



Northern Area Planning Committee

Date: Tuesday, 22 October 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 Pothecary, Belinda Ridout and David Taylor

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

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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 - 18

To confirm the minutes of the meeting held on 17 September 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](#).

a Application number: 2/2019/0009/FUL - Stickland Farm House, 9 West Street, Winterborne Stickland, DT11 0NT

19 - 40

Convert 2 No. outbuildings into 1 No. residential dwelling and 1 No. gallery/exhibition use with residential use.

b Application number: 2/2018/1829/FUL - Crown Inn, High Street, Stalbridge, DT10 2LL

41 - 54

Make alterations to existing single storey skittle alley, demolish storage shed/garage and replace with pitched roof extension to form 1 No. apartment. Internal alterations to existing Inn to create 2 No. apartments and refurbish existing apartments.

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 17 SEPTEMBER 2019

Present: Cllrs Sherry Jespersen (Chairman), Mary Penfold (Vice-Chairman), Jon Andrews, Tim Cook, Les Fry (Arrived 14.30), Matthew Hall, Carole Jones, Bill Pipe, Val Potheary, Belinda Ridout and David Taylor

Apologies: Cllr Robin Legg

Also present: Cllr D Walsh

Officers present (for all or part of the meeting): Jessica Cutler (Snr Traffic Engineering Technical Officer), Enrico Dimarino (Community Highways Officer), Mike Potter (Road Safety Team Leader), Elaine Tibble (Democratic Services Officer), Robert Lennis (Planning Area Lead), Hannah Smith (Planning Area Manager), Lara Atree (Legal Services Manager) and Mike Garrity (Head of Planning)

36. Minutes

The minutes of the meeting held on 21 August 2019 were confirmed and signed as a correct record.

37. Declarations of Interest

Cllr Cook declared an interest in the Proposed Traffic Regulation Order - Church Lane and Lyons Walk, Shaftesbury as he had previously shown interest in the item. He did not take part in the debate and decision.

38. Proposed Traffic Regulation Order - Church Lane and Lyons Walk, Shaftesbury

The Senior Traffic Engineering Officer presented the application which proposed changes to parking restrictions in Church Lane and Lyons Walk, Shaftesbury. This followed a request to advertise the Order from Shaftesbury Town Council and support from Local Member Cllr D Beer.

Concerns had been received from local residents regarding parked cars causing obstructions and the inability of fire and rescue vehicles to manoeuvre around the corner of the two roads. Additionally, gas meter boxes on the highway were frequently damaged and access to the properties from the highway obstructed by parked cars.

The disabled parking bay would be exempt from the order to ensure parking facilities were available for those who needed them. If the disabled parking

bay was no longer required it would also be replaced with double yellows lines.

Cllr T Cook declared interest and took no further part in the discussion as he had already shown support for the scheme.

Oral representation in objection to the application was received from Ms A Sellers and Ms C Coward. They felt that a more measured approach should be considered, perhaps resident permit parking only as currently it was mainly those who worked in or visited the town who parked in the area. If fire engines needed access this could be achieved from Trinity car park. Residents needed parking for their cars, the car park charges were £600 a year with no free passes for residents.

Ms J Bradford and Cllr D Beer spoke in support of the order. Some residents favoured no waiting time at all. The roads were single track with houses on one side and church yard wall on the other with a tight bend and double yellow lines for a short distance. Gas meter boxes outside homes had been damaged and parked cars made it very difficult to navigate the road. Some residents were unable to exit their properties due to parked cars and there was the issue of access for emergency vehicles.

In response to Member questions the committee were advised that an emergency vehicle would be able to access the road if there was a car parked in the disabled parking bay. The bay had been put in for a resident in Lyons Walk but like all disabled parking bays in Dorset it could be used by anyone with a blue badge.

Members debated the circumstances whereby someone with a blue badge could park on the double yellow lines unless the area was designated as strictly no waiting.

There was parking available across the town but this was unaffordable. Some Members had sympathy with residents who would lose parking and would like to see some residents parking as a solution. The Road Safety Team Leader advised that if members wanted to suggest a new proposal, then the Traffic Regulation Order process would start again, as this would be considered as a new Traffic Regulation Order.

It was proposed by Cllr B Ridout and seconded by Cllr B Pipe

Decision: that Cabinet be recommended to approve the proposed waiting restrictions on Church Lane and Lyons Walk as originally advertised with a note to ask Cabinet to look at any possible improvements to include residents parking.

DT11 0LN,

The Area Lead (Major Applications – Eastern) presented the application to erect 25 dwellings with garages and vehicular access.

He explained that the application was being reconsidered due to the fact that the Planning Inspectorate issued their decision on an earlier application for residential development of 30 houses on this site, on the same day as the Planning Committee considered the current application for 25 houses. The appeal was dismissed, however the Inspector highlighted several issues which related directly to this committee's suggested reasons for refusal. The appeal was therefore a material consideration that needed to be taken into account in the decision making process.

The MSANP had been approved at referendum and should be given full weight as if it were part of the Development Plan for the Council.

The Inspector considered the most relevant NP Policies to the appeal were: MSA 1 (housing need) and MSA 14 (character) the context of which were explained to committee members

The Inspector had no particular problem with the design of the scheme for 30 units. The proposed development had been amended to address previous concerns raised with layout and density and the scheme has been reduced in the number of houses and parking spaces.

There were no objections from the Housing Enabling Officer in terms of layout and noted that the proposed affordable houses should be seen as an additional benefit of the scheme.

The proposed parking and layout were considered in the context of Milborne St Andrews by the Officer. The relationship of parking areas was not dissimilar. It was considered that the movement and parking of cars were a part of everyday life and the applicant had addressed the concerns raised previously about neighbour amenity.

The Officer also considered the proposal in light of the Site Assessment Criteria of the MSANP. In his opinion the application would not undermine the Neighbourhood Plan and was recommending it for approval.

Oral representation against the application was received from Mr J Mardell, Mr S Bulley and Ms J Witherden on behalf of the Parish Council. Their objections related to the number of alternative sites with planning applications pending in the area and felt there was no case for breaching the existing settlement boundary. A holistic approach should be taken, there had been a 48% increase of housing in the area and the previous application had been refused at appeal. It was felt that this application had been given undue prominence. Time had moved on since the Inspectors decision and he had not indicated that he would have approved the scheme for 25 homes. There was no current housing shortfall in the area.

Oral representation in support of the application was received from Mr R Lock, Ms S Maitland-Gleed and Ms S Southwood of Wyatt Homes.

The supporters believed the application met the criteria set out in the Neighbourhood Plan and was one of the four preferred sites for future development. Local schools and businesses were struggling and the area needed more families to support these facilities, the application site had been out of use for 20 years and there were many young people who would welcome the opportunity to buy homes in the village. Wyatt Homes had a good reputation in the village for building high quality sustainable homes.

In response to member questions, Planning Officers confirmed that full weight should be given to the Neighbourhood Plan as if it was part of the Development Plan.

With regard to what could be done to properties adjacent to the corner of the development to reduce noise and disturbance, the Area Lead (Major Applications – Eastern) suggested that a low boundary brick wall could deflect noise, as the number of parking spaces in the new scheme was reduced this would also allow for a good amount of landscaping and tree planting.

Proposed by Cllr B Ridout, seconded by Cllr C Jones that an additional condition be added to include both hard and soft landscaping to reduce any possible noise disturbance.

The addition of the heathland infrastructure would come forward as a benefit for community and dog walking, the other benefit of the scheme would be the affordable housing which would give some weight to balancing the benefits of the scheme.

The committee members debated the merits of the scheme and were advised that the additional speculative applications in the village were not part of the Neighbourhood Plan and numbers were still under negotiation. They felt it was important not to go against the spirit of the Neighbourhood Plan and the residents of the village, the Neighbourhood Plan allowed for the allocation of development on Green Field sites as long as it was sustainable. The land had not been used for 20 years, was currently waste land with no benefit as it was. Rural schools were struggling and more children and family houses were needed

Proposed by Cllr C Jones, seconded by Cllr L Fry

Decision: That the application be delegated to the Planning Manager to grant planning permission subject to securing planning contributions through the signing of a S106 agreement, the addition of a condition to ensure both soft and hard landscaping were incorporated in the scheme and the conditions outlined in the appendix to these minutes.

40. **Comfort Break 15.30 - 15.38**

41. **Application No: 2/2019/0351/FUL, Three Choughs Inn, West Street, Blandford Forum, Dorset, DT11 7AJ**

The Area Manager (Eastern) presented the application for the change of use and conversion of the ground floor and rear building to additional staff accommodation for the Crown Hotel, the creation of 3 parking spaces and demolition of the existing single storey rear outbuilding.

The application site was a Grade 2 listed building set within the settlement boundary of Blandford Forum, it was located in a high-risk flood zone and conservation area, surrounded by other listed buildings.

The ground floor had been vacant since 2009, the applicant had looked at alternative uses for the site and made extensive attempts to market the building at an appropriate price. The building was currently at risk so there was high importance to secure a use for it. There had been no objections in conservation terms. The building would be used to create three bedrooms, manager's accommodation and a kitchen, there were plans to restore the building and maintain original features

Although situated in a high-risk flood zone there were no objections from the Environment Agency as the building would be tied to the Crown Hotel and would provide accommodation for staff working at the hotel.

The Area Manager (Eastern) concluded the presentation with a summary of the relevant planning considerations.

