



Appeal Decision

Site visit made on 22 October 2024

by R Kent BA (Hons) MTP DipM MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 November 2024

Appeal Ref: APP/D1265/W/24/3349109

Sunnyholme, B3143 - Blackrow Lane to Holwell Road, Kings Stag, Dorset DT10 2AY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Gittins against the decision of Dorset Council.
 - The application Ref is P/FUL/2024/01945.
 - The development proposed is Restore barn to create holiday let.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposed development is described as the restoration of a barn. The Council refers to the proposals as a "conversion." In this instance alterations are proposed to the building including an extension, new window and door openings, replacement roof and the creation of a first floor. Together with internal works proposed to the building, I therefore take the proposed restoration to constitute the physical alterations to the building to facilitate its change of use to residential use as a holiday let and use the words "restoration" and "conversion" on this basis.
3. The 'Proposed Elevations' plan A-20.03.24 only shows 3 elevations of the building. The south elevation is not shown. However, as the floor plans do not show any windows or doors in the south walls, I have determined the appeal on the basis that the south elevation would be blank.

Main Issue

4. The main issue is the effect of the proposed conversion on the character and appearance of the existing building and its surroundings.

Reasons

5. The proposed plans show the existing barn being converted to create a two bedroom unit with its own bathroom, kitchen and living spaces. It would therefore provide the facilities for day to day private domestic existence¹ and be capable of independent residential use. Therefore, whilst it would be let as holiday accommodation, the proposed use would be for occupational residential purposes in terms of the application of Policy 29 of the North Dorset Local Plan 2016 (NDLP).

¹ *Gravesham BC v SSE & O'Brien* [1982] 47 P&CR 142; [1983] JPL 307

6. The barn lies between the houses fronting the road and the open fields to the west. Together with the green spaces to the rear of the houses to the north and south, the site forms part of the character of the rural edge to the village. The barn's simple agrarian appearance contributes to this local rural character.
7. Although the principle of the re-use of existing buildings in the countryside for holiday accommodation is supported by NDLP Policies 29 and 31, Policy 29 requires a number of criteria to be applied to the re-use of buildings for occupational residential use. This includes the effect on the character and appearance of the building.
8. The barn is of traditional design with its main doors in the east elevation below a small dormer serving a loft. It is clad in profiled sheeting with a corrugated sheet roof. It has a dilapidated structure projecting from its eastern, front elevation. At the time of my site visit the projection was missing substantial sections of its walls. There are two further sheet clad, mono pitch elements on its rear elevation. The evidence indicates the barn is disused.
9. The proposals include the substantial reconstruction and realignment of the projecting front structure together with the creation of a covered roofed area extending across the entire length of the east elevation. Combined with the proposed front and rear dormer windows, and the proposed rear extension, this would add significantly to the scale of the building.
10. Reference is made to the plans suggesting that the restoration would result in the holiday let being taller than the existing building. The Appellant's evidence however indicates that its ridge height would be the same as at present but with the building being "cut more into the ground." I have not been provided with details of existing and proposed site levels. However, the proposed elevations plans do indicate that the proposals would result in the building appearing taller and having a greater visual mass than the existing building.
11. Whilst the proposed ground floor windows in the east elevation would make use of existing openings, the substantial new window and door openings in the west elevation, when combined with the dormers and extensions, would cause further harm to the building's existing agrarian character and appearance. When taken together, the proposed additions and alterations would not appear as modest in scale or subordinate to the existing building and would give it a residential character and appearance.
12. The harm I have identified would not enhance the barn's rural setting as a result of the substantial change in the character of the barn to that of a dwelling and its increase in scale. However, a large timber building is in the process of being constructed adjacent to the barn. Another building is sited to the rear of the neighbouring house to the south with a further single storey, flat roof timber building to the rear of Sunnyholme between the house and the barn. As a consequence, the proposal would not cause harm to the wider surroundings of the site.
13. For the reasons given, however, the proposal would harm the character and appearance of the existing building in conflict with Policies 24 and 29 of the NDLP regarding design principles and the re-use of existing buildings in the countryside, respectively.

Other Matters

14. Whilst the Council indicated in its pre-application advice that a conversion for tourist accommodation “could” be accepted, it identified the requirements of Policy 29 against which the proposal would be assessed. It was reasonable for the Council to assess the proposals against the policy once it had received the full details which, from the evidence before me, differed from those submitted at the pre-application stage.
15. Reference is made to the manner in which the planning application was handled by the Council. The Council’s email dated 27th June 2024 indicated that the Council continued to have concerns about the proposals. It is not clear why further negotiations did not take place but there are other processes through which this matter can be pursued if needs be. It does not have a bearing on my consideration of the appeal.
16. I have given careful consideration to the expressions of support for the proposals from local residents and to the comments from Lydlinch Parish Council. However, for the reasons outlined above, the proposals would cause clear harm which gives rise to conflict with the development plan.

Conclusion

17. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

R Kent

INSPECTOR