



# Western and Southern Area Planning Committee

**Date:** Thursday, 16 January 2020  
**Time:** 2.00 pm  
**Venue:** Committee Rooms A&B,, South Walks House,  
South Walks Road, Dorchester, DT1 1UZ (DT1  
1EE for sat nav)

## **Membership: (Quorum 6)**

Simon Christopher (Chairman), David Gray (Vice-Chairman), Pete Barrow, Kelvin Clayton, Susan Cocking, Jean Dunseith, Nick Ireland, Louie O'Leary, David Shortell, Sarah Williams and Kate Wheller

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

**For more information about this agenda please contact Denise Hunt 01305 224878 - [denise.hunt@dorsetcouncil.gov.uk](mailto:denise.hunt@dorsetcouncil.gov.uk)**

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Members of the public are welcome to attend this meeting with the exception of any items listed in the exempt part of this agenda. **Please note** that if you attend a committee meeting and are invited to make oral representations your name, together with a summary of your comments will be recorded in the minutes of the meeting. Please refer to the guide to public participation at committee meetings for more information about speaking at meetings.

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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 - 16

To confirm the minutes of the meeting held on 17 December 2019.

## 4 PUBLIC PARTICIPATION

Members of the public wishing to speak to the Committee on a planning application should notify the Democratic Services Officer listed on the front of this agenda. This must be done no later than two clear working days before the meeting. Please refer to the [Guide to Public Speaking at Planning Committee](#).

## 5 PLANNING APPLICATIONS

To consider the applications listed below for planning permission

### a WD/D/19/001020/FUL - Sort, Powerstock, Bridport, DT6 3TQ 17 - 50

Restoration and alteration of a farmstead, comprising of five small buildings, including the addition of a small bedroom extension.

### b WD/D/19/001021/LBC - Sort, Powerstock, Bridport, DT6 3TQ 51 - 52

Restoration and alteration of a Farmstead, comprising of five small buildings, including the addition of a small bedroom extension.

*(Please note that this application is included in the report in agenda item 5a)*

### c WP/19/00415/OUT - Land East of 61 Bowleaze Coveaway, Weymouth 53 - 66

Erection of up to 6 holiday units with associated landscaping.

**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.



## **DORSET COUNCIL - WESTERN AND SOUTHERN AREA PLANNING COMMITTEE**

### **MINUTES OF MEETING HELD ON TUESDAY 17 DECEMBER 2019**

**Present:** Cllrs Simon Christopher (Chairman), David Gray (Vice-Chairman), Pete Barrow, Kelvin Clayton, Susan Cocking, Jean Dunseith, Nick Ireland, David Shortell and Sarah Williams

**Apologies:** Cllrs Louie O'Leary and Kate Wheller

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

Ann Collins (Area Lead – Major Applications Western Team), Philip Crowther (Senior Solicitor - Planning), Colin Graham (Engineer (Development Liaison) Highways), Hamish Laird (Senior Planning Officer), Christopher Lee (Planning Officer), Rob McDonald (Planning Officer) and Denise Hunt (Senior Democratic Services Officer)

**60. Apologies**

Apologies for absence were received from Cllr Kate Wheller and Cllr Louie O'Leary.

**61. Declarations of Interest**

Councillor Sarah Williams declared a non-pecuniary interest in application WD/D/19/001887 - Harbour Masters Office, The Mound, Quayside, West Bay as she was a member of the Harbours Committee. She confirmed that this application had not been discussed by the Harbours Committee.

Cllr Nick Ireland stated that he had not pre-determined application WD/D/19/002390 - Mulberry House, Roman Road, Osmington, Weymouth, DT3 6ER, however, the applicants were his neighbours and therefore he would not take part in the debate or vote and leave the room during consideration of this application.

**62. Minutes**

The minutes of the meeting held on 14 November 2019 were confirmed and signed.

Members were advised of an amendment that was necessary to the minutes of the meeting held on 4 July 2020 in order to accurately reflect the decision that had been made by members. The omission in the minutes related to Application WP/16/00253/OUT and WD/D/16/000739 - Land to the North of Littlemoor, Weymouth and concerned an amendment to one of the items in the Section 106 Agreement to add the words highlighted in bold below:-

On site provision of Children's Play and Open Space Facilities and financial contribution of **up to £478,162; the sum to be off-set against the value of the on-site provision.**

Proposed by Cllr David Gray, seconded by Cllr Sarah Williams.

**Decision:** That the amendment to the minutes highlighted in bold be approved.

63. **Public Participation**

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

64. **Planning Applications**

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

65. **WD/D/19/002178 - Land West of Watton Lane, Bridport**

The Senior Planning Officer introduced the outline application for access and layout in respect of 2 dwellings.

A correction was made to the Ward Members contained in the report as being Cllr D Bolwell, Cllr S Williams and Cllr K Clayton.

Members were shown a site location plan that detailed the outline permission for one dwelling on the site that had already been agreed, a site layout plan / site section, a constraints map and site location aerial view. Although outside the Defined Development Boundary for Bridport there were other dwellings in that area. Photos were also shown of the site and its access from and onto Watton Lane from various directions.

An update sheet circulated to the Committee at the meeting provided an update following receipt of the Appeal Decision the previous week for land south of Westleaze, Charminster (Appeal Ref: APP/D1265/W/18/3206269). Members were advised that the Planning Inspector concluded that the Council was unable to demonstrate a 5 year housing land supply for the West Dorset and Weymouth & Portland Local Plan area and that the position was greater than 4.12 years but less than 4.88 years.

Rachel Gershfield, who occupied a neighbouring property, addressed the Committee in objection to the application on the basis of damage to the Area of Outstanding Natural Beauty (AONB) and the effect on her property and her life. In respect of the latter, she advised that her bungalow had been built to benefit from the setting of the field and the sea, having large picture windows. The increased use of the road would cause lack of privacy, increased pollution and disturbance from car headlamps. Providing 2 two storey homes

showed a lack of concern for existing inhabitants and their quality of life and the development would completely overshadow her bungalow.

Philip Somerton objected to the number of houses which he considered to be speculative and unjustified with the same analysis reiterated for the previous permission for the single dwelling. He drew attention to light pollution from cars, road safety, concern regarding the AONB and obstruction of views from West Bay. He stated that the habitat survey had been used in a different application and was not relevant for this site.

Richard Nicholls addressed the Committee on behalf of the Campaign to Protect Rural England (CPRE). He referred to Local Plan policies SUS2 and HOUS6 (ii) and asked whether the Dorset AONB team had been asked to comment on the proposal. He felt that this application would undermine the Local Plan and set a precedent for development across Dorset outside of the Defined Development Boundary that would have a detrimental effect on the AONB.

Simon Ludgate, the Agent, spoke in support of the application, stating that the site was surrounded on 3 sides by low density development and, whilst the outline application indicated the location of the properties, it did not contain details of their size or scale. The principle of development had been established on the adjacent site where outline approval had been granted and the impact on the AONB had been taken into account during that time. A further two dwellings outlined in this application would bring a total of 3 dwellings on this site. There would be cover that would help hide houses in the landscape setting due to the topography of the site. He confirmed that the access allowed limited movement to 3 properties similar to Broad Lane and that it would not be a major road. Watton Lane was narrow and developing this access would allow a passing bay helpful to cars using the lane.

The Highways Officer advised that he had visited the site that morning and confirmed that Watton Lane was subject to very light traffic and that the access would provide an additional passing space at the entrance to the site. Although narrow, the lane was wide enough for a car to pass a pedestrian which made it safe.

Members were particularly concerned regarding the scale and height of the development and were informed that this would be a reserved matter unless the committee was minded to specify a single storey dwelling by condition at this stage. Legal advice was given that conditions would need to be given in accordance with the National Planning Policy Framework (NPPF) 6 step test (necessary; relevant to planning; relevant to the development to be permitted; enforceable; precise and reasonable in all other respects).

Cllr Nick Ireland referred to the decision of the Planning Inspector for an appeal in respect of 14 Wareham Road, Owermoigne, Dorset DT2 8HN, when it was stated that future occupiers of the dwellings would be reliant upon the private car to access day to day living requirements, and as such the dwellings would not be in a suitable location for residential development. He considered that the same factors applied to this application.

The Senior Planning Officer explained that the site was 100m from the DDB for Bridport and set amongst existing residential properties and that a precedent had been set due to the approval of the outline application for a dwelling on the adjoining site under the former West Dorset District Council.

Members debated the application in the context of the climate change emergency declaration, NPPF paragraphs 149 and 172 in respect of building on greenfield sites and the AONB and also the impact of the lack of a 5 year housing supply. The map of the larger area (constraints map) identified houses in Broad Lane and other homes that had been approved that could be cited in an appeal should the application be refused. It was further noted that the site was not on a bus route or cycle route.

Cllr David Shortell proposed that the application be approved, however, after some debate regarding a condition or informative to limit building height, this proposal was not seconded.

Cllr Nick Ireland subsequently proposed that the application be refused as it would not be in accordance with the NPPF in its requirement to actively manage growth, through limiting the need to travel and offering a genuine choice of transport modes as occupiers would be reliant on their cars. In particular NPPF paragraph 172, regarding the adverse impact on the AONB arising from the development and unsustainability of the location and NPPF 149 - taking a proactive approach to mitigating climate change. The proposal was seconded by Cllr K Clayton.

Members were advised that the NPPF paragraph 172 gave weight to developers with regard to impact on the AONB and that in this case the site was well screened with downward sloping topography. Legal Advice in respect of the "tilted balance exercise" was also provided, in terms of whether the referenced NPPF policies were sufficient to tilt the balance of the lack of a 5 year housing supply back in favour of approval.

Proposed by Cllr Nick Ireland, seconded by Cllr Kelvin Clayton.

**Decision: That the application be refused for the reasons outlined in the appendix to these minutes.**

66. **WD/D/19/000634 - Home Farm, Wraxall Lane, Chilfrome, Dorchester, DT2 0HA**

The Planning Officer introduced the application for the conversion of part of an existing storage barn to living space and office/meeting/drawing rooms associated with the live-work use of the site; erection of a single storey glazed link structure between the dwelling and the barn conversion and external alterations to the dwelling and existing workshop.

The Committee was shown a site location plan within the AONB and aerial views of the existing dwelling, section of the barn to be demolished, barn



section to be converted and the existing workshop and outbuilding that would remain; the existing and proposed elevations of the dwelling and barns.

The key planning points were highlighted including principle of development, scale, design impact on character and appearance, impact on amenity, impact on landscape or heritage assets. The Officer's main concerns were that the site was outside the development boundary, that the proposed extension would dominate the existing dwelling and that there would be an unacceptable impact on the unlisted heritage asset.

Rosemary Hamilton addressed the Committee in support of the application and read aloud a statement on behalf of Mark Addison, the immediate neighbour to the west side of the property. He stated that the proposal would breathe life into the village as the building had languished and not been used for agricultural purposes for 17 years. It would preserve a key village site, was a practical and imaginative reuse of a building that was currently an eyesore rather than an asset. The applicant built to a high standard using materials that were sympathetic to the area and would be the best chance for the village to resolve longstanding uncertainty about the future of its central section. The bulk of the new footprint would represent a conversion rather than an extension and the look of the site from the crossroads remained unchanged. Speaking for herself she stated that she was the applicant's fiancée and that this would be their home, that she had lived in Dorset throughout her life and had no plans to live elsewhere.

Cllr Ian Mitchell, Parish Councillor for Chilfrome stated that the application had the unanimous support from the Parish Council and its neighbours. The site had been purchased in 2008 when it had been in a very poor state and subsequently renovated to a high standard and used as an upholstery building. The large footprint of the 2 barns would be halved as a result of this proposal and would result in an improved appearance that respected the dwelling's humble character. The Parish Council did not agree that the conversion was disproportionate to the main dwelling and considered this to be a subjective matter. In conclusion he considered that there had been inadequate consideration of the proposal and reliance on the interpretation of imprecise planning policy.

Cllr Tony Alford, the Dorset Council Ward Member, addressed the committee in support of the application, drawing attention to the factors involved in the declaration of heritage assets and NPPF paragraph 197 in relation to the balance of judgement required for non-designated heritage assets. There was good justification for supporting the application as it complied with the presumption in favour of sustainable development and the 3 qualifying factors; the economic development achieved by approving this type of application; the environmental benefit of replacement of the building and the social benefit of bringing vitality to the centre.

Simon Ludgate, the agent, addressed the committee and acknowledged that although the percentage increase should be no more than 40% as outlined in the relevant Local Plan policy, that this proposal related to an extension rather than a conversion. The application would reduce the footprint by half and

introduce a small glazed link. It allowed flexible accommodation to live and work and continue restoration of this site. This was an attractive scheme that would provide work locally and was strongly supported by the community.

Members asked whether there was a set of criteria and list of non-designated heritage assets and were informed that these were usually specified only within Conservation Area appraisals, which was not required for this application. They also asked whether the scale and size of the proposal was in comparison to the dwelling or the dwelling and barns. The Planning Officer clarified that it was the dwelling.

