



Appeal Decision

Site visit made on 20 December 2022

by C Butcher BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 January 2023

Appeal Ref: APP/D1265/W/22/3304091

Voscombe Farm, New Road, Bourton SP8 5BX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Greystoke Land Ltd against the decision of Dorset Council.
 - The application Ref P/OUT/2022/00060, dated 15 December 2021, was refused by notice dated 12 May 2022.
 - The development proposed is the demolition of the existing barn and the erection of 8 No. residential dwellings, formation of new access and ancillary works.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of the existing barn and the erection of 8 No. residential dwellings, formation of new access and ancillary works at Voscombe Farm, New Road, Bourton SP8 5BX in accordance with the terms of the application, Ref P/OUT/2022/00060, dated 15 December 2021, subject to the conditions in the attached schedule.

Preliminary Matters

2. The appeal relates to an application for outline planning permission with all matters reserved. As such, I have treated the proposed site plans as illustrative for the purposes of my decision.
3. In instances where access is a reserved matter, the Development Management Procedure Order (2015) requires that the application must still state the area where access points to the development will be situated. In this case, the proposed access point is shown on the submitted plans.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

5. The appeal site is located on the edge of the village of Bourton. It is an agricultural field situated between existing houses to the east and Voscombe farmhouse immediately to the west. The built form of the immediate area is largely characterised by a linear style of development, with dwellings occupying relatively large plots fronting onto New Road.
6. The appeal site slopes gently uphill towards the village centre, and looking southwards, there are extensive views to the surrounding countryside. Views of the natural ridgeline to the north are partly obscured from the road by a modern barn that occupies the western portion of the appeal site. This, and the

view looking southwards from New Road, are two of the important views identified within The Bourton Neighbourhood Plan 2016-2031(NP).

7. The site was previously subject to an appeal decision¹ in relation to an outline application for 10 dwellings. As part of that decision, the Inspector concluded that, while development in this location would partially block the important view looking northwards from New Road, another aspect of the view would be opened up and enhanced by the removal of the barn. It was concluded that development would therefore not have a significantly adverse effect on such views in accordance with NP Policy 1. I am in agreement with this conclusion.
8. When approaching the site along New Road, there is already a feeling of coalescence between the village of Bourton and the small hamlet of Chaffeymoor to the west. Therefore, while the site is located outside of the identified settlement boundary, a sensitively designed development in this location would be more akin to infill rather than an extension to the built form of the village.
9. The Council has suggested that views from public footpaths to the north of the site would be compromised by the proposed development. However, when viewed from this location, the new dwellings would be seen within the overall context of the village and would not disrupt the attractive views looking southwards over the surrounding countryside. Overall, any harm to the landscape would be very limited due to the relatively contained nature of the site and would be confined to the loss of the undeveloped field itself.
10. The previous appeal decision was dismissed due to the Inspector's concerns regarding layout which was not a reserved matter at that time. The layout proposed previously was in the form of a typical suburban cul-de-sac, which would not have conformed with the rural character of the area. While the appeal before me is for an outline application with all matters reserved, the indicative site plan demonstrates how 8 dwellings could be delivered on site in a way that respects the character of the surrounding area. In particular the plan shows that the homes could be delivered in a linear form, set back from the road, and in a way that does not appear cramped or incongruous with the character of existing properties nearby. The existing hedgerow that partially screens the site from New Road is shown as being retained, and further soft planting and landscaping would soften the visual impact of the new homes, particularly when looking eastwards along New Road towards the church.
11. Despite the very limited harm to the landscape caused by the loss of the undeveloped field, I conclude that the proposed development would, on balance, have an acceptable impact on character and appearance. It would therefore be in accordance with the aims of Policy 1 of the North Dorset Local Plan Part 1, January 2016 (LP) which seeks to deliver sustainable development. It would also be in accordance with LP Policy 24 and NP Policies 1 and 2, which taken together, seek to preserve character and appearance and maintain existing patterns of development.
12. LP Policies 2 and 20 seek to restrict development outside of defined settlement boundaries and are therefore not relevant to character and appearance. NP Policy 1 also seeks to restrict development to within the existing settlement

¹ APP/D1265/W/21/3268810

boundary or on allocated sites. However, I have addressed the issue of settlement boundaries under 'Other Matters' below.

