
Appeal Decision

Site visit made on 25 October 2022

by S Leonard BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 November 2022

Appeal Ref: APP/D1265/W/22/3298448

Ralph Down Farm, Rolls Mill, Sturminster Newton, Dorset DT10 2HP

- 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 A Knott against the decision of Dorset Council.
 - The application Ref P/FUL/2021/05559, dated 16 December 2021, was refused by notice dated 22 February 2022.
 - The development proposed was originally described as "2 holiday units".
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development in the banner heading above is taken from the application form. It differs from that on the decision notice and the appeal form which is "retention of existing building and conversion and extension to create 2 no. dwellings". The appeal form description also states that the description should refer to 2 holiday units.
3. I have been provided with an exchange of emails that took place between the main parties prior to the determination of the application, confirming that the appellant's agent agreed to the Council's proposed description of development as shown on the decision notice. Notwithstanding this, the appellant's statement of case raises concerns about the change of description on the basis that it has altered what was originally applied for.
4. Taking together the description of development on the planning application form, the appellant's Planning Statement submitted as part of the planning application and the appellant's statement of case, I am satisfied that the planning application sought permission for two holiday units as a form of farm diversification, rather than two dwellings.
5. As the Council's appeal statement confirms its position in respect of the proposed use of the appeal scheme as holiday accommodation, I do not consider that it will be prejudiced by my consideration of the appeal on this basis, and I have therefore dealt with the appeal accordingly.

Main Issue

6. The main issue is whether the appeal site is a suitable location for new holiday units, having regard to the Council's settlement strategy and the accessibility of services and facilities.

Reasons

7. Policies 20 and 31 of the *North Dorset Local Plan Part 1* (2016) (the Local Plan) set out the Council's strategy in respect of rural tourist accommodation. Policy 20 relates to the countryside. Whilst emphasising restraint within the countryside in order to protect its intrinsic character and beauty, Policy 20 also allows some forms of development to support the rural economy, including rural tourist accommodation in sustainable locations or which supports an existing farm business.
8. Policy 31 specifically relates to tourist accommodation in the countryside and differentiates between temporary and permanent built accommodation forms of tourist accommodation, with the latter being directed towards the four main towns, Stalbridge and the larger villages, and being permitted outside these settlements provided it re-uses or extends an existing building.
9. An exception to this is where new build tourist accommodation can demonstrate an 'overriding need' for a countryside location to support an existing rural enterprise, in accordance with Policy 20.
10. These policies accord with the Council's Core Spatial Strategy for sustainable development within North Dorset, as set out in Local Plan Policy 2, which directs new development towards the most accessible locations, whilst meeting local and essential rural needs elsewhere.
11. I find that these policies accord with the objectives of the *National Planning Policy Framework 2021* (the Framework) of supporting sustainable transport (Paragraph 105), conserving the natural environment (Paragraph 174) and promoting a prosperous rural economy (Paragraphs 84 and 85), noting that the latter support the sustainable growth and expansion of all types of businesses in rural areas, including sustainable rural tourism developments and the development and diversification of agricultural businesses.
12. The appeal site forms part of a wider parcel of land known as Ralph Down Farm, which is located within open countryside to the southwest of the settlement of Sturminster Newton, and on the north side of the A357. The appeal site occupies a small part of the farm holding and directly fronts the road.
13. A single storey blockwork and brick building is currently under construction on the site, and the building works have reached wall-plate height. The structure is sited adjacent to one of the site vehicular accesses and the site front frontage and is screened from the road by boundary walling/fencing.
14. The information before me is that the appeal site was previously occupied by pigsty structures. I saw, during my site visit, that these structures are no longer in existence, and that the building under construction would comprise a completely new building. There is no disagreement between the main parties that the previous agricultural building has been demolished, and that the building under construction does not benefit from planning permission. Moreover, the Council has confirmed that this new building would differ from that which previously existed, including in respect of its footprint, materials and eaves and ridge heights.
15. As such, I have determined the appeal on the basis of the above, and notwithstanding the description of development on the decision notice. With

this in mind, I find that the proposal would not constitute a re-use or extension of an existing building for permanent tourist accommodation for the purposes of Local Plan Policy 31, which also makes reference to Policy 29 which relates to the re-use of existing buildings in the countryside.