The Committee considered the proposals to be a conversion and not an extension which would not adversely affect the character of the existing dwelling. It was felt that there was insufficient evidence to support the report recommendation. Legal advice was given that if the application were to be approved then this would need to be subject to conditions that could be delegated to officers as the most expedient way of dealing with the application.

Proposed by Cllr Peter Barrow, seconded by Cllr David Shortell.

**Decision: That authority be delegated to the Head of Planning to approve the application with appropriate planning conditions.**

67. **WD/D/19/002390 - Mulberry House, Roman Road, Osmington, Weymouth, DT3 6ER**

Cllr Nick Ireland left the room during consideration of the application.

The Senior Planning Officer introduced the partly retrospective application to erect 1 dwelling for use as a holiday let.

Members were shown a plan that included the application building, Mulberry House, Osmington House (grade II listed) in the AONB; aerial view of site, frame plan and elevations. Photos of the site were from the Roman Road bridleway showing a substantial tree boundary and views of the proposed holiday let accommodation.

The key planning issues were outlined including the principle of the holiday let use and traffic movements which had received no objection by the Highways Authority.

A late representation received had been included in the update sheet circulated to members, raising concerns regarding the use of the bridleway which was unmade; the additional traffic that would be generated; the ability of the sewerage system to cope with the extra discharge and the disruption that a further sewerage line would cause to the trees and hedging along Roman Road. Members were advised that sewerage would be a matter for building control.

Neil Williams, the agent, stated that the application concerned the use as a holiday let and that there was no change to the external appearance of the previously approved application. The structure was connected to an underground foul system and its intended use would create no additional noise, was not detrimental to levels of enjoyment of neighbouring properties and met planning policies in full.

Proposed by Cllr Susan Cockings, seconded by Cllr Peter Barrow.

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

68. **WD/D/19/001887 - Harbour Masters Office, The Mound, Quayside, West Bay**

The Planning Officer presented the retrospective application for a change of use of part of the Harbour Masters Office from B1 to A1 use that had come before the Committee as the Council was the applicant.

Members were shown a location and site plan and photos of the shop frontage. The key planning matters were outlined including the principle of development and impact on the local centre and heritage assets. Officers considered that the goods sold were in keeping with the harbour and that the shop would support the vibrancy and vitality of the local centre at West Bay.

Proposed by Cllr Kelvin Clayton, seconded by Cllr Jean Dunseith.

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

69. **Urgent items**

There were no urgent items.

**Duration of meeting:** 2.00 - 3.50 pm

**Chairman**

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**APPLICATION NUMBER: WD/D/19/002178**

**APPLICATION SITE: Land West of, Watton Lane, Bridport**

**PROPOSAL: Erect 2 dwellings (Outline Application – Access and Layout)**

**Decision: Refuse for the following reasons:**

1. Having regard to the location of the site outside of the defined development boundary for Bridport it is considered that future occupiers of the dwellings would be reliant upon their cars to access day to day living requirements and facilities and as such the dwellings would not be in a suitable location for residential development, would not accord with the National Planning Policy Framework (2019) in its requirement to actively manage growth, through limiting the need to travel and offering a genuine choice of transport modes and would not be sustainable development. The Council has declared a climate emergency and a proactive approach to mitigating climate change should be taken in accordance with paragraph 149 of the National Planning Policy Framework (2019).
2. The site is within the Area of Outstanding Natural Beauty (AONB) and it is considered that the proposed development would adversely impact on the AONB contrary to paragraph 172 of the National Planning Policy Framework (2019) which requires that great weight should be given to conserving and enhancing landscape and scenic beauty within an Area of Outstanding Natural Beauty.

**APPLICATION NUMBER WD/D/19/000634**

**APPLICATION SITE: Home Farm, Wraxall Lane, Chilfrome, Dorchester, DT2 0HA**

**PROPOSAL: Conversion of part of existing storage barn to living space & office/meeting/drawing rooms associated with the live-work use of the site; and erection of single storey glazed link structure between the dwelling and the barn conversion. External alterations to the dwelling and existing workshop (amended description).**

**Decision: Delegate authority to the Head of Planning to approve the application subject to appropriate planning conditions.**

**APPLICATION NUMBER: WD/D/19/002390**

**APPLICATION SITE: Mulberry House, Roman Road, Osmington, Weymouth, DT3 6ER**

**PROPOSAL: Erect 1 No. dwelling (part retrospective).**

**Decision: Grant subject to the following conditions:**

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

Location Plan @ 1:2,500 scale indicating the site edged red.

Proposed Floor Plans & Section - Drawing Number OH 2019 001

Proposed Elevations and Frame Plan - Drawing Number PL001 REV B

All stamped received on 24 September, 2019.

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

2. The site shall be used for holiday-let purposes only and shall be not used as the main, or sole, residence of the occupier.

REASON: The Local Planning Authority is prepared to permit the use of the site only for holiday purposes because it is located in an area where permanent residential use is precluded.

3. A register of all persons occupying the holiday accommodation hereby approved shall be kept by, or on behalf of, the owner/ owners of the holiday accommodation. The said register shall be made available for inspection during all reasonable hours at the request of a duly authorised officer of the Local Planning Authority, for such time as the development continues to be used as holiday accommodation.

REASON: To ensure that the accommodation is used for holiday purposes only.

4. No external lighting shall be installed as part of the development hereby permitted unless and until details of the height, positioning, design, external and candela rating of that lighting shall first have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: In the interests of visual and residential amenity, and in preserving the character of the night sky from unnecessary light pollution.

## **Informatives**

### **National Planning Policy Framework Statement**

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

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

In this case:

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

**APPLICATION NUMBER: WD/D/19/001887**

**APPLICATION SITE: Harbour Masters Office, The Mound, Quayside, West Bay.**

**PROPOSAL: Change of use of part of the Harbour Masters Office from B1 to A1 (retrospective).**

**Decision: Grant subject to the following condition:**

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

Site and Location Plans drawing number 107/17/03 received 23 July 2019.

**REASON:** For the avoidance of doubt and to clarify the permission.

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**1.0 Application Number:** WD/D/19/001020/FUL and WD/D/19/001021/LBC  
**Site address:** SORT, POWERSTOCK, BRIDPORT, DT6 3TQ

**Proposals:**

**WD/D/19/001020/FUL** Restoration and alteration of a Farmstead, comprising of five small buildings, including the addition of a small bedroom extension.

**WD/D/19/001021/LBC** Restoration and alteration of a Farmstead, comprising of five small buildings, including the addition of a small bedroom extension.

Taking account of the comments made by the Parish Council, and members, the Head of Service considers that under the provisions of Dorset Council's constitution this application should be determined by the Area Planning Committee.

**Applicant name:** Mrs J ten Bos

**Case Officer:** Hamish Laird

**Ward Member(s):** Cllr A Alford

[https://planning.dorset.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR\\_138262](https://planning.dorset.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_138262)

**2.0 Summary of Recommendation:** GRANT planning permission and Listed Building Consent for the reasons outlined below:

**3.0 Reason for the recommendation:**

- The design of the extensions and alterations to the Grade II Listed Buildings and the addition of the separate bedroom extension are acceptable in terms of their impact on the historic character and fabric of the Listed Buildings.
- The scale and extent of the alterations required to facilitate the additions proposed are acceptable in terms of their impact on the character fabric and setting of the Listed Building;
- The free-standing bedroom extension will not adversely impact on the setting of the LB's or the character and openness of the AONB;
- The scale and extent of the additions proposed are acceptable in respect of their impact on the character and openness of the AONB that they would have.
- There will be no harm to residential amenities of neighbouring residents.
- No new dwellings are proposed to be created as a result of these proposals

**4.0 Table of key planning issues**

Issue	Conclusion
Principle of development	Proposal is for extensions and

	alterations of the Grade II Listed Farmhouse and outbuildings to provide extended and updated accommodation. The Farmhouse is an existing dwelling, and the principle of development is acceptable subject to the provisions of Local Plan Policies SUS2 iii) and HOUS 6.
Scale, design, impact on character and appearance	Is in keeping with existing Listed building structures. The scale and extent of the extensions and additions proposed are acceptable and will not be visually harmful to the rural character of the area and the special character and openness of the AONB.
Impact on amenity	No adverse impact on residential neighbours amenities.
Impact on landscape or heritage assets	Grade II Listed Buildings, and Listed curtilage buildings. In respect of design, siting, bulk, and scale of accommodation proposed, and the materials to be used, accords with Adopted Local Plan Policies ENV 4 – Historic Assets; and, the advice in the NPPF 2019.
Economic benefits	This is an existing Listed Building requiring immediate repairs. The development phase will provide employment and post development there will be financial benefit in the local community through the use of services and payment of Council Tax.
Access and Parking	Existing access to be used – there is sufficient on-site parking and manoeuvring space for vehicles.
EIA (if relevant)	N/A
Delete or add other issues as relevant	BMP provided – certified approved by DC NET.

## 5.0 Description of Site and Surroundings

5.1 The application site contains a detached, thatched, Grade II listed farmhouse and detached, Grade II listed barn along with a number of curtilage listed outbuildings and bridges scattered around the site. The list descriptions denote the listed buildings as having group value and the submitted heritage statement 'Sort under Drakenorth' provides map regressions that show the approximate dates of all

buildings on the site. The farmhouse in its current form pre dates 1888 and incorporates a former outbuilding which was developed into a farmhouse. The farmhouse and barn were listed in July 1984, reflecting the historic value that these buildings had individually and as a group. A 2-storey farmhouse, of which a relic part remains was sited to the south of the public right of way running through the site. This burnt down in a fire in 1910. The farmstead is unique in having an organic rural layout within the countryside with no formal courtyard or garden area. The site lies outside any recognised DDB and is set within the Dorset AONB.

### **Description of development**

5.2 The full planning and LBC applications propose the restoration and alteration of Sort farmstead, including the farmhouse, and works to the five buildings comprising the farmstead. The proposals also include the addition of a stand alone bedroom extension to serve the main farmhouse. The application is supported by a Design & Access Statement and Heritage Statement; Bridge evaluation and Structural Survey; Bat Survey; and, documents relating to the historic evolution of Sort Farmstead.

5.3 The evolution of the sites buildings and structures are briefly described as follows:

1. Sort Farmhouse: Former farmhouse building converted and extended c. 1870 into a cottage. East section added by 1888, converted to provide bedrooms in early 1930's. Lean-to in the NE corner added in 1940's to provide a bathroom and kitchen.
2. Studios: Converted to domestic use in 1951. Extended via addition to western end in the 1970's. Used as a work-space/annex to Sort Barn from 2001 to 2008.
3. Cart-shed and Office: The northern end of the cart-shed/workshop burnt down in the 1960's leaving only a ruined stone wall projecting in a northerly direction from the cart-shed. Used by previous owner as an office, garage/store/wood-store
4. Sort Barn (The Stable): A wooden lean-to, to house a saw bench was added c.1960 and subsequently removed by 1980. A wooden-clad, lean-to bathroom extension added c. 1980 to southern side. Used as overflow accommodation and let separately since 1980's.
5. Kennels and Tractor Shed: Remnants of and additions to former 2-storey farmhouse, of which relic parts remain. This burnt down in a fire in 1910. This was the main dwelling on the site up until this time.

5.4 The proposals for the site involve:

Sort Farmhouse: Repair roof and replace thatch, rebuild roof as required at eastern end where it has collapsed. Open up internal space and remove section of wall between west end room and kitchen/bathroom (bi-fold historic door to be relocated in the farmhouse) – here the c. 1940's kitchen bathroom is to be demolished and a replacement kitchen extension added. 21.6 m<sup>2</sup> of floorspace will be removed, and

19.3m<sup>2</sup> of floorspace added to the existing dining room and larder. This is to provide a Boot Room; Study; Bathroom; Sitting Room; Dining Room; Bedrooms; and, new Kitchen Extension containing a Pantry

Studios: Built c. 1951 without foundations. Lean-to at rear to be demolished. It is in poor condition will be re-built like-for-like. It will provide entrance lobby/dining room; 2 No. bedrooms; and, bathroom.

Cart-shed and Office: Entrance/Store; WC/Boiler; New Farm Office Extension; Garage; Storage Attic on first floor level.

Sort Barn (The Stable): Remove south side extension - add new extension to provide Entrance Lobby and Bathroom; open-plan Living Room\Kitchen; retain existing 1<sup>st</sup> floor mezzanine to provide bedroom area.

Kennels and Tractor Shed: Use existing floor area to provide workshop/studio and storage room. Re-roof with new mono-pitch roof sloping downward from south to north to provide glazed area to southern elevation to the workshop to maximise daylight into the workshop.

Bedroom Extension: Entrance Lobby; Bedroom; Bathroom; Dressing Room Area with single bed-space.

Proposed materials are like-for-like stonework, repaired/replaced thatch in Combed Wheat Reed; pre-rusted corrugated iron sheeting to be used for pitched roofs of new outbuilding extensions. Tiles are to be replaced like for like where necessary.