13. LP Policy 7 (housing mix) and NP Policy 3 (building design) refer to detailed issues relating to the layout, design and mix of dwellings that will be dealt with as reserved matters. Therefore, the proposed development would not conflict with these policies at this outline stage.

Other Matters

14. I note that some respondents have raised concerns about the description of development. However, I am satisfied that the evidence before makes it clear that the appeal site includes both the barn and the wider agricultural field that it sits within, and that no party was prejudiced or disadvantaged by the description as provided.
15. Dorset Waste Partnership have objected on the basis of access for refuse collection vehicles. However, the plan provided is only indicative, and I am satisfied that this issue could be resolved at the reserved matters stage.
16. The appeal site is located outside of the Cranborne Chase Area of Outstanding Natural Beauty (AONB). Given this, and the fact that the proposal would be within the overall context of the village, I am satisfied that the setting and scenic beauty of the AONB would be preserved. In addition, I have no substantive evidence before me to indicate that the setting of nearby listed buildings would be harmed by the proposed development.
17. In addition, there is also no substantive evidence before me to suggest that the provision of 8 homes in this location would put existing services and facilities under pressure, or that the proposed access location would lead to highway safety issues.
18. Given the location of the appeal site, the proposal does conflict with LP Policies 2 and 20 and NP Policy 1 which seek to resist development outside of existing settlement boundaries. However, Bourton is identified within the LP as a suitable location for housing. Given this, and the edge of village location of the appeal site between existing buildings, the conflict is not significant, and I give limited weight to it.
19. I note that the two parties disagree on the Council's current land supply position. However, this is not an issue that I need to resolve given that the latest Housing Delivery Test result (69%) means that the presumption in favour of sustainable development applies, as set out within paragraph 11 of the Framework. Paragraph 11(d), and footnote 8, requires that 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 as a whole.
20. I have concluded that, despite the very limited landscape harm, the proposal would have an acceptable impact on the character and appearance of the area, and also that the conflict with LP Policies 2 and 20 and NP Policy 1 is limited. The benefits of the proposal include the provision of 8 new homes that will assist in meeting need in the area, support for local facilities, and the creation of jobs during the construction phase. There is also potential to increase biodiversity on site through the provision of additional planting and

landscaping. Given the relatively modest number of dwellings proposed, I have attributed limited weight to these benefits.

21. Overall, there are no adverse impacts that would significantly and demonstrably outweigh the benefits.

Conclusion and Conditions

22. I find that, despite the limited conflict with LP Policies 2 and 20 and NP Policy 1, the proposed development is in accordance with the development plan when considered as a whole. As such, I conclude that the appeal should be allowed.
23. In addition to the standard time limit conditions for outline permissions, I have imposed the suggested condition on landscaping and appearance in order to ensure that the development responds sympathetically to the surrounding area. I have also imposed the suggested condition on the preparation of a Construction Ecological Management Plan to ensure that required measures are taken. A condition to limit development to 8 dwellings is unnecessary given that the description of development is already clear in this regard.

C Butcher

INSPECTOR

Schedule of Conditions

1. No part of the development hereby approved shall commence until details of all reserved matters (layout, scale, appearance, access and landscaping) have been submitted to and approved in writing by the Local Planning Authority.
 - a) The layout and landscaping reserved matters shall include the retention of the existing hedges on the southern (front) and northern (rear) boundaries and the retention of the oak tree identified as T1 in the Ecological Appraisal.
 - b) The layout and landscaping reserved matters shall include an area of soft landscaped open space that, with the exception of any accesses, shall extend from the west to east boundaries and to a depth of not less than 10m from the frontage hedge northwards.
 - c) The layout and appearance reserved matters shall include all dwellings with their principal elevations facing within 45 degrees of due south.
2. Application for approval of the reserved matters shall be made to the Local Planning Authority not later than 3 years from the date of this permission.
3. The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
4. No works or development (including demolition of the barn, removal of the rock pile, or vegetation clearance) shall commence until a Construction Ecological Management Plan (CEcMP) has been submitted to and approved in writing by the Local Planning Authority. The CECMP shall include, but not be limited to the following:
 - a) Risk assessment of potentially damaging construction activities
 - b) Identification of "biodiversity protection zones"
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
 - d) The locations and timing of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour after sunset)
 - e) The times during construction when ecological or environmental specialists need to be present on site to oversee works
 - f) Responsible persons and lines of communication
 - g) Use of protective fences, exclusion barriers and warning signs
 - h) Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works.

The approved CECMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.