



Eastern Area Planning Committee

Date: Wednesday, 2 December 2020

Time: 10.00 am

Venue: MS Teams live event/ Virtual – link to view the proceedings of the meeting below.

Membership: (Quorum 6)

Toni Coombs (Chairman), Shane Bartlett (Vice-Chairman), Alex Brenton, Robin Cook, Mike Dyer, Barry Goringe, Brian Heatley, David Morgan, Julie Robinson, David Tooke, Bill Trite and John Worth

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

For more information about this agenda please telephone Democratic Services on 01305 251010 or David Northover on 01305 224175 - david.northover@dorsetcouncil.gov.uk



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Members of the public are welcome to view the proceedings of this meeting, with the exception of any items listed in the exempt part of this agenda. MS Team Live Event/Virtual (please see link below)

Link for the meeting:-

https://teams.microsoft.com/join/19%3ameeting_ZTQ0YjRmOGMtZDc5YS00NDMxLTkwM2QtNzk2YzExOTM3OWVh%40thre ad.v2/0?context=%7b%22Tid%22%3a%220a4edf35-f0d2-4e23-98f6-b0900b4ea1e6%22%2c%22Oid%22%3a%226b0f9558-2fa4-49d1-82dc-5ad39a1bb4c7%22%2c%22IsBroadcastMeeting%22%3a%22true%7d

Members of the public are invited to make written representations provided that they are submitted to the Democratic Services Officer no later than **8.30am on Monday 30 November 2020**. This must include your name, together with a summary of your comments and contain no more than 450 words. If a Councillor who is not on the Planning Committee wishes to address the Committee, they will be allowed 3 minutes to do so and will be invited to speak before the applicant or their representative provided that they have

notified the Democratic Services Officer by **8.30am on Monday 30 November 2020**.

Please note that if you submit a representation to be read out on your behalf at the committee meeting, 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 general information about speaking at meetings [Guidance to Public Speaking at a Planning Committee](#) and specifically the "**Covid-19 Pandemic – Addendum to the Guide to Public Speaking Protocol for Planning Committee meetings**" included as part of this agenda (see agenda item 4 - Public Participation).

Using social media at virtual meetings

Anyone can use social media such as tweeting and blogging to report the meeting when it is open to the public.

AGENDA

Page No.

1 APOLOGIES

To receive any apologies for absence

2 DECLARATIONS OF INTEREST

To receive any declarations of interest

3 PUBLIC PARTICIPATION

5 - 6

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](#).

4 MINUTES

7 - 14

To confirm the minutes of the meeting held on 28 October 2020 – **attached**.

5 PLANNING APPLICATIONS

To consider the applications listed below for planning permission

a Application No: 6/2020/0334 - 73 West Street, Bere Regis

15 - 44

To consider a report by the Head of Planning.

b Application No: 3/19/0862/FUL - Change/ Added of use of family centre into residential care facility and office space at Hayeswood County First School, Colehill

45 - 56

To consider a report by the Head of Planning.

c Application No: 3/19/2378/FUL - Change of Use and Conversion of Four Existing Agricultural Buildings to form 9 dwelling houses, works and alterations to other outbuildings and associated landscaping and demolition of redundant buildings at Grange Farm, Colehill, Wimborne

57 - 92

To consider a report by the Head of Planning.

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

Covid-10 Pandemic – Addendum to the Guide to Public Speaking Protocol for Planning Committee meetings – effective from 29 July 2020

Due to the Covid-19 pandemic the council has had to put in place measures to enable the council's decision making processes to continue whilst keeping safe members of the public, councillors and council staff in accordance with the Government's guidance on social distancing by applying new regulations for holding committee meetings from remote locations.

The following procedures will apply to planning committee meetings until further notice, replacing where appropriate the relevant sections of the Guide to Public Speaking at Planning Committees:

1. While planning committee meetings are held remotely during the Coronavirus outbreak public participation will take the form of written statements (and not public speaking) to the Committee.

2. If you wish to make a written statement it must be no more than 450 words with no attached documents and be sent to the Democratic Services Team by 8.30am, two working days prior to the date of the Committee – **i.e. for a committee meeting on a Wednesday, written statements must be received by 8.30am on the Monday**. The deadline date and the email contact details of the relevant democratic services officer can be found on the front page of the Committee agenda. The agendas for each meeting can be found on the Dorset Council website:-

<https://moderngov.dorsetcouncil.gov.uk/mgListCommittees.aspx?bcr=1>

3. During this period the council can only accept written statements via email and you should continue to bear in mind the guidance in the public speaking guide when preparing your representation.

4. The first three statements received from members of the public for and against the application (maximum six in total) will be read out together with any statement from the town and parish council, by an officer (but not the case officer), after the case officer has presented their report and before the application is debated by members of the Committee. It may be that not all of your statement will be read out if the same point has been made by another statement and already read to the Committee. This is to align with the pre-Covid-19 protocol which limited public speaking to 15 minutes per item, although the Chairman of the Committee will retain discretion over this time period as she/he sees fit. All statements received will be circulated to the Committee members before the meeting.

5. This addendum applies to members of public (whether objecting or supporting an application), town and parish councils, planning agents and applicants. **The first three statements received from members of the public, for and against the application, (maximum six in total) will be read out, together with any statement from the Town and Parish Council, in its own right.**

6. Councillors who are not on the Planning Committee may also address the Committee for up to 3 minutes by speaking to the Committee (rather than submitting a written statement). They need to inform Democratic Services of their wish to speak at the meeting two working days before the meeting – by the 8.30 am deadline above - so those arrangements can be put in place.

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DORSET COUNCIL - EASTERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON WEDNESDAY 28 OCTOBER 2020

Present: Cllrs Toni Coombs (Chairman), Shane Bartlett (Vice-Chairman), Alex Brenton, Robin Cook, Mike Dyer, Barry Goringe, Brian Heatley, David Morgan, Julie Robinson, David Tooke, Bill Trite and John Worth

Also present: Councillors Maria Roe and Janet Dover attended by invitation

Officers present (for all or part of the meeting): Kim Cowell, Naomi Shinkins, Chelsey Golledge, Colin Graham, Lara Altree, Phil Crowther and David Northover

141. Apologies

No apologies for absence were received at the meeting.

142. Declarations of Interest

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

143. Minutes

The minutes of the meeting held on 30 September 2020 were confirmed.

144. 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.

145. 3/19/2437/RM - Reserved matters details for 312 dwellings, public open space, vehicular, cycle and pedestrian access, connections to the SANG, landscape planting and surface water attenuation features at land West of Cranborne Road, Wimborne Minster

The Committee considered application 3/19/2437/RM on a proposal for a development comprising 312 dwellings, public open space, vehicular, cycle and pedestrian access, connections to the SANG, landscape planting and surface water attenuation features at land west of Cranborne Road, Wimborne Minster.

For the Committee's understanding the Outline Planning Permission - 3/14/0016/OUT -established and formalised the principle of the development of a new neighbourhood on 24.3ha of agricultural land north of the urban area

of Wimborne as allocated by policy WMC7 of the Christchurch and East Dorset Local Plan. The approval established the principle of development to be guided by three parameter plans dealing with land use, movement into and within the site and landscape. This was the fourth reserved matters application submission in respect of the residential development granted in Outline and the relevant planning history was set out for information.

The site was allocated for residential development in the Christchurch and East

Dorset Local Plan Part 1 - Core Strategy 2014 through Policy WMC7 (North Wimborne New Neighbourhood) and provided for:-

- The principle of residential development for up to 630 dwellings on the wider Wimborne New Neighbourhood site was agreed under outline planning application 3/14/0016/OUT.
- Adequate biodiversity mitigation being secured at outline planning stage through planning conditions and a Section 106 Agreement. A Suitable Alternative Natural Greenspace (SANG) would be provided to the north and east of the site. This met the requirements of the Habitat Regulations.
- The number of residential units and mix of unit sizes were considered to be appropriate for the site.
- The legal agreement secured 32% affordable housing - with 70% for affordable rent proposal and 30% as shared ownership. 10% of the affordable housing was to be provided to 'M4(2) Cat 2 Accessible and Adaptable Standard', providing accommodation for people with disabilities. In combination with the affordable housing proposed in the earlier approved phase 1, the proposal aligned with the legal agreement requirements.
- The proposed highway layout was acceptable with sufficient parking being proposed for the dwellings.
- The proposal was considered to be acceptable in its design and general visual impact to an extent that would not warrant refusal.
- The proposed landscaping of the site was considered to be acceptable in its design and general visual impact to an extent that would not warrant refusal.
- The proposal was considered acceptable and there are no material circumstances which would warrant refusal of this application.

This application now sought approval for all of the Reserved Matters for the development; pertaining to access, layout, scale, appearance and landscaping – as defined and identified in the national planning practice guidance.

A package of contributions, both financial and associated development was to be secured through CIL/Section 106 legal agreement as part of 3/14/0016/OUT, including:-

- 32% affordable housing (approximately 200 dwellings)
- Provision of land for the construction of a new three form County first school to replace Wimborne First School
- Funding towards primary and secondary education
- Funding towards highway infrastructure improvements in Wimborne and Colehill
- Funding to secure the creation and management of the Suitable Alternative Natural Greenspace (SANG)
- Provision and management of public open space
- The provision of an open space corridor incorporating play spaces
- Funding for the Council or their nominee to maintain play spaces and the open space corridor
- The construction of a pedestrian bridge across the River Allen (subject to planning) or a financial contribution towards its provision
- Provision of land set out for allotments and the construction of an allotment pavilion
- Funding towards sports facilities in Wimborne and Colehill
- Funding for community facilities in Wimborne and Colehill
- The implementation of the Travel Plan

with those benefits being subject to a number of trigger points,

With the aid of a visual presentation, officers provided context of what the main proposals, principles and planning issues of the development were; how these were to be progressed; how the development would contribute to meeting housing needs; and what this entailed. The presentation focused on not only what the development entailed and its detailed design, but what effect it would have on residential amenity and the character the area.

Plans and photographs provided an illustration of the location, orientation, dimensions – form, bulk, size and mass - and appearance of the development and of the individual properties, with examples being given of how typical detached, semi-detached, terraced and apartment block properties were designed, along with their ground floor plans; how it would look; proposed street scenes; the materials to be used; how utility services would be provided and accommodated and by whom; access and highway considerations; the means of landscaping, screening and tree cover, and its setting within that part of Wimborne and the wider landscape – particularly within the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty (AONB).

Officers showed the development's relationship with other adjacent residential development and how the buildings were designed to be in keeping with the characteristics of the established local environment. The characteristics and topography of the site was shown and its relationship with the highway network and to properties in the adjoining roads in particular. Views into the site and around it were shown, which provided a satisfactory understanding of all that was necessary.

In summary, officers planning assessment adjudged that the overall design of the development was considered to be largely acceptable, with all, significant, planning matters having been appropriately, or adequately, addressed.

Formal consultation had seen no objection from Wimborne Minster Town Council and no comment from Colehill Parish Council either. The Environment Agency were of the view that the original strategy was considered acceptable in principle, subject to clarification about exceedance of the system and overland flow routes. Whilst the engineering of drainage solutions was likely to be able to be achieved, other outstanding drainage matters required clarification.

Natural England, the County Archaeologist, Wessex Water and Sembcorp Bournemouth Water Ltd had made no comment on this application.

Whilst it was acknowledged the applicant had not succeeded in mitigating all of the impacts of the harm to the Conservation Area (CA) and some concerns in relation to the AONB still remained, the approved Outline application identified harm to the CA in relation to this western parcel to be as less than substantial and that visual effects on the AONB would be negligible.

Having assessed the material considerations as outlined within the report above, overall, the reserved matters submitted for the second tranche of 312 residential units for the western parcel were found, on balance, to be acceptable and sufficiently compliant with national and local planning policies that refusal would not be warranted. On balance, it was considered the proposal accorded sufficiently with the approved Design Code and outline parameters to be deemed acceptable any harm caused would be outweighed by much needed housing supply secured on this strategic allocated site, and so this formed the basis of the officer's recommendation in seeking approval of the application.

An adjoining local Ward member for Colehill and Wimborne Minster East, Councillor Maria Roe, took the opportunity to ask that consideration be given to greater energy efficiency arrangements in the development and that what was being proposed could be improved upon. The chairman reminded the committee that even if this was the case, there currently was no Council policy that could be applied to require this.

The other adjoining member for Colehill and Wimborne Minster East, Councillor Janet Dover, was concerned at the traffic which would be generated by the development adversely impacting the rural lanes to the north of Colehill parish. Officers considered that there was no reason to believe this would be the case given the traffic and parking assessment made, but advised that should those concerns remain once any development was established, the Parish council could ask for this to be addressed subsequently.

The Committee were then notified of those written submissions received and officers read these direct to the Committee. Having heard what was said, officers responded to some of the pertinent issues raised, being confident that each one could be addressed by the provisions of the application.

The Vice-Chairman - who was also one of the two local ward members for Wimborne Minster – whilst understanding the benefits of the principle of the

application – still had misgivings over how it was to be applied and asked for further consideration to be given to the density and congestion of the site and the maintenance and management of it, particularly; the management of and accessibility to local green space; the condition and quality of the children's play provision and how this would be maintained; the acceptability of unadopted roads and how these would be managed and maintained long term; how refuse collections were to be managed; how the proposed social courtyard could be safely and easily accessed given the local highway layout; the height and prominence of the first block of buildings adjacent to the Cranborne Road and the impression this gave to the accessibility of the site from the south; how drainage and surface water would be adequately managed to ensure the local chalk stream to the west of the site did not become contaminated and; that the inclusion of a greater number of chimneys in the design would complement those of already established dwelling in that part of Wimborne.

