



Appeal Decision

Hearing held on 10 June 2025

Site visit made on 10 June 2025

by Alison Fish BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 August 2025

Appeal Ref: APP/D1265/W/25/3358759

Flowerdew Farm, Hazel Lane, Puncknowle DT2 9BU

- 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 Miss Claire Ives against the decision of Dorset Council.
 - The application Ref is P/FUL/2023/01975.
 - The development proposed is siting of a temporary rural workers dwelling (retrospective), conversion of the stables to toilets/showers/office/meeting room, erection of a proposed agricultural building and the use of site for alpaca experiences.
-

Decision

1. The appeal is allowed and planning permission is granted for a temporary rural workers dwelling, conversion of the stables to toilets/showers/office/ meeting room, erection of a proposed agricultural building and the use of site for alpaca experiences at Flowerdew Farm, Hazel Lane, Puncknowle DT2 9BU in accordance with the terms of the application, Ref P/FUL/2023/01975, and the plans submitted with it, subject to the conditions in the attached Schedule.

Preliminary Matters

2. The description of development in the banner heading above is from the Council's decision notice and Statement of Common Ground (SoCG), as it more comprehensively describes the appeal proposal than the one set out on the planning application form. I have amended the description in the formal decision by deleting the word 'retrospective' which is not an act of development.
3. It is clear from the plans and accompanying details that the enterprise also comprises other elements, such as running workshops, which are not specifically referenced in the description. However, I understand that the description was amended during the determination of the planning application, at the request of the Council, to include the use of the site for alpaca experiences. This description would seem to generally encompass the enterprise as it has been described to me. I have dealt with the appeal on this basis.
4. At the hearing the appellant submitted updated financial projections for the business over the next 3 years. The Council had an opportunity to review the information. The appellant indicated that the changes made were, in part, to reflect recent contracts which had been secured. It is not unusual in fledgling businesses for financial circumstances to change. In this instance, the information could not have been provided within the appeal timetable and accepting the amended detail would not prejudice the position of any party.

5. An amended site plan (drawing number CI-JH-02 E) was presented by the appellant. This identified areas for willow planting, goats and chickens. These changes are minor in nature and do not materially change the proposal before me. I have accepted this plan.
6. The appeal development is part retrospective in that the rural workers dwelling is already on site and occupied and the use of the site for alpaca experiences has already commenced. The conversion of the stables and the erection of the agricultural building are proposed as part of this appeal and have not yet commenced.
7. The enterprise also includes camping and glamping. This is not included in the description set out above as it is permitted development by virtue of Schedule 2, Part 5, Class C (use of land by members of certain recreational organisations) of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended ('the GPDO'). The GPDO requires that its use shall not begin until the developer has received written notification of the approval by the local planning authority under Regulation 77 of the Conservation of Habitats and Species Regulations 2017 ('the Habitats Regulations'), referred to as an Appropriate Assessment (AA), owing to the site's location within the recreational buffer zone of the Chesil Beach and the Fleet Special Protection Area (SPA), Chesil and the Fleet Special Area of Conservation (SAC), and Ramsar site. In this decision, I collectively refer to these as 'protected habitats sites'. The Council have provided written notification of its approval.¹ I will return to this matter later.
8. Since the Council's decision, a revised version of the National Planning Policy Framework (the Framework) has been published. There has been opportunity through the appeal process for the main parties to submit comments on the Framework and I have considered it in my determination of this appeal.

Background and Main Issues

9. The appeal site is located within the countryside where development is necessarily limited, including to that where there is a proven essential need for rural workers to live at or near their place of work. This is set out in Policies SUS2 and HOUS6 of the West Dorset, Weymouth and Portland Local Plan 2015 (LP). The Planning Practice Guidance (PPG) sets out what considerations may be relevant to take into account when applying Paragraph 84 of the Framework which relates to isolated homes in the countryside and this includes the degree to which there is confidence that the enterprise will remain viable for the foreseeable future. This requirement is also set out in the supporting text to Policy HOUS6 of the LP.
10. Accordingly, the main issues in this appeal are:
 - Whether there would be an essential need for a rural worker to live at or near their place of work in the countryside;
 - Whether the business would be financially sustainable in the long term;
 - The effect of the proposed development on the integrity of the protected habitats sites; and

¹ LPA Ref: P/HABR/2025/00208

- Whether there are any material considerations, including the health and well-being benefits of the proposal and the appellant's personal circumstances which would outweigh any identified harm.