## **6.0 Relevant Planning History**

<b>Application No.</b>	<b>Application Description</b>	<b>Decision</b>	<b>Date of decision</b>
<b>WD/D/18/001246</b>	Pre-application advice – Full restoration and modernisation of the existing five buildings plus the erection of a new building of small scale	Advice given	3 September 2018

## **7.0 List of Constraints**

Outside any Defined Development Boundary (DDB)

Outside any Conservation Area

Grade II Listed Buildings

Landscape Character Area: incorporating the West Dorset Landscape Character Assessment (2009) – Marshwood and Powerstock Vales Landscape Character Area

Site within Dorset AONB

Adjoins Site of National Importance for Nature Conservation

Part of land area lies within the Powerstock and Wytherston Farm SSSI

## **8.0 Consultations**

**8.1 Powerstock and North Poorton Parish Council** – fully SUPPORT the application.

**8.2 Dorset Council Highways** – Advises no objection subject to condition in respect of the footway crossing and an Informative Note.

**8.4 Natural England:** ‘No comment’. Refers to standing advice.

**8.5 Dorset Council** – Conservation Officer: Comments as follows:

### **DESIGN & CONSERVATION OFFICER'S REPORT:**

The Conservation Officer responded to this proposal at pre-application stage and raised a number of concerns. As part of this current application there are these following concerns

#### **Assessment**

*It is surprising and dismaying to find that the DAS places such little historic value on the listed and curtilage listed buildings on the site, despite their clear historic, aesthetic, evidential and communal value. Cumulatively, these categories of understanding significance as laid out in Conservation Principles, amount to a site of particular and distinctive local and regional interest. This is laid out in more detail within the detailed heritage statement as well as through assessment of the architectural character and interest of the existing buildings, namely the two which have been statutorily listed Grade II. The 'limited historical and architectural significance' of existing buildings as laid out in the DAS is strongly challenged and if the applicants really felt this to be the case, then perhaps an application to Historic England to de-list would be advisable. The success of this process is questionable. Clearly, the submitted heritage assessment by Asset Heritage Consulting share the opinion that the site retains listed buildings of intrinsic heritage value, so I am not alone in judging the site as having buildings of architectural and historic value. The alterations proposed fail to respect the historic fabric or setting of the listed buildings and would create considerable, cumulative harm and would therefore be more suited to standard, unlisted buildings that have no historic value.*

*I have underlined above the areas below that I am unable to support.*

### The Cottage

- *The submitted structural survey is clear that all of the buildings require extensive structural repair. It is not fully clear what structural movement is historic and what movement is live and on-going. I would recommend the monitoring of various areas of the cottage before a final scheme of works is drawn up.*
- *The report states that the entire roof of the cottage should be replaced. This an extreme measure and cannot be supported at this stage. Access to the roof is limited and I would argue it has not enabled a full analysis to be undertaken to arrive at this conclusion. Clearly where the roof has collapsed this needs to be re-built but we should seek to have the historic roof structure retained, reinforced, repaired and if necessary a new roof built around it.*
- *As part of this work the complete removal of thatch would be necessary including historic base coats. Again this should be a last resort and I would recommend that 2-3 areas of opening up are undertaken to take a closer inspection of the roof structure. Any re-thatching required must be undertaken with combe wheat reed and not water reed.*
- *I would strongly advise that a building historian be appointed to undertake a full examination of the building's fabric/age/evolution. Whilst the heritage statement is useful in many respects there is not the specialist assessment of the fabric that is needed in light of the many alterations that are proposed to be undertaken. In light of there having been an earlier building on this site and likelihood of its incorporation within this later, current cottage, I wish to be very clear about the significance of the existing fabric before considering wholesale removal/replacement.*
- *The boxing out of lintels prevents their proper assessment and therefore some localised removal of the boxing should be undertaken before final proposals are drawn up. These should not all be replaced (as suggested in the report) if minor areas of decay are found.*
- *Similarly, it is anticipated that the suspended timber floors in the bedrooms are likely to be extensively decayed. Floor boards need to be raised in a few areas to assess the condition of the joists. The levelling of the floor in what is proposed to be the principle bedroom raises concerns as regards removal of fabric/impact to foundations and walls etc. There is no sound justification for this and the work involved would I believe cause unnecessary harm. This element should therefore be omitted from any future scheme.*

*Fundamentally, the removal of a substantial section of primary structural walling between the proposed kitchen and living room cannot be supported. The existing opening is already larger than a single doorway and features an interesting door fixture which should remain in situ. To off-set this stipulation, I would be able to support the large kitchen extension which provides a floor area far greater than the existing room sizes in the host building. Ordinarily, additions should be*

subservient in footprint but this extension extends beyond the building line to one side and offers a significant size of room. This negates further opening up to create a more 'open plan' living space. This cottage was not built or designed for that kind of living.

- Whilst quite some considerable opening up has been carried out to show the existence of a vertical joint adjacent to the chimney stack in the middle room, I remain very concerned about this additional opening up. This may exist from the earlier building and not be related to this later cottage. The works would involve re-configuring the chimney flue, which would entail significant structural works and would result in a non-traditional floor plan, again opened up through the creation of 4 cross-way door openings. This alteration runs against the grain in terms of the historic floor plan and circulation of the building and therefore cannot be supported.

Fundamentally, the cumulative works proposed are tantamount to gutting this listed and altering it in such a way as to harm rather than preserve and protect its character and integrity. These proposals need to be dramatically re-assessed before application stage as I would be unable to support the scheme as it stands.

### The Barn

This building has experienced significant modern alteration and the removal of the extension to the front elevation is supported as are many of the proposed, sympathetic repairs.

- Clearly, further investigation needs to be undertaken to assess the age of the roof structure and again this should be done by a building historian. Whilst there is some suggestion that the roof may be C20th, the trusses and purlins would appear to be older. The timber cladding between the purlins is clearly modern and there is no objection to their removal. As the thatch would have had to have been removed for their installation, we can assume it is also of recent date and of no historical significance. If this is found to be true then replacing the existing thatch with combe wheat reed, in the traditional style, would be acceptable.
- The stable building has become more domesticated in character due to later window/door interventions, however as this is not a primary residence, and it is of some size, there is easily scope to move the WC and shower within the building itself. Conceivably, they could be built below the mezzanine level or at mezzanine level whilst retaining the very open character of the barn. I don't believe the removal of an unsightly and awkward modern extension (likely unauthorised) justifies a further extension which involves the removal of another large section of historic fabric from the external wall. This should therefore be omitted.
- The stone steps up to the former hay loft opening will need careful repair and a detailed method statement will need to be provided for this at application stage.

### Drainage

- *Clearly throughout the site new drainage channels and soakaways need to be built. Full details should be submitted at full application stage.*

### Studio

*This is another building, (curtilage listed) that has seen some extensive alteration, yet overall, it has a distinct character and is a light-filled building of interest. Again this building seems to have suffered the effects of poor land drainage with movement cracks evident in several places.*

*17. I would be unable to support the complete demolition of this curtilage listed building as suggested in the structural survey report. It would be preferable if the new scheme retained the weatherboarded cladding and the aged brickwork should be retained. The extension over the lean-to creates an awkward juxtaposition in my view and seems unnecessary. The existing footprint and form of the lean to should be retained unaltered. If necessary, a modest modern addition to the west gable/rear could be added to increase the size of the building. The retention of the structural walls also needs to be incorporated into any new design.*

### Woolmington's Workshop

*Whilst it isn't completely clear what work would be involved in the conversion of this building, trial pitting and possible remedial works to foundations can be undertaken along with necessary repairs and ties to the roof and walls subject to consent. The basic retention of this structure as part of the conversion with the new extension are all acceptable in principle.*

- *The picture windows are not however sympathetic in my view and some form of casement design is recommended, not only in this but all other buildings also. They can still be of modern form and material such as grey painted steel or similar which will reflect the modernist approach to modernisation.*
- *Expansion on consolidation works for this and all other buildings is required at application stage with room by room schedules of work and method statements showing floor/wall/roof/ceiling treatments/methods of heating and lighting.*

### The Kennels

*These works are fine in principle subject to material/finish/structural specifications. The main issue is the expanse of glazing to the front. while the overhanging roof will allow some degree of shading in parts of the year and certain times of day, the reflective quality of the glass and potential light pollution means that the extent of glazing should be reduced by at least one bay either side of the doors and three rows down from the top - as shown in the proposed elevation.*



### *New Bedroom extension*

- *This seems to be quite a large extension at close proximity to the farmhouse. It will be important to have a topographical section drawing at formal application stage showing it's exact position in relation to the farmhouse. The building will stand at an elevation position and has scope to be over-bearing on the cottage, taking into account the scale of the modern kitchen extension also. Even cutting a corner out of the south eastern edge of the building would create some further recession and break up the otherwise blank and square appearance of the building.*
  - *I can find no north/south elevation drawings in the submission however the other plans suggest the building is to comprise rendered elevations with picture window style openings. It will be important for this building to blend into its surroundings and the incorporation of natural materials such as stone, brick, weather boarding and slate/corrugated roofing will be important to enable this. The use of these materials will enable it to age well and also soften it's otherwise square/hard surfaced appearance.*
- 18. I have noted elsewhere the appeal of more traditional style window openings - even if used on the more prominent east and south elevations on this building this is recommended.*

### *Bridges and Water courses*

*As mentioned above, these are a critical and historic feature of the site, making it somewhat unique in character. Clear investigations and closer studies are required on the condition of the bridges, their foundations, tree route and water flow impacts. A method statement and schedule of works will be needed to detail the proposed works on these structures, which I would regard as a priority, taking into account their current condition and overgrown appearance. A plan should clearly identify the position of the bridges and water course directions around the site.*

*I would further add the following concerns:*

*Notwithstanding the generally positive conservation approach to repairs as outlined in the structural report, the lack of any existing/proposed roof plans and sections, especially for the farmhouse and barn is an issue. The loss of all historic thatch coats should only be a last resort and no other options appear to have been investigated. The section of roof to the north wing appears to be in a good state of repair and therefore historic thatch in this area could conceivably be retained. The proposed replacement of 'thatch' with 'thatch' in the schedule of materials is vague and should clearly clarify the existing and proposed thatch material which should be combe wheat reed and not water reed.*

- *The proposed installation of double glazed units - there is no clear window schedule or plan annotations showing windows to be replaced or secondary glazed.*

- *There are no annotated floor plans or sections showing the proposed locations of fibreboard cladding to walls, insulated/heated floors, etc. We need method statements for all these areas of work.*
- *There is a fundamental lack of detail on any of the floor plans and elevations to illustrate room by room what works are proposed.*
- *The bridge report does not include a schedule of works and materials or method statement for repairs or reconstruction.*
- *The topographical section drawings submitted reinforce the over-bearing and over-sized proportions of the bedroom extension at close proximity to the farmhouse.*
- *The structural report intimates that the historic suspended floor, which has localised rot is to be removed in entirety and replaced with a limecrete slab. Asides from the fact that this introduces a cold, hard and inflexible finish, the suspended timber floor should be retained to respect this phase of construction, possible historic value and also due to the warm and forgiving feel and character that timber floors generate within historic buildings.*
- *Clarification on the date of the barn/stable roof is needed at this stage, with a roof plan and sections before any decision can be made on whole scale replacement as suggested in the structural report.*
- *The structural report states that the historic masonry walls forming part of the original structure of the studio are capable of retention and stabilisation however the original gable end wall is proposed for complete demolition. This appears to be original to the 1800 outbuilding apparent in the OS maps and therefore should be retained.*
- *Historic panelled doors are proposed for removal within the farmhouse and two modern doors installed instead. Historic fixtures should be retained and the number of new openings punctured into historic walls causes substantial harm and cannot be supported. All the concerns relating to the harmful impacts to the farmhouse are laid out above.*

*There are assorted areas of missed/unclear information but as fundamentally, the proposals have not changed at all since pre-application stage, it seems unnecessary to go into further detail.*

#### *Recommendation:*

*The application is categorically not supported for the reasons noted. The works create less than substantial harm, to the higher end of the scale due to the extent of additional development proposed and due to the level of alteration and loss of historic fabric that the works would involve. The minor conservation benefits through the use of natural materials such as lime mortar and getting the buildings back into use do not outweigh the cumulative harm that would otherwise result. Similarly there are no public benefits or viability grounds to justify the radical nature of the works proposed. In assessing the proposals consideration has been given to Historic England's Guidance Notes on Setting and Significance, which offer clear guidance on understanding the significance of heritage assets and the importance of*

*conserving them in a manner proportionate to their importance. The DAS and Heritage Statement are light in referring to heritage guidance and policy and clearly little regard is given to the value of the buildings or the need to conserve and upgrade the heritage assets in their current form. Instead an over-development of the site is proposed, with considerable loss of fabric and impact to the heritage assets contained within it.*

*In determining the proposals due consideration has been given to Section 16 (Paragraphs 190,192,193,194,195,196,200) of the NPPF, Sections 66 of the 1990 Act and Policy ENV 4 of the Local Plan*

## **8.6 Representations received**

**10 letters of support for the application have been received. Comments are:**

- Sort has been very badly neglected for 20 years and I am very glad it is having money spent on it.
- Sort has over the generations experienced constant change and modification as its residents fortunes shifted. I welcome a new and interesting plan for Sort
- The applicants play a substantive and supportive role in the local community having brought up their family there and have a long association with Sort.
- It is important that outlying farms in West Dorset are not turned into museums or holiday cottages but are made possible to live in full time by local families.
- I have looked through the architect's plans for the buildings and I think he has done a great job improving what are now poor ruins.
- It is lovely to see the architect's plans making it a suitable home for the 21st Century with light airy windows and proper roofing.
- It would be dull indeed to see a conventional faked vernacular development here.
- I wholeheartedly support the combination of contemporary architecture with the listed historic buildings in an unspoilt rural setting.
- They tell the changing history of the building and the people it housed, in the same way the new additions will tell that story in the future.
- It has been very sad to see this cottage and it's environs fall into such a state of disrepair and, effectively, abandonment. It is therefore very gratifying to see the new, local, owner submitting plans to re-generate this old farm dwelling and associated barns and buildings in such a sympathetic manner.

