



## Northern Area Planning Committee

**Date:** Thursday, 19 December 2019  
**Time:** 2.00 pm  
**Venue:** Stour Hall - The Exchange, Old Market Hill,  
Sturminster Newton, DT10 1FH

**Membership: (Quorum 6)**

Sherry Jespersen (Chairman), Mary Penfold (Vice-Chairman), Jon Andrews, Tim Cook, Les Fry, Matthew Hall, Carole Jones, Robin Legg, Bill Pipe, Val Potheary, Belinda Ridout and David Taylor

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**Chief Executive:** Matt Prosser, South Walks House, South Walks Road,  
Dorchester, Dorset DT1 1UZ (Sat Nav DT1 1EE)

**For more information about this agenda please telephone Democratic Services on 01305 or Elaine Tibble 01305 224202 [elaine.tibble1@dorsetcouncil.gov.uk](mailto:elaine.tibble1@dorsetcouncil.gov.uk)**

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# AGENDA

Page No.

## 1 APOLOGIES

To receive any apologies for absence

## 2 DECLARATIONS OF INTEREST

To receive any declarations of interest

## 3 MINUTES

5 - 34

To confirm the minutes of the meeting held on 19 November 2019.

## 4 PUBLIC PARTICIPATION

There will be no opportunity for Members of the public to speak on a planning application unless proper notification is given to Democratic Services no later than two clear working days before the meeting in accordance with the [Guide to Public Speaking at Planning Committee](#).

## 5 PLANNING APPLICATIONS

To consider the applications listed below for planning permission

- |          |   |         |
|----------|---|---------|
| <b>a</b> | <b>Application no. WD/D/19/002136 - Rose Cottage, Stone Barn House, Yetminster Road, Chetnole, Sherborne</b>                | 35 - 48 |
|          | Conversion of agricultural building to 1No. dwelling with associated internal and external alterations.                     |         |
| <b>b</b> | <b>Application No. WD/D/19/002137 - Rose Cottage, Stone Barn House, Yetminster Road, Chetnole, Sherborne</b>                | 49 - 58 |
|          | Conversion of agricultural building to 1No. dwelling with associated internal and external alterations.                     |         |
| <b>c</b> | <b>Application No. WD/D/19/002127 - Stone Barn, Stone Barn House, Yetminster Road, Chetnole, Sherborne</b>                  | 59 - 72 |
|          | Change of use and conversion of agricultural buildings to 1 No. dwelling with associated internal and external alterations. |         |
| <b>d</b> | <b>Application No. WD/D/19/002128 - Stone Barn, Stone Barn</b>  | 73 - 80 |

**House, Yetminster Road, Chetnole, Sherborne**

Conversion of agricultural buildings to 1 No. dwelling with associated internal and external alterations.

- e      Application No. 2/2019/0151/TECHD - Land West Of Luton Mews, Shorts Lane, Blandford Forum      81 - 98**

Technical Details Consent on a site that has been granted Permission in Principle 2/2018/0889, to erect 9 No. flats, retain 6 No. parking spaces and create 9 No. cycle spaces. Carry out ancillary works in association with this.

- f      Application No. 2/2019/0613/HOUSE - Wyke Cottage, Wyke Road, Gillingham      99 - 106**

Erect two storey extension (demolish existing conservatory).

**6      URGENT ITEMS**

To consider any items of business which the Chairman has had prior notification and considers to be urgent pursuant to section 100B (4) b) of the Local Government Act 1972

The reason for the urgency shall be recorded in the minutes.

**7      EXEMPT BUSINESS**

To move the exclusion of the press and the public for the following item in view of the likely disclosure of exempt information within the meaning of paragraph 3 of schedule 12 A to the Local Government Act 1972 (as amended)

The public and the press will be asked to leave the meeting whilst the item of business is considered.

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## **DORSET COUNCIL - NORTHERN AREA PLANNING COMMITTEE**

### **MINUTES OF MEETING HELD ON TUESDAY 19 NOVEMBER 2019**

**Present:** Cllrs Sherry Jespersen (Chairman), Mary Penfold (Vice-Chairman), Jon Andrews, Tim Cook, Les Fry, Matthew Hall, Carole Jones, Robin Legg, Val Potheary, Belinda Ridout and David Taylor

**Apologies:** Cllrs Bill Pipe

**Also present:** Cllr Toni Coombs and Cllr David Walsh

**Officers present (for all or part of the meeting):**

Lara Altree (Legal Services Manager), Robert Lennis (Area Lead (Major Projects) Eastern), James Lytton-Trevers (Senior Planning Officer), Christopher Poad (Planning Officer), Steve Savage (Transport Development Manager), Hannah Smith (Planning Area Manager), Elaine Tibble (Democratic Services Officer) and Alison Turnock (Service Manager for Conservation)

**51. Declarations of Interest**

No declarations of disclosable pecuniary interests were made at the meeting.

**52. Minutes**

The minutes of the meeting held on 22 October 2019 were confirmed and signed.

**53. Public Participation**

Representations by the public to the Committee on individual planning applications are detailed below. There were no questions, petitions or deputations received on other items on this occasion.

**54. Planning Applications**

Members considered written reports submitted on planning applications as set out below.

**55. Dorchester Conservation Area Article 4 Direction**

The Service Manager for Conservation presented the report recommending the making of a new Article 4 Direction for Dorchester Conservation Area.

In February 2019 an immediate Article 4 Direction had been made for the same area which aimed to restrict the gradual loss of character of the conservation area brought about by the replacement, alteration or removal of boundary walls and fences primarily due to off-road parking.

In making the Article 4 Direction, the former West Dorset District Council was required to undertake a period of public consultation which raised a number of queries and concerns. However, due to Local Government Re-organisation, the Article 4 Direction was not confirmed within the required timescale of six months and expired in August.

The new Article 4 Direction would cover the same area but would differ materially from the previous order by limiting its application to any gate, fence, wall or any other means of enclosure adjacent to a highway or open space. This was in response to the consultation and would allow residents to alter fences which were not visible to the public.

If approved by committee there would be a six week consultation period following which the comments would be collated and responded to.

Oral representation was received from Cllr Stella Jones in support of the application.

Members were supportive of the recommendation.

Proposed by Cllr Legg, seconded by Cllr Fry

**Decision: That the Article 4 Direction be supported by**

**a) the making by the Council of a new Article 4 Direction under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) some indicative draft wording of which is set out in Appendix 1 for properties within the Dorchester Conservation Area (identified in Appendix 2). The Direction will seek to remove the following permitted development rights immediately upon the making of the order:**

- 1) Class A Part 2 – development consisting of the erection, construction, maintenance, improvement or alteration of a gate; fence, wall or other means of enclosure**
  - 2) Class C Part 11 – any building operation consisting of the demolition of the whole or any part of any gate, fence, wall or other means of enclosure; but**  
**in both cases to limit the direction to any gate, fence, wall or other means of enclosure adjacent to a highway or open space (the proposed definitions for which are as set out in Appendix 1);**
- b) the Council using powers available in respect of the new Direction to enable it to take immediate effect;**
- c) that power be delegated to the Service Manager for Conservation to undertake all action that she considers necessary and appropriate for**

**the purposes of addressing all procedural requirements relevant to the making, publicity and subsequent consultation of an article 4 direction;**

**56. Application Number - 2/2018/0458/OUT, Shillingstone Poultry Farm, Shillingstone Lane, Okeford Fitzpaine, DT11 0RB**

The Area Lead (Major Projects) Eastern presented the application to demolish existing buildings and develop land by the erection of up to 45 No. dwellings with associated infrastructure, including the widening of Shillingstone Lane and provision of school drop of car park. (Outline application to determine access)

The application had been presented to North Dorset District Council Planning Committee in March 2019 but had been deferred to allow Officers time to consider amended plans put forward by the applicant shortly before the committee meeting.

The proposed site was within the Development Boundary and access had been amended to address concerns for the conservation area.

He referred to the requirement for an arboricultural impact assessment to assess which trees would be important and need to be taken into consideration.

In summarising, the principle of development – the site had been designated for business use in the 2003 Local Plan but was now surplus to requirements. The proposal offered affordable housing, footpaths, and other financial contributions.

The Transport Development Manager addressed the committee and confirmed that Highways were supportive of the application.

The Committee received a late representation relating to concerns about flooding and drainage in Little Lane, however the Area Lead (Major Projects) Eastern advised that the Flood Authority had no objections.

Oral representation was received from Mr J Hall, Mr M Holmes, Ms S Faraday and Mr M Burt with their concerns regarding the application. These concerns related to the water flow into Collwell Brook the capacity of the two drainage pipes at Little Land to manage the water flow, the construction of the swale and possible pollution to the River Stour which had seen the return of the otter. It was felt that due to other emerging sites in the area there was no need for another 45 homes. Reassurance was requested in relation to retaining enough hedgerow and greenery to protect the character of the conservation area. The committee were urged to involve members of the Parish Council in discussions as to where and how the S106 contributions would be used.

Mr R Bellamy, the applicant's agent, addressed the committee in support of the application.

In response to committee questions the Area Lead (Major Projects) Eastern re-assured members that this was a request for outline permission only and reserved matters would be considered at a later stage. He was satisfied that the site could be developed with 45 houses while safeguarding trees. At the reserved matters stage for the proposed site layout the parish council would be consulted through normal procedures and the application could be referred back to committee if required.

The proposed S106 agreement was highlighted on page 81 of the report and it was agreed that the local Ward Member, and the Parish Council would be kept updated on the S106 contributions.

In response to a request to assess the mature trees on the lane, the Tree Officer would be asked to carry out an assessment and if applicable, apply a Tree Preservation Order on any trees that would merit protection.

Members were advised that the Traffic Management Plan would request that the construction vehicles were parked on site, however it was not possible to enforce parking and stop people parking on the highway

Proposed by Cllr Potheary and seconded by Cllr Ridout

**Decision – that authority be delegated to the Head of Planning to grant subject to a Section 106 agreement and the conditions outlined in the appendix to these minutes.**

**57. Application Number - 2/2018/1749/OUT - Honeymead Field, North Fields, Sturminster Newton**

The Area Lead (Major Projects) Eastern presented the application to develop land by the erection of up to 114no. dwellings, form vehicular access, associated infrastructure and public open space (outline application with all matters reserved)

There had been no objections from statutory consultees other than the Parish Council which has raised concerns regarding parking and density of dwellings.

The application was for an allocated site which had met the Neighbourhood Plan criteria, it was acceptable in terms of access and highways, there was reference to biodiversity within the S106 agreement.

The Transport Development Manager was satisfied from a highways point of view,

Oral representation in objection to the application was received from Ms J Curtis and Cllr C Fraser who spoke on behalf of Sturminster Newton Town Council. They raised concerns over the density of the development, the increase in traffic and road safety, the loss of trees to provide a mini roundabout and increased car parking



In response to concerns from members about density The Area Lead (Major Projects) Eastern advised that the figure was up to 114 dwellings. Once a more detailed reserved matters application was submitted, the local Ward Member would be consulted and if required could call the application back to committee. The Transport Development Manager advised that in relation to construction vehicles using the site, the Construction Traffic Management Plan (CTMP) could be used to restrict times of vehicular movement to and from the site, ideally to avoid the peak periods of traffic associated with the nearby schools.

The site had been allocated for development in the Neighbourhood Plan, was in the settlement boundary and was not large enough to need an environmental impact assessment.

It was proposed by Cllr Ridout, seconded by Cllr Andrews.

**Decision: that authority be delegated to the Head of Planning to grant planning permission subject to conditions and the completion of a S106 legal agreement to secure the listed contributions and the conditions outlined in the appendix to these minutes.**

**58. Application Number - 2/2018/1486/FUL - Hawkes Field Farm Hilton, Hillside, Hilton, DT11 0DN**

This application had been the subject of a committee site visit on the morning of the meeting. The visit was attended by all committee members with the exception of Cllr Ridout who did not take part in the discussion or vote on the application.

The Senior Planning Officer presented the application for one dwelling. The proposed dwelling was designed to look like an agricultural barn from the distance, the floor plans indicated 3 bedrooms with the internal floor area to be 140 square metres.

An Agricultural Accountant had been appointed to look at the farm and the needs of business. The resulting report indicated that there was a functional requirement for someone to be on site 24/7 to look after the 20 racehorses on site. The business for the stables was viable and sustainable.

The Proposed dwelling had been positioned to minimise the impact on views.

Oral representation was received from Mr R Nicholls, Cllr C Langham (on behalf of Hilton Parish Council) and the Ward Member Cllr J Haynes.

The objectors were concerned that once permission was obtained for a residential dwelling, with conditions tied to equestrian use, this could be followed by an application to remove the tie.

There had historically been a number of developments on the site which had been subject to enforcement.

There were objections relating to justification and design and the resulting effect on the AONB, the design and positioning was not considered to fit in with the area

Mr J Holt the agent for the application addressed the committee in support of the application.

The committee members debated the proposal.

They had concerns regarding light pollution and the prominence of the lights at night time. They considered the location was too high and prominent on the landscape and would adversely impact the AONB. In response to a member question regarding the two businesses on site the Senior Planning Officer advised that the main income would be agricultural based and the Agricultural Accountant would have to be satisfied this was the case.

Although the members would like to have supported the application they felt it was too prominent, there was a functional need for accommodation, 20 horses need to be looked after but there were concerns about light pollution and height on the elevated site.

It was proposed by Cllr Potheary, seconded by Cllr Taylor.

**Decision: that the application be refused due to the reasons outlined in the appendix to these minutes.**

59. **16.13 - 16.20 comfort break**

60. **Application Number - 2/2019/0904/REM - Vale Cottage, Marnhull, DT10 1JN**

The Planning Officer presented the application for the erection of 2 No. dwellings (Reserved matters application to determine scale, layout, appearance and landscaping following grant of Outline Planning Permission 2/2018/1406/OUT). He drew the committee's attention to the conditions in the agenda and updated the drawing revision numbers.

The principle of development for two dwellings on the site had already been established, he gave details of each proposal including construction materials, floor plans and the addition of a car barn for each property.

Both the two main planning issues of neighbour amenity and trees and landscaping had been addressed and the application was recommended for approval.

The Transport Development Manager addressed the committee and confirmed there were no highways issues.

In response to member questions, the Planning Officer advised that both properties would have a soakaway, there was enough room to achieve this and soakaways were not a planning issue. There was a two metre distance between the two properties and the Tree Officer had no objections.

It was proposed by Cllr Ridout, seconded by Cllr Fry.

**Decision: that the application be granted subject to the conditions outlined in the appendix to these minutes.**

61. **Application Number - 2/2019/0359/FUL - Somerville, New Road, Bourton, Dorset, SP8 5AP**

The application to erect 6 No dwellings, create new vehicular and pedestrian access and form 11 No. parking spaces was presented by the Area Manager, she advised that the application would not adversely harm the area, the site was in a settlement boundary and acceptable within the Local and Neighbourhood Plans.

The Area Manager referred to a previously refused application in 2004, however there had been material changes in policy since then and there were no important views over the site.

Condition 2 – relating to the plan numbers had been updated and the reference to brick and flint in condition 12 needed to be removed due to the change in materials to a more locally distinct brick.

This was a full application, recommended for approval, showing where trees could be retained, accepted within the new Local Plan, and would enhance the hedgerows and amenity of the area.

There were no highways issues

Mr N Smith-Daniels the applicant addressed the committee in support of the application.

In response to a question regarding the lack of a Construction Management Plan the Area Manager advised that one would not usually be applied to a scheme of this scale, especially when there were no issues with parking.

It was felt that the application would fit into the area and bring forward housing.

It was proposed by Cllr Fry, seconded by Cllr Ridout.

**Decision: that the application be granted subject to the conditions outlined in the appendix to these minutes.**

62. **Meeting extension**

In accordance with Procedural Rule 8.1, it was proposed by Cllr S Jespersen and seconded by Cllr J Andrews to extend the meeting in order to determine all the applications on the agenda.

63. **Urgent items**

There were no urgent items.

64. **Exempt Business**

There was no exempt business.

**Appendix**

**Duration of meeting:** 2.00 - 5.00 pm

**Chairman**

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19 November 2019

Appendix

**APPLICATION NUMBER:** Dorchester Conservation Area Article 4 Direction

**PROPOSAL:** The making of a new Article 4 Direction.

**DECISION:**

a) the making by the Council of a new Article 4 Direction under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) some indicative draft wording of which is set out in Appendix 1 for properties within the Dorchester Conservation Area (identified in Appendix 2). The Direction will seek to remove the following permitted development rights immediately upon the making of the order:

- i) Class A Part 2 – development consisting of the erection, construction, maintenance, improvement or alteration of a gate; fence, wall or other means of enclosure
- ii) Class C Part 11 – any building operation consisting of the demolition of the whole or any part of any gate, fence, wall or other means of enclosure; but in both cases to limit the direction to any gate, fence, wall or other means of enclosure adjacent to a highway or open space (the proposed definitions for which are as set out in Appendix 1);

in both cases to limit the direction to any gate, fence, wall or other means of enclosure adjacent to a highway or open space (the proposed definitions for which are as set out in Appendix 1);

b) the Council using powers available in respect of the new Direction to enable it to take immediate effect;

c) that power be delegated to the Service Manager for Conservation to undertake all action that she considers necessary and appropriate for the purposes of addressing all procedural requirements relevant to the making, publicity and subsequent consultation of an article 4 direction;

**APPLICATION NUMBER:** 2/2018/0458/OUT

**SITE ADDRESS:** Shillingstone Poultry Farm , Shillingstone Lane, Okeford Fitzpaine, DT11 0RB

**PROPOSAL:** Demolish existing buildings and develop land by the erection of up to 45 No. dwellings with associated infrastructure, including the widening of Shillingstone Lane and provision of school drop off car park. (Outline application to determine access).

**DECISION:** That authority be delegated to the Head of Planning to grant subject to a Section 106 agreement and the following conditions:

1. Commencement

The development to which this permission relates must be begun not later than whichever is the later of the following dates:-

- (i) the expiration of three years from the date of grant of outline planning permission, or
- (ii) the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: This condition is required to be imposed by Section 92 of the Town and Country Planning Act 1990 (as amended).

## 2. Reserved Matters submission 2 yrs

Application for approval of any reserved matters must be submitted to the Local Planning Authority not later than the expiration of two years beginning with the date of this permission and the development hereby permitted shall begin before the expiration of two years from the date of approval of the last of the reserved matters to be approved

Reason: This condition with shortened timeframe, normally imposed by Section 92 of the Town and Country Planning Act 1990 (as amended), seeks to encourage development, due to the pressing need for housing to be provided in a short timeframe, within an area where housing land supply is not currently being met.

## 3. Reserved Matters all approval before Commencement

Approval of the reserved matters (that is any matters in respect of which details have not been given in the application; and which concern in this instance: The layout, scale and appearance of the buildings to which this permission and the application relates and to the landscaping of the site), shall be obtained from the Local Planning Authority in writing before any development is commenced, and such development shall be carried out as approved.

Reason: This condition is required to be imposed by Section 92 of the Town and Country Planning Act 1990 (as amended).