Oral representation in objection to the application was received from Cllr Carter of Blandford Town Council. The Town Council was not opposed to increasing accommodation within the town, nor the demolition of the building at the rear of the site but they felt that this was a prominent building which would be more attractive for alternative uses. If permission was granted it could start a precedent whereby more primary and secondary shopping areas could be lost.

Mr N Jones the agent addressed the committee on behalf of applicant. The application had come to Planning Committee for consideration only because the Town Council had objected. The building had not been used for over a decade and would continue to deteriorate and be un-used. Hall and Woodhouse, the applicant, were long residents and employers in the town.

In response to member questions regarding plans to repair or decorate the outside of the building the applicant confirmed that they would be looking at repairing and decorating the outside of the building.

Members felt that it was important to bring the building back to life and this was a good scheme, there was sympathy with the Town Council but the overriding consideration was that the building could be put to good use and restored. They did not feel that the proposal would set a precedent and a

flexible approach should be taken to empty properties, local companies should be supported in providing accommodation for their staff.

Proposed by Cllr V Potheary and seconded by Cllr J Andrews.

Decision: that the application be approved subject to the conditions outlined in the appendix to these minutes, plus the addition of an informative note to the applicants to ensure the outside of the building was tidied up and decorated to bring it up to a standard that it merited.

42. **Application No: WD/D/19/001562, All Saints Ce Vc Primary School, Giles Lane, Bishops Caundle, Sherborne, DT9 5NQ**

The Area Manager (Eastern) presented the application for the replacement of existing temporary timber external changing rooms with new combined temporary timber clad changing room/storage unit. The application site was within the constraints of the school grounds and the principle was supported by policy COM6 of the adopted local plan. There was no detriment to neighbour amenity and no Highways concerns

The room height would be of similar proportion to the current timber sheds and there was a fair degree of separation from neighbours, if the application was moved just 1.5m from the boundary it would come under permitted development.

It was proposed by Cllr B Pipe and seconded by Cllr L Fry.

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

43. **Exempt Business**

There was no exempt business.

44. **Urgent items**

There were no urgent items.

Appendix

Duration of meeting: 2.00 - 4.08 pm

Chairman

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17 September 2019

Appendix

APPLICATION NUMBER: 2/2018/1240/FUL

APPLICATION SITE: Huntley Down, Milborne St Andrew, DT11 0LN

PROPOSAL: Erect 25 no. dwellings with garages, form vehicular access

DECISION: That the application be delegated to the Head of Planning to grant planning permission subject to securing planning contributions through the signing of a S106 agreement and conditions listed 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:

- Location and block plan (17161.79)
- Proposed Site Plan (17161.22)
- Plots 01 and 02 Plans and Elevations (17161.80)
- Plot 03 Plans and Elevations (17161.81)
- Plots 04 and 05 Plans and Elevations (17161.82)
- Plot 06 Plans and Elevations (17161.83)
- Plot 07 Plans and Elevations (17161.84)
- Plot 08 Plans and Elevations (17161.85)
- Plot 09 Plans and Elevations (17161.86)
- Plots 10 and 11 Plans and Elevations (17161.87)
- Plot 12 Plans and Elevations (17161.88)
- Plot 13 Plans and Elevations (17161.89)
- Plot 14 Plans and Elevations (17161.90)
- Plot 15 Plans and Elevations (17161.91)
- Plot 16, 17, 18 Plans and Elevations (17161.92)
- Plot 19, 20, 21 Plans and Elevations (17161.93)
- Plots 22 and 23 Plans and Elevations (17161.94)
- Plot 24 Plans and Elevations (17161.95)
- Plot 25 Plans and Elevations (17161.96)
- Single and Double Garages Plans and Elevations (17161.78)

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

3. Prior to occupation of any dwelling hereby approved, the access, geometric highway layout, turning and parking areas shown on drawing number 17161.22 shall have been constructed. Thereafter these areas shall be maintained, kept free from obstruction and made available for the purposes specified.

Reason: In the interests of highway safety.

4. Prior to occupation of the dwellings hereby approved a scheme showing precise details of cycle parking facilities shall be submitted to and agreed in writing by the Local Planning Authority. The agreed scheme must be constructed before first

occupation of any dwelling hereby approved and thereafter maintained and kept free from obstruction, and made available for the purpose specified.

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

5. Prior to commencement of any works on site, a Construction Traffic Management Plan (CTMP) shall be submitted to and agreed in writing by the Local Planning Authority. Amongst other relevant matters, the CTMP shall 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;

- contractors' site arrangement plan(s) (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 agreed Construction Traffic Management Plan.

Reason: In the interest of highway safety. In particular, 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.

6. No development shall take place until an Construction Environmental Management Plan (CEMP) based on the submitted Hydrogeological Risk Assessment and relevant to all phases of the construction of the proposed development, is submitted to and approved by the Local Planning Authority. The statement shall outline the potential impacts from all construction activities on both groundwater and surface water and identify the appropriate mitigation measures which shall then be implemented to the satisfaction of the Local Planning Authority. It shall include, but not be exclusive, to the following matters:

- a. Satisfactory arrangements for grit traps, sumps, oil interceptors (and sampling chambers) to restrict contaminants entering the groundwater system. These will require a regular maintenance and cleansing regime.

- b. storage and use of fuels and other chemicals on the site;

- c. all plant and equipment shall be checked each day for signs of leakage of fuel or other fluids and any equipment found to be leaking shall be removed from the site immediately; and

- d. design & management of on-site facilities including welfare units and vehicle washing etc, particularly in relation to disposal of waste water / effluent.

Reason: To minimise risk to groundwater and in the interest of public health

7. Prior to any development, details of maintenance and management of the foul and surface water sustainable drainage scheme shall be 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

details should include, an implementation schedule, 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 increased risk of flooding.

8. No development shall be commenced until a scheme for the disposal of foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. Thereafter, no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented.

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

9. Prior to occupation of the first dwelling, a detailed and finalised a sealed system of foul water drainage and surface water management scheme for the site during and post- development, based upon the hydrological and hydrogeological context of the development, shall be 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 substantially completed. In particular, the scheme shall demonstrate the proposal poses either no risk to groundwater and the aquifer(s) feeding the abstraction boreholes, or that any risk can be successfully mitigated.

Reason: To prevent groundwater infiltration into the foul sewer network affecting service levels to public sewer systems and to prevent any increased risk of flooding.

10. Prior to occupation of any dwelling hereby approved, an arboricultural method statement shall be submitted to and agreed in writing by the Local Planning Authority. The statement shall include, amongst other relevant details, the following:

- details of any proposed tree works;
- installation of temporary ground protection and/or fencing;
- construction methodologies for installation of new hard surfacing within the RPA of retained trees; and
- an auditable/audited system of arboricultural site monitoring, including a schedule of specific site events requiring input or supervision.

The development shall be carried out in accordance with the agreed method statement.

Reason: in the interest of public amenity and ecology.

11. Prior to occupation of any dwelling hereby approved 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 public amenity and ecology.

12. The applicant's Biodiversity Mitigation & Enhancement Plan dated 31/08/2018 (from Clare Bird and Adrien Meurer of Hankinson Duckett Associates) shall be implemented in full prior to occupation of the 25th dwelling hereby approved or within timescales to be agreed in writing.

Reason: To mitigate the potential adverse affects of the development on the local ecology.

13. Notwithstanding the details on the approved plans, samples of facing and roofing materials to be used in the construction of the dwellings shall be submitted to and agreed in writing by the Local Planning Authority. The development hereby approved shall thereafter be completed in accordance with the agreed details.

Reason: In the interest of good design and to maintain the character of the area.

14. Prior to the occupation of any dwelling hereby approved, details of the proposed LAP (in the location shown on the Proposed Site Plan (17161.22) shall be submitted to and approved in writing by the Local Planning Authority. Those details shall include, amongst other things, planting, layout, schedule of implementation, and future maintenance responsibilities.

Reason: In the interest of public amenity and ecology.

15. Prior to occupation of any dwelling hereby approved, a Heathland Infrastructure Project (HIP) shall be secured and made available in perpetuity for the purposes set out in the letter from Natural England dated 13 December 2018 to a standard the details of which shall be agreed in writing by the Local Planning Authority adjacent to the site or in an agreed alternative suitable location within the Parish of Milborne St Andrew.

Reason: In the interest of wildlife habitat and ecology.

16. Prior to occupation of any dwelling hereby approved, the details of hard and soft landscaping, including measure to mitigate the sound emanating from any communal parking area, shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: Landscaping is an import feature of the local character. Additionally, unmitigated sound coming from the development hereby approve could result in a detrimental harm to the neighbouring residents.

APPLICATION NUMBER: 2/2019/0351/FUL

APPLICATION SITE: Three Choughs Inn, West Street, Blandford Forum, Dorset, DT11 7AJ

PROPOSAL: Change of use and conversion of ground floor and rear outbuilding to additional staff accommodation for the Crown Hotel and create 3 No. parking spaces (demolish existing single storey rear outbuilding).

DECISION: That the application be approved subject to the conditions listed 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:

2CD01897 STPL - SITE PLAN REV A;

2CD01897 LPL - LOCATION PLAN;

2CD01897 03 - EXISTING GF PLAN;

2CD01897 04 REV C - PROPOSED GF PLAN;

2CD01897 05 - EXISTING & PROPOSED ELEVATIONS;

; forming the approved application.