- It is true, of course, that there is something romantic in the assortment of old and semi-derelict farm buildings slowly subsiding into ruin in what is undoubtedly an unspoilt rural setting. That surely cannot stand, however, as a rational objection to a proposal which would see those buildings returned to use in the sympathetic and historically aware manner set out in the proposal.
- These proposals will improve the enjoyment of Sort for all who pass through. It is so refreshing to see original vernacular and modern elements standing together in a sympathetic, complementary relationship, without the usual, pastiche extensions, that detract so much from the original architecture.

**Two objections have been received. Concerns raised are summarized as:**

- Concern regarding the water supply and the amount of water needed to serve 4 bathrooms – this may affect my property which is on the same supply route.
- Overdevelopment of the site
- Adverse impact and significant harm to the character, fabric and setting of LB's
- Unsympathetic additions to the overall group of buildings
- Out of character with and harmful to the setting of the AONB
- Inadequate Heritage Appraisal
- Application is dismissive of the Conservation Officer's comments
- There are no identifiable public benefits
- Misinformation provided in the Design and Access Statement
- Proposed works do not distinguish between repair liabilities to LB's and the extent of the harm to/loss of fabric within the Farmhouse and Barn
- The curtilage has been significantly extended
- Adverse impact on rights of way users amenity
- There are no public benefits arising from the development

It is noted that apart from the above raised water supply issue, the applicant has rebutted the other summarized objections to the application which were received in the form of 6 letters of representation from one author by the Council.

Full details of all representations and consultee comments are available to view on the Council's website:

[https://planning.dorset.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR\\_138262](https://planning.dorset.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_138262)

**Cllr A Alford – Ward Member** comments as follows:

*“Paragraph 184 of the National Planning Policy Framework states that “Heritage Assets ...should be conserved in a manner appropriate to their significance.”*

*Therefore in the context of heritage assets “significance” is a fundamental concept.*

*“Significance” is mentioned in the following paragraphs of the NPPF:*

*193, 194, 195, 196, 197, 199, 200, 201*

*It is also mentioned in the Local Plan 2015 Policy ENV4*

*The assessment of “significance” is a key input to the approach to applying the policies in the circumstances of any particular application.*

*There appears to be no dispute that “significance” is composed of the combination of the following type of variables.*

- Evidential value*
- Historical value*
- Aesthetic value*
- Communal value*

*In the application documentation analysis of the variables is provided leading to a conclusion about the level of “significance”. In addition the applicant asserts that these variables and “significance” should be based on site’s existing condition.*

*The only reference to these values in the Conservation Officer’s report is: “It is surprising and dismaying to find that the DAS places such little historic value on the listed and curtilage listed buildings on the site, despite their clear historic, aesthetic, evidential and communal value.*

*Some may question whether these values are “clear”.*

*What is clear is that these values and the evaluation of “significance” should be assessed and agreed by the Planning Committee.*

*Once this has been done the Planning Committee will be able to determine how the NPPF and Local Plan policy referred to above should be applied.”*

## **9.0 Relevant Policies**

### **National Planning Policy Framework**

As far as this application is concerned the following section(s) of the NPPF are considered to be relevant:

The NPPF was updated with a revised version published on 23 July, 2018, and a further update in February, 2019, made minor amendments. As far as this application is concerned the following section(s) of the NPPF are considered to be relevant:

Section 2 'Achieving sustainable development' advises at Paragraphs 8 and 9:

"8. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

9. These objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area."

At paragraph 11, it advises of the 'Presumption in favour of sustainable development'.

Paragraphs 83 and 84 under the sub-heading of: 'Supporting a prosperous rural economy', are of relevance.

Section 8 'Promoting safe and healthy communities'

Section 11 'Making effective use of land'

Section 12 'Achieving well designed places'

Section 15 – Natural Environment – Para 172 relates to development in AONB's and (in part) advises:

"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 – Historic Environment – the advice outlined in paragraphs 189 – 196 is of particular relevance.

Para 38 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

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

Section 38(6) of the Planning & Compulsory Purchase Act 2004 requires that all development proposals are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for West Dorset is The West Dorset, Weymouth & Portland Local Plan (adopted October 2015). In the adopted Local Plan, the following policies are considered relevant:

INT1 Presumption in Favour of Development

ENV1 Landscape, Seascape And Sites Of Geological Interest

ENV2 Wildlife and Habitats

ENV4 Historic Assets

ENV10 Landscape and Townscape Setting

ENV12 The Design and Positioning of Buildings

ENV15 Efficient and Appropriate Use of the Land

ENV16 Amenity

HOUS6 Other Residential Development Outside Defined Development Boundaries.

SUS2 Distribution of Development

SUS3 Adaptation and Re-Use of Buildings Outside Defined Development Boundaries

COM9 Parking Standards in New Development

**Other material considerations**

AONB Management Plan 2019-24

Design and Sustainable Development Planning Guidelines (2009)

Landscape Character Area: incorporating the West Dorset Landscape Character Assessment (2009) - Site is within the North Dorset Hills Landscape Character Area.

The primary legislation affecting proposals to and works affecting Listed Buildings is contained in the Planning (Listed Buildings and Conservation Areas) Act 1990 as updated with all changes up to 24 November, 2019.

## **10.0 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.

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

11.1 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.

11.2 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.

11.3 It is noted that the proposed Change of Use will provide level access and those visiting the site with restricted mobility will be able to access the ground floor area of the dwelling in a safe manner.

## **12.0 Financial benefits**

### Material considerations

- Contribution to housing stock in Powerstock and to this Council’s 5 year Housing Land Supply. The property is presently uninhabitable.
- Short term construction jobs
- Retention of and provision of a new use for an historic building

### Non material considerations

- Council Tax receipts for one dwelling and attendant outbuildings



## **13.0 Planning Assessment**

### **13.1 Principle of development**

13.1.1 The principle of development is considered to be acceptable. The site comprises a Grade II Listed farmhouse building which has evolved post c. 1840 from an agricultural building to a farm-workers cottage; and a Grade II Listed Stables Building with a bathroom extension added to the south side which is used as ancillary living/bedroom accommodation. The remaining buildings on the site are curtilage listed as a result of their being sited within the historic curtilage of Sort Farmhouse and The Stables. The site lies in the countryside outside any Defined Development Boundary – Powerstock does not have a DDB – and within the Marshwood and Powerstock Vales Landscape Character Area; and, Dorset AONB. The land-holding amounts to approximately 40 acres comprising fields and sections of woodland, some of the woodland is located within the Powerstock and Wytherston Farm SSSI. None of the actual application site lies within the SSSI.

13.1.2 This proposal seeks the renovation, adaption, extension to and re-use of these historic buildings as part of the main host dwelling as well as for ancillary residential purposes of the curtilage buildings associated with the host dwelling at Sort. No new separate residential dwelling will arise from these proposals. In principle, the proposals accord with the provisions of Adopted Local Plan Policies INT1, SUS2 iii), SUS3 and HOUS6, and the advice contained at paragraph 79 in the NPPF (2019).

13.1.3 The proposed addition of a new free-standing bedroom extension should be judged on its merits and in this instance is viewed as enabling development in terms of providing an adequate level of accommodation for the farmhouse in recognition of its Listed status in the open countryside/AONB and its poor state of repair. The proposal has been the subject of pre-application advice and has been considered by the Council's Conservation Officer (CO). The Conservation Officer has expressed concerns regarding

- the level of historic fabric to be removed;
- the impact of the proposed alterations on the fabric and character of the Listed and curtilage Listed buildings, and,
- the scale of development involving the additions and new build elements proposed,

as well as raising general concerns regarding the details of the development and materials to be used for repairs, method statements and the extent of opening up etc. to ascertain the condition of internal walls/floors/roofs. The CO did not object to the principle of development.

13.1.4 It is noted that there is a considerable level of local support for the proposals from the Parish Council and local residents. Correspondingly, there are a number of separate objections from one objector. A significant number of supporting documents accompany both the applications.

### **13.2 Impact on the fabric, character and setting of the Listed Buildings**

13.2.1 The Council's Planning and Conservation Officers have visited the site at both the pre-application stage; and, as part of the application process including meeting the applicant and Architect to discuss the proposals; view the site, the existing structures, its setting and position in the AONB and the relationship of the site to its surroundings. It is noted that Historic England has declined to comment leaving it to the Council's Conservation Adviser to deliberate on the applications.

13.2.2 Officers' considerations are that there are four main aspects to the proposals regarding their status as Listed Buildings:

- The acceptability or not of the amount of historic fabric proposed to be removed, especially from the Cottage (Sort Farmhouse); and, the Stables;
- The scale and extent of the alterations required to facilitate the additions proposed;
- The scale and extent of the additions. In particular the applicant's requirement for a free-standing new bedroom (Building 6);
- The impact of the buildings arising from the proposals and how this will affect their historic rural character and nature; and, how this will impact visually, on the area – with the changes proposed to Buildings 2 (Studios) and 4 Sort Barn (the stable) and whether there is the potential for two additional dwellings to be created.

13.2.3 The advice contained in Local Plan policy ENV4, and the advice contained in Section 12, Paragraphs 124 – 131 are of relevance here.

13.2.4 Policy ENV4 – Historic assets – of the Adopted Local Plan indicates:

#### ***“ENV4. HERITAGE ASSETS***

*i) The impact of development on a designated or non-designated heritage asset and its setting must be thoroughly assessed against the significance of the asset.*

*Development should conserve and where appropriate enhance the significance.*

*ii) Applications affecting the significance of a heritage asset or its setting will be required to provide sufficient information to demonstrate how the proposals would positively contribute to the asset's conservation.*

*iii) A thorough understanding of the significance of the asset and other appropriate evidence including conservation area character appraisals and management plans should be used to inform development proposals including potential conservation and enhancement measures.*

*iv) Any harm to the significance of a designated or non-designated heritage asset must be justified. Applications will be weighed against the public benefits of the proposal; if it has been demonstrated that all reasonable efforts have been made to sustain the existing use, find new uses, or mitigate the extent of the harm to the significance of the asset, and; if the works proposed are the optimum required to secure the sustainable use of the asset.*

- v) *The desirability of putting heritage assets to an appropriate and viable use that is consistent with their conservation will be taken into account.*
- vi) *Where harm can be justified, appropriate provision will be required to capture and record features, followed by analysis and where appropriate making findings publically available.”*

13.2.5 The buildings at Sort Farmstead have not been used or occupied for a number of years. The farmhouse itself is in a poor state of repair, with a section of the thatched roof having collapsed. The roof has been covered over with tarpaulins by the applicant, and following high winds, these have recently been replaced with new items in order to minimise any further deterioration of the exposed elements of the roof; the roof in general; and the interior of the farmhouse. A tarpaulin has also been deployed to completely cover the roof of The Stables building to prevent similar deterioration, although the roof here is complete. These buildings represent both of the Grade II Listed Buildings on the site, and are the only ones that have thatched roofs. The other buildings on site have slate/tile /profiled sheeting roof coverings which are in better albeit still poor condition.

13.2.6 The Farmhouse and Stables, even when in use represented basic, poor quality structures, built for and occupied by tenant farm workers. The construction materials used were what was available locally at the time, and the way in which the buildings were constructed is rudimentary with the farmhouse evolving from an agricultural building. This explains why the Design and Access Statement/Heritage Statement is light on construction details. Their construction timeline runs through several phases, with very little investment in the buildings other than bathroom addition of the lean-to kitchen/bathroom extension to the rear of the farmhouse in the 1940's; and, the addition of bathroom facilities to the Studio; and in the lean-to extension added to the south side of The Stables. Both of these structures were latterly rented-out and occupied independently of Sort Farmhouse. The sites history indicates that a 2-storey farmhouse was the main dwelling on the site up until the time it burnt down in a fire in 1910. It is now the Kennels and Tractor Shed. The farmstead, thereafter, changed ownership several times and slowly declined due to a lack of investment resulting in its present condition.

