
Appeal Decision

Site visit made on 19 September 2023

by S D Castle BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 October 2023

Appeal Ref: APP/D1265/W/23/3318351

Woodville Farm, Green Lane, Stour Row, Dorset SP7 0QD

- 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 Nigel Wyatt against the decision of Dorset Council.
 - The application Ref P/FUL/2022/02536, dated 27 July 2022, was refused by notice dated 17 October 2022.
 - The development proposed is change of use of the existing building to 1 permanent residential accommodations.
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Decision

1. The appeal is allowed and planning permission is granted for the change of use of the existing building to 1 no dwelling at Woodville Farm, Green Lane, Stour Row, Dorset SP7 0QD in accordance with the terms of the application, Ref P/FUL/2022/02536, dated 27 July 2022, subject to the conditions in the attached Schedule.

Preliminary Matter

2. The Council's decision notice describes the development as, 'change of use of the existing building to 1 no dwelling'. This is a clearer description of what is being proposed. I have accordingly dealt with the appeal on the basis of this revised description.

Main Issue

3. The main issue is whether the appeal proposal would constitute an acceptable form of development with particular regard to the provisions of local and national policy in respect of the location of development.

Reasons

4. The appeal relates to a building at Woodville Farm that was granted permission¹ for change of use to 2 no. holiday accommodation units in 2017. The appellant's submissions advise that the existing use of the site is for 2 no. holiday accommodation units.
5. Woodville Farm is located to the south of the village of Stour Row and is surrounded by open fields. Stour Row has a village hall and church but has very limited other facilities. For the purposes of the North Dorset Local Plan, Part 1, 2011 – 2031 (2016) (LP), the village does not have a defined settlement boundary and is in the countryside.

¹ LPA ref: 2/2017/0817/FUL

6. LP Policies 2 and 20 set out the Council's spatial strategy and guide development proposals to main towns and the larger villages. LP Policy 20 requires that development outside of defined settlement boundaries is subject to countryside policies where development is strictly controlled, unless it is of a type appropriate to the countryside (as summarised in Figure 8.5), or it can be demonstrated that there is an overriding need for it to be located there.
7. Figure 8.5 includes the re-use of existing rural buildings and LP Policy 29 sets out the criteria against which re-use is to be assessed. Amongst other things, Policy 29 permits the re-use of existing buildings in the countryside provided that, the existing building is not in an isolated location, unless the proposed re-use is to support an existing business or is allowed by national policy as a special circumstance.
8. The appeal building, whilst forming part of a wider complex of rural buildings surrounded by fields, is approximately 400m from the built form of Stour Row. Given the limited facilities within Stour Row, accessing larger settlements for day-to-day services would require future residents to travel significant distances along generally unlit, and sometimes narrow, stretches of highway with no separation from traffic. Walking or cycling to and from the site to the larger settlements would, therefore, be neither particularly appealing nor safe. I am not aware of any public transport options that future occupants of the site could easily access. Accordingly, the development cannot be described as well served by public transport, walking and cycling opportunities. Future occupants would therefore be highly reliant on the use of private vehicles in that context.
9. In light of the physical and functional separation of the site from the nearest settlements, I find the site to be isolated for the purposes of Paragraph 80 of the National Planning Policy Framework (the Framework). Having regard to the five exceptions within paragraph 80 of the Framework, the appeal does not seek to provide accommodation for a rural worker. Notwithstanding the buildings traditional local vernacular construction, I have no substantive evidence, such as a heritage appraisal, to suggest that the building has any degree of significance because of any historic interest. It is neither a designated asset nor locally listed. From my observations, the building is also neither redundant nor disused. The proposal would also not involve the subdivision of an existing dwelling, nor do I find the proposal to be of sufficient merit to represent design of an exceptional quality. Consequently, the circumstances for the development of an isolated home in the countryside set out within the Framework do not apply.
10. Had the change of use to holiday accommodation not taken place and the building had become redundant or disused, there may now have been some planning policy support for the re-use of the building for permanent residential use. However, the policy provision at Framework paragraph 80c) does not apply given the building has an existing use.
11. As such, the creation of a single dwelling in permanent residential use would conflict with the spatial approach set out through LP policies 2, 20 and 29, which seek to control development outside of the main towns and the larger villages so as to prevent an unsustainable distribution of development. Furthermore, the development is not supported by Framework paragraph 80.

Tilted Balance

12. The Council's relevant Housing Delivery Test measurement for the local plan area of North Dorset is 69%² of the housing requirement over the previous three years. Paragraph 11d)ii of the Framework (the so called tilted balance) is therefore engaged and this 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 taken as a whole.
13. The adverse impacts of the development would relate primarily to the loss of the potential contribution of the holiday accommodation units to the rural economy. Given the proposal relates to only 2 units, the resultant harm would be of moderate weight and offset to some degree by the contribution to the local economy by future occupiers of the proposed dwelling.
14. The Framework seeks to support prosperous rural economies by seeking planning policies and decisions which, amongst other things, enable sustainable rural tourism. Occupiers of the existing holiday accommodation units would, however, also be reliant on vehicular journeys to local facilities, services and tourist attractions. Indeed, the existing 2 units of holiday accommodation could reasonably be expected to generate more vehicular journeys than a single dwelling in permanent residential use. The proposal would, therefore, have a less harmful impact than the existing holiday accommodation in terms of trips by unsustainable transport modes. I give limited weight to the environmental benefits of reducing such trips.
15. The proposal would add a single further dwelling to the Council's housing stock, positively contributing to the Government's objective of significantly boosting the supply of homes. However, given only a single dwelling is proposed, the benefit of increased housing supply carries modest weight.
16. Overall, the adverse impacts of granting planning permission in this instance would not significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

Final Planning Balance

17. I have found the proposal conflicts with the development plan as a whole. However, whilst I recognise the importance of the plan-led system³, this does not preclude the use of discretion when material considerations indicate otherwise. I find the conflicts in relation to LP Policies 2, 20 and 29 and the harm arising in those regards to be out-balanced by the greater weight given to applying the presumption in favour of sustainable development as set out in paragraph 11d)ii of the Framework, and consequently, within LP Policy 1.
18. Accordingly, material considerations in this instance indicate that planning permission should be granted.

Conditions

19. I have considered the conditions suggested by the Council against the requirements of the PPG and the Framework. Where necessary, I have

² Housing Delivery Test 2021 Measurement

³ Framework Paragraph 15

amended and added to the set of conditions for clarity, and to ensure compliance with national policy and guidance.

20. I have imposed a condition specifying the relevant plans as this provides certainty. In the interests of character and appearance, it is necessary to remove permitted development rights.

Conclusion

21. For the reasons above, the appeal is allowed.

S D Castle

INSPECTOR

Schedule of Conditions attached to Appeal Decision
Appeal Ref: APP/D1265/W/23/3318351
Woodville Farm, Green Lane, Stour Row, Dorset SP7 0QD

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - GMA-0021-COU-03; GMA-0021-COU-04.1; GMA-0021-COU-05A
3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (and any Order revoking and re-enacting this Order), no development of the types described in the following Classes of Schedule 2 Part 1 shall be undertaken to the dwelling hereby approved without the express consent in writing of the Local Planning Authority other than those expressly authorised by this permission:- (a) Class A (extensions and alterations); Class AA (enlargement of a dwellinghouse by construction of additional storeys); Classes B and C (roof additions or alterations to the roof); Class D (porch); Class E (buildings etc. incidental to the enjoyment of a dwellinghouse); Class G (chimney, flue or soil and vent pipe); and Class H (microwave antenna).