



Appeal Decision

Site visit made on 29 January 2025

by **M Aqbal BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 1 July 2025

Appeal Ref: APP/D1265/W/24/3347146

Manor Farm Holiday Centre, The Street, Charmouth, Dorset DT6 6QL

- 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 Robin Loosmore, Manor Farm Holiday Centre against the decision of Dorset Council.
 - The application Ref is P/FUL/2023/06324.
 - The development proposed is provision of 23 static caravans on permanent bases.
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Decision

1. The appeal is allowed and planning permission is granted for provision of 23 static caravans on permanent bases at Manor Farm Holiday Centre, The Street, Charmouth, Dorset DT6 6QL, in accordance with the terms of the application Ref P/FUL/2023/06324 and subject to the Schedule of Conditions to this Decision.

Preliminary Matter

2. In reaching my decision, I have considered the revised version of the National Planning Policy Framework (as amended) that was published in December 2024 ('the Framework').

Main Issues

3. The main issues are:
 - i) the effect of the proposal on the character and appearance of the area including the Dorset Area of Natural Beauty (AONB) ('Dorset National Landscape');
 - ii) the quality of the proposed accommodation for its occupiers;
 - iii) whether the proposal would result in flooding;
 - iv) the effect of the proposal on land stability; and
 - v) the effect of the proposal on highway safety.

Reasons

Character and appearance

4. The appeal site comprises a field located to the northeast of Charmouth and immediately to the south of the A35 trunk road. It is bounded to the west by Green Pit Knapp, to the east by the River Char, and to the south by a sewage treatment works, and an existing static caravan site, which is part of Manor Farm Holiday Centre. There are also other Holiday Parks nearby.
5. The appeal site lies within the Dorset National Landscape and the designated Heritage Coast. The trees within the site and on its boundaries are within an Area Tree Preservation Order.

6. The Dorset National Landscape enjoys the very highest level of landscape protection, equal to that of National Parks. The statutory purpose of the designation is to conserve and enhance the natural beauty of the area.
7. Section 85 of the Countryside and Rights of Way Act 2000 ('CRoW') places a statutory duty on relevant authorities to have regard to the purposes of the designation. Clause 245 of the Levelling Up and Regeneration Act 2023 amended this such that Section 85 of the CRoW Act now requires relevant authorities to seek to further the purposes of the designation. The Framework affords great weight to conserving and enhancing landscape and scenic beauty in National Landscapes.
8. The appeal site is also within the Wooded Hills Dorset Landscape Character Type and the Wootton Hills National Landscape Character Area. The Landscape character for this area includes a patchwork of small, regular unimproved grassland fields. Overall, this character area has largely retained its strong undeveloped rural character, with associated characteristics of tranquillity, remoteness and dark night skies.
9. Furthermore, the Dorset National Landscape's Management Plan 2019-2024, sets out the legal basis and background of this landscape and articulates a policy framework for the conservation and enhancement of its natural beauty. In particular, this seeks to protect the Dorset National Landscape from an overprovision of visitor accommodation including camping, caravanning and glamping sites particularly where existing development weakens the character and appearance of the countryside.
10. Although the appeal site is an undeveloped field in the countryside it is of a relatively modest size. Furthermore, this is in close proximity of the A35 and is bound by Green Pit Knapp along one side. There is also other development nearby. These give the site a more urbanised context. Drawing on these factors, the appeal site is not in a particularly tranquil or remote location and only makes a limited contribution to the natural beauty of the Dorset National Landscape and the landscape character of the Wooded Hills.
11. The static caravans are to be raised on stilts and sited on concrete bases with white cladding facades and dark grey roofs. Irrespective of the colours and finishes to the static caravans, this extent of development along with the associated road, would have an erosive effect on the landscape character on what is an undeveloped field. Even so, such development would not be uncharacteristic of the area.
12. The main parties dispute the extent to which the development would be visible from the A35. In the absence of any details of proposed levels, I cannot be certain of this. Nonetheless, based on my observations, any views of the development would be limited from along a small section of the A35 and filtered by the established intervening landscaping, which is largely protected and to be retained. Also, any views would be mainly from within passing vehicles against the backdrop of other similar development. As such, I am unpersuaded that this in itself would result in any harmful visual impact.
13. Based on my observations, in distant views east from Public Right of Way ('PRoW') W9/16, the new development would be visible but in the context of the existing static caravans at Manor Park Holiday Centre.
14. In a view south from PRoW W20/3, the development would be visible because of the site's topography and proximity to this PRoW. Even so, this would be against the backdrop of existing caravans at Manor Park Holiday Centre and in part any visual

impact of the proposal would be mitigated by the established landscaping along the A35.

