



Appeal Decision

Site Visit made on 6 July 2021

by S Edwards BA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 August 2021

Appeal Ref: APP/D1265/W/21/3274555

Milton Lodge Hotel, Mapperton Hill to Milton on Stour Road, Milton on Stour, Gillingham SP8 5QD

- 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 and Mrs R Moore against the decision of Dorset Council.
 - The application Ref 2/2020/1116/FUL, dated 11 August 2020, was refused by notice dated 26 November 2020.
 - The development proposed is convert existing stables to 1 dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The revised National Planning Policy Framework (the Framework) published on 20 July 2021 sets out the Government's planning policies for England. Policies within the Framework are material considerations which should be taken into account for the purposes of decision-making from the date of its publication. The parties were given the opportunity to comment on this matter, and I have had regard to the updated Framework in determining this appeal.
3. The description of development as detailed on the application form has been amended in subsequent documents. I have adopted the description included within the appeal form, which reflects the proposal accurately.

Main Issues

4. The main issues are:
 - Whether the appeal site constitutes a suitable location for the proposal, having particular regard to local and national planning policies which seek to restrict residential development in the countryside; and
 - The effect of the proposal on the special interest of the Locally Listed Building known as Milton Lodge Hotel, as derived from its setting, and the Milton on Stour Conservation Area.

Reasons

Location

5. The appeal site comprises two stable buildings separated by a hardstanding area, which are located within the grounds of Milton Lodge Hotel, a Locally Listed Building. The site lies on the edge of the village of Milton on Stour, being

adjacent to the open fields. Policy 2 of the North Dorset Local Plan Part 1¹ (LPP1) sets out the spatial strategy and settlement hierarchy for the North Dorset area. Blandford, Gillingham, Shaftesbury and Sturminster Newton are identified as the four main towns in this area, which are set to accommodate the vast majority of housing and other development. Stalbridge and eighteen larger villages will be the focus for growth to meet the local needs outside of the four main towns.

6. Milton on Stour is not listed among the eighteen larger villages. In accordance with Policy 2, it is therefore subject to countryside policies where development will be strictly controlled unless it is required to enable essential rural needs to be met. Insofar as it relevant to this appeal, the Council's spatial strategy appears to broadly accord with national policy, in seeking to focus development in the more accessible and sustainable locations, notably to reduce the need to travel using private motor vehicles.
7. The appeal building which is proposed to be converted to residential accommodation has been previously used as stables in connection with the hotel and equestrian holidays, but I understand that this enterprise ceased as it was not viable. As part of the proposal, the other stable block would be demolished to provide a garden area for the proposed dwelling.
8. Policy 29 of the LPP1 permits the re-use of an existing building in the countryside, subject to a number of criteria being met. This policy supports the re-use of existing buildings for economic development or community purposes, and seeks to prevent the creation of new isolated dwellings in the countryside, unless there are special circumstances.
9. Having regard to the structural inspection included within the appellant's submissions and my own observations, I have no reasons to doubt that the stable block proposed to be converted is of sound construction. However, little evidence has been presented to demonstrate that alternative uses for economic development or community purposes have been considered and, if so, why they were not pursued further. Whilst the appeal building may no longer be required by the appellant, this does not mean that it has become either redundant or disused. Furthermore, the appeal scheme would not fall within the types of development which are considered appropriate in the countryside, and it would not fulfil the 'overriding need' envisaged by Policy 20 of the LPP1.
10. As the proposed dwelling would be situated within the envelope of Milton-on-Stour, it would not be isolated in the sense that it would be physically separate or remote from a settlement. However, services and facilities available within the village are relatively limited, and there is no suggestion, within the appellant's submissions, that the site is well connected to larger settlements such as Gillingham by public modes of transport. There is a footpath connecting the village of Milton on Stour to Gillingham. However, there is overall a greater likelihood that, for the vast majority of trips future occupiers would use private motor vehicles rather than alternative modes of transport to access most everyday facilities and services.
11. My attention has been drawn to a planning application² which has been recently approved by the Council, but I have not been presented with the full details of

¹ January 2016.

