



Appeal Decision

Site visit made on 14 November 2023 by R Dickson BSc (Hons) MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 February 2024

Appeal Ref: APP/D1265/W/23/3317132

Medway Farm, Old School Access Road, Askerswell, Dorset DT2 9EW

- 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 & Mrs A Coutts against the decision of Dorset Council.
 - The application Ref P/FUL/2022/06182, dated 6 October 2022, was refused by notice dated 7 December 2022.
 - The development proposed is for the change of use of land to site one Shepherds Hut.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The effect of the proposed development on the character and appearance of the area, with specific regard to the Dorset National Landscape (DNL)¹.

Reasons for the Recommendation

4. The appeal site is located on the outskirts of Askerswell and comprises part of an open field within the DNL. It is separated from nearby dwellings to the south by a boundary hedge and trees which demark the northernmost extent of the village. Across School Lane there are some other houses, but these appear to relate to the built form of the village opposite and to the south. The site slopes upwards away from the road and is split into three sections with fencing. The lower section would have an area of hardstanding for car parking. The site is relatively open, has a distinct rural feel and is not associated with any other built development. It contributes positively to the open countryside in both character and appearance terms and, by association, the special rural and landscape qualities of the DNL.
5. The top section of the site flattens, which is where the hut would be situated. The topography of the site means that views of the hut would be difficult from School Lane. As would longer range views. Despite this, the hut's presence would have an unacceptably reducing effect on the open and undeveloped rural qualities of the countryside location and by definition the DNL in the spatial sense, introducing development clearly outside of the confines of the existing settlement. Further, and despite the hut's relative obscurity in visual terms, the

¹ Formerly an Area of Outstanding Natural Beauty (AONB).

hardstanding, improvements to the access and car parking and activity related to its use would allude to an association with the hut, thus hinting at the presence of development in any event.

6. The appeal scheme would therefore cause unacceptable harm to the character and appearance of the area and fail to either conserve or enhance the DNL. It would therefore conflict with Policies ENV1, ENV10, ECON7 and SUS2 of the West Dorset Weymouth and Portland Local Plan 2015 and Policy E4 of the Askerswell Neighbourhood Development Plan 2018-2028, which collectively (and in regard to the main issue) seek to ensure that developments do not have an adverse impact on the distinctive characteristics and landscape quality of the local area, including of National Landscapes.

Other Matters

7. Utilities being brought to site, the provision of sanitation, the disposal of waste and an increase of domestic paraphernalia on the site associated with the proposed use could increase the pressure for further development to accommodate them. This may give rise to further harm. However, this is conjecture and in any event these elements do not form part of the appeal scheme.

Conclusion and Recommendation

8. For the reasons given above, the appeal scheme would conflict with the development plan as a whole and there are no material considerations worthy of sufficient weight that would indicate otherwise. I therefore recommend that the appeal should be dismissed.

R Dickson

APPEAL PLANNING OFFICER

Inspector's Decision

9. I am aware that the proposed development, due to its nature and location, has the potential to have significant adverse effects on the integrity of protected habitat sites. I have seen the Council's evidence in this regard and specifically their relevant adopted strategies. I am also cognisant of my obligations under the relevant regulations as the competent authority in making this decision. Since I am dismissing the appeal however, I have not considered the matter further.
10. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison

INSPECTOR