13.2.7 At the beginning of the Conservation Officers comments, the CO advised:

*“The considerable investment needed to revive this site weighs against the alterations and additions that are required in return. In principle there are no objections to the overall objectives however I am particularly concerned over the proposed works to the host listed building, which - with the former barn, are the most significant buildings on the site.”*

13.2.8 The main concerns raised by the CO regarding Sort Farmhouse are the works to the roof – which should be repaired where possible and not replaced; the amount of opening up of the interior elements; the size of the spaces created; the removal of the bedroom floor; and, the boxing out of the lintels.

13.2.9 With regard to works to the roof the applicant has advised that its removal and replacement does not form part of the proposals and that it should be rebuilt where it has collapsed at the eastern end, and be repaired and re-thatched where required using combed wheat reed. The modern c.20 chimney at the west end is to be removed from the farmhouse. This represents an incongruous addition and the two further chimneys venting through the ridge are to be repaired and retained. It is noted that the applicant has sought to limit damage to the roof by placing a tarpaulin over it, and by replacing the tarpaulin with a new cover in November, 2019. This is not the action of someone intent on replacing the roof.

13.2.10 The floor in the bedroom is to be retained, and the CO's comments on this should be discounted. The boxing out of lintels can be conditioned.

13.2.11 With regard to the elements of opening up and wall removal, it is clear that the cottage cannot function as a modern dwelling without alteration and adaptation to its internal layout. The removal of the 1940's kitchen and bathroom is acceptable – it is of no architectural merit. The opening up of the wall to accommodate the kitchen replacement, and the removal of elements of internal wall to allow circulation around the central fireplace and connectivity between rooms is acceptable. The CO's comments regarding this are noted. However, the quality of the structure as noted from the Council's site visit on 29/11/19, is one of a poor quality structure which is of little merit. It reflects the low quality construction of the Cottage and little would be gained by retaining the elements of walls proposed to be removed by the applicants, whilst a lot would be gained by the retention of the farm cottage as a functioning dwelling as the main structure in this group of structures in this particular location. On balance, the works of repair, removal replacement and extension to Sort Farmhouse are considered to be practical, and will result in the retention of this Listed Structure. Works can be conditioned to minimise their potential impact. As such, the proposed works are acceptable.

### **Works to Sort Barn**

13.2.12 The proposed works to Sort Barn (The Stable), involve: Removal of the south side extension – addition of a new extension to provide Entrance Lobby and Bathroom; open-plan Living Room\Kitchen; retain existing 1<sup>st</sup> floor mezzanine to provide bedroom area. The Stable has a thatched roof which is covered with a tarpaulin. This has assisted in preserving the roof from the worst elements of the weather to a point where it can be repaired rather a requirement for it to be replaced.

13.2.13 The CO's comments are noted. Apart from the removal of the lean-to extension to the south, they are unsupportive. The addition of the extension to the east to house a bathroom – which is presently contained in the southern extension – will improve the setting of the Stables, in that the unsympathetic extension will be removed from its principle elevation. This will avoid the requirement for pipe runs/drains within the main structure of the Stables. To achieve this an opening will be created in the end wall to provide a doorway into the bathroom extension.

13.2.14 On balance, Officers consider that this will preserve the vast majority of the historic fabric of the Stables, improve its setting and provide it with a use as ancillary living accommodation in much the same way as it has previously been used. Materials and repair methods can be conditioned.

**Works to The Studios; Cart-shed and Office; and, Kennels and Tractor Shed:**

13.2.15 These are all curtilage Listed Buildings, and are not listed in their own right.

The proposed works involve:

- Studios: Built c. 1951 without foundations. Lean-to at rear to be demolished. In poor condition will be re-built like-for-like. To provide entrance lobby/dining room; 2 No. bedrooms; and, bathroom.

13.2.16 The CO's concerns are noted. This is a curtilage listed structure, the elements of which mostly date from the 1950's. The proposals to remove the lean-to element to the rear of the structure, and refurbish it as described in the application are considered acceptable.

- Cart-shed and Office: Entrance/Store; WC/Boiler; New Farm Office Extension; Garage; Storage Attic on first floor level.

13.2.17 The works of repair and extension to the Cart-Shed and Office are considered to be acceptable. The new build element is reflective of the extent of the relic wall facing the Farm Cottage and The Studios, and new windows and doors will be inserted in existing openings. These details and the use of the building as a garage storage area, farm office and attic storage are all acceptable.

- Kennels and Tractor Shed: Use existing floor area to provide workshop/studio and storage room. Re-roof with new mono-pitch roof sloping downward from south to north to provide glazed area to southern elevation to the workshop to maximise daylight into the workshop.

13.2.18 This is the most rudimentary of the existing structures on site in terms of its roofing, yet it has the thickest walls. This is reflective of it having formed part of the former Dairy Farmhouse that burned down in 1910. It has a mono-pitched roof of corrugated, profiled sheeting. The above proposals which involve the insertion of floor to ceiling glazing in the south facing elevation are considered to be acceptable. The site is isolated and it is very unlikely that given the distance between it and any adjoining or nearby property, and that it is sited in a fold within the land renders any light spill or reflected glare from the windows or studio room whilst in use negligible.

13.2.19 The proposed works or repair, alteration and use are all considered to be acceptable.

## **New build works**

- Bedroom Extension - Accommodation to comprise: Entrance Lobby; Bedroom; Bathroom; Dressing Room Area with single bed-space.

13.2.20 The element of the application proposes a 'separate' bedroom extension, which is to be sited to the rear of the Farmhouse Cottage and in close proximity to The Studios. It will be off-set, yet betwixt and between in relation to these existing structures. It does not require LBC, as it is not proposed to be attached to any existing structure, or dug into the ground. In requiring Planning Permission it should be considered in context of the character and setting of the Farmhouse and The Studio. Whilst it is a reasonable sized addition, it is considered that it represents a further evolution on the organic/dispersed nature of the buildings on the site, and given the materials proposed to be used and simple lines of its design, it should appear in context and keeping with the existing buildings on the site. It would not compete with the Listed Buildings.

13.2.21 In respect of its impact on the wider area, Sort is noted for being a discreet site, largely hidden in a fold in the land, and the Bedroom Extension, along with all the other additions and extensions will have a very limited impact on the overall character and appearance of the site and the overall development would not be harmful to its setting within the countryside and the AONB. In respect of the provisions of Adopted Local Plan Policies ENV1 and ENV4; and, the advice contained in the NPPF 2019 at Para 172, relating to the impact of development on AONB's, the development is considered to be acceptable.

## **Overall considerations**

13.2.22 It is clear that the buildings on site at Sort are in very poor condition, and it would not be long before they deteriorate and become beyond economic repair, and as such would be lost as historic assets. They require care, attention, repair/refurbishment and updating if they are to remain as historic assets that contribute to the character of the site and its position in the AONB and for them to reflect and continue the historic and evolutionary context of the Sort Farmstead site and its constituent buildings.

13.2.23 These proposals should not be treated as an academic exercise. They propose reasoned additions in proportion and scale to the buildings on site. Whilst the Farmhouse and Stables are Grade II Listed, they are and always have been of rudimentary construction and of poor quality. The low quality of their materials and construction is reflective of that of a tenant farm that historically was under-invested in, and subsequently neglected. Nevertheless, they are worthy of preservation, refurbishment and renewal and these proposals are considered to be acceptable in the context of the above Local Plan Policies and the advice contained in the NPPF. Whilst concerns have been raised regarding the scale and extent of the development proposed, and the details regarding the impact of them on the character, fabric and setting of the LB's as raised by the CO, and neighbour, the works proposed to be carried out will prevent further decay and dereliction. They are required to be carried

out as soon as possible. Clearly the setting of a listed building is an important issue in the planning balance. The Council has a statutory duty to have 'special regard to the desirability of preserving the building or its setting'. Further para 194 of the NPPF expressly recognises the potential for harm to a listed building from development within its setting. The statutory duty does not prohibit development which causes harm to a listed building or its setting but that there is, clear and compelling justification in the public interest to permit that development. In this case, the works proposed represent less than substantial harm. The NPPF at para 196 states:

*“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use”.*

It is considered that the uses proposed here which are essentially ancillary residential accommodation to the main dwelling and the re-instatement of the main farmhouse back into its former residential use are appropriate in securing the optimum viable use and are therefore considered to be acceptable. As a result the bringing back into use of these buildings provides wider public benefits in terms of those buildings contributing to the character and appearance of the area and enhancing that area given that there are public rights of way that pass the site such that members of the public will have a better appreciation of these listed buildings. This is considered to be in accordance with Para 196 of the NPPF.

13.2.24 A number of conditions should be attached to any LBC granted to cover the submission of Method Statements for the repair of each building setting out the approach to restoration, repair, retention and reinstatement of historic features, the use of lime putty in repointing, and the careful uncovering of historic fabric, windows, lintels, roof trusses etc., plus details of all new doors and windows, garage doors, all new internal and external doors, pipe-runs, flues, vents and extracts.

13.2.25 A Method Statement for the retention and repair of all historic bridges on the site should be conditioned. This does not include the temporary bridges formed from railway sleepers that are evident on and around the site.

13.2.26 In respect of the siting, design, bulk, scale, level of accommodation proposed, and the materials to be used, the proposed development accords with the provisions of Adopted Local Plan Policies ENV 4 – Historic Assets; ENV10 - The Landscape and Townscape Setting; and, ENV12 – The Design and Positioning of Buildings; and, the advice contained in Section 16 of the NPPF which gives great weight to the protection of historic assets.

#### **Impact on the character and openness of the AONB**

13.2.28 Advice regarding development within and its effect on the character of the AONB is contained in Adopted Local Plan policy ENV1, as well as the advice at

paragraph 172 of the NPPF in respect of the impact of the proposals on the special character, and openness of the AONB. Paragraph 172 advises (in part):

“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.”

13.2.29 Policy ENV1 of the Adopted Local Plan indicates:

*“ENV1. LANDSCAPE, SEASCAPE AND SITES OF GEOLOGICAL INTEREST*

*i) The plan area’s exceptional landscapes and seascapes and geological interest will be protected, taking into account the objectives of the Dorset AONB Management Plan and World Heritage Site Management Plan. Development which would harm the character, special qualities or natural beauty of the Dorset Area of Outstanding Beauty or Heritage Coast, including their characteristic landscape quality and diversity, uninterrupted panoramic views, individual landmarks, and sense of tranquillity and remoteness, will not be permitted.*

*ii) Development should be located and designed so that it does not detract from and, where reasonable, enhances the local landscape character. Proposals that conserve, enhance and restore locally distinctive landscape features will be encouraged. Where proposals relate to sites where existing development is of visually poor quality, opportunities should be taken to secure visual enhancements. Development that significantly adversely affects the character or visual quality of the local landscape or seascape will not be permitted.*

*iii) Appropriate measures will be required to moderate the adverse effects of development on the landscape and seascape.”*

13.2.30 Overall, the works proposed are minor in nature in respect of the additions to each of the existing buildings at Sort. The exception is the Bedroom Extension, which has been covered separately above. The site is remote and well-screened from its surroundings by natural folds in the land. Whilst it is accepted that users of the public footpath/bridleway that runs through and provides access to Sort from the local road network will be aware of these structures on site as they pass by. They will not dwell there, and any impact on them will be temporary. It may be that passers-by appreciate the development.

13.2.31 The development will have a very limited impact on the overall character and appearance of the site and its setting within the countryside and the AONB and is considered to be acceptable and in accordance with the provisions of Adopted Local Plan Policies ENV1, ENV10, ENV12 and the advice contained in the NPPF 2019.

### **13.2.32 Policies SUS3 and HOUS6**

Adopted Local Plan Policy SUS3 i) and ii) (in part) indicates:



### **SUS3. ADAPTATION AND RE-USE OF BUILDINGS OUTSIDE DEFINED DEVELOPMENT BOUNDARIES**

*i) The adaptation and re-use of rural buildings will be permitted where:*

- the existing building is of permanent and substantial construction, makes a positive contribution to the local character, and would not need to be substantially rebuilt or extended; and*
- their proposed form, bulk and design will make a positive contribution to the local character;*

*ii) and where development is for one of the following uses:*

- or, where the building is a designated heritage asset....*

Adopted Local Plan Policy HOUS6 i) (in part) indicates:

*i) The extension of an existing lawful dwelling-house located outside the defined development boundaries will be permitted provided that the extension is subordinate in scale and proportions to the original dwelling, and does not harm the character of the locality or its landscape setting.*

13.2.33 Officers have considered the possibility of the proposals amounting to the provision of three separate dwellings. This would be contrary to Local Plan Policies INT1, ENV1, SUS2, SUS3 and other provisions in Policy HOUS6. It is noted from the Council's site visit that the dwelling has functioned as proposed with separate, but effectively annexed accommodation contained in The Studio and The Stables – which the applicant herself occupied from 1988 -1990. The development proposals do not contain any kitchen facilities other than at Sort Farmhouse. Nor are there any proposed to be contained in the separate bedroom extension. The applicant has advised that she is happy to accept a condition that the separate units remain as one unit of living accommodation, and that she intends to occupy the site as such. It is noted that the applicant has a long association with Sort, and is a farmer in the area. There is no reason to disbelieve that she does not intend to live at Sort post development. The proposals, which are to renovate the Farmhouse, and outbuildings, add a separate bedroom extension to the Farmhouse, and re-instate the use of the Farmhouse and outbuildings as a single dwelling unit with effectively annex accommodation, complies with the above provisions of Policies HOUS6 and SUS3.