## 4. Approved Plans

The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan - Drawing No: 01 dated 23 May 2016

Proposed Access Arrangements - Drawing No: SK03 dated 27 March 2019

Reason: For the avoidance of doubt and to clarify the permission.

I refer to the amended plan - revised access arrangement drawing SK03, in respect of the above planning application, received on 9 April 2019.

## 5. Outline Estate Road Construction (adopted or private)

Prior to commencement details of the access, geometric highway layout, turning and parking areas have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure the proper and appropriate development of the site

## 6. Vehicle access construction

Prior to occupation of any dwelling hereby approved, the first 15.00 metres of the vehicular access, measured from the rear edge of the highway (excluding the vehicle crossing - see the Informative Note below), must be laid out and constructed to a specification submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that a suitably surfaced and constructed access to the site is provided that prevents loose material being dragged and/or deposited onto the adjacent carriageway causing a safety hazard.

#### 7. Visibility splays as submitted

The visibility splay areas as shown on the submitted plans must be cleared/excavated to a level not exceeding 0.6 metres above the relative level of the adjacent carriageway. The splay areas must thereafter be maintained and kept free from all obstructions.

Reason: To ensure that a vehicle can see or be seen when exiting the access.

#### 8. Cycle parking scheme to be submitted

A scheme showing precise details of the proposed cycle parking facilities shall be submitted to the Local Planning Authority. Any such scheme requires approval to be obtained in writing from the Local Planning Authority. The approved scheme must be constructed before the development is commenced and, thereafter, must be maintained, kept free from obstruction and available for the purpose specified.

Reason: To ensure the proper construction of the parking facilities and to encourage the use of sustainable transport modes.

#### 9. Grampian condition

Prior to occupation of any dwelling hereby approved, the following works must have been constructed to the specification of the Local Planning Authority:

- The widening of Shillingstone Lane to 5.50m along the site frontage, from the proposed site access to the eastern boundary of the site, as shown on Dwg No SK03 dated 27 March 2019, or a similar scheme to be agreed in writing with the Local Planning Authority.

Reason: These specified works are seen as a pre-requisite for allowing the development to proceed, providing the necessary highway infrastructure improvements to mitigate the likely impact of the proposal.

#### 10. Construction traffic management plan to be submitted

Prior to the commencement of any works a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. The CTMP must include:

- construction vehicle details (number, size, type and frequency of movement)
- a programme of construction works and anticipated deliveries
- timings of deliveries so as to avoid, where possible, peak traffic periods

- a framework for managing abnormal loads contractors' arrangements (compound, storage, parking, turning, surfacing and drainage)
- wheel cleaning facilities
- vehicle cleaning facilities
- a scheme of appropriate signing of vehicle route to the site
- a route plan for all contractors and suppliers to be advised on
- temporary traffic management measures where necessary

The development must be carried out strictly in accordance with the approved Construction Traffic Management Plan.

Reason: to minimise the likely impact of construction traffic on the surrounding highway network and prevent the possible deposit of loose material on the adjoining highway.

#### 11. Remediation strategy contamination

Prior to commencement of any works on site approved by this planning permission a remediation strategy to deal with the risks associated with contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:
  - all previous uses;
  - potential contaminants associated with those uses;
  - a conceptual model of the site indicating sources, pathways and receptors; and
  - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in line with paragraph 109 of the National Planning Policy Framework.

#### 12. Verification Report for Remediation completion

Prior to any part of the permitted development being occupied a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.



Reason: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 109 of the National Planning Policy Framework.

#### 13. Further contamination remediation strategy

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 109 of the National Planning Policy Framework.

#### 14. Surface water Management Scheme

Prior to commencement of works on site, a detailed surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, and including due consideration of the construction phase, has been submitted to, and approved in writing by the local planning authority. The surface water scheme shall be implemented in accordance with the submitted details before the development is completed.

Reason: To prevent the increased risk of flooding, and to improve water quality.

#### 15. Maintenance of Surface water Management Scheme

Prior to commencement of any works on site, details of maintenance and management of the surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. These should include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

Reason: To ensure future maintenance of the surface water drainage system, and to prevent the increased risk of flooding.

#### 16. Strategic hard and soft Landscaping

The first reserved matters application shall include strategic details of hard and soft landscape proposals across the whole site, including a local area of play area and public open spaces. The landscaping reserved matters shall develop the strategic plans and shall include planting plans, written specifications and schedules of plants, noting species, planting sizes, proposed numbers/densities where appropriate and implementation timetables, and shall include details of the management of excess spoil arising from the development. Mitigation measures to address views into the site from the AONB that would be relevant are as follows:

- Limiting the scale and density of housing within the southern portion of the site
- Adopting a comprehensive landscaping strategy that incorporates planting of a native species landscape buffer along the southern boundary of the site and the inclusion of sufficient native trees within the site to soften the appearance of the housing.
- High quality building design and the use of materials that are both appropriate to the site's local context and also suitably recessive.

Reason: To ensure the provision of visual amenity afforded by appropriate landscape design throughout the site including open spaces.

#### 17. Landscape Management Plan

Prior to first occupation of any dwelling on the site a landscape management plan shall, by reference to the reserved matters site layout drawings of an appropriate scale, be submitted to and approved in writing by the Local Planning Authority and shall include long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens. The subsequent management of the development's landscaping shall accord with the approved plan.

Reason: To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by the landscape features of communal, public, nature conservation or historical significance.

#### 18. Palette of Materials

The submission of reserved matters for appearance shall reflect a palette of materials that are prevalent in other buildings in the core of Okeford Fitzpaine such as, coursed stone rubble, or brick and thatch or slate roofs or clay tiles, along with dry layered course stone walls or hedges to mark boundaries.

Reason: To ensure provision of a high quality mixed housing development across the site in the interests of good design and to reflect the local distinctiveness of this rural settlement.

#### 19. Lighting strategy ecology

As part of the layout design for the first reserved matters application, a lighting and signage strategy shall be provided to satisfy transport and biodiversity requirements for the development as a whole. The approved lighting and signage strategy shall then be implemented prior to first occupation within the phase of development to which it relates, and maintained and retained thereafter.

Reason: In the interest of road safety and protection of wildlife.

#### 20. Biodiversity Mitigation

Prior to occupation of the dwellings hereby approved all the measures set out in the Biodiversity Mitigation and Enhancement Plan submitted by FPCR dated March 2018, as certified to Dorset Natural Environment Team, shall be implemented in full.

Reason: To ensure that the development conserves and enhance biodiversity in accordance with the objectives of the National Planning Policy Framework

#### 21. Tree Survey

A full tree survey of the site shall be undertaken by reference to site layout drawings of an appropriate scale. The survey shall be submitted to, and agreed in writing by the Local Planning Authority before any site works commence. The survey shall show details of all existing trees with a stem diameter of 100mm or greater and shall include, as appropriate, the following information:

- (a) The location, species, unique reference number, stem diameter, accurately plotted crown spread and an assessment of the age and condition of each tree.
- (b) The existing ground levels at the base of any tree where excavations or changes in level are proposed near that tree.
- (c) The position and individual details of all trees to be removed as a result of the proposed development.
- (d) The position and details of any fencing, walling, service runs/trenches, drainage ditches etc.
- e) The manner and means of protecting all trees (incl. their stems, crowns and root systems) to be retained.

Reason: To enable proper consideration to be given to the impact of the proposed development upon the existing trees.

#### 22. Arboricultural Impact Assessment

Prior to commencement of works on site, a detailed Arboricultural Impact Assessment shall, by reference to site layout drawings of an appropriate scale, be carried out, submitted to and approved in writing by the Local Planning Authority. Based on the Tree Survey, the assessment will identify and assess the impact of the proposed development on the existing trees on site, as well as any appropriate measures to alleviate this impact. The measures identified to alleviate impacts shall thereafter be implemented for the duration of the construction programme.

Reason: To ensure thorough consideration of the impact of the development and any mitigating measures on the existing trees.

#### 23. Arboricultural Method Statement

Before any works commence on site a detailed Method Statement shall be produced, submitted to and approved in writing by the Local Planning Authority. The statement will include details of how the existing trees are to be protected and managed before, during and after development and shall include information on traffic flows, phased works and construction practices near trees. The development shall thereafter accord with the approved Statement.

Reason: To ensure thorough consideration of the impacts of development on the existing trees.

#### 24. Tree root protection

No works shall commence on site until details of the design of building foundations, car park surface construction and the layout (with positions, dimensions and levels) of service trenches, ditches, drains and other excavations on site (insofar as they

may affect trees on or adjoining the site) shall be submitted to, and approved in writing by the Local Planning Authority. The development shall thereafter accord with the approved tree protection details.

Reason: To ensure the protection of trees to be retained, and in particular to avoid unnecessary damage to their root systems.

**25. New tree and hedge planting**

No works shall commence on site until precise details of all tree, shrub and hedge planting (including positions and/or density, species and planting size) shall be submitted to and approved in writing by the Local Planning Authority. Planting shall be carried out before the end of the first available planting season following substantial completion of the development. In the five year period following the substantial completion of the development any trees that are removed without the written consent of the Local Planning Authority or which die or become (in the opinion of the Local Planning Authority) seriously diseased or damaged, shall be replaced as soon as reasonably practical and not later than the end of the first available planting season, with specimens of such size and species and in such positions as may be agreed with the Local Planning Authority. In the event of any disagreement the Local Planning Authority shall conclusively determine when the development has been completed, when site conditions permit, when planting shall be carried out and what specimens, size and species are appropriate for replacement purposes.

Reason: In the interests of continued visual public amenity

**NOTES TO APPLICANT**

**1. National Planning Policy Framework Statement**

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development. The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and
- as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

- The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.

**2. Section 106 Agreement:**

The applicant is advised that this Decision Notice shall be read in conjunction with the corresponding Section 106 legal agreement in relation to affordable housing and infrastructure contributions required in association with the development hereby approved.

**3. Informative: Developer-Led Infrastructure**

The applicant is advised that, notwithstanding this consent, if it is intended that the highway layout be offered for public adoption under Section 38 of the Highways Act 1980, the applicant should contact Dorset County Council's Development team. They can be reached by telephone at 01305 225401, by email at [dli@dorsetcc.gov.uk](mailto:dli@dorsetcc.gov.uk), or in writing at Development team, Dorset Highways, Environment and the Economy, Dorset County Council, County Hall, Dorchester, DT1 1XJ

#### 4. Informative: Dorset Highways

The vehicle crossing serving this proposal (that is, the area of highway land between the nearside carriageway edge and the site's road boundary) must be constructed to the specification of the County Highway Authority in order to comply with Section 184 of the Highways Act 1980. The applicant should contact Dorset Highways by telephone at Dorset Direct (01305 221000), by email at [dorsetdirect@dorsetcc.gov.uk](mailto:dorsetdirect@dorsetcc.gov.uk), or in writing at Dorset Highways, Dorset County Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway.

#### 5. Informative: Controlled Waste

If any controlled waste is to be removed off site, then site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably authorised facility. If the applicant require more specific guidance it is available on our website <https://www.gov.uk/how-to-classify-different-types-of-waste>

#### 6. Informative: Classification of Waste

If any waste is to be removed from the site then the applicant needs to ensure that sufficient testing has been undertaken in line with [Waste classification technical guidance](#) WM3. This is to ensure all waste on the site is correctly classified and disposed of accordingly to a suitably authorised facility.

7. Informative: If any hazardous waste is to be removed offsite the site operator must ensure that consignment notes are completed correctly in accordance with the legislation. If the applicant requires more specific guidance it is available on our website <https://www.gov.uk/government/publications/hazardous-waste-consignment-note>.

#### 8. Informative: Pollution Prevention during Construction

Safeguards should be implemented during the construction phase to minimise the risks of pollution and detrimental effects to the water interests in and around the site. Such safeguards should cover the use of plant and machinery, oils/chemicals and materials; the use and routing of heavy plant and vehicles; the location and form of work and storage areas and compounds and the control and removal of spoil and wastes. We recommend the applicant refer to our Pollution Prevention Guidelines, which can be found at: <https://www.gov.uk/guidance/pollution-prevention-for-businesses>

#### 9. Informative: Sustainable Construction

Sustainable design and construction should be implemented across the proposed development; including water efficiency measures such as dual-flush toilets; water-saving taps; water butts; greywater recycling and rainwater harvesting. This is

important in limiting the effects of, and adapting to, climate change. Running costs for occupants can also be significantly reduced.

10. Informative: fire prevention and sprinkler systems

The Dorset and Wiltshire Fire and Rescue Service would recommend that you look to provide at least a **32mm** minimum diameter water main which would enable the installation of sprinkler systems within the approved dwelling(s). There is compelling evidence that sprinkler systems are a cost effective way of reducing the number of fire deaths and injuries, as well as reducing the economic, social and environmental impact of fires.

**APPLICATION NUMBER:** 2/2018/1749/OUT

**SITE ADDRESS:** Honeymead Field, North Fields, Sturminster Newton

**PROPOSAL:** Develop land by the erection of up to 114 no. dwellings, form vehicular access, associated infrastructure and public open space (outline application with all matters reserved)

**DECISION: Recommendation A:** Delegate authority to the Head of Planning to grant planning permission subject to conditions and the completion of a S106 legal agreement to secure the contributions listed above.

Planning Conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:
  - Location Plan received on 17<sup>th</sup> December 2018
  - Means of Access Plan No 183862 A01 Rev A dated 30.04.18.
  - Landscape Biodiversity Parameter Plan dated 8<sup>th</sup> November 2019.

Reason: For the avoidance of doubt and in the interests of proper planning.

2. Application for approval of any reserved matters must be made not later than the expiration of three years beginning with the date of this permission.

Reason: This condition is required by to be imposed by Section 92 of the Town and Country Planning Act 1990 (as amended)

3. Approval of the details of, layout, scale, and appearance of the building(s), and the landscaping of the site (hereinafter called the Reserved Matters) shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: To ensure the satisfactory development of the site.

4. No development must commence until details of the access, geometric highway layout, turning and parking areas have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure the proper and appropriate development of the site

5. The development hereby permitted must not be occupied or utilised until a scheme showing precise details of the proposed cycle parking facilities is submitted to the Local Planning Authority. Any such scheme requires approval to be obtained in writing from the Local Planning Authority. The approved scheme must be constructed before the development is commenced and, thereafter, must be maintained, kept free from obstruction and available for the purpose specified.

Reason: To ensure the proper construction of the parking facilities and to encourage the use of sustainable transport modes.

6. Prior to occupation of the development hereby approved the following works must have been constructed to the specification of the Local Planning Authority:
  - The provision of a mini-roundabout as shown on Dwg No 183862\_A01 Rev A

Reason: These specified works are seen as a pre-requisite for allowing the development to proceed, providing the necessary highway infrastructure improvements to mitigate the likely impact of the proposal

7. Prior to commencement of the development a Construction Traffic Management Plan (CTMP) must be submitted to and approved in writing by the Local Planning Authority. The CTMP must include:
  - construction vehicle details (number, size, type and frequency of movement)
  - a programme of construction works and anticipated deliveries
  - timings of deliveries so as to avoid, where possible, peak traffic periods
  - a framework for managing abnormal loads
  - contractors' arrangements (compound, storage, parking, turning, surfacing and drainage)
  - wheel cleaning facilities
  - vehicle cleaning facilities
  - a scheme of appropriate signing of vehicle route to the site
  - a route plan for all contractors and suppliers to be advised on
  - temporary traffic management measures where necessary

The development must be carried out strictly in accordance with the approved Construction Traffic Management Plan.

Reason: to minimise the likely impact of construction traffic on the surrounding highway network and prevent the possible deposit of loose material on the adjoining highway.

8. Prior to occupation of the development hereby approved, a Travel Plan must be submitted to and approved in writing by the Planning Authority. The Travel Plan, as submitted, will include:
- Targets for sustainable travel arrangements.
  - Effective measures for the on-going monitoring of the Travel Plan.
  - A commitment to delivering the Travel Plan objectives for a period of at least five years from first occupation of the development.
  - Effective mechanisms to achieve the objectives of the Travel Plan by the occupiers of the development

The development must be implemented only in accordance with the approved Travel Plan.

Reason: In order to reduce or mitigate the impacts of the development upon the local highway network and surrounding neighbourhood by reducing reliance on the private car for journeys to and from the site.

9. As part of the reserved matters application footpath links shall be provided through the development up to the boundary with the football ground site in the north-west corner to facilitate future pedestrian access to the Leisure Centre, and at three points through the eastern open space area to the track located to the east of the site.

Reason: To ensure satisfactory pedestrian permeability and linkage with the surrounding area.

10. Prior to commencement of the development hereby approved a detailed surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, and including clarification of how surface water is to be managed during construction, has been submitted to, and approved in writing by the local planning authority. The surface water scheme shall be fully implemented in accordance with the submitted details before the development is completed.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and to improve habitat and amenity.

11. Prior to commencement of the development hereby approved details of maintenance & management of both the surface water sustainable drainage scheme and any receiving system have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. These should include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

Reason: To ensure future maintenance of the surface water drainage system, and to prevent the increased risk of flooding.



12. Prior to occupation of the development hereby approved the mitigation measures as detailed in the Biodiversity Mitigation Plan dated 8 November 2019 shall be completed in full.

Reason: To minimise impacts on biodiversity.

13. Prior to the commencement of the development hereby approved, an Arboricultural Method Statement (AMS) prepared by a qualified arboriculturalist providing comprehensive details of construction works in relation to trees that have the potential to be affected by the development must be submitted to, and agreed in writing by the Council. All works must be carried out in accordance with the approved details. In particular, the method statement must provide the following:

- a) a specification for protective fencing to trees and hedges during construction phases which complies with BS5837 (2012) and a plan indicating the alignment of the protective fencing;
- b) a specification for scaffolding of building works and ground protection within the tree protection zones in accordance with BS5837 (2012);
- c) a schedule of tree work conforming to BS3998;
- d) details of the area for storage of materials, concrete mixing and any bonfires;
- e) plans and particulars showing proposed cables, pipes and ducts above and below ground as well as the location of any soakaway or water or sewerage storage facility;
- f) details of any no-dig specification for all works within the root protection area for retained trees;
- g) details of the supervision to be carried out by the developers tree specialist;

Reason: This information is required to be submitted and agreed before any work starts on site to ensure that the trees and hedges deemed worthy of retention on-site will not be damaged prior to, or during the construction works.

14. Prior to the occupation of the development hereby approved a lighting strategy to reduce the use of artificial light sources and in accordance with 'Guidance note 08/18 Bats and Artificial Light in the UK' shall be submitted to and agreed by the local planning authority. The development shall be carried out in accordance with the agreed strategy.

Reason: To protect biodiversity.

15. Landscape mitigation measures outlined in Landscape and Visual Impact Assessment by The Landmark Trust dated November 2018 shall be included in the reserved matters application.

Reason: To preserve landscape character within the locality.

16. Prior to the submission of reserved matters a Landscape and Ecology Management Plan (LEMP), prepared by a qualified ecologist, shall be submitted to and agreed in writing by the local planning authority. It shall include long term management prescriptions for; retained and proposed hedgerows and woodland, open spaces and SUDs features. The agreed management regimes shall be implemented in accordance with the agreed LEMP.

Reason: To ensure the management, maintenance, and long-term landscape and ecological objectives are met.

