

1.0

Application Number: WP/20/00944

Site address: 35 Easton Street Portland, DT5 1BS

Proposal: Change of use from bed and breakfast accommodation and conversion to 3 no. residential dwellings. Erection of detached garage and erection of 3 bedroomed bungalow.

Applicant name: Mr and Mrs Cullum

Case Officer: Jo Riley

Ward Member(s): Cllr Cocking, Cllr Hughes, Cllr Kimber.

Taking account of representations made during the course of the consideration of the application, the Head of Service considers that under the provisions of Dorset Council’s constitution this application should be determined by the Area Planning Committee.

2.0

Summary of Recommendation: That the Committee be minded to GRANT planning permission subject to conditions and that the Head of Planning determines the application accordingly.

3.0

Reason for the recommendation:

- Addition to housing land supply which is currently evidenced at 4.93 years (below the 5 year supply required under the NPPF (2021)).
- Paragraph 11d of the National Planning Policy Framework (NPPF) provides that where the local planning authority cannot demonstrate a five year housing supply, permission should be granted development unless specific policies in the NPPF provide a clear reason for refusal or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF as a whole.
- The location is considered to be sustainable and the proposal is acceptable in its design and general visual impact.
- The loss of business use is considered acceptable based on evidence submitted.
- There is not considered to be any significant harm to neighbouring residential amenity or amenity of potential occupiers.
- There is no harm presented to the Conservation Area or setting of other designated & non designated heritage assets in accordance with the NPPF (2021).
- There are no highways safety issues.
- There are no material considerations which would warrant refusal of this application.

4.0

Planning issues

Issue	Conclusion
-------	------------

Principle of development	Given its location within the DDB, this scheme complies with sustainable development criteria under policy INT1 of the West Dorset, Weymouth & Portland Local Plan 2015. Even though the Council cannot evidence a five year housing land supply (NPPF 2021) and therefore, housing supply policies are to be treated as outdated for the purposes of decision taking, this scheme would still comply with the distribution of development as set out under policy SUS2 of the West Dorset, Weymouth & Portland Local Plan 2015. Furthermore, given that it is not considered a larger guesthouse and the employment level (part time cleaner) is restricted, it is considered that the scheme does comply with policy ECON6 of the West Dorset, Weymouth & Portland Local Plan 2015 and Policies No. Port/EN6 and Port/BE1 of the Portland Neighbourhood Plan June 2021.
Scale, design, impact on character and appearance	Modest bungalow design prevents dominance and overlooking. Additions to former pub building sympathetic extensions not out of character with other extensions.
Impact on amenity	No direct loss of privacy to neighbours either side from windows. New dwelling separated by gardens and garages to prevent direct overlooking from main building.
Impact on landscape or heritage assets	The development is situated in the Easton Conservation area. It is considered that no harm will be caused to the importance of conservation area by the proposed development. It is located amongst rear gardens, small and large outbuildings and other dwellings built behind street facing properties, that all add to its discreet location.

	<p>Backland development acceptable to the character of the Conservation Area. The site is contained with high boundary walls and would not be visible in the wider landscape.</p> <p>No harm to former public house, considered to be a non -designated heritage asset as well as in the CA, in design terms or rear additions. The important frontage would not be harmed.</p>
Economic benefits	<p>Loss of guesthouse negative but small scale and not prevented under the West Dorset, Weymouth & Portland Local Plan 2015. Very limited loss of employment. Short term construction employment gain and CIL contributions will apply.</p>
Access and Parking	<p>Parking levels acceptable in sustainable location within the DDB. Uses existing side gate and access. No highway objections.</p>

5.0 **Description of Site**

5.1 The site is the former public house known as the New Inn, Easton Street, Portland. Its last use was a guest house following change of use from public house. The proposal relates to the main building and land at the rear. It is within the DDB for Portland and Portland Conservation Area. The site is bordered by residential properties on all elevations other than the main street frontage facing east.