Given all this, so that this could all be satisfactorily address before he considered further consideration of any approval could be made, he proposed that further consideration of the application be deferred until more detail was available and the matters raised duly considered and addressed. This view was shared by the other Ward member for Wimborne Minster, Councillor David Morgan and, accordingly, Councillor Robin Cook seconded the proposal to defer, on that basis.

The opportunity was the given for members to ask questions of the presentation and what they had heard, in seeking clarification of aspects so as to have a better understanding in coming to a decision. Officers addressed the questions raised providing what they considered to be satisfactory answers. In particular though – as well as the issues raised by the Vice-Chairman - concerns remained at what the energy provision was and how the design of dwellings could possible accommodate more efficient means of achieving this. Accordingly they agreed that issues which still needed to be addressed - for clarification and better understanding purposes - before they were able to come to any decision should cover:-

- Highway:
 - Whether private roads can be specified to adoptable standards even if not adopted
 - Pedestrian and cycle routes to be addressed due to lack of connectivity
- Drainage - Impacts on the River to be confirmed and considered
- Waste collection - areas where private waste collection is required to be discussed and resolved with DWP if possible
- Design:
 - Revised design required for the 'Amherst' apartment to the south east, possibly a stepped approach to height also landmark building so sensitive to view as leaving Wimborne.
 - Further chimneys to be added across the scheme

- Urban square design to be reconsidered to address road issues and provide better social space
- Landscape - Boundary to the west to be reinforced
- Energy statement - Provisions within the energy statement to be reconsidered
- Lighting -Removal of PD of further lighting to be considered

Whilst officers took the opportunity to address the issues raised as far as they were able in what considerations had been given to this in their report and presentation, having had the opportunity to discuss the merits of the application; having taken into account the officer's report and presentation, the written representations; and what they had heard at the meeting in taking account of the views of the two Ward members and the adjoining Ward members and what they considered to be the outstanding issues which remained to be addressed, and being proposed by Councillor Shane Bartlett and seconded by Councillor Robin Cook, on being put to the vote, the Committee agreed unanimously that the application should be deferred, pending those issues being satisfactorily considered and addressed so that they might have this information to consider in coming to their decision on the application.

Resolved

That application 3/19/2437/RM be deferred on the basis that more information and clarification was necessary on the outstanding issues below before any decision could be reached by the Committee:-

- Highways:
 - Whether private roads can be specified to adoptable standards even if not adopted
 - Pedestrian and cycle routes to be addressed due to lack of connectivity
- Drainage:
 - Impacts on the River to be confirmed and considered
- Waste collection:
 - Areas where private waste collection is required to be discussed and resolved with DWP if possible
- Design:
 - Revised design required for the 'Amherst' apartment to the south east, possibly a stepped approach to height also landmark building so sensitive to view as leaving Wimborne.
 - Further chimneys to be added across the scheme
 - Urban square design to be reconsidered to address road issues and provide better social space
- Landscape:
 - Boundary to the west to be reinforced
- Energy statement:
 - Provisions within the energy statement to be reconsidered
- Lighting:
 - Removal of PD of further lighting to be considered

Reason for Decision

So that information and clarification could be understood, assessed and considered by the Committee before any decision was reached.

146. Urgent items

There were no urgent items for consideration.

Duration of meeting: 10.00 am - 12.20 pm

Chairman

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1.0 Application Number: 6/2020/0334

Webpage: <https://planningsearch.purbeck-dc.gov.uk/Planning/Display/6/2020/0334>

Site address: 73 West Street, Bere Regis, Wareham, BH20 7HL

Proposal: Demolish workshop. Sever plot & erect dwelling.

Applicant name: D Bell

Case Officer: Cari Wooldridge

Ward Member(s): Councillors Peter Wharf and Laura Miller

The Nominated Officer has identified this application to come before the Planning Committee in light of the concerns raised by ward members and the parish council in relation to harm to the Conservation Area and impact on neighbouring amenity, and that of future occupiers.

2.0 Summary of recommendation:

GRANT planning permission subject to conditions.

3.0 Reason for the recommendation:

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

4.0 Key planning issues

| Issue | Conclusion |
|--------------------------|--|
| Principle of development | Acceptable within settlement boundary. |

| | |
|--|---|
| Scale, design and impact on the character and appearance of the area and the significance of the heritage asset of Bere Regis Conservation Area, its features of special architectural or historical interest, and it's preservation | Acceptable scale, design and impact on the character and appearance of the area and the significance of the heritage asset of Bere Regis Conservation Area. |
| Impact on the living conditions of the occupants of neighbouring properties | Acceptable subject to conditions. |
| Highway safety and car parking | Acceptable subject to condition and informative note. |
| Flood risk and drainage | Acceptable subject to condition. |
| Biodiversity impacts | Acceptable. |
| Ground stability | Acceptable subject to condition. |

5.0 Description of Site

The application site is located to the rear of 73 West Street, Bere Regis. It forms part of the existing garden of 73 West Street, which is proposed to be subdivided into a separate plot. The site is accessed off Tower Hill, a lane that extends up hill to the north-east. Currently, the site contains a black outbuilding, clad and roofed in corrugated black metal. The building is single storey with a relatively low level pitched roof. The site also contains a gated vehicular access to the side of the outbuilding, with space for one car to park off road. The remainder of the site forms part of the garden currently serving 73 West Street and includes a number of shrubs and flower borders. The garden is enclosed by a hedge on the western boundary and part hedge / part wall on the eastern boundary.

73 West Street is set at a significantly lower level than the outbuilding and the most northern part of the garden, with stepped access down to a small patio / terrace area directly to the rear of no. 73. No. 73 has a kitchen window and rear access looking onto the terrace area and a first floor rear facing bedroom that looks towards the application site / garden area. Due to the levels differences, the rear facing bedroom window would be at a similar level to ground floor windows proposed in the new dwelling.

The site is surrounded by residential development on all sides, with all dwellings on West Street being located at a significantly lower ground level. On the opposite side of Tower Hill lies the garden to Laurel Cottage (a listed building), a parking area and two garages. Land levels rise to the north and north-east along

Tower Hill and Butt Lane. Telephone wires cross the outbuilding with the telephone post lying to the north-west of the site on a small area of green at the junction of Tower Hill and Butt Lane.

The site is located in the Bere Regis settlement boundary, Bere Regis Conservation Area, and a water source protection zone.

6.0 Description of Development

The application proposes to sever the plot of 73 West Street, creating a new plot on the northern half of the site that is accessed off Tower Hill. It is proposed to remove the existing outbuilding and replace this with a part ground floor and part underground (lower ground) one bedroom dwelling. At ground floor level, the new dwelling will provide a single bedroom with en-suite in a simple structure of similar size, design and external appearance to the existing outbuilding.

7.0 Relevant Planning History

Pre-application advice on two proposed schemes was provided in December 2019 (PAP/2019/0099). The scheme included a granny annexe and dwelling. Whilst the principle of the proposed development within the settlement boundary was considered to be acceptable, other planning considerations raised officer objections. These included design, impact on the street scene, impact on the Conservation Area and townscape setting, and impacts on neighbouring properties.

Subsequent planning application 6/2020/0103 to 'demolish workshop, sever plot and erect dwelling' was refused planning permission in May 2020 for the following three reasons:

The proposed development would result in a new dwelling that would appear cramped in its appearance on a narrow and constrained plot, with limited private amenity space and loss of rear access to 73 West Street, to the detriment of the prevailing rural lane character of the area and the amenity of future occupiers of the proposed property and the parent property of 73 West Street. The size, height and mass of the dwelling results in significant dominance and enclosure to the street scene and the dwelling does not integrate well in relation to neighbouring properties and the informal rural land townscape character on Tower Hill. The contorted shape and domestic appearance of the property does not reflect the existing rural function of the outbuilding, appearing visually intrusive in the street scene. The proposed dwelling is not considered to positively integrate within its surroundings and the overall quality of the area, represent good architecture, nor is it considered to be sympathetic to the local character and history of the area, including the built environment and landscape setting. The design is considered to lack any obvious interest or innovative quality in architectural terms, and makes no contribution towards raising the standard of design more generally in the area. The proposal is therefore contrary

to paragraphs 127 and 131 of the National Planning Policy Framework, Policy D: Design of the Purbeck Local Plan Part 1; Bere Regis Townscape Character Appraisal SPD 2012, and paragraphs 17, 18, 19, 20, 21, 25 and 71 of the Purbeck Design Guide SPD 2013.

The proposed plot subdivision would not conserve or enhance the historic fabric of the Bere Regis Conservation Area or the key characteristics of the rural lanes on which the new dwelling would be located. The size, height and mass of the dwelling, together with its poorly integrated design and external finish are considered to give rise to a visually discordant form of development which would detract from the general appreciation of the character and quality of the townscape of the Conservation Area. The proposed dwelling is therefore considered to be harmful to the immediate rural lane character of the Conservation Area, and is not considered to preserve or enhance the character or appearance of the heritage designation. The degree of harm would lead to less than substantial harm to the significance of the designated heritage asset, however there are not considered to be any identifiable public benefits to outweigh the level of identified harm. The proposal is considered to be contrary to section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 (as amended), paragraphs 193 and 196 of the NPPF, and Policy LHH: Landscape, historic environment and heritage of Purbeck Local Plan Part 1.

The proposed dwelling, by virtue of its size, height and mass directly on the boundary with Meadow View Barn would result in unacceptable levels of harm to the occupiers of this neighbouring property in terms of loss of daylight, sunlight, and outlook to habitable rooms. The proximity of the dwelling to the west facing habitable windows of Meadow View Barn would also result in a development that is overbearing, oppressive and overshadowing in impact to the significant detriment of the occupiers of this property. The dwelling would also appear dominant and overbearing in views from neighbouring properties on West Street, an impact which is intensified by land levels. In addition, there would be a significant loss of privacy to the rear facing bedroom window and private amenity space of the parent property (no. 73 West Street) due to the proximity of the proposed first floor bedroom windows to the proposed boundary and the intensified window to window overlooking as a result of differences in levels. The proposal is therefore contrary to paragraph 127 of the National Planning Policy Framework, Policy D: Design of the Purbeck Local Plan Part 1; and paragraphs 34, 35, 38, and 39 of the Purbeck Design Guide SPD 2013.

Following refusal of the above application, informal pre-application advice was provided to the applicant advising of a similar scheme in Swanage where a part underground dwelling had addressed concerns in relation to impact on the Conservation Area and neighbouring Listed Buildings.

8.0 List of Constraints

The following constraints and designations are applicable to this application:

- The parish of Bere Regis.
- Bere Regis settlement boundary.
- The Bournemouth Airport Windfarm Safeguarding Area.
- Bere Regis Conservation Area.
- 5km of a European Habitat (SSSI).
- Bere River Catchment.
- 2km of a SAC.
- A water source protection zone.
- The Nitrate SPD Catchment Area.

9.0 Consultations

All consultee responses can be viewed in full on the website.

Consultees

- **Dorset Council Highway Engineer** (received 6 August 2020)

Proposal utilises an existing access and whilst the application states it is not going to be altered, this seems optimistic, and I have assumed it will need to be. This shouldn't present a problem provided a Section 184 licence is obtained.

Visibility is considered acceptable as the access is set back from the edge of the carriageway. There have been no recorded injury collisions for a least 5 years in the vicinity. It does take the current properties only parking space which unfortunately doesn't appear to be protected by planning condition.

Proposal would benefit from an additional parking space however, this cannot be insisted on as Dorset Council's parking standards are guidance. There is also unallocated on-street parking on West Street upon which existing property has a frontage.

Revised proposals do not present a material harm to the transport network or to highway safety. No objection subject to a condition and informative note on the decision.

- **Dorset Council Drainage Engineer** (received 25 August 2020)

No objection. Proposal in flood risk zone 1. Application form states that surface water will be dealt with by Sustainable Drainage System or soakaway but no details provided. Surface water drainage scheme should cater for both new and existing development unless it can be

demonstrated that drainage to existing dwelling is adequate and it would not be impacted by the proposed development.

Recommend use of standard SUDs condition requiring details of surface water drainage scheme, its viability, ongoing management and maintenance to be approved by the Council.

- **Dorset Council Design and Conservation Officer** (received 25 August 2020)

No objection.

Current submission has addressed the chief heritage concern and the proposal above ground, will be almost the same as the existing Tower Hill frontage. I am therefore happy to concede that the issue of plot subdivision as the public benefit and inventive solution are justification to outweigh this level of harm.

Two further comments -

1. Stable door should be omitted and replaced with a simple plank door design.
2. Window joinery and finishes generally should not over domesticate this part of the structure/design. (Timber joinery, simple form reflecting the previous non-residential use)

- **Dorset Council Engineer** (received 13 October 2020)

I am unaware as to whether any site investigation works have been undertaken in order to inform the retaining wall and foundation designs and also the drainage plans.

As the development will involve a significant amount of excavation and slope unloading in fairly close proximity to neighbouring properties, the works are likely to come under the provisions of The Party Wall Act and, if this is the case, the procedures in relation to this Act should be followed. Usually the Building Control Officer will advise.

