



Appeal Decision

Hearing Held on 8 March 2021

Site visit made on 9 March 2021

by David Wyborn BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 March 2021

Appeal Ref: APP/D1265/W/20/3259719

Dairy House Farm, Woolland, Blandford Forum DT11 0EY

- 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 Cooper against the decision of Dorset Council.
 - The application Ref 2/2020/0719/FUL, dated 29 May 2020, was refused by notice dated 18 August 2020.
 - The development proposed is the erection of reception centre/linen & storage with partners/caretakers accommodation.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the development plan would support the proposed dwelling, and the other accommodation within the building, at this location, and
 - the effect of the proposal on the character and appearance of the area, having regard to the location within the Dorset Area of Outstanding Natural Beauty (AONB).

Reasons

Whether the development plan would support the proposed dwelling, and the other accommodation within the building, at this location

3. The Dairy House Farm site includes a series of holiday lets, both within The Victorian Barn and in other converted buildings, a swimming pool and gym, and other ancillary buildings and facilities. The site also includes a farm house. This provides the appellant's accommodation from which they operate the farming enterprise on the holding. The buildings are located in fairly sizeable grounds, in a countryside location and are accessed off a reasonably long drive from the road.
4. The holiday letting business has grown since the early 2000s with the number of units and the facilities steadily increasing. In 2014, permission was granted for a limited number of events in any year, subject to a set of detailed conditions, and which can take place within a specified section of The Victorian Barn.

5. The appeal proposal would provide accommodation for a range of ancillary spaces, including a general store, laundry, office and reception, together with a three bedroom unit of worker's accommodation to be associated with the holiday letting business.
6. At the present time, these ancillary facilities are spread around parts of the site and occupy spaces which generally reflect the earlier stages of the holiday letting business and the fewer units at those times. At my site visit I saw the laundry area which was permitted in 2002. This is a small area that, even with much of the washing being undertaken off site, would not appear to be suitable for the extent of storage and the types of laundry that is likely to be required even if the more intensive work practices related to the Covid-19 pandemic were to be reduced in the future.
7. The office is located within the main house and this also reflects the historic provision of some of the ancillary activities across the site. I accept that with the size of the holiday letting business, and with the management led by an on-site worker, that a dedicated office space, outside the residential home of the appellants, is a reasonable requirement.
8. In terms of the proposed reception, there may be other ways to organise the greeting and assisting of guests and other visitors, such as those arriving to provide catering at weddings or tradespersons. However, the provision of a dedicated reception is not an uncommon facility at holiday sites of this size and this is the business approach which the appellant's wish to adopt. The present informal arrangements of visitors attending the main house are now somewhat outdated for the size of the enterprise. I am satisfied that a reception area, in a suitable location, is an ancillary facility that would be reasonably necessary for the proper functioning of the holiday enterprise.
9. The proposed general storage area is again a reasonable requirement given the evidence regarding the range of equipment and products that are likely would be required now and in the future. I saw some examples at my site visit of storage taking place in areas which were not designed for that purpose and I am satisfied that there is a need for such a dedicated storage space to serve the holiday complex.
10. The stables, waste storage area, games room, garaging and other buildings are variously argued could be used to house the proposed facilities. However, the evidence I heard, and my observations at the site visit, are that they are spaces that are already in use. To use such spaces for the purposes intended in the appeal building would only transfer the need for space and buildings elsewhere. Taking all these matters into account, the ancillary areas set out, as proposed in the appeal building, are reasonable and necessary to meet the needs of the holiday complex.
11. In terms of the residential element of the building, Policy 33 of the North Dorset Local Plan Part 1 2011-2031 (January 2016) (the Local Plan) sets out the criteria against which proposals for occupational dwellings in the countryside are considered. Based on the evidence, there is a need for a full-time worker (in addition to the main dwelling which predominantly serves the farm holding) and indeed such a need was accepted and originally permitted at the site to support the holiday letting business in the early 2000s. I am satisfied that this essential existing functional need is for that worker to be based on the site. With the number of units, quality of accommodation

provided and the well-established nature of the holiday letting business, the evidence demonstrates that the financial test as set out in Policy 33 and the supporting text is met. Based on the evidence the size of the three bedroom residential unit would be the minimum size and an appropriate design commensurate with the established functional requirement and would be reflective of the enterprise's financial projections.

