



Appeal Decision

Site visit made on 29 September 2020

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 14th December 2020

Appeal Ref: APP/A0665/W/20/3249258

Dodleston Manor, Dodleston Lane, Pulford, Chester CH4 9DS

- 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 Mr Nick Jones against the decision of Cheshire West & Chester Council.
 - The application Ref 18/03480/FUL, dated 03 September 2018, was refused by notice dated 26 November 2019.
 - The development proposed is change of use of dwelling to visitor accommodation and construction of dwelling through barn conversion/remodelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. During the processing of the application, the Council accepted amended plans including Existing & Proposed Elevations & Sections ref C1636-01 Revision C and Existing & Proposed Site Plans Ref C1636-03 Revision C. I have determined the appeal accordingly.

Main Issues

3. The main issues are:
 - i) Whether or not the proposal would be inappropriate development in the Green Belt, having regard to the National Planning Policy Framework (the Framework) and relevant development plan policies;
 - ii) The effect of the proposal on the openness of the Green Belt; and
 - iii) If the proposal is inappropriate development, whether the harm by reason of inappropriateness and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

Reasons

Whether the proposal is inappropriate development in the Green Belt

4. The appeal site comprises land and buildings at Dodleston Manor, including Dodleston Lane Farmhouse and 2 traditional barns to the rear of the dwelling. Dodleston Manor is a working dairy farm and the farmhouse is part residential and part holiday accommodation and function suite. It is in the Green Belt.

5. Policy STRAT9 of the Cheshire West and Chester Council Local Plan (Part 1) Strategic Policies Adopted January 2015 (the LP1) sets out that in the Green Belt, development will be restricted in line with the Framework. Paragraph 145 of the Framework states that the construction of new buildings should be regarded as inappropriate in the Green Belt, subject to a limited number of exceptions, the relevant one in this case being 145 c) 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.
6. There would be alterations to the smaller of the 2 barns, Barn A, but there would be no additions to it. There would be a modest increase in height and an extension to Barn B to form an L-shape building. Although the evidence refers to the combined footprint of Barns A and B, the original building for the purposes of the assessment is Barn B. On the basis of the measurements on Drawing ref C1636-01-C, the extension would have a footprint of 64 m² and this would be an increase of just over 95% in the footprint of Barn B.
7. The amended scheme reduced the size of the extension and its location. Accordingly, it would not be overly large or out of scale in the context of surrounding buildings. By virtue of its siting close to the agricultural building to the rear, the extension would not be visually dominant and it would not overwhelm Barn B. Nevertheless, taking account of the size of the extension, for the purposes of the Framework it would be a disproportionate addition over and above the size of the original building.
8. Therefore, I conclude that the proposal would be inappropriate development in the Green Belt, as it would not meet the exception set out in Paragraph 145 c) of the Framework. It would conflict with Policy STRAT9 of the LP1, Policy DM22 of Cheshire West & Chester Council Local Plan (Part 2) Land Allocations and Detailed Policies Adopted July 2019 (the LP2) and the policies in the Framework that protect the Green Belt.

Openness of the Green Belt

9. Paragraph 133 of the Framework states that the essential characteristics of Green Belts are their openness and their permanence. Openness includes both spatial and visual aspects and it takes account not only of the size of a proposal but also its purpose.
10. The proposed extension to Barn B would result in an increase in the footprint and the bulk of built development at this site. Taking into account the modest size of the extension and the scale and juxtaposition of surrounding built development, the proposal would result in a minimal spatial loss of openness.
11. The proposal would not encroach into the countryside beyond the existing farmstead and it would not be readily visible or conspicuous in views towards the site. It would present a more attractive outlook from the listed building by virtue of partially screening and interrupting the bulk of the functional agricultural building to the rear.
12. Given the close proximity and relationship of Barns A and B to the farmhouse and the working farm, they appear more closely related to the domestic and residential uses at the site than to the agricultural uses. While the residential occupation of the barns would be a change of use, there would be no increase

in the number of dwellings. Therefore, the proposal would not result in any noticeable increase in residential activity or domestic paraphernalia at the site.

