

Appeal Decisions

Site visit made on 11 November 2020

by Matthew Jones BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 December 2020

Appeal A Ref: APP/D1265/W/20/3253365

Thatchways, Blandford Road, Iwerne Minster DT11 8QN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Quests Estates (UK) Ltd against the decision of Dorset Council.
 - The application Ref 2/2020/0116/FUL, dated 29 January 2020, was refused by notice dated 7th April 2020.
 - The development proposed is to erect 4 no. dwellings with garages. Modify vehicular access (demolish existing garage).
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Appeal B Ref: APP/D1265/W/20/3257248

Thatchways, Blandford Road, Iwerne Minster DT11 8QN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Quests Estates (UK) Ltd against the decision of Dorset Council.
 - The application Ref 2/2020/0617/FUL, dated 12 May 2020, was refused by notice dated 7 July 2020.
 - The development proposed is to erect three no. dwellings with garages, modify vehicular access; and demolish existing garage (revised scheme).
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Decisions

1. Appeal A is dismissed
2. Appeal B is dismissed.

Procedural Matter

3. There are two appeals at this site. I have considered each on its individual merits. However, to avoid duplication I have dealt with the two proposals together, except where otherwise indicated.

Main Issues

4. The main issues are (i) the suitability of the site for the proposals having regard to local policy for the supply of housing; and (i) the effect of the proposals on the character and appearance of the area, with reference to the Iwerne Minster Conservation Area (the CA) and the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty (the AONB).

Reasons

Suitability of the site

5. The site is predominately an area of grassland behind the dwelling Thatchways, which fronts the east side of Blandford Road (A350) at the south of Iwerne Minster. The site also contains the drive and garage of the dwelling. Residential

gardens are to the south, grassland is to the north, and a treed hedgerow separates the site from farmland to the east. The site has extant permission for the erection of three, three-bedroom dwellings (the Extant Permission).

6. Much of the appeal site is outside of Iwerne Minster's settlement boundary. The supporting text to Policy 20 of the North Dorset District Council Local Plan Part 1 2011-2031 (adopted 2016) (Local Plan) defines land beyond settlement boundaries to be within the countryside. It restricts development in the countryside to that which has an overriding need to be there, or is of an appropriate type, which are set out in Figure 8.5 to the policy's supporting text.
7. Figure 8.5 effectively requires proposals for the construction of new houses to provide affordable housing within a rural exception scheme. In this case, the proposals do not present an overriding need to occupy a countryside location and would not provide affordable housing within a rural exception scheme.
8. This leads me to conclude that the site would not be suitable for the proposals having regard to local policy for the supply of housing. The schemes would conflict with Policy 20 of the Local Plan.

Character and appearance

9. The west section of the appeal site is inside the CA. I therefore have a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. The site is also within the AONB, which has the highest status of protection with regard to its landscape and scenic beauty.
10. This part of the CA derives significance from the linear pattern of manicured hedgerows and historic properties along Blandford Road. The sweeping, open farmland and the rising escarpments to the east of Iwerne Minster, with which the village has a soft and porous interrelationship, make a clear contribution to the landscape and scenic beauty of the AONB.
11. Yet, the main part of the appeal site is largely hidden from Blandford Road. Likewise, when viewed from accessible land to the south and east, the treed hedgerow is the predominate form, allowing only filtered views of the site, which is glimpsed against a backdrop of housing. This has the effect of dividing the site from the rest of the AONB and drawing it into the village. As such, the site is visually neither here nor there, and makes a negligible contribution to the significance of the CA and the landscape and scenic beauty of the AONB.
12. This area of Iwerne Minster east of Blandford Road has a somewhat suburban character and contains examples of more sporadic developments, several of which do not adhere to building lines or address Blandford Road. The housing around the site is also highly varietal in form and finish. The scale and domestic design of the proposals, within this innocuous site, would not be incongruous. Whilst the buildings proposed within Appeal B would be reasonably close to the east boundary and would contain quite large openings facing the farmland, the density of the boundary vegetation is such that light spill would be limited.
13. I therefore conclude on this issue that the proposals would have an acceptable effect on the character and appearance of the area, with reference to the CA and the AONB. They would accord with the heritage and landscape aims of Policies 4, 7, 20 and 24 of the Local Plan, and the Iwerne Minster Village Design Statement Supplementary Planning Document (adopted 2011).

Planning Balance

14. Policy 20 forms part of the Local Plan's strategic approach to the distribution and delivery of growth, including housing, across the plan area. The proposals would therefore undermine the Council's plan-led approach, which leads me to find that they would conflict with the development plan when read as a whole.
15. It is not disputed by the Council that it cannot currently demonstrate a five-year supply of deliverable housing sites, with the latest figure given as four years. In these circumstances, under the provisions of footnote 7, Paragraph 11 d) of the National Planning Policy Framework (the Framework) applies.
16. Consequently, permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for the proposals, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. Whilst the site is within the AONB and the CA, which are areas of particular importance, the Framework's policies for the areas do not provide a clear reason for refusing the proposals.
17. The Framework expresses the objective of significantly boosting the supply of housing but, at Paragraph 77, it also identifies that in rural areas decisions should be responsive to local circumstances and support housing that reflects local needs. It states that opportunities should be supported to bring forward rural exception sites that will provide affordable housing to meet identified local needs. Given that the evidence of interested parties and the AONB Officer point to an unmet local need for affordable housing and/or 2/3-bedroom units, the conflict with Policy 20 attracts significant weight in relation to these appeals.
18. Set against this is the delivery of housing within the context of the shortfall. The schemes would contribute a modest three or four units of exclusively four-bedroom properties. The Council's evidence refers to a 2016 housing needs survey which identified no need for this housing size here. Whilst I do not doubt that the Extant Permission is a genuine fallback, it would deliver three smaller, three-bedroom units, which would likely offer greater affordability, and therefore a more effective use of the land in these circumstances. Within this context, the housing benefits of the appeal schemes attract limited weight. The absence of other harms is a neutral factor in the balance.
19. Consequently, the adverse impacts on the development plan's housing strategy would significantly and demonstrably outweigh the benefits of the proposals when assessed against the policies in the Framework taken as a whole. As a result, the presumption in favour of sustainable development does not apply.

Conclusion

20. The proposals would conflict with the development plan as a whole and there are no other considerations, including the Framework, which outweigh this conflict. Therefore, for the reasons given, the appeals should not succeed.

Matthew Jones

INSPECTOR