residential use of the main dwellinghouse;
 - whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - the effect of the proposal on the openness of the Green Belt;
 - the effect of the proposal on the character and appearance of the existing dwelling; and

- whether any harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the development.

Reasons

Whether integral to residential use of the main dwellinghouse

4. The courts have ruled in *Uttlesford DC v SSE & White [1992]* that the question of whether accommodation in an outbuilding that provides facilities for independent day-to-day living would become a separate planning unit from the main dwelling is a matter of fact and degree.
5. The appellant states that the proposed annexe would be occupied by an elderly relative. It would contain a living room, bedroom, kitchen and bathroom which would provide reasonably sized accommodation for one person. It would be of a size to cater for disabled/wheelchair users. The annexe would be relatively close to the main house, connected to it by a short path and existing access gates through the listed wall. While the presence of the wall and space around the building would provide outdoor space separate from the main dwelling, the gates provide a suitable link between the two and I have no evidence before me demonstrating that they would be locked.
6. While parking would be available to the front of the annexe, it would share the main dwelling's parking area and access without physical division. The annexe would also be subordinate in size and scale to the main house.
7. I am therefore persuaded that, as a matter of fact and degree, the annexe would be physically and functionally related to the main dwelling. I recognise the internal layout comprises space and rooms to enable independent living. However, there is no compelling evidence to suggest this would occur or to lead me to question the appellant's statement about the intended occupier for the space.
8. Even if the accommodation could be used as a separate dwelling, and even if a separate access could be created, no such proposal is before me. Use of the annexe for residential purposes integral to the residential use of the main house could be secured by condition were the appeal to be allowed. I see no reason why this could not be monitored by the Council via visits to the site and or monitoring property records. If the annexe was not used as proposed, or if there was a material change of use in the future to create a separate dwelling, then a separate grant of planning permission would be required. The building would be at risk of enforcement action if such a permission was not granted.
9. For the above reasons, I conclude the proposed use would be for residential purposes integral to the residential use of the main dwellinghouse. Accordingly, I find no conflict with LP Policy V1 which sets out the spatial strategy for new housing in the area.

Whether inappropriate development

10. LP Policy V2 relates to the Green Belt boundaries and provision of suitable alternative green space. As such, consideration of the proposal in relation to its location in the Green Belt falls against the Framework.

11. According to the Framework, the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The five purposes of Green Belt are defined in paragraph 143.
12. Paragraph 153 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be permitted except in very special circumstances.
13. Paragraph 154 of the Framework defines development in the Green Belt as inappropriate unless one of a number of defined exceptions apply. Of relevance to the issues raised in this appeal, this includes 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 (paragraph 154c). As a domestic adjunct, it is reasonable to consider the development of an outbuilding within the curtilage of a dwelling as an extension thereof.
14. For extensions and alterations within the Green Belt, Annex 2 to the Framework clarifies that the “original building” shall mean either the building as it existed on 1 July 1948, or, if constructed after 1 July 1948, as it was built originally.
15. The Framework does not provide a definition of ‘disproportionate additions’ and therefore an assessment of whether a proposal would amount to a disproportionate addition over and above the size of the original building is a matter of planning judgement.
16. The appeal proposal would see the existing single storey garage altered to provide a small rear extension. The Council have provided figures to support its case that the original dwelling has already been significantly extended and therefore conclude that the combination of the dwelling and outbuilding comprise disproportionate additions. These figures show an increase in footprint and floor area of just under a 200% increase on the original dwelling and are not disputed by the appellant. Whilst I note that the proposed extension represents only approximately 10% of the floorspace of the main dwelling, given the extent of additions to the original dwelling, combined with the proposal, they result in disproportionate additions over the size of the original building.
17. Both main parties are in general agreement that the increase in volume would be measurably larger. However, the appellant advises that this has taken place over a considerable period of time and as such has been incremental and commensurate with the substantial size of the site. While I have no reason to disagree, this does not change the fact that taken together against the original building as required by the Framework, the proposed increase would amount to substantial and disproportionate additions over and above the size of the original building.
18. I acknowledge that the site is previously developed land, but paragraph 154(g) of the Framework states that inappropriate development comprises limited infilling or the partial or complete redevelopment of previously developed land. The proposal does not reflect this.
19. Consequently, I find that by reason of the resultant disproportionate additions, the appeal proposal would be inappropriate development in the Green Belt which is, by definition, harmful. It would therefore conflict with Paragraph 154(c) of the Framework.