Informatives:

Informative note: Development team.

The applicant is advised that, notwithstanding this consent, if it is intended that the highway layout be offered for public adoption under Section 38 of the Highways Act 1980, the applicant should contact Dorset Council's Development team. They can be reached by telephone at 01305 225401, by email at [dli@dorsetcc.gov.uk](mailto:dli@dorsetcc.gov.uk), or in writing at Development team, Infrastructure Service, Dorset Council, Hall, Dorchester, DT1 1XJ.

Informative note: Grampian

The highway improvements referred to in the recommended condition above must be carried out to the specification and satisfaction of the Highway Authority in consultation with the Local Planning Authority and it will be necessary to enter into an agreement, under Section 278 of the Highways Act 1980, with the Highway Authority, before any works commence on the site.

Informative note:

- If the applicant wishes to offer for adoption any highways drainage to DC, they should contact DC Highway's Development team at [DLI@dorsetcouncil.gov.uk](mailto:DLI@dorsetcouncil.gov.uk) as soon as possible to ensure that any highways drainage proposals meet DC's design requirements.

- Prior Land Drainage Consent (LDC) may be required from DC's FRM team, as relevant LLFA, for all works that offer an obstruction to flow to a channel or stream with the status of Ordinary Watercourse (OWC) – in accordance with s23 of the Land Drainage Act 1991. The modification, amendment or realignment of any OWC associated with the proposal under consideration, is likely to require such permission. We would encourage the applicant to submit, at an early stage, preliminary details concerning in-channel works to the FRM team. LDC enquires can be sent to [floodriskmanagement@dorsetcouncil.gov.uk](mailto:floodriskmanagement@dorsetcouncil.gov.uk).

Informative note:

The Dorset and Wiltshire Fire and Rescue Service would recommend that you look to provide at least a 32mm minimum diameter water main which would enable the installation of sprinkler systems within the approved dwelling(s). The Council considers this to be a key element in reducing the impact of fires. The Council

believes there is compelling evidence that sprinklers systems are a cost effective way of not only reducing the number of fire deaths and injuries, but also reducing the economic, social and environmental impact of fires.

## OR

**Recommendation B:** Refuse permission for the reasons set out below if the S106 agreement is not completed within 6 months of the date of the committee resolution or such extended time as agreed by the Head of Planning.

1. Policy 8 of the adopted North Dorset District Local Plan Part 1 2016 requires a minimum on-site provision of 25% of the units as affordable housing. In the absence of a planning obligation to secure these affordable units the scheme would fail to meet the substantial unmet need for affordable housing in the district and the proposal would therefore be contrary to Policy 8 of the adopted Local Plan.

2. Policies 13,14 and 15 of the adopted North Dorset District Local Plan Part 1 2016 sets out that where new development will generate the need for new or improved community infrastructure. In the absence of a planning obligation to secure the required community infrastructure the scheme would fail to mitigate the increase in demand for the necessary infrastructure to support the development. It would namely fail to provide for:

- Education;
- Libraries;
- Health facilities;
- Children's play provision;
- Maintenance of play provision;
- Destination play facilities;
- Maintenance of Destination play facilities
- Formal outdoor Sports;
- Maintenance of outdoor sports facilities;
- Allotments;
- Community, Leisure and Indoor Sports Facilities;
- Sustainable Transport;

In the absence of a planning obligation to secure the required community infrastructure, the proposal(s) would fail to meet the provisions of, and be contrary to, Policies 13,14,15 of the North Dorset District Local Plan Part 1 2016 and the National Planning Policy Framework (2019).

**APPLICATION NUMBER** – 2/2018/1486/FUL

**SITE ADDRESS:** Hawkes Field Farm , Hillside, Hilton, DT11 0DN

**PROPOSAL:** Erect 1 No. dwelling

**DECISION:** That the application be refused for the following reasons:

1. The development, by reason of the sites exposed location on high ground within the Dorset Area of Outstanding Natural Beauty, would lead to an adverse landscape and visual impact when viewed from the rights of way network and roads that surround the site, and from wider views within the Area of Outstanding Natural Beauty. The two storey nature of the building, its siting, and the lack of locally distinct materials would not preserve the scenic beauty of the Area of Outstanding Natural Beauty, to which great weight should be attributed. The glazed openings would lead to unacceptable light pollution which would undermine the dark skies objective. The proposal is contrary to Policy 4 of the North Dorset Local Plan, Part 1, 2011-2031, the National Planning Policy Framework and the Dorset Area of Outstanding Natural Beauty Management Plan, 2019-2024.

**APPLICATION NUMBER:** 2/2019/0904/REM

**SITE ADDRESS:** Vale Cottage, Marnhull, DT10 1JN

**PROPOSAL:** Erect 2 No. dwellings (Reserved matters application to determine scale, layout, appearance and landscaping following grant of Outline Planning Permission 2/2018/1406/OUT).

**DECISION:** That the application be granted subject to the conditions below:-

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. Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).
2. The development hereby permitted shall be carried out strictly and only in accordance with the following approved drawings and details forming the approved application;  
The development hereby permitted shall be carried out strictly and only in accordance with the following approved drawings and details forming the approved application;

Existing Site Plan - 101 [03/07/2019]

Proposed Site Plan and Street Elevation - 102 Rev E [Received 15/11/2019]

Proposed Plot 1 - Floor Plans - 103 Rev A [Received 23/10/2019]

Proposed Plot 1 - Elevations - 104 Rev A [Received 23/10/2019]

Proposed Plot 2 - Floor Plans - 105 Rev D [Received 23/10/2019]

Proposed Plot 2 - Elevations - 106 Rev D [Received 23/10/2019]

Proposed Car Barn Options - 107 [Received 02/08/2019]

Reason: For the avoidance of doubt and to clarify the permission.

3. Notwithstanding the information contained on the submitted drawings, prior to the commencement of works above damp course level samples of the materials to be used in the construction and finish of the walls and roofs of the dwellings hereby approved shall be made available on site for the inspection of the Local Planning Authority. Any such samples shall require approval to be obtained in writing from the Local Planning Authority and the development shall thereafter accord with the approved materials.

Reason: The materials identified in the application details are considered inappropriate, therefore prior approval of materials to be used is necessary in order to safeguard the character of the locality.

4. Prior to the first occupation of either dwelling hereby approved, the first floor window in the west elevation of dwelling 'Plot 2' shall be glazed with obscure glass to a minimum Pilkington privacy level of 4 or equivalent. The window must thereafter be maintained in that condition.

Reason: To safeguard the amenity and privacy of the occupiers of neighbouring residential properties.

5. Prior to the commencement of development above damp course level, a scheme showing the location of all vents, flues and meter boxes to be installed externally shall be agreed in writing by the Local Planning Authority. All must be fitted in accordance with the details of the agreed scheme prior to the occupation of the development.

Reason: To safeguard the character and appearance of the development.

6. Prior to the erection of any fencing, detailed elevation and section drawings of all fencing shall be submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter accord with the approved drawings.

Reason: In the interests of the appearance of the development.

7. The development shall be carried out in strict accordance with the New Planting as shown by approved drawing 'Proposed Site Plan and Street Elevation 102 Rev E'. Planting shall be carried out before the end of the first available planting season following substantial completion of the development. In the five year period following the substantial completion of the development any trees that are removed without the written consent of the Local Planning Authority or which die or become (in the opinion of the Local Planning Authority) seriously diseased or damaged, shall be replaced as soon as reasonably practical and not later than the end of the first available planting season, with specimens of such size and species and in such positions as may be agreed with the Local Planning Authority. In the event of any disagreement the Local Planning Authority shall conclusively determine when the development has been completed, when site conditions permit, when

planting shall be carried out and what specimens, size and species are appropriate for replacement purposes.

Reason: In the interests of continued visual public amenity.

8. All existing trees and hedges shown on approved plan 'Proposed Site Plan and Street Elevation 102 Rev E to be retained, shall be fully safeguarded during the course of site works and building operations in accordance with BS 5837:2012 (Trees in relation to construction - recommendations) or any new Standard that may be in force at the time that development commences. No unauthorised access or placement of goods, fuels or chemicals, soil or other material shall take place within the tree protection zone(s). Any trees or hedges removed without the written consent of the Local Planning Authority, or dying or being severely damaged or becoming seriously diseased before the completion of development or up to 12 months after occupation of the last dwelling shall be replaced with trees or hedging of such size, species in a timescale and in positions as may be approved in writing by the Local Planning Authority.

Reason: To ensure that trees and hedges to be retained are adequately protected from damage to health and stability throughout the construction period and in the interests of amenity.

**APPLICATION NUMBER:** 2/2019/0359/FUL

**SITE ADDRESS:** Somerville, New Road, Bourton, Dorset, SP8 5AP

**PROPOSAL:** Erect 6 No dwellings, create new vehicular and pedestrian access and form 11 No. parking spaces.

**DECISION: That the application be granted subject to the conditions below:-**

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.

Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out strictly and only in accordance with the following approved drawings and details: PL02 D, PL03 A, PL04 D, PL05 C forming the approved application.

Reason: For the avoidance of doubt and to clarify the permission.

3. Before the development is occupied or utilised the access, geometric highway layout, turning and parking areas shown on Drawing Number PL02 Rev D must be constructed, unless otherwise agreed in writing by the Local Planning Authority. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper and appropriate development of the site.

4. There must be no gates hung so as to form obstruction to the vehicular access serving the site.

Reason: To ensure the free and easy movement of vehicles through the access and to prevent any likely interruption to the free flow of traffic on the adjacent public highway.

5. The development hereby permitted must not be occupied or utilised until a scheme showing precise details of the proposed cycle parking facilities is submitted to the Local Planning Authority. Any such scheme requires approval to be obtained in writing from the Local Planning Authority. The approved scheme must be constructed before the development is commenced and, thereafter, must be maintained, kept free from obstruction and available for the purpose specified.

Reason: To ensure the proper construction of the parking facilities and to encourage the use of sustainable transport modes.

6. No works shall commence on site until details of the design of building foundations, car park surface construction and the layout (with positions, dimensions and levels) of service trenches, ditches, drains and other excavations on site (insofar as they may affect trees on or adjoining the site) shall be submitted to, and approved in writing by the Local Planning Authority. The development shall thereafter accord with the approved tree protection details.

Reason: To ensure the protection of trees to be retained, and in particular to avoid unnecessary damage to their root systems.

7. No works above foundation level shall commence on site until precise details of all tree, shrub and hedge planting (including positions and/or density, species and planting size) shall be submitted to and approved in writing by the Local Planning Authority. Planting shall be carried out before the end of the first available planting season following substantial completion of the development. In the five year period following the substantial completion of the development any trees that are removed without the written consent of the Local Planning Authority or which die or become (in the opinion of the Local Planning Authority) seriously diseased or damaged, shall be replaced as soon as reasonably practical and not later than the end of the first available planting season, with specimens of such size and species and in such positions as may be agreed with the Local Planning Authority. In the event of any disagreement the Local Planning Authority shall conclusively determine when the development has been completed, when site conditions permit, when planting shall be carried out and what specimens, size and species are appropriate for replacement purposes.

Reason: In the interests of continued visual public amenity.

8. Prior to the commencement of the development above foundation level, a schedule of landscape maintenance covering a minimum period of five years following substantial completion of the development (including details of the arrangements for its implementation) shall be submitted to and approved in writing by the Local Planning Authority. The subsequent maintenance of the development's landscaping shall accord with the approved schedule.

Reason: To ensure the provision of amenity afforded by the proper maintenance of existing and/or new landscape features.

9. The development hereby approved shall accord with the steps set out in the approved A J Scott Arboricultural Method Statement (AMS) dated 6th March 2019

and plan dated 4<sup>th</sup> November 2019 (Tree Protection Plan, Rev B) setting out how the existing trees are to be protected and managed before, during and after development.

Reason: To ensure thorough consideration of the impacts of development on the existing trees.

10. No development shall commence until details of all proposed means of enclosure, and boundary walls and fences to the site, shall be submitted to, and approved in writing by, the Local Planning Authority, and shall thereafter be implemented in full in complete accordance with the approved details and no other enclosures shall be erected.

Reason: In the interests of the amenities of the area.

11. No development above foundation level shall commence until samples of materials to be used in the construction and finish of the external walls and roof of the dwellings and garage shall be submitted to the local planning authority for approval in writing. Any such samples shall require approval to be obtained in writing from the Local Planning Authority and the development shall thereafter accord with the approved materials.

Reason: To safeguard the character of the locality.

12. No development hereby approved shall commence until a scheme showing precise details of the brick coursing, lintel details and cornices, shall be submitted to the Local Planning Authority. Any such scheme shall require approval to be obtained in writing from the Local Planning Authority and the development shall thereafter accord with the approved details.

Reason: To safeguard the character of the locality and in the interests of the appearance of the development.

13. The Biodiversity mitigation measures set out in the approved Report dated March 2019 shall be implemented in full in accordance with the timetable set out in the report, or in the absence of a specific timetable, prior to the development hereby approved being first brought into use and the site shall thereafter be maintained in accordance with the approved mitigation proposals.

Reason: To ensure adequate habitat is provided and subsequently protected to ensure adequate protection for important habitats and species is secured.

14. No development hereby permitted shall be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be carried out in accordance with an approved timetable which shall be approved as part of the drainage detail submission and works shall be completed prior to the first occupation of any building on the site.

Reason: To minimise the risk of flooding and/or pollution.

15. All remaining hedgerow located along the road frontage to New Road and adjacent to Tan Lane hedges to be retained, shall be fully safeguarded during the course of site works and building operations. No works shall commence on site until all trees to be protected on and immediately adjoining the site shall be protected from damage for the duration of works on the site to the satisfaction (to be confirmed



in writing) of the Local Planning Authority in accordance with BS 5837:2012 (Trees in relation to construction - recommendations) or any new Standard that may be in force at the time that development commences. No unauthorised access or placement of goods, fuels or chemicals, soil or other material shall take place within the tree protection zone(s). Any hedges removed without the written consent of the Local Planning Authority, or dying or being severely damaged or becoming seriously diseased shall be replaced with hedging of such size, species in a timescale and in positions as may be approved in writing by the Local Planning Authority.

Reason: To ensure that hedges to be retained are adequately protected from damage to health and stability throughout the construction period and in the interests of amenity.

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**1.0 Application Number – [WD/D/19/002136](#)**

**Site address:** ROSE COTTAGE, YETMINSTER ROAD, CHETNOLE, SHERBORNE, DT9 6NY

**Proposal:** Conversion of agricultural building to 1No. dwelling with associated internal and external alterations

**Applicant name:** Marble Green Property Ltd

**Case Officer:** Mr J Lytton-Trevers

**Ward Member:** Cllr Mary Penfold

**REASON APPLICATION IS GOING TO COMMITTEE:** At request of Head of Planning.

**2.0 Summary of Recommendation:** APPROVE subject to conditions

**3.0 Reason for the recommendation:**

- This is a disused and listed barn which can be converted into a single dwelling without detriment to the setting of it and other buildings around it.
- The domestic use of the building would not be detrimental to the amenity of adjoining property and would not lead to danger to road users.

**4.0 Table of key planning issues**

Issue	Conclusion
Principle of development	Market housing complies with Policy SUS3 where it relates to a designated heritage asset which includes this curtilage listed building.
Setting of heritage assets	The conversion, making use of existing fabric and without any changes to the external surroundings would safeguard the setting of this and other listed buildings in the vicinity. No harm would be caused to the significance of the designated heritage assets.
Amenity	The conversion would not impact on neighbouring amenity and road safety.
Other matters	There are no significant issues.

## 5.0 Description of Site

The name given for the building by the applicant is entirely erroneous as the building is a barn not a cottage. The last application referred to it as a barn. Hereafter it shall be referred to as a barn so as not to mislead.

This is a historic site consisting of the former barns and stables associated with the principal house, Hamlet House and its adjoining Malthouse. Hamlet House, the Malthouse, Dairy and attached Outbuilding (Rose barn) are listed at Grade II\*, whilst the Stables (Coach House) and the C19 Barn (Stone Barn) are separately listed at Grade II. The former C19 cow shed (Rose barn) is unlisted, but is considered to be a curtilage listed building II\* as it was in existence prior to 1948, appearing on the 1880 historic map analysis submitted with the application. It is situated in countryside some distance away from Chetnole.

## 6.0 Description of Development

This scheme follows a recent refusal for the conversion of four barns and outbuildings at the former farmstead of Hamlet. The proposal is the conversion of Rose Cottage building into an independent dwelling.

## 7.0 Relevant Planning History

Application No.	Application Description	Address	Decision
WD/D/19/000083	A Certificate of Lawfulness for an Existing Use as domestic storage	Rose barn CLU	Approved
WD/D/19/002137	Conversion of building	Rose barn LBC	Accompanying application
WD/D/19/002127	Change of use and conversion of agricultural buildings to 1 No. dwelling with associated internal and external alterations	Stone Barn FULL	Accompanying application
WD/D/19/002128	Conversion of agricultural buildings to 1 No.	Stone barn LBC	Accompanying application

	dwelling with associated internal and external alterations		
WD/D/19/000833	Conversion of 4 buildings	Garden, Stone, Rose and Stable FULL	<b>Refused</b>
WD/D/19/000834	Conversion of 4 buildings	Garden, Stone, Rose and Stable LBC	<b>Refused</b>

## 8.0 List of Constraints

Listed Building

Flood Zone 2

Outside a defined development boundary

## 9.0 Consultations

Yetminster & Ryne Intrinseca Parish Council: Objection

Access, parking and turning are limited;

Access is where the road is narrow, and the visibility splay will potentially be restricted by vehicles parking outside the 3 roadside cottages to the north of the entrance;

Increase in surface water flood risk;

Unrelated to settlement;

Alternative uses are viable to residential such as local rented or tourist accommodation);

Piecemeal proposals could further undermine the potential for the other buildings.

Chetnole and Stockwood Parish Council: Objection

Detrimental to the setting of Hamlet House, a listed building;

Within a flood risk zone;

Not within a defined Development Boundary;

Not designed to meet local need, rural workers accommodation or tourist accommodation;

Loss of amenity for Hamlet House through overshadowing, noise and overlooking;

Access is narrow and close to a bend.

Environmental Health - No comment

Natural England - No comment

Environment Agency - No objection subject to informatives relating to levels

Highways Officer - No objection

Technical Services - No objection

Conservation Officer - No objection subject to further information on landscaping, methodology and details of windows etc.

Historic England - Comments:

The long-term future of the remaining buildings and land within the applicant's ownership should be clarified as part of the application. This has not been included as part of the current application.

Wessex Water - No objection conditional of surface water not entering the sewer.

Flood Risk Management - Awaited

## **10.0 Representations**

7 object: 14 Support

Objections:

Access is narrow and sight lines restricted;

Will increase flood risk from River Wriddle;

Insufficient parking which is limited in the road;

The garden has a 10 year covenant that restricts any change of use to the agricultural orchard;

Any change of the orchard would affect the outlook for the cottages that back onto it;

Sub-division of the yard not appropriate;

No detail of heating oil tanks, etc.

