



Appeal Decision

Site visit made on 13 July 2022

by Matthew Jones BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 September 2022

Appeal Ref: APP/D1265/W/22/3292067

1 Grove Hill, Osmington, Weymouth, Dorset DT3 6EZ

- 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/Ms Mark/Sarah Johnson/Boothroyd against the decision of Dorset Council.
 - The application Ref WD/D/20/001529, dated 16 March 2020, was refused by notice dated 15 October 2021.
 - The development proposed is new dwelling to replace existing dilapidated barns.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposal on the character and appearance of the area, with reference to the Dorset Area of Outstanding Natural Beauty (the AONB) and the Heritage Coast; and,
 - the suitability of the site for the proposal, having regard to the development plan's approach to the supply of housing.

Reasons

Character and appearance

3. The site is an area of grassland, containing trees, disused barns and a static caravan, behind the dwelling 1 Grove Hill, at the edge of the settlement of Osmington. The site is inside the AONB, and I have a duty to consider any effect on the statutory purpose of the AONB to conserve and enhance the natural beauty of the area. It also falls within an area of Heritage Coast.
4. The barns are dilapidated, but ramshackle utilitarian buildings are a familiar component of rural landscapes. The dwelling that would replace them would be well hidden from the A353 to the south by No 1 and trees. It would be visible from the elevated Roman Road (bridleway S33/1) quite some distance to the north, but even then, much of the dwelling would be shrouded by trees and would blend with them somewhat through the use of natural finish materials.
5. When glimpsed, the house would be set against the backdrop of No 1 and adjacent buildings. Light pollution, which would be predominantly visible coming from the flank wall facing Roman Road, would also be considered within this context. Tree/hedge removal and future pruning would likely be barely

perceptible from Roman Road at the distances involved and would be mitigated by planting elsewhere within the site. Consequently, despite its design, scale and glazing, the proposal would be a neutral addition to this landscape.

6. Accordingly, the proposal would have an acceptable effect on the character and appearance of the area, with reference to the AONB and the Heritage Coast. It would accord with the landscape aims of Policies ENV1 and ENV10 of the West Dorset, Weymouth and Portland Local Plan 2011-2031 (adopted 2015) (the Local Plan) and the National Planning Policy Framework (the Framework).

Suitability of the site

7. Local Plan Policy SUS2 seeks for growth to be distributed based on a hierarchy of settlements in terms of their size and service provision. Housing in rural areas is directed to settlements with defined development boundaries (DDB) but the more limited settlements with no DDB may also provide growth where it would meet their local needs. SUS2 iii) sets out circumstances where such growth may be appropriate. Its supporting text further elucidates that there are problems with providing housing in locations with few facilities, and where people tend to commute to the towns. The resulting dependency on cars would inevitably increase carbon emissions and disadvantage those who do not drive.
8. Osmington has no DDB. Whilst the house would roughly occupy the footprint of the barns to be removed, none of the given circumstances in SUS2 iii) apply to the proposal. Moreover, Osmington's facilities are fairly limited to a village hall, a public house, a farm shop/tearoom and a convenience store. This falls short of the range of services required to meet the day to day needs of residents of the dwelling, such as those related to health, education and employment.
9. Whilst bus stops near to the site offer trips to larger centres, rural bus services tend to be less frequent or reliable, and residents would most likely use private transport to travel further afield. Whilst the appellants intend to provide an electric vehicle charging point, it cannot be assumed that this would be utilised.
10. Policy INT1 of the Local Plan sets a presumption in favour of sustainable development that will improve the economic, social and environmental conditions in the area. However, whilst the scheme seeks to retain natural habitat within the site, and the dwelling would harvest and reuse rainwater and adhere to passivhaus principles, I have equally found it likely that residents would overly rely on private transport to address day-to-day needs. Additionally, the impact on the AONB and Heritage Coast would be neutral.
11. There is no substantive evidence that there is a local need for an open market dwelling of this size here. During the appeal the Council referred to its 'Dorset, Weymouth and Portland Five-year housing land supply April 2021' document, published in May, which identifies that the Council can currently demonstrate more than a five-year supply of deliverable housing sites. This has not been disputed by the appellants, and I have no reason to disagree with its findings. In these circumstances, I do not consider that the scheme would make a clear improvement to the economic, social and environmental conditions in the area.
12. Consequently, I conclude on this issue that the site would not be suitable for the proposal, having regard to the development plan's approach to the supply of housing. The proposal would conflict with the relevant aims of Policies SUS2 and INT1 of the Local Plan and the Framework.

Other Considerations

13. I understand that, in discourse relating to the emerging Local Plan Review, Policy SUS2's approach has been questioned. However, how this may translate to emerging policy, and the status and content of any relevant emerging policy, has not been set out in the evidence before me. As such, the Local Plan Review attracts very limited weight in my assessment. Reference has also been made by the main parties to the development at Lynwood Lodge. However, I understand that that building is used as ancillary accommodation and/or as a holiday let. Its circumstances and policy constraints are therefore materially different to this scheme. As such, it has had little influence upon my reasoning.
14. The appellants are on the Self Build Register, and I recognise the government's commitment to Custom and Self Build housing (CSB), as indicated by its commission in April 2021 of the report aimed at upscaling delivery of new CSB. However, there is no guarantee before me that the appellants would be the initial owners of the constructed dwelling. The Planning Practice Guidance states that when considering whether or not a home is CSB, relevant authorities must be satisfied that the initial owners of the home will have primary input into its final design and layout. Off-plan housing, homes purchased at the plan stage prior to construction and without input into the design and layout from the buyer, are not considered to meet the definition of CSB¹. This matter therefore attracts limited weight in favour of the scheme.

Other Matters

15. The Council is also concerned about surface water drainage. However, mindful of the extensive open land within the appellants' control, I am satisfied that a suitable drainage solution would be achievable, and that this matter could have been addressed by a condition, had I been minded to allow the appeal.

Planning Balance and Conclusion

16. The proposal would conflict with the development plan when read as a whole. None of the other considerations put forward in favour of the scheme serve to outweigh this conflict.
17. For the reasons outline above, and taking all other matters raised into account, I conclude that the appeal should be dismissed.

Matthew Jones

INSPECTOR

¹ PPG Paragraph: 016 Reference ID: 57-016-20210208