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

3. The occupation of the dwelling hereby permitted shall be limited to a person solely employed in the Crown Hotel, Blandford Forum.

Reason: Permission has only been granted having regard to the need for a dwelling where unrestricted occupation would not normally be appropriate in the flood risk area.

4. Prior to the addition of cladding or brick infills, samples of materials to be used in the construction and finish of walls shall be made available on site and retained in that location thereafter for the inspection and approval of the Local Planning Authority. A sample panel of not less than 1m x 1m shall be constructed on site for comparison with the existing historic brickwork to demonstrate the brick bond; bricks; and mortar colour, texture and finish. 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. All subsequent brickwork shall match the approved sample panel, which shall remain on site until completion of the works

Reason: To safeguard the character of the locality and in the interests of the heritage Asset

5. Prior to the erecting of any fencing and boundary treatments, prior to the demolition of the courtyard infill and associated parapet wall, stairs, and all related structural works, and prior to the installation of any new hard surfacing; A precise scheme detailing the methodology, materials, details and finishes, shall be submitted to and approved in writing by the Local Planning Authority. All demolition shall be carried out by hand unless otherwise agreed in writing by the Local Planning Authority. The works shall proceed in accordance with the agreed details to the satisfaction of the Local Planning Authority.

Reason: To safeguard historic fabric, architectural interest and the significance of the heritage asset and its setting.

6. Prior to the installation of the external staircase, a precise scheme for the external staircase and all associated railings/ balustrading, flat roof surface and courtyard surfaces to include details of materials, design, colour, finish, method of fixing, shall be submitted to and approved in writing by the Local Planning Authority. The works shall thereafter proceed in accordance with the details as agreed to the satisfaction of the Local Planning Authority

Reason: To safeguard the character of the locality, and to safeguard the significance of the heritage asset and its setting.

7. Prior to the installation of any new or replacement external doors and windows, annotated scale drawings at a scale of 1:20 elevations and 1:5 cross-sections (both vertically and horizontally in the case of windows), to include details of framing profile, glazing type and thickness, colour of unit spacers, method of fixing glazing, glazing bar construction and profile, depth of reveal, window head sill construction and design, and joinery finish and method of opening, shall be submitted to and approved in writing by the Local Planning Authority. No trickle vents shall be employed. The works shall thereafter accord with the details as agreed to the satisfaction of the Local Planning Authority.

Reason: to safeguard historic fabric and significance of the heritage asset

8. Prior to first use or occupation of the accommodation hereby permitted, a Flood Warning Evacuation Plan shall be submitted to, and approved in writing by the Local Planning Authority.

Reason: To ensure the occupants of the site are adequately prepared and protected in the event of a flood event

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:

1. offering a pre-application advice service, and
2. 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:

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

2. Climate Emergency

Every effort should be made to demonstrate how development for the Council is addressing the 'state of Climate Emergency'. This means demonstrating as part of the planning application how the proposed development will be making improvements on our use of natural resources and reduction of pollution. In this particular case, a statement should be submitted prior to occupation of the

development hereby approved, however it is acknowledged that due to the constraints of the site being a designated heritage asset, it may not be possible to implement otherwise desirable sustainable features due to the listed status of the building.

3. Flood Warning Evacuation Plan

The applicant/developer is strongly advised to ensure that a Flood Warning Evacuation Plan is prepared for the occupants of the site. The provision of such a plan may help to protect life and property during a flooding incident. For commercial properties a Flood Warning Evacuation Plan should form part of the Health and Safety at Work Register maintained by the operator of the site.

4. Flood Resilience

In view of the potential flood risks in this locality, it is advised that the developer of this site gives consideration to the use of flood resilient construction practices and materials in the design and build phase. Choice of materials and simple design modifications can make the development more resistant to flooding in the first place, or limit the damage and reduce rehabilitation time in the event of future inundation. Detailed information on flood proofing and mitigation can be found by referring to the CLG free publication 'Improving the Flood Performance of New Buildings'.

http://www.planningportal.gov.uk/uploads/br/flood_performance.pdf

5. Right of Way

The attention of the applicant is drawn to the existence of a public Right-of-Way which crosses the site. This permission does not authorise any interference with or obstruction of the footpath. If the diversion or stopping-up of the path is desired, application should be made to Dorset Council, Tel 01305 224463 Email:

DefinitiveMapTeam@dorsetcouncil.gov.uk

APPLICATION NUMBER: WD/D/19/001562

APPLICATION SITE: ALL SAINTS CE VC PRIMARY SCHOOL, GILES LANE, BISHOPS CAUNDLE, SHERBORNE, DT9 5NQ

PROPOSAL: Replacement of existing temporary timber external changing rooms with new combined temporary timber cladded changing room/storage unit.

DECISION: That the application be approved subject to the conditions listed 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 in accordance with the following approved plans:
2023-01
2023-02

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

1.0 APPLICATION NUMBER: [2/2019/0009/FUL](#)

SITE ADDRESS: Stickland Farm House, 9 West Street, Winterborne Stickland, DT11 0NT

PROPOSAL: Convert 2 No. outbuildings into 1 No. residential dwelling and 1 No. gallery/exhibition use with residential use.

APPLICANT: Mr P. Wells

Case Officer: Christopher Poad

Ward Member(s): Councillor Andrew Kerby

2.0 Summary of Recommendation: GRANT, subject to conditions.

3.0 Reason for the recommendation:

- Para 14 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise.
- The location is considered to be sustainable and the proposal is acceptable in its design and general visual impact.
- There is not considered to be any significant harm to neighbouring residential amenity, heritage assets, the area of outstanding natural beauty or highway safety.
- There are no material considerations which would warrant refusal of this application.

4.0 Table of key planning issues

Issue	Conclusion
Principle of development	Local Plan Policy 29 'The re-use of existing buildings in the Countryside' discusses how the plan supports the re-use of redundant, disused or underused buildings subject to their permanency, status, merits and use. It is considered the proposed development would satisfy these characteristics and their re-use for residential and gallery/exhibition use would be compatible with surround land uses.

Scale, design, impact on character and appearance	First floor extension to the east building is considered to be modest and alterations to the external facing materials are considered to be sympathetic to the site and in-keeping with the locality.
Impact on amenity	The extension to the east barn is considered to be modest in scale and would not result in unacceptable levels of overshadowing. Window openings where proposed are considered to be sensitively located to safeguard amenity whilst also creating satisfactory living conditions. Where openings already exist it is considered pertinent that the glazing is conditioned to ensure they are of an appropriate finish.
Impact on landscape or heritage assets	The replacement of some external facing materials are considered to be appropriate given the location of the buildings within a conservation area and AONB. The extension to the east building is considered to be in scale with the main dwelling and surrounding buildings.
Economic benefits	Tourist accommodation supporting rural economy.
Access and Parking	The scheme would allow for adequate parking availability serving each building with additional parking provision for visitors. Access into the site remains as existing.

5.0 DESCRIPTION OF SITE

5.1 Stickland Farmhouse is a thatched Grade II listed Farmhouse dating from circa late C17 or early C18 but with a large amount of alterations, several blocked openings and variety of window designs. It is located directly along the southern edge of West Street and runs parallel to the road with what appears to have been a former attached outbuilding to the west now absorbed into the accommodation and housing a bedroom and bathroom. The site is within the Winterborne Stickland Conservation Area and a small Area of Archaeological Importance exists toward the south-east corner of the rear garden. The original farmstead plot has been significantly depleted over recent decades with the former threshing barn to the south, independently listed, now converted to a separate

residential use and land to the east and west sold off for development. However, map regression shows that the East and West Barns formed part of the continuous farmyard enclosure behind the house.

- 5.2 The west barn of flint and brick is likely 19th Century and is now partly in the ownership of the neighbouring 20th Century development to the west, and has since lost its roof and any former western walls. The attached remainder is presently serving as an annexe and utility area for the farmhouse, linked to the farmhouse by a pair of double timber gates leading from the road. The utility area and its southern elevation are of no merit, the former containing no features and latter modern. The annexe area has more character but is entirely open plan. The floor is concrete with a raised narrow strip along the western side, likely former troughs.
- 5.3 The East Barn is likely of earlier origins, possibly 18th Century, although now a mix of historic cob to its north and eastern walls, while only the flint plinth remains elsewhere, and modern block introduced above. Again, little of merit exists internally. This building can be accessed directly from the garden, as well from the street, where it sits at the head of a small yard. The barn is also linked via an open timber cartshed to the rest of the former L-shaped farm range, an attractive thatched single storey outbuilding, now garage, which contributes positively to the streetscene and forms the eastern enclosure to the small gravel parking yard (formerly part of the farmyard). The garage is now in separate ownership.
- 5.4 The application site lies within Floodzones 2 and 3 and is situated within the Dorset Area of Outstanding Natural Beauty.
- 5.5 The site is surrounded by largely detached residential properties with properties to the south of the site on elevated ground.

6.0 DESCRIPTION OF DEVELOPMENT:

- 6.1 The proposed development is to convert 2 No. outbuildings named 'East Barn' and 'West Barn' into 2 No. holiday-let units. 'East Barn' would be extended vertically to allow for residential accommodation at first floor with a gallery/exhibition space at ground floor. The form of 'West Barn' would remain as existing, however, the roofing material is to be replaced with a rooflight proposed to the west roof slope and the installation of a flue.

7.0 RELEVANT PLANNING HISTORY:

Application: 2/1981/0406

Proposal: Convert farmhouse to 2 No. dwelling, convert barn to dwelling.