6.0 **Description of Development**

6.1 The proposal is to convert the guest house to three dwellings comprising 2 x two bed houses (plots 1 & 2) and 1 x three bed house (plot 3) with associated gardens. This involves the addition of a two-storey rear wing (to plots 1 & 2), front dormers and rear rooflights, enlargements of existing single storey flat roof extension (to plot 3), removal of flat roof elements and railings on the main building as well as other fenestration changes. There would be a three-bay detached garage to the rear of the main building servicing plots 1, 2 & 3. Within the grounds towards the rear west boundary a single storey two bedroomed bungalow (plot 4) is proposed with associated garden. Vehicular access for the

properties will be provided by the existing side access. Hard landscaping & soft landscaping will also be incorporated.

7.0 Relevant Planning History

7.1 WP/18/00302/FUL scheme for the erection of three terraced cottages in the rear grounds refused for the following reasons:

- 1. The scale and siting of the proposed dwelling would represent overdevelopment in this location, resulting in a cramped footprint with insufficient garden sizes for potential occupiers. The proposal is therefore contrary to Policies ENV10 and ENV12 of the Local Plan.*
- 2. The proposed design would be overbearing and allow overlooking to neighbouring properties in particular to No. 29 Easton Street. The proposal would be contrary to Policy ENV16 of the Local Plan and Section 12 of the NPPF.*
- 3. The proposed vehicular access onto Easton Street would have insufficient visibility for emerging vehicles and cause conflict with pedestrians. The proposal is contrary to Policy COM7 of the Local Plan.*

A subsequent appeal was dismissed dated 6th January 2020 (APP/P1235/W/19/3227154). The pertinent points from the appeal decision are:

- The proposal for 3 houses would project unduly beyond the front elevation of No. 29. At two full storeys plus dormers in the roof with an imposing gable end the proposal would create a dominating and oppressive feature that would have an overbearing effect on the outlook of No. 29 from both front garden and from rooms with a rear aspect, this with the existing neighbouring garage would enclose the space to an unacceptable extent accentuating the oppressive effect on the neighbouring outside space.
- The proposal would not have an overbearing impact on neighbouring outlook in relation to No. 29's side window.
- The gap of less than 5m from first floor windows from the proposed dwellings would result in unacceptable invasion of privacy of No. 29's garden areas.
- There would be no additional noise and disturbance over and above that which would previously occur from the public house.
- The depth of 5m for the proposed gardens for 3 bedroomed houses would be inadequate for future needs of occupiers.
- The Conservation Area derives its significance from the historic fabric and detailing of building frontages, the linear street layout and Easton Square.
- There is already a random arrangement of many backland structures and high walls which erode any open setting behind Easton Street.
- The dwellings in the backland location would not appear wholly inconsistent with the immediate environs and would readily assimilate into the

surroundings. The important part of the Conservation Area would be preserved.

- The existence of the front bay window would make pedestrians take a wide route along the pavement from the proposed access. Pedestrians would be alert to cars coming out of the access and the safety of pedestrians would not be harmed.
- The proposed would be in a sustainable location and add to the housing land supply and would be an efficient use of underused land and have a design and use of materials that is consistent with other dwellings so there are benefits but the amenity of existing and proposed occupiers is not acceptable.

NOTE: Prior to 2011, the entire first floor of the New Inn was Managers private residential accommodation.

8.0 List of Constraints

Inside DDB

Easton Conservation Area

Weymouth and Portland Area Boundaries

9.0 Consultations

9.1 Portland Town Council – object to this application. There are concerns over development at the rear of the property due to overlooking of neighbouring properties. We object to the change of use of commercial property and to the loss of tourist accommodation and the employment and benefit to the local economy that goes along with it. There are also serious concerns regarding highway safety issues because of sightlines being blocked by the bay windows. We request that this application is heard by committee.