² Local Planning Authority Reference 2/2019/0559/FUL.

this particular scheme. Despite its proximity to the appeal site, I cannot therefore be certain, having regard to the available information, that the circumstances of this development represent a direct parallel to the proposal before me. This limits the weight which can be afforded to this approval.

12. In the absence of substantive evidence to the contrary, the appeal building cannot be considered redundant or disused, and the proposed development would not enhance its immediate setting. For the reasons detailed above, the appeal site would not represent a suitable location for residential development, having regard to local and national planning policies which seek to restrict residential development in the countryside. The proposal would therefore conflict with Policies 1, 20 and 29 of the LPP1, which set out a presumption in favour of sustainable development and seek to protect the countryside, as well as paragraph 80 c) of the Framework in particular.

Heritage

13. Milton Lodge Hotel is an attractive country house dating from the 19th century set within spacious grounds. The property, which is identified on the Council's local list, retains much of its classical detailing, and there is no doubt that its landscaped and spacious setting forms an important part of the building's significance. Paragraph 203 of the Framework states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgment will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
14. The appeal site lies within the Milton on Stour Conservation Area. The special interest of this designated heritage asset derives largely from the rural character of this settlement, which comprises an important collection of historic buildings displaying traditional construction methods and a broadly consistent palette of materials. By reason of its architectural and historic interest, Milton Lodge Hotel, which can be appreciated in public views, makes a significant contribution to the character and appearance of the Conservation Area.
15. No concerns have been raised by the Council regarding the demolition of the building adjacent to the stable block proposed and the existing concrete apron, and there are no reasons for me to reach an alternative view. However, the appeal scheme would require the appeal site to be formally severed from Milton Lodge Hotel. Whether this would simply take the form of close boarded fences or be complemented by additional landscaping, such a subdivision would erode the spacious setting of the locally listed building, to the detriment of its significance.
16. Whilst the proposal would entail the conversion of an existing structure, the appeal scheme would have an incongruous and piecemeal relationship with the host building, thus compounding the identified harm which would be caused to the special interest of the locally listed building. This would be exacerbated by the domestic paraphernalia which would be associated with the conversion of the appeal building to residential use. This would not only further diminish the spacious and open setting of Milton Lodge Hotel, but also the contribution that this important non-designated heritage asset makes to the character and appearance of the Milton on Stour Conservation Area.

17. The appeal scheme would adversely affect the setting of the locally listed Milton Lodge Hotel and would also cause less than substantial harm to the special interest of the Conservation Area, to which I ascribed considerable importance and weight. In such circumstances, paragraph 202 of the Framework requires the harm to be weighed against the public benefits of the proposal. Whilst the appeal scheme would enable the creation of an additional dwelling, I have not been presented with public benefits which would outweigh the identified harm.
18. The proposed development would fail to preserve the significance of Milton Lodge Hotel, as derived from its setting, as well as the character and appearance of the Milton on Stour Conservation Area. It would therefore conflict with Policies 5 and 29 of the LPP1, but also section 16 of the Framework. These notably seek to ensure that proposals affecting a heritage asset are assessed, having regard to the desirability of sustaining and enhancing the significance of that asset.

Other Matters

19. The appellant notes that the Council is presently unable to demonstrate a five-year supply of deliverable housing sites. This is not disputed by the Council, who only has 3.42 years of housing land supply. This constitutes a considerable shortfall. In such circumstances, paragraph 11 d) of the Framework advises that the policies which are most important for determining the application are considered out-of-date, and planning permission should be granted.
20. This presumption does not however apply where the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed. As detailed in Footnote 7 to the Framework, such areas or assets of particular importance include designated heritage assets. The appeal scheme would fail to preserve the character and appearance of the Milton on Stour Conservation Area, and the policies of the Framework in that regard provide a clear reason for refusing the appeal scheme. The tilted balance set out in paragraph 11 d) of the Framework is therefore not engaged in this instance.

Conclusion

21. The appeal scheme would support the local economy through construction works, and make a contribution towards housing supply and choice. However, these considerations would not outweigh the harm which I have identified. There are no considerations which indicate that the appeal should be determined, other than in accordance with the development plan. Given the above, and having regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

S Edwards

INSPECTOR