Decision: Approve

Application: 2/1981/9040/HIST
Proposal: Demolish derelict farm building
Decision: Approve

Application: 2/1985/0339
Proposal: Renew consent to develop land by the erection of an agricultural dwelling
Decision: Refuse

Application: 2/1985/0537
Proposal: Improvements to vehicular access to farmyard.
Decision: Approve

8.0 LIST OF CONSTRAINTS:

- Within the Winterborne Stickland Conservation Area (*statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990*).
- Within the Dorset Area of Outstanding Natural Beauty (*statutory protection in order to conserve and enhance the natural beauty of their landscapes - National Parks and Access to the Countryside Act of 1949 & Countryside and Rights of Way Act, 2000*).
- Within Flood zones 2 and 3.
- Within a site of archaeological importance.

9.0 CONSULTATIONS

(All consultee responses can be viewed in full on the website)

Environment Agency – No comment received.

Conservation Officer – Support, subject to conditions.

Dorset AONB – No comment.

Dorset Archaeology – No comment received.

Dorset Highway Authority – Support, subject to condition.

Winterborne Stickland Parish Council – Objection for the following reasons -

- Design (scale, materials)
- Impact on AONB
- Impact on Conservation Area
- Residential Amenity (scale, windows, Air Source Heat Pump, noise)

- Traffic

Representations received:

6 letters of objection were received.

Within the letter of representations received objections were made on the grounds of -

- Design (Height, Impact on character of area)
- Flooding
- Heritage
- Residential Amenity (Impact on light, Noise/Disturbance, Overlooking/Loss of Privacy)
- Traffic/Highways (Impact on access, Parking, Road Safety)
- Other

10.0 RELEVANT POLICIES

10.1 Local Plan –

- Policy 1 – Sustainable Development
- Policy 2 – Core Spatial Strategy
- Policy 4 – The Natural Environment
- Policy 5 – The Historic Environment
- Policy 20 – The Countryside
- Policy 22 – Renewable Energy
- Policy 23 – Parking
- Policy 24 – Design
- Policy 25 – Amenity
- Policy 29 – The re-use of Existing Buildings in the Countryside
- Policy 31 – Tourist Accommodation in the Countryside

10.2 National Planning Policy Framework

- Section 2 – Achieving sustainable development
- Section 4 – Decision-making
- Section 5 – Delivering a sufficient supply of homes

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.

- Section 6 – Building and strong, competitive economy

Paragraph 83 – Planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings; the development and diversification of agricultural and other land-based rural businesses; sustainable rural tourism and leisure developments which respect the character of the countryside; and the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

- Section 12 – Achieving well-designed places
- Section 14 – Meeting the challenge of climate change, flooding and coastal change

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.

- Section 15 – Conserving and enhancing the natural environment

Paragraph 172 – Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. (...).

- Section 16 – Conserving and enhancing the historic environment

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.

10.3 Planning (Listed Buildings and Conservation Areas) Act 1990

10.4 Dorset AONB Management Plan 2019-2024

11.0 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.

12.0 PUBLIC SECTOR EQUALITIES DUTY

12.1 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.

12.2 The proposed development would result in the creation of 2 No. holiday-let units with the east building having a gallery/exhibition use. The west building is single storey with all living accommodation at ground level. Equally, the gallery/exhibition use in the east building would be at ground level.

13.0 FINANCIAL BENEFITS:

13.1 The proposed development would result in the creation of 2 No. holiday-let units with a gallery/exhibition use. The proposal would contribute to the rural economy where it is anticipated that the tourists and visitors would support other local businesses.

14.0 CLIMATE IMPLICATIONS:

14.1 The proposed development would result in the re-use of two buildings, proposes to install solar panels and air source heat pumps as a means to reduce the site’s carbon footprint.

15.0 PLANNING ASSESSMENT:

- Principle of development
- Design

- Amenity
- Access and parking
- Listed building
- Conservation Area
- Protected species
- Flood risk
- Landscape & AONB
- Other

15.1 Principle of development

The application site is within the settlement boundary of Winterborne Stickland as defined by the local plan which is one of the 18 villages identified in Policy 2 for further growth. The site is located within walking distance of the village and local facilities and, therefore, the dwellings are considered to be in a sustainable location. Policy 31 - Tourist accommodation in the countryside, of the North Dorset Local Plan Part 1 (2016) is of particular relevance when assessing applications for such a proposal. The policy reads that proposals for new-built accommodation in the countryside will only be permitted if re-using an existing building, in line with Policy 29 - The re-use of existing buildings in the countryside, or exceptionally if an overriding need for a countryside location to support an existing rural enterprise can be demonstrated in line with Policy 20 - The countryside. The proposed development would result in the re-use of two existing buildings which would be considered under policy 29.

Turning to Policy 29 of the North Dorset Local Plan (2016), the policy supports the re-use of existing buildings in the countryside subject to certain criteria being met. The policy reads -

Building characteristics -

The re-use of an existing building in the countryside will be permitted provided that:

- (a) the existing building is permanent, has not become derelict and is not the result of a temporary permission; and*
- (b) its existing status relates to its proposed use and that it is of sound construction; and*
- (c) where there is a loss of an existing use it would not give rise to a future need for another building to fulfil the function of the building being re-used; and*
- (d) the existing building is not in an isolated location, unless the proposed re-use is to support an existing business or is allowed by national policy as a special circumstance; and*
- (e) the existing building merits retention and re-use and in the case of a building proposed for residential re-use its existing scale, height and depth will result in the creation of satisfactory living conditions for future occupants including access to natural light throughout the resultant dwelling.}*

Proposed uses

*(f) the redundant or disused status of the building has been confirmed; and
(g) it can be demonstrated that the occupational or non-occupational residential re-use of the building would enhance the immediate setting}*

Assessment criteria

(h) the existing building is inherently suitable, in terms of its size, design and construction for the intended re-use and the proposed scheme enables the intended re-use to be achieved without the need for complete or substantial reconstruction; and

(i) the proposed re-use is of a scale that would not have an adverse impact on its surroundings or the viability of existing facilities or services in nearby settlement;

(j) any extension to the existing building included in the proposed scheme is modest in scale, ancillary in nature, subordinate to the main building and necessary to meet the essential functional requirements of the intended re-use; and

(k) in cases where the existing building is of historic or architectural importance or contributes to local character, the proposed scheme would not adversely affect the character and appearance of the building or its setting; and

(l) the proposed scheme does not require an extension of the curtilage of the existing building;

(m) and the proposed scheme would not give rise to ancillary uses that could not be accommodated within the site and does not include, or would not give rise to ancillary uses within the site, such as open storage, that would be visually intrusive.

Addressing each criterion in turn, both buildings are considered to be of a permanent construction, neither building has been left to become derelict and neither is the result of a temporary permission.

The proposed development looks to retain the existing structure of both buildings, albeit external facing materials are proposed. Whilst some external facing materials are to be removed and replaced, the alterations are considered to be reasonably necessary for the buildings to operate as dwellings and would constitute conversion.

The buildings were historically used as agricultural buildings serving Stickland Farm. The agricultural use of the site has since ceased with much of the farm complex severed and now under separate ownership. It is, therefore, considered the loss of the agricultural buildings would not give rise to a future need for another building to fulfil the function of the buildings being re-used.

As aforementioned, the buildings are located within the settlement boundary of Winterborne Stickland, as defined by the Local Plan, and are, therefore, not in an isolated location but rather an area identified for further growth.

The buildings, owing to their traditional construction of long-life materials within a sensitive historic environment, are considered to merit retention and re-use. Equally, whilst it is acknowledged the building named 'East Barn' would be subject to a first floor extension, the buildings are considered to be inherently suitable in terms of their size and design to serve as residential accommodation.

The redundant and disused status of the buildings has been confirmed. Equally, this was seen to be the case at the time of the case officer visiting the site.

Owing to the buildings historic significance their re-use is considered to be beneficial to the appearance of the site and locality.

As previously discussed, the scale and construction of both buildings for their re-use are suitable for them to be converted. Whilst it is appreciated the east barn is to be extended and some facing materials are to be replaced on both buildings, these are considered to be modest alterations and would not constitute complete or substantial rebuild. The proposal would not have an adverse impact on the existing facilities or services in nearby settlements.

The buildings are situated within the setting of Grade II Listed Buildings 'Stickland Farm House' and 'Hetherset Barn', the Winterborne Stickland Conservation Area and the Dorset Area of Outstanding Natural Beauty. For reasons discussed below, it is considered the proposed development would not result in harm to the character or significance of any of these designations.

The proposed scheme does not require an extension of the curtilage of either existing building or the main dwelling. It is considered the proposed re-use would not give rise to ancillary uses that could not be accommodated within the site and does not include, or would not give rise to, ancillary uses within the site, such as open storage, that would be visually intrusive.

In light of the above, the proposal is considered to comply with all necessary criteria set out within policy 29 as well as the NPPF and is, therefore, acceptable in principle.

15.2 Design

The proposed development involves alterations to 2 No. outbuildings within the application site one named 'East Barn' the other 'West Barn'.

Addressing each barn in turn, the 'East Barn' is to be converted into holiday accommodation with a gallery/studio space at ground floor. The barn would be extended upwards to allow for a first floor. Initially, it was proposed that the ridge height would be increased in height by approximately 3.8 metres to allow for the first floor living accommodation. Additionally, a central pitched roof porch was proposed to the front elevation as well as a single storey extension projecting

from the west elevation. It was considered that the scheme was overly ambitious in its attempt to meet all proposed requirements and as a result, would result in excessive massing which would adversely impact on the visual amenities of the character of the site and the locality.

