



Appeal Decision

Site visit made on 18 October 2022

by **O Marigold BSc DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 11TH November 2022

Appeal Ref: APP/D1265/W/22/3300903

Old Milking Barn, Bettiscombe, Marshwood DT6 5NT

- 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 M Johnson of H H Johnson & Sons against the decision of Dorset Council.
 - The application Ref P/FUL/2021/03349, dated 27 August 2022, was refused by notice dated 5 April 2022.
 - The development proposed is proposed conversion and extension of former small milking barn to holiday accommodation unit.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As part of the appeal, the appellant has provided amended plans showing a change of a window to a door. Given the small nature of the change, I do not consider that the interests of any party would be prejudiced if I take these amended plans into account. I shall therefore determine the appeal and application for planning permission based on the amended plans.

Main Issues

3. The main issues are:
 - The effect of the proposal on the character and appearance of the area, including the Area of Outstanding Natural Beauty (AONB) in which it lies, and
 - Whether the location would be suitable for the proposal, having regard to the Council's strategy for development in the countryside, including in respect of its accessibility to services and facilities.

Reasons

Character and Appearance

4. The appeal building is in gently sloping and attractive countryside reflective of its AONB designation. The existing block and render building is single storey, with a mono-pitch roof and a small footprint. It has a utilitarian form that is clearly identifiable as having once been in agricultural use. A utilitarian appearance is not unusual for buildings in the countryside, but its form does not make a positive contribution to the character and appearance of the area.

5. The proposal is intended to improve the appearance of the building and would have a low-key design, making use of the existing building and its embodied energy costs. However, it includes an extension that, whilst it might balance the building, would approximately double its footprint, so would significantly extend it. I have no reason to doubt the structural stability of the existing building but its form and the large extension necessary both indicate to me that the building would not be suitable for conversion.
6. Moreover, the proposal would have the appearance of a modest wooden holiday chalet. As such, this design would have little relationship with that of its previous agricultural use, and nor would it particularly reflect the design of buildings nearby. As a result, the domestic nature of its chalet form would appear out of place with the rural appearance of the area.
7. Residential paraphernalia would also be created by the proposal, such as children's play equipment within the garden, together with car parking to the front of the building, visible from the road. These features would also give the building a domesticated appearance that would not enhance its setting or the natural beauty of the AONB hereabouts. For these reasons, the proposal would not make a positive contribution to local character.
8. The strong hedgerow and additional planting would provide some screening including from the road. However, I saw that the building was visible from the site entrance and above the hedge. In any case, the hedge cannot be relied upon in the long term, particularly in winter months when there is less leaf coverage. Even with screening, the harmful effects would be visible when viewed from the footpath adjacent to the site. The presence of other units of habitable accommodation in views from footpaths does not justify these effects. Instead, the site's proximity to the footpath only adds to its sensitivity.
9. For these reasons, the effect of the proposal on the character and appearance of the area, including the AONB, would be harmful. As such it would be contrary to policy SUS3 of the West Dorset Weymouth and Portland Local Plan (WDLP), adopted October 2015, which permits such proposals where the existing and proposed building makes a positive contribution to the local character and would not need to be significantly extended. It would also be contrary to Policy UMW7 of the Upper Marshwood Vale Neighbourhood Plan (NP), made May 2020, which makes similar requirements.
10. For the same reasons, the proposal would conflict with WDLP policies ENV1, ENV10 and ENV12 which require amongst other things that development should contribute positively to the enhancement of local identity and have a high-quality design, and will not be permitted where it would harm the natural beauty of the AONB. It would also fail to comply with the similar requirements of the National Planning Policy Framework (the Framework), and NP Policy UMW4 that requires the design and layout of development to minimise adverse impacts on views from public rights of way.

Suitable Location

11. Bettiscombe consists of a small hamlet of buildings, focused around its church, but with other properties being scattered and sporadic in their distribution. There is no dispute that the site is outside of development boundaries in the

WDLP. I am however mindful of the *Braintree* court decision¹, and there are a handful of dwellings near to the appeal site. These include The Lakes, Conway House and Coates Farm.

12. However, the proposal is some distance from the main part of the hamlet, which itself is remote and has few services or facilities. The site is separated from the hamlet's core by fields, and can be accessed only by narrow, undulating and enclosed country lanes. I have no reason to doubt that the area forms part of the wider community of Bettiscombe, but despite the presence of these few dwellings, the site would generally be distant and far away from other places, buildings and people. I therefore find that the site's location would be isolated.
13. The re-use of buildings may still be permitted in isolated locations. WDLP Policy SUS2 sets out the broad circumstances where development outside of development boundaries will be permitted. These include new tourist development, such as this proposal, and so it would comply with WDLP Policy SUS2. Other policies which the appellant has referred me to also provide general support for the re-use of buildings as part of a farm diversification project, as here, or for tourist accommodation, albeit only where WDLP Policy SUS3 is met.
14. Nevertheless, WDLP Policy SUS3 provides specific planning policy that relates directly to the re-use of buildings outside development boundaries. I therefore find it to be the WDLP policy that is most directly relevant to the proposal, and I have already found that the proposal conflicts with it. The proposal would also conflict with NP Policy UMV7, which only permits conversions in locations that are not distant from other built development.
15. For these reasons, the balance of considerations is that the proposal is not one supported by the Development Plan as a whole. In light of this, given its isolated position, I find that the location would not be suitable for the proposal, having regard to the Council's strategy for development in the countryside, including in respect of its accessibility to services and facilities.
16. The proposal would therefore conflict with WDLP Policy SUS3, NP Policy UMV7 and the Development Plan, read as a whole. As I have found that the site is isolated and that the proposal would not enhance the setting of the building, the proposal would also be contrary to Paragraph 80 of the Framework and its aim to avoid the development of isolated homes in the countryside.

Other Matters

17. The proposal would help to create a small-scale self-catering holiday business, with economic and farm diversification advantages. This would accord with the general support of the Framework for rural businesses, including in locations beyond existing settlements. I am mindful of the evidence that demonstrates an increasing demand for 'staycations' following the Covid pandemic.
18. However, as identified in the Dorset AONB Management Plan, the area's outstanding landscape is the main reason for people to visit the area and therefore the economic benefits must be balanced with environmental

¹ Braintree DC v SSCLG [2018] EWCA Civ. 610

considerations. As such, and given the relatively small nature of the proposed accommodation, I am only able to give moderate weight to these benefits.

19. I have no doubt that holiday development has been approved elsewhere in Western Dorset, and reference has been made to an approved development at the Dorset Hideaway camping and caravanning site. However, this appears to be for a different form of development to the proposal here, and I have few details of it. As such, I can give little weight to approved development elsewhere.
20. I have noted the support from the Parish Council. I am also satisfied that the proposal would not harm the living conditions of nearby properties or result in excessive noise and disturbance, and that it has adequate vehicular access. Nor would it adversely affect protected species. However, these factors are neutral in the planning balance, rather than being positive reasons to outweigh the harm I identify above.
21. It has also been suggested by the appellant that a condition could tie the accommodation to the existing farm, to ensure farm diversification benefits. However, such a condition would not lead me to reach a different conclusion or overcome the harm I have identified.

Planning Balance and Conclusion

22. For the reasons given, there would be conflict with the Development Plan read as a whole. No material considerations have been shown to have sufficient weight to warrant a decision other than in accordance with it. I therefore conclude that the appeal should be dismissed.

O Marigold

INSPECTOR