As is normal for this type of construction the works should be carefully co-ordinated to ensure that there were no unexpected ground movements. In this regard all excavations, temporary excavation supports etc. should be carefully monitored during any construction work in case of localised ground movement or groundwater seepage.

The change in slope unloading as a result of the excavation and subsequent future building loadings needs to be fully understood as part

of the design work. I would expect that the geotechnical aspects would be designed and supervised by a geotechnical engineer.

The Building Control Officer will have to be satisfied with the retaining wall and foundation arrangements if/when an application is made for Building Regulation approval.

We are not aware of any general ground stability issues in this area.

- **Natural England.**

No response received. Standing advice followed.

- **Bere Regis Parish Council.**

Object.

Increase in traffic in already congested area.

Access will introduce further complications close to highway junction.

Overdevelopment of back land.

A considerable amount of the bank will be removed and may result in overlooking.

Summary of Local Representations received

The application was advertised by means of a site notice displayed on 12/08/2020 and by letters sent to neighbours. The Council received a total of 6 letters of objection from neighbours about the application. The representations are all available in full on the Council's website.

The following list sets out a summary of the key issues raised:

- **Highway safety and car parking** - Insufficient parking on-site for occupiers of parent property and proposed. No overspill space on Tower Hill and West Street already congested with residents parking. No room to park on Tower Hill and proposed space is unusable. Site next to a junction – highway safety impacts.
- **Impact on the living conditions of the occupants of neighbouring properties** - Deep excavations will require lorry and construction traffic causing obstruction to residents requiring access. Deep excavations do not take into account drainage or wells known to exist in area or impact on destabilising hillside. No structural / engineering survey. Impact on foundations of neighbouring properties. Privacy and amenity issues for

neighbouring properties. Insufficient distance between no. 73 and the new property with privacy, noise and visual impacts. Lack of amenity space.

- **Scale, design and impact on the character and appearance of the area, and the Bere Regis Conservation Area** - Ribbon development / site is not permitted under Bere Regis Neighbourhood Plan. Size of proposed property appears larger than existing. Density of development too high. Overdevelopment of site. Site in Conservation Area. Sub-division of the plot remains a reason for refusal as with previous application. No detail on agreed access to side road for bins. Loss of green vegetation will detract from character of area.
- **Flood risk and drainage** - How will drainage be achieved with proposed excavation?
- **Private boundary issues** - Difficult to see how dwelling could be constructed without intrusion onto neighbouring land.

10.0 Relevant Policies

Purbeck Local Plan Part 1 (2012)

Policy SD: Presumption in favour of sustainable development;

Policy LD: General location of development;

Policy HS: Housing Supply;

Policy D: Design;

Policy LHH: Landscape, historic environment and heritage;

Policy IAT: Improving accessibility and transport;

Policy FR: Flood Risk;

Policy BIO: Biodiversity and Geodiversity;

Policy DH: Dorset Heaths International Designations;

Policy PH: Poole Harbour.

Emerging Purbeck Local Plan 2018 – 2034

Regard has been had to the policies of the emerging Local Plan. The weight that can be given to these policies will increase as the emerging plan moves towards adoption.

Bere Regis Neighbourhood Plan

Policy BR1: Settlement Boundaries;

BR4: Bere Regis Groundwater.

National Planning Policy Framework

Section 2: Achieving sustainable development;

Section 4: Decision-making;

Section 5: Delivering a sufficient supply of homes;

Section 9: Promoting sustainable transport;

Section 12: Achieving well-designed places;

Section 14: Meeting the challenge of climate change, flooding and coastal change;

Section 15: Conserving and enhancing the natural environment;

Section 16: Conserving and enhancing the historic environment.

Other material considerations

National planning practice guidance (PPG)

Purbeck District design guide supplementary planning document adopted January 2014.

Bere Regis Conservation area appraisal.

Bere Regis townscape character appraisal supplementary planning document adopted August 2012.

DCLG 'Technical housing standards – nationally described space standard' 2015.

Bournemouth, Poole and Dorset residential car parking study May 2011 – guidance.

Purbeck Strategic Flood Risk Assessment 2018.

Dorset biodiversity appraisal and mitigation plan.

The Dorset heathlands planning framework 2020 - 2025 supplementary planning document adopted March 2020.

Nitrogen reduction in Poole Harbour – supplementary planning document April 2017.

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 Public Sector Equalities Duty.

It is not considered that the proposed dwelling would result in any disadvantage to persons with protected characteristics.

13.0 Financial benefits

| What | Amount / value |
|-----------------------------|---|
| Material Considerations | |
| None. | N/A |
| Non Material Considerations | |
| CIL Contribution | £1143.90 |
| Council tax | £2108.21 (based on average Council Tax Band D) |

14.0 Climate Implications

The proposal is for one new dwelling which will be constructed to current building regulation requirements and which will be serviced by suitable drainage to prevent any additional impact on terms of flood risk that may be exacerbated by future climate change.

15.0 Well-being and Health Implications

In accordance with the Council's responsibility for promoting health and wellbeing and the reduction of health inequalities across the county, the potential impact of the proposal on general health and wellbeing has been considered.

The Bere Regis Neighbourhood Plan reports that in 2014 the mid-year estimate was the 61.8% of the population of the parish within the age range of 16-64 years and 58.8% of properties were owner occupied, with 38.4% rented properties. The application site is surrounded by dwellings on a sloping site. The amenity of occupiers of the proposed dwelling and neighbours and any third party representations have been taken into account as part of the planning appraisal which has found that the development is acceptable in planning terms subject to conditions. In considering this application regard has been given to the future wellbeing and health of the local population within the scope of the material planning considerations applicable to this application and the realms of planning legislation.

16.0 Planning Assessment

The main planning considerations in respect of this application are:

- The principle of development;
- Scale, design and impact on the character and appearance of the area and the significance of the heritage asset of Bere Regis Conservation Area, its features of special architectural or historical interest, and its preservation;
- Impact on the living conditions of the occupants of neighbouring properties;
- Highway safety and car parking;
- Flood risk and drainage;
- Biodiversity impacts; and,
- Ground stability.

These and other considerations are set out below.

Principle of development

- 16.01 The application site is located within Bere Regis settlement boundary as defined by Policy BR1: Settlement Boundaries and Map 3 of the adopted Bere Regis Neighbourhood Plan (BRNP). The proposed development is therefore considered to be acceptable in principle in accordance with Policies SD: Presumption in favour of sustainable development and LD: General Location of Development, of the Purbeck Local Plan Part 1 (PLP1) and Policy BR1 of the BRNP. This is subject to the consideration of all other material planning considerations as set out in the relevant sections below.
- 16.02 The proposed dwelling would also provide an additional dwelling to meet the Purbeck area housing supply requirement as set out in Policy HS: Housing Supply of PLP1.

Scale, design and impact on the character and appearance of the area and the significance of the heritage asset of Bere Regis Conservation Area, its features of special architectural or historical interest, and its preservation

- 16.03 The application site is located within an area of 'critical' townscape quality as identified in the Bere Regis Townscape Character Appraisal (TCA). The appraisal notes that the areas of critical townscape encompass the historic parts of the village and coincide with many parts of the Bere Regis Conservation Area. The TCA also notes that these locations are very important in defining the identity of the village and should be protected from inappropriate types and levels of development.
- 16.04 In terms of 'character type', the site is located within the 'West Street' area. This includes features of plots with narrow frontages, buildings positioned close to the back edge of the pavement, with plots being deep. The opportunity for infill development is identified where this 'preserves or enhances the traditional character' of the area. Adjoining the enquiry site to the north is the 'Barrow Hill' character type. Whilst the opportunity to replace existing insensitive buildings to enhance traditional character is identified as a potential opportunity, existing 'insensitive development' that 'jars' with the informal character of the lanes is identified as a weakness. Any new development must therefore be able to address both character types and be sensitive to their key characteristics.
- 16.05 In terms of the Bere Regis Conservation Area, the enquiry site is located within the West Street sub-area. The Conservation Area Appraisal identifies West Street as being one of the main original routes through the village, having a modest urban character and sense of enclosure, with single plot gardens to the

rear of buildings. Whilst 73 West Street is not a listed building, it is identified in the appraisal as a key unlisted parish building with the adjoining neighbouring properties of 72 and 74 West Street both being Grade II Listed. 73 West Street is therefore considered to form an undesignated heritage asset which, together with its plot, form a key part of the setting of the Conservation Area.

- 16.06 Directly to the north of the enquiry site, the lane (Tower Hill) that provides access to the existing workshop forms part of a small network of lanes to the north of West Street (comprising Back Lane, Snow Hill Lane and Tower Hill Lane). The Conservation Area Appraisal notes that 'these lanes retain a rural character, principally derived from the banks, hedges and soft landscaping and their relationship with the open countryside surrounding the village. They have a number of links to the main streets and contribute significantly to the permeable street layout of the village. Taking into account their considerable historical significance, they are a major contributor to the character and legibility of the settlement'. The development proposed as part of the enquiry must therefore be considered to conserve and enhance the character and appearance of the key characteristics of the Conservation Area as outlined above.
- 16.07 The existing workshop building forms a corrugated metal single storey structure that is located directly on Tower Hill. Whilst relatively large in scale for a domestic location (approx. 4.6m x 3.8m with a foot print of roughly 20sqm), it has a low level pitched roof and access is retained to the rear garden of no. 73 with wide gates to the side and areas of hedging retained.
- 16.08 Despite receipt of pre-application advice, previous planning application 6/2020/0103 failed to respond appropriately to the constraints and the two storey house was refused on three grounds (as detailed above) including the cramped appearance, limited private amenity space and loss of rear access to 73 West Street, dominance of the building and resulting enclosure, poor integration in the street scene, loss of original function of the outbuilding, lack of architectural quality, harmful impact on the Conservation Area and harmful impacts on neighbouring properties due to the size, height, and mass of the dwellings and significant overlooking.
- 16.09 The current application attempts to address as many of the previous reasons for refusal as possible. The site remains severed from no. 73 forming a new residential planning unit. No. 73 retains an area of amenity space of approximately 43sqm to the rear with a new boundary fence to separate the existing and proposed amenity areas. Whilst no. 73 will lose access to Tower Hill as a result of the plot subdivision, they will retain pedestrian access to Tower Hill to the side of no. 72 due to an existing right of way (confirmed by agent in email

dated 12th October 2020). This will enable bins to be provided for collection without being taken through the property of no. 73.

- 16.10 Due to the differences in ground level in the rear garden of no. 73 (Tower Hill approx. 3m higher than finished floor level of no. 73 and West Street), the dwelling currently proposed takes advantage of the differences to be part above and part below the Tower Hill ground level. The structure above Tower Hill ground level is of a very similar size and scale to the existing outbuilding, remaining approximately 4.5m wide, slightly deeper (by approx. 0.1m) varying between approximately 4.2m and 4.7m, and a taller ridge height (by approx. 0.5m) at a height of 4.2m. This part of the dwelling will provide a bedroom and en-suite and will result in minimal additional visual impact in terms of size, mass and scale. The remainder of the dwelling is proposed below Tower Hill ground level in an area of excavation of approx. 200 cubic metres. This lower ground level will provide an open plan dining / living / kitchen with wide patio doors opening onto a reduced level / sunken garden, an office/study with windows into the sunken garden and also served by a sun-tube, and a utility and lower ground w.c.
- 16.11 As a result of the subterranean element of the proposal, the size, height and mass of the visible and above ground level part of the dwelling is considered to be acceptable in terms of integration within the street scene and also in relation to Meadow View Barn to the east. Visual and street scene impacts will not result in demonstrably more harm than the existing outbuilding and retains the existing pattern of loose knit development along Tower Hill that expands to significant space at the western end. On the DCO's request, the door design on the front elevation of the ground level structure has been amended to a simple and more functional plank door which is considered to be more in keeping with the original function of the existing outbuilding. Otherwise, the design of the visible elements of the scheme is considered to reflect the existing outbuilding and remains sympathetic to its location. All other aspects of the built development of the dwelling are located below existing ground level and will not be visible from the surrounding streetscape or neighbouring properties.
- 16.12 The proposed development, by virtue of its limited above ground level structure, is considered to sit comfortably within the informal character of the Tower Hill, the rural lane townscape quality, and continues to respect the visual sense of space between built structures. Whilst the Parish Council and neighbours have raised objections on the basis of overdevelopment of the plot, Officers consider that it would be unreasonable to refuse the proposal on this basis as the innovative design enables a development that would not appear out of keeping with the existing character and appearance of the area.