Furthermore, it was considered that the external design of the East Barn appeared to be one emanating from conjectural restoration, with its central pitched roof porch reflecting that of a threshing barn. However, there is physical evidence of the historic farmstead already having had a threshing barn located at the centre of the farmyard and it is, therefore, unlikely two existed on the same site.

Following correspondence between the case officer and the agent amended drawings were submitted. With regards to the East Barn, the ridge height has now been reduced to achieve a more subservient, recessive relationship with the listed farmhouse. Furthermore, both the pitched roof porch and side extension have been omitted from the scheme which would lessen the presence of the proposal. In order to achieve the proposed height, it has been confirmed that the back wall is to be built of dense block work; a continuation of the existing walling material, finished in render. The glazing is also shown to be set back within the reveal. The design is considered to be much improved, with a far more modest exterior form.

Concerning the west barn, the principle of the building's re-use and proposed internal layout is considered to be acceptable. From the original drawings submitted, concerns were raised by the conservation officer with regards to plumbing, internal lining and insulation and the proposed design of the southern elevation of the west building. With regards to the design of the south elevation, it was recommended that, whilst there was no objection to large scale glazing *per se*, the glazing panels should be narrower, set between thick profile joinery to maintain the rustic service building character and recessed back with frontage to create a shadow. Confirmation was also required confirming the acceptability of the use of slate owing to the gradient of the roofslope and the proposed flue.

Amended drawings were subsequently submitted. The soil pipe vent is now shown between the toilet and the bath in the bathroom. Addressing the internal lining of the walls with scope to leave some areas of the wall untreated to retain character, this would be conditioned. With regards to the south elevation, the modern block and timber partitions are shown to have been removed with glazed sliding doors featuring sliding shutters to recreate the character and appearance of the building's previous use. Slate would be used for the roof and this is appropriate to the setting. Details of the slate would be conditioned to ensure a satisfactory appearance. With regards to the flue, it was queried as to whether the proposed flue was too high. It has been confirmed that the height of the flue has been determined in accordance with its position and the required clearance. It has also been confirmed that the finish of the flue is to be black.

An oil tank is to be removed from the west barn as a result of the conversion and is to be relocated along the southern boundary and is to be screened with planting.

Following the revisions made to the external appearances of both the east and west building, it is considered the proposed development would not have and adverse impact on the character or appearance of the locality.

15.3 Amenity

Within a number of the letters of representation that were received concerns were raised over the proposed development's impact on residential amenity concerning overlooking/loss privacy, impact on light and noise disturbance.

Again, addressing each barn in turn, with regards to the east barn it was considered that the significant increase in ridge height as well as the introduction of a window at first floor to the western elevation would adversely impact on the privacy and enjoyment of the amenity space of neighbouring residential properties. As discussed in the design section above, revised drawings have been submitted showing the east barn to be reduced in height than originally proposed. The revised drawings also show the first floor window to the west elevation removed.

Whilst it is acknowledged that a rooflight is proposed to the south elevation roof slope, owing to the positioning of the rooflight the opening would be to light the first floor bathroom and would not result in overlooking to the detriment of neighbouring residential properties. Equally, the fenestration arrangement to the east elevation has since been amended showing the omission of a ground floor window and one first floor window. There is now 1 No. window proposed to this elevation which would serve the first floor bedroom. It is acknowledged that this window faces towards neighbouring residential property 'Westgate Bungalow' and, therefore, in order to safeguard amenity, the window is to be obscure glazed. Following the revised drawings received, it is considered the proposed development of the east barn is acceptable and has overcome the concerns raised in regards to its impact on overlooking and loss of privacy.

In terms of overbearing, the east barn is located adjacent to a boundary shared with neighbouring residential property 'Frampton House'. The east barn is some 40 metres from residential property Frampton House which is considered to be a considerable distance. Within the north-eastern corner of the residential curtilage of Frampton House it is noted that an outbuilding is situated close to the shared boundary. The gable end of the outbuilding would be adjacent to the rear elevation of the east barn. It is considered the distance between Frampton House and the east barn is acceptable to not be considered to be overbearing. Equally,

should overshadowing occur as a result of the vertical extension, shadows would largely be cast over the outbuilding and not over the private amenity space of Frampton House. To the east of the application site is 'Westgate Bungalow'. Concerning Westgate Bungalow, this property is separated from the application site by a narrow strip of land which serves as an access onto West Street. The extension would be located at an acceptable distance from the dwelling and its curtilage to not result in adverse levels of overshadowing or being deemed to be overbearing. Additionally, as previously discussed, the window to the west elevation of the east barn would be obscure glazed to safeguard their amenity in terms of overlooking.

With regards to the west barn, the form of the building is to remain as existing. It is noted that there are three windows along the western elevation which currently face neighbouring residential property 'Millmead'. These windows are existing openings across this elevation of the building and are currently glazed with obscure glazing and feature wooden slat detailing. Internally, the windows are to serve the sitting room, bedroom 1 and the bathroom. The windows are purely for allowing light to enter the rooms and would remain to be obscure glazed. Owing to the existing relationship between this elevation and neighbouring property 'Millmead' it is considered pertinent to condition that these windows remain obscure glazed in perpetuity in order to safeguard residential amenity, details of the method of opening would also form part of the condition.

There is also a similar scenario where an existing opening to the north elevation of the west barn faces neighbouring residential 11 West Street. 11 West Street is situated on the opposite side of West Street. With the separation of 11 metres across a public highway it is considered this would not lead to loss of privacy. It is, therefore, considered unreasonable to condition this opening to be obscure glazed.

Additionally, to the south elevation of the west barn, the modern blockwork and timber cladding are to be removed and replaced with glazed sliding shutters. This elevation overlooks the applicant's private amenity space, beyond which is neighbouring residential property 'Heatherset Barn'. Owing to a lack of openings to the north elevation of Heatherset Barn, as well as existing vegetation and the boundary wall, it is considered the re-use of the west barn would not impinge on occupier's residential amenity. To the south-west of Heatherset Barn, within the neighbouring dwelling's residential curtilage, is an upper terrace area. This area is some 35 metres from West Barn and sits at an elevated position. It is considered, owing to this degree of separation and the changes in ground levels, that the proposed re-use of the building would not adversely impact on the privacy currently enjoyed by this area.

Given the above, it is considered the proposed re-use of the building would not compromise the existing relationship shared between the barn and neighbouring residential properties.

Addressing the proposed gallery/exhibition use which would be at ground floor of the east barn, it is considered that the use would be compatible with surrounding land uses and, given the nature of the use, would not be significantly loud or disruptive. Following correspondence between the case officer and the agent it is understood the space would be used by both occupants of the holiday-let unit and open to the public; the latter being on an irregular basis. Having regard to the largely residential character of the area, hours of opening to the public are to be secured by means of a condition to ensure the use can be managed appropriately. Equally, having had regard to the Parish Council's comments, concern was raised over the presence of the Air Source Heat Pumps. It has been stated that these are to be located away from neighbouring residential properties which is supported. Despite no information having been provided stating their exact location, it is considered the pumps can be sited within the site of an acceptable distance from neighbouring residential properties to not impinge on their amenity; details of their exact locations are to be conditioned in order to safeguard the amenity of occupiers of nearby residential properties.

Additionally, despite the modest vertical extension to the east barn, it is considered the proposed uses could be accommodated within the curtilage of Stickland Farmhouse and would not be considered to be overdevelopment of the site.

15.4 Access and parking

Both the east and west barn would be served by existing accesses. The east barn would be served by an existing access to the east of the farmhouse, this access also serves the main dwelling. The west barn would be served by an existing access to the west of the dwelling. With regards to the holiday-let uses it is considered there is sufficient parking availability on site as shown by site plan PL-1276-103A.

Concerning the proposed gallery use, owing to the modest size of the exhibition area it is considered that this use would not generate large volumes of traffic and that the existing infrastructure is capable of catering for an increase without compromising road safety. Additionally, the Highway Officer has considered the nature of the proposal and raised no objection. This is subject to a condition regarding the turning and parking area construction.

15.5 Listed building

Both barns sit within the setting of the listed farmhouse Stickland Farm which was listed on 14th July 1955. At the time of listing the outbuildings were in an agricultural use with the east barn serving as a milking parlour and the west barn housing agricultural machinery.

Within the planning statement it is argued that the outbuildings are not curtilage listed owing to their historic and existing relationship with the listed farmhouse being situated outside of the main dwelling's immediate curtilage. However, the Conservation Officer comments that the buildings are curtilage listed and therefore requests that a linked Listed Building Consent application is submitted for the proposed development. The applicant is therefore informed that a Listed Building Consent application may be required for the proposed development by means of an informative.

Nonetheless, in terms of the proposal's impact on the heritage asset, it is considered that following amendments made to the external appearance of both buildings the proposal is considered to preserve the character and setting of the listed building. Whilst it is noted in their initial comments that the conservation officer would want to see the proposed solar panels removed from the east barn, it is considered that owing to their discrete location on the rear roofslope of the building they would not be detrimental to the significance of the heritage asset. The works to the listed buildings and the impact on their setting is considered to be neutral. The proposed development would secure the long-term preservation of both buildings whilst aiming to also reduce the site's carbon footprint. Through securing both building's optimum viable use and the employment of renewable technologies, it is considered that this weighs in favour of the application.