9.2 Cllr Kimber Ward Member and Portland Town Council member – I request this application is refused on the following grounds: The development cuts across a busy pathway that will be a danger to pedestrians walking along the pathway in a busy shopping centre and will be dangerous given the number of homes to be built. Other homes on the site will lose their privacy and will be overlooked. This is further backland development and I consider difficult for emergency services to deal with. The development overlooks other homes, causing loss of privacy.

9.3 Conservation officer – I have some concerns regarding the impact of the proposal on the character of the conservation area. However, with regard to the previous appeal decision I have only raised the issue relating to the changes to the frontage building. The work to the rear of the building is well thought through and removes some poor quality flat roofed additions. These are replaced with more contextual pitched roof extensions which enhance its appearance in the Conservation Area. To the front a number of new windows and a door are inserted and dormers to the roof are altered. These add elements which alter the main

frontage proportions of the property and alteration of the dormers erode this further. It is felt that this work needs rethinking by reducing the number of additional window changes to this important frontage, and maybe considering other options. For example, the change to the left hand side sit close to the bay and addition first floor window upsets the proportional balance of the front. A revision to these aspects to address this concern is suggested. As a previously much larger building and central parking arrangement was felt acceptable, I have not raised detailed comments with regard to this aspect of the scheme. The design of both these aspects have improved from the previously submitted application with regard to their impact on the character and appearance of the Conservation Area.

Amended plans have been received and the frontage issues have been addressed.

9.4 Highways – I refer to the previous planning application WP/18/00302/FUL and the Inspectors appeal decision in particular the Inspectors comment on the use of the narrow private access to the highway. Concerns about conflicts of emerging vehicles and passing pedestrians are noted but so was the pedestrian desire line that is pushed over 1m away from the building line by the projecting bay window along the back of the main footway. The Planning Inspector supported this view. The highway authority therefore has no objection subject to a condition that the turning and parking is constructed before occupation.

9.5 Economic Development Officer via surgery – This is not considered to be a large guesthouse or provide significant employment, no objection.

9.6 Building Control – The new dwelling can have a sprinkler system if needed. Both the conversion dwellings & new dwelling can be reached from the street by emergency services.

9.7 Representations –

9 reps:

Support: will not restrict views

Will be less vehicles than when it was a pub

Preferable to previous scheme

Will support local business from new families.

Premises lends itself to conversion

Access is no different to others in the street.

Objections: Harm to highway safety from driving over pavement

Overlooking from rear windows in house
Is crammed into a small space.

10.0 Relevant Policies

10.1 West Dorset, Weymouth and Portland Local Plan 2015

INT1 Presumption in favour of sustainable development
ENV1 Landscape, seascape and sites of other geological interest
ENV2 Wildlife and habitats
ENV4 Heritage Assets
ENV10 The landscape and townscape setting
ENV12 The design and positioning of buildings
ENV15 Effective and appropriate use of land
ENV16 Amenity
ECON6 – Protecting of employment sites
SUS2 Distribution of development
COM7 Creating a safe and efficient transport network
COM9 Parking provision
COM10 The provision of utilities service infrastructure CILL
HOUS3 Open market housing mix

10.2 Other material considerations

Weymouth and Portland Urban Design SPG 2002
SPG2 – Listed Buildings and Conservation Areas
Landscape character assessment (Weymouth and Portland)

Portland Neighbourhood Plan (made 2021)
Port/EN7 Design and character
Port/HS1 Housing mix
Port/EN4 Heritage assets
Port/EN6 DDBs
Port/BE1 Business and employment

Appraisal of the Conservation Areas of Portland 2017:

Easton Street -

Easton represents the Tophill tradition of a cluster of dwellings around ponds and wells situated along the spine of the island and essential to agriculture. By 1810, a settlement pattern recognisable today is established with buildings following a linear arrangement, closely aligned to the edge of pavement. The houses occupy narrow frontages with long gardens for growing food. The buildings tend to be of varying heights with only one exceeding three storey in any of the three sub-areas, this being Moorfield Veterinary Surgery at 38 Easton Street.