### **13.3 Impact on the amenity of neighbours**

13.3.1 Policy ENV16 – Amenity – of the Adopted Local Plan permits development provided that it has no significant adverse impact on neighbours amenity through loss of privacy; loss of light or excessive overshadowing; or through a level of activity or noise that would detract from the quiet enjoyment of residential properties. The plans indicate that the proposed alterations and extensions would not result in any unacceptably adverse impact on the amenities of occupants of neighbouring residential dwellings. This would not occur as there are no residential neighbours

close-by, and the site is well-screened from its surroundings by folds in the land. The proposed development meets the requirements of Adopted Local Plan Policy ENV16 – Amenity; and, the advice contained in the NPPF (as amended).

### **13.4 Any other material considerations**

13.4.1 A Bat & Protected Species Survey, Great Crested Newt Survey, & Bat Activity Survey by Ecologic dated December, 2017 has been submitted with the application. Subsequently, a Biodiversity Mitigation Plan dated 22 November, 2019, has been submitted. The findings and measures outlined in both the survey and BMEP are considered acceptable. The provisions of the Survey and BEMP should be conditioned.

### **13.5 Local Financial Considerations**

13.5.1 Having regard to S70 (2) of the Town and Country Planning Act the proposal has implications in respect of finance considerations, namely, the Community Infrastructure Levy.

#### **Community Infrastructure Levy**

13.5.2 The adopted charging schedule only applies a levy on proposals that create a dwelling and/or a dwelling with restricted holiday use. All other development types are set at a £0 per square metre CIL rate. The development proposed is CIL liable. The rate of CIL for dwellings in West Dorset is £100 per sq. metre.

13.5.3 The proposal does not involve the creation of a new dwelling, and as such is not CIL liable.

### **13.6 Highways & Parking**

13.6.1 There are no highway objections. Policies COM7 and COM9 are considered to be complied with. The proposed parking arrangements on site are acceptable.

### **13.7 Climate Change Implications**

13.7.1 The proposal is considered to be in accordance with the Policies of the adopted Local Plan given that the proposal site is an existing dwelling and outbuildings and as such comprises what is regarded as Sustainable Development. The proposal would also have to meet modern Building Regulations standards as regards construction, unless an exemption from them is granted owing to their Listed status.

### **14.0 Conclusion**

14.1.1 The proposed development for the restoration and alteration of Sort farmstead, including the farmhouse, and works to the five buildings comprising the farmstead are, on balance, considered to be acceptable. The character, fabric and setting of these Grade II Listed Farmhouse and Stables, plus the attendant curtilage listed outbuildings will be preserved. The plans indicate that the works of extension and alteration plus the bedroom extension would have a minimal visual impact on the character of the site, its surroundings and the AONB. There would be no impact

on residential neighbours amenities. There are no other material considerations which warrant refusal of this application. As such, the proposal accords with the provisions of the above policies contained in the West Dorset, Weymouth and Portland Local Plan (Adopted – October, 2015); and, the advice contained in the NPPF 2019.

14.1.2 It is further considered that the proposals accord with the primary legislation relating to proposals for and works affecting Listed Buildings as contained in the Planning (Listed Buildings and Conservation Areas) Act 1990

## **15 RECOMMENDATION:**

**WD/D/19/001020/FUL – GRANT PLANNING PERMISSION–** subject to the following conditions and their reasons:

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:

Location Plan - Drawing Number 196\_P\_001  
Proposed Site Plan - Drawing Number 196\_P\_003  
Sort Farmhouse - Proposed Ground Floor Plan - Drawing Number 196\_P\_100  
Studios - Proposed Ground Floor Plan - Drawing Number 196\_P\_101  
Cart-shed - Proposed Ground Floor Plan - Drawing Number 196\_P\_102  
Sort Barn - Proposed Ground Floor Plan - Drawing Number 196\_P\_103  
Kennels - Proposed Ground Floor Plan - Drawing Number 196\_P\_104  
New Bedroom - Proposed Ground Floor Plan - Drawing Number 196\_P\_105  
Sort Farmhouse - Proposed South Elevations - Drawing Number 196\_P\_301  
Sort Farmhouse - Proposed East Elevations - Drawing Number 196\_P\_303  
Sort Farmhouse - Proposed North Elevations - Drawing Number 196\_P\_305  
Sort Farmhouse - Proposed West Elevations - Drawing Number 196\_P\_307  
Sort Farmhouse - Proposed Section AA - Drawing Number 196\_P\_309  
Sort Farmhouse - Proposed Section BB - Drawing Number 196\_P\_311  
Studio - Existing & Proposed South Elevations - Drawing Number 196\_P\_312  
Studio - Existing & Proposed East & West Elevations - Drawing Number 196\_P\_313  
Studio - Existing & Proposed North Elevations - Drawing Number 196\_P\_314  
Studio - Existing & Proposed Section AA - Drawing Number 196\_P\_315  
Studio - Existing & Proposed Section BB - Drawing Number 196\_P\_316  
Cart-shed - Existing & Proposed South & North Elevations - Drawing Number 196\_P\_317  
Cart-shed - Existing & Proposed West Elevations - Drawing Number 196\_P\_318

Cart-shed - Existing & Proposed East Elevations - Drawing Number 196\_P\_319  
Sort Barn - Proposed South Elevations - Drawing Number 196\_P\_321  
Sort Barn - Existing & Proposed East Elevations - Drawing Number 196\_P\_322  
Sort Barn - Proposed North Elevations - Drawing Number 196\_P\_324  
Sort Barn - Existing & Proposed West Elevations - Drawing Number 196\_P\_325  
Sort Barn - Existing & Proposed Section AA - Drawing Number 196\_P\_326  
Kennels & Tractor Shed - Existing & Proposed West & South Elevations - Drawing Number 196\_P\_327  
Kennels & Tractor Shed - Existing & Proposed North & East Elevations - Drawing Number 196\_P\_328  
New Bedroom - Proposed West Elevations & Section - Drawing Number 196\_P\_329  
New Bedroom - Proposed East Elevations - Drawing Number 196\_P\_330  
New Bedroom - Proposed North Elevations - Drawing Number 196\_P\_331  
New Bedroom - Proposed South Elevations - Drawing Number 196\_P\_332  
Proposed Drainage - Drawing Number 501 Rev P1

all received on 16 April 2019; and,

Roof Plans - Drawing Number 196\_P\_004  
Proposed South Topographical Survey - Drawing Number 196\_P\_333  
Proposed North Topographical Survey - Drawing Number 196\_P\_334  
Proposed East Topographical Survey - Drawing Number 196\_P\_335  
Proposed West Topographical Survey - Drawing Number 196\_P\_336

all received on 13 June 2019;

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

3. Following completion of the works of repair, refurbishment and extension, hereby permitted, the dwelling and outbuildings comprising Sort Farmstead and as shown on drawing number 196\_P\_003 'Sort Proposed Site Plan' be occupied as one dwelling unit only.

REASON: The site is located in the open countryside and Dorset AONB where new build residential development is severely restricted. Separate occupation of any of the units of living accommodation in this area would be contrary to the Council's Adopted planning policies and the advice contained in the NPPF 2019.

4. The development shall be carried out in accordance with the findings of the Bat & Protected Species Survey, Great Crested Newt Survey, & Bat Activity Survey by Ecologic dated December, 2017; and, the submitted Biodiversity Mitigation Plan dated 22 November, 2019. Thereafter, the mitigation measures provided shall be permanently maintained.

REASON: To make provision for protected species in accordance with the requirements outlined in the National Planning Policy Framework 2019.

**WD/D/19/001021/LBC – GRANT LISTED BUILDING CONSENT** – subject to the following conditions and their reasons:

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

REASON: This condition is required to be imposed by reason of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

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

Location Plan - Drawing Number 196\_P\_001  
Proposed Site Plan - Drawing Number 196\_P\_003  
Sort Farmhouse - Proposed Ground Floor Plan - Drawing Number 196\_P\_100  
Studios - Proposed Ground Floor Plan - Drawing Number 196\_P\_101  
Cart-shed - Proposed Ground Floor Plan - Drawing Number 196\_P\_102  
Sort Barn - Proposed Ground Floor Plan - Drawing Number 196\_P\_103  
Kennels - Proposed Ground Floor Plan - Drawing Number 196\_P\_104  
New Bedroom - Proposed Ground Floor Plan - Drawing Number 196\_P\_105  
Sort Farmhouse - Proposed South Elevations - Drawing Number 196\_P\_301  
Sort Farmhouse - Proposed East Elevations - Drawing Number 196\_P\_303  
Sort Farmhouse - Proposed North Elevations - Drawing Number 196\_P\_305  
Sort Farmhouse - Proposed West Elevations - Drawing Number 196\_P\_307  
Sort Farmhouse - Proposed Section AA - Drawing Number 196\_P\_309  
Sort Farmhouse - Proposed Section BB - Drawing Number 196\_P\_311  
Studio - Existing & Proposed South Elevations - Drawing Number 196\_P\_312  
Studio - Existing & Proposed East & West Elevations - Drawing Number 196\_P\_313  
Studio - Existing & Proposed North Elevations - Drawing Number 196\_P\_314  
Studio - Existing & Proposed Section AA - Drawing Number 196\_P\_315  
Studio - Existing & Proposed Section BB - Drawing Number 196\_P\_316  
Cart-shed - Existing & Proposed South & North Elevations - Drawing Number 196\_P\_317  
Cart-shed - Existing & Proposed West Elevations - Drawing Number 196\_P\_318  
Cart-shed - Existing & Proposed East Elevations - Drawing Number 196\_P\_319  
Sort Barn - Proposed South Elevations - Drawing Number 196\_P\_321  
Sort Barn - Existing & Proposed East Elevations - Drawing Number 196\_P\_322  
Sort Barn - Proposed North Elevations - Drawing Number 196\_P\_324  
Sort Barn - Existing & Proposed West Elevations - Drawing Number 196\_P\_325  
Sort Barn - Existing & Proposed Section AA - Drawing Number 196\_P\_326  
Kennels & Tractor Shed - Existing & Proposed West & South Elevations - Drawing Number 196\_P\_327  
Kennels & Tractor Shed - Existing & Proposed North & East Elevations - Drawing Number 196\_P\_328

New Bedroom - Proposed West Elevations & Section - Drawing Number 196\_P\_329  
New Bedroom - Proposed East Elevations - Drawing Number 196\_P\_330  
New Bedroom - Proposed North Elevations - Drawing Number 196\_P\_331  
New Bedroom - Proposed South Elevations - Drawing Number 196\_P\_332  
Proposed Drainage - Drawing Number 501 Rev P1

all received on 16 April 2019; and,

Roof Plans - Drawing Number 196\_P\_004  
Proposed South Topographical Survey - Drawing Number 196\_P\_333  
Proposed North Topographical Survey - Drawing Number 196\_P\_334  
Proposed East Topographical Survey - Drawing Number 196\_P\_335  
Proposed West Topographical Survey - Drawing Number 196\_P\_336

all received on 13 June 2019;

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

3. Prior to the commencement of the development hereby permitted, a Method Statement setting out the approach to the restoration, repair, retention and reinstatement of historic features for each of the following buildings:

Sort Farmhouse;  
The Studio;  
The Stables;  
The cart-shed and Workshop; and,  
The Kennels and Tractor Store;

shall be submitted to and approved in writing by the local planning authority.  
The Method Statement shall include:

Details of re-instatement and repair of the thatched roofs of the farmhouse; and the repair of the thatched roof for the Stables;

A window schedule or plan annotations showing windows to be replaced or secondary glazed;

Locations of fibreboard cladding to walls;

The use of lime mortar in repointing and in the construction of any new walls; the careful uncovering of any historic fabric, such as windows, doors, lintels, roof trusses etc.

All works of restoration, repair, retention and reinstatement of historic features for each of the buildings shall be carried out in accordance with the approved Method Statement.

REASON: To ensure the historic fabric and architectural character and setting of the buildings is properly maintained, in accordance with the requirements of S17 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

4. The thatched roofs of Sort Farmhouse and The Stables shall except where it has collapsed in respect of the farmhouse, be retained and all timbers and roof supports re-used where possible. The roofs coverings shall be repaired or replaced using Combed Wheat Reed only.

