
Appeal Decision

Site visit made on 4 February 2020

by Tobias Gethin BA (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 February 2020

Appeal Ref: APP/D1265/W/19/3238241

Land ancillary to 1 Higher Muckleford, Muckleford, Dorchester DT2 9SW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Mark Whitely against the decision of Dorset Council.
 - The application Ref WD/D/18/002272, dated 3 October 2018, was refused by notice dated 4 April 2019.
 - The development proposed is described as erect 2 No mobility friendly holiday lettings.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. On 1 April 2019, West Dorset District Council merged with a number of other to district and borough councils to become a Unitary Authority, Dorset Council. The development plans for the merged local planning authorities remain in place for the area within the Dorset authority which they relate to, until such time as they are revoked or replaced. It is therefore necessary to determine this appeal with reference to policies set out in the plans produced by the now dissolved district council.
3. The appeal is made in outline with all matters reserved for future consideration. I have therefore assessed the drawings as merely illustrative insofar as they relate to the reserved matters.
4. The Council's decision notice describes the development as 'Erect 2 no. residential units (outline)'. However, the planning application form describes the proposed development as erect 2 no mobility friendly holiday lettings and the appellant's appeal statement indicates that the description of development has not changed from that stated on the application form. I have therefore determined the appeal on this basis.

Main Issue

5. The main issue is whether the proposed development would be in an appropriate location, with particular regard to the character and appearance of the surrounding area and access to services and facilities.

Reasons

6. The appeal site is located within the settlement of Muckleford, which has a population of fewer than 200 people and is outside of a defined development boundary as detailed in the West Dorset, Weymouth & Portland Local Plan 2015 (LP). The site is a grass field and is situated on the northern side of the

highway where existing built form is limited and – like the properties on the other side of the lane – set in relatively large, spacious plots. Although soft landscaping and trees on the boundaries provide some screening, the site's open character and verdant appearance are visible in the surrounding area, including from the adjacent highway and footpath and from further afield, such as along the A37. The site therefore reads as forming part of its rural undeveloped surroundings and visually relates to the adjoining water meadow/field system and countryside landscape rather than surrounding built form. The site is located within the Dorset Area of Outstanding Natural Beauty (AONB) and, given its character and appearance, positively contributes to the landscape and scenic beauty of the locality and the AONB.

7. LP Policy ECON6 sets out, amongst other aspects, that 'new built tourism accommodation will be supported: within an established settlement of more than 200 population; through the re-use of an existing building; through the replacement, intensification or extension of existing premises'. Given the location and nature of the site, none of these are applicable. The fact that the adjoining property, Cheeseman's Cottage, is offering tourism accommodation does not lead me to a different conclusion.
8. All matters are reserved for future consideration and therefore the proposed drawings are only illustrative. However, the proposal to erect two holiday lettings indicates that much of the relatively constrained site would be likely to be developed. The proposed development would therefore appear as a cramped, incongruous feature that would be out of character with existing properties set in significantly larger and more spacious plots in the locality. Introducing built form into an open field, it would also erode the spacious and verdant nature of the site, extend development into the countryside and detract from the undeveloped rural setting to which the site relates. In turn, this would harm the landscape and scenic beauty of this part of the AONB.
9. Historical mapping shows that there was previously a building on the site. However, the submitted location plan and existing block plan show the site as not containing any built form. I also observed on my site visit that it has the appearance of a grass field and there was no visible evidence of any previous built development. The previous presence of a building on the site does not therefore lead me to a different conclusion.
10. The site's rural situation, remote from services and facilities necessary for day to day living, is not conducive to accessing the proposed development except predominantly by private car. I accept that this may be the case for rural areas in general and that the National Planning Policy Framework (Framework) recognises that opportunities to maximise sustainable transport solutions will vary from urban to rural areas. However, occupiers of the holiday lets would be highly reliant on one mode of transport – the private car – for many of their journeys and to serve their daily needs. This weighs against the proposal, and I note that the supporting text to LP Policy ECON6 includes references to the development of tourism accommodation within the open countryside as weakening patterns of sustainable development. In coming to this view, I have taken account of the availability of internet and online supermarket shopping.
11. For the above reasons, I conclude that the proposed development would not be in an appropriate location, with particular regard to the character and appearance of the surrounding area and access to services and facilities. I

therefore find that it conflicts with LP Policies SUS2, ECON6, ENV1, ENV10, ENV12 and ENV15. Amongst other aspects, these: set out the approach to development outside of defined development boundaries with regard to protection of the countryside; restrict the development of tourism accommodation subject to certain exceptions; and seek to ensure efficient use of land while protecting the area's landscapes and avoiding development which would harm the character and appearance of the local area and the special qualities or natural beauty of the Dorset AONB. The proposal would also be inconsistent with the provisions in the Framework in relation to achieving well-designed places, conserving and enhancing the natural environment and promoting sustainable transport, and the Dorset AONB Management Plan 2019-2024 which, amongst other things, supports development that conserves and enhances the AONB.

Other matters

12. The available evidence indicates that the proposed development, creating two holiday lets, would not provide dwellings for permanent residential occupation that would meet the housing needs of Dorset's residents. Accordingly, the appeal proposal cannot reasonably be described as contributing towards the supply of housing in the Council's area.
13. It has been put to me that the AONB Management Plan states that the AONB should be promoting tourism and that lack of funding is having a detrimental effect on the AONB. The proposed development would provide tourism accommodation and also contribute financially through the Community Infrastructure Levy. Be that as it may, these matters do not outweigh the harm I have identified nor provide justification for development that conflicts with the development plan.

Conclusion

14. For the above reasons, the appeal is dismissed.

Tobias Gethin

INSPECTOR