Reasons

11. The appellant purchased the appeal site, comprising 0.8 hectares of land in November 2022. She is currently operating this as a care and social farm which she intends to expand and establish over the next three years. This focuses on providing animal and nature-based farm activities and experiences through a supervised and structured programme of farming-related activities such as feeding the animals, carrying out maintenance, looking after and harvesting crops and other biodiversity projects. This can benefit the health, wellbeing and social skills of those taking part, particularly vulnerable people and those with special educational needs and disability (SEND).
12. There are various buildings and structures on the site including a timber stable block, animal shelters, the temporary dwelling and facilities required in connection with the use of the site for camping and glamping. There are 4 bell tents (glamping) on the site, and an additional one sited closer to the temporary dwelling which is erected for volunteers to stay in. The enterprise currently has 4 alpacas, 2 pigmy goats, 4 bantam chickens and 2 farm dogs. Labour is provided, in the main, by the appellant with some volunteers.

Would there be an essential need for a rural worker to live at or near their place of work in the countryside?

13. The appellant is currently residing on site, albeit that is unauthorised, and running the existing enterprise. The submissions in respect of the need to reside on site have focussed on the appellant's proposals for expansion. In this respect, the appellant intends to increase the number of breeding alpacas to 10 and introduce a stud male by Year 3. She also plans to increase the number of pigmy goats to 6, producing between 12 and 18 kids per year and increase the number of chickens to 12. These would enable the breeding of alpacas, increase the offer to clients visiting the site and produce an income from the sale of the alpacas and goats and other related items such as alpaca wool and goat soap.
14. The expansion of the alpaca herd would require further land to be acquired. The appellant has taken steps towards this, but no additional land has been secured to date.
15. The labour requirement for the proposed numbers of livestock would be modest², with the alpaca element equating to approximately half of a full time requirement. The camping and glamping element of the business is also open to the general public and operates all year round. Occupancy rates are expected to increase which would increase the labour requirement. It would require administration but more significantly would require someone to provide support and supervision particularly when vulnerable clients are staying. Moreover, volunteer workers are usually clients who also require a level of supervision some, if not all of the time.
16. The appellant says that she currently works sixteen hours a day in the summer months, seven days per week. Given the varied tasks associated with the business

² Calculated at 144 Standard Work Days for the alpaca element of the enterprise.

which in addition to those mentioned above, also include offering a mini mobile farm for off-site events, preparation and set up for workshops held at the site and meeting representatives of agencies who may want to use the services on offer at the site, I have no reason to disagree with this. If the enterprise develops as envisaged by Year 3, she anticipates a need to take on additional staff.

17. I have not been provided with a breakdown of the labour hours required to carry out each of the tasks involved in running the enterprise, but the enterprise is clearly multifaceted, and I accept that the needs of the clients would add significantly to the labour requirement required to run it. On balance, I am satisfied that if the enterprise were to develop as envisaged, there would be a need for a full time worker.
18. I turn now to consider whether the operation of the enterprise requires someone to be resident on the appeal site.
19. The main reason to be on site arises from the needs of those visiting the enterprise and staying overnight. Some clients have particularly high needs. It would be crucial to ensure that they were kept safe overnight and that interaction with the animals and other guests during this time was not unsupervised. Without an on-site presence, there would not be suitable safeguarding measures in place. Contracts and visits from many organisations would not be forthcoming and the business would become unsustainable. A dwelling elsewhere in the locality would not provide the required level of on-site supervision.
20. There is no doubt that an on-site presence would enable welfare issues with the animals to be dealt with effectively. The limited number of alpacas means that these instances would only be likely on an occasional and ad hoc basis. That said, the loss of a high value animal such as an alpaca would have significant financial consequences for a small enterprise such as this.
21. A presence on site would undoubtedly deter, but not prevent, trespassers and criminal activity, particularly as the gates to the site are not locked overnight and CCTV cannot cover the whole site for safeguarding reasons. However, instances where animals have entered the site from neighbouring land could be prevented by the erection of secure fencing.
22. Bringing all this together, I conclude that if the enterprise were to develop as envisaged, collectively, there would be a need for a full time worker and that the enterprise could not operate effectively without an overnight presence. A seasonal caravan would not provide the necessary on-site presence all year round. In particular, I find that the needs of many of the guests staying at the site, together with the requirement for robust safeguarding mechanisms, means that it is essential for the operation of the business to have someone resident on site at most times.

Would the business be financially sustainable in the long term?

23. The appellant's submissions indicate that by Year 3, the enterprise would make a healthy profit. The agricultural aspects of the enterprise such as the breeding and sale of alpacas and pygmy goats would generate a small portion of the profit. Much of the revenue would come from the camping and glamping and the care and social farm. However, there are aspects of the business proposals which are far from certain and outside the control of the appellant.

