



Appeal Decision

Site visit made on 24 October 2023

by K Reeves BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 December 2023

Appeal Ref: APP/D1265/W/23/3321985

Little Thatch, Wimborne Road, Tarrant Keyneston, Dorset DT11 9JG

- 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 R Davies and Mrs J Mare against the decision of Dorset Council.
 - The application Ref P/FUL/2022/04420, dated 15 August 2022, was refused by notice dated 15 November 2022.
 - The development proposed is erect dwelling and modifications to existing access.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Appended to the Council's appeal statement is an updated Housing Land Supply Report dated 19 September 2023. This document contains an up-to-date calculated five year housing supply figure as well as an assessment of predicted Housing Delivery Test results for 2022 and 2023. The appellants have had the opportunity to comment on this additional information and they are therefore not prejudiced by me taking it into account in determining the appeal.

Main Issue

3. The main issue is whether the appeal site is a suitable location for new residential development having regard to the development plan and access to local services and facilities.

Reasons

4. The appeal site is located amongst residential properties at the village of Tarrant Keyneston. Policy 2 of the North Dorset Local Plan Part 1 (2016) (LP) sets out the spatial strategy for North Dorset through a hierarchy of settlements. At the top of the hierarchy are the four main towns and below them are Stalbridge and the eighteen larger villages. Tarrant Keyneston is not one of the main towns or larger villages, and it is therefore in the countryside for the purposes of the development plan.
5. Outside the defined boundaries of the main towns and larger villages, Policy 2 states that the remainder of the district will be subject to countryside policies where development will be strictly controlled unless it is required to enable essential rural needs to be met.
6. Policy 20 of the LP relates specifically to development in the countryside and it sets out that development will only be permitted in specific circumstances.

These are where it is of a type appropriate in the countryside listed in Figure 8.5 of the LP or it has been demonstrated that there is an overriding need for it to be located in the countryside.

7. The proposal does not meet one of the circumstances listed in Figure 8.5 and there is limited evidence before me to demonstrate that there is an overriding need for the proposed dwelling to be located in the countryside. As such, the proposed development conflicts with Policy 20 of the LP.
8. Although the appeal site is located at Tarrant Keyneston, it is distanced from the core of the village where its limited services and facilities are located, which include a public house and a village hall. As such, whilst the appeal site is not in an isolated location owing to the presence of neighbouring development, its location would not promote especially convenient access to the core of the village for future occupants of the proposed dwelling. This is notwithstanding the existence of a footpath connection. Moreover, they would need to travel further afield in order to access a full range of services and facilities, such as shops, doctors and schools, and employment at settlements such as Blandford and Wimborne. Given the distances of separation that apply, it would be neither practical nor reasonably achievable for future occupiers to walk or cycle to a nearby settlement in order to serve their day-to-day needs. There is also minimal information before me to demonstrate that services, facilities and employment elsewhere could be conveniently accessed by public transport. The proposal would therefore inevitably result in travel from the site by private vehicle across not insignificant distances on a day-to-day basis.
9. I acknowledge that certain goods, such as food, could be purchased online and delivered to the site, and that more people tend to be working from home nowadays. However, it cannot be guaranteed that any future occupant of the dwelling would want, or have the opportunity, to live in a manner that did not involve them taking regular trips to and from the site.
10. I also acknowledge that more people own electric vehicles compared to when the development plan was adopted and that their use has less of an environmental impact when compared to non-electric vehicles. However, notwithstanding the intention to install an on-site battery storage system charged by renewable energy, I have limited evidence before me to demonstrate that the future occupants of the proposed dwelling could be prevented from owning and using a non-electric vehicle to access services, facilities and employment.
11. For these reasons, the appeal site is not a suitable location for residential development when having regard to the development plan and the poor accessibility of local services and facilities. Consequently, the proposal conflicts with Policies 2 and 20 of the LP. Additionally, the proposal conflicts with the National Planning Policy Framework (the Framework), which promotes sustainable development in rural areas and that opportunities to promote walking, cycling and public transport use are identified and pursued.
12. For the avoidance of doubt and without prejudice to my above findings, I do not identify conflict with Policy 6 of the LP. This is on the basis that it is a strategic policy that relates to the spatial distribution of housing development at a district-wide level and does not preclude some housing provision in countryside areas during the plan period.

Other Considerations

13. I have noted objections/concerns raised by interested parties with respect to matters including ground stability, a need for smaller house types, the effect upon neighbouring privacy, the effect upon wildlife, and potential disruption during the construction phase. However, as I have found the proposal to be unacceptable for other reasons, it is not necessary for me to explore such matters further here.

Planning Balance

14. On the basis of the evidence before me, the Council can currently demonstrate a five-year housing land supply. The Council is also confident that, once published by the Government, the next Housing Delivery Test results for the area will show that the so-called tilted balance, as set out in Paragraph 11 of the Framework, is not engaged as a result of recent levels of housing delivery. However, as things stand now, the most recently published results (the 2021 measurement) determine that, in accordance with Paragraph 11 of the Framework, the presumption in favour of sustainable development is engaged. For decision-making this means 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.
15. I have identified conflict with Policies 2 (Core Spatial Strategy) and 20 (The Countryside) of the LP. Both are consistent with the Framework in so far as it seeks to promote sustainable development in rural areas. Furthermore, whilst the Framework recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas and that this should be taken into account in decision-making, the scheme fails to suitably accord with its aim of identifying and pursuing opportunities for walking, cycling and public transport use. Accordingly, I apportion considerable weight to the policy conflicts and associated harm that would be caused as a result of the appeal site not representing a suitable location for new residential development having regard to the development plan and access to local services and facilities.
16. Turning to the proposal's benefits, it would make the contribution of one eco-friendly dwelling towards the housing stock in the district. However, even whilst acknowledging the seemingly fluctuating nature of the housing supply situation in the district and the Council's historically poor housing delivery record, one additional unit would not make a noticeable difference to the housing supply situation and is a benefit that attracts moderate weight. There would also be associated social and economic benefits for the village of Tarrant Keyneston through providing support to the local economy (including during the construction phase) and local community facilities. However, such contributions would be limited given the small-scale nature of the development under consideration. Further, any possible net-gain in biodiversity to be achieved would be modest given the size of the site and would also attract limited weight.
17. Consequently, even in the absence of identifiable harm to the character and appearance of the rural area, I find that the adverse impacts of the scheme arising from the unsuitable location of the site for residential development would significantly and demonstrably outweigh the scheme's benefits when assessed against the policies of the Framework as a whole. Therefore, the

presumption in favour of sustainable development, as set out in the Framework and at Policy 1 of the LP, does not apply.

Conclusion

18. For the above given reasons, and having regard to other matters raised, the proposal would conflict with the development plan, when taken as a whole. There are no other material considerations, including the provisions of the Framework, which outweigh this finding. Indeed, the Framework does not alter the statutory status of the development plan as the starting point for decision-making. Accordingly, I conclude that the appeal should be dismissed.

K Reeves

INSPECTOR