Support:

Would preserve and re-use an historic building;

## **11.0 Relevant Policies**

### **West Dorset and Weymouth & Portland Local Plan (2015)**

INT 1. PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

ENV 1. LANDSCAPE, SEASCAPE AND SITES OF GEOLOGICAL INTEREST

ENV 2. WILDLIFE AND HABITATS

ENV 4. HERITAGE ASSETS

ENV 9. POLLUTION AND CONTAMINATED LAND  
ENV 12. THE DESIGN AND POSITIONING OF BUILDINGS  
ENV 16. AMENITY  
SUS 3. ADAPTATION AND RE-USE OF BUILDINGS OUTSIDE DEFINED  
DEVELOPMENT BOUNDARIES  
COM 7. CREATING A SAFE AND EFFICIENT TRANSPORT NETWORK  
COM 9. PARKING STANDARDS IN NEW DEVELOPMENT

Design & Sustainable Development Planning Guidelines (2009)

### **National Planning Policy Framework (2019):**

1. Introduction
2. Achieving sustainable development
4. Decision-making
5. Delivering a sufficient supply of homes
8. Promoting healthy and safe communities
12. Achieving well-designed places
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment

## **12.0 Human rights**

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property

This Recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

## **13.0 Public Sector Equalities Duty (standard text)**

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.

Arrangements would be made to ensure people with disabilities or mobility impairments are accommodated in order to comply with Building Regulations.

#### **14.0 Financial benefits**

Jobs would be created during the construction stage.  
Occupants would make use of local services.  
The dwelling would generate council tax.

#### **15.0 Climate Implications**

The dwelling would be designed to meet current building regulations which would help reduce the carbon footprint of the ongoing heating and running of the building.

#### **16.0 Planning Assessment**

##### **Principle**

The conversion of a building into an alternative use is addressed by policy SUS3.

The building is within Hamlet, which is unrelated to Chetnole and neither within a settlement boundary nor within a settlement with 200+ population. Chetnole, whilst having a 200+ population, the built up area does not extend as far as the location of this building, being separated from Hamlet by fields. Therefore, the 5th or the 6th bullet of Policy SUS3ii) would not apply. The 5th bullet applies to proposals for open market housing on sites within or adjoining settlements with DDBs or settlements without DDBs with a population of 200+. The barn in question at Hamlet does not meet the locational criteria under this bullet and so it would not apply to any scheme on this site.

As a result, the 6th bullet could potentially apply to the barn given its location outside a settlement with a DDB or outside a settlement with a population of 200+. Para 3.4.2 explains that in such locations, market housing may be permitted, exceptionally if a local benefit can be secured with a tie to a wider holding. This would not be possible in this particular case, as there is no 'wider holding' to tie any local benefit to.

However, the final bullet does potentially relate to this site. It only relates to designated heritage assets, so it would not apply to any buildings that were not listed;

It needs to be demonstrated that it would not be possible to achieve an acceptable scheme under any of the preceding bullets; and

It would need to be demonstrated that any open market housing scheme would secure the optimal viable use to secure the long term future of the buildings.



It is also necessary to apply other relevant policies, including Policy ENV4: Heritage Assets, as well as national policy on heritage assets, considered below.

### **Setting of heritage assets**

Its conversion to residential use is considered to be possible, subject to acceptable details of layout, amenity space and access, so that the historic farmstead is not compromised as a result.

The site has been severed into two ownerships after its recent sale. The four barns/outbuildings and stables, a modern agricultural barn and adjoining land into one, and the house and thatched malthouse into another. The split has unfortunately led to a serious fracture into the historic intimacy of the site, worsened by the close relationship of the buildings, shared driveway and intertwined historic association of the site. The listed barns and stable are simple stone vernacular agrarian buildings, virtually unaltered since being built, with limited openings. The stables have been converted on the first floor into simple residential accommodation, which it is understood was tied to the main house for staff in the past. The ground floor however remains as stables. The site is significant as the principal house and its adjoining buildings are listed at Grade II\* and the other buildings are of interest, listed primarily for their group value in this historic context.

The proposal now reflects the original layouts proposed previously with the support of additional information on amenity space, parking and consideration of alternative uses. This scheme shows the provision of a garden in an orchard to the north west of the site which would provide private amenity space, albeit inaccessible from the rear of the converted building and across the shared farm track. Parking is indicated in two chevron spaces to the northern side of the access drive. A red site boundary line has been drawn to indicate that the front boundary within the farm yard would be drawn close to Rose Cottage (southern side), but no details of how this boundary will be delineated on the ground have been provided. It is accepted that this frontage could be left open and that the former orchard would not impinge on the group if its use continued for a similar purpose.

The scheme is simplistic at this stage, and in view of the historic significance of the site, it would be helpful for the drawings to indicate the proposed finishes, windows, doors etc and further detailed drawings of all fenestration would be required.

It is fully understood that the buildings do not have a future within modern methods of farming. The former owners appear to not have used the buildings for some years, other than for ancillary storage. The buildings are not at risk and are in a reasonably good state of repair. Sensitive residential conversion of listed

buildings is usually considered when all other potential uses have been explored, but it is not a given, and each case is unique based on its location and the details of the case.

The surveyor's report (received after the application was submitted) suggests there are no viable alternative uses for the building. It has clearly not been advertised for any other uses, which as previously advised does not have to be the most profitable use. Dorset is rich in artisans looking for a workspace or exhibition space, but their incomes may be low.

The submission is silent on the impact on the setting of Hamlet House itself and the rest of the farmstead. It may be that this is considered to be negligible, but it is expected, in view of the sensitivities of the site and the existing and proposed residential uses, how the conversion of this building will impact on this historic group.

Whilst there is support for this conversion in principle, further information was required relating to the following matters:

The impact of this conversion on the setting of the historic farmstead group.

Details of all proposed hard landscaping and soft landscaping and boundaries, walls and fences.

Methodology relating to the careful restoration and sympathetic repair of the listed

buildings which would have been expected.

In response to these issues the applicant states that there would be no impacts on the group, no changes to the physical boundaries on the site and that the applicant would accept the methodology is agreed by condition. Whilst no physical changes to boundaries are shown between the building and others, it would be necessary to remove all permitted development rights for any development whatsoever to avoid domestic development including new hard surfacing and boundary treatments. Details of new walling, roofing and windows would also be needed as none are currently shown.

Whilst extensions and outbuildings are currently restricted in the General Permitted Development Order on listed buildings and in the curtilage, it would still be appropriate on amenity grounds for this to be imposed to perform a planning function.

No harm would result in terms of the impact on the significance of the designated heritage asset. This conclusion has been reached having regard to: (1) section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 that requires special regard to be paid to the desirability of preserving or enhancing the significance of heritage assets.

## **Amenity**

The level of additional activity that the use would bring onto the site would be relatively well screened from Hamlet House and its occupants. There is a stone wall along the common boundary. They do not share access and the building is single storey so cannot overlook.

The outlook for houses that face the orchard would be unchanged as this area would remain cultivated.

## **Other matters**

The implications of the certificate of lawfulness for Rose barn does not bring permanent residential use of this building and does not establish use for an independent dwelling.

Given the past uses of some of the buildings there would be potential for Contamination which would need addressing if encountered.

The proposal would be able to make provision for on-site parking for at least 2 cars as well as turning provision which would meet the daily needs of occupants. Visitor and delivery parking is available in the road where there are no restrictions. Although the number of parking spaces in the road is limited it is possible to park in the road leaving adequate space for vehicles to pass and for residents without private parking to park. The alignment, narrowness and usage of the road are noted but meet highway requirements in terms of visibility, suitability and the proposed use. There is adequate access for emergency vehicles, the disabled and for vehicles to pass within the site. It is not considered the proposal would lead to danger to users of the highway.

There is no reason to suppose that the shored up wall would be made more vulnerable to damage as a result of increased use of the access.

There is no evidence to suggest the proposal would lead to additional flood risk as conversion of existing buildings to more vulnerable uses is normally allowed. The site lies within Flood Zone 2 and the application is supported by Flood Risk Assessment & Drainage Strategy Report Ref: 4924-RP01 Issue 1 by SDS Consulting dated 20 March 2019. This is change of use of existing buildings and therefore is not subject to the same level of flood risk requirements as a new development in a flood risk area.

The Flood Risk Assessment (FRA) states that finished floor levels will be 62.160mAOD which is only marginally above the 1 in 1000 year flood level (62.050 mAOD). A 600mm freeboard allowance is recommended as this is self-contained single storey accommodation with no safe refuge on a higher floor,

and the freeboard being provided is minimal (only 0.11m AOD). However, it is unlikely that floor levels can be raised sufficiently above the estimated flood level. Therefore, the applicant will need extra flood resistance and resilience measures to 600mm above 100 year flood level plus climate change. This information should be included in the methodology.

Due to the risk of fluvial flooding and local concerns about an element of surface water and groundwater flooding on this site, the lead local flood authority could be consulted. The technical officer raises no objection and as there would be no additional new build or hard surface on the land, the amount of run off would be unchanged.

In relation to flood emergency response and evacuation arrangements for the site, a Flood Warning and Evacuation Plan for future occupants should be secured through an appropriate condition.

The proposal would be CIL liable with an estimated charge £1,850.00k plus index linking.

Provision for storage of refuse is not shown but would be achievable without undue risk to health. Oil tanks can normally be provided without formal permission in some cases and are normally small enough to screen off.

The biodiversity report was negative.

Any existing covenants on the property may restrict implementation of the scheme which is a legal matter relating to the land rather than a planning consideration.

## **17.0 Conclusion**

Market housing complies with Policy SUS3 where it relates to a designated heritage asset which includes this curtilage listed building.

The conversion, making use of existing fabric and without any changes to the external surroundings would safeguard the setting of this and other listed buildings in the vicinity.

The conversion would not Impact on neighbouring amenity and road safety. There are no significant issues.

No harm would result in terms of the impact on the significance of the designated heritage asset.

## **18.0 RECOMMENDATION** Grant, subject to conditions.

**CONDITIONS:**

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Location & Site Plan - Drawing Number PL-1302-100B received on 22/08/2019

Floor plans & Elevations - Drawing Number S-1302-02C received on 22/08/2019

Floor plans & Elevations - Drawing Number received on 22/09/2019

REASON: For the avoidance of doubt and in the interests of proper planning.

- 2 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.

REASON: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

- 3 No development above ground level shall be commenced until details and samples of all new external facing materials for the walls and roof shall have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter, unless otherwise agreed in writing by the Local Planning Authority the development shall proceed in strict accordance with such materials as have been agreed.

REASON: To safeguard the setting of the heritage asset.

- 4 No development for the insertion of new doors and windows shall commence until a schedule and detailed sections (scale 1:10) of all new windows in the development has been submitted to and approved in writing by the Local Planning Authority. All windows shall be constructed of timber and shall be painted, but the schedule shall include additional information relating to (i) the method of opening, (ii) the depth of the reveal from the face of the wall and (iii) the product number where the window is supplied from a manufacturers standard range (copy of catalogue to be included). Thereafter, unless otherwise agreed in writing by the Local Planning Authority, the development shall proceed in strict accordance with such details as have been agreed.

REASON: To safeguard the setting of the heritage asset.

- 5 No development above ground level shall commence until a scheme showing precise details of all vents, flues, meter boxes and letter boxes shall be submitted to and approved in writing by the Local planning Authority. The approved scheme shall be implemented before the development is occupied and shall be permanently maintained thereafter.
- REASON: To safeguard the setting of the heritage asset.
- 6 No development shall be occupied until full details of hard landscape proposals have been submitted to and approved in writing by the Local Planning Authority. These details shall include: proposed finished levels or contours, means of enclosure, car parking layout, other vehicular and pedestrian access and circulation areas, hard surfacing materials, minor artefacts and structures (eg; furniture, play equipment, signs, lighting, refuse or other storage units), proposed and existing functional services above and below ground (eg; drainage, power, communication cables, pipelines, etc, indicating lines, manholes, supports etc), retained historic landscape features and proposals for their restoration where relevant.
- REASON: To ensure the provision of amenity afforded by appropriate landscape design and maintenance of existing and/or new landscape features.
- 7 Before occupation of the dwelling details of flood resilience and proofing measures to be undertaken to the fabric of the building shall be submitted to and approved by the Local Planning Authority.
- REASON: To ensure measures to incorporate flood resilience do not detract from the setting of the heritage asset.
- 8 Before occupation of the dwelling, details of an emergency access shall be submitted to and approved by the Local Planning Authority and shall be completed. This access shall only be used if the existing access becomes unusable due to flooding. This access shall be permanently retained and maintained and kept clear of any obstruction.
- REASON: To provide emergency access and/or egress if the existing access becomes flooded and in the interests of highway safety.

- 9 In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority and an investigation and risk assessment must be undertaken in accordance with requirements of BS10175.
- Should any contamination be found requiring remediation, a remediation scheme shall be submitted to and approved by the Local Planning Authority. The approved remediation scheme shall be carried out to a timescale to be first agreed with the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared and submitted which is subject to the approval in writing of the Local Planning Authority.
- REASON: To ensure risks from contamination are minimised.
- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification) no enlargements, improvements, or other alterations of the dwellinghouse; no buildings etc incidental to the enjoyment of the dwellinghouse; no hard surfaces (other than those agreed under condition 6) and no chimneys permitted by Classes A, B, C, D E, F and G of Schedule 2 Part 1 of the 2015 Order shall be laid within the land shown edged red on the approved plan.
- REASON: To safeguard the setting of heritage assets.
- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification) no gates, fences, walls etc (other than those agreed under condition 6) permitted by Class A of Schedule 2 Part 2 of the 2015 Order shall be erected within the land shown edged red on the approved plan.
- REASON: To safeguard the setting of heritage assets.
- 12 The existing private drainage sewers re-used for redevelopment must be tested prior to site construction to ensure that groundwater is not able to enter the system. Results of the testing and any remedial work should be submitted to and approved by the Local Planning Authority. The system must be entirely in accord with the agreed details.
- REASON: To ensure no groundwater enters the foul water drainage system within the site.





**1.0 Application Number – [WD/D/19/002137](#)**

**Site address:** ROSE COTTAGE, YETMINSTER ROAD, CHETNOLE, SHERBORNE, DT9 6NY

**Proposal:** Conversion of agricultural building to 1No. dwelling with associated internal and external alterations

**Applicant name:** Marble Green Property Ltd

**Case Officer:** Mr J Lytton-Trevers

**Ward Member:** Cllr Mary Penfold

**REASON APPLICATION IS GOING TO COMMITTEE:** At request of Head of Planning.

**2.0 Summary of Recommendation:** APPROVE subject to conditions

**3.0 Reason for the recommendation:**

- This is a disused and curtilage listed barn which can be converted into a single dwelling without detriment to the special interest or loss of historic fabric.

**4.0 Table of key planning issues**

Issue	Conclusion
Special interest and historic fabric	The conversion would safeguard the special interest of the listed building and not lead to loss of historic fabric. No harm would result in terms of the impact on the significance of the designated heritage asset.

**5.0 Description of Site**

The main house is listed as follows, which confers a curtilage listing upon Rose barn, which consequently is not included in the description.

GV II\* Hamlet House & Garden House

House, with attached maltings and outbuildings. House C17, enlarged in C18, maltings and outbuildings early C19. House has rubble stone walls, slate roof with

stone eaves courses and coped gables, plastered end stacks. 2 storeys. Early C19 ashlar stone porch with coped gable and 4-centred arched doorway with C20 glazed door. Inner door has 4-centred arch in square frame and C18 panelled door. Datestone over - T and XXK 1688. Ground floor has 3 stone-mullioned windows with hoodmoulds and casements with horizontal glazing bars. First floor has 4 similar windows without hoodmoulds. Added rear range, C18, forming double-pile plan with parallel ridges. Internally, Parlour, at left end, has deep chamfered ceiling beams with added C18 mouldings. Hall, in centre (now one room with Parlour) has moulded intersecting beams. Kitchen, at right end, has original rear door, in 4-centred arch. C18 cut string stair with spandril brackets, turned balusters and wreathed handrail. Maltings, attached to house on right, has date stone 1816. This has rubble stone walls and thatched roof. 3 storeys. On ground floor, flush door at left end, 2 casements with horizontal glazing bars and one shuttered window. On first floor, a pair of loft doors, one casement with horizontal glazing bars and 2 shuttered windows. On second floor, 3 casements, one with lead lights, one with centre-bar, and one shuttered. Interior survives largely intact. Original plastered floor, kiln, steeping vat and grain hoppers. Attached to maltings at rear, a single-storey dairy, probably early C19. Rubble stone walls and slate roof. Ledged door and one casement with glazing bars. Attached to this at rear a 2-storeyed outbuilding, of rubble stone with slate roof. Ledged door. 2 casements on each floor, those on first floor With cast iron glazing. Stone steps to first floor on end gable wall. A good group. (RCHM Monument 33 Dorset. Vol. I)

## 6.0 Description of Development

This scheme follows a recent refusal for the conversion of four barns and outbuildings at the former farmstead of Hamlet. The proposal is the conversion of Rose Cottage building into an independent dwelling.

## 7.0 Relevant Planning History

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WD/D/19/002127	Change of use and conversion of agricultural buildings to 1 No. dwelling with	Stone Barn FULL	<b>Accompanying application</b>

	associated internal and external alterations		
WD/D/19/002128	Conversion of agricultural buildings to 1 No. dwelling with associated internal and external alterations	Stone barn LBC	<b>Accompanying application</b>
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## 8.0 List of Constraints

Listed Building

## 9.0 Consultations

Yetminster & Ryne Intrinseca Parish Council: Objection

Access, parking and turning are limited;

Access is where the road is narrow, and the visibility splay will potentially be restricted by vehicles parking outside the 3 roadside cottages to the north of the entrance;

Increase in surface water flood risk;

Unrelated to settlement;

Alternative uses are viable to residential such as local rented or tourist accommodation);

Piecemeal proposals could further undermine the potential for the other buildings.

Chetnole and Stockwood Parish Council: Objection

Detrimental to the setting of Hamlet House, a listed building;

Within a flood risk zone;

Not within a defined Development Boundary;

Not designed to meet local need, rural workers accommodation or tourist accommodation;

Loss of amenity for Hamlet House through overshadowing, noise and overlooking;

Access is narrow and close to a bend.

Conservation Officer - No objection subject to further information

Historic England - Comments:

The long-term future of the remaining buildings and land within the applicant's ownership should be clarified as part of the application. This has not been included as part of the current application.

## **10.0 Representations**

7 object: 14 Support

Objections:

Access is narrow and sight lines restricted;

Will increase flood risk from River Wriggle;

Insufficient parking which is limited in the road;

The garden has a 10 year covenant that restricts any change of use to the agricultural orchard;

Any change of the orchard would affect the outlook for the cottages that back onto it;

Sub-division of the yard not appropriate;

No detail of heating oil tanks, etc.

Support:

Would preserve and re-use an historic building;

## **11.0 Relevant Policies**

**West Dorset and Weymouth & Portland Local Plan (2015)**

ENV 4. HERITAGE ASSETS

**National Planning Policy Framework (2019):**

16. Conserving and enhancing the historic environment

## **12.0 Human rights**

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property

This Recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

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As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
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Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.

Arrangements would be made to ensure people with disabilities or mobility impairments are accommodated in order to comply with Building Regulations.