- 16.13 However, the impact of related development, including hard and soft landscaping provision must be taken into consideration, particularly where this enables the proposal to be acceptable in terms of retaining sufficient privacy between both the existing and proposed dwellings. The eastern site boundary with Meadow View Barn and 74 West Street currently consists of a wall (closer to Tower Hill) and a hedge, both being approximately 1.8m in height. The wall and hedge are both detailed on the existing site plan (BG19/003/A), the site separation plan (BG19/005) and the proposed elevations and section (BG19/208/A and BG19/205/B). On the western site boundary with no. 72, the boundary consists of a low level concrete block wall with a taller hedge within the application site. Following discussion with the agent, and to ensure the privacy and safety of all properties, amended plans have been submitted detailing a 1.8m close boarded fence inside the existing wall and hedge boundary with no. 72 and along the garden separation between the proposed dwelling and the parent dwelling. This is considered to be acceptable as a standard garden feature and one which has also been used to subdivide the adjacent plot to the east. A condition will be added to the decision notice requiring future retention and maintenance of this boundary treatment (condition 7).
- 16.14 The Council has a statutory duty under section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 (as amended) to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas when considering applications. At pre-application stage and in the previous refusal, the Design and Conservation Officer raised an objection to subdivision of the existing plot which is not generally supported within the Conservation Area. In this particular location, single plots that extend back from West Street are identified as a key characteristic that should be preserved and enhanced. However, it was noted that recent development to the east (6/2011/0526) replaced existing outbuildings, and therefore a small proposal of similar height and proportions to the existing workshop (such as an annexe), which would fit more comfortably in relation to the adjacent development in terms of townscape quality, was considered a possibility.
- 16.15 In commenting on the current proposal, the Design and Conservation Officer (DCO) notes that the inventive solution to address impacts on the Conservation Area and neighbours is a more successful approach to development on the site. He considers that the public benefit of the proposal and the inventive solution to impacts on the Conservation Area are sufficient to outweigh the level of harm by the subdivision of the plot. Officers have also carefully considered the level of harm to the Conservation Area. Plots to the east have already established a precedent for plot division between West Street and Tower Hill, the proposal will

result in minimal additional visual impact on the character of the Conservation Area, and the rural character of the lanes identified in the Conservation Area Appraisal, would continue to be retained by the current proposal. The innovative design of the proposed dwelling will preserve the character and appearance of the heritage designation and it is therefore considered that the harm to the Conservation Area will be at the lower end of the scale.

- 16.16 Paragraph 196 of the National Planning Policy Framework (NPPF) advises that 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 securing its optimal use. The current proposal is considered to result in less than substantial harm to the significance of the designated heritage asset, and is considered to be outweighed by the innovative design of the proposal and the public benefit of providing an additional dwelling to meet the local housing need.
- 16.17 The details of site landscaping are integral to the scheme and to ensure that the existing character of the site is retained above ground level. A condition will be applied to the decision requiring full details of both hard and soft landscaping to be submitted to the Council for approval (Condition 6). In addition, a condition removing permitted development for further development within the site is considered appropriate to ensure that there are no subsequent impacts on the character and appearance of area and the setting of the Conservation Area (Condition 8). The proposal is found to accord with Policy D and LHH of PLP1.

Impact on the living conditions of the occupants of neighbouring properties

- 16.18 In terms of above ground level impacts, the current proposal will retain a building of very similar height, size and scale to the existing workshop on the plot. As with the existing workshop, the proposed building will be located directly on the boundary with land owned by 74 West Street (parking area) and adjacent to that, Meadow View Barn. The case officer has visited Meadow View Barn as part of the previous application assessment and notes that all ground floor habitable rooms of the property face west onto the application site. The ground floor layout of Meadow View Barn includes an open plan lounge, dining and kitchen area, with all rooms served by west facing patio doors and a smaller west facing window. The rooms are not served by any other sources of light. The current proposal, which proposes a replacement single storey structure of very similar height, size and scale to the existing outbuilding, is not considered to result in a significant adverse impact on the level of daylight and sunlight that would be received by the ground floor habitable rooms of Meadow View Barn. It is also

considered that the direct outlook from the west facing habitable rooms of Meadow View barn would remain minimally altered, retaining the current outlook onto the existing boundary wall, replacement single store structure and the open and distant views to neighbouring rooftops, the skyline and distant hills. The size, height and mass of the replacement structure is not considered to result in any additional demonstrable harm to the occupiers of Meadow View Barn in terms of overbearing development or overshadowing of the side facing habitable ground floor windows. In terms of the below ground level elements of the scheme, this would not result in any additional impacts on Meadow View Barn, and the proposal is therefore considered to be acceptable in terms of impact on this property.

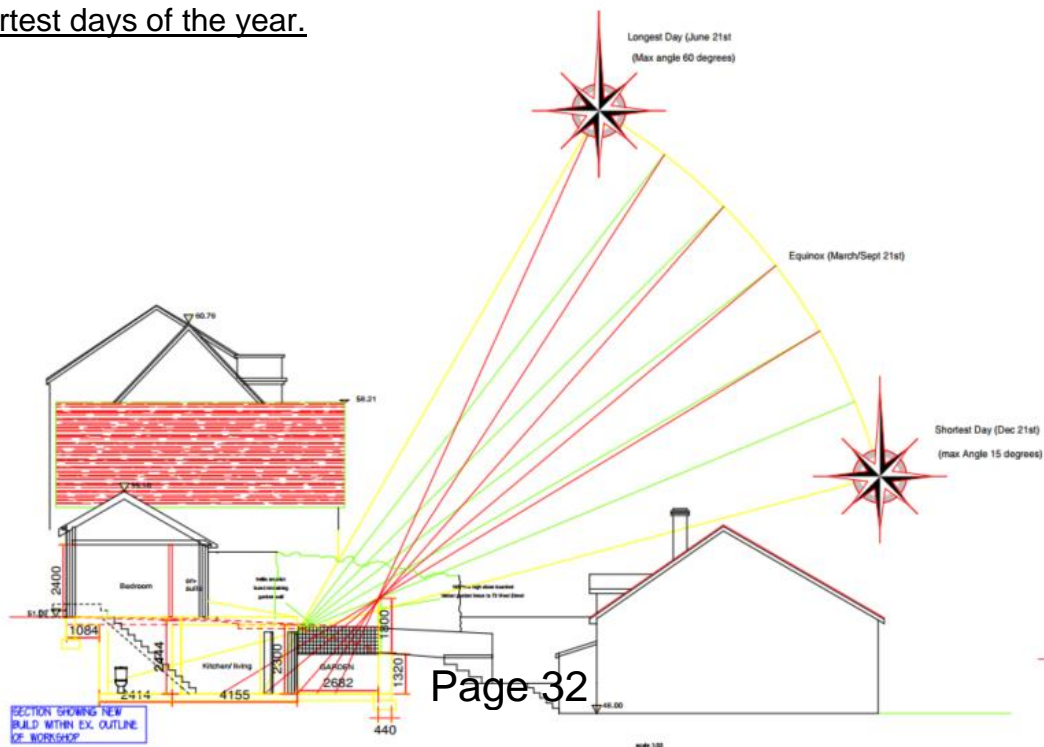
- 16.19 In terms of impacts on other neighbouring properties and the parent property (73 West Street), the outlook and views of properties on West Street would also remain very similar to existing, with only the replacement outbuilding structure being visible above ground level. No windows are proposed at first floor level in the rear elevation or rear roof slope of the new building, and a condition (Condition 8) can be included on the decision to prevent any future insertion of such windows without the prior consent of the Council. Whilst large patio doors and windows are proposed at the lower ground floor level, these will be restricted in outlook onto the sunken garden, its retaining walls and boundary fencing above. The rear facing first floor bedroom window of no. 73 has direct views into its garden particularly of the higher levels and the existing outbuilding. A cross section plan has been provided as part of the application and this illustrates the level of outlook from the first floor bedroom window towards the application site. The outlook would remain very similar to existing due to the majority of the new dwelling being located below ground level. A new garden boundary fence is proposed to sever the plot, and this would be visible in front of the new building but would not result in any harmful impacts. Subdivision of the existing plot would result in the occupiers of no. 73 having a smaller garden, as will the occupiers of the new property. However, the level of provision is very similar to that of neighbouring plots to the east (Meadow View Barn/74 West Street and The Poppies / 75 West Street) which have already been subdivided. Given the rural location and easy access to public rights of way and open countryside, the restricted private amenity space is not considered to form a significant enough reason to refuse the proposal. Neighbouring properties to the north and west are considered to be sufficiently distanced from the proposed dwelling for impacts to be acceptable on neighbouring amenity.
- 16.20 Neighbours and the Parish Council are concerned about issues relating to their amenity during the construction of the dwelling including accessibility for both residents and site related workers, noise, dust and impacts on ground stability. A

condition can be added to the decision requiring the approval of a Construction Environment Management Plan to mitigate any potential adverse effect on neighbours (condition 4). Ground stability is addressed in more detail below. A neighbour objection also raises concern in terms of noise to the parent property of no. 73. However, given that the proposed use is residential and within a residential area, impacts in terms of domestic noise and disturbance from the additional dwelling are not considered to be sufficiently harmful to form a reasonable reason for refusal of the proposal.

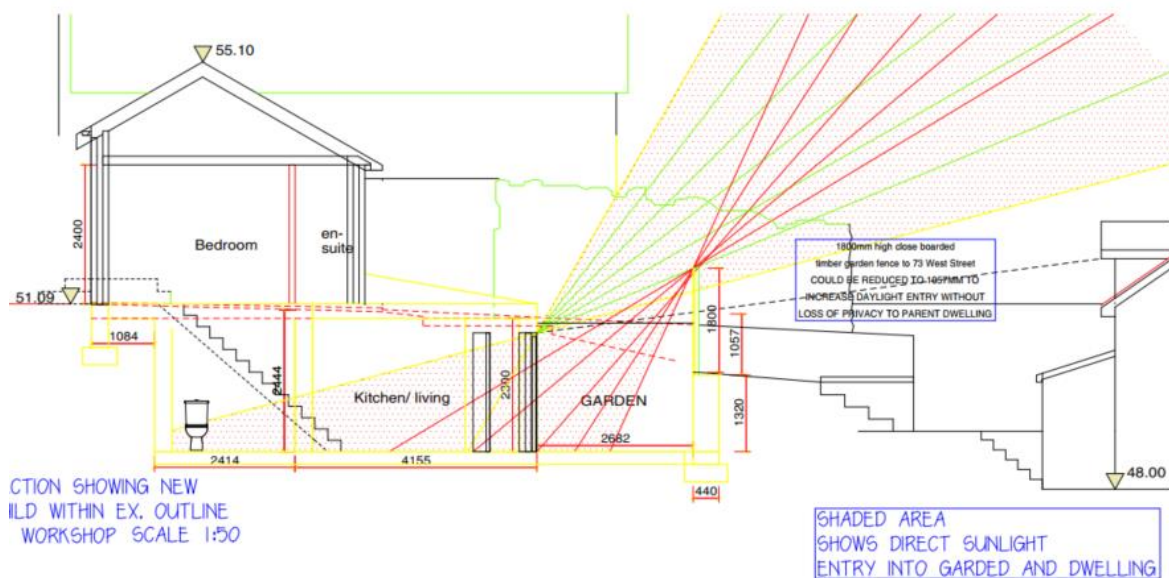
16.21 Finally, Officers have considered impacts on the amenity of future occupiers of the proposed dwelling. The dwelling is small in size, and officers have considered the proposed internal floor area provision against national standards set out in DCLG guidance 'Technical housing standards – nationally described space standard' 2015. The proposed dwelling will have a total internal floor space of approx. 66sqm which is above the 58sqm floor area requirement set out in Table 1 of the DCLG guidance for a property of this type and size. The proposed dwelling also provides built storage space in accordance with the guidance. On the basis that the Council currently has no adopted policy to require minimum floor area provision beyond that set out in national guidance the proposal is acceptable.

16.22 Officers have also considered the levels of daylight that will be available to serve the 'subterranean' element of the property and its courtyard. To inform this assessment, the agent has supplied a Daylight Report and a Solar Path Detail plan. Key parts of the plan are included below for additional information.

Cross Section of Site (North to South) showing angle of sun between longest and shortest days of the year.



Cross Section of Site (North to South) with shaded area showing direct sunlight into garden and dwelling according to angle of sun between longest and shortest days of the year.



16.23 'The drawing [above] shows the declination of the sun at various times of the year with the sun at its lowest angle to the horizon at winter solstice. For a period of approximately 6-8 weeks the drawing shows that direct sunlight into the windows of the ground floor areas will not occur. That is not to say however, that daylight will not enter, as even without direct solar path, the luminosity resultant from the unobstructed aspect facing south will be significant. If this were not significant, all windows facing North would be of no benefit'.

Paragraph 4.13 compares this situation with the parent property on West Street as follows:

16.24 '...the parent property sited on west Street has the road width of just over 11m. The declination of the sun at 15 degrees is consistent to the ground floor windows facing West Street. During the months of December and January the sun does not directly enter these windows, but adequate daylight is afforded to the site for habitable purposes'.

- 16.25 The report also considers the impact of the 1.8m fence (increased in height from 1m at the request of Officers to ensure safety along all boundaries) proposed along the plot subdivision boundary and notes:

'...fence height reduction is not necessary to create acceptable daylight entry into the site'.

- 16.26 On the basis of the submitted detail, Officers consider that the level of daylight that would be provided to future occupiers of the dwelling, even on the shortest day of the year and a period of 6 – 8 weeks around this, would be sufficient for habitable purposes.
- 16.27 In summary, the living space is considered of sufficient size and will provide appropriate amenity for future occupiers in accordance with policy D: Design of the PLP1.