Other neighbouring listed buildings include Heatherset Barn to the south of the application site. Following revisions made to the external appearance of the east barn, it is considered the proposed development would not have an impact on this heritage asset's significance.

The proposed development would, therefore, bring two heritage assets back into a viable use which would secure their long term preservation whilst not harming the significance of the character, appearance or setting of nearby listed buildings. This conclusion has been reached having regard to: (1) section 66(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 setting of Listed Buildings; and (2) Local Plan policy.

15.6 Conservation Area

The buildings contribute positively to the appearance of the Winterborne Stickland Conservation Area owing to their traditional design and use of local materials. Owing to the amendments made to the scale of the east barn, as well as the discrete location of the solar panels, it is considered the proposed development would not compromise the existing relationship shared between the buildings and the historic environment in which they are situated. Therefore, the proposed development would preserve the character and appearance of the Winterborne Stickland conservation area. No harm would arise and the impact on the Conservation Area would be neutral. 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; and (2) Local Plan policy.

15.7 Protected species

Having had regard to the submitted Negative Bat/Biodiversity Survey as prepared by KP Ecology (dated 17th January 2019) it is considered that the proposal would have no adverse impact on biodiversity interests.

15.8 Flood risk

The application site lies within Flood zones 2 and 3. Having had regard to government guidance concerning flood risk and coastal change, the sequential test does not need to be applied for applications for a change of use (except for a change of use to a caravan, camping or chalet site, or to a mobile home or park home site). From the submitted drawings it can be seen that the floor levels are to be no lower than the existing floor levels. Equally, as noted within the accompanying Flood Risk Assessment, the floor levels of the buildings can be suitably raised with a small increase in floor levels as necessary in order to comply with Building Regulations.

The submitted Flood Risk Assessment includes a number of measures to reduce the risk of flooding which are deemed to be acceptable. Subject to the development being carried out in accordance with the measures as outlined within the FRA, as well as being tied to the dwelling Stickland Farm House, the proposed development would not increase the risk of flooding; these are to be conditioned.

Additionally, the buildings are not within an area considered to be susceptible to surface water flooding.

15.9 Landscape and AONB

The application site is situated within the Dorset AONB in the Chalk Uplands Landscape Character Area. Having had regard to Policy 4 – The Natural Environment, national policy gives the highest status of protection to AONB's landscape and scenic beauty and gives great weight to their conservation. Drawing on the Dorset AONB Management Plan, the document provides a framework to guide activities that may affect the AONB. Within the document it is recognised that across the AONB and its differing landscapes the AONB retains a sense of tranquillity and remoteness that form an integral part of the character of the designated area. Therefore, any development should continue to conserve these characteristics.

One of the objections against the proposal raised by the Parish Council was the proposed development's impact on the Dorset Area of Outstanding Natural Beauty. The impact of the proposal was understood to be predominantly as a result of the increase in ridge height of the east barn. Following amendments to the proposed scheme, showing the ridge height of the east barn lowered, it is considered the proposed development would be read as part of the existing built form within Winterborne Stickland and would not appear as an isolated or discordant addition.

There is no reason to believe why the proposed development would result in excessive levels of light pollution given that the re-use would be for largely residential purposes. Furthermore, the buildings sit within a developed part of the village amongst other residential properties.

In light of the above it is considered that the proposal would not harm the character, special qualities or natural beauty of the Dorset Area of Outstanding Natural Beauty. The Dorset AONB Partnership were consulted and made no comment.

15.10 Other

Concern was raised over the removal of a thatch roof which is under separate ownership. There would be no loss of thatch roof as a result of the proposed development with the proposed works only impacting on buildings under the applicant's ownership.

16.0 CONCLUSION

- 16.1** The proposed development is considered to comply with the relevant policies of the Local Plan and sections of the National Planning Policy Framework as previously listed.
- 16.2** The proposed development would not have an adverse impact on the amenity currently enjoyed by occupiers of neighbouring residential properties
- 16.3** In terms of heritage and protected landscape considerations, it is considered the buildings have been sensitively designed to be sympathetic to the site and wider historic and natural environment. Equally, their reuse would result in a neutral impact on both the appearance and character of the Winterborne Stickland Conservation Area as it would bring buildings back into a viable use. In view of the neutral impact upon listed buildings and their setting and on the Conservation Area, the NPPF indicates that development should be permitted.

16.4 The proposed development would not have an adverse impact on highway safety with adequate parking availability provided secured by condition.

16.5 The holiday-let units should be tied to Stickland Farmhouse as unrestricted occupation would not normally be supported in Flood zones 2 and 3. The applicants should prepare a Flood Warning Evacuation Plan for occupants of the accommodation.

17.0 RECOMMENDATION:

GRANT planning permission, 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 forming the approved application;

East Barn Plans and Elevations - S-1276-01A [Received 07/01/2019]

West Barn Plans and Elevations - S-1276-02A [Received 07/01/2019]

Site Parking Plan - PL-1276-101C [Received 10/07/2019]

West Barn Plans and Elevations - PL-1276-102B [Received 03/06/2019]

East Barn Plans and Elevations - PL-1276-103A [Received 03/06/2019]

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

3. The accommodation hereby approved shall be used solely for holiday letting or for the provision of D1 exhibition purposes and shall not be used for the purpose of providing permanent residential accommodation. A register of occupancy shall be kept and shall be made available to the Local Planning Authority following a written request at 14 days notice. At the end of the ninth year following approval details of the occupancy for that year to comply with this condition shall be submitted to the Local Planning Authority.

Reason: To ensure that the units are not used as permanent residential accommodation.

4. Before the development is occupied or utilised the turning and parking shown on Drawing Number PL-1276-103A 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.

5. The development hereby approved shall be carried out in strict accordance with the mitigation measures as outlined within the submitted Flood Risk Assessment as prepared by Stefan Pitman for and on behalf of SPASE Ltd.

Reason: To minimise the risk of flooding.

6. Prior to the first use or occupation of the accommodation hereby permitted, a Flood Warning Evacuation Plan shall be submitted to, and agreed in writing by the Local Planning Authority. The development shall accord with the provisions of the Flood Warning Evacuation Plan.

Reason: To ensure the occupants of the site are adequately prepared and protected in the event of a flood.

7. Prior to the first use of the development hereby approved, the windows in the east elevation of the East Barn building and the west elevation of the West Barn building shall be glazed with obscure glass to a minimum Pilkington privacy level of 4 or equivalent. The windows must thereafter be maintained in that condition.

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

8. Prior to the installation of any window hereby approved, precise details of the method of opening for the windows across the west elevation of the West Barn building shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

9. Prior to the application of the cladding and roof covering, samples of the materials (slate and timber cladding) to be used in the finish of the walls and roof; 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 and in the interests of the appearance of the development.

10. Prior to the installation of any joinery, detailed elevation drawings (at a scale of 1:20) and detailed cross-section drawings (at a scale of 1:5) of all new shutters, windows, internal and external doors, infill glazed screens to include materials and finishes, framing profiles, glazing type and unit spacers, method of fixing glazing, depth of reveal, method of opening; and annotated elevation drawings (1:20) and cross section drawings (1:5) of all new staircases, balustrading, handrails and newel posts; joinery finishes shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved drawings.

Reason: To safeguard the significance of the heritage assets.

11. Prior to first use of the development, full details of all vents and flues, to include the location and details of materials, finish and design, 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 and setting of the listed building.

12. Prior to the installation of any internal wall treatment, precise details of all insulation, overboarding, applied surface treatments to internal walls, floors and ceilings, to include materials, finishes and locations, shall be submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter accord with the approved details.

Reason: To safeguard the character of the fabric of the heritage asset.

13. All rooflights shall be conservation style, top hung and set flush to the surface of the roof plane.

Reason: To safeguard the character of the locality.

14. Prior to the creation of any openings to the East Barn, a precise scheme for the creation of new openings to the East Barn to include a Method Statement in regards to the cob wall, dimensions, lintel details and finishes is to be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: To safeguard the significance of the historic fabric.

15. All slate shall be fixed with nails not slate hooks.

Reason: To safeguard the character of the locality.

16. All new and replacement rainwater goods shall be painted cast half round metal not plastic.

Reason: To safeguard the character of the locality.

17. Prior to the first use of the development hereby approved, a precise scheme for all hard landscaping to include boundary treatments, gates, and ground surfaces, shall be submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter accord with the approved scheme.

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

18. Prior to the first use of the development hereby approved, precise details of the air source heat pump, to include its location and design, shall be submitted to the local planning authority for approval in writing. The development shall be carried out in accordance with the agreed details.

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

19. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 as amended (or any order revoking and re-enacting that Order with or without modification), no fences, walls, gates or other means of enclosure permitted by Class A of Schedule 2 Part 1 of the 1995 Order shall be erected around the curtilage of any dwelling house hereby permitted in a position forward of any wall of that dwelling house which fronts onto a road, private drive, footway or open space area without the prior grant of planning permission from the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain control over the development of the site.

NOTE: Listed Building

Listed Building Consent may be required for the proposed works.

NOTE: Flood Warning Evacuation Plan

The applicant/developer is strongly advised to ensure that a Flood Warning Evacuation Plan is prepared for the occupants of the site. The provision of such a plan may help to protect life and property during a flooding incident. For commercial properties a Flood Warning Evacuation Plan should form part of the Health and Safety at Work Register maintained by the operator of the site.