### **14.0 Financial benefits**

Jobs would be created during the construction stage.  
Occupants would make use of local services.  
The dwelling would generate council tax.

### **15.0 Climate Implications**

The dwelling would be designed to meet current building regulations which would help reduce the carbon footprint of the ongoing heating and running of the building.

### **16.0 Planning Assessment**

#### **Special interest and historic fabric**

Its conversion to residential use is considered to be possible, subject to acceptable details of layout so that the special interest of the historic farmstead is not compromised as a result.

The site has been severed into two ownerships after its recent sale. The four barns/outbuildings and stables, a modern agricultural barn and adjoining land into one, and the house and thatched malthouse into another. The split has

unfortunately led to a serious fracture into the historic intimacy of the site, worsened by the close relationship of the buildings, shared driveway and intertwined historic association of the site. The listed barns and stable are simple stone vernacular agrarian buildings, virtually unaltered since being built, with limited openings. The stables have been converted on the first floor into simple residential accommodation, which it is understood was tied to the main house for staff in the past. The ground floor however remains as stables. The site is significant as the principal house and its adjoining buildings are listed at Grade II\* and the other buildings are of interest, listed primarily for their group value in this historic context.

The proposal now reflects the original layouts proposed previously with the support of additional information on amenity space, parking and consideration of alternative uses. A red site boundary line has been drawn to indicate that the front boundary within the farm yard would be drawn close to Rose Cottage (southern side), but no details of how this boundary will be delineated on the ground have been provided. It is accepted that this frontage could be left open and that the former orchard would not impinge on the group if its use continued for a similar purpose.

The scheme is simplistic at this stage, and in view of the historic significance of the site, it would be helpful for the drawings to indicate the proposed finishes, windows, doors etc and the approach to restoration and conservation of historic fabric. This would need to be provided in a Methodology, and further detailed drawings of all fenestration would be required. The infilled frontage of what appears to originally have been a cart shed and tacked on greenhouse are not historic and the removal and replacement with new masonry considered to be an honest alteration. Internally there are few surviving features and new divisions would be minimal with the original function of the building still legible.

It is fully understood that the buildings do not have a future within modern methods of farming. The former owners appear to not have used the buildings for some years, other than for ancillary storage. The buildings are not at risk and are in a reasonably good state of repair. Sensitive residential conversion of listed buildings is usually considered when all other potential uses have been explored, but it is not a given, and each case is unique based on its location and the details of the case.

The surveyor's report (received after the application was submitted) suggests there are no viable alternative uses for the building. It has clearly not been advertised for any other uses, which as previously advised does not have to be the most profitable use. Dorset is rich in artisans looking for a workspace or exhibition space, but their incomes may be low.

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is expected, in view of the sensitivities of the site and the existing and proposed residential uses, how the conversion of this building will impact on this historic group.

Whilst there is support for this conversion in principle, further information was required relating to the following matters:

The impact of this conversion on the setting of the historic farmstead group.  
Details of all proposed hard landscaping and soft landscaping and boundaries, walls and fences.

Methodology relating to the careful restoration and sympathetic repair of the listed buildings which would have been expected. In response to these issues the applicant states that there would be no impacts on the group, no changes to the physical boundaries on the site and that the applicant would accept the methodology is agreed by condition. Whilst no physical changes to boundaries are shown between the building and others, it would be necessary to remove all permitted development rights for any development whatsoever to avoid domestic development including new hard surfacing and boundary treatments. Details of new walling, roofing and windows would also be needed as none are currently shown.

No harm would result in terms of the impact on the significance of the designated heritage asset. This conclusion has been reached having regard to: (1) section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 that requires special regard to be paid to the desirability of preserving or enhancing the significance of heritage assets.

## **17.0 Conclusion**

The conversion would safeguard the special interest of the listed building and not lead to loss of historic fabric.

## **18.0 RECOMMENDATION** Grant, subject to conditions.

### **CONDITIONS:**

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Location & Site Plan - Drawing Number PL-1302-100B received on 22/08/2019

Floor plans & Elevations - Drawing Number S-1302-02C received on 22/08/2019

Floor plans & Elevations - Drawing Number PL-1302-101A received on 22/08/2019

REASON: For the avoidance of doubt and in the interests of proper planning.

- 2 The work to which it relates must be begun no later than the expiration of three years beginning with the date on which the consent is granted.

REASON: This condition is required to be imposed by reason of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

- 3 No development for the insertion of new doors and windows shall commence until a schedule and detailed sections (scale 1:10) of all new windows in the development has been submitted to and approved in writing by the Local Planning Authority. All windows shall be constructed of timber and shall be painted, but the schedule shall include additional information relating to (i) the method of opening, (ii) the depth of the reveal from the face of the wall and (iii) the product number where the window is supplied from a manufacturers standard range (copy of catalogue to be included). Thereafter, unless otherwise agreed in writing by the Local Planning Authority, the development shall proceed in strict accordance with such details as have been agreed.

REASON: To safeguard the special interest of the heritage asset.

- 4 No development above ground level shall be commenced until details and samples of all new external facing materials for the walls and roof shall have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter, unless otherwise agreed in writing by the Local Planning Authority the development shall proceed in strict accordance with such materials as have been agreed.

REASON: To safeguard the special interest of the heritage asset.

- 5 No development above ground level shall commence until a scheme showing precise details of all vents, flues, meter boxes and letter boxes shall be submitted to and approved in writing by the Local planning Authority. The approved scheme shall be implemented before the development is occupied and shall be permanently maintained thereafter.

REASON: To safeguard the special interest of the heritage asset.

- 6 No development for the removal of the front wall shall commence until precise details of the steps to be taken and works to be carried out to secure the safety and stability of that part of the building to be retained, shall be submitted to, and agreed in writing by the Local Planning Authority. The approved steps shall remain in place for the full duration



until completion of the works hereby approved.

REASON: To protect and safeguard the fabric of the building.

- 7 All new and replacement rainwater goods shall be painted cast metal of half round profile of a form to be agreed in writing by the Local Planning Authority before installation.

REASON: To safeguard the significance of the heritage asset.

- 8 All existing historic fabric (lath or reed and plaster ceilings, lime wall plasters, beams, joists, floor boards, roof structure, staircases, doors, windows, panelling, mouldings, fireplaces and flagstones) shall be retained in-situ.

REASON: To safeguard historic fabric and the significance of the heritage asset.

- 9 Before works for the conversion above ground level commence, a methodology relating to the careful restoration and sympathetic repair of the fabric of the building shall be submitted to and approved by the Local Planning Authority. The methodology shall state the method, materials and measures for restoration and repair. The conversion shall be carried out in accordance with the approved methodology.

REASON: To safeguard historic fabric.

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## 1.0 Application Number – [WD/D/19/002127](#)

**Site address:** STONE BARN HOUSE, YETMINSTER ROAD, CHETNOLE, SHERBORNE, DT9 6NY

**Proposal:** Change of use and conversion of agricultural buildings to 1 No. dwelling with associated internal and external alterations

**Applicant name:** Marble Green Property Ltd

**Case Officer:** Mr J Lytton-Trevers

**Ward Member:** Cllr Mary Penfold

**REASON APPLICATION IS GOING TO COMMITTEE:** At request of Head of Planning.

## 2.0 Summary of Recommendation: APPROVE subject to conditions

## 3.0 Reason for the recommendation:

- This is a disused and listed barn which can be converted into a single dwelling without detriment to the setting of it and other buildings around it.
- The domestic use of the building would not be detrimental to the amenity of adjoining property and would not lead to danger to road users.

## 4.0 Table of key planning issues

Issue	Conclusion
Principle of development	Market housing complies with Policy SUS3 where it relates to a designated heritage asset which includes this listed building.
Setting of heritage assets	The conversion, making use of existing fabric and without any changes to the external surroundings would safeguard the setting of this and other listed buildings in the vicinity. No harm would result in terms of the impact on the designated heritage assets.
Amenity	The conversion would not Impact on neighbouring amenity and road safety.
Other matters	There are no significant issues.

## 5.0 Description of Site

The name given for the building by the applicant is erroneous as the building is a barn not a house. The last application referred to it as a barn. Hereafter it shall be referred to as a barn so as not to mislead.

This is a historic site consisting of the former barns and stables associated with the principal house, Hamlet House and its adjoining Malthouse. Hamlet House, the Malthouse, Dairy and attached Outbuilding (Rose barn) are listed at Grade II\*, whilst the Stables (Coach House) and the C19 Barn (Stone Barn) are separately listed at Grade II. The former C19 cow shed (Rose barn) is unlisted, but is considered to be a curtilage listed building II\* as it was in existence prior to 1948, appearing on the 1880 historic map analysis submitted with the application. It is situated in countryside some distance away from Chetnole.

## 6.0 Description of Development

This application follows the recent refusal for the conversion of four barns and outbuildings at Hamlet. A revised scheme seeks to convert the Grade II listed Threshing Barn into a dwelling.

## 7.0 Relevant Planning History

Application No.	Application Description	Building/type	Decision
WD/D/19/002137	Conversion of building	Rose barn LBC	Accompanying application
WD/D/19/002136	Change of use and conversion of agricultural building to 1 No. dwelling	Rose barn FULL	Accompanying application
WD/D/19/002128	Conversion of agricultural buildings to 1 No. dwelling with associated internal and external alterations	Stone barn LBC	Accompanying application
WD/D/19/000833	Conversion of 4 buildings	Garden, Stone, Rose and Stable FULL	Refused

WD/D/19/000834	Conversion of 4 buildings	Garden, Stone, Rose and Stable LBC	<b>Refused</b>
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## 8.0 List of Constraints

Flood zone 2  
Listed Building

## 9.0 Consultations

### Yetminster & Ryme Intrinseca Parish Council Objection

Access, visitor parking and turning are unsuitable. The shared access is at a point where the road is narrow, the visibility splay restricted by vehicles parking in the road;

Flood and surface water risk;

Hamlet is outside Chetnole and lacks facilities;

Alternative uses have not been properly explored including a workshop, local rented or tourist accommodation;

No explanation as to how all of the alternatives have been assessed and why they are not possible;

Piecemeal nature of severing off both the Stone Barn and Rose barn.

### Chetnole and Stockwood Parish Council: Objection

Detrimental to the setting of listed building;

Within a flood risk zone;

Chetnole has no Defined Development Boundary;

Harm to amenity of Hamlet House through overshadowing, overlooking and noise;

Would detract from the setting;

The road is narrow and close to a bend and there would be a considerable increase in vehicle movements.

Environmental Health - No comment

Wessex Water – No objection conditional

Natural England - No comment

Environment Agency - No objection subject to comments relating to flood risk and escape routes.

Highways Officer - No objection

Technical Services - No reply

Conservation Officer - No objection subject to further information on method of insertion of floor, landscaping, methodology and details of windows etc.

#### Historic England – Comments

The long-term future of the remaining buildings and land within the applicant's ownership should be clarified as part of the application. This has not been included as part of the current application.

Flood Risk Management - Awaited

## **10.0 Representations**

7 object: 13 Support

#### Objections:

Access is narrow and sight lines restricted;  
Will increase flood risk from River Wriggle and surface water flooding;  
Insufficient parking which is limited in the road;  
Limited access for emergency vehicles;  
Sub-division of the yard inappropriate;  
No detail of heating oil tanks, etc;  
Reference to the orchard covenant (although it is not part of this proposal);  
Illogical floor levels, layout of rooms, distance to parking and cutting through walls.

#### Support:

Would preserve and re-use an historic building;

## **11.0 Relevant Policies**

### **West Dorset and Weymouth & Portland Local Plan (2015)**

INT 1. PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT  
ENV 1. LANDSCAPE, SEASCAPE AND SITES OF GEOLOGICAL INTEREST  
ENV 2. WILDLIFE AND HABITATS  
ENV 4. HERITAGE ASSETS  
ENV 9. POLLUTION AND CONTAMINATED LAND  
ENV 12. THE DESIGN AND POSITIONING OF BUILDINGS  
ENV 16. AMENITY  
SUS 3. ADAPTATION AND RE-USE OF BUILDINGS OUTSIDE DEFINED DEVELOPMENT BOUNDARIES  
COM 7. CREATING A SAFE AND EFFICIENT TRANSPORT NETWORK  
COM 9. PARKING STANDARDS IN NEW DEVELOPMENT

Design & Sustainable Development Planning Guidelines (2009)

## **National Planning Policy Framework (2019):**

1. Introduction
2. Achieving sustainable development
4. Decision-making
5. Delivering a sufficient supply of homes
8. Promoting healthy and safe communities
12. Achieving well-designed places
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment

### **12.0 Human rights**

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property

This Recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

### **13.0 Public Sector Equalities Duty (standard text)**

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.

Arrangements would be made to ensure people with disabilities or mobility impairments are accommodated in order to comply with Building Regulations.

### **14.0 Financial benefits**

Jobs would be created during the construction stage.

Occupants would make use of local services.

The dwelling would generate council tax.

## **15.0 Climate Implications**

The dwelling would be designed to meet current building regulations which would help reduce the carbon footprint of the ongoing heating and running of the building.

## **16.0 Planning Assessment**

### **Principle**

The conversion of a building into an alternative use is addressed by policy SUS3.

The building is within Hamlet, which is unrelated to Chetnole and neither within a settlement boundary nor within a settlement with 200+ population. Chetnole, whilst having a 200+ population, the built up area does not extend as far as the location of this building, being separated from Hamlet by fields. Therefore, the 5th or the 6th bullet of Policy SUS3ii) would not apply. The 5th bullet applies to proposals for open market housing on sites within or adjoining settlements with DDBs or settlements without DDBs with a population of 200+. The barn in question at Hamlet does not meet the locational criteria under this bullet and so it would not apply to any scheme on this site.

As a result, the 6th bullet could potentially apply to the barn given its location outside a settlement with a DDB or outside a settlement with a population of 200+. Para 3.4.2 explains that in such locations, market housing may be permitted, exceptionally if a local benefit can be secured with a tie to a wider holding. This would not be possible in this particular case, as there is no 'wider holding' to tie any local benefit to.

However, the final bullet does potentially relate to this site. It only relates to designated heritage assets, so it would not apply to any buildings that were not listed;

It needs to be demonstrated that it would not be possible to achieve an acceptable scheme under any of the preceding bullets; and

It would need to be demonstrated that any open market housing scheme would secure the optimal viable use to secure the long term future of the buildings.

It is also necessary to apply other relevant policies, including Policy ENV4: Heritage Assets, as well as national policy on heritage assets, considered below.

### **Setting of heritage assets**

Its conversion to residential use is considered to be possible, subject to acceptable details of layout, amenity space and access, so that the historic farmstead is not compromised as a result.



The site has been severed into two ownerships after its recent sale. The four barns/outbuildings and stables, a modern agricultural barn and adjoining land into one, and the house and thatched malthouse into another. The split has unfortunately led to a serious fracture into the historic intimacy of the site, worsened by the close relationship of the buildings, shared driveway and intertwined historic association of the site. The listed barns and stable are simple stone vernacular agrarian buildings, virtually unaltered since being built, with limited openings. The stables have been converted on the first floor into simple residential accommodation, which it is understood was tied to the main house for staff in the past. The ground floor however remains as stables. The site is significant as the principal house and its adjoining buildings are listed at Grade II\* and the other buildings are of interest, listed primarily for their group value in this historic context.

This stone built barn has a slate roof and is relatively simple in plan with opposing full height doors to the north and south, where the wheat would have been brought in by cart before being threshed and stored or ground. The barn, like others in the group is no longer used for farming purposes and is empty. The impact of the residential conversion of this building has to be considered within the setting of this group and the potential impact on the significance of the heritage assets.

The proposals represent an improved conversion of the building with little external alteration.

The proposed conversion of the shed into a home office/studio seems ambitious. Whilst it may be possible, the building might be better served as a storage space for garden tools and bikes etc as this is not indicated on the plans.

There is no landscape plan provided. This should demonstrate how the soft and hard surfaces will be treated and planted up and how the boundaries, gates or fences (if any) will be laid out. As the site is sensitive as a former farmyard and for its group value, this aspect is important to determine the subdivision of the site, and to limit the impact on the setting of the listed buildings and the Hamlet farm group.

The applicant states that there would be no impacts on the group, no changes to the physical boundaries on the site. Whilst no physical changes to boundaries are shown between the building and others, it would be necessary to remove all permitted development rights for any development whatsoever to avoid domestic development including new hard surfacing and boundary treatments.

There are no details for the Garden barn. This formed part of the previous application and it was understood it was to be linked to this site as an ancillary building. If this is to be excluded and retained separately, it is important to

understand how this will work and be used, in relation to the Stone Barn and Rose barn. The Surveyors report emphasises the need to re-use historic buildings to give them a purpose and to be viable, yet there is nothing provided on this building at this time. As it is a Grade II\* listed building, and forms part of this historic group, it is important and not unreasonable to request information about proposals for this building, and what if anything is planned for it at this stage.

Whilst extensions and outbuildings are currently restricted in the General Permitted Development Order on listed buildings and in the curtilage, it would still be appropriate on amenity grounds for this to be imposed to perform a planning function.

No harm would result in terms of the impact on the significance of the designated heritage asset. This conclusion has been reached having regard to: (1) section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 that requires special regard to be paid to the desirability of preserving or enhancing the significance of heritage assets.

### **Amenity**

The level of additional activity that the use would bring onto the site would be relatively well screened from Hamlet House and its occupants. There is a stone wall along the common boundary. They do not share access and the building would not directly overlook. The amount of additional activity in proximity to the neighbour would be relatively small in domestic use compared with the potential if remaining in farm use.

The working modern barn is very near and if it was used for purposes other than storage could give rise to noise and odour for subsequent occupants of the conversion although a buyer would be aware of it on viewing the site.

### **Other matters**

Given the past uses of some of the buildings there would be potential for Contamination which would need addressing if encountered.

The proposal would be able to make provision for on-site parking for at least 2 cars as well as turning provision which would meet the daily needs of occupants. Visitor and delivery parking is available in the road where there are no restrictions. The distance of the garage away from the proposed dwelling is noted but not overly excessive to prevent its use. Although the number of parking spaces in the road is limited it is possible to park in the road leaving adequate space for vehicles to pass and for residents without private parking to park. The alignment, narrowness and usage of the road are noted but meet highway requirements in terms of visibility, suitability and the proposed use.

There is adequate access for emergency vehicles, the disabled and for vehicles to pass within the site. It is not considered the proposal would lead to danger to users of the highway.

There is no reason to suppose that the shored up wall would be made more vulnerable to damage as a result of increased use of the access.

There is no evidence to suggest the proposal would lead to additional flood risk as conversion of existing buildings to more vulnerable uses is normally allowed. The site lies within Flood Zone 2 as shown on the published Flood Map and the application is supported by Flood Risk Assessment & Drainage Strategy Report Ref: 4924-RP01 Issue 1 by SDS Consulting dated 20 March 2019. This is change of use of existing buildings, and is two storey, therefore it is not subject to the same level of flood risk requirements as a new development in a flood risk area.