Highway safety and car parking

- 16.28 There is an existing vehicular access to the application site and an area of hardstanding that provides off road parking for one vehicle. This currently serves 73 West Street. The proposed application continues to provide access to an area of parking, although the location of the access and gates is moved further to the west to allow for the new dwelling. Due to the proposed severance of the garden, the car parking space would also serve the new dwelling as opposed to the parent property. No additional off-street car parking provision has been provided for the parent property, although this does front onto West Street where there is unrestricted on-street parking provision.
- 16.29 The Council's Highway Engineer has been consulted on the proposal and has raised no objection. The engineer notes that the proposal utilises an existing access, and whilst the application states it is not going to be altered, it has been assumed that it will need to be. Nevertheless, alteration of the access shouldn't present a problem provided a Section 184 licence is obtained. Visibility is considered acceptable as the access is set back from the edge of the carriageway. There have been no recorded injury collisions for a least 5 years in the vicinity.
- 16.30 The proposed parking takes away the provision for the existing property. Whilst it is noted that an additional space for the parent property would be beneficial, this cannot be insisted on as Dorset Council's parking standards are guidance only. The Highway Engineer also notes the unallocated on-street parking on West Street upon which existing property has a frontage. The site is located in a Key

Service Village which has a range of local facilities and services including shops, public houses, a post office, library, primary school and doctor's surgery. There are also bus services to neighbouring towns including Dorchester, Blandford and Poole.

- 16.31 The Highway Authority therefore considers that the proposals do not present a material harm to the transport network or to highway safety, and consequently there is no objection to the proposal on highway grounds. The proposal accords with policy IAT of the PLP1 subject to a condition to secure parking (conditions 11).

Flood risk and drainage

- 16.32 The application site is not located within an area of identified fluvial or surface water flood risk. However, the proposed dwelling is likely to alter the natural rate of surface water run-off on the site and the Council's Drainage Engineer has been consulted on the proposal in accordance with Policy FR: Flood Risk of PLP1.
- 16.33 The Drainage Engineer notes that the proposal to sever the existing plot may have implications for the surface water drainage of the existing building. Any surface water drainage scheme should therefore be designed to cater for both the new and existing development, unless it can be shown that the drainage to the existing building is adequate and has not been affected by the development proposals.
- 16.34 The application form indicates that surface water will be dealt with using a Sustainable Drainage System (SuDS) or soakaway. The engineer considers that this is a satisfactory way of dealing with the drainage but no further details are provided in the application about the design standard, location or maintenance and management of the drainage system. Such details can however be dealt with by way of a condition on the decision notice, and the engineer therefore raises no objection the proposal subject to a standard drainage condition (Condition 5).

Biodiversity Impacts

- 16.35 The application site lies within 5km but beyond 400m of Dorset Heathland which is designated as a Site of Special Scientific Interest and as a European wildlife site. The site also falls within the Poole harbour Nitrate SPD Catchment Area. The proposal for a net increase in residential units, in combination with other plans and projects and in the absence of avoidance and mitigation measures, is likely to have a significant effect on the sites. It has therefore been necessary for the Council, as the appropriate authority, to undertake an appropriate

assessment of the implications for the protected sites, in view of the site's conservation objectives.

- 16.36 The appropriate assessment (separate document to this report) has concluded that the likely significant effects arising from the proposal are wholly consistent with and inclusive of the effects detailed in the supporting policy documents, and that the proposal is wholly compliant with the necessary measures to prevent adverse effects on site integrity detailed within the Dorset Heathlands Planning Framework SPD and the Poole Harbour Nitrogen Reduction SPD April 2017.
- 16.37 The mitigation measures set out in the Dorset Heathlands 2020-2025 SPD and Poole Harbour Nitrogen reduction SPD 2017 can prevent adverse impacts on the integrity of the site. The SPD strategy includes Heathland Infrastructure Projects (HIPs) and Strategic Access Management and Monitoring (SAMM). In relation to this development the Council will fund the HIP and SAMM provision via the Community Infrastructure Levy. The strategic approach to access management is necessary to ensure that displacement does not occur across boundaries.
- 16.38 With the mitigation secured the development will not result in an adverse effect on the integrity of the designated sites so in accordance with regulation 70 of the Habitats Regulations 2017 planning permission can be granted; the application accords with policies BIO, DH and PH of PLP1.

Ground stability

- 16.39 Neighbours have raised concerns in relation to ground stability, drainage and potential subsidence related to the development of the site and the cutting into the existing ground levels. The Council's Engineer has been consulted on the proposal and has confirmed that he is not aware of any general ground stability issues in the area. In terms of the works, the development will be facilitated by the construction of a retaining wall within the site boundary consisting of contiguous piling. This wall will be screened internally with fencing treatments. In response to comments from the Council's Engineer, the agent has confirmed agreement to a pre-commencement condition on the decision requiring full details of ground conditions, any likely instability and the method of piling to be used to be agreed by the Council before any works start on-site. The condition will also request full drainage details, details of all foundations, and a site excavation plan detailing monitoring procedures throughout the build (condition 3). The Building Control officer for the development will also have to be satisfied with the retaining wall and foundation arrangements when an application is made for Building Regulation approval. Initial informal consideration by the Council's

Building Control team suggests that the proposal is capable of meeting Building Control requirements.

- 16.40 As the development would involve a significant amount of excavation and slope unloading in fairly close proximity to neighbouring properties, the works are likely to come under the provisions of The Party Wall Act and, if this is the case, the procedures in relation to this Act should also be followed. Building Control will also have to be satisfied with the retaining wall and foundation arrangements if/when an application is made for Building Regulations approval. An informative note can be included on the decision notice in relation to Building Regulations approval and the Party Wall Act (Informative notes 2 & 4). On this basis, and subject to a condition to cover all of the above requirements (condition 3), the proposal is considered to accord with NPPF paragraph 170 in relation to ground stability issues.

17.0 Conclusion

The proposed development accords with local and national planning policy. It is considered to be acceptable in principle, of an appropriate scale, size and design and also acceptable in terms of impacts on the Bere Regis Conservation Area. The impact on neighbouring amenity, highway safety and drainage area also considered to be acceptable. Ground stability has been considered and an appropriate pre-commencement condition recommended. The proposed dwelling will make a positive contribution to the local housing supply.

Approval is recommended subject to the conditions as set out below. The agreement of the applicant has been obtained in relation to pre-commencement conditions.

18.0 Recommendation

To grant planning permission subject to the following conditions:

1. The development must start within three years of the date of this permission.
Reason: This is a mandatory condition imposed by Section 91 of the Town and Country Planning Act 1990 to encourage development to take place at an early stage.
2. The development permitted must be carried out in accordance with the following approved plans: BG19/003/A, BG19/005, BG19/305/A, BG19/205/C, BG19/206, BG19/207 & BG19/208/B.
Reason: For the avoidance of doubt and in the interests of proper planning.
3. Prior to the commencement of any ground works on the site, the following reports must be submitted to the Council and formally approved in writing.
A Site Investigation Report including:
 - (a) Full details of ground conditions across the site;

- (b) Identification of any likely ground instability;
- (c) Detailed design of all retaining walls;
- (d) Detailed design of all foundations;
- (e) Full drainage plans.

A Site Excavation Plan including details of:

- (a) all temporary excavation supports;
 - (b) ongoing monitoring of the site to identify any localised ground movement or ground water seepage;
 - (c) measures to immediately deal with any identified localised ground movement or ground water seepage;
 - (d) design details / plans / drawings that identify the impact of slope unloading as a result of the excavation works and future building loadings;
- All geotechnical aspects of the above reports must be designed by a geotechnical engineer or equivalent competent person. Following written approval, the implementation of all works must be carried out as specified and under the supervision of a Geotechnical Engineer or equivalent competent person.

Reason: In the interest of protecting the site from issues relating to land instability.

4. Before any ground works commence on the site, a Construction Management Plan (CMP) must be submitted to and approved in writing by the Council. The CMP must include:

- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- dust, noise and vibration suppression
- site safety and security
- delivery, demolition, construction and working hours.

The approved Construction Management Plan shall be adhered to throughout the construction period for the development.

Reason: To minimise the likely impact of the proposed development on the amenity of neighbouring properties.

5. Before any ground works start, a viable and deliverable scheme based on site investigation test results and the current greenfield run-off rate for the site should be submitted for the discharge of surface water drainage from the proposed development, the scheme must consider the surface water drainage implications of existing buildings on the site and should be approved in writing by the Council. This must include details of the ongoing management and maintenance of the scheme. The appropriate design standard for the drainage system must be the 1 in 100 year event plus a 40% allowance for the predicted increase in rainfall due to climate change for the lifetime of the development. Prior to the submission of

those details, an assessment must be carried out into the potential for disposing of surface water by means of a sustainable drainage system (SuDs). The results of the assessment must be provided to the Council. The approved drainage scheme must be implemented before the first occupation of the building/any of the buildings. It must be maintained and managed in accordance with the agreed details.

Reason: These details are required to be agreed before ground works start in order to ensure that consideration is given to installing a viable and deliverable drainage scheme to reduce the risk of flooding to this site and elsewhere.

6. Prior to occupation of the dwelling, a hard and soft landscaping scheme must be submitted to and approved in writing by the Council. This needs to include:

- i. A landscape proposals plan showing details of hard landscape (any cables, pipes and ducts above ground, all surfacing/paving, walls, fences and other structures, lighting, CCTV etc.) and soft landscape (trees, shrubs, herbaceous plants and grassed areas);

- ii. Planting plans which must show the species of trees, shrubs and herbaceous plants to be planted and where they will be planted, the size that the trees/shrubs/plants will be on planting, and the number that will be planted;

Reason: These details are required to be agreed in order to ensure the satisfactory landscaping of the site, and to enhance the biodiversity, visual amenity and character of the area.

7. Before first occupation of the dwelling, the boundary treatments detailed on the approved plans must be fully installed on site. Thereafter, the boundary treatments must be retained and retained in accordance with the approved plans unless further written approval is obtained from the Council.

Reason: In the interest of neighbouring amenity and safety.

8. Despite the provisions of the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2, Part 1 and Schedule 2, Part 2, Class A (or any order revoking and re-enacting that Order with or without modification), no further development, including the carrying out of building, engineering or other operations will be undertaken within the application site without first obtaining planning permission from the Council.

Reason: In the interest of preserving character and appearance of the Conservation Area and in the interest of neighbouring amenity.

9. The manufacturers name, product name and colour of all external facing and roofing materials must be submitted to and approved in writing by the Council before they are used on the proposal. The development must then be implemented using the approved materials.
Reason: To ensure satisfactory appearance of the development.
10. All new windows and doors must be made of wood. Precise details of their design and finish e.g. painted or stained must be agreed in writing before they are installed. The development must be completed in accordance with those details.
Reason: To protect the character of the Conservation Area.
11. Before the development is occupied or utilised the parking shown on the submitted plans must have been constructed. Thereafter, these areas must be permanently maintained, kept free from obstruction and available for the purposes specified.
Reason: To ensure the proper and appropriate development of the site and to ensure that highway safety is not adversely impacted upon.

Informative Notes:

1. Informative Note - Natural England. Attention is drawn to the special protection given in law (for example, under the Wildlife and Countryside Act 1981 (as amended), the Habitat Regulations and the Protection of Badgers Act 1992) to particular plants and animals that may be present within the application site. The grant of this planning permission does not override any relevant statutory species protection provision contained within such legislation.
2. Informative Note - The Council notes that the proposals involve significant excavation and alteration of land levels. It is the applicant / developer's responsibility to ensure that any excavations and subsequent retaining walls are structurally satisfactory to perform the desired function and the works do not affect the stability of the site itself or surrounding land.
3. The vehicle crossing serving this proposal (that is, the area of highway land between the nearside carriageway edge and the site's road boundary) must be constructed to the specification of the County Highway Authority in order to comply with Section 184 of the Highways Act 1980. The applicant should contact Dorset Highways by telephone at Dorset Direct (01305 221000), by email at dorsetdirect@dorsetcc.gov.uk, 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.

4. The proposed works will involve significant excavation in close proximity to neighbouring properties and the works are likely to fall under the provisions of the Party Wall Act. If this is the case, procedures in relation to the Act must be followed. Further information can be found via the following links: <https://www.gov.uk/party-walls-building-works> and <https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance>
5. Informative Note - Community Infrastructure Levy. This permission is subject to the Community Infrastructure Levy (CIL) introduced by the Town and Country Planning Act 2008. A CIL liability notice has been issued with this planning permission that requires a financial payment. Full details are explained in the notice.
6. Informative Note - Matching Plans. Please check that any plans approved under the building regulations match the plans approved in this planning permission or listed building consent. Do not start work until revisions are secured to either of the two approvals to ensure that the development has the required planning permission or listed building consent.
7. Statement of positive and proactive working: In accordance with paragraph 38 of the National Planning Policy Framework, the Council takes a positive and creative approach to development proposals focused on solutions. The Council works with applicants/agents in a positive and proactive manner by; offering a pre-application advice service, and as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

For this application: pre-application advice was provided; the opportunity to submit amendments to the scheme/address issues was given which were found to be acceptable; the application was approved without delay.

Background Documents:

Case Officer: Cari Wooldridge

NB For full details of all papers submitted with this application, please refer to the relevant Public Access pages on the council's website.

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.