NOTE: Flood Resilience

In view of the potential flood risks in this locality, it is advised that the developer of this site gives consideration to the use of flood resilient construction practices and materials in the design and build phase. Choice of materials and simple design modifications can make the development more resistant to flooding in the first place, or limit the damage and reduce rehabilitation time in the event of future inundation. Detailed information on flood proofing and mitigation can be found by referring to the CLG free publication 'Improving the Flood Performance of New Buildings'.

http://www.planningportal.gov.uk/uploads/br/flood_performance.pdf

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1.0 APPLICATION NUMBER: [2/2018/1829/FUL](#)

SITE ADDRESS: Crown Inn, High Street, Stalbridge, DT10 2LL

PROPOSAL: Make alterations to existing single storey skittle alley, demolish storage shed/garage and replace with pitched roof extension to form 1 No. apartment. Internal alterations to existing Inn to create 2 No. apartments and refurbish existing apartments.

APPLICANT: Mr S Cox

Case Officer: Hannah Smith

Ward Member(s): Councillor Graham Carr-Jones

2.0 Summary of Recommendation: GRANT, subject to conditions.

3.0 Reason for the recommendation:

- Para 14 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise.
- The location is considered to be sustainable and the proposal is acceptable in its design and general visual impact.
- There would not be any significant harm to neighbouring residential amenity, heritage assets, or highway safety.
- There are no material considerations which would warrant refusal of this application.

4.0 Table of key planning issues

Issue	Conclusion
Principle of development	The site is located within the settlement boundary of Stalbridge. Therefore, the principle of providing dwellings in this location is acceptable as it would comply with the spatial distribution that is contained within Policy 2. An extant permission exists to convert the ground floor to three flats and a subsequent permission to convert the ground floor to two flats has also been granted. This current application would convert the ground floor to two flats and a single storey extension in the rear courtyard

	area would comprise an additional apartment. This would equate to three flats which does not result in an overall increase in numbers over what has been permitted previously.
Scale, design, impact on character and appearance	The development is designed so as to be in keeping with its surroundings.
Impact on amenity	The development has been deigned so as not to give rise to unacceptable impact on the amenity of surrounding residential and commercial properties.
Impact on Heritage Assets	There would be no harm to the significance of heritage assets. Both the character and appearance of the Stalbridge Conservation Area and the setting of listed buildings that surround the site would be preserved.
Economic and Social Benefits	The proposal would create construction jobs during the construction phase and provide three units of residential accommodation in a sustainable location.
Access and Parking	There would be no harm caused to the highway network. No parking is provided however due to the location in the centre of a town, there is no policy requirement that would require on site parking. Cycle stores are proposed.

5.0 DESCRIPTION OF SITE

5.1 The Crown Inn sits in the centre of Stalbridge at the junction of High Street, Station Road and Ring Street. The building looks to be Edwardian in date and looks to have been built specifically as a public house with accommodation on the upper floors. The building is a prominent, rendered and red brick structure with a clay tiled roof and large timber arched windows facing High Street. The windows on the front of the property are a combination of timber and upvc. The building is located centrally within the conservation area and, notwithstanding the upvc, it is considered to make a positive contribution to the character and appearance of the area due to the design, materials and scale of the property providing a focal point for the centre of the town. This is also reflected in the former community use of the building as a public house. This all contributes to the significance of the asset. The pub is now closed and has been for some time

but the character of the building as a public house still contributes to the street scene.

- 5.2 Within the former Crown Inn, part of the building contains two self-contained flats which are not within the ownership of the applicant. These flats do not form part of the application and they have separate accesses onto the high street.
- 5.3 The site is bound by the grade II listed building Wayside to the north of the site, The Maples to the east, and the commercial properties and Meaders Yard, located on Station Road.

6.0 DESCRIPTION OF DEVELOPMENT:

- 6.1 It is proposed to make alterations to existing single storey skittle alley, demolish a storage shed/garage and replace it with a pitched roof extension to form 1 No. apartment. Internal alterations to existing Inn at ground floor would create 2 No. apartments and the existing two apartments would be refurbished.

7.0 RELEVANT PLANNING HISTORY:

- 7.1 Application: 2/2018/0209/FUL Proposal: Change of use and conversion of ground floor from public house into 2 No. flats.
Decision: Approve
- 7.2 Application: 2/2016/1586/FUL
Proposal: Change of use and conversion of ground floor from public house into 3 No. flats.
Decision: Approve

NOTE: There is an extant consent to convert the ground floor of the building to three units of accommodation and a subsequent application to convert the ground floor into two flats. This current application would form a unit of accommodation in the rear courtyard by the addition of a single storey extension, but the number of units overall would still be three.

8.0 LIST OF CONSTRAINTS:

- Within the Stalbridge Conservation Area and within the setting of grade II listed buildings (*statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990*).

9.0 CONSULTATIONS

(All consultee responses can be viewed in full on the website)

Conservation Officer – Support, subject to conditions.

Dorset Highway Authority – No objection.

Stalbridge Town Council – Objection for the following reasons –

- The site plan is misleading in terms of the total area of the site as the red line incorporates adjacent joined flats which are in separate ownership
- The negative impact on the conservation area
- The negative impact on the neighbouring grade 2 listed property
- The inadequate amenity space to serve 5 no 2 bedroom flats
- The overlooking of neighbouring properties is an intrusion to their privacy and detrimental to the residential amenity.

Cllr Carr-Jones-

I have concerns with regarding over development of the property. There are up to three bedsits and a ground floor flat in association with this property NOT within ownership of the applicant I believe. Mr H A***s is the landlord. This would mean a total of 5 Flats & 3 bedsits already occupied on the site.

There is no parking provision for the existing flats and a further will exacerbate the situation.

Representations received:

3 letters of objection were received.

Within the letters of representations received objections were made on the grounds of -

- It is stated in the application that there will be no altered vehicle access, no altered pedestrian access and no plans for bins,
- The two rear 'fire escapes', which are clearly back doors suggest access to the rear. Party wall concerns and concerns regarding drainage.
- The problem will be the inevitable access to the rear via Wayside's private driveway.
- Should the residents start using this either by vehicle or by foot there will be an increase in danger to the public as driveway is frequent vehicle use.
- Object to the overdevelopment of the site.
- Overlooking from the raised balcony area into the adjacent properties,
- Loss of light to windows.
- Concern has been raised regarding the use of the rear doors. (Access over 3rd party land is a matter between the two parties. There is access from the street which is adequate to serve the development.

10.0 RELEVANT POLICIES

10.1 North Dorset Local Plan Part 1–

- Policy 1 – Sustainable Development
- Policy 2 – Core Spatial Strategy
- Policy 4 – The Natural Environment
- Policy 5 – The Historic Environment
- Policy 20 – The Countryside
- Policy 23 – Parking
- Policy 24 – Design
- Policy 25 – Amenity
- Policy 29 – The re-use of Existing Buildings in the Countryside
- Policy 31 – Tourist Accommodation in the Countryside

- Policy 1.7 – Settlement Boundaries.

10.2 National Planning Policy Framework

- Section 2 – Achieving sustainable development

- Section 4 – Decision-making

- Section 5 – Delivering a sufficient supply of homes

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.

- Section 6 – Building a strong, competitive economy

Paragraph 83 – Planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings; the development and diversification of agricultural and other land-based rural businesses; sustainable rural tourism and leisure developments which respect the character of the countryside; and the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

- Section 12 – Achieving well-designed places

- Section 14 – Meeting the challenge of climate change, flooding and coastal change

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.*

- Section 16 – Conserving and enhancing the historic environment
- 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.*

10.3 Planning (Listed Buildings and Conservation Areas) Act 1990

11.0 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.

12.0 PUBLIC SECTOR EQUALITIES DUTY

12.1 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.

12.2 The proposed development would result in the creation of 3 No. dwellings within a sustainable location which benefits from access to facilities.

13.0 FINANCIAL BENEFITS:

13.1 The proposed development would result in the creation of 3 new dwellings. The proposal would contribute to the rural economy in terms of increased support for local businesses.

14.0 CLIMATE IMPLICATIONS:

14.1 The proposed development would result in the conservation of building resources through the re-use of an existing building, within a sustainable location.

15.0 PLANNING ASSESSMENT:

- Principle of development
- The impact on the Conservation Area and the setting of listed buildings,
- Amenity , and
- Parking and highway considerations.

15.1 Principle of Development

15.1.1 The application site is within the settlement boundary of Stalbridge as defined by saved Policy 1.7. The town is one of the locations identified in Policy 2 for further growth. The site is located within walking distance of the town's facilities. Therefore, the dwellings are considered to be in a sustainable location.

15.1.2 The loss of the Public House has been agreed previously. The applicant demonstrated that the use was no longer viable. A comprehensive marketing campaign was undertaken with the property being advertised at a reasonable price. In view of this, the proposal was considered to comply with the requirements of policy 27 of the local plan which relates to the loss of community facilities.

15.1.3 A concern has been raised in terms of whether this development would represent an overdevelopment of the site. It is material to the consideration of this application that three units of accommodation have been permitted previously, although this scheme has not yet been implemented. This current application seeks a small extension to the former skittle alley and the use of the roof of the skittle alley to provide an amenity space for flat 4. Three flats would be provided in total at ground floor in addition to the two flats that exist at first and second floor. The two bedsits located in the building that are not in the ownership of the applicant do not form part of this application. They have separate front doors which provide an access directly onto the High Street.