15. In views west from PRow W16/78, the proposed scheme would increase the depth of development. However, this would not increase beyond the A35 and would broadly align with the existing static caravan site to the south. Also, there would be a degree of filtering of the proposed development due to intervening landscaping.
16. In panoramic views available from PRow W16/78 and other coastal paths, against the wider context of surrounding development the proposal would be much less apparent and its visual impact less significant. Also, because of the appeal site's location, development here would not be closer to the coast than the existing static caravans to the south of it.
17. Furthermore, the proposal incorporates new tree and hedge planting. Overtime, this would further ameliorate the effects of the development on the character and appearance of the area.
18. Therefore, although the proposal in isolation and cumulatively with other static caravans nearby, would bring some change to the character and appearance of the appeal site and area, in the context of similar nearby development, this would not result in a significant negative visual impact in views from the above PRow.
19. Furthermore, LP Policy ECON7 supports caravan and camping sites in locations well related to existing facilities, which applies to the appeal site. Whilst there would be some effect on the areas landscape, for the reasons already given this would not be significant and the proposal is supported by an appropriate landscaping scheme. The provision for its ongoing maintenance and a long-term management plan to improve the quality and appearance of the accommodation and site could be secured by a condition.
20. Although LP Policy ECON7 says that proposals in the Heritage Coast are unlikely to be supported, in my view, the appeal site's modest size and location between a static caravan site and the A35, amount to very special circumstances. Therefore, I find that the proposal would not conflict with this Policy. I also find no conflict with NP Policy NE2, given that the proposal would not result in a significant negative effect on wide views.
21. Nevertheless, because the proposal would have an erosive effect on the landscape, this would result in harm to the character and appearance of the area and fails to conserve the Dorset National Landscape. This would be contrary to the West Dorset, Weymouth & Portland Local Plan policies ENV1, ENV10 and ENV12 and Policy NE1 of the Charmouth Parish Neighbourhood Plan 2021 – 2035 ('NP') in so far as these seek to protect the AONB.

Living conditions of occupiers

22. The proposal would introduce development adjacent to the A35 and the use of this by vehicular traffic does generate noise and emissions. There is already an area to the west of the appeal site, which has planning permission for the siting of holiday lodges and static caravans. This is a similar distance from the A35 and features a comparable intervening landscape buffer. Moreover, there is nothing to suggest that the use of this nearby site generates any concerns or complaints in respect of noise and pollution. The appellants advise that any outdoor amenity areas would be located to the south of

the static caravans. Thereby, the static caravans and landscaping would create a buffer to the A35.

23. Similarly, in respect of the sewage treatment plant, there are already static caravans located on an existing site, which is a similar distance from those proposed under the appeal scheme. Furthermore, in 2022 planning permission was granted for two additional hard standings to this existing site for two static caravans, which are closer to the sewage treatment plant than the appeal site. Also, there is nothing to suggest that the use of this nearby static caravan site generates any concerns or complaints in respect of odours.
24. Therefore, I am satisfied that despite its close proximity to the A35 and the sewage treatment works, the proposal would not harm the living conditions of the occupiers of the static caravans with regard to odours, noise and other pollution. Consequently, the proposal would not be contrary to LP Policy ENV16 ii), which says that development which is sensitive to noise or unpleasant odour emissions will not be permitted in close proximity to existing sources where it would adversely affect future occupants.
25. Although no noise assessment has been provided, drawing on the above site specific circumstances, I have found that the proposal would not harm the living conditions of neighbours in respect of noise. As such, I do not find conflict with the overarching aims of NP Policy NE6 for safeguarding new developments against pollution.