Easton Square and Easton Street – dwellings generally of two and three storeys some with attics with three storey terraces. They date from late 18th century and first half of the 19th century. Some have had third storey added. All are constructed of stone. Houses often have outbuildings which comprise ancillary long extensions’.

Important local buildings:

New Inn, Boutique Hotel, 35 is probably late C17, but much altered, long low profile, stone chimney stacks, hipped dormers, painted ashlar.

10.3 National Planning Policy Framework 2021

Paragraph 11, presumption in favour of sustainable development.

Section 4 Decision taking

Section 5 Delivering a sufficient supply of homes

Section 6 Building a strong competitive economy

Section 11 Making effective use of land

Section 12 Achieving well designed places

Section 14 meeting the challenges of climate change, flooding and coastal change

Section 15 Conserving and enhancing the natural environment.

Section 16 Conserving and enhancing the historic environment.

11.0 Human rights

Article 6 - Right to a fair trial.

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

The first protocol of Article 1 Protection of property

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

12.0 Public Sector Equalities Duty

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

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

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering

the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.

13.0 Financial benefits

What	Amount / value
Non material considerations	
CIL Contributions	The proposal would be CIL Liable and payable on commencement.

14.0 Climate Implications

14.1 Energy would be used as a result of the production of the building materials and during the construction process of the new dwelling and garages. However, that is inevitable when building new homes and a balance has to be struck between providing housing to meet needs versus conserving natural resources and minimising energy use. The re-use of existing materials would be used as much as possible. The conversion of an existing building is more sustainable than a new build.

14.2 The garages could easily contain electric charging points.

14.3 The development is considered to be in a sustainable location on a bus route, close to schools and employment and other local facilities hence its close relationship with the DDB.

14.4 Policy ENV13 advises that new buildings are expected to achieve high standards of environmental performance. The new building would meet modern building control standards. The proposed properties to limit environmental impact and improve efficiency will be designed to include the following:

- orientated to avoid excess levels of solar gain, east to west.
- retain a dominance of conversion of existing buildings in lieu of new build, to reduce the use of cement-based products through use of existing masonry walls.
- utilise renewables such as Air Sourced Heat Pumps, MVHR, Photovoltaic Panels, Heat Banks etc.
- utilise grey water drainage systems
- as a standard, utilise high levels of insulation over and above Building Regulation standards to ensure the highest levels of energy efficiency
- extensive constructional detailing to ensure new properties obtain high standards of air tightness
- use locally sourced stone thus reducing transportation
- use of local labor and plant thus reducing transportation

15.0 Planning Assessment

15.1 Principle:

The site is within the DDB and complies with Policy SUS2 of the West Dorset, Weymouth & Portland Local Plan. The Council has a lack of housing land supply (currently evidenced at 4.93 years) and this proposal will add to five year housing land supply as required by the NPPF 2021. The building to be converted was formerly a Public House prior to being used as a guest house; the land to the rear was former pub/guesthouse garden; this scheme is effectively proposing an element of backland development. The Planning Inspector when determining WP/18/00302/FUL paragraph 33 acknowledges that this site is located in an existing built up area with good accessibility to various modes of transport, services and facilities and the general thrust of national policy seeks to boost housing provision. They accepted that this would be an efficient use of underused land at the back of the guesthouse and would have a design and use of materials that is consistent with other dwellings. The principle of development in this site is therefore acceptable subject to compliance with other policies in the Local Plan.

15.2 With regard to the local members comments about access for emergency services, backland development of this nature is common along Easton Street. There is a side vehicular access the same width as that serving properties at the rear No. 27 and 29. The dwellings within the former guesthouse would be easily reached from the side or street. The new bungalow would likely have a sprinkler system as standard given the distance of the driveway which is approximately 43m and the fire service require 45m. This is a matter for building control to address but they raise no concerns over emergency service access.