**Finished Floor levels** The Flood Risk Assessment (FRA) states that finished floor levels will be 62.490mAOD. Although there will be a safe refuge above for this two storey change of use. In order to accept finished floor levels below 100 year flood level plus climate change there must be extra flood resilience resistance and resilience measures to 600mm above 100 year flood level plus climate. The FRA identifies various flood depths at the buildings in the order of 0.05m to 0.21m.

Due to the risk of fluvial flooding and local concerns about an element of surface water and groundwater flooding on this site, the lead local flood authority could be consulted. As there would be no additional new build or hard surface on the land, the amount of run off would be unchanged.

In relation to flood emergency response and evacuation arrangements for the site, a Flood Warning and Evacuation Plan for future occupants should be secured through an appropriate condition.

The proposal would be CIL liable with an estimated charge £7,450.00 plus index linking.

Provision for storage of refuse is not shown but would be achievable without undue risk to health. Oil tanks can normally be provided without formal permission in some cases and are normally small enough to screen off.

Any existing covenants on the property may restrict implementation of the scheme which is a legal matter relating to the land rather than a planning consideration.

The biodiversity report requires mitigation measures in the conversion.

## 17.0 Conclusion

Market housing complies with Policy SUS3 where it relates to a designated heritage asset which includes this listed building. No harm would result in terms of the impact on the significance of the designated heritage asset. The conversion, making use of existing fabric and without any changes to the external surroundings would safeguard the setting of this and other listed buildings in the vicinity. The conversion would not impact on neighbouring amenity and road safety. There are no significant issues.

## 18.0 RECOMMENDATION Grant, subject to conditions.

### CONDITIONS:

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Location & Block Plan - Drawing Number PL-1302-200B received on 29/08/2019

Existing Elevations - Drawing Number S -1302-05C received on 29/08/2019

Floor plans & Elevations - Drawing Number PL-1302-201B received on 29/08/2019

Floor Level - Drawing Number PL-1302-202A received on 29/08/2019

Garden Office Floor plans & Elevations - Drawing Number PL-1302-203A received on 29/08/2019

REASON: For the avoidance of doubt and in the interests of proper planning.

- 2 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.

REASON: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

- 3 No development above ground level shall be commenced until details and samples of all new external facing materials for the walls and roof shall have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter, unless otherwise agreed in writing by the Local Planning Authority the development shall proceed in strict accordance with such materials as have been agreed.

REASON: To safeguard the setting of the heritage asset.

- 4 No development for the insertion of new doors and windows shall commence until a schedule and detailed sections (scale 1:10) of all new windows in the development has been submitted to and approved in writing by the Local Planning Authority. All windows shall be constructed of timber and shall be painted, but the schedule shall include additional information relating to (i) the method of opening, (ii) the depth of the reveal from the face of the wall and (iii) the product number where the window is supplied from a manufacturers standard range (copy of catalogue to be included). Thereafter, unless otherwise agreed in writing by the Local Planning Authority, the development shall proceed in strict accordance with such details as have been agreed.
- REASON: To safeguard the setting of the heritage asset.
- 5 No development above ground level shall commence until a scheme showing precise details of all vents, flues, meter boxes and letter boxes shall be submitted to and approved in writing by the Local planning Authority. The approved scheme shall be implemented before the development is occupied and shall be permanently maintained thereafter.
- REASON: To safeguard the setting of the heritage asset.
- 6 No development shall be occupied until full details of hard landscape proposals have been submitted to and approved in writing by the Local Planning Authority. These details shall include: proposed finished levels or contours, means of enclosure, car parking layout, other vehicular and pedestrian access and circulation areas, hard surfacing materials, minor artefacts and structures (eg; furniture, play equipment, signs, lighting, refuse or other storage units), proposed and existing functional services above and below ground (eg; drainage, power, communication cables, pipelines, etc, indicating lines, manholes, supports etc), retained historic landscape features and proposals for their restoration where relevant.
- REASON: To ensure the provision of amenity afforded by appropriate landscape design and maintenance of existing and/or new landscape features.
- 7 NS Before occupation of the dwelling details of flood resilience and proofing measures to be undertaken to the fabric of the building shall be submitted to and approved by the Local Planning Authority.
- REASON: To ensure measures to incorporate flood resilience do not detract from the setting of the heritage asset.

- 8 Before occupation of the dwelling, details of an emergency access shall be submitted to and approved by the Local Planning Authority and shall be completed. This access shall only be used if the existing access becomes unusable due to flooding. This access shall be permanently retained and maintained and kept clear of any obstruction.
- REASON: To provide emergency access and/or egress if the existing access becomes flooded and in the interests of highway safety.
- 9 In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority and an investigation and risk assessment must be undertaken in accordance with requirements of BS10175.
- Should any contamination be found requiring remediation, a remediation scheme shall be submitted to and approved by the Local Planning Authority. The approved remediation scheme shall be carried out to a timescale to be first agreed with the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared and submitted which is subject to the approval in writing of the Local Planning Authority.
- REASON: To ensure risks from contamination are minimised.
- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification) no enlargements, improvements, or other alterations of the dwellinghouse; no buildings etc incidental to the enjoyment of the dwellinghouse; no hard surfaces (other than those agreed under condition 6) and no chimneys permitted by Classes A, B, C, D E, F and G of Schedule 2 Part 1 of the 2015 Order shall be laid within the land shown edged red on the approved plan.
- REASON: To safeguard the setting of heritage assets.
- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification) no gates, fences, walls etc (other than those agreed under condition 6) permitted by Class A of Schedule 2 Part 2 of the 2015 Order shall be erected within the land shown edged red on the approved plan.
- REASON: To safeguard the setting of heritage assets.
- 12 The existing private drainage sewers re-used for redevelopment must be

tested prior to site construction to ensure that groundwater is not able to enter the system. Results of the testing and any remedial work should be submitted to and approved by the Local Planning Authority. The system must be entirely in accord with the agreed details.

REASON: To ensure no groundwater enters the foul water drainage system within the site.

13

The protected species mitigation proposals set out in the approved KP Ecology Protected Species Survey and Mitigation Report dated 17 June 2019 shall be undertaken in full before the development hereby approved is first brought into use and shall be maintained in the approved condition permanently thereafter.

REASON: To ensure adequate habitat is provided and protected to accommodate protected species.

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## 1.0 Application Number – [WD/D/19/002128](#)

**Site address:** STONE BARN HOUSE, YETMINSTER ROAD, CHETNOLE, SHERBORNE, DT9 6NY

**Proposal:** Conversion of agricultural buildings to 1 No. dwelling with associated internal and external alterations

**Applicant name:** Marble Green Property Ltd

**Case Officer:** Mr J Lytton-Trevers

**Ward Member:** Cllr Mary Penfold

**REASON APPLICATION IS GOING TO COMMITTEE:** At request of Head of Planning.

## 2.0 Summary of Recommendation: APPROVE subject to conditions

## 3.0 Reason for the recommendation:

- This is a disused and listed barn which can be converted into a single dwelling without detriment to the special interest or loss of historic fabric.

## 4.0 Table of key planning issues

Issue	Conclusion
Special interest and historic fabric	The conversion would safeguard the special interest of the listed building and not lead to loss of historic fabric. No harm would result in terms of the impact on the significance of the designated heritage asset.

## 5.0 Description of Site

GV II Stone

Barn. Probably early C19. Rubble stone walls, tiled roof. Opposed cart entrances - that on south with plain segmental arch; that on north with similar arch in a lean-to cart porch. Included for group value.

## 6.0 Description of Development

This application follows the recent refusal for the conversion of four barns and outbuildings at Hamlet. A revised scheme seeks to convert the Grade II listed Threshing Barn into a dwelling.

## 7.0 Relevant Planning History

Application No.	Application Description	Building/type	Decision
WD/D/19/002137	Conversion of building	Rose barn LBC	Accompanying application
WD/D/19/002136	Change of use and conversion of agricultural building to 1 No. dwelling	Rose barn FULL	Accompanying application
WD/D/19/002127	Conversion of agricultural buildings to 1 No. dwelling with associated internal and external alterations	Stone barn LBC	Accompanying application
WD/D/19/000833	Conversion of 4 buildings	Garden, Stone, Rose and Stable FULL	Refused
WD/D/19/000834	Conversion of 4 buildings	Garden, Stone, Rose and Stable LBC	Refused

## 8.0 List of Constraints

Listed Building

## 9.0 Consultations

Yetminster & Ryme Intrinseca Parish Council Objection

Access, visitor parking and turning are unsuitable. The shared access is at a point where the road is narrow, the visibility splay restricted by vehicles parking in the road;

Flood and surface water risk;

Hamlet is outside Chetnole and lacks facilities;  
Alternative uses have not been properly explored including a workshop, local rented or tourist accommodation;  
No explanation as to how all of the alternatives have been assessed and why they are not possible;  
Piecemeal nature of severing off both the Stone Barn and Rose barn.

Chetnole and Stockwood Parish Council: Objection  
Detrimental to the setting of listed building;  
Within a flood risk zone;  
Chetnole has no Defined Development Boundary;  
Harm to amenity of Hamlet House through overshadowing, overlooking and noise;  
Would detract from the setting;  
The road is narrow and close to a bend and there would be a considerable increase in vehicle movements.

Conservation Officer - No objection subject to further information on method of insertion of floor, landscaping, methodology and details of windows etc.

Historic England – Comments  
The long-term future of the remaining buildings and land within the applicant's ownership should be clarified as part of the application. This has not been included as part of the current application.

## **10.0 Representations**

7 object: 13 Support

Objections:  
Access is narrow and sight lines restricted;  
Will increase flood risk from River Wriggle and surface water flooding;  
Insufficient parking which is limited in the road;  
Limited access for emergency vehicles;  
Sub-division of the yard inappropriate;  
No detail of heating oil tanks, etc;  
Reference to the orchard covenant (although it is not part of this proposal);  
Illogical floor levels, layout of rooms, distance to parking and cutting through walls.

Support:  
Would preserve and re-use an historic building;

## **11.0 Relevant Policies**

**West Dorset and Weymouth & Portland Local Plan (2015)**

ENV 4. HERITAGE ASSETS  
**National Planning Policy Framework (2019):**

16. Conserving and enhancing the historic environment

**12.0 Human rights**

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property

This Recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

**13.0 Public Sector Equalities Duty (standard text)**

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.

Arrangements would be made to ensure people with disabilities or mobility impairments are accommodated in order to comply with Building Regulations.

**14.0 Financial benefits**

Jobs would be created during the construction stage.

Occupants would make use of local services.

The dwelling would generate council tax.

**15.0 Climate Implications**

The dwelling would be designed to meet current building regulations which would help reduce the carbon footprint of the ongoing heating and running of the building.

## 16.0 Planning Assessment

### Special interest and historic fabric

Its conversion to residential use is considered to be possible, subject to acceptable details of layout, amenity space and access, so that the historic farmstead is not compromised as a result.

The site has been severed into two ownerships after its recent sale. The four barns/outbuildings and stables, a modern agricultural barn and adjoining land into one, and the house and thatched malthouse into another. The split has unfortunately led to a serious fracture into the historic intimacy of the site, worsened by the close relationship of the buildings, shared driveway and intertwined historic association of the site. The listed barns and stable are simple stone vernacular agrarian buildings, virtually unaltered since being built, with limited openings. The stables have been converted on the first floor into simple residential accommodation, which it is understood was tied to the main house for staff in the past. The ground floor however remains as stables. The site is significant as the principal house and its adjoining buildings are listed at Grade II\* and the other buildings are of interest, listed primarily for their group value in this historic context.

This stone built barn has a slate roof and is relatively simple in plan with opposing full height doors to the north and south, where the wheat would have been brought in by cart before being threshed and stored or ground. The barn, like others in the group is no longer used for farming purposes and is empty. The impact of the residential conversion of this building has to be considered within the setting of this group and the potential impact on the significance of the heritage assets.

The proposals represent an improved conversion of the building, which pays more respect to the simple form and bulk of the barn, retaining larger open spaces within, a full height entrance hall and living area, and simple detailing. There is limited loss of historic fabric by new openings and existing openings are utilised throughout. However, there is need for more detail of the following:

all fenestration and joinery, including the staircase;  
a section to show the insertion of the first floor, and the ground floor and first floor screens and their construction; A Methodology on the approach to repairs, areas of breaking through and how the making good will be carried out, reinstatement of historic details, repointing and the treatment of all surfaces, floors, walls and the roof, including proposed insulation.

The single proposed bedroom window for the second bedroom is low and would lead to a very dark bedroom.

The proposed conversion of the shed into a home office/studio seems ambitious. Whilst it may be possible, the building might be better served as a storage space for garden tools and bikes etc as this is not indicated on the plans.

There is no landscape plan provided. This should demonstrate how the soft and hard surfaces will be treated and planted up and how the boundaries, gates or fences (if any) will be laid out. As the site is sensitive as a former farmyard and for its group value, this aspect is important to determine the subdivision of the site, and to limit the impact on the setting of the listed buildings and the Hamlet farm group.

In response to these issues the applicant states that there would be no impacts on the group, no changes to the physical boundaries on the site and that the applicant would accept the methodology is agreed by condition. Details of new doors and windows would also be needed as none are currently shown and large scale sections to show the mezzanine area and how it relates to the walls, floor and roof – to show if steel posts are to be used how they are secured to walls – brackets, dowls into pointing etc. Whether there is any interference with historic floors in order to install the concrete pads for them, whether there is any impact on historic tie beams in terms of fixing partitions or head height clearance, these details are needed as it would be unacceptable to insert joists into walls etc and this would be secured by condition.

There are no details for the Garden barn. This formed part of the previous application and it was understood it was to be linked to this site as an ancillary building. If this is to be excluded and retained separately, it is important to understand how this will work and be used, in relation to the Stone Barn and Rose barn. The Surveyors report emphasises the need to re-use historic buildings to give them a purpose and to be viable, yet there is nothing provided on this building at this time. As it is a Grade II\* listed building, and forms part of this historic group, it is important and not unreasonable to request information about proposals for this building, and what if anything is planned for it at this stage.

It is noted that some repairs are currently underway on site. A large area of the southern wall of the Stone Barn has been repointed. In view of the extent of this work, ie. not just a small patch repair, but a large area of repointing, this item of work should also be included within this application. Details of the mix and approach towards repointing can be included in the Methodology listed earlier.

No harm would result in terms of the impact on the significance of the designated heritage asset. This conclusion has been reached having regard to: (1) section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 that requires special regard to be paid to the desirability of preserving or enhancing the significance of heritage assets.

## 17.0 Conclusion

The conversion would safeguard the special interest of the listed building and not lead to loss of historic fabric. No harm would result in terms of the impact on the significance of the designated heritage asset.

## 18.0 RECOMMENDATION Grant, subject to conditions.

### CONDITIONS:

- 1                    The development hereby permitted shall be carried out in accordance with the following approved plans:  
  
                         Location & Block Plan - Drawing Number PL-1302-200B received on 29/08/2019  
                         Existing Elevations - Drawing Number S-1302-05C received on 29/08/2019  
                         Floor plans & Elevations - Drawing Number PL-1302-201B received on 29/08/2019  
                         Floor Level - Drawing Number PL-1302-202A received on 29/08/2019  
                         Garden Office Proposed Floor plans & Elevations - Drawing Number PL-1302-203A received on 29/08/2019

REASON: For the avoidance of doubt and in the interests of proper planning.

- 2                    The work to which it relates must be begun no later than the expiration of three years beginning with the date on which the consent is granted.  
  
REASON: This condition is required to be imposed by reason of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

- 3                    No development for the insertion of new doors and windows shall commence until a schedule and detailed sections (scale 1:10) of all new windows in the development has been submitted to and approved in writing by the Local Planning Authority. All windows shall be constructed of timber and shall be painted, but the schedule shall include additional information relating to (i) the method of opening, (ii) the depth of the reveal from the face of the wall and (iii) the product number where the window is supplied from a manufacturers standard range (copy of catalogue to be included). Thereafter, unless otherwise agreed in writing by the Local Planning Authority, the development shall proceed in strict accordance with such details as have been agreed.

REASON: To safeguard the special interest of the heritage asset.

- 5 No development above ground level shall commence until a scheme showing precise details of all vents, flues, meter boxes and letter boxes shall be submitted to and approved in writing by the Local planning Authority. The approved scheme shall be implemented before the development is occupied and shall be permanently maintained thereafter.

REASON: To safeguard the special interest of the heritage asset.

- 6 No development for the conversion internally shall commence until precise details of the steps to be taken and works to be carried out to secure the safety and stability of that part of the building to be retained, shall be submitted to, and agreed in writing by the Local Planning Authority. The approved steps shall remain in place for the full duration until completion of the works hereby approved.

REASON: To protect and safeguard the fabric of the building.

- 7 All new and replacement rainwater goods shall be painted cast metal of half round profile of a form to be agreed in writing by the Local Planning Authority before installation.

REASON: To safeguard the significance of the heritage asset.

- 8 All existing historic fabric (beams, roof structure, doors, windows, and flagstones) shall be retained in-situ.

REASON: To safeguard historic fabric and the significance of the heritage asset.

- 9 Before works for the conversion above ground level commence, a methodology relating to the careful restoration and sympathetic repair of the fabric of the building shall be submitted to and approved by the Local Planning Authority. The methodology shall state the method, materials and measures for restoration and repair including any repointing, insertion of the mezzanine, stairs, floors, screens construction, breaking through and making good and internal walls. The conversion shall be carried out in accordance with the approved methodology.

REASON: To safeguard historic fabric.



## 1.0 Application Number – [2/2019/0151/TECHD](#)

**Site address:** Land West Of Luton Mews, Shorts Lane, Blandford Forum, Dorset, DT11 7GE

**Proposal:** Technical Details Consent on a site that has been granted Permission in Principle 2/2018/0889, to erect 9 No. flats, retain 6 No. parking spaces and create 9 No. cycle spaces. Carry out ancillary works in association with this.

**Applicant name:** Blandford Forum Limited

**Case Officer:** Hannah Smith

**Ward Member:** Cllr. Lacey-Clarke, Cllr. Quayle

**REASON APPLICATION IS GOING TO COMMITTEE:** At request of Head of Planning.

## 2.0 Summary of Recommendation: GRANT subject to conditions

## 3.0 Reason for the recommendation:

- This is a vacant site within the town centre of one of the most sustainable settlements in North Dorset.
- The development would bring forward smaller units of accommodation of which there is a significant need within the local area.
- The development of the site would enhance the appearance of the Conservation Area, and would not harm the setting of nearby listed buildings.
- The amenity of surrounding land users would be safeguarded at an acceptable level.
- There is no highway safety concern and the highway impact of the proposal cannot be considered to be severe.

## 4.0 Table of key planning issues

Issue	Conclusion
Principle of development	The site is located within the settlement boundary of Blandford Forum. Therefore, the principle of providing dwellings in this location is acceptable as it would comply with the spatial distribution of development which is contained within Policy 2.