Flood risk

26. The appeal site is shown to fall mainly within Flood Zone 1. As already stated, the River Char runs along the eastern edge of the red line boundary of the appeal site and as a result parts of the site adjacent to this main river are located within Flood Zones 2 and 3. Mapping based on the modelled *1-in-30 year* rainfall event and upwards reveals some predicted surface water flood risk along the edge of the river.
27. The submitted Flooding and Drainage Statement by MDesign, provides some discussion of the prevailing flood risk. Consequently, the static caravans are to be located outside of the predicted flood risk area.
28. With regard to surface water disposal, the Flooding and Drainage Statement says that following the Building Regulations hierarchy of surface water disposal methods, the first option to be investigated will be via sustainable urban drainage techniques such as soakaways and advises that soakaways could be viable, given the likely ground conditions. The appellant's appeal submissions confirm that the scheme for surface water disposal could be dealt with by a condition.
29. As such, the proposal is unlikely to result in the risk of surface water flooding both on and off the site. Therefore, the proposal would not be contrary to LP Policy ENV5, which requires that the new development should be planned so as to avoid risk of flooding.

Land stability

30. The appeal site is located within Zone 2 of The Slope Instability Map for Charmouth. The caravans would be installed on a sloping site using concrete foundations. The Council asserts that problems may arise due to the reactivation of movements on old landslide slopes.

31. As part of the appeal, a Geotechnical Assessment Report has been submitted. In summary, this concludes that there is no significant ground instability risks associated with the proposed development. As such, the proposal would not conflict with the aim of Policy ENV7 of the LP, which seeks to direct new development away from areas likely to be affected by land instability.

Highway safety

32. The vehicular access and exit for the proposed development would be via an existing dropped kerb and access off Green Pit Knapp. This access already serves a caravan site and the sewage treatment plant.
33. According to the appellant, the access for the sewage treatment plant is not in regular use. Even so, I understand the Council's concern that such an arrangement could cause confusion to motorists entering the site and exiting onto Green Pit Knapp. Nevertheless, if the appeal were to succeed, this could be dealt with through a condition requiring detailed plans of the access and of any necessary road markings and signage.
34. Consequently, the proposal is unlikely to prejudice highway safety and conflict with the overarching aims of LP Policy COM7 for creating a safe and efficient transport network.

Other matters

35. The Council has suggested that the submitted Landscape and Visual Impact Assessment does not meet its validation requirements. Irrespective of this, the application was validated and determined by the Council on the basis of the submitted information and I have also determined the appeal on this basis.

Other considerations

36. The proposal would support the visitor economy, and the installation and use of the static caravans and associated infrastructure would increase local spend and aid businesses and jobs within the area. These aims are supported by some local and national policies. The proposed landscaping and measures to enhance biodiversity would also bring some collective environmental improvements. As such, I afford these benefits moderate weight.

Conditions

37. In imposing conditions, I have included the standard timescale condition for the implementation of the planning permission. A condition specifying the relevant plans and drawings is necessary as this provides certainty.
38. I have specified conditions to ensure that the permission is for the siting of a maximum of 23 static caravans and arranged as shown on the approved plans. This is because, I have assessed and supported the proposal on this basis.
39. To safeguard existing trees, a condition requiring that these are retained and protected is necessary. To ensure that any proposed landscaping is provided, managed and maintained in the interests of the quality of the development and area I have specified a condition requiring a Landscape Scheme, including a Management Plan.

40. Conditions requiring the submission of a Surface Water Drainage Scheme and a Management and Maintenance Scheme for this are necessary to avoid and manage flood risk.
41. To protect and enhance biodiversity, I have imposed a condition requiring that all ecological mitigation and enhancement measures as identified in the approved Biodiversity Plan are implemented. To promote sustainable forms of development, a condition requiring the provision of electric vehicle charging points is reasonable and necessary.
42. A condition requiring a lighting scheme and control over external lighting is necessary to safeguard the character and appearance of the area and ecology.
43. The Council has suggested a condition requiring recessive coloured wall and roofing materials for the proposed static caravans. However, as the existing static caravans are of a similar appearance to those proposed, as shown in Photograph of the static caravans – 287 P.4, 13.10.23 (Willerby) I do not consider such a condition is reasonable or necessary.
44. Conditions 5, 6, 7 and 8 which prevent any development approved from commencing until they have been complied with, are considered fundamental to the development hereby approved. It is necessary for these to take the form of 'pre-commencement' conditions to have their intended effect. Where necessary and in the interests of clarity, flexibility and precision, I have altered the conditions to better reflect the relevant guidance.