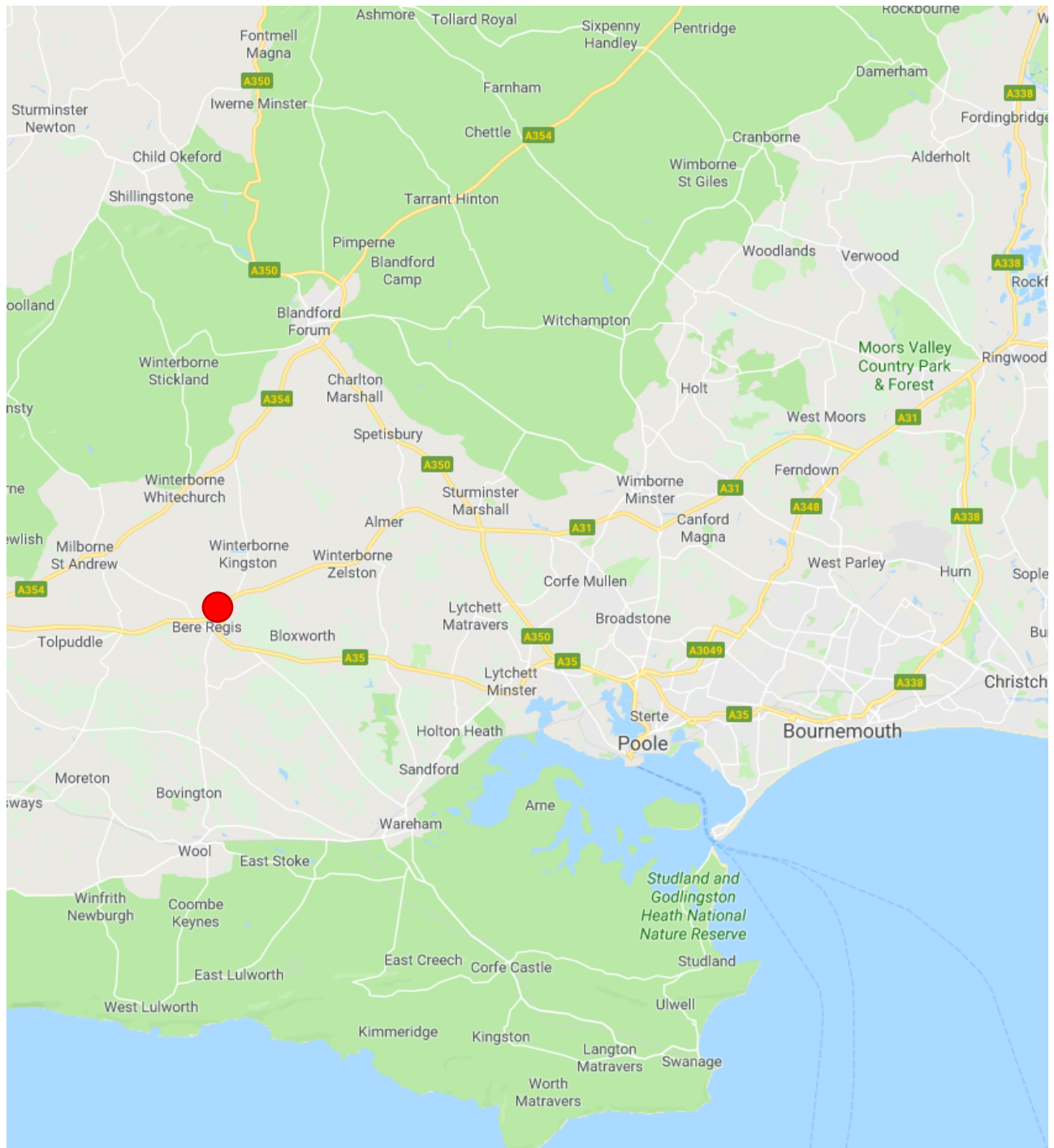
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Approximate Site Location 

Application reference: 6/2020/0334

Site address: 73 West Street, Bere Regis, BH20 7HL

Proposal: Demolish workshop. Sever plot & erect dwelling.



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| | | | |
|--|--|--|----------------|
| APPLICATION PROPOSAL | Change of use of redundant family centre (D1) into children's residential care facility and office space (mixed C3/D1) | | |
| ADDRESS | Hayeswood County First School, Cutlers Place, Colehill, Wimborne, Dorset, BH21 2HN | | |
| RECOMMENDATION | – Grant, subject to condition (see Section 9 of the report for the full recommendation) | | |
| REASON FOR REFERRAL TO COMMITTEE | Application made by Dorset Council | | |
| SUMMARY OF REASONS FOR RECOMMENDATION | <ul style="list-style-type: none"> • The principle of this use is acceptable within an urban area. • The proposal is not considered to harm the amenity of occupants of adjacent dwellings or school. • The proposal would not have an adverse impact on road safety • Access and on-site parking provision is acceptable • There are no other material considerations which would warrant refusal of this application. | | |
| INFORMATION ABOUT FINANCIAL BENEFITS OF PROPOSAL | | | |
| <u>The following are considered to be material to the application:</u> | | | |
| Contributions to be secured through CIL: £0 rated (conversion of existing floor space) | | | |
| APPLICANT | Dorset Council | AGENT | Dorset Council |
| WARD | Colehill East | PARISH/ TOWN COUNCIL | Colehill |
| PUBLICITY EXPIRY DATE | 13 th November 2020 | OFFICER SITE VISIT DATE | November 2020 |
| DECISION DUE DATE | 7 th December 2020 | EXT. OF TIME | N/A |

| RELEVANT PLANNING HISTORY | | | |
|----------------------------------|--|-----------------|-------------|
| App No | Proposal | Decision | Date |
| 3/04/1711/CPO | Conversion of the redundant caretaker's bungalow into family support unit for social services department. Change of use from Class C3 to D1. | Approved | 10/02/2005 |
| 3/09/0949/CPO | Rear extension (to provide additional office space) to Children's Centre | Approved | 12/10/2009 |

MAIN REPORT

1.0 DESCRIPTION OF SITE AND SURROUNDINGS

- 1.01 The application site measures 0.12ha in size and is occupied by a detached bungalow with enclosed garden area and a separate parking area (site also known as 10 Cutlers Place).
- 1.02 The 'Family Centre' building, is located between the main building of Hayeswood County First School and No 88 Middlehill Road. Access to the site is from the main school entrance on Cutlers Place.
- 1.03 The application site is located within the main urban area of Colehill. There is an area Tree Preservation Order (TPO) which covers the entire front section of the school site and includes the site access, and another smaller TPO which sits just off-site to the rear and abuts the north - western most part of the application site.
- 1.04 The site is elevated above the main school building and has an enclosed garden. It contains no significant features apart from a number of mature trees which are located on the peripheries of the site and within adjacent properties.
- 1.05 The character of the area is residential, composed of low ridge bungalows and chalets. Land levels gently fall from east to west, with the dwellings on the eastern side of Cutlers Place set lower than the road and those on the western side are slightly elevated.

2.0 PROPOSAL

- 2.01 This is a full planning application for:

'Change of use of a redundant family centre into children's residential care facility and office space'

- 2.02 This planning application proposes the change of use of the premises from a D1 (Non-residential institution) use, to a mixed use comprising residential C3(b) (up to 6 people living together as a single household and receiving care) with some D1 (office space) retained.
- 2.03 The residential element is intended to provide permanent care for looked after children. The bungalow would be occupied by one child at a time, for a period determined by their care plan but may vary from several months to a period of two to three years, possibly more. One bedroom would be used for the child and the other for the sleeping member of staff.
- 2.04 The proposed floor plan shows that an existing office area to the east of the bungalow will be retained with the other two offices becoming bedrooms. The office space will be set up flexibly to provide occasional staff sleeping

accommodation but its primary use is as a staff office. The existing bathroom, kitchen, lounge and storage areas are shown to be retained.

- 2.05 There are no external changes to the bungalow, the existing access, or parking as part of the application.
- 2.06 There is a team of 9 staff who would be working from the bungalow, with two or three members of staff usually present at any one time and working on shifts which run from 11am until 11.30am the next day. There would be a fortnightly meeting held here in which most of the team would be expected to be attend. Shift start/finish times and meeting would be organised to avoid clashing with the school start and finish times.
- 2.07 The office space would be retained in order for the staff on shift to have a useable office space and provide the option to use the bungalow as an outreach centre in the future. This would involve two or three members of the existing team with occasional visits from parents, friends and social workers during normal office hours and only when the bungalow is not occupied residentially.

3.0 SUMMARY OF INFORMATION

| | Existing | Proposed |
|-----------------------|----------|---------------|
| Use | D1 | Mixed C3/D1 * |
| No of offices | 4 | 1 |
| No of bedrooms | 0 | 2/3 |
| Parking Spaces | 4 | 4 |

*[Officer note: The Town and Country Use Classes Order was amended in September this year (D1 Non-residential institutions now fall under use classes E (e-f) and F1). The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 stipulate that for any applications submitted prior to 1st September 2020, the Use Classes in effect when the application was submitted should be used to determine the application]. This application was submitted (in April 2020) prior to the Use Class amendment and will therefore refer to D1 use.

4.0 RELEVANT PLANNING CONSTRAINTS

- Main Urban Area – Wimborne and Colehill
- Open Space/Recreation- Hayeswood County First School
- Tree Preservation Orders adjacent to the site - TPO Ref: CO/15 and CO/52 Group Refs A1, A3 and G3
- Heathland 5km Consultation Area

5.0 POLICY AND OTHER CONSIDERATIONS

5.01 Development Plan:

Christchurch and East Dorset Core Strategy (Part 1) 2014 (CS)

The following policies are of relevance in this case:

Policy HE2 - Design of New Development
Policy KS12 - Parking Provision
Policy ME2 - Protection of the Dorset Heathland

5.02 Supplementary Planning Guidance

Dorset Heathlands Planning Framework SPD 2020-2025

5.03 Government Guidance

The National Planning Policy Framework (NPPF) 2019
National Planning Policy Guidance (NPPG)

6.0 LOCAL REPRESENTATIONS

6.01 In addition to letters to neighbouring properties, a site notice was posted outside the site on the 20 October 2020 with an expiry date for consultation 24 days after from the date of the notice.

6.02 No letters of representation have been received regarding the proposed change of use.

7.0 CONSULTATIONS

The following responses were received from consultees in relation to the initially submitted and revised design.

7.01 DC Highways (Comments received 06/11/2020)

No objection

7.02 Colehill Parish Council (comments received 10/11/2020)

Support the application

7.03 Trees and Landscaping (comments received 06/11/2020)

No objection

7.04 Natural England (comments requested by 06/11/2020)

No comments received by consultation date

8.0 APPRAISAL

8.01 The main planning considerations for this application are:

- The principle of development
- Impact on the character of the area
- Impact on the amenity of neighbouring properties
- Impact on protected trees
- Impact on highways and parking
- Impact on Dorset heathlands

8.02 These points and other material considerations are discussed under the headings below.

Principle of development

8.03 The guidance contained in the National Planning Policy Framework (NPPF) and the National Planning Policy Guidance is material considerations in the determination of this application.

8.04 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the development plan for an area; except, where material considerations indicate otherwise.

8.05 The site is situated within the main urban area of Colehill as identified in CS Policy KS2. This policy sets out the district's settlement hierarchy stating that the location, scale and distribution of development should conform to the settlement hierarchy.

8.06 The proposed change of use of the bungalow to a mixed use, introducing C3 residential use and retaining the existing D1 non-residential institutional use, is considered acceptable in principle within the urban area, subject to compliance with other policies and considerations as discussed below.

Impact on the Character of the Area

8.07 The proposed change of use is not anticipated to have a significant impact on the character of the area as no external changes are required. The site is not clearly visible from the road, and no alterations to the existing access or parking arrangement are proposed.

8.08 The character of the area adjacent to the school is exclusively residential, and the bungalow itself is of residential appearance and there will be no alterations to the exterior of the building. For these reasons the change of use to a mixed

use incorporating C3 residential use is not considered to be detrimental to the existing character and appearance of the area.

- 8.09 Taking the above matters into account, it is considered that the proposal would not have a detrimental impact upon the character of the area and would accord with policies HE2 of the CS.

Impact on Amenity

- 8.10 As previously mentioned, the area surrounding the school is residential. The proposal seeks reintroduce an element of residential use at the bungalow alongside the retained office use.
- 8.11 The nearest neighbour is No 88 Middlehill Road, located approx. 10.5m to the north, with an intervening boundary fence. This distance between the properties remains unaltered. The separation distance is unchanged, is considered appropriate within the urban area and not unusual in the context.
- 8.12 The proposal includes the change of use of two existing offices to two bedrooms, which will facilitate the occupation of the building by one child with two (occasionally three) members of staff acting as their carer at any one time.
- 8.13 The staff shift pattern is 11.00am until 11.30am the following day, which means the significant number of vehicle movements and any noise associated with the coming and going of staff will not occur during unsociable hours, and is not significantly different from the previous use as a family centre where a potentially larger number of visitors would be coming and going throughout the day.
- 8.14 The occupation of the bungalow by a maximum of four people is not considered unreasonable or substantially different from the potential ordinary residential occupation of a C3a) dwelling house.
- 8.15 The previous D1 family centre use would have limited the use of the garden area to operational hours but potentially the use could have been more intensive. The proposed residential use would not be limited to office hours but would be compatible with the surrounding land uses which are either related to the school or to existing residential properties. It is therefore not anticipated that the change of use, based on this existing physical relationship, will result in demonstrable harm to the neighbour's amenity in terms of noise and disturbance.
- 8.16 The bungalow would only be used as an outreach centre in the future if residential occupancy was not required and it is envisaged that this would involve two or three members of the existing team with occasional visits from parents, friends and social workers during normal office hours. This is not

considered to result in a substantial change in impact on amenity from the previous use or proposed C3 element and would limit disturbance to operational hours.