15.3 The loss of employment was not a consideration under the appeal decision as the guesthouse would remain which provided some public benefit. Since then the guesthouse is vacant having not been viable and lost trade with COVID. The applicants have put in some justification for the loss to evidence it's no longer viable. They have provided estate details of marketing and having discussed the loss of employment issue with the economic development officer, this was seen to be a reasonable attempt for a sale. The economic development officer has also pointed out that the loss of employment from the current situation is minimal, probably a part time cleaner as it is currently used as air B&B (where bookings are secured online). The guesthouse had 5 rooms and provided some benefit to the community and tourists, but this is not considered to be a large guesthouse and has not been let as a guesthouse per se for at least 2 years. Criteria 4.5.15 (pre-text to policy ECON6) of the West Dorset, Weymouth & Portland Local Plan 2015 provides a guide that a larger guesthouse means approximately 6 bedrooms. Policy ECON6 part III) prevents the loss of hotels and larger guesthouses. Given the small scale of the guesthouse and that the main benefit to the community was

the previous public house which has already been lost, the loss of the guesthouse is regrettable but the proposal would not warrant a refusal on that basis alone.

15.4 Residential Amenity:

The harm to living conditions of existing and future residents was one of the reasons the previous proposal was refused, and appeal dismissed in 2018. That scheme was for backland housing of two storey dwellings with dormers in the roof and considered to have a detrimental impact on the living conditions of No. 29 East Street. This proposal has moved location away from the western boundary so that the back of the proposed bungalow is closer to the front of No 29 and has reduced in height from two full storeys with rooms in the roof to a chalet style of one storey with rooms in the roof with rooflights at the rear only and one dormer to the front. The kitchen is an irregular outshot with doors facing inwards to the garden. There are no windows at first floor level to allow direct overlooking to the side window of No. 29. The Rooflights are designed to only allow light in and not easily accessible views outwards. A hedge is the proposed boundary treatment which would prevent views across into the extended garden of No. 29.

15.5 Another element of the previous scheme falling was short was because it had limited outdoor space for potential occupiers. This scheme provides an adequate private garden for the chalet bungalow and rear garden space for the three dwellings created through the conversion and extensions at the rear of the former pub/guesthouse. Each of those gardens would be enclosed and have usable outdoor space. There would be some overlooking from first floors to gardens below from bedrooms, but this is not out of character with terrace housing in Easton Street or in the general area. The proposal is considered to comply with Policy ENV16 of the West Dorset, Weymouth & Portland Local Plan (2015) in these respects.

15.6 Impact to the character and appearance of the Easton Conservation Area:

The site is within the Easton Conservation Area, a designated heritage asset. The Council has a duty under section 72 of the Planning (Listed Buildings and Conservation Area) Act 1990 to pay special attention to the desirability of preserving or enhancing the character and/or appearance of the Conservation Area when determining the application. Paragraph 199 of the NPPF also requires that great weight be given to the conservation of designated heritage assets when considering the impact of proposed development on the significance of such assets. The New Inn (its former Public House name) is listed in the Easton Conservation Area appraisal as a locally important building although it is not a designated listed building. It is therefore considered a non-designated heritage in its own right. Paragraph 203 of the NPPF requires decision makers to balance the scale of any harm or loss caused by the proposed development against the significance of the heritage asset.

15.7 The important aspect of the Easton Conservation area is set out in the CA appraisal as *'Easton Square and Easton Street – dwellings generally of two and*

three storeys some with attics with three storey terraces. They date from late 18th century and first half of the 19th century. Some have had third storey added. All are constructed of stone. Houses often have outbuildings which comprise ancillary long extensions'. The extensions to the rear of the main pub building are subservient and allow the main terrace style frontage to remain. They would consolidate existing clutter and ad hoc extensions added for the public house. The Conservation Officer does not object to the proposal and advises that the extensions are more contextual pitched roof extensions which enhance its appearance in the conservation area. The changes to the front elevation retain the important character in the conservation area and the proposal passes the tests as set out in Part 72 of the Planning (Listed Buildings and Conservation Area) Act 1990 and represents no harm to the significance of a heritage asset or non-designated heritage asset. As such there is no need to consider the public benefits of the proposal.

