



Appeal Decision

Site Visit made on 15 February 2021

by M Bale BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 March 2021

Appeal Ref: APP/D1265/W/20/3261416 Woodview, Middle Street, Dewlish DT2 7LX

- 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 & Mrs P Ross & Mr S Ross, Whiteways Farm against the decision of Dorset Council.
 - The application Ref WD/D/19/002890, dated 18 November 2019, was refused by notice dated 17 April 2020.
 - The development proposed is erection of a holiday cottage and associated access & parking.
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Decision

1. The appeal is allowed and planning permission is granted for erection of a holiday cottage and associated access & parking at Woodview, Middle Street, Dewlish, Dorchester, DT2 7LX in accordance with the terms of the application, Ref WD/D/19/002890, dated 18 November 2019, subject to the conditions in the attached schedule.

Procedural matter

2. A revised elevation drawing has been provided correcting the labelling on the elevations. As this does not amend the proposal, no party would be prejudiced by my consideration of the appeal on the basis of the amended plan.

Main Issues

3. The main issues are whether the proposal would preserve or enhance the character and appearance of the conservation area; and whether the proposals would preserve the setting of Sarah's Cottage.

Reasons

4. The Conservation Area covers part of the developed area of Dewlish as well as extensive open land. Most older buildings have a close relationship to the rural lanes. Historic maps show that behind the buildings on Middle Street, land has been divided into various parcels since at least 1819. Previously, those parcels have spanned a number of dwellings whereas more recent subdivision has generally led to individual private garden strips.
5. The boundary to the rear of the gardens with the, still open, pasture land behind is relatively straight and well defined. This may indicate the presence of an historic field boundary that has influenced the pattern of development. The historic maps and photographs indicate that the land to the rear would have been open, other than for small ancillary structures.

6. However, within this land, alongside the application site, is now a large two storey dwelling, known as Sunnynook. Accessed from Middle Street it, has no road frontage and occupies an elevated position behind the buildings fronting Middle Street. This uncharacteristic siting does not set a precedent for further development but its existence has a significant effect on the contribution that the appeal site makes to the character and appearance of the conservation area and understanding its significance.
7. The appeal site is limited to the far end of the garden strip behind Woodview. The presence of Sunnynook effectively severs the site from the other open land immediately behind the dwellings. The area is no longer undeveloped and the site is relegated to a thin sliver between Sunnynook and School Lane. Moreover, the historic boundary to the pasture land beyond would remain undisturbed and the proposal would have a close frontage relationship to, and access from School Lane bordering the site. Whether or not School Lane existed as a through route before the school was built, this relationship is a characteristic feature of other development in the conservation area.
8. Therefore, I find that the presence of the appeal building, which the Council accept would be finished with appropriate external surface treatments, would preserve the character and appearance of the conservation area. It would not dilute the understanding of the settlement pattern or the contribution that it makes to understanding its significance of this heritage asset.
9. The listed Sarah's Cottage lies on the opposite side of School Lane. The evidence suggests that it was formerly constructed as ancillary housing to support Higher Farm. While it may have once had an open setting at the edge of the farm complex, it is now a clear part of the settlement amongst the other dwellings accessed from School Lane, those on Middle Street, and Sunnynook.
10. The historic maps indicate that the site and other land to the rear of Middle Street has been separate from Sarah's Cottage for at least 200 years. I conclude, therefore, that its development would not harm the understanding of its historic relationship with Higher Farm or surrounding agricultural land.
11. The proposal would bring development closer to Sarah's Cottage than is currently the case but it would be off-set from the listed building, not directly alongside it. Although the site is higher on the site side of School Lane, the ground levels would be reduced such that the proposed eaves height would be comparable to Sarah's Cottage. Given its relative position and height, therefore, it would not dominate the listed building.
12. Moreover, in views along School Lane past Old School House, the slight bend in the lane would mean that one would still experience Sarah's Cottage as the dominant built form. From the other end of School Lane, boundary planting currently obscures views to the listed building. If removed, Sarah's Cottage would appear larger than the proposal and would not be dominated by it. For these reasons, too, the character of School Lane as a very narrow rural lane would not be affected so the relationship of Sarah's Cottage to School Lane insofar as it informs the setting of the listed building would not be harmed.
13. There may well be other elements that inform the setting of the listed building that have not been covered in detail in the appellant's various submissions. However, there is no substantive evidence that the proposal would adversely affect any other elements. I, therefore find that the setting of the

listed building would be preserved and its significance as a vernacular farmstead dwelling would not be harmed by the proposal.

14. With regard to the foregoing, there would be no conflict with the aims of Policies ENV4 or ENV12 of the West Dorset, Weymouth & Portland Local Plan 2015 which seek to deliver high quality development that respects the character of the surroundings, conserving or enhancing the significance of heritage assets.

Other Matters

15. The proposal would lead to an increase in traffic on School Lane, which provides a pedestrian link through the settlement. Holiday makers visiting the site may be less familiar with the local road network. School Lane is narrow with no opportunities for passing, but has generally good forward visibility. While visibility at the junction with the wider highway network is slightly restricted, there is no substantive evidence of any existing highway safety problems in the area. In light of this, and as no objection was raised by the Local Highway Authority, I have no reason to conclude that there would be any harm to highway safety.
16. The Council's evidence describes how the proposal would conform to development plan policies relating to the location of development. I note that policy encourages tourism schemes that help to maintain historic buildings or make use of existing buildings, but it also permits development within established settlements. Therefore, there is no substantive evidence to lead me away from the Council's conclusions on this matter. The site is within an Area of Outstanding Natural Beauty. However, as it is well related to other built form within Dewlish, the landscape and scenic beauty would be conserved.

Conditions

17. A plans condition is necessary in the interests of certainty. In the interests of the character and appearance of the conservation area, conditions are required to secure details of external materials and a landscaping scheme. A condition securing parking and turning facilities is necessary in the interests of highway safety, and to ensure that there is no increase in off-site flood risk details of a surface water drainage scheme must be submitted.
18. There is no dispute between the Council and appellant that the site is in a location where unrestricted housing would not normally be permitted. Therefore, I have also imposed a condition limiting occupation to holiday accommodation only.

Conclusion

19. With regard to the above, I conclude that the appeal should be allowed.

M Bale

INSPECTOR

Schedule

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: ROSS-2020-01; ROSS-2020-02; ROSS-2020-03/A; ROSS-2020-05.
- 3) Prior to their use within the development, details and/or samples of the materials to be used in the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be installed prior to the building being brought into use and shall thereafter be maintained as such.
- 4) The development hereby permitted shall not be occupied until surface water drainage works have been implemented in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the surface water drainage works shall be maintained in accordance with the approved details.
- 5) The development hereby permitted shall not be occupied until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include indications of all existing trees and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the development or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

- 6) Before the development hereby permitted is occupied or utilised, the turning and parking shown on Drawing Number ROSS-2020-01 shall have been constructed. Thereafter, these areas, shall be permanently maintained, kept free from obstruction and available for the purposes specified.
- 7) The building hereby permitted shall be occupied as holiday accommodation only and not as a person's sole or main residence.