- 8.17 There is not considered to be any harm to privacy or changes in overlooking due to the change of use as there are no physical changes to the bungalow proposed.
- 8.18 Taking the above factors into account, any impact on neighbouring amenity as a result of the change of use, will be minimal, given the residential setting and would not warrant refusal. The proposed is therefore considered to accord with policy HE2 of the CS.

Impact on Protected Trees

- 8.19 The Tree Officer has no concerns regarding the proposed change of use in relation to the impact on the nearby trees which are protected by TPOs. The proposal is therefore considered acceptable in terms of the impact on protected tree and accords with policy HE2 of the CS.

Highway Safety and Parking

- 8.20 The site has four existing car parking spaces (including one disabled space) and no change is proposed.
- 8.21 The maximum residential occupation proposed is one child and three members of staff, and so the on-site car parking is adequate for these purposes.
- 8.22 The application site currently operates as an outreach centre with four parking spaces. The proposed residential use of the property as a three-bedroom house would reduce the D1 element of the use to the equivalent of office accommodation used by the staff during their shifts and for meetings. Four car parking spaces exceeds the Council's parking guideline for a three-bedroom house which might similarly anticipate visitors. The parking provision is considered to provide appropriately for the dwelling and retained non-residential institutional use. Where additional parking is required by visitors, or during the fortnightly team meetings, there are opportunities on nearby streets. During periods where the C3 residential use is not required and so the D1 use predominates, then the impacts of the use would be anticipated to be as existing. No objections from neighbours have been received in relation to the existing parking arrangement. As the outreach centre currently operates with four parking spaces a requirement for more would not be reasonable.
- 8.23 The Highways Officer has raised no objection to the proposal. With sufficient parking for the proposed use and no highway safety considerations, the

proposal is considered to be in accordance with policies KS11 and KS12 of the core strategy.

Proximity to SSSI Heathland

- 8.25 The site is situated approximately 3km from the Slop Bog SSSI and Ferndown Common SSSI and approx. 4km from the Corfe and Barrow Hills SSSI.
- 8.26 The proposal for a net increase in 1 residential unit, in combination with other plans and projects and in the absence of avoidance and mitigation measures, is likely to have a significant effect on the site.
- 8.27 It has therefore been necessary for the Council, as the appropriate authority, to undertake an appropriate assessment of the implications for the protected site, in view of the site's conservation objectives.
- 8.28 The appropriate assessment (separate to this document) has concluded that the mitigation measures set out in the Dorset Heathlands 2020-2025 SPD (January 2020) can prevent adverse impacts on the integrity of the site. The SPD strategy includes Heathland Infrastructure Projects (HIPs) and Strategic Access Management and Monitoring (SAMM). In relation to this development the Council will fund HIP and SAMM provisions via the Community Infrastructure Levy (CIL) from all development where there is a net increase in dwellings. The strategic approach to access management is necessary to ensure that displacement does not occur across boundaries.
- 8.29 The Council, as the appropriate assessor, is satisfied that the mitigation set out in the SPD will be secured so that the development will not result in harm to the integrity of protected habitat sites.
- 8.30 The proposal is therefore considered to be in accordance with policy ME2 of the Local Plan.

9.0 HUMAN RIGHTS

9.01 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

9.02 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.

10.0 PUBLIC SECTOR EQUALITIES DUTY

10.1 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.

10.2 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.

11.0 CLIMATE IMPLICATIONS

11.1 The proposal will help to continue the use of the bungalow as a viable facility to serve vulnerable children and families in the local community. The proposal is not considered to have a significant impact on climate change.

12.0 HEALTH AND WELLBEING

12.1 In accordance with the Council’s responsibility for promoting health and wellbeing and the reduction of health inequalities across the county, the potential impact of the proposal on general health and wellbeing has been considered.

12.2 The application site is surrounded by dwellings and a first school. The amenity of occupiers of the proposed dwelling and neighbours and any third party representations have been taken into account as part of the planning appraisal which has found that the development is acceptable in planning terms subject to conditions. In considering this application regard has been given to the future wellbeing and health of the local population within the scope of the material planning considerations applicable to this application and the realms of planning legislation.

13.0 CONCLUSION

13.01 Taking all of the above matters into account, officers consider that the proposal will not have a harmful impact, all material planning considerations have been addressed and the proposal is fully supported.

13.02 The application is therefore recommended for approval.

Recommendation: Grant subject to the following conditions-

Conditions/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.

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

P01-C - Location and Block Plan
Existing Floor Plan
Proposed Floor Plan

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

Background Documents:

Case Officer: Katie Lomax

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website below:

<https://eastplanning.dorsetcouncil.gov.uk/plandisp.aspx?recno=114040>

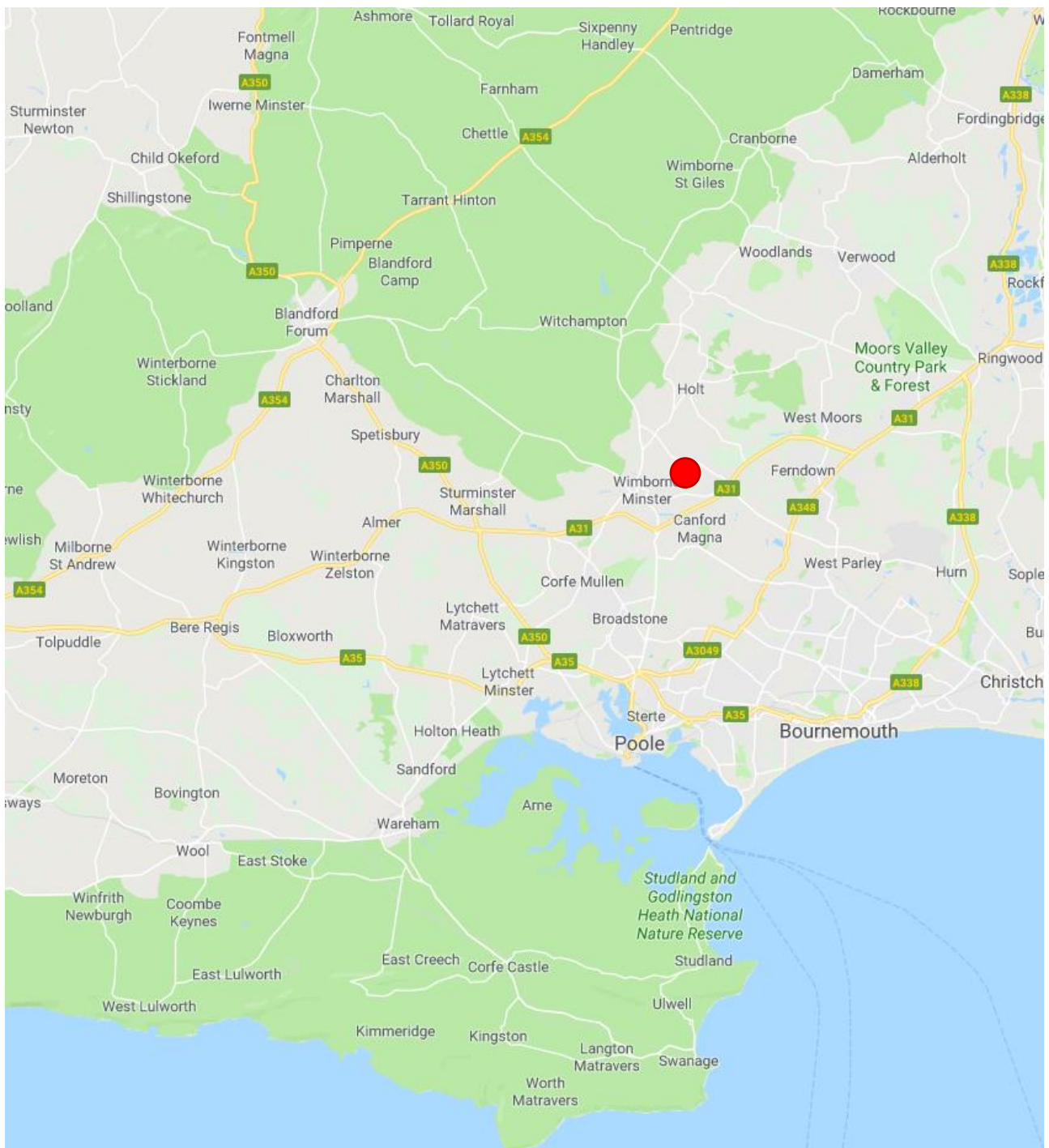
The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.

Approximate Site Location 

Application reference: 3/19/0862/FUL

Site address: Hayeswood County First School, Cutlers Place, Colehill, Wimborne, Dorset, BH21 2HN

Proposal: Change of use of redundant family centre (D1) into children's residential care facility and office space (mixed C3/D1).



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REPORT SUMMARY

| | |
|---|--|
| REFERENCE NO. | 3/19/2378/FUL |
| APPLICATION PROPOSAL | Change of Use and Conversion of Four Existing Agricultural Buildings to form 9 Dwellinghouses, Works and Alterations to other Outbuildings and Associated Landscaping and Demolition of Redundant Buildings As amended by plans rec'd 17/7/20 to revise window sizes and positions on Unit D; show provisions for refuse collection and add a parking space. |
| ADDRESS | Grange Farm, Colehill, Wimborne, Dorset, BH21 4HX |
| RECOMMENDATION | Grant, subject to conditions: (see Section 9 of the report for the full recommendation) |
| REASON FOR REFERRAL TO COMMITTEE | At the request of the nominated officer in light of the policy considerations, concerns raised by the Parish Council and the Ward Member's request that the application be referred to the committee. |
| SUMMARY OF REASONS FOR RECOMMENDATION | <ul style="list-style-type: none"> • The application will contribute to housing supply which is currently below the 5-year housing land supply levels. • The proposal is considered to go beyond preserving the openness of the Green Belt as it would increase openness at the site. • The potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. • The proposal has an appropriate layout and design and would not have an adverse impact on the character and appearance of the area • There is not considered to be any significant harm to neighbouring residential amenity and the occupants of the proposed dwellings would enjoy an acceptable standard of amenity. • The proposal would not have an adverse impact on road safety and the access proposed and on-site parking provision are acceptable • The proposal would provide appropriate mitigation for its impact on biodiversity and biodiversity enhancement would be provided • With appropriate ground investigation, any contamination present on the site from former uses would be identified and mitigation can be required by condition • Other issues raised by consultees have been assessed and there are not any which would warrant refusal of the application. The adverse impact from the proposal would not significantly and demonstrably outweigh the benefits of the scheme |
| INFORMATION ABOUT FINANCIAL BENEFITS OF PROPOSAL | <p><u>The following are considered to be material to the application:</u></p> <p>Contributions to be secured through CIL: Given the floor space of the buildings to be</p> |

demolished exceeds that of the additional first floor space to be created in Buildings B, C & D, there is no CIL payable as the proposal would benefit from mandatory relief from CIL.

The following are not considered to be material to the application:

Estimated annual council tax benefit for District: £15,277

Estimated annual council tax benefit total: £20,502

Estimated annual new homes bonus per residential unit, per year (for first 4 years): £1,000 approx. (NB. based on current payment scheme, the assumption that the 0.4% housing growth baseline is exceeded and assuming this baseline is reached through the delivery of other new homes)

| | | | |
|--------------------------------------|----------------------|--|-----------------|
| APPLICANT | Gaunts Estate | AGENT | Mr Adam Bennett |
| WARD | Stour and Allen Vale | PARISH/ TOWN COUNCIL | Holt |
| PUBLICITY EXPIRY DATE | 7 August 2020 | OFFICER SITE VISIT DATE | 21/8/20 |
| DECISION DUE DATE | 29 January 2020 | EXT. OF TIME | N/A |

RELEVANT PLANNING HISTORY

| Application | Proposal | Decision | Date |
|-----------------|---|-------------------|----------|
| 3/20/0558/PNAGD | Convert Agricultural Building into C3 Residential Dwelling (Unit B) | Approved | 3/6/20 |
| 3/19/2300/PNAGD | Convert an existing agricultural building into a two bedroom single storey dwelling (Unit B) | Refused | 27/12/19 |
| 3/19/1735/PNAGD | Prior notification of proposed new access road (access to west of site) | Non-determination | |
| 3/19/1652/PNAGD | Change of use of existing agricultural building to a C3 dwelling (Unit C) | Non-determination | |
| 3/19/1651/PNAGD | Change of use of an existing agricultural building to three C3 dwellings (Unit A) | Non-determination | |

The units to be provided in Buildings A and C were the subject of recent prior notification applications for the conversion of agricultural buildings to 3 dwellings and 1 dwelling respectively. These gained prior approval due to the non-determination of applications 3/19/1651/PNAGD and 3/19/1652/PNAGD. Building B was determined

with a prior notification approval under application 3/20/0558/PNAGD.

The prior approval permission and the non-determined prior approval applications (which may go ahead provided they are undertaken in accordance with the procedure in the Town & Country Planning (General Permitted Development) Order 2015 (as amended)) are relevant in the determination of the current application.