12. Furthermore, in terms of the requirements of Policy 33 of the Local Plan the building would be sited, in conjunction with the ancillary space also to be provided, in a practical location at the end of the drive and towards the entrance to the built part of the site. On the ground, the building would not be out of place with the extent and position of buildings around the complex. It is such that criterion (f) of Policy 33 would be met because the dwelling (and other facilities in the building) would be sited to meet the identified functional need and would be well related in practice and function to serve the holiday complex.
13. The remaining criterion of Policy 33 of the Local Plan is that the functional need for the proposed dwelling could not be fulfilled by any other means. There are holiday lets on the site and, in principle, one of which could potentially be used for the worker's accommodation. However, the evidence indicates that removing the income stream of one of these units would not assist with the business going forward. With the exception of one of the units in The Victorian Barn, they have all been permitted as holiday accommodation and they are integrated with the other holiday units and function in that capacity. Overall, I am persuaded by the appellant's case that they would not be generally suitable for the permanent occupation by a full time member of staff.
14. Permission was granted in 2007¹ for one of the units (known as the Victoria and Albert Suite) in The Victorian Barn to be occupied, in summary, by a person solely or mainly employed in the holiday letting business. The evidence indicates that this permission was implemented. The accommodation was split over two floors and the upper floor element has 4 bedrooms, kitchen and lounge/dining area. Following the 2014 appeal decision, the downstairs space can be used as part of the designated area for the events. However, this does not affect the first floor and outside the times of those events the whole of the accommodation is available to be used for its original purpose.
15. The information I heard at the hearing was that this unit of accommodation has been a holiday let since the conversion of the building. I accept that there is a clear benefit both to the business and to the holiday guests in being able to use the four larger units in this part of the building as an occupancy by a single group, in conjunction with the use of the Osborne Hall. The evidence indicates this is a particular selling point of the accommodation and, indeed, the site. Furthermore, in practical terms the unit would not function well as separate worker's accommodation because of the close relationship to the Hall and the other guest accommodation, particularly during the events.
16. The practical disadvantages of the position and nature of the existing worker's accommodation is such that, in reality, for most worker's based on the site the proposed appeal unit of accommodation would be a sensible and appropriate alternative to assist with the overall operation of the holiday complex.

¹ Planning permission 2/2007/0765

17. However, I am also conscious of the legal situation. Based on the information before me, it appears that the present position of the Victoria and Albert Suite is still as worker's accommodation. No application has been sought to vary the condition on the 2007 permission and there is no certificate of lawful use to demonstrate any alternative lawful use of this space.
18. While there may be practical and commercial reasons why the worker's accommodation in the Victoria and Albert Suite may not be used, nevertheless, it is permitted and available for that use. I do not have a formal mechanism before me that seeks to alter or would allow me to alter that situation. It could be, in the future, if the present circumstances were to change that the owners of the site would wish to use the Victoria and Albert Suite for an on-site worker.
19. The information is that there is only a need for one unit of worker's accommodation to be provided to meet the functional needs of the holiday complex. In planning permission terms this is already provided by the accommodation in the Victoria and Albert Suite. Consequently, were the present appeal scheme to be permitted this would effectively allow a second unit of worker's accommodation for the holiday complex on the site. There is no evidenced need for such a second unit. Consequently, by permitting the appeal scheme this would lead to a further unit of occupational accommodation in the countryside that would not be justified in terms of Policy 33 of the Local Plan and paragraph 79 of the National Planning Policy Framework (the Framework).
20. Bringing these matters together, I conclude that the ancillary space proposed in the appeal building would be justified and acceptable in the intended location. There is a need for a full-time worker to be accommodated on site to support the holiday complex. However, for the reasons explained above, I conclude that this functional need could be met, in principle, by the existing accommodation granted by the 2007 permission. Accordingly, the appeal dwelling would be an additional unit of worker's accommodation and would not be justified. It follows that this aspect of the proposal would not comply with Policies 20 and 33 of the Local Plan and the Framework which, in this respect, notably provides the policy circumstances that allow occupational dwellings in the countryside.