16. The group of buildings within the yard within which the appeal site is located includes two detached dwellings to the north of the appeal site and several large barn structures to the east and northeast of the site. I saw, during my visit, that the area around the appeal site is currently used for storage purposes, evidenced by the presence of metal storage containers and the open storage of caravans and building materials. I also observed the presence of a local storage, removals and clearance company operating from adjacent farm buildings and the associated parking of a number removal vans and cars.
17. Having regard to demonstrating an overriding need for the proposal, I acknowledge the appellant's stated objective of providing farm diversification to improve farm income on the basis that the appellant no longer runs a dairy herd. However, the appellant has provided no additional detailed supporting information or substantive evidence to demonstrate how the proposal would relate to the existing farm business, such as information regarding the size of, and current farming activities associated with, the agricultural holding, noting that the aforementioned adjacent storage and removal business already appears to occupy a significant area of the farmyard complex of buildings.
18. Also, no details have been provided to show how the proposed holiday cottage use would be run as a farm diversification business in association with the remainder of the farming operations.
19. I have considered the accessibility of the proposed holiday units, having regard to the thrust towards sustainable rural tourism within the aforementioned adopted development plan and Framework policies. Notwithstanding the proposed occupation of the proposal as holiday accommodation, the layout of the proposed accommodation indicates that the proposal would comprise self-catering accommodation, and there is nothing to contradict this within the appellant's submitted documents.
20. As such, future occupants of the holiday accommodation would be reasonably expected to travel to obtain essential holiday supplies and to access facilities, services and tourism activities that holiday makers would be normally expected to visit, such as food and tourism-related shopping facilities, other community facilities such as post-offices and pharmacies, cafes, restaurants and public houses, and local visitor attractions.
21. Whilst the edge of the closest settlement of Sturminster Newton is located approximately 0.6 km from the appeal site, the community facilities, services and shops within its centre are located around 1.6km from the appeal site. Moreover, the site is located on a Class A road, which is heavily trafficked and fast flowing, having a 60 mph speed limit and no cycle way within the vicinity of the appeal site. Moreover, the appeal site lies within a stretch of the road which is unlit, with no pavements and a roadside verge that, due to variations in width, slope and surface, is not well-suited to pedestrian travel.
22. There is a difference of opinion between the two main parties as to the length of unpaved road between the appeal site and the settlement edge. Notwithstanding this, from my observations of the characteristics of the stretch

of road within the immediate vicinity of the appeal site, I find that the above factors, together with the distance from the appeal site to the main group of facilities and services within the settlement centre, would act as a deterrent to pedestrians, wheelchair users and cyclists, particularly during inclement weather and hours of darkness.

23. In addition, I have not been referred to any frequent and readily accessible bus services that could reasonably be used as an alternative means of transport by holiday makers staying at the appeal site. Accordingly, it is reasonably likely that there would be a heavy dependence upon private car use to access most required facilities and services, both in the nearby settlement and further afield, in addition to car travel that would occur as a result of rural tourists seeking to travel to experience the rural countryside and visit attractions.
24. For the above reasons, I therefore conclude that the appeal site is not a suitable location for new holiday units, having regard to the Council's settlement strategy and the accessibility of services and facilities. As such, the proposal would conflict with the aims of Local Plan Policies 2, 20, 29 and 31, in so much as these policies aim to actively manage patterns of growth to make the fullest possible use of alternative means of travel other than the private car, and to protect the intrinsic character and beauty of the countryside.

Other Matters

25. The Council has raised no objection to the appeal scheme in respect of matters including the design of the building, highway safety and parking, landscaping and biodiversity. These are requirements of the development in any case, and compliance in these respects does not justify or outweigh the significant harm that would arise from the proposal in respect of its unsuitable location.
26. I have noted that the results of the 2021 Housing Delivery Test show that the Council only delivered 69% of its housing requirement over the preceding 3 years. However, it is clear from the appellant's planning application and appeal submissions that the proposal relates to holiday units, and, in the event that the appeal was allowed, a suitably worded condition would be appropriate requiring the use of the building to be restricted to holiday accommodation, and allowing the monitoring of this by the Council. As such, the Council's housing policies were not the most important for determining the application and Paragraph 11 d) of the Framework is not directly applicable to the determination of this appeal.

Conclusion

27. There would be economic and social benefits as a result of the completion of the construction of the building and its subsequent use as tourism accommodation. However, these would be modest, having regard to the small-scale nature of the development, and would not outweigh the harm I have identified in respect of the main issue.
28. The proposal, by reason of its countryside location and relationship to community facilities, services and public transport services, would undermine the Council's plan-led approach to the delivery of tourist accommodation. The proposal would therefore conflict with the development plan, and there are no other considerations, including the Framework, that outweigh this conflict.

29. Therefore, for the reasons given above, I conclude that the appeal should be dismissed.

S Leonard

INSPECTOR