Planning balance and conclusion

45. Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that decisions on planning applications should be made in accordance with the development plan unless material considerations indicate otherwise.
46. I have found that the proposal would not harm the living conditions of occupiers of the static caravans or highway safety and that the proposal would not be affected by land instability or likely to result in flood risk. Even so, this would result in harm to the character and appearance of the area and the proposal would fail to conserve the Dorset National Landscape. Although this attracts great weight, given the site-specific circumstances of the appeal site, the effects on scenic beauty, tranquillity, remoteness and dark night skies, would be limited. Therefore, I attach less than moderate weight to the harm arising from the proposal.
47. Also, the proposal is supported by BDLP Policy ECON7 which weighs in favour of the proposal. Having taken account of the other considerations in support of the proposal to which I attach more than moderate weight, I consider these to be sufficiently forceful to outweigh the harm and conflict with the development plan I have identified. Consequently, in the circumstances of this case, the material considerations do justify a decision other than in accordance with the development plan taken as a whole.
48. For the above reasons, I conclude that the appeal should be allowed.

M Aqbal

INSPECTOR

Schedule of Conditions

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans and drawings:

Location Plan 1:2500 dated 13/10/23;
Site Layout: Existing – 287-SLX;
Site Layout: Proposed – Drawing 287-SLP, Rev C;
The Base - Drawing 287-CB1.
Photograph of the static caravans – 287 P.4, 13.10.23 (Willerby).
- 3) The static caravans 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 the caravan(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.
- 4) This permission is for the siting of a maximum of 23 static caravans within the red line of the development site as shown on the approved Location Plan 1:2500 dated 13/10/23. The static caravans shall be laid out in accordance with the approved Site Layout: Proposed – Drawing 287-SLP, Rev C and shall thereafter be maintained in that arrangement.
- 5) Prior to the commencement of any development hereby permitted, all existing trees and hedges to be retained and identified in the Arboricultural Report, shall be safeguarded in accordance with Tree Protection Measures to be submitted to and approved in writing by the local planning authority. Thereafter the approved Tree Protection Measures shall be maintained for the duration of the construction works. No unauthorised access or placement of goods, fuels or chemicals, soil or other material shall take place within the tree protection zone(s).
- 6) Prior to the commencement of any development hereby permitted, a Landscaping Scheme shall be submitted to and approved in writing by the local planning authority. The Landscaping Scheme shall incorporate a Landscape Management Plan, including long term design objectives, management responsibilities, maintenance schedules and a timetable for implementation for all landscaping. Thereafter, the approved Landscaping Scheme shall be implemented in accordance with the approved timetable and maintained in accordance with the Landscape Management Plan.

Any trees or plants that within a period of five years after planting are removed, die, or become, in the opinion of the local planning authority, seriously damaged or defective shall be replaced as soon as it is reasonably practical with others of species, size and number as originally approved.
- 7) Prior to the commencement of any development hereby permitted, a Surface Water Management Scheme (including a timetable for its implementation) for the development site, shall be submitted to and approved in writing by the local planning

authority. The approved Surface Water Management Scheme shall be implemented in accordance with the approved details and timetable.

- 8) Prior to the commencement of any development hereby permitted, a Surface Water Management and Maintenance Scheme, detailing the maintenance and management of the Surface Water Management Scheme, shall be submitted to and approved in writing by the local planning authority. Thereafter, the Surface Water Management Scheme shall be managed and maintained in accordance with the approved Surface Water Management and Maintenance Scheme.
- 9) Prior to the first occupation of any static caravan hereby permitted, the biodiversity mitigation, compensation and enhancement/net gain strategy set out within the approved Biodiversity Plan dated 24/9/2023 certified by the Dorset Council Natural Environment Team on 4/10/2023 shall be implemented in full and photographic evidence of compliance submitted for approval in writing by the local planning authority. The approved mitigation, compensation and enhancement/net gain measures shall be permanently maintained.
- 10) Prior to the first occupation of any static caravan hereby permitted, a scheme to enable the charging of plug-in and other ultra-low emission vehicles in safe, accessible locations within the development (including a timetable for implementation) shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details and timetable. Thereafter, such facilities shall be maintained for the life of the development.
- 11) Prior to its installation, the details and specifications of any external lighting for the development site shall be submitted to and approved in writing by the local planning authority. Thereafter, any external lighting shall be installed and maintained in accordance with the approved details and specifications.