



Appeal Decision

Site visit made on 22 January 2024

by Neil Pope BA (HONS) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 January 2024

Appeal Ref: APP/D1265/W/23/3316642

Misty Meadows, 147 Ringwood Road, Longham, Dorset, BH22 9AB.

- 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 Mrs Phillips against the decision of Dorset Council (the LPA).
 - The application ref. P/FUL/2022/05012, dated 12 August 2022, was refused by notice dated 9 November 2022.
 - The development proposed is the creation of 10 caravan pitches.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal site lies within the South East Dorset Green Belt (GB). It also lies within the setting of the grade II listed building at Longham House¹.
3. The LPA assessed the proposal on the basis that it would be used for holiday purposes. I note from the appellant's Statement that the proposal is to "*add 10 temporary holiday caravan pitches*". However, within the appellant's Final Comments it is stated that the proposed caravans would be used "*to accommodate the temporary housing of refugees*". This would amount to a very significant and late change to the proposal and goes beyond anything that could reasonably be treated as a minor amendment. What is considered at an appeal must essentially be the same as what was considered by the LPA. To avoid prejudicing the interests of any party, I have therefore determined the appeal on the basis that the caravans would be used for holiday purposes.
4. The LPA has informed me that the appeal site is approximately 2km from the Dorset Heaths Special Area of Conservation (SAC) and the Dorset Heathlands Special Protection Area (SPA). It has also informed me that it no longer wishes to defend the concern, identified within part of its fifth reason for refusal, relating to the likely impact upon the outlook of neighbouring residents.
5. An application for an award of costs has been made by the LPA against the appellant. This application is the subject of a separate decision.

Main Issues

6. The two main issues are: firstly, whether the proposal would be inappropriate development within the GB for the purposes of the National Planning Policy Framework (the Framework) and the development plan, including the effect upon the openness of the GB and; secondly, whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other

¹ The provisions of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 are engaged.

considerations, so as to amount to the very special circumstances necessary to justify the development.

Reasons

7. The appeal site comprises a field that lies to the east of Longham Lakes (and its associated visitor car park) and to the west of the A348 (Ringwood Road). A public footpath runs between the edge of the lakes and the car park. Longham House lies to the north east.

Planning Policy

8. The development plan includes the Christchurch and East Dorset Local Plan 2014 (LP) and the 'saved' policies of the East Dorset Local Plan 2002 (SLP). The most important local policies to the determination of this appeal are: LP policies KS3 (green belt), HE1 (historic environment), ME1 (biodiversity), ME2 (Dorset Heathlands) and; SLP policy TODEV2 (caravan sites)².
9. I have also had regard to the provisions of the Framework, including section 6 (building a strong, competitive economy), section 13 (protecting green belt land), section 15 (conserving and enhancing the natural environment) and section 16 (conserving and enhancing the historic environment).

First Main Issue - Inappropriate Development

10. The Government attaches great importance to the GB. The fundamental aim of GB policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of the GB is its openness and permanence. This is reflected in LP policy KS3. Inappropriate development is, by definition, harmful to the GB and should not be approved except in very special circumstances.
11. The Framework identifies types of development that are not inappropriate within the GB, provided they preserve its openness and do not conflict with the purposes of including land within it. This includes material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds).
12. The proposed stationing of 10 caravans on the appeal site, together with the associated access road and parking spaces, would markedly change the character³ and appearance of the site, including eroding its unspoilt open qualities. This loss of openness would be evident from the driveway to Longham House, a section of the public footpath to the west, as well as the vehicular and pedestrian access to Longham Lakes from off the A348.
13. Notwithstanding the roadside fence and vegetation, the upper sections of some of the caravans would also be apparent from Ringwood Road to the east. From this part of the public realm, the proposals would also be perceived as a loss of openness within the GB, as well as amounting to countryside encroachment.

² This policy is over 20 years old and the blanket restriction on caravan sites within the GB is at odds with the Framework. Any conflict with TODEV2 would not, on its own, be determinative to the outcome of the appeal.

³ I concur with the findings of the LPA's recent Green Belt Study that the appeal site forms part of a parcel of land that makes a strong contribution to the GB purpose of assisting in safeguarding the countryside from encroachment. Although in close proximity to urban development, the appeal site is part of the countryside that surrounds the built environment within this part of Dorset and is important in helping to maintain the pleasing open qualities of the local area. I also note the findings of the Inspector who determined various appeals at Misty Meadow in April 2023, in respect of openness and GB purposes.

14. It is unclear to me if the caravans would remain on the site throughout the year. However, even if they were seasonal, they would diminish the open qualities of the site and the new access road and parking spaces would be a more permanent addition to the GB. This harm would not be mitigated by the proposed new planting.
15. I conclude on the first main issue, that the proposed development would erode the openness of the GB and would conflict with one of the purposes of including land within the GB. It would comprise inappropriate development within the GB. This harm weighs heavily against granting planning permission. There would be conflict with the provisions of LP policy KS3 and SLP policy TODEV2.

Second Main Issue – Other Harm/GB Balance/Very Special Circumstances

16. The significance (heritage interest) of Longham House, which dates from the 18th century and was extended and altered in the 19th century, is primarily derived from its special architectural and historic qualities. These include its brickwork walls in Flemish bond, slate roof and pleasing window arrangement.
17. Over time, there have been many changes to the setting of this designated heritage asset. However, the 'green' unspoilt open qualities of the appeal site assist in affording an appreciation and understanding of the historic landscape (countryside) setting of this listed building and make a positive contribution to its significance. The proposed development would erode these qualities and, in so doing, detract from the heritage interest and setting of Longham House.
18. In the context of the Framework, the proposal would comprise less than substantial harm. However, great weight should be given to an asset's conservation. The harm that I have identified amounts to more than a less than substantial planning objection. Any harm to the significance of a listed building requires clear and convincing justification.
19. Whilst the proposal would help to support the local economy and new landscaping could enhance biodiversity in and immediately around the site, such public benefits would not outweigh the harm to the significance and setting of this important building. The proposal conflicts with LP policy HE1.
20. The site lies over 400m but is within 5km of protected habitats. Advice from Natural England, which is widely recognised (and accepted), reveals that development of the type proposed would, in combination with other developments and plans, be likely to increase pressure upon the SAC and SPA and result in significant adverse impacts upon biodiversity interests within these protected areas and harm their integrity. There is no mechanism in place, such as a financial contribution in the form of a planning obligation, to help mitigate this harm. There would be conflict with LP policies ME1 and ME2.
21. The proposed development would introduce further noise and activity in the vicinity of some private dwellings. It would also alter the outlook from some of these neighbouring properties. However, it would not be so close or such an intensive use, or of such a scale as to be likely to harm the living conditions of neighbouring residents.
22. I conclude on the second main issue that the harm by reason of inappropriateness, the adverse impact upon the significance/setting of Longham House and harm to the integrity of the SAC and SPA would not be

outweighed by any other considerations. As a consequence, there are no very special circumstances to justify the proposed development.

Overall Conclusion

23. Given all of the above, I conclude that the appeal should not succeed.

Neil Pope

Inspector