15.8 It should also be noted that the Inspector considered that the area derives its significance from the historic fabric and detailing of building frontages. The rear is already characterised by random back-land outbuildings, dwellings, garages in contrast to Easton Streets frontages and the area was not devoid of buildings and enclosures the previous housing scheme would be similar to back-land properties and acceptable in context with the area.

15.9 In light of the appeal decision where the Inspector did not raise concern with the character of the conservation area being harmed by backland development stating that *'I consider that the proposed dwellings at this backland location would not appear wholly inconsistent with the immediate environs and would readily assimilate into the surroundings. In doing so I consider that the aspects of the PCA that contribute towards its importance would be preserved and no harm to its significance would be incurred. Besides, the proposal would be consistent with the character and appearance of the area more generally, irrespective of the sensitivity of this particular context. The proposal would preserve the character and appearance of the PCA. It would therefore accord with Policy ENV4 of the LP on heritage as well as the more general design and layout provisions of Policy ENV10 and ENV12 of the LP. The proposal would also comply with the Framework which requires heritage assets to be conserved in a manner appropriate to their significance.'*

15.10 The Conservation Officer comments that *'I conclude that the proposal to the frontage of the building to be harmful to the character and appearance of the Easton Conservation Area. My judgement under the NPPF is a finding of less than substantial harm to the character and appearance of the conservation area and this gives rise to a strong presumption against planning permission being granted. It is felt this would have a detrimental impact upon the building within the Easton Conservation Area. While set out as less than substantial harm, it is felt that the significance is medium, for the reasons*

given above. The National Planning Policy Framework requires that any such harm be assessed against any public benefits that would be part of a planning balance.'

15.11 The harm that the conservation officer noted was to the front of the building due to changes to fenestration and these elements have been amended from the originally submitted scheme. It is also noted that the works to the rear of the former public house did not receive an objection from the conservation officer. It is therefore concluded that with the amendments secured on this current scheme and the comments from the previous appeal Inspector; the scheme overall would have **no harm** to designated & non-designated heritage assets. The proposal complies with Part 16 of the NPPF. In addition, the proposal passes the test as set out in section 72 of the Planning (Listed Building and Conservation Areas Act) 1990 in that it preserves the character & appearance of the Easton Conservation Area.

15.12 Parking and Highways:

No objections are received from the Highways team. Comments have been received about the use of the access at the side of the public house and that this would be dangerous to pedestrians. The Planning Inspector of the 2018 appeal did not consider the pedestrian impact to be harmful. The traffic entering or exiting the site would be in a forward gear as there is turning space. Pedestrians walking along Easton Street are used to entrances at the side of properties, those leading to No.27 and No. 29 Easton Street are a case in point. Pedestrians would generally walk away from close to the entrance to avoid the projecting ground floor window and therefore have ample view of vehicles coming out of the entrance. The parking provision and turning areas are acceptable for the number of dwellings in this highly sustainable location on Portland.

16.0 Developers contribution:

The proposal is CIL liable. This is confirmed on commencement. It is private market housing and falls below the threshold for affordable housing.

17.0 Conclusion

The proposal for a conversion of the guest house to three dwellings, and the additional rear dwelling is acceptable given its sustainable location within the DDB, addition to housing land supply it will provide, its accordance with the plot pattern and built form of the area, acceptable amenity impact, acceptable highway safety impact and the acceptable evidence submitted in regards to loss of the business. It results in **no harm** to designated & non-designated heritage assets. The proposal complies with Part 16 of the NPPF paragraphs 199 to 208. In addition, the proposal passes the test as set out in Part 72 of the Planning (Listed Building and Conservation Areas Act) 1990 in that it preserves the character & appearance of the Easton Conservation Area.