Character and appearance

21. Dairy House Farm is located in attractive countryside characterised by fields bounded by hedges, belts of woodland and a scattering of buildings across the landscape. The site sits in a generally level expanse of countryside with the adjoining land rising up to Bulbarrow Hill. From the elevated vantage points, such as from around Bulbarrow Hill and the road down to Woolland, there are panoramic views over the lower, more level areas of countryside, including the appeal site.
22. In these vistas, Dairy House Farm appears as a reasonably extensive group of buildings within the landscape. The farmhouse and the two storey Victorian Barn form the bulk of the group although elements, such as the 3 new units of recently converted buildings, extend away from the main built form. The site is framed in the landscape by the adjoining woodland area and the extensive planting across parts of the site. In the adjoining sections of countryside there

- is The Chao Shed and other buildings which are evident as part of the wider surroundings.
23. The proposed building would be located within the grounds of the Dairy House Farm site and generally would be well screened from views from Bulbarrow Hill and the other elevated areas by the fairly recently planted trees. The simple form of the building and the external materials would provide a broadly agricultural like appearance which would also help to assimilate the structure within the landscape. In these views, the appeal building would not appear out of place or sporadically located in relation to the position of the main building group.
24. This conclusion concurs with the advice of the Council's Tree and Landscape Officer who commented that it was apparent that due to the density of planting in the vicinity of the proposal to the southwest and east that from a landscape perspective the building would not be considered to harm the location as it would sit well within the rest of the farmstead and associated buildings.
25. From closer locations, there would be glimpsed views of the proposed building including from the road in front of the site and from the adjoining public right of way. The presence of the building in these views would be softened by the extensive planting and the form and appearance of the building would not appear harmful within the general surroundings of the holiday complex.
26. The site lies within the Dorset AONB. The Framework requires that great weight should be given to conserving and enhancing the landscape and scenic beauty in AONBs, which have the highest status of protection in relation to these issues. In this case, the scheme would not harm the character and appearance of the area and would conserve and enhance the landscape and scenic beauty of this part of the AONB. Consequently, there would be no conflict with the Framework in this respect.
27. In the light of the above analysis, I conclude that the proposal would not harm the character and appearance of the area, having particular regard to the location within the AONB. Accordingly, the scheme would comply with Policy 4 of the Local Plan and the Framework which seek, amongst other things, that development will be managed in a way that conserves and enhances the natural beauty of the area.

Other Matters

28. I have taken into account all the representations both for and against the scheme and considered the key planning issues which have been raised in the analysis above.

Planning Balance and Conclusion

29. The scheme would be contrary to Policies 20 and 33 of the Local Plan because the worker's dwelling aspect of the proposal would not be justified in this countryside location for the reasons explained. Consequently, I consider that the appeal proposal would conflict with the development plan when taken as a whole.
30. It is accepted by the main parties that the Council is unable to demonstrate a 5 year supply of deliverable housing land. The information is that a supply of only 3.3 years can be shown, which would be a substantial shortfall. In these

circumstances and where the location within the AONB does not provide a clear reason for refusal, the presumption in favour of sustainable development as set out in paragraph 11d of the Framework is engaged. This indicates that planning permission should be granted unless 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.

31. Due to the Council's housing supply position, the location of the site is not definitive in this case. However, the site is away from any settlement in open countryside. The policies which seek to protect the countryside from further residential development and direct housing to more accessible locations are in these respects generally compliant with the Framework policy approach for development in the countryside. Consequently, I attribute substantial weight to the conflict with Policies 20 and 33 of the Local Plan and, in turn, the related harm that would result from an additional dwelling in the countryside without the appropriate justification.
32. There would be benefits to the business with the provision of the uses in the building, including the ancillary elements of accommodation. An additional worker's dwelling would provide a small boost to housing supply, albeit in a location away from settlements and therefore the occupants, including workers linked to the site, would be dependent on the private vehicle to access more general services and facilities. The building would not harm the character and appearance of the area, however, even if the scheme was considered an enhancement in this respect the scale of the impact would result in a very limited benefit in favour of the development. Taking all these matters into account, the weight to be attached to the benefits of the scheme would, therefore, be minor.
33. Drawing all these matters together, I consider that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole. As a consequence, the proposal would not constitute sustainable development and this weighs heavily against the scheme.
34. For the reasons given above, there are no material considerations that indicate the proposal should be determined otherwise than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

David Wyborn

INSPECTOR

APPEARANCES

FOR THE APPELLANT

Mr Edward Dyke FRICS FAAV	Symonds and Sampson
Mr Derek Cooper	Appellant
Mrs Penny Cooper	Appellant
Mrs Claire Carr LLB	Business Partner and Site Manager

FOR THE LOCAL PLANNING AUTHORITY

Mr James Lytton-Trevers BSc (Hons) MA PGDipUD MRTPI	Dorset Council
Mr Roger Sewill MRICS	Reading Agricultural Consultants

INTERESTED PARTIES

Mrs Jacqueline Healy	Local resident
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