



Appeal Decision

Site visit made on 11 March 2025

by **C Rose BA (Hons) BTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 25 March 2025

Appeal Ref: APP/D1265/W/24/3353659

Barn at Greenacre Lodge, 24 Dorchester Road, Grimstone, Dorset DT2 9NA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a grant of planning permission subject to conditions.
 - The appeal is made by Mr & Mrs Rose against the decision of Dorset Council.
 - The application Ref P/FUL/2022/02153 was approved on 29 July 2024 and planning permission was granted subject to conditions.
 - The development permitted is Convert existing barn into 1 No. dwelling.
 - The conditions in dispute are Nos 3, 7 and 12 which state that:
Condition number 3: *'Prior to commencement of development details of surface water and foul drainage schemes for the site shall have been submitted to and approved in writing by the Local Planning Authority. All surface water from the development shall be discharged to a piped drainage system or watercourse and not to a soakaway or permeable area. The scheme shall subsequently be implemented prior to the completion of the development.'*
Condition number 7: *'Prior to the removal of stall partitions and heel posts, a written scheme of historic building recording, shall be submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall only be implemented in full accordance with the approved historic building recording scheme.'*
Condition number 12: *'The dwelling(s) hereby approved shall be occupied for holiday purposes only; shall not be occupied as a person's sole, or main place of residence; and the owners/operators must maintain an up-to-date register of the names of all owners/occupiers of dwellings(s) and of their main home addresses, and must make this information available at all reasonable hours at the request of a duly authorised officer of the Local Planning Authority.'*
 - The reasons given for the conditions are:
Condition number 3: *'To ensure adequate facilities are provided in the interests of groundwater flooding and pollution.'*
Condition number 7: *'To ensure provision if made for the recording of the historic building.'*
Condition number 12: *'To ensure that approved dwellings(s) is/are not used for unauthorised permanent residential occupation.'*
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. During the course of the appeal, a revised National Planning Policy Framework (the Framework) was published on 12 December 2024. Whilst paragraph numbers have altered, any policies that are material to this decision have not fundamentally changed. I am satisfied that this has not prejudiced any party, and I have had regard to the latest version in reaching my decision.

Background and Main Issue

3. The planning application sought consent to convert the barn to a dwelling. Planning permission was granted subject to 12 conditions. These conditions include condition 3 seeking the submission of details of surface water and foul drainage; condition 7 securing

the submission of a written scheme of historic building recording, and condition 12 which restricts the occupation of the dwelling for holiday purposes only.

4. The appellant opposes the need and reasoning for these conditions. Reasons given include the size and location of the site under 1ha within Flood Zone 1; that photographs of the stall partitions and heel posts have been provided with the building of no special architectural interest; the location adjoining a settlement with a combined population over 200 with a number of businesses nearby and given other consents in the area.
5. In light of the above, the main issue is whether the conditions are reasonable and necessary having regard to the effect on flood risk, heritage assets and the location of the site relative to services and facilities.

Reasons

Flood Risk

6. While I acknowledge that the appeal site is located within Flood Zone 1 and is less than 1ha in size, the Council advise that it is within an area identified as being susceptible to groundwater flooding.
7. In light of this, to ensure any increased surface water and foul drainage from the residential use of the site adjacent to a road does not add to the possibility of groundwater flooding through use of a soakaway or permeable areas, I find that condition number 3 requiring details of surface water and foul drainage schemes prior to the commencement of development is reasonable and necessary.
8. The condition would ensure the effect of the proposal on flood risk is adequately addressed. The condition accords with Policy ENV5 of the West Dorset, Weymouth & Portland Local Plan 2015 (LP). Amongst other things, this ensures that new development should be planned to avoid risk of flooding (from surface water run-off, groundwater, fluvial and coastal sources) where possible and will not exacerbate flooding elsewhere.

Heritage Assets

9. The appeal property comprises former stables associated with the Grade II listed Mill at Grimstone (Listing Number 1245135). The significance of the Mill is in part due to its spatial and functional relationship with Sydling Water having a visual relationship with the appeal site. As a result, the appeal property lies within the setting of the Mill, making a positive contribution to its setting by reason of its history and visual association.
10. The appeal property is not a listed or curtilage listed building. Regardless of its position on the opposite side of the A37, and even if it was in separate ownership at the time of the listing of the Mill, it comprises a former stable block to the Mill. It has some historic and architectural merit as a stable block, particularly in relation to the lower parts of the original form of the building and stable fittings including the stall partitions and heel posts. These elements contribute to the significance of the building along with its aesthetic value viewed in association with the Mill. As a result, I consider the appeal building to be a non-designated heritage asset. This is the case regardless of whether or not the former Royal Yeoman is a non-designated heritage asset.
11. I acknowledge that the existing building has been altered from its original form, particularly with regard to removal and replacement of the upper parts of walls, removal of the original thatched roof and provision of post box and notice boards. I further acknowledge that the internal stall partitions and heel posts have been restored over time with scaffold polls holding them together. Nonetheless, the stall partitions and heel posts contribute to the significance of the appeal building demonstrating its historic use, layout and purpose.