- 15.1.4 The proposed layout of the three proposed flats would provide a good standard of accommodation with each flat having two good sized bedrooms, a lounge and kitchen space. Flat 4 would have access to the roof terrace area at first floor which would result in an improvement to the existing unit's amenity through the provision of a garden terrace. Flat 5 is exists at present and has an access onto the High Street with use of the amenity area for bin storage. Flats 2 and 3 would have direct access onto the shared amenity area.
- 15.1.5 The proposed layout would accommodate bin storage to serve all five units. Landscaping is shown in the courtyard and this would soften the appearance of the area. A cycle store would be accommodated within the shared space. This would be conditioned. The new extension would add an additional 14m² of floor area to the site. The proposal includes the demolition of a single storey garage with a floor area of 35.8m². Therefore, the proposal would lead to a loss of floor area overall.
- 15.1.6 Overall, the level of amenity that would be enjoyed by the occupiers of the flats is considered to be acceptable and the development would not constitute an overdevelopment of the site.

15.2 The Impact on the Conservation Area and the Setting of Listed Buildings

- 15.2.1 The site is located within the Stalbridge Conservation Area and immediately south of Wayside, a grade II listed building. There are also grade II listed buildings located on the corner of Ring Street and Station Road and on the opposite side of the road on the High Street. As the works to the building would be located in the rear courtyard, the heritage assets that would be most impacted by the proposal are Wayside and the Conservation Area. Views are possible from Station Road looking back towards the rear of the Inn. Only the roof is visible however. The site shares a close relationship with Wayside as it falls within the buildings immediate setting. Hence careful consideration must be given to safeguarding the significance of the asset.
- 15.2.2 Concern was originally raised in relation to the detailing of the extension in terms of the proposed materials, the design of the balcony, the window and door details and the size and design of the rooflights. Clarification was also requires in relation to the works to the boundary walls and the extent of the works to the skittle alley. In response, the applicant has submitted a number of design improvements to overcome these concerns. The windows and doors have been altered from plastic to painted timber, the new extension would have a brick plinth constructed from garden wall bond with a timber top section, the number of rooflights has been reduced and they would be of the conservation style. In terms of the balcony, it would be 1.8 metres in height and constructed in timber. The use of hit-and-miss boarding with a central section that could be planted which would soften the appearance of the structure, but at the same time afford privacy

to the neighbour. The Conservation Officer did request a reduction in the length of the screen. However, for the screen to be effective it should run the whole length of the raised area and the design of the enclosure is not considered to be in any way detrimental to the setting of Wayside. In addition to the list of amendments, conditions would be required to ensure that the materials and the balcony details are high quality to reflect the historic setting.

15.2.3 Because of the need to consider the effect of the development on designated heritage assets and the reference to these in footnote 6 of the National Planning Policy Framework, it would mean that the 'tilted balance' in paragraph 11d is not triggered unless the proposal can first pass the simple balancing exercises in paragraph 195 (in cases where harm to the significance of a designated heritage asset is judged to be substantial), or 196 (where any harm is found to be less than substantial).

15.2.4 On that basis, the correct approach to decision making here would be to first assess whether any harm would be caused to the significance of the designated heritage assets affected. If any is found, then the degree of that harm needs to be defined. Then, that harm needs to be balanced against the public benefits of the proposal. If the public benefits do not outweigh the harm then, following the Framework's path, planning permission should be refused for the proposal.

15.2.5 In this case, in the opinion of officers, there would be no harm caused to the character and appearance of the Conservation Area or to the setting of listed buildings, in particular Wayside. The proposal is considered to result in a positive impact as the Inn has lacked investment for a number of years and the rear courtyard of the Inn does little to enhance the setting of either the Conservation Area or listed buildings. This application represents an opportunity to enhance and refurbish the Inn to the benefit of the visual amenities of the area. There is also a benefit in terms of bringing the building back into use as it is considered to be a non-designated heritage asset.

15.2.6 The proposed development would bring the non designated heritage asset back into use whilst not harming the significance of the Conservation Area or the setting of nearby listed buildings. This conclusion has been reached having regard to: (1) section 66(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 setting of Listed Buildings; and (2) Local Plan policy.

15.3 Amenity

15.3.1 Policy 25 of the Local Plan seeks to maintain the levels of amenity that are afforded to surrounding land users. Concern has been raised in respect of overlooking and loss of light.

Wayside

- 15.3.2 Concern was raised in relation to the raised balcony that would serve flat 4. It is proposed to refurbish the flat roof above the skittle ally to provide a roof terrace for flat 4. Without proper screening, occupiers of flat 4 would be able to look into the ground floor windows and doors of Wayside. Of particular concern to the neighbour is a ground floor toilet.
- 15.3.3 To ensure that the amenity of Wayside is safeguarded, the proposed balcony area has a 1.8 metre screen running along the length of the flat roof area. This would limit any possible overlooking from the balcony. The precise design of the enclosure would be conditioned however there is no conservation concern to the proposed approach.
- 15.3.4 Wayside has a ground floor bedroom which faces towards the proposed single storey extension. To limit any overlooking, a condition that requires the erection of gates to the courtyard area is recommended. This would ensure that there is no direct overlooking of the adjacent property. Likewise, the amenity of the development will benefit from the installation of gates as it will limit views into the site from the street.

The Maples

- 15.3.5 Concern was raised in relation to a high level window opening that currently serves an office and workshop area. The window is the only opening that serves the room and the concern related to the impact that the new pitched roof would have in terms of loss of light. It is considered that the proposed roof would be sufficiently located away from this window and that sufficient light would still be afforded to the room. The applicant has provided a section of the window that demonstrates that the room would be afforded with sufficient light. Whilst the outlook of the room would be altered, there would still be a view of sky past the pitched roof.
- 15.3.6 The proposal would not lead to any overlooking of the private amenity area of The Maples.

15.4 Parking and Highway Considerations

- 15.4.1 There is no highway objection. The proposal makes no provision for on site car parking but allowing for the site's town centre location, this is not a reason to resist the application. It would not be possible to provide parking on the site and this is not considered to be a reason to withhold consent. The site is in walking distance to the post office, public house, supermarket and the other facilities within the town.

16.0 CONCLUSION

- 16.1 In terms of sustainable development and the three component dimensions, there would be a social benefit in providing three extra housing units. Economic advantages would also arise from the construction and occupation of the new dwellings. No heritage harm has been identified. When assessed against the policies in the Framework taken as a whole, there would be no adverse impacts that would outweigh the identified benefits. Therefore, the proposal would be a sustainable form of development. There would be no conflict with the development plan and therefore permission should be granted.
- 16.2 The proposed development would not have an adverse impact on the amenity currently enjoyed by occupiers of neighbouring residential properties.
- 16.3 The proposed development would not have an adverse impact on highway safety.
- 16.4 Other matters raised include party wall matters which are not planning considerations. The applicant has confirmed that there would be no alteration to the boundary wall.

17.0 RECOMMENDATION:

GRANT planning permission, 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 forming the approved application; COX/6/PL01 F, COX/6/PL07 REV F, COX/6/PL06 REV E, COX/6/PL07 REV E, COX/6/SLP REV E, COX/6/PL02 REV F , COX/6/PL03 REV G, COX/6/BP

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

3. 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 (to include a sample of the bricks, slate, ridges, hips, timber boarding, rain water goods, render colour) shall be submitted to the local planning authority for approval in writing. The development shall be carried out in accordance with the approved samples.

Reason: To safeguard the character of the locality.

4. Prior to the construction of any exterior wall, a sample panel measuring at least 1 metre by 2 metres, using the approved brick and demonstrating the proposed coursing, mortar mix and pointing detail, shall be constructed on site for the approval in writing of the local planning authority. Thereafter, the stone panel shall remain on site until the external walls of the dwelling have been constructed to eaves height and the external brickwork of the development shall be carried out in accordance with the approved panel.

Reason: To safeguard the character of the locality.

5. Prior to the installation of any new door or window, detailed drawings (at a scale of not less than 1:20) showing the design, materials and construction specifications of external doors and windows shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved drawings.

Reason: To safeguard the character of the locality.

6. All new rooflights shall be of a conservation style and shall be fitted flush to roof plane. All rainwater goods shall be half round painted cast metal or black imitation cast metal. The eaves, soffit and barge boards shall be constructed in painted timber.

Reason: To safeguard the appearance of the Conservation Area.

7. Prior to first use of the development, details of the entrance gates shall be submitted to the local planning authority for approval in writing. The approved gates shall be installed prior to first use of the development and thereafter they shall be retained.
Reason: In the interests of safeguarding the amenity of the adjacent property and future occupiers of the site.

8. Prior to the commencement of the development above foundation level, precise details of the balcony screen to include planting details, materials and construction of the screen, shall be submitted to the local planning authority for approval in writing. The balcony screen shall be fully installed prior to first use of the development and it shall thereafter be retained.
Reason: In the interests of safeguarding the amenity of the adjacent property and future occupiers of the site.

9. Prior to the commencement of the development above foundation level, 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 or landscaping 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 amenity.

10. Prior to first use of the development hereby permitted, the cycle store shown on drawing number COX/6/PL01 F shall be provided. Thereafter the cycle store shall be retained.
Reason: To provide for adequate cycle storage to serve the development.

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