24. The projected revenue figures for the camping and glamping indicate an average occupancy rate of 60% by Year 3. However, inaccuracies in the figures provided cast doubt on whether the projections can be relied upon. In addition, the longevity of the camping is unclear because of the need to ensure that any likely significant effect on the integrity of the protected habitats sites is adequately mitigated on an ongoing basis. The licence from a recreational organisation needs to be renewed annually. Whilst there is no substantive evidence before me that neither of these would be forthcoming in the future, I cannot be certain that this would be the case.
25. There is no certainty that the land required to expand the alpaca herd would be secured and this would have an impact on the projected income.
26. The financial projections reflect some of the contracts that the appellant has now secured with both Dorset Council and charity organisations including just under 100 placements over the school summer holidays as part of the Holiday Activities and Food Programme (HAF). However, the appellant indicated that decisions on funding for these types of programmes is often made late and is far from certain in the long term.
27. The proposals include converting the existing timber stable block into a welfare facility, studio/workshop space and a meeting room, together with the erection of a new agricultural building, a polytunnel in the growing area and two small sheds for tools and a goat house. No costs for these are included in the financial projections although the appellant confirmed that these would be provided from the profit.
28. For the reasons set out above, I cannot be certain that the enterprise will develop as envisaged nor that the financial projections are sound.

Overall Policy Findings

29. The enterprise, as envisaged at Year 3, would require an on-site presence at most times to operate effectively. This would amount to an essential need for a rural worker to live at or near their place of work in the countryside. However, the evidence fails to demonstrate that the business has been planned on a sound financial basis and would be financially sustainable in the long term. Accordingly, conflict with Policies SUS2 and HOUS6 of the LP would arise.

Habitats

30. The appeal site lies within 2.4km of the protected habitats sites. Chesil Beach, a 29km long shingle beach and a coastal lagoon called the Fleet, support a diverse fauna that includes a number of nationally rare and scarce species such as sea-kale and supports internationally important populations of bird. Chesil and the Fleet is a designated Ramsar site in recognition of its international importance as a wetland.
31. The trampling of habitats and species and recreational pressure particularly from dog walkers and water sports is having an adverse effect on the internationally important species and habitats of the protected habitats sites. These are now in an unfavourable condition. Increasing the number of dwellings within the 5km buffer zone of the protected habitats sites would therefore have a likely significant effect on the features for which the sites are designated, either on its own or cumulatively with other similar development, without avoidance measures. Accordingly, I am

required to carry out an AA as required by the Habitat Regulations. I have consulted with Natural England.

32. The Interim Strategy (IS)³ provides an approach to mitigating the recreational impacts upon the protected habitats sites through measures such as the introduction of permits, increased signage and engagement with user groups. The cost of mitigation is estimated at £191,673.00 per year which would largely be met through CIL⁴ receipts.
33. The IS states that where development which is not CIL liable but may result in an increase in recreational pressure upon the protected habitats sites, a planning obligation may be necessary to secure the necessary financial contribution to mitigate the impact. However, the Council currently applies CIL to C3 dwellinghouses and this appeal relates to a C3 dwellinghouse for a rural worker. Therefore, the appeal proposal is CIL liable. Notwithstanding this, the Council confirmed that the CIL charge for a rural worker dwelling is nil. Accordingly, no CIL payment or a financial contribution secured by planning obligation would be forthcoming from the appeal development. In their absence and if I were to allow the appeal, I must be satisfied that there is an alternative robust mechanism in place to ensure that the adverse effects of the appeal development on the protected habitats sites are adequately mitigated.
34. The Council advise that a steering group of key stakeholders, including Natural England, oversee the delivery of the IS and meet on a quarterly basis to identify, consider and agree infrastructure projects and spend. The Council's most recent Infrastructure Spending Statement (SS)⁵ indicates that annually, sufficient CIL contributions are collected to enable a proportion of it to be prioritised and 'top-sliced'. This is in recognition that without mitigation, development in the catchment would be undeliverable due to the impact on the protected habitats sites. The SS demonstrates that the Council, through CIL receipts and planning obligations, allocated sufficient funding to cover the cost of mitigation set out in the IS in 2023/2024.
35. Given that the Council is a public body, that Natural England is represented at the steering group and that the Council have historically collected sufficient funds through CIL to fund the annual cost of mitigation set out in the IS, I am satisfied that there is a sufficiently robust mechanism in place to ensure that the effects of the appeal development would be mitigated. The development can therefore proceed without harm to the integrity of the protected habitats sites, thus complying with the expectations of the Habitats Regulations.

