
Appeal Decision

Site visit made on 30 September 2025

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

an Inspector appointed by the Secretary of State

Decision date: 20 October 2025

Appeal Ref: APP/D1265/W/25/3367755

Island Nurseries, Church Street, Weymouth, Dorset DT3 5QB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a grant, subject to conditions, of approval granted under Article 3(1) and Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr. Alex Hooper-Greenhill, on behalf of Island Garden Nursery against the decision of Dorset Council.
 - The application Ref P/PABA2/2025/01452.
 - The development proposed is proposed new polytunnels for growing plants,
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Decision

1. The appeal is allowed and prior approval is granted under the provisions of Article 3(1) and Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for proposed new polytunnels for growing plants at Island Nurseries, Church Street, Weymouth, Dorset DT3 5QB in accordance with the application P/PABA2/2025/01452 and the details submitted with it, pursuant to Article 3(1) and Schedule 2, Part 6, Class A and the deemed conditions.

Preliminary Matters

2. The principle of development is established by the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (GPDO). Prior approval appeals must not be determined on the basis of section 38(6) of the Planning and Compulsory Purchase Act 2004 or as though the development plan must be applied. I have had regard to the policies of the development plan and the National Planning Policy Framework only in so far as they are a material consideration relevant to the prior approval matters.
3. Under Article 3(1) and Schedule 2, Part 6, Class A(a) of the GPDO, planning permission is granted for the carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more in area of works for the erection, extension or alteration of a building.
4. Condition A.2(2) of Class A requires the developer to apply to the local planning authority for a determination as to whether prior approval will be required as to various matters. The Council refused the application for prior approval solely on the basis of siting, design and external appearance. In this regard, the Planning Decision Notice references the location of the site within the Dorset National Landscape (previously the Dorset Area of Outstanding Natural Beauty) (DNL) and adjacent to the Upwey Conservation Area (UCA).

Main Issues

5. In light of the above, the main issue is whether prior approval should be granted, having particular regard to the siting, design and external appearance of the building, the effect on the landscape and scenic beauty of the DNL, and whether the proposal would preserve or enhance the character or appearance of the UCA.

Reasons

6. The appeal site is within the DNL. The statutory purpose of National Landscapes is to conserve and enhance the natural beauty of the area of outstanding natural beauty. Paragraph 189 of the National Planning Policy Framework is clear that great weight should be given to this purpose. Furthermore, section 85 of the Countryside and Rights of Way Act 2000 requires Local Planning Authorities in exercising or performing any function that affects National Landscapes to seek to further the purposes of conserving and enhancing the natural beauty of National Landscapes.
7. The Dorset AONB Management Plan 2019-2024 (the Management Plan) includes Objectives C1, C2 and C4. Amongst other things, these support development that conserves and enhances the AONB, state that the conservation and enhancement of the AONB's special qualities will be a significant consideration in the planning balance, avoid creating new features which are detrimental, protect and where possible enhance the quality of views into, within and out of the AONB, and avoid and reduce cumulative effects that erode landscape character and quality.
8. The West Dorset Landscape Character Assessment (2009) (LCA) for the area identifies the site within the South Dorset Ridge & Vale area where the landscape is characterised by a series of small limestone ridges and clay vales running east to west, enclosed by the South Dorset Escarpment to the north. The appeal site is within a vale location, but at a relatively low level compared with the wider ridges. The adjoining land is generally characterised by built form to the east with open fields to its other boundaries beyond which are interspersed buildings including farms.
9. The LCA also states that the overall objective should be to reduce the impact of urban fringe land uses, conserve the pattern of tight knit nucleated villages and resist encroachment of urban development. It further states that it should be ensured that new agricultural buildings enhance the local character and are located to reduce their impact on open views and reduce their perceived scale.
10. The site also lies adjacent to, but outside of, the UCA. The UCA, and its associated settlement, are characterised by three distinct areas that are strongly linked and partly characterised by the sense of rural enclosure by the nearby valley slopes. Gaps within the built form are important and also establish its rural character that forms part of the significance of the UCA.
11. The proposal would be located immediately to the west of the nursery and wider settlement on slightly raised land at the edge of an agricultural field adjacent to an existing outdoor planting area, access track and water course. The topography of the field rises slightly from east to west with field enclosures at the field boundaries.
12. The polytunnels would be set into the topography of the land. By reason of the height of the polytunnels and topography, only the upper parts of the polytunnels

would be visible from the field entrance to the south-west of the site, from within the opposite side of the field to its north-western boundary and from within the field to the north. From these locations the proposed polytunnels would generally be viewed in association with the bursary buildings. From outside of the field to its north and west, the existing field boundaries would further screen the development from predominately non-public views.

