
Appeal Decision

Site visit made on 10 June 2025

by **O Marigold BSc DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 30 June 2025

Appeal Ref: APP/D1265/W/25/3361960

Land South East of Down Farm, Beaminster Down, Beaminster, Dorset DT8 3SG

- 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 Mrs Marian Tarrant and Mrs Willow Tarrant Clark against the decision of Dorset Council.
 - The application Ref is P/FUL/2023/04018.
 - The development proposed is described as 'Retain open fronted timber shelter, 2no. small wooden barns, wooden chicken coop & goat house. Reinforcement of existing track'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used the description of the proposal as set out in the Council's Decision Notice, which is more concise than that used in the application form. However, the appellants have stated on the appeal form that the original description is no longer correct, and that the goat house, sheep barn and chicken coop applied for have been removed. Instead, they now seek permission for two 24 x 12-foot movable field shelters, together with reinforcement of the existing track.
3. On this basis, the appellants have made the appeal for a proposal substantively different to that sought at application stage, on which interested parties were consulted and on which the Council reached its decision. The published guidance of the Planning Inspectorate¹ is that the appeal process should not be used to evolve a scheme, and that I should consider essentially only what was before the Council and others at application stage. As such, I shall make my decision based on the plans that were before the Council when it made its decision.
4. Since the Council's decision notice was issued, a revised National Planning Policy Framework (the Framework) has been published. The main parties have had the opportunity to comment on this. I have determined the appeal on the basis of the current planning policy position.

Main Issue

5. The main issue is whether the appeal development would accord with the Council's settlement strategy including its effect on the character and appearance of the area, which lies within the Dorset National Landscape, also known as an Area of Outstanding Natural Beauty (AONB).

¹ The Planning Inspectorate 'Procedural Guide: Planning Appeals – England'.

Reasons

6. The site consists of a field in open countryside. Policy SUS2 of the West Dorset, Weymouth and Portland Local Plan (the Local Plan), adopted October 2015, makes clear that outside of defined boundaries, development will be strictly controlled, having particular regard to the need for the protection of the countryside and environmental constraints. It is restricted to specified types of development including, relevant to this appeal, agriculture. Policy ECON9 relates to agricultural buildings, which are supported only where necessary for the purposes of agriculture on the unit, and where their landscape impact would be minimised.
7. The open fronted timber shelter, wooden barns, chicken coop and goat house were originally sought on the basis of agricultural need. The appellants still intend to keep a similar number of sheep and lamb on the site, but not goats or chickens. As such, the appellants have confirmed that some of the structures originally applied for are therefore no longer required.
8. The Council were concerned that the plans as submitted did not reflect the situation on the ground, and that uncertainty about what was being granted risked the uncontrolled proliferation of structures on the site. Nevertheless, plans showing the development are before me, and these specify what would be approved if the appeal were to be allowed. It would be open to me to consider the development as a proposal, based on the submitted plans.
9. Nevertheless, in light of the evidence from the appellants that some of the buildings shown on the plans are no longer required, it is difficult to conclude that the development as shown would be necessary for agricultural purposes. Consequently, any justification under Policy SUS2 and ECON9 falls away.
10. The proposed track would be relatively narrow, and the buildings would be modest in scale. Nevertheless, they would add to the amount of built form hereabouts, and would have a functional appearance. I saw that they would be visible in the landscape from wider, elevated viewpoints. In the absence of an agricultural justification, they would unacceptably diminish the natural beauty of this part of the National Landscape.
11. For the reasons given above, the appeal development would not accord with the Council's settlement strategy and would have a harmful effect on the character and appearance of the area. As such, it would conflict with Local Plan policies ECON9 and SUS2 as well as policies ENV1, ENV10, ENV12. These require that the natural beauty of the AONB is not harmed, and that proposals including their design, should contribute positively to the maintenance and enhancement of local distinctiveness.

Other Matters

12. The proposal would incorporate wildlife enhancement measures, such as the planting of native trees and species-rich grassland. Bird boxes are also proposed. However, I give these benefits only limited weight, and they do not outweigh my concerns identified above.
13. The site lies within an area that could affect the Poole Harbour Site of Special Scientific Interest (SSSI), Special Protection Area (SPA) and Ramsar site, protected pursuant to the Conservation of Habitats Regulations 2017. Had I found

no harm in respect of the main issue, as competent authority I would have carried out an Appropriate Assessment in respect of the potential effects on the SAC and Ramsar site. However, as permission is being refused for other reasons, this matter need not be considered any further in this case.

Planning Balance and Conclusion

14. For the reasons given, there would be conflict with the Development Plan, read as a whole. No material considerations have been shown to have sufficient weight to warrant a decision other than in accordance with it. I therefore conclude that the appeal should be dismissed.

O Marigold

INSPECTOR