12. While I have had regard to the proposed floor plans respecting the division of space between the stalls and coach house, the removal of the stall partitions and heel posts would take away part of the history and significance of the building as a former stable. I give great weight to the conservation of these heritage assets.
13. The removal of the stall partitions and heel posts would result in 'less than substantial harm' to this non designated heritage asset. It is important to note that 'less than substantial harm' does not equate to a less than substantial planning objection. Paragraph 215 of the National Planning Policy Framework requires that 'less than substantial harm' be weighed against public benefits of the proposal.
14. In this instance there is a public benefit from bringing a redundant non-designated heritage asset back into use, from reinstating the original roof form and from allowing a continued appreciation of the buildings historic and functional relationship with the Mill. These benefits outweigh the less than substantial harm. However, given the loss of the historic fabric in the form of the stall partitions and heel posts, it is reasonable and necessary that they be recorded before removal.
15. I acknowledge the comments from the appellant in relation to the Conservation Officer only mentioning the recording of the stall partitions and heel posts. I further acknowledge the associated time and cost in producing and submitting a written scheme of building recording. However, any such scheme only needs to be proportionate to the works in relation to providing a basic description, plan and photo record of the stall partitions and heel posts in relation to the ground floor layout.
16. It follows that I conclude that the condition is reasonable and necessary with regard to the effect of the proposal on heritage assets ensuring the impact is suitably addressed. The condition accords with LP Policy ENV4 which, amongst other things, ensures that development should conserve and where appropriate enhance the significance, positively contribute to the asset's conservation and that where harm can be justified, appropriate provision will be required to capture and record features, followed by analysis and where appropriate making findings publicly available.

Location

17. The spatial strategy for residential development is set out in LP Policy SUS2. The strategy is based on the needs and size of the area's settlements, and the benefits of concentrating most development in locations where homes, jobs and facilities will be easily accessible to each other, and there is a choice of transport modes. The policy therefore dictates that most development will be located in the larger and more sustainable settlements. Development in rural areas will be directed to settlements with defined development boundaries (DDB's). As the appeal site does not fall within a DDB, it lies in open countryside where development is strictly controlled and is limited to specified categories. The only scope for open market housing is through the re-use of existing rural buildings.
18. LP Policy SUS3 addresses the adaptation and re-use of buildings outside the DDB. In the case of unrestricted open market housing, it states that the buildings must adjoin a settlement with a DDB, be within or adjoining an established settlement of more than 200 population, or where the building is a designated heritage asset and where other listed uses are not possible, it represents the optimal viable use to secure its long-term future.
19. With regard to the first two criterion Grimstone does not have a DDB and has a population of less than 200. The next closest settlement is Stratton which whilst having a population of more than 200, is separated from Grimstone by a considerable expanse of countryside such that the appeal site is not within or adjoining that settlement.
20. With regard to the third criteria, this relates to designated heritage assets with the appeal building being a non-designated heritage asset. Furthermore, I have been provided with little evidence clearly demonstrating that the conversion and use of the building as a

holiday let would not be possible or viable, even considering its location away from tourist areas. Consequently, an open market dwelling use is not supported by LP Policies SUS2 or SUS3, and as such the proposal is contrary to the spatial strategy of the development plan. This is the case despite the design of the proposal being acceptable.

21. I acknowledge that Grimstone contains a number of employment opportunities and is served by free school buses and a cycle route. However, I do not have clear evidence of an imbalance in relation to housing provision. Furthermore, by reason of the limited range of services and facilities (including shops, health, leisure and public transport), given the distance to other settlements including Dorchester, and given access to these settlements is via a busy A road with limited footways and lighting, access to a range of services and facilities would be reliant upon the use of a motor vehicle. The potential for some occupiers to work from home would not resolve the distance to a range of services and facilities, and as such would not make the site significantly less reliant on the use of the motor vehicle.
22. It follows from the above that I conclude that the appeal property is not in a suitable location relative to services and facilities. As such, it is contrary to LP Policies SUS2 and SUS3, the aims of which I have outlined above.

Other Considerations

23. I have had regard to the Framework stating that development in one village may support services in another. However, any benefits from a dwelling would be limited by the small scale of the proposal. Furthermore, a tourism use would provide similar support to villages.
24. My attention has been drawn to consents at the Royal Yeoman Inn¹ and The Scott's Business². However, in the case of the former, it was previously a dwelling with the application demonstrating that it was no longer viable as a B&B. With regard to The Scott's Business, this consent was over 10 years ago for a change of use from an office under permitted development rights. As a result, these proposals are not directly comparable to the appeal before me. Furthermore, I am required to consider the appeal on its merits.
25. I have had regard to land behind the appeal site having been put forward for 9 units as part of the Councils Strategic Housing and Economic Land Availability Assessment. However, I have not been provided with evidence demonstrating that this site has been allocated for development or benefits from planning permission. Furthermore, I note reference to the site having potential for Rural Affordable Units and not being within walking distance of shops and facilities. I therefore give this very limited weight in my consideration.
26. I note the concerns and contradictions raised regarding the pre-application response in 2021 and reference to Class Q and agricultural use. However, these are not matters that go to the heart of the planning issues in the consideration of the necessity of the conditions on the planning permission. As such, they do not alter my findings above.
27. The appellant raises a number of grievances and regarding the conduct of the Council during its consideration of the planning application. However, these are not matters which are for consideration in this appeal.

Conclusion

28. For the reasons given above the appeal should be dismissed.

C Rose

INSPECTOR

¹ WD/D/20/002069

² WD/D/14/002804