13. I acknowledge that to the south of the appeal site immediately beyond the field boundary, is a public right of way. From here, parts of the polytunnels would be visible at points through and over the field boundary planting. Nevertheless, given the positioning of the polytunnels set into the sloping land, with views from the public right of way in association with the adjacent planting area and wider nursery site and its many polytunnels and structures, the proposed polytunnels would be seen in the context of the neighbouring buildings and activity.
14. At the time of my site visit, I also viewed the appeal site from various points within the nursery and from the viewpoints identified by the Council outside of the site, including various gaps in the street scene along Church Street. From within the site, the proposed polytunnels would be viewed in association with numerous other polytunnels and associated nursery structures and would be limited in height. As such, and where not screened by existing buildings, it would be viewed as part of the nursery site and would not therefore be unexpected.
15. From outside of the site to its east, while there would be some glimpsed views of the polytunnels, such views are limited with the polytunnels partly screened by existing buildings or seen in association with the existing nursery buildings. From further distance views, the proposal would be viewed in association with the nursery and will be agricultural in nature and not therefore unexpected. As a result, in accordance with the LCA, the proposal would be located such that it reduces its impact on open views and reduces its perceived scale.
16. By reason of the agricultural/horticultural nature and appearance of the proposal, and proposed reduction in land levels, the proposal would also achieve the other objectives in the LCA with regard to reducing the impact of urban fringe land uses, conserving the pattern of tight knit nucleated villages and resist encroachment of urban development.
17. Moreover, due to its positioning, materials and levels, the proposal would not disrupt the three distinct areas or important gaps within the UCA, would not harm or diminish the sense of rural enclosure by the nearby valley slopes, would not result in a harmful impact at the urban fringe, would conserve the pattern of the area and be located to reduce its impact on open views. Furthermore, the site is not within an area of pristine countryside where development would be likely to be more apparent and would not be urbanising given that polytunnels are often found in the countryside.
18. Overall, the proposal would not be intrusive and would not spoil the landscape or visual qualities of the DNL. As a result, and whilst the open nature of the appeal site has some value by virtue of being open, it contributes little to the wider identified attributes of the DNL. With this in mind, the implications for the wider landscape would be limited as the proposals would be a minor component of the overall scene. The overall effect on the landscape and scenic beauty of the DNL

would therefore be acceptable, and the proposal would conserve, not harm the natural beauty of the DNL or important aspects of this designated area.

19. With regard to the UCA, in the context described above, the proposal would not appear visually intrusive or overly prominent. It would be in keeping with the prevailing rural character and appearance of the area and would not unduly detract from the sense of rural enclosure experienced to the UCA by the nearby valley slopes or impact upon any important gaps. As such, the proposal would conserve the character and appearance of the adjacent UCA and would not harm its setting or significance.
20. It follows from the above that prior approval should be granted, having particular regard to the siting, design and external appearance of the building, the effect on the landscape and scenic beauty of the DNL, and character and appearance of the UCA. As such, the proposal would not conflict with Policies ENV1, ENV4, ENV10 and ENV12 of the adopted West Dorset and Weymouth & Portland Local Plan (2015) (LP). Amongst other things, these seek to ensure that development would not harm the character, special qualities or natural beauty of the Dorset Area of Outstanding Natural Beauty, not detract from, and where reasonable, enhances the local landscape character, conserve and where appropriate enhance the significance of designated heritage assets, and be informed by the character of the site and its surroundings. For the same reasons, the proposal would not be contrary to Objectives C1, C2 & C4 of the Management Plan, the aims of which I have outlined above.
21. The Council's first reason for refusal also references LP Policy SUS3. However, as this relates to the adaptation and re-use of buildings, it is not directly relevant to the appeal proposal.

Other Matters

22. In light of my findings above, there is no need for me to consider the disaggregation or splitting up of the polytunnels.
23. Many of the buildings with the UCA are listed with the closest approximately 150m from the site. I have a statutory duty under Section S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires special regard to be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The proposal does not impact on the setting of the listed buildings. This is due to the separation distances, topography and vegetation screening. Based on my observations on site, I raise no concern in this regard.
24. I have had regard to comments from an interested party with regard to increased surface water run-off. However, this is not a matter of dispute between the main parties, and I have little substantive evidence to conclude otherwise given the small scale of the proposal.

Conditions

25. Class A, Part 6, Schedule 2 of the GPDO does not provide any specific authority for imposing additional conditions beyond those outlined in A.2. The specified conditions, which I draw to the attention of both parties, require the development to be carried out in accordance with the details approved, be carried out within 5

years of the date of this approval, and require the buildings to be removed if they cease to be used for the purposes of agriculture and the land restored to is condition before the development took place. Additionally, where development is permitted by Class A(a), within 7 days of the date on which the development is substantially completed, the developer must notify the local planning authority in writing of that fact.

26. Therefore, and although the Council recommend further conditions requiring the submission and approval of finished floor levels and materials, there is no authority to impose such additional conditions. In any case, I am satisfied that the proposed levels and materials are adequately detailed as part of the approved plans.

Conclusion

27. For the reasons given above the appeal should be allowed and prior approval should be granted, subject to the exceptions, limitations and conditions outlined in A.1. and A.2. of Class A, Part 6, Schedule 2 of the GPDO.

C Rose

INSPECTOR