	Permission in Principle has been granted for 6-9 dwellings.
Setting of heritage assets, the site is within the Blandford Conservation Area and within the setting of grade II listed buildings.	The proposal would not result in any harm to the significance of heritage assets. The development is considered to enhance the appearance of the Conservation Area.
Amenity	The development would not give rise to unacceptable overlooking, overbearing or overshadowing.
Highway safety, access and parking	There would be no harm caused to the highway network. Sufficient parking would be provided. There is no highway objection.
Landscaping	There would be no loss of trees and a landscaping condition would ensure that planting is incorporated into the development. A green wall is proposed on the southern elevation facing 14 River Mews, this is considered to be an attractive feature.
Economic and Social Benefits	The proposal would create construction jobs during the construction phase and provide 9 units of residential accommodation in a sustainable location.

## 5.0 Description of Site

The site is located in the town centre of Blandford, behind the Crown Hotel and the High Street. It is therefore located in a highly sustainable location, in which the principle of development is acceptable.

The site is accessed from Shorts Lane and is on the junction of Shorts Lane and Luton Mews. The site is located between the alleyway leading to West Street and the public right of way through the Crown car park, it is vacant and overgrown. An area of informal parking, which is not marked out, is located at the rear of the site, adjacent to 7 Luton Mews. The site is slightly elevated above the level of the car park of the Crown Hotel. The site has temporary boarding along the street to

Shorts Lane and there are no other boundary treatments. Boundary treatments in the area generally comprise of brick walls and brick and flint enclosures. The Stables and Old Garden Cottage are located to the north of the site. Properties in River Mews are located to the west and southwest of the site.

The site is located within the Blandford Conservation Area and within the setting of listed buildings, notably the imposing Crown Hotel which is grade II listed. In terms of historic interest within the site, there are some old cellars that are left from when pre existing buildings were demolished.

## **6.0 Description of Development**

The site is on the Council's Brownfield Register Part 1. Permission in principle has been granted for the erection of to 6-9 units of accommodation. This application is for approval of technical details. Whilst the permission in principle application was limited in scope to the consideration of the location, land use and amount of development, the technical approval is treated in the same way as a planning application.

## **7.0 Relevant Planning History**

Application: 2/2002/0761

Proposal: Erect 4 No. dwellings with garages, create vehicular and pedestrian access

Decision: Approve

Decision Date: 03.01.2003

Application: 2/2009/0981/PLNG

Proposal: Construct temporary car park

Decision: Approve

Decision Date: 20.01.2010

Application: 2/2018/0889/PIP

Proposal: Permission in principle to erect between 6 to 9 residential units

Decision: Grant Permission in Principle

Decision Date: 28.08.2018

## **8.0 List of Constraints**

Conservation Area - The Blandford Forum Conservation Area

Settlement Boundary - Name: Blandford Forum

## **9.0 Consultations**

All representations can be viewed in full on the website.

**Blandford Forum Town Council**

Consulted on the 14 February 2019, their comments dated 26 February 2019 are as follows:

The Town Council objects to the application for the following reasons:

- Overdevelopment
- Concerns over highways issues and public safety
- Concerns over suitable access for emergency vehicles
- Loss of amenity
- Loss of light
- The development is not fitting within the Conservation Area.

**Conservation Officer South**

Consulted on the 14 February 2019, their comments dated 15 April 2019 are as follows: Support subject to conditions.

**Tree Officer South**

Consulted on the 14 February 2019, their comments dated 22 July 2019 are as follows: No objection subject to conditions.

**County Archaeological Office**

Consulted on the 14 February 2019 There was no response from this consultee at the time of report preparation.

**Transport Development Management**

Consulted on the 14 February 2019, their comments dated 26 April 2019 are as follows: No objection subject to conditions.

**10.0 Representations**

The 11 letters of objection contained the following summarised points:

- Effect on the Appearance of Area, out of keeping,
- Impact on Access, lack of parking
- Road Safety
- Traffic or Highways, exacerbate the, serious traffic and parking issues that already exist here and in adjacent roads
- Noise/Disturbance
- Overlooking/Loss of Privacy
- No residents had letter and the site notice was taken down
- Impact on Light, impact on solar panels
- Overdevelopment
- This development of flats in a small area will detract from that and damage the quality of life for existing residents

- The planned new development is at a higher density that is out of character with the existing surroundings
- Would cause considerable disruption and congestion both during and after the building works
- Lack of parking on Shorts Lane and this development will make this worse
- Access for larger vehicles is difficult
- Biodiversity
- Flooding Issues
- Landscape, trees
- Devalue properties
- Heritage
- Loss of view
- Site is prominent
- Boundary is disputed and includes an access to properties

## **11.0 Relevant Policies**

### **10.1 Blandford Neighbourhood Plan**

The Blandford + Neighbourhood Plan 2011 - 2033 has been submitted to Dorset Council for examination. An independent examiner is currently examining the plan. A hearing relating to the plan took place on the 12 November 2019. The inspector's report has not yet been published. There is no specific conflict with the draft Neighbourhood Plan in relation to this current proposal.

### **10.2 North Dorset Local Plan Part 1**

- Policy 1 - Sustainable Development
- Policy 2 – Core Spatial Strategy
- Policy 3 - Climate Change
- Policy 4 - The Natural Environment
- Policy 5 - The Historic Environment
- Policy 6 – Housing Distribution
- Policy 7 - Delivering Homes
- Policy 16- Blandford
- Policy 23 – Parking
- Policy 24 – Design
- Policy 25 – Amenity

1. 7 Dev. within Settlement Boundaries (saved policy from the LP 2003).

### **10.3 National Planning Policy Framework (2019):**

1. Introduction
2. Achieving sustainable development
4. Decision-making

- 5. Delivering a sufficient supply of homes
- 7. Ensuring the vitality of town centre
- 8. Promoting healthy and safe communities
- 11. Making effective use of land
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment
- 16. Conserving and enhancing the historic environment

Sections of the NPPF which are specifically relevant to this case:

Paragraph 78- to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.

Paragraph 148 – The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

In terms of heritage, section 16, paragraphs 184, 189, 190, 192 and 200 are relevant. Paragraph 184 states that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. Once they are destroyed, they cannot be replaced.

Paragraph 192 – In determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.

## **12.0 Human rights**

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property

This Recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

## **13.0 Public Sector Equalities Duty (standard text)**

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.

Arrangements would be made to ensure people with disabilities or mobility impairments are accommodated in order to comply with Building Regulations. The proposed development would result in the creation of 9 No. dwellings within a sustainable location which benefits from access to a range of facilities.

## **14.0 Financial benefits**

Jobs would be created during the construction stage.

Occupants would make use of local services.

The dwellings would generate council tax.

The proposal would contribute to the rural economy in terms of increased support for local businesses.

## **15.0 Climate Implications**

The dwellings would be designed to meet current building regulations which would help reduce the carbon footprint of the ongoing heating and running of the building.

## **16.0 Planning Assessment**

### **Principle**

Blandford is one of the largest towns in the north Dorset area. It is located on the River Stour, where the river runs through a gap in the Dorset Downs. To the south of the river is the smaller settlement of Blandford St. Mary, where the residential area clusters around the bridge and the Brewery.

This proposal would provide smaller units of accommodation comprising x3 two bed flats, x3 one bed flats and x3 studio flats. There would be a mix of larger flats and smaller units. There is a great need for this type of accommodation in the Blandford area. Currently, on the housing register in the Blandford area, there are 361 households in housing need. 149 of this identified need relates to the need for single person accommodation, people requiring studio accommodation or a 1 bedroom property. The highest level of demand is for smaller homes. This high demand for smaller properties is the same across Dorset. Those who are classed as having a lower level of need and those that can only bid for low cost home ownership are likely to be able to afford smaller entry level private housing, which forms part of this application.

The principle of developing the site with between 6-9 units of accommodation has been established through the grant of the application for Permission in Principle. In terms of location, the site is located within the defined settlement boundary. Saved Policy 1.7 of the Local Plan 2003 permits development within the defined settlement limits of the town. Policy 16, Blandford, of the Local Plan Part 1, seeks to maintain Blandford's role as the main service centre in the southern part of the former North Dorset district. Blandford has seen a significant amount of growth in recent years. However, this growth has not always been in locations that are accessible to the centre and facilities. A key aim of Policy 16 is to focus housing in accessible locations, particularly locations close to the town centre and other facilities.

The application site is located in a highly sustainable brownfield location, just off the main centre of Blandford Forum. This location provides easy access to facilities such as shops, health facilities and jobs. Occupiers of the development would not need a car as all facilities are within easy walking distance. With this in mind, the location of the proposal is considered to be acceptable.

The site has a previous planning permission for a temporary car park and for three town houses. The site is brownfield previously develop land. The proposal to develop the land for residential purposes has been established previously. The use would not lead to a loss of an employment use and policy 1.7 and 16 of the Development Plan support residential development in this location. In view of this, the proposed residential use of the site is considered to be acceptable.



Consequently, the development would not conflict with Policies 2, and 16 of the North Dorset District Plan, Part 1 and the Framework. These policies seek, amongst other things, to deliver new housing in sustainable locations where there is access to existing facilities.

### **Density and Layout**

The proposed development would make effective use of a brownfield site by providing 9 units of accommodation. There would be a shared amenity space which would have adequate space for bin storage and cycle storage. Soft landscaping is also proposed in this area.

Concern has been raised in relation to the amount of development that is proposed for this site. The housing mix includes two bed properties, one bed properties and studio flats. The floor area of the units with two bedrooms would be 68-62 sqm. This is comparable with the guidance which is contained within the Governments Technical Housing Standards – nationally described space standard. Whilst this guidance is not part of the development plan, it provides a useful benchmark. The flats with one bedroom would have a floor area of 33 sqm. This is slightly below the 37 sqm contained within the space standard documents. There is no guidance on studio accommodation in the space standards. Overall, the size of the units would provide sufficient sized accommodation and an adequate level of amenity for future occupiers of the flats. The efficient use of the site would also contribute to the continued vitality and viability of the town centre.

### **Design and Scale**

The approach of Policy 24 of the local plan, which relates to design, is to ensure that all developments improve the character and quality of the area within which they are located. This reflects national guidance in that good design is a key aspect of sustainable development and should contribute positively to making places better for people, and seek to enhance locally distinctive features.

The design of the block of flats is considered to reflect the ancillary and semi industrial nature of the sites location, adjacent to the listed Crown Hotel and its ancillary service yard with single storey buildings. The design of the proposed building with a double pile mansard roof, which takes reference from a number of buildings in the town, mansard roofs being a characteristic of Blandford on dwellings, but more commonly on rear service buildings, is considered to be locally distinct to Blandford and as such, it would reinforce local character. With this in mind, the design is not out of keeping with this back lane location and its neighbouring former ancillary buildings. In terms of the proposed materials, these are also in keeping both with the area and character of the proposed building. The window designs and shutters have also taken on board the warehouse style.

The sensitive and creative treatment of public and private spaces within and around a development is important. Development should promote the continuity of street frontages, reinforce existing spatial patterns and create new and exciting spaces with public and private areas clearly distinguished. In this instance, the proposal would enhance the appearance of the Conservation Area through the use of locally distinct design and materials. Public and private areas are clearly delineated and the design would create enclosure to the street.

The scale, massing and height of a proposal should be related to any adjoining buildings, the general pattern of heights in the area, views, vistas and landmarks. In this regard, the height of the proposal is considered to be commensurate with the buildings which surround the site. The stone parapet coping of the proposed block of flats would be slightly higher than the ridge of 14 River Mews. However in the street, the proposal would not appear visually dominant. The proposed roof arrangement would reduce the appearance of the overall mass of the building.

The richness of a building lies in its use of materials including their texture, colour, pattern and durability that contribute to the attractiveness of its appearance and the character of an area. In this instance, the proposal would use high quality materials such as the proposed brickwork which would be constructed in English Bond, with red brick stretchers and blue brick headers. This is a very attractive bond which is also locally distinct to Blandford. Brick types will be agreed in a sample panel to be built on site. Slate hanging is also traditional to Blandford. A materials and sample panel condition is recommended in line with the Conservation Officers comments. The proposed openings are carefully arranged so as to achieve the appearance of a traditionally detailed warehouse building.

A condition that relates to boundary treatments is recommended as the use of close boarded fence around the application site would not be supported. The use of walls as a means of enclosure is more locally distinct and would be more fitting within the Conservation Area and within the setting of listed buildings.

### **Impact on the Conservation Area and Setting of Listed Buildings**

The site lies within the Blandford Conservation Area and in close proximity to the Grade II listed Crown Hotel. It is also within the vicinity of the rear burgage plots and their generally listed ancillary buildings set behind West Street, Shorts Lane being the historic back land within the medieval planform.

Blandford, whose town core was rebuilt in one period 1731 - 1760, is the most complete and cohesive surviving example of a Georgian country town in England. This sub-area covers all the area affected by the 1731 fire which was subsequently rebuilt in addition to some peripheral areas which survived the fire. Within the area are eight Grade I Listed Buildings and six Grade II\* buildings.

The principal building materials are handmade plain clay tiles with stone or slate verges; brickwork, with headers for patterning and colour, for domestic properties and stone for the public buildings; ashlar or rusticated quoins; white painted sash windows. The buildings are designed in architectural styles typical for the period, and are carefully proportioned and decorated to achieve a particular effect.

The area is characterised by its low status plain ancillary appearance, with most properties abutting directly onto the road. The overall appearance is one of traditional form with the majority of building being two storeys. At present, the site is located between the alleyway leading to west Street and the public right of way through the Crown carpark, it is vacant and overgrown.

The proposed building would be two storeys with attics, and a double pile mansard design, which takes reference from a number of buildings in the town, mansard roofs being a characteristic of Blandford on dwellings, but more commonly on rear service buildings. As such, the design is not out of keeping with this back lane location and its neighbouring former ancillary buildings. The materials selected are also in keeping both with the area and character of the building. The window designs and shutters have also taken on board the warehouse style.

It is considered that the building is set far enough away from the Crown Hotel, as well as orientated gable end onto its service yard, now customer carpark not to be overly intrusive within its setting. In line with the original comments of the Conservation Officer, the proposed side elevations of the building were amended to add more interest with the addition of false windows and windows with obscured glazing. It is noted that the proposed building will be located across from the converted outbuildings, now known as Nos. 10-13 River Mews, however the principle of the position is not out of keeping with the area, where properties are situated close to the street edge and there is a sense of enclosure to this back lane.

As regards to the cellar, the DC Archaeologist has advised that it is of no great merit and it is therefore considered that some recording of the structure via photographs and drawings will be sufficient prior to any infilling.

Overall the scheme is considered to have taken on board the character of this back lane site and its front and rear elevations executed in a well thought out manner that respect the significance of the Conservation Area and the setting of listed buildings. In determining the proposals due consideration has been given to Section 16 (Paragraphs 190,192,193,194,195,196,200) of the NPPF, Section(s) 66/72 of the 1990 Act and Policy 5 of the Local Plan.

## **Amenity**

Policy 25 of the Local Plan and the NPPF seek to safeguard the amenity of existing and future occupiers of land and buildings. The dwellings are designed to limit the possibility of overlooking and overbearing. The amenity of the surrounding residential properties would be safeguarded at acceptable levels. There would be no unacceptable direct overlooking of private garden areas.

### *10-13 River Mews*

The development would be located immediately east of numbers 12 and 13 River Mews. The orientation of the buildings means that there would not be any significant overshadowing of these dwellings as they are located to the north west. New openings would face towards River Mews, however, this would be across the public highway. Furthermore, openings on the terrace opposite are mainly limited to those serving stairwells and bathrooms.

### *14 River Mews*

14 River Mews is a detached dwelling, located to the south of the application site. It has an enclosed garden area which would be located immediately adjacent to the proposed block of flats. There are no openings proposed that would overlook this dwelling and overshadowing is not an issue due to the orientation of the site to the north. The proposed window openings on the side elevation which faces towards 14 River Mews would be obscured, this is identified on the planning drawings and a condition is recommended. Concerns were raised in relation to possible overbearing. A green wall is proposed on the side elevation of the proposal which faces the Crown car park, which would provide visual relief and appear as an attractive feature within the Conservation Area.

Where development is proposed, the impact on the immediate neighbouring properties should be given careful consideration. Developments can often be overbearing in scale when considered against their immediate neighbours. In addition, developments can be poorly designed overlooking adjacent properties or in close proximity to neighbouring properties. In this instance, the amenity of the private garden area of 14 River Mews would not be adversely impacted, as the garden area would remain very open to the east and west. Therefore the garden area would not feel hemmed in by the development.

### *Luton Mews*

The terrace of dwellings that comprise Luton Mews are located gable onto the application site to the east. Number 7 Luton Mews is located adjacent to the site. Sufficient distance would be retained between the application site and Luton Mews and there are no windows on the side elevation of this property.

### *The Stables*

The Stables is located to the north of the application site at a distance of approximately 17 metres. There would be no overlooking of this property. Nor would the proposed building be overbearing. Due to the orientation of the dwelling to the application site, any overshadowing would relate to the parking and drive area of the dwelling. A garage outbuilding is located along the boundary of this property which would already result in some shading.

### *Old Garden Cottage*

The proposed block of flats would be located a sufficient distance from Old Garden Cottage to avoid any adverse impact in respect of this properties amenity.

## **Highways and Parking**

Many of the objectors have complained in relation to highway impact. However, the Highway Authority has no concerns in respect of matters of highway safety. Small units of accommodation are not required to provide dedicated parking in this location due to the sites sustainable and accessible location. Parking is limited in the immediate area although there is an option to by residents permits for town centre car parks. Six spaces would be provided in to serve the development which is in excess of the policy requirement.

It should be noted that the site is in a very sustainable location. Providing parking where it is not required runs contrary to the required approach to climate change which requires a greater reliance on sustainable forms of travel. In relation to cycle provision, 9 cycle spaces would be provided.

In view of the 6 parking spaces which would be available to the 9 units of accommodation, the size of the units proposed, and the town centre location, there would be no highway harm as a result of the proposed development.

## **Flooding and Drainage**

The site is located in flood zone 1 and is at a low risk of flooding. The site abuts flood zone 2, but there are no flooding concerns that are applicable to this site.

In terms of foul drainage, the existing provision along Short's Lane and Luton Mews is sufficient to serve the proposal. It is shown on DLS Plan 2391-0918. The connection is shown on Drawing PA06C. Surface water disposal would be by onsite soakaways as shown on Drawing PA06C. Approval would be subject to building regulations.

## **Ecology**

An ecology condition is recommended to ensure that the ecology enhancements are secured. The Biodiversity Mitigation & Enhancement Plan has been approved by Dorset's Natural Environment Team. This includes enhancements which are shown on Drawing PA03B and include bat and bird boxes.

## **Trees and Landscaping**

There are no trees of any significance on this site. A planting condition is recommended. This would ensure that the soft landscaping and the green wall are carried out in full. No specimen trees were located on site and the self-seeded vegetation is of low quality. The Site was cleared outside of the bird-nesting season in liaison with the Tree Officer.

A concern was the view from 14 River Mews to the western elevation of the proposed development. Following a site meeting a solution to this issue has been reached. A freestanding wire framework to a height of 2/3rds of the height of this elevation would be used with climbing plants able to use it as support.

Ideal plants that were considered included rambling roses and wisteria. Ultimately the intention is to provide an attractive foil to the development and this could be readily achieved as detailed above subject to a sufficient water and nutrient availability from a large enough planting area. The use of simple or open cup roses would assist in providing nectar and pollen for insects and attractive hips for birds in autumn. Ideally the roses chosen should be disease resistant preferably with a Royal Horticultural Society (RHS) Award of Garden Merit (AGM). Condition 8 relates to this requirement.