1.0 APPLICATION SITE AND ITS SURROUNDINGS

1.1 The application site is located in a rural area, outside of any recognised settlement in the Christchurch & East Dorset Core Strategy (CS). The site is situated within the area designated as South East Dorset Green Belt, is within 5km of internationally protected Dorset Heathland (Holt and West Moors Heath SSSI) and lies some 500m to the NE of the nearest part of the Village Infilling Area at Furzehill which is the nearest land identified for new housing in the Christchurch & East Dorset Core Strategy (CS).

1.2 The application site is relatively level. It has an agricultural use. The site measures approximately 0.49 hectares in area and contains several agricultural buildings in various states of repair and dereliction. Vehicular access to the site from the south also serves a small number of dwellings. At the time of the officer site visit some buildings on site were in use for limited storage of farming implements or machinery with other structures derelict, missing roofs and/or walls with only skeletal elements remaining. There was no evidence of livestock, hay or similar in any of the buildings.

1.3 The application site has a number of other buildings and structures, some derelict, which are to be demolished.

1.4 The existing site plan shows the position of the various buildings including buildings C1 & 2 and D1 to D5 to be demolished. At the time the application was originally made there was a building attached to the north side of Unit D and there are some remains of it on site. This has degraded since the application was submitted, with the cladding being lost and only the steel rings remaining in places.



1.5 The site lies outside a defined settlement, it is not well-served by public transport and the site is not close to services and facilities and it is highly likely that occupants of the proposed dwelling would be reliant on private cars to access employment facilities and services.

1.6 Buildings at the site have no historic merit and are not considered to be Heritage Assets.

1.7 The submitted Design & Access Statement (DAS) advises that the application site forms part of a larger estate. Gaunts Farm is one of several agricultural holdings within the vicinity in the ownership of the Gaunts Estate.

1.8 Structural Surveys submitted as part of the application, identify the form and condition of the structures (A-E) to be retained, converted or demolished and advise as follows:

Unit A

'Open fronted, single storey shed with footprint approx. 57m x 8m and 2.8m to eaves. Block masonry gables at each end and a block cross wall about 19m from the south end. Pitched roof with steel trusses and a central ridge. The trusses support timber purlins and asbestos cement roof sheeting. The trusses bear on steel posts and the rear (West) wall is of concrete blocks built between the posts. Steel uprights are bolted to concrete pad foundations at the front of the building.'

Unit B

'Unit B is a Steel framed shed Approx. 12m x 12m and 4.0m to eaves with an offset ridge running north/south. The roof over the eastern side of the building is pitched with a central ridge running north/south. This part of the building is about 7.0m wide. The remaining 5.0m on the west side of the building is covered by a lean to roof at a shallower pitch.

The roof covering is asbestos cement sheeting on softwood purlins. The west side lean to purlins are supported on monopitch timber rafters and the pitched eastern side is supported on simple timber trusses. The framing below eaves level consists of steel posts and beams with angle sheeting rails and corrugated metal cladding and a block wall about 1000mm high set between posts around the perimeter. The south end of the lean-to section is open and there is a personnel door at the south east corner.

The ground floor consists of a concrete slab of unknown thickness, without regular joints and believed to be unreinforced.'

Unit C

'Open fronted, single storey portal framed shed approximately 23m x 12m and 3.1m to eaves. It has block masonry walls at each end and to the rear (North side). The roof is pitched at about 23 degrees with a central ridge. It has a steel portal with steel purlins supporting asbestos cement roof sheeting. The concrete blocks of the rear wall are built between the posts. There is also steel bracing. The masonry end walls extend to eaves level and the triangular gables are clad in asbestos cement sheeting. Diagonal bracing in the roof provides longitudinal stability.'

Units D & E

The agent has confirmed that Unit E is the pitched roofed building and 'Unit D' is the barrel-vaulted roofed corrugated metal covered structure which has partly collapsed and is proposed to be removed (attached to Unit E). The agent advises that Unit D is not structurally suitable for retention and conversion. Unit D is shown in the photo below for clarity.

The building being retained and converted is 'Unit E' on the existing site plan and shown as 'Unit D' on the proposed site plan which is confusing. However, the drawings clearly identify which building is being removed, and the structural report deals in full with Unit E (proposed Unit D) to be retained and converted.



‘Existing Unit E (proposed Unit D) is a steel framed shed, rectangular on plan and open on 3 sides. It is linked to the adjacent Unit D on the East side by a monopitch roof which will not be retained in the proposed development. Unit E (proposed Unit D) measures approximately 23m x 9m and is 4.5m to eaves. The roof is pitched and gabled with a central ridge running north/south and steel trusses supported at each end on posts.’

‘Unit E (proposed Unit D) has an asbestos cement sheet roof on steel angle purlins. The west side is partially sheeted on steel cladding rails with concrete panel infill walls below. The ground floor consists of a concrete slab of unknown thickness, without regular joints and believed to be unreinforced.’

2.0 PROPOSAL

2.1 The proposal is to convert the buildings referred to as Units A, B, C & E into a mix of 2, 3 and 4 bed dwellings. Unit E (proposed Unit D) is to be extended on its eastern side as the attached Unit D is to be removed. Other buildings proposed for conversion to residential will not be extended;

Proposed Unit A (Units 1, 2 & 3)

- 3 x 2 bed dwellings each with 96 sq metres floor space.
Materials: steelwork/timber cladding for walls; clay tiles with roof lights and light grey window frames and doors (aluminium)
- **Proposed Unit B (Unit 6)**
1 x 4 bed dwelling of 205 sq metres floor space.
Materials: steelwork/timber cladding for walls; metal roof with roof lights and light grey window frames and doors (aluminium)
- **Proposed Unit C (Units 4 &5)**
2 x 4 bed dwellings of 176 sq metres floor space.
Materials: steelwork/timber cladding for walls; metal roof with roof lights and light grey window frames and doors (aluminium)
- **Proposed Unit D (units 7,8 &9)**
2x 3/4 bed dwellings of 157 sq metres floor space

The extension would be single storey with catslide roof and footprint of approx. 138 sq metres.

Materials: timber cladding/face blockwork for walls; metal roof with roof lights and light grey window frames and doors (aluminium)

2.2 Buildings A, B & C benefit from Prior Approval for conversion to residential use (subject to compliance with all other permitted development criteria) but the prior approval process is limited in scope. The planning application identifies work beyond the scope of the prior approval applications which require express planning consent, this includes changes in external cladding and the provision of extended residential curtilages. The DAS states that the works proposed are not necessary to enable the buildings to be converted but will provide a higher quality development which will contribute positively to local character. The proposals also seek consent to change the use of and convert one additional building into residential use.

2.3 Other works included within the application are the conversion of the southern end of Unit A into storage and garaging for the use of the proposed dwellings within this building, and for the erection of new boundary treatments; largely comprising native hedgerow and agricultural style post and wire fence, and soft and hard landscaping treatments across the site with access, parking and turning areas. The garden curtilages are to be separated by post and wire fencing and native hedgerows.

2.4 Main access into the site is proposed via a long private track to the west of the site that joins the lane known as 'Grange' to the south west. Vehicular access immediately to the south that runs past properties to the south of the site is shown to be available for use by refuse and emergency vehicles.

2.5 All the buildings shown to be demolished are in the control of the applicant and Condition 6 would secure their removal.

Amended plans

2.6 Amended plans have been received which identify the following changes;

- An additional parking space – 23 spaces in total
- Reduction of the size of windows in the west elevation of Unit D, to provide a higher sill height (as opposed to their previous full height form) and reducing their width
- Relocation of the windows serving Bed 2 / Bed 3 in dwellings 7 & 9 (in Unit D) respectively to the flank elevations of the building
- Reduction in the number of glazed openings in the west elevation of Unit D.
- Refuse collection - the position of a suitable turning head for refuse vehicles is shown with tracking to demonstrate that this will work with a refuse vehicle or emergency plant.

- A route for refuse vehicles to the site is identified along the existing private drive on the southern side of the existing farmyard. The Applicant recognises that it will be the Waste Authority's decision if their vehicles would be able to use this. If this was deemed impracticable, private refuse collection from the site would be secured. (Condition x relates)
- A new bin collection pad is shown between Units B & D to only be used on collection days, with bins otherwise stored within the private curtilages of residents.

Proposed site plan (buildings to be removed shown with a dashed blue line)



Affordable Housing

2.7 The scheme falls below the threshold for appropriable housing provision. The NPPF advises that provision of affordable housing should not be sought for residential developments that are not major developments (10+), other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer).

2.8 The proposal is not a major development as it is for less than 10 dwellings; no new buildings are to be provided (buildings are to be converted only) and the site is less than 0.5 hectares. There is currently no policy in the development plan which sets out a lower threshold for the provision of affordable housing in a designated rural area.

Biodiversity

2.9 The application includes an ecological survey dated 7/11/19, Biodiversity Mitigation and Enhancement Plan (BMEP) dated 12/11/19 & Natural Environment Team Certificate of approval dated 6/11/19. Condition 8 relates.

3.0 SUMMARY OF INFORMATION

| | Existing | Proposed | Consented applications |
|---|---------------------|-----------------|--|
| Site Area (ha) | 0.49 | 0.49 | |
| Use | Agricultural | Residential | 1 benefit of Prior Approval and 4 dwellings benefit of non-determination but process not fully concluded |
| Number of residential units | None | 9 | 5 |
| Number of parking spaces | None shown formally | 23 | None stated |
| Total footprint of buildings (part of buildings) on the application site (sq metres) | 1983 | 1208 | 878 |
| Total footprint of buildings to be demolished (sq metres) on application site and adjoining land in the applicant's control | | 839 | |

4.0 RELEVANT PLANNING CONSTRAINTS

Agricultural Land Classification
SSSI Impact Risk Zone
Green Belt
Heathland 5km Consultation Area

5.0 POLICY AND OTHER CONSIDERATIONS

Development Plan:

Christchurch and East Dorset Local Plan: Part 1 Core Strategy 2014 (Local Plan)

- KS1 Presumption in favour of sustainable development
- KS2 Settlement Hierarchy
- KS3 Green Belt
- KS11 Transport and Development
- KS12 Parking Provision
- HE2 Design of new development
- HE3 Landscape Quality
- ME1 Safeguarding biodiversity and geodiversity
- ME2 Protection of the Dorset Heathlands
- LN1 The Size and Type of New Dwellings

National Guidance

The National Planning Policy Framework (NPPF) February 2019 and National Planning Practice Guidance (NPPG)

Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development.

Development plan proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent or relevant policies are out-of-date then permission should be granted unless any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF or specific policies in the NPPF indicate development should be restricted.

Relevant NPPF sections include:

- Section 12 Achieving well-designed places
- Section 13 Protecting Green Belt land

Supplementary Planning Documents:

- Dorset Heathlands Planning Framework 2020 - 2025 (DHPF)

6.0 LOCAL REPRESENTATIONS

- 6.1 In addition to letters to neighbouring properties, a site notice was posted at Grange near the site's southern access (that serves the residential properties to the south) on 11/3/20 and at the same time a second notice was posted on Grange adjacent to the access that is proposed to be used by the

development (and to the east of the aforementioned access. These expired on the 4/4/20.

In response to the site notices and neighbour notification letters, 2 letters of objection were received that raise the following concerns;

- inaccuracies present in application form re: access, trees and hedges, no main sewer on site
- bin storage concerns
- bats and barn owl are present on site
- highway safety issues, lack of safe walking and cycling in the area and increase in traffic
- proposal would be car-dependent
- design and density of development proposed out of keeping with area
- western access unsuitable without modification
- prior approval applications at the site not a realistic fall-back position
- land to west of Unit A not part of an agricultural holding
- repairs to the barns have been undertaken despite them not being in use for agriculture and these are not repairs and needed planning permission and done before planning permission applied for
- proposed access to the site is unauthorised
- site is not 'previously developed land' for purposes of planning policy
- proposal not supported by Green Belt policy
- light pollution will result
- demolition of buildings adjacent to site that are not to be converted need planning permission
- site may be contaminated

7.0 CONSULTATIONS

1. Dorset Highways (Comments received 29.09.2020)

The site access directly to the south would be the preferable access route. However, provided the proposed access to the west is made appropriate for its use and has adequate visibility, it will be acceptable.

Suggested conditions and informative notes:

- Requirement for the access to the development to be construction to the Council's Highways specifications
- Requirement that dwellings are not occupied until parking and turning has been provided and condition advised to require the first 7.00 metres of the vehicle access, to be laid out and constructed to agreed LPA specification
- Condition advised to require the development not to be occupied/used until the turning and parking shown on Drawing Number 116-021 G has been constructed and to be thereafter maintained.

- Informative notes advised to require the vehicle to be constructed to the specification of the Highway Authority.
- The development will need to remain private and subject to a management agreement
- Refuse collection will either be kerbside or from the site by agreement with Dorset Waste. If the latter, a swept path analysis will be needed to show how the refuse vehicle will enter the site and collect the bin bags/wheelie bins

2. Holt Parish Council (comments received 7.04.2020)

Objection;

- Proposal would harm the openness of the Green Belt.
- This is a large development which already has permission for 3 dwellings and the existing holiday lets.
- Increased traffic on a very small single width road would be unacceptable in this location where residents would be reliant upon private cars to access work and school

3. Dorset Council Environmental Health (comments received 20/11/18)

Standard contaminated land condition should be imposed given the potential for previous agricultural contaminative activities on site and the proposed end use. A desktop preliminary risk assessment should initially be undertaken to establish the potential risk of any possible contamination (Condition 4 relates)

4. Dorset Council Planning Policy (comments received 16.