Other considerations

36. The appellant is a trained nature and forest therapist, with experience of working with animals. From what she has said, she also has a wealth of personal and professional experience in SEND. The health and wellbeing benefits of care and social farming to its clients can be significant and the benefits arising from the enterprise in this respect, are not disputed by the Council. There is very limited alternative provision in respect of care and social farming in the local area. Moreover, as the enterprise grows, potential employment at the site could help

³ The Dorset Council Interim Strategy for mitigating the effects of recreational pressure on the Chesil Beach and the Fleet SAC. SPA and Ramsar, dated April 2020

⁴ Community Infrastructure Levy

⁵ Monitoring Year 2023/2024

those transitioning to work particularly from the SEND community. Together these are benefits to which I give significant weight.

37. Preliminary results of a survey undertaken to inform the preparation of the Puncknowle and Swyre Neighbourhood Plan, indicated a need for one and two bedroom homes. I am also told that there are no available rental properties in the area, despite a high demand. The appellant says that dismissing the appeal would render her homeless but in the absence of substantive evidence to demonstrate this, I give this only modest weight.
38. The PPG advises that in the case of new enterprises, consideration should be given to whether it is appropriate to consider granting permission for a temporary dwelling for a trial period. This is the basis on which the appellant made the planning application. A temporary permission would enable the appellant to develop the enterprise and to ascertain whether it can become financially sustainable. I consider this further in the planning balance below.

Other Matters

39. The appeal site is located in the Dorset National Landscape. Accordingly, I am required to seek to further the purposes of conserving and enhancing the natural beauty of the area⁶. The appeal site is relatively level. The temporary dwelling, the stables and the proposed agricultural building are of a modest scale and simple form. Located close to the established planting along the northern boundary of the appeal site and with the boundary with the highway to the east also being well established, development on the appeal site would be well screened from the highway and nearby public rights of way. Accordingly, it would have a neutral effect on the natural beauty of the area.
40. A pop-up tent or gazebo would not provide a weather-tight solution in place of converting the existing stables. The existing stables are in need of repair and converting them would provide a calm indoor environment for clients. The proposed agricultural building is of a size and scale which would provide the necessary storage for hay, feed, machinery and livestock as required. No demonstrable harm would arise from either of these proposals.
41. There would be a need to ensure that foul drainage from the temporary accommodation was disposed of in an appropriate manner. This could be secured by a suitable planning condition.
42. I saw at my site visit that the appellant had done some work to improve visibility at the appeal site access. It would be necessary to ensure that adequate visibility of approaching vehicles and pedestrians was maintained in the interests of highway safety. This could be secured for the life of the permission by a suitable planning condition.

Planning balance

43. Collectively, the activities involved in running the proposed enterprise would require a full time worker and in order for the enterprise to function as envisaged, there is a need for someone to be resident on site at most times. However, it has not been demonstrated that the enterprise would be financially sound. Overall, this gives rise

⁶ Section 245 of the Levelling-up and Regeneration Act 2023

to a conflict with Policies SUS2 and HOUS6 of the LP. Harm would arise from this to which I attribute significant weight.

44. However, the appellant is clearly committed to making a success of the enterprise and is undoubtedly passionate about the benefits of the service she provides. The health and well-being benefits for clients which would arise from the enterprise are not disputed by the Council. The fact that the appellant has contracts with the Council and other organisations to deliver a number of programmes indicates to me that those organisations also recognise the benefits of the experience being offered to vulnerable people and SEND clients. This is particularly the case in an area where there is limited alternative provision locally. Together, these are material considerations which, in this instance, weigh significantly in favour of the proposal.
45. Due to the uncertainty around the financial sustainability of the enterprise, it would not be appropriate to grant a permanent permission for the proposed development. However, allowing the appeal and granting planning permission for a temporary period of three years would give sufficient time for the appellant to seek additional land and develop the enterprise. To do so, would accord with the advice in the PPG.
46. This, together with the benefits which would arise from the proposal would, in the particular circumstances of this case, outweigh the harm I have identified. This indicates that the appeal should be determined otherwise than in accordance with the development plan and that planning permission should be granted for a temporary period in this instance.