18.0 RECOMMENDATION

That the Committee be minded to GRANT permission subject to conditions and that the Head of Planning determines the application accordingly.

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 2023-01

Site Plan 2023-03A

Floor plans and elevations Plots 1, 2, 3 2023-04A

Floor Plans Elevations Plot 4 2023-05

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

3. Notwithstanding the provision of Schedule 2, Part 1 Classes A and B of the Town and Country (General Permitted Development Order) 1995 or any order revoking or re-enacting that Order with or without modification, no enlargement shall be carried out to the bungalow without a further application for planning permission being approved.

Reason: In the interests of maintaining the character of the conservation area.

4. Before the detached dwelling and garages hereby approved is first occupied or utilised the turning and parking shall be constructed in accordance with the approved plans. Thereafter, these areas must be permanently maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper and appropriate development of the site in the interest of highway safety.

5. Before the commencement of development unless otherwise agreed by the Local Planning Authority, full details of hard and soft landscaping (including boundary treatments, finished floor levels, hard surfacing materials and maintenance arrangements for the soft landscaping) shall be submitted to and approved in writing by the Local Planning Authority. All hard and soft landscaping shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme of implementation that shall have first been agreed in writing by the Local Planning Authority.

Reason: Landscaping is considered essential in order to preserve and enhance the visual amenities of the locality.

6. The soft landscaping shall be maintained in accordance with the details agreed under condition No. 5 and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the satisfactory landscaping of the site and enhance the biodiversity, visual amenity and character of the area.

7. Prior to development above damp proof course level, details and samples of all external facing materials for the wall(s) and roof(s) shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the development shall proceed in accordance with such materials as have been agreed.

Reason: To ensure a satisfactory visual appearance of the development.

8. All new windows and external doors in the development (including frames) shall be of timber and set in reveal to a depth of at least 90mm. The external surfaces of the windows shall be finished and retained white, or such other colour as shall first have been approved in writing by the Local Planning Authority. The dormers shall be painted the same colour as existing. Thereafter, all windows & external doors shall be retained as agreed in perpetuity.

Reason: To protect the external appearance of the building.

9. All new and replacement roof lights shall be top hung with vertical glazing bar(s) and fitted flush to the roof plane.

Reason: To preserve or enhance the character and appearance of the heritage asset.

10. Prior to the commencement of any development hereby approved, above damp course level, details of all proposed means of enclosure, boundary walls and fences to the site, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be implemented in full accordance with the approved details and retained in perpetuity.

Reason: In the interests of the amenities of the area

11. Notwithstanding the provision of Schedule 2, Part 1 Classes A and B of the Town and Country (General Permitted Development Order) 1995 or any order revoking or re-enacting that Order with or without modification, no windows or

doors shall be inserted on the south elevation of Plot 3 at ground floor without a further application for planning permission being approved

Reason: In the interests of neighbouring amenity.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) (with or without modification) no enlargement(s) of the detached dwellinghouse hereby approved, permitted by Class A and Class B of Schedule 2 Part 1 of the 2015 Order, shall be erected or constructed.

Reason: To protect amenity and the character of the area.

Informatives

a) 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.

- b) This development constitutes Community Infrastructure Levy 'CIL' liable development. CIL is a mandatory financial charge on development and you will be notified of the amount of CIL being charged on this development in a CIL Liability Notice. To avoid additional financial penalties it is important that you notify us of the date you plan to commence development before any work takes place and follow the correct CIL payment procedure.
- c) 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 01305 221020, by email at dorsethighways@dorsetcouncil.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.
- d) If consent were given as part of obtaining the Section 184 licence all statutory undertakers must be consulted and their requirements acted upon. British Telecom may require their chamber in footway in front of the

access to be relocated for which sufficient time and resource must be allowed. The cost of this could be considerable.