REASON: To ensure the historic fabric and architectural character and setting of the buildings is properly maintained, in accordance with the requirements of S17 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

5. Prior to the commencement of the development hereby permitted, drawn details of all new internal and external doors, and all new windows at a scale of 1:10 in elevation; and, 1:5 in section shall be submitted to and approved in writing by the local planning authority. The development shall be carried in accordance with the approved details.

REASON: To ensure the historic architectural character and setting of the buildings is properly maintained, in accordance with the requirements of S17 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

6. Prior to the commencement of the development hereby permitted, drawn details of all pipe-runs and underground services to the site and between the different structures on site shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

REASON: To ensure the historic architectural character and setting of the buildings is properly maintained, in accordance with the requirements of S17 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

7. Prior to the commencement of the development hereby permitted, details of all internal and external flues, vents and extracts shall be submitted to and approved in writing by the local planning authority. The development shall be carried in accordance with the approved details.

REASON: To ensure the historic architectural character and setting of the buildings is properly maintained, in accordance with the requirements of S17 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

8. The development hereby approved shall be carried out using the submitted schedule of materials and finishes (received 13 June, 2019) and thereafter permanently maintained. For the avoidance of doubt, any new tiles to match shall be

of clay, not concrete. Any new slates to be used shall be natural slate and not imitation slates.

REASON: To ensure the historic architectural character and setting of the buildings is properly maintained, in accordance with the requirements of S17 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

9. All rainwater goods, downpipes, and any soil vent pipes to be used in the development, hereby permitted, shall be of cast iron, or cast aluminium construction, and painted black. Subsequently, the rainwater goods in this colour and either of these materials shall be permanently retained.

REASON: To ensure the historic and architectural character and setting of the building is properly maintained, in accordance with the requirements of S17 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended); and, Policy ENV4 of the West Dorset, Weymouth and Portland Local Plan (adopted 2015).

10. Prior to the commencement of any works in relation to the bridges on site as outlined in the submitted Bridge Report, a schedule of works and materials and a method statement for repairs and/or reconstruction of the bridges shall be submitted to and approved in writing by the local planning authority. The works to the bridges shall be carried out in accordance with these approved details.

REASON: To ensure the historic architectural fabric, character and setting of the bridges is properly maintained, in accordance with the requirements of S17 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

## **Informatives**

### **National Planning Policy Framework Statement**

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

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

In this case:

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



- The application was acceptable as submitted and no further assistance was required.

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Please note that this application is included as part of the report in agenda item 5a.

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[WP/19/00415/OUT](#)

Erection of up to 6.no holiday units with associated landscaping

Land East of, 61 Bowleaze Coveaway, Weymouth

**Applicant name** – Mr Eiles- Clarke

**Case Officer** – Emma Telford

**Ward Member(s)** –Cllr Ferrari & Cllr O’Leary

Taking account of the comments made by the Parish Council, Ward Member and the Chair and Vice Chair of Planning Committee, the Head of Service considers that under provisions of Dorset Council’s constitution this application should be determined by the Area Planning Committee.

## 1.0 Summary of Recommendation:

1.1 Grant, subject to conditions.

## 2.0 Reason for the recommendation:

- Para 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 comply with local plan policy ECON 6.
- At this in principle stage the proposal is considered acceptable in its general visual impact.
- At this in principle stage the proposal is not considered to result in any significant harm to neighbouring residential amenity.
- There are no material considerations which would warrant refusal of this application.

## 3.0 Key planning issues

Issue	Conclusion
Principle of development	Site is located just outside of the Weymouth DDB. Complies with Local Plan policy ECON 6.
Visual Amenity	At this ‘in principle stage’ it is considered that the development of up to 6 holiday units could be achieved that would not be unduly prominent in terms of the neighbouring properties, the local character and the wider landscape.
Residential Amenity	Nothing to suggest at this outline stage that

	the proposal would result in adverse impacts on neighbours.
Land Instability	Acceptable if restricted to holiday accommodation and a temporary period.
Biodiversity	Acceptable as the ecological corridor to be maintained on half of the site.
Highway Safety	Acceptable in principle.
Drainage	Acceptable subject to drainage condition.
Archaeology	Archaeology is not a constraint.
Affordable Housing	Not required.
Community Infrastructure Levy	Not CIL liable.

#### **4.0 Description of Site**

4.1 The application site is located on land adjacent to no. 61 Bowleaze Coveaway, Weymouth. The site is roughly rectangular shaped and comprises overgrown open land accessed via a wooden gate off Bowleaze Coveaway. The sites slopes from the west down to the east. The surrounding area comprises residential land to the west, open land to the north and east and Bowleaze Coveaway to the south.

4.2 The application site is located just outside of the defined development boundary (DDB) and is also located within an area vulnerable to coastal erosion.

#### **5.0 Description of Proposal**

5.1 The proposed development is for the erection of up to six holiday units. The applicant seeks outline planning permission with all matters reserved.

#### **6.0 Relevant Planning History**

6.1 No relevant planning history on the site.

#### **7.0 Relevant Constraints**

Outside settlement limit

Area Vulnerable to Coastal Erosion

#### **8.0 Consultations**

8.1 Natural England – *Natural England consider the loss of this exceptionally important ecological corridor bottleneck through narrowing at its most constrained point to be wholly unacceptable on policy and legislative grounds stated above. We are of the opinion that if the applicant were to retain at least half of the redline boundary north to south, divided by an ecological barrier (such as a hedgerow) that separates the corridor from the amenity grassland, managed under an ecological management plan that significantly enhanced the overall connectivity and security of the site then it may be argued that there is no net-loss to the environment and biodiversity. This would involve a reduction in parking, re-arrangement of the access and units. To date such a scheme has not been forthcoming.*

*Should the applicant be unable to secure an approval certificate and mitigate for the significant impacts proposed, Natural England recommend that the application is refused pending consideration of an Appropriate Assessment. Should the applicant secure an approval certificate and mitigate for the significant impacts expected, Natural England would have no objection to the development.*

8.2 In response to the comments from Natural England and the Natural Environment Team a revised BMEP was submitted which included the retention of an ecological corridor along the eastern boundary. NET issued a certificate of approval thus removing the objection from Natural England and NET.

8.3 Wessex Water – *There must be no surface water connections into the foul sewer network.*

8.4 Flood Risk Management Team – *The current Outline application under consideration does not appear to be supported by a site specific Drainage Strategy or to include relevant information within other supporting documents, namely the Design & Access Statement (ref: Spase – 1100-DAS, dated 21/05/2019). Section 12 of the supporting application form specifies the intended discharge of surface water to a main sewer, although the supporting layout drawing (ref: Spase – Proposed Site Plan & Massing / PL-1100-01, dated May 2019) fails to show how this would be achieved. Mindful of the response provided by Wessex Water, dated 03/06/2019, and their comment that the proposed management of surface water is not currently acceptable, we would conclude that a viable & deliverable strategy has not been provided.*

*Based upon the limited supporting documents and assumption/s made with regard to the discharge of surface water we (DC/FRM) recommend that a precautionary approach be adopted and request that a (Holding) Objection be applied, pending the subsequent supply & acceptance of a conceptual strategy of surface water management that is both viable & deliverable.*

8.5 In response to other concerns raised the scheme was reduced from 10 to 6 units. The Flood Risk Management Team commented that the proposals do not qualify as major development and therefore does not require their formal input as a statutory

consultee and are obliged to defer to others in this matter. In response to the comments of both the Flood Risk Management Team and Wessex Water a plan was submitted showing proposed connection points for four and surface water. A discretionary comment was received from the Flood Risk Management Team:

*'The proposed surface water (sw) drainage strategy proposes a regulated discharge of 1.5l/s to an existing sw sewer, via a new connection and necessary requisition. To this end, the in-principle agreement of both Wessex Water and DC Highways should be secured'*

8.6 Wessex Water were re-consulted on the application and made the following further comment.

8.7 Further Wessex Water - *We can accept a surface water connection to the public surface water sewer at a restricted discharge rate of 1.5 l/s. A developer can requisition Wessex Water to lay a sewer to serve a site if there is no access to a public sewer.*

8.8 Highways – *The Highway Authority has no objection subject to conditions for vehicle access construction, turning and parking construction as submitted and surface water drainage.*

8.9 Environmental Health – No comments received at the time of report preparation.

8.10 Archaeologist – *The Roman cemetery appears to be concentrated on the same hilltop as Jordan Hill Roman temple, and archaeological work on the south-east side of that hill has not found anything. The most relevant work in this regard was a watching brief carried out in 1999 that found nothing of archaeological significance. The work is recorded as taking place at no. 57 Bowleaze Coveaway, although it might have been on the construction of no. 61 itself. Hence, my advice is that archaeology is not a constraint that needs to be taken into account when this application is determined.*

8.11 Technical Services – *With regards to this application I wish to comment as follows. The site falls within SMP2 policy unit 5g14: Furzy Cliff which has a policy statement of "No Active Intervention" for the next 100 years. This means that there is no expectation for constructing any coastal protection measures along this section of coast over this period. As a consequence, predicted coastal recession zones within the Coastal Risk Planning Guidance (CRPG) indicate that there is a 5% chance the site could be affected in the medium-term i.e. 20-50 years and additionally there is a 5% chance the highway (Bowleaze Coveaway) fronting the site could be threatened in the shorter term i.e. 0-20 years. The implications of this are that access to the site would be threatened should Bowleaze Coveaway be affected by future recession of Furzy Cliff before the site itself. The applicant should be fully aware of the risk implications in carrying out development at this location. The CRPG states that no permanent development should occur in the area at risk of erosion along the cliff top or the coastal slope seawards of the defined*



*erosion bands, however, given the 'temporary' beach hut nature of the proposals, a time-limited planning consent may be appropriate given the expected timing of future risks. Any development should demonstrate how it will adapt to future coastal change risks, including how it can be safely removed in advance of its loss to coastal change. In this regard, the CRPG suggests short term holiday lets or camping/caravan sites or facilities associated with tourism and leisure can be considered acceptable in some instances. There does not appear to be any obvious sign of ground instability at the site and from my understanding of the proposals, I would not expect them to exacerbate any ground instability. I would advise that any collected surface water is discharged to a piped drainage system and not to soakaway at this location.*

**8.12 Planning Obligations Manager** – *On the understanding that there will be an occupancy restriction on the units I have no other requirement from a planning obligations perspective.*

**8.13 Weymouth Town Council** - *The Council objects on the grounds of policy Wey14 in the 2015 Local Plan which states that the development should be restricted to a certain area detailed in map 3.1, impact on the countryside, concerns around overlooking and loss of privacy, inappropriate development along a residential street scene, coastal erosion and refusal of previous planning applications. The site is also an important local gap between residential properties and holiday sites.*

## **9.0 Representations**

9.1 The application was originally submitted for the erection of 10 holiday units, it was then reduced to 6 units and the application was re-consulted on. The following comments were made in response to both consultations. In response to the consultations 8 third party comments were received objecting to the proposal, the comments are summarised below:

- Distribution of roman cemetery
- Already high volume of traffic on Bowleaze Coveaway Road
- Area saturated to full capacity with overnight accommodation with Waterside Holiday Park and the Riviera Hotel
- No justification for holiday lodges
- Attract anti-social behaviour with no on-site management for security issues and noise disturbance
- Out of character with Bowleaze Coveaway
- Increased fire risk
- Small parking area with no serviceable turning or loading area
- No bin and recycling area
- On street parking is already challenging
- Area at risk from coastal erosion

- Wessex Water has rejected the proposed surface water drainage due to the risk of sewer flooding and pollution
- Impact on biodiversity
- Prominent eyesore from coastal footpaths
- Loss of residential visual amenity
- Loss of privacy and disturbance to residents
- Noise, pollution and dust
- Concerns they will be used as dwellings
- Loss of green/open space
- Request for a restriction of 5 months occupancy
- Encroachment on land that acts as a natural divide between residential homes and commercial zone
- Road safety and pedestrian access concerns
- Area of historic importance along the Jurassic Coast
- Harm to the landscape character
- Overlooking of adjacent neighbour, impact on peaceful surroundings and enjoyment of garden
- Proposed height would be overbearing and visually intrusive
- All other residential properties enjoy large gardens on large plots of land conflicts with planning grain of its locality
- Outside of the defined development boundary
- Significantly alter the fabric of the area
- Overdevelopment
- Parked cars opposite the proposed access
- Encroachment into the open land forming an important gap
- Not in keeping with the surrounding houses
- Emergency vehicles not able to carry out duties due to the increased parking and traffic

9.2 Concerns were also raised regarding the impact of the proposal on property prices however this is not considered to be a material planning consideration and therefore won't be considered as part of this application.