13. There would inevitably be a visual change arising from the extension, the conversion of the barns and their residential occupation. However, this would not be a significant adverse visual impact in this location. The minimal spatial and visual effects would not result in any noticeably greater harm to openness than arises from the existing built development. Consequently, the proposal would result in a negligible loss of openness of the Green Belt.

Other Considerations

14. Dodleston Lane Farmhouse is a Grade II Listed Building dating from 1890. It is a 2 storey plus attic stone-dressed red brick building with blue diapering and half-timbered in places, an open oak-framed porch with a red tile pentice roof and an oak front door with leaded glazing panels. The proposal would not result in any alterations or extensions to the farmhouse and listed building consent (ref 18/03483/LBC) has been granted for the change of use of dwelling to visitor accommodation and conversion/ extension of barn to form a dwelling. The application subject of the appeal was not refused on grounds relating to the listed building or its setting. On the basis of the evidence before me, and what I saw during my visit, the proposal would not harm the setting of the listed building. There is no requirement for me to consider this matter further.
15. I note the suggestion that the proposal would be enabling development but there is little before me in relation to the condition of the listed building or the extent or cost of any necessary repairs. While the proposal would not result in harm to the heritage asset, neither has it been demonstrated that there would be any heritage benefits. Therefore, this a neutral factor in my assessment.
16. The appellant's principal business is the family-owned dairy farm which, since a new milk contract and significant business investment in 2011, has made a small profit despite the large capital repayments and the low margins associated with small dairy farms. In this context, the farmhouse bed and breakfast accommodation is a diversification of the business that contributes to supporting the farm and to the wider rural and tourism economies.
17. I accept that, despite its initial success, the bed and breakfast business saw low levels of occupancy between 2014-17. While this is attributed to the changing visitor economy, there is little substantive evidence that there is no longer a market for this type of visitor accommodation. In the absence of information including marketing or how it compares to similar visitor accommodation in the area in terms of offer, price and occupancy, there is little compelling evidence that the existing bed and breakfast business is not viable.
18. While I have no reason to doubt the advice received in relation to a gap in the market for larger self-catering properties, no correspondence to this effect, or other evidence of industry support, has been provided. Notwithstanding that the appellant has received requests to let the entire property, no such requests have been provided to evidence the proposal. There is no information about the comparative income between bed and breakfast and a self-catering unit. Therefore, the proposal does not demonstrate that there would be a strong demand for a large 7 bed self-catering holiday unit or that it would be significantly more profitable than the bed and breakfast business.

19. The appellant's desire to continue farming the land and to support his family and employees is understandable. In this regard, although I am concerned by his suggestion that the farm may go out of business if the appeal should fail, there is little compelling evidence that this would be the case. The limited financial information does not breakdown income and outgoings, including wages, in relation to the farm or the bed and breakfast. No information has been provided from 2017/18 onwards to demonstrate that the earlier trend of declining profits has continued or in relation to the business overdraft, which had increased between 2016 and 2018.
20. I understand that farming is hard work, often for diminishing returns, and there is likely to be future uncertainty and hardship for small farms in particular. Therefore, I do not dispute the need to supplement the farm income with income from tourism. Nevertheless, on the basis of the evidence, and in the absence of any form of business plan that includes the predicted income from the holiday let and the cost of the barn conversions, I cannot be certain that the proposal would be significantly more profitable than the bed and breakfast business or that it would be essential to the continuation of the farm business. Therefore, this carries only moderate weight in favour of the scheme.

The Green Belt Balance

21. Paragraph 143 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. I have concluded that the proposed development would be inappropriate development in the Green Belt. Irrespective that it would result in a minimal loss of openness of the Green Belt, these matters attract substantial weight.
22. There are no other considerations that would clearly outweigh the harm to the Green Belt by reason of inappropriateness and loss of openness. Therefore, the very special circumstances necessary to justify the proposal do not exist.

Conclusion

23. For the reasons set out above, the appeal is dismissed.

Sarah Manchester

INSPECTOR