Conditions

47. I have had regard to the advice in the PPG, the conditions provided in the SoCG and the discussion regarding conditions at the hearing. I have considered all the suggested conditions and imposed them where they meet the tests set out in Paragraph 57 of the Framework, amending where necessary for the sake of simplicity, clarity and precision.
48. I have imposed a condition requiring that the development is carried out in accordance with the approved plans in the interests of certainty.
49. In order to establish if the business as envisaged is viable, it is necessary to impose a condition making the permission temporary and requiring the removal of the dwelling at the end of that period. It is also necessary to restrict the occupancy of the dwelling to a rural worker and their resident dependents given its countryside location.
50. Details securing the implementation of landscaping, foul drainage, surfacing of the access, parking and turning provision, the visibility splay and biodiversity mitigation and enhancements are necessary in the interests of safeguarding the character and appearance of the area, making provision for the disposal of foul water, highway safety and biodiversity. A timetable for compliance is required to secure the implementation of these. The condition can be enforced against if the requirements are not met. This is necessary given that permission is being granted retrospectively.
51. A condition requiring the submission of materials for the proposed agricultural building is necessary to safeguard the character and appearance of the area.

Conclusion

52. The appeal proposal would conflict with the development plan, but material considerations indicate that the appeal should be determined otherwise than in accordance with it. Accordingly, the appeal should succeed.

Alison Fish

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall be carried out in accordance with drawing numbers:
 - CI-JH-01 Location Plan (including visibility splays)
 - CI-JH-02 E Site Plan
 - CI-JH-03 Existing stable building floor plans and elevations
 - CI-JH-04 Proposed stable building floor plans and elevations
 - CI-JH-05 Timber cabin / mobile home floor plans and elevations
 - CI-JH-06 Proposed barn floor plans and elevations
- 2) The timber cabin / mobile home hereby permitted shall be for a limited period of three years from the date of this decision. At the end of this period, the use hereby permitted shall cease. Within three months of the date of the use ceasing, the timber cabin / mobile home shall be removed and the land restored to its condition before the development took place or in accordance with a scheme of work which shall first have been submitted to and approved in writing by the local planning authority.
- 3) The occupation of the timber cabin / mobile home hereby permitted shall be limited to a person solely or mainly or last employed in the locality in agriculture or forestry, as defined in Section 336 of the Town and Country Planning Act 1990 (as amended), or in the rural business occupying the plot edged red on the site location plan or a widow or widower or surviving civil partner of such a person and to any resident dependants.
- 4) The occupation of the timber cabin / mobile home hereby permitted shall cease and the timber cabin / mobile home shall be removed within three months of the date of failure to meet any one of the requirements set out in a) to i) below:
 - a) Within three months of the date of this decision a scheme which shall include details of landscaping including any means of enclosure shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation.
 - b) Within three months of the date of this decision a scheme which shall include details of foul water drainage shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation.

- c) Within three months of the date of this decision a scheme which shall include details of a suitably consolidated surface for the first 5.00 metres of the vehicle access, measured from the rear edge of the highway shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation.
- d) Within three months of the date of this decision, the parking and turning area shown on the submitted drawing shall be constructed.
- e) Within three months of the date of this decision, the visibility splay shown on the submitted drawing shall be constructed to a level not exceeding 0.60 metres above the relative level of the adjacent carriageway.
- f) Within three months of the date of this decision, the Biodiversity Mitigation and Enhancements as set out in para 4.2 and 4.3 of the submitted Ellendale Environmental Preliminary Ecological Assessment (PEA) report and dated 7 June 2023 shall be carried out.
- g) If within twelve months of the date of this decision the local planning authority refuse to approve the submitted details or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.
- h) If an appeal is made in pursuance of g) above, that appeal shall have been finally determined and the submitted scheme shall have been approved by the Secretary of State.
- i) The approved details shall have been carried out and completed in accordance with the approved timetables.

Upon implementation of the approved details specified in this condition, the approved landscaping, means of enclosure, foul water drainage, surfacing, parking and turning, visibility splay and Biodiversity Mitigation and Enhancements shall thereafter be maintained for the lifetime of the permission. In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined.

- 5) Prior to development above damp proof course level, details and samples of all external facing materials for the walls and roof of the proposed agricultural building shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the development shall proceed in accordance with the approved details.

End of Schedule

APPEARANCES

FOR THE APPELLANT:

Miss C Ives
Mr I Balchin
Miss L Rowland

Hotzones technologies – Director

FOR THE LOCAL PLANNING AUTHORITY:

Mr D Rogers Dip TP MRTPI
Mr R Sewill MRICS

*Senior Planning Officer
Reading Agricultural Consultants*

INTERESTED PARTIES:

Cllr P. Fry
Mr N Rawlings
Mrs T Gool

Puncknowle and Swyre Parish Council

DOCUMENTS PRESENTED DURING THE HEARING

- | | |
|--------|---|
| DOC 01 | Amended Site Plan drawing number CI-JH-02 Revision E |
| DOC 02 | Update of Appendix 2 (Business Plan) of the Assessment of Essential Need by APA Consultants Ltd |