## **10.0 Relevant Policies**

### West Dorset, Weymouth and Portland Local Plan

ENV 1 – Landscape, Seascape and Sites of Geological Interest  
 ENV 2 – Wildlife and Habitats  
 ENV 3 – Green Infrastructure Network  
 ENV 4 – Heritage Assets  
 ENV 5 – Flood Risk  
 ENV 7 – Coastal Erosion and Land Instability  
 ENV 10 – The Landscape and Townscape Setting  
 ENV 11 – The Pattern of Streets and Spaces

ENV 12 – The Design and Positioning of Buildings  
ENV 15 – Efficient and Appropriate Use of Land  
ENV 16 – Amenity  
SUS 2 – Distribution of Development  
ECON 6 – Built Tourist Accommodation  
HOUS 1 – Affordable Housing  
COM 7 – Creating a Safe and Efficient Transport Network  
COM 9 – Parking Standards in New Development  
COM 10 – The Provision of Utilities Service Infrastructure

#### National Planning Policy Framework

2. Achieving sustainable development  
6. Building a strong, competitive economy  
11. Making effective use of land  
12. Achieving well-designed places  
14. Meeting the challenge of climate change, flooding and coastal change

#### Other material considerations

Urban Design SPG  
DCC Parking Standards Guidance  
Managing Coastal Change: Coastal Planning Guidance for West Dorset, Weymouth & Portland

### **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**

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.

In the context of the above PSED, the application is outline all matters reserved so details shown are indicative at this stage and therefore PSED will have to be considered further at the reserved matters stage. However the indicative plans do show two parking spaces on the site in close proximity to the proposed holiday units.

### 13.0 Financial benefits

Benefits of the proposed development	
Increased spending in the local area by visitors	Not known.

### 14.0 Climate Implications

14.1 The application site is located in walking distance of the beach at Bowleaze Coveaway and the facilities of the leisure complex which will mean that visitors will not be reliant on the car. There is also a bus services that runs daily from the Waterside Holiday Park (which is in walking distance) to Weymouth Seafront which would give access to all the facilities of Weymouth Town Centre.

### 15.0 Planning Assessment

#### 15.1 Principle of Development

The application site is located outside the defined development boundary (DDB) however it is located in close proximity to the DDB. Local Plan policy SUS 2 of sets out that *outside defined development boundaries, development will be strictly controlled, having regard to the need for the protection of the countryside and environmental constraint, and be restricted to:*

- *New employment, tourism, educational/training, recreational or leisure related development*

The proposal is for the erection of up to 6 no. holiday units. As the proposal is for holiday accommodation it can be considered acceptable outside of the DDB subject to compliance with other policies of the local plan. The proposed holiday units are not considered to fall under the definition of a ‘caravan’ as they would have a mezzanine floor and would not fall under the size dimensions. Therefore the proposal will be considered against the Local Plan policy ECON 6, Built Tourist Accommodation. The proposal is new built tourist accommodation and is considered to comply with ECON 6 as it is located adjacent to the DDB for Weymouth.

## 15.2 Visual Amenity

The application is for the erection of up to 6 holiday units, it is an outline application with all matters reserved. Any reserved matters applications would need to consider the visual impact in terms of scale and design but at this 'in principle stage' it is considered that the development of up to 6 holiday units could be achieved that would not be unduly prominent in terms of the neighbouring properties and the local character.

Concerns have been raised regarding the loss of the open field site that provides separation between the residential properties of Bowleaze Coveaway and the Holiday Park. The application site only forms part of the field providing that separation and the retention of the ecological corridor on the site means that only the western half of the site would be developed. The site plan is indicative but it does show parking towards the front of the site which would be reflective of existing plots on Bowleaze Coveaway. This arrangement would also mean when approaching the site from the direction of Weymouth Town Centre the units would not be highly visible as they would be positioned behind the existing residential properties of the street. Then when viewed in closer proximity the holiday park would also be visible to the eye. The application site would not extend out further than the rear gardens of the neighbouring properties maintaining that line to the rear. When approached from the Holiday Park end of Bowleaze Coveaway the units would be visible with the residential properties of Bowleaze Coveaway behind.

## 15.3 Residential Amenity

The proposed development is for the erection of up to 6 holiday units. To the east of the site and directly to the north of the site is open field. To the west of the site is the neighbouring residential property no. 61 Bowleaze Coveaway. The application site is separated from no. 61 by the driveway of no. 59 which sits to the rear of no. 61. The application is for outline permission all matters reserved. The indicative site plan shows 6 units set back slightly from the western boundary of the site with large bi-fold doors facing away from the neighbouring properties. The application site slopes away from the neighbouring property no. 61 and therefore the proposed units would be located on lower ground and would be separated by the existing driveway. Concerns have also been raised that the plans do not show a bin or recycling area however this would be considered at reserved matters stage and the submitted site plan is only indicative. At reserved matters stage the number of units, scale of the units and positioning of windows would have to be considered. However there is nothing to suggest at this outline stage that the proposal would result in adverse impacts on neighbours and policy ENV 16 is met.

## 15.4 Land Instability

The application site is located within SMP2 policy unit 5g14: Furzy Cliff which has a policy statement of "No Active Intervention" for the next 100 years. Technical Services were consulted on the application and set out that as *a consequence, predicted coastal*

*recession zones within the Coastal Risk Planning Guidance (CRPG) indicate that there is a 5% chance the site could be affected in the medium-term i.e. 20-50 years and additionally there is a 5% chance the highway (Bowlaze Cove way) fronting the site could be threatened in the shorter term i.e. 0-20 years. The implications of this are that access to the site would be threatened should Bowlaze Cove way be affected by future recession of Furzy Cliff before the site itself. Technical Services commented that the CRPG states that no permanent development should occur in the area at risk of erosion along the cliff top or the coastal slope seawards of the defined erosion bands, however, given the 'temporary' beach hut nature of the proposals, a time-limited planning consent may be appropriate given the expected timing of future risks. In this regard, the CRPG suggests short term holiday lets or camping/caravan sites or facilities associated with tourism and leisure can be considered acceptable in some instances. There does not appear to be any obvious sign of ground instability at the site and from my understanding of the proposals, I would not expect them to exacerbate any ground instability. Therefore in line with the Technical Services comments if the application were approved a time limit condition would be placed on the approval for a period of 10 years and the holiday accommodation conditions.*

#### 15.5 Biodiversity

The application site is located within a bottleneck ecological corridor which connects to the wider countryside. Natural England were consulted on the application and considered that the loss of this exceptionally important ecological corridor bottleneck through narrowing at its most constrained point to be wholly unacceptable. Natural England were of the opinion that if the applicant were to retain at least half of the redline boundary north to south, divided by an ecological barrier, managed under an ecological management plan then it may be argued that there is no net-loss to the environment and biodiversity. In response to these comments a revised Biodiversity Mitigation and Enhancement Plan (BMEP) and site plan were submitted showing the retention of the ecological corridor on half of the site. Conditions would be placed on any approval for the ecological corridor to be maintained and the development to be carried out in accordance with the BMEP. The Appropriate Assessment for the proposed development in accordance with Regulation 63(3) of the Conservation of Habitats and Species Regulations (2017) has been carried and agreed by Natural England.

#### 15.6 Highway Safety

The proposal is for the erection of up to 6 holiday units. The application is outline with all matters reserved and therefore the submitted site plan showing the access and parking arrangements is indicative at this stage and would be a consideration at the reserved matters stage. However, Highways were consulted on the application and raised no objections to the proposal subject to conditions for the vehicle access construction, turning and parking construction and surface water drainage. The requested condition for the turning and parking construction would not be placed on any approval at this stage as those details are indicative and would be put on at the reserved matters stage. Highways did advise that the proposed access arrangements could be improved if the

access was swapped with the proposed parking as currently shown on the indicative site plan so this will be added as an informative.

### 15.7 Drainage

The application site falls entirely within Flood Zone one. The Flood Risk Management Team were consulted on the application and commented that it is unlikely that infiltration rates would support the use of soakaways within the proposed scheme. The site is not considered to be at risk of flooding but it has the potential to exacerbate the prevailing risk to adjacent properties and infrastructure if surface water runoff from impermeable surfaces is not adequately managed. The Flood Risk Management Team placed a holding objection on the proposal as the application was not supported by a site specific Drainage Strategy. Wessex Water were consulted on the application and commented that there must be no surface water connections into the foul sewer network. In response to other concerns raised on the proposal the scheme was reduced from 10 units to up to 6 holiday units which meant the proposal was no longer considered 'major' development. A plan was also submitted showing the proposed connection points for foul and surface water. Wessex Water commented on the further information and commented that *'we can accept a surface water connection to the public surface water sewer at a restricted discharge rate of 1.5 l/s*. The reduction in the number of units meant the scheme no longer qualifies as major development requiring the input of the Flood Risk Management Team as a statutory consultee. A condition would be placed on any approval for the submission of a drainage scheme.

### 15.8 Archaeology

The application site is located in an area of archaeological importance, concern has also been raised by a third party that the proposal would result in the distribution of a Roman cemetery. The Senior Archaeologist was consulted on the application and considered that the Roman cemetery appears to be concentrated on the same hilltop as Jordan Hill Roman temple, and archaeological work on the south-east of that hill has not found anything and advised that archaeology is not a constraint that needs to be taken into account when this application is determined.

### 15.9 Affordable Housing

An affordable housing contribution is not required in this case as the proposal is for holiday accommodation.

### 15.10 Community Infrastructure Levy

The adopted charging schedule only applies a levy on proposals that create a dwelling and/or a dwelling with restricted holiday use. All other development types are therefore set a £0 per square metre CIL rate.

The development proposal is not CIL liable.

## **16.0 Conclusion**

16.1 The application is for outline permission all matters reserved for the erection of up to 6 no. holiday units. The proposed development is considered to comply with Local Plan policy ECON 6 and therefore the provision of holiday accommodation on the site is considered acceptable in principle. At this in principle stage the proposal is considered acceptable in its general visual impact and impact on neighbouring amenity. The proposal is also considered acceptable subject to conditions in relation to drainage, land instability and biodiversity.

## **17.0 Recommendation**

### **GRANT, SUBJECT TO CONDITIONS**

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

Location & Block Plan – Drawing Number S-1100-01

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

2) Approval of the details of the layout, scale and appearance of the building(s), the means of access thereto and the landscaping of the site (hereinafter called the Reserved Matters) shall be obtained from the local planning authority in writing before any development is commenced.

REASON: To ensure the satisfactory development of the site.

3) Application for approval of any 'reserved matter' must be made 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 92 of the Town and Country Planning Act 1990 (as amended).

4) The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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

5) This permission is limited to the period expiring on 31/01/2023 when the holiday units and any associated structures/works hereby permitted shall be removed and the land



restored in accordance with a scheme of works and to a timetable which shall first have been submitted to, and approved in writing by the Local Planning Authority.

REASON: In the interests of ground stability.

6) The accommodation subject to this permission shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence.

REASON: To ensure the accommodation is not used as permanent residential accommodation which would not be appropriate at this location.

7) A register of all persons occupying the holiday accommodation hereby approved shall be kept by, or on behalf of, the owner/ owners of the holiday accommodation. The said register shall be made available for inspection during all reasonable hours at the request of a duly authorised officer of the Local Planning Authority, for such time as the development continues to be used as holiday accommodation.

REASON: To ensure that the accommodation is used for holiday purposes only.

8) The development hereby approved shall be carried out and maintained in accordance with the approved Biodiversity Mitigation & Enhancement Plan signed by Laura Ashworth and dated 04/11/2019 and agreed by Natural Environment Team on 04/11/2019, unless a subsequent variation is first agreed in writing with the Council.

REASON: In the interests of biodiversity mitigation and enhancement.

9) An Ecological Corridor shall be maintained along the eastern boundary of the site as shown in the Biodiversity Mitigation & Enhancement Plan signed by Laura Ashworth and dated 04/11/2019 and no hardstanding or structures shall be erected, constructed or sited within that area.

REASON: In the interests of biodiversity mitigation and enhancement.

10) Before the development is first occupied or utilised the first 10.00 metres of the vehicle access, measured from the rear edge of the highway (excluding the vehicle crossing), must be laid out and constructed to a specification which shall have first been submitted to and approved in writing by the Local Planning Authority.

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

11) Before the development hereby approved is first occupied or utilised provision must be made to ensure that no surface water drains directly from the site onto the adjacent public highway.

Reason: To ensure that the site is properly drained and that surface water does not flow onto the highway.

12) No development shall take place until a detailed surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, and including clarification of how surface water is to be managed during construction and a timetable for the implementation of the scheme, has been submitted to, and approved in writing by the local planning authority. The surface water scheme shall be fully implemented in accordance with the submitted details and timetable for implementation.

Reason: To prevent the increased risk of flooding.

Informatives:

1) NPPF Statement

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

3) Highways have advised that the access arrangement can be improved by swapping the proposed access and parking around as shown on the proposed site plan (PL-1100-01F). This will mean that the access will be separated from the neighbouring driveway.

4) It is advised that as part of the reserved matters a site section should be submitted showing the changing levels of the site and the relationship of the proposed units and the neighbouring property no. 61 Bowleaze Coveaway.