Openness

20. Paragraph 142 of the Framework states that the essential characteristics of Green Belts are their openness and their permanence.
21. The provision of the rear extension to the garage to cater for the conversion, alongside the greater overall floor area in excess of existing, results in a development that would have a greater spatial and visual presence.
22. While the rear extension would only be visible in glimpsed view from with the appeal site and adjacent fields, it would nonetheless have a visual effect on openness.
23. As a result, I find that despite being of a small volume, the increased size would reduce the openness of the site and have a greater impact on the openness of the Green Belt than the existing development.

Character and appearance

24. The existing garage sits to the side of the main dwelling and is subordinate in scale and of a character and appearance that respects the main dwelling. The scale of the extension is modest, and its design comprises both traditional and contemporary elements respecting the design of the existing garage and main dwelling. The proposed extension follows the shape, form, massing and materials used for the existing garage. The angled extension responds to the topography of the site.
25. On approach to the site, the garage is partly screened and in no way detracts from the main house. This will be the case with the proposed extension constructed due to its position to the rear of the garage. Due to its small scale, the building once extended would remain subservient to the main dwelling. The inclusion of domestic features on outbuildings is not unusual and given their small scale, and position and small size of the building clearly positioned within the curtilage of the main dwelling, it would not visually compete with the main house.
26. As such, the proposal would be of a design that would complement the main dwelling in terms of its height, proportions, and materials. The rear extension and resultant appearance would not be highly visible and would be of a suitable scale and appearance in themselves. The proposal would therefore be of an appropriate design and bulk. On this basis, the proposal would not harm the original functional character and association with the main dwelling. Furthermore, it would not appear as an independent dwelling or visually compete with the main dwelling.
27. Accordingly, the proposal would not result in a harmful effect on the character and appearance of the existing dwelling. As such, it would comply with LP Policy E12 and the Purbeck Design Guide SPD. Amongst other things, these seek to achieve a high quality design that positively integrates with their surroundings.

Other Considerations

28. In exercising my function on behalf of a public authority, I have had due regard to the Public Sector Equality Duty contained in the Equality Act 2010 (the Act) which sets out the need to eliminate unlawful discrimination, harassment, and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share

it. The Act sets out the relevant protected characteristics which include disability and age. The effect of not granting planning permission may result in the appellant's relative having to move elsewhere. My decision therefore has the potential to affect persons with one or more protected characteristics having regard to the Act.

29. The proposed development would allow an elderly parent to move out of existing unsuitable accommodation, to live at the site and receive care and support from relatives living within the main dwelling. It would also provide suitable internal space to cater for their needs and offers a response to the growing need for multigenerational living, care provision and adaptable housing.
30. However, there is little substantive evidence before me demonstrating that the proposal is the only means of meeting their needs. In addition, I have been provided with limited evidence to demonstrate that there is insufficient space within the existing dwelling to cater for the relative's needs. In light of these considerations, and in the absence of any other clear justification, I give moderate weight to the benefits associated with the personal circumstances of the appellant's family.

Conclusion

31. The appeal scheme would be inappropriate development in the Green Belt which is harmful by definition and should not be approved except in very special circumstances. The Framework requires that substantial weight should be given to any harm to the Green Belt. This weighs heavily against the proposal.
32. The Framework also confirms that very special circumstances only exist where the harm by reason of inappropriateness and any other harm is clearly outweighed by other considerations. I have given moderate weight to the other considerations. Having had regard to all other matters, I therefore find that the substantial weight to be given to Green Belt harm is not clearly outweighed by other considerations in this case. Consequently, the very special circumstances required to justify the proposal do not exist and it would conflict with the Framework.
33. Furthermore, having regard to the Act, the decision to dismiss the appeal is proportionate and necessary, given that the harm arising from the appeal proposal would outweigh its benefits in terms of eliminating discrimination against persons with a protected characteristic, advancing equality of opportunity for those persons and fostering good relations between them and others.
34. Overall, for the reasons given above, the proposal conflicts with the Framework and there are no material considerations, that would outweigh that conflict. Therefore, the appeal is dismissed.

C Rose

INSPECTOR