## **Archaeology**

The remains of cellars contained within the site have been assessed as not being of great historical value. The applicant states that an attempt was made to drag out and fill the cellars. Part of the roof is missing and partially replaced with a concrete slab. As a result, much of the remnant is unstable. In view of this, a condition is considered appropriate in this instance to ensure that any archaeology of significance is properly recorded during the construction works.

## **Other issues**

A contaminated land condition is not considered necessary in this instance. There has been no former use of the site that would indicate that contamination is an issue.

## **17.0 Conclusion**

The proposal would bring forward 9 units of accommodation in a sustainable location. The impact of the proposal on the Conservation Area and on the setting of listed buildings would be positive.

The NPPF states that decisions should apply a presumption in favour of sustainable development. For decision-taking, this means approving development proposals that accord with an up-to-date development plan without delay. There are three strands of sustainable development, an economic objective, a social objective, and an environment objective. As there is no identified harm to heritage assets in this instance and the proposal would enhance the appearance of the Conservation Area, the presumption in favour of sustainable development applies.

The NPPF recognises that residential development often plays an important role in ensuring the vitality of centres and encourages residential development on appropriate sites. This is backed up in the local plan as policy 16 states that town centre regeneration should embrace a range of town centre uses, not only retail and commercial but community and leisure as well as residential uses, and should be encouraged.

In terms of benefits, the proposal would secure a contribution to the local housing supply of 9 dwellings. It would also make a positive contribution to the Conservation Area and to the setting of listed buildings which surround the site. There would also be some economic benefits, both from the construction of the homes and subsequent occupation, which would result in support for local facilities. There are no adverse impacts that have been identified, the sites location is sustainable and the effect on living conditions of neighbours would be acceptable.

## **18.0 RECOMMENDATION** Grant, subject to conditions.

### **CONDITIONS:**

1. The development hereby permitted shall be carried out strictly and only in accordance with the following approved drawings and details:  
PA00, PA01, PA02A, PA04A, PA05, PA06C, PA07, PA08, PA09, PA18C,  
forming the approved application.  
Reason: For the avoidance of doubt and to clarify the permission.

2. No development above foundation level of the flats hereby approved shall commence until samples of materials to be used in the construction and finish of the block of flats; shall be made available on site and retained in that location thereafter for the inspection and approval of the Local Planning Authority. Any such samples shall require approval to be obtained in writing from the Local Planning Authority and the development shall thereafter accord with the approved materials.  
Reason: To safeguard the character of the locality.
3. Prior to the commencement of construction of any external wall of the development hereby permitted, a sample panel measuring at least 1 metre by 2 metres, using the approved brick to include blue headers and demonstrating the proposed coursing, mortar mix and pointing detail, shall be constructed on site. Construction of the development hereby permitted shall not commence until the sample panel has been approved in writing by the Local Planning Authority, thereafter, the panel shall remain on site until the external walls of the flats have been constructed to eaves height and the development shall be carried out in full accordance with the approved panel  
Reason: To safeguard the character of the locality.
4. No development above foundation level of the flats hereby approved shall commence until large scale details of the eaves, verges, lintels, windows, doors, and cladding shall be submitted to the local planning authority for approval in writing. The development shall thereafter accord with the approved details.  
Reason: To safeguard the character of the locality.
5. Prior to the erection of any new boundary, precise details of the boundary treatment shall be submitted to the local planning authority for approval in writing. The details shall include brick walls and include details of the materials, bond, coursing and mortar. The development shall be carried out in accordance with the agreed details and there shall be no further enclosures erected other than those approved.  
Reason: To safeguard the character of the locality.
6. Before the development is occupied or utilised the turning and parking shown on Drawing Number 12-173 PA06 Rev C must have been constructed. Thereafter, these areas must be permanently maintained, kept free from obstruction and available for the purposes specified.  
Reason: To ensure the proper and appropriate development of the site and to ensure that highway safety is not adversely impacted upon.



7. Before the development is occupied or utilised the cycle parking facilities shown on Drawing Number 12-173 PA18 must have been constructed. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.  
Reason: To ensure the proper construction of the parking facilities and to encourage the use of sustainable transport modes.
8. No development above foundation level shall take place until a landscaping scheme for a climbing plant border to the western elevation of the site has been submitted to and approved in writing by the Local Planning Authority. This specification should include detail of the proposed framework to support the plants, planting methodology, and post planting maintenance. Thereafter this screen planting shall be implemented in full in the first planting season following commencement of development and before the first occupation, or within such other time as may be approved with the Local Planning Authority in writing beforehand. The screen planting shall be maintained in accordance with a maintenance schedule which shall first be approved in writing by the Local Planning Authority and any trees or shrubs which are removed or found to be dead, dying or diseased shall be replaced with similar species during a period of five years following the completion of the screen planting scheme.  
Reason: In the interests of the amenities of the area.
9. All rainwater goods shall be constructed of metal, with a black painted finish.  
Reason: To safeguard the character of the locality.
10. No development above foundation level of the flats hereby approved shall commence until details of all external flues and vents shall be submitted to the local planning authority for approval in writing. The development shall be carried out in accordance with the approved details and there shall be no further vents or flues installed on the building. There shall be pipe work installed on the exterior of the building.  
Reason: To safeguard the character of the locality.
11. No development above foundation level of the flats hereby approved shall commence until precise details of the lantern light shall be submitted to the local planning authority for approval in writing. The development shall be carried out in accordance with the approved details.  
Reason: To safeguard the character of the locality.

12. No development shall take place until the applicant or their successors in title have made arrangements for archaeological observation and recording to take place during any period of demolition and/or development. Details of those arrangements shall be submitted to and approved in writing by the Local Planning Authority, at least one month before any work commences on the development site. The observations and recording shall be carried out as approved.  
Reason: To safeguard and/or record the archaeological interest on and around the site.
13. The Biodiversity mitigation measures set out in the approved Report approved January 2019 shall be implemented in full in accordance with the timetable set out in the report, or in the absence of a specific timetable, prior to the development hereby approved being first brought into use and the site shall thereafter be maintained in accordance with the approved mitigation proposals.  
Reason: To ensure adequate habitat is provided and subsequently protected to ensure adequate protection for important habitats and species is secured.
14. The window openings in the side elevation to the Crown car park and the side elevation to Luton Mews shall be obscured glazed prior to first use of the building hereby permitted and shall be subsequently permanently retained in that condition.  
Reason: To safeguard residential amenity.
15. No occupation of the development shall commence until precise details of all tree, shrub and hedge planting (including positions and/or density, species and planting size) shall be submitted to and approved in writing by the Local Planning Authority. Planting shall be carried out before the end of the first available planting season following substantial completion of the development. In the five year period following the substantial completion of the development any trees that are removed without the written consent of the Local Planning Authority or which die or become (in the opinion of the Local Planning Authority) seriously diseased or damaged, shall be replaced as soon as reasonably practical and not later than the end of the first available planting season, with specimens of such size and species and in such positions as may be agreed with the Local Planning Authority. In the event of any disagreement the Local Planning Authority shall conclusively determine when the development has been completed, when site conditions permit, when planting shall be carried out and what specimens, size and species are appropriate for replacement purposes.  
Reason: In the interests of continued visual public amenity.

**1.0 Application Number – [2/2019/0613/HOUSE](#)**

**Site address:** Wyke Cottage , Wyke Road, Gillingham, SP8 4NH

**Proposal:** Erect two storey extension (demolish existing conservatory).

**Applicant name:** Mr & Mrs Smith

**Case Officer:** Ms Charlotte Haines

**Ward Member:** Cllr David Walsh; Cllr Belinda Ridout

**REASON APPLICATION IS GOING TO COMMITTEE:** At request of Head of Planning.

**2.0 Summary of Recommendation:** APPROVE subject to conditions

**3.0 Reason for the recommendation:**

- The proposed extension does not detract from the visual amenity and character of the Wyke Conservation Area.
- The proposed extension is of a suitable scale, design and materials that respect the character and appearance of the host dwelling and neighbouring building and area.
- The proposed extension would not be detrimental to the amenity of neighbouring properties.

**4.0 Table of key planning issues**

Issue	Conclusion
Design and Impact on Wyke Conservation Area	The proposed extension would respect the character and appearance of the host dwelling and the wider Wyke Conservation Area. There would be no harm caused to designated or non designated heritage assets as a result of the development.
Amenity	The proposed extension would not be detrimental to the amenity of neighbouring properties.

**5.0 Description of Site**

Wyke Cottage is a semi-detached two storey house that is situated on the southern side of Wyke Road and on a corner plot to the west of the junction with Milestone Way. Wyke Road is the main thoroughfare through Wyke, a residential

area to the west of Gillingham. Wyke Road is flanked on either side by a various houses of different styles and age. The semi-detached dwellings immediately front onto the pavement flanking Wyke Road.

The site lies just within the Wyke Conservation Area and is highly visible within public views along Wyke Road. Wyke Cottage along with the adjoining Apple Grove House are locally important buildings as identified in the Gillingham Neighbourhood Plan.

The conservation area appraisal describes the area of Wyke as comprising:-

"The western suburb of the town of Gillingham. It sits between the historic rural settlement of Wyke and the town centre of Gillingham. Wyke Road (B3081 to Wincanton) is the main axial route through the area. Large late 20th century housing estates have developed to the north and south of the historic street frontage. The conservation area is bounded to the north by Wavering Lane and to the South by Common Mead Lane."

Wyke Road is identified as one of four historic roads/lanes which radiate from the centre of Gillingham. The conservation area goes onto state that "between these historic lanes are a series of curvilinear roads which link them together and give access to the extensive areas of suburban housing estates throughout the area."

Given its frontage onto Wyke Road, the site sits along the historic street frontage with Milestone Way forming a road leading to the late 20th century housing estates to the south.

The application property is one of the semi detached dwellings which were constructed at the latter part of the 19th century and early 20th century as noted by the conservation area appraisal which states that these dwellings use "typical forms and detailing from the period including some with references to the Arts and Crafts movement of the 19th and early 20th centuries."

The semi-detached dwelling is part rendered and part red brick under a tiled roof. The dwelling has been extended over time and this has led to a irregular and mixed arrangement of built and roof forms.

The semi-detached dwellings comprise of a double dual pitched roofs on an east/west axis resulting in a double gable end facing towards Milestone Way. A two storey extension extends from the side of the front element of Wyke. The dual pitched roof over the two storey extension is at a north/south axis resulting in a gable end facing onto Wyke Road. Consequently, when viewed from Milestone Way to the east, the gable end of the rear element of the dwelling and the gable end of the extension are perpendicular to one another. A conservatory is currently positioned between these two gables.

Given its situation on a corner plot, the dwelling sits at the north western corner with the remainder of the plot to the rear and side consisting of gardens and an area of driveway. The majority of the site is bounded by high brick red walls to the north and east. The remaining boundaries to the south and west with the neighbours consist of a high close boarded timber fence and planting. A single storey garage is located at the south eastern corner of the plot.

## 6.0 Description of Development

The proposal is to demolish the existing conservatory and erect a two storey gable extension. However, it should be noted that the proposed extension is one and half storey in height with the first floor accommodation set into the roof space. The proposed extension would link the gable end of the rear element of the dwelling (to the west) and the gable end of the two storey addition (to the north) which are perpendicular to one another.

The proposed extension would comprise of a gable projection from the east elevation of the rear element of the dwelling and the southern elevation of the two storey addition. The proposed extension would measure 4.1 metres by 6 metres and approximately 4.3 metres to the eaves and 5.5 metres to the ridge. The proposed extension would have a dual pitched roof.

## 7.0 Relevant Planning History

Application No.	Application Description	Address	Decision
2/2005/0095	Erect single storey extension to garage to form store	Wyke Cottage FUL	Approved
2/1994/0163	Erect garage	Wyke Cottage FUL	Approved

## 8.0 List of Constraints

Conservation Area - The Wyke Conservation Area

## 9.0 Consultations

Gillingham Town Council: Objection

- The proposal is considered to be overbearing;
- The proposed two storey extension detracts from the main building;
- The design is not in keeping with the character of the Conservation Area;
- The proposed irregular ridge-line is considered to be damaging to the character of the property.

**10.0 Representations**  
There were no letters of representation.

**11.0 Relevant Policies**

**North Dorset Local Plan - Part 1 (2016)**

Policy 1 - Sustainable Development

Policy 2 - Core Spatial Strategy

Policy 5 - The Historic Environment

Policy 17 - Gillingham

Policy 24 - Design

Policy 25 – Amenity

**Gillingham Neighbourhood Plan 2016-2031 (adopted July 2018)**

Policy 24 - Plots and buildings

Policy 27 - Locally Important Buildings

**National Planning Policy Framework (2019)**

1. Introduction
2. Achieving sustainable development
4. Decision-making
12. Achieving well-designed places
16. Conserving and enhancing the historic environment

**Supplementary Planning Guidance**

Wyke Conservation Area Appraisal

**12.0 Human rights**

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property

This Recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

**13.0 Public Sector Equalities Duty (standard text)**

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people

- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.

Arrangements would be made to ensure people with disabilities or mobility impairments are accommodated in order to comply with Building Regulations.

#### **14.0 Financial benefits**

Jobs would be created during the construction stage.

#### **15.0 Climate Implications**

The extension would be designed to meet current building regulations which would help reduce the carbon footprint of the ongoing heating and running of the building.

#### **16.0 Planning Assessment**

##### **Design and Impact on Character and Appearance of Conservation Area**

The application site is highly visible from the adjoining Wyke Road which forms the main historic road through Wyke Conservation Area. The application site forms a corner plot between Wyke Road and Milestone Way, curvilinear roads which leads to a suburban housing estate to the south. Furthermore, the dwelling on elevated ground in relation to the road.

The conservation area appraisal notes that this part of Wyke is characterised by semi detached dwellings which were constructed at the latter part of the 19th century and early 20th century. These dwellings are typically constructed of a mix of rough render and red brick walling beneath plain clay tiled and natural slate roofs with red brick chimneys.

The application building is an example of this type of dwelling and forms part of the historic frontage onto Wyke Road and as such is considered to positively contribute to the character and appearance of the conservation area. The conservation area appraisal states that "any extension or addition should reflect the design, form, materials, textures and finishes of the existing building. In general, extensions should be subservient to the original building and not dominate or compete in visual terms with that building".

The building is identified as a locally important heritage asset which Policy 27 of the Neighbourhood Plan seeks its protection and enhancement.

Policy 24 of the Neighbourhood Plan requires new development to be of a high design quality that respects the qualities and character of nearby buildings and the area (and key buildings) in which it is situated. It advises that new development should not exceed the height or massing of existing buildings in the immediate locality.

Given the above, any extension to the dwelling would need to be sympathetic in scale, design and materials.

The existing dwelling on the site is comprised of three different built sections of varying roof orientations and pitches. The proposed extension would itself link two of the built sections which are of differing roof orientations. The proposed extension has a gable roof which adopts the same orientation as rear element of the dwelling. The proposed extension is set down in height in relation to the roof heights of the three built sections which form the host dwelling. The eaves and ridge height of the proposed extension would be approximately 1.2 metres lower than the eaves and ridge height of the existing dwelling. The proposed extension will have a matching roof pitch.

The proposed extension is recessed back from the eastern elevation of the two storey addition to the north and the southern elevation of the two storey rear element of the dwelling. Consequently, the extension is set within the space between these two built elements of the dwelling where the existing conservatory is situated. The proposed extension would therefore not significantly extend the size of the dwelling and as such would preserve the spatial characteristics of the plot.

When viewed from further along Milestone Way to the south of the site, the south facing roof slope of the extension would be visible above the roof covering over the garage. The roof slope over the extension would be read in relation to the higher roof slope of the main dwelling further to the west and the gable end of the two storey extension to the north. This relationship is shown on the south elevation. However, due to its two storey height and the width of the roof slope, the gable end would be largely concealed from views. From views to the north along Wyke Road, the existing two storey addition would largely conceal the proposed extension from views. The only element of the extension that would be visible would be a small part of the northern roof slope. However, it is not considered that this would detract from the character and appearance of the dwelling when viewed from Wyke Road.

As noted above, the proposed extension is set down in height in relation to the two storey elements of the dwelling immediately to the north and west. The dwelling already possesses an irregular arrangement of built and roof forms due to its composition of three sections of varying roof orientations and pitches. It is



therefore considered that the proposed extension with roof orientation at variation to the adjoining addition to the north would be in keeping with this arrangement.

The proposed extension would be constructed of materials to match with those of the existing dwelling which consist of red brick at the lower wall and render above. This would ensure that the extension ties in with the dwelling including the two storey element to the north. It is, however, considered necessary to apply conditions requiring submission of samples of materials in order to ensure these closely match in colour and finish with the materials of the original dwelling which are characteristic of the Conservation Area as set out in the appraisal.

For the reasons set out above, it is considered that the proposed extension is sympathetic to the host dwelling and would read as a subservient addition. It is therefore considered that the proposed extension would not undermine the contribution that the dwelling makes to the character and appearance of the conservation area.

The proposal is considered to preserve the character or appearance of the conservation area. No harm would result in terms of the impact on the significance of the designated heritage asset. This conclusion has been reached having regard to: (1) section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 that requires special regard to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. It is considered that the proposal would comply with Policies 24 and 27 of the Gillingham Neighbourhood Plan and Policies 5 and 24 of the North Dorset Local Plan.

### **Amenity**

The proposed two storey extension is set away from the boundaries with neighbours and would infill a space closest to the dwelling. It would not project any closer to the neighbouring properties to the south than the rear elevation of the existing dwelling.

Due to being a corner plot, there are no neighbours that would be affected by the proposed extension to the east. It is therefore considered that the proposed extension would not have an overbearing impact on neighbours nor would it result in any harmful overlooking.

The proposed development would not have a significant adverse impact on the living conditions of occupiers of residential properties.

## **17.0 Conclusion**

The proposed extension has been designed to be subservient to the main dwelling in terms of its modest scale and resulting height lower than the main dwelling roof, position and matching materials. Consequently, it is considered that the proposed extension would not cause harm to the significance of a designated Conservation Area. It is considered that the proposal would comply with Policies 24 and 27 of the Gillingham Neighbourhood Plan and Policies 5 and 24 of the North Dorset Local Plan.

The proposed development would have not have a significant adverse impact on the living conditions of occupiers of residential properties and would comply with Policy 25 of the North Dorset Local Plan.

## **18.0 RECOMMENDATION** Grant, subject to conditions.

### **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.  
Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).
2. The development hereby permitted shall be carried out strictly and only in accordance with the following approved drawings and details: GMA-155-03, GMA-155-02A forming the approved application.  
Reason: For the avoidance of doubt and to clarify the permission.
3. No development hereby approved shall commence until samples of materials to be used in the construction and finish of extension hereby approved; shall be made available on site and retained in that location thereafter for the inspection and approval of the Local Planning Authority. Any such samples shall require approval to be obtained in writing from the Local Planning Authority and the development shall thereafter accord with the approved materials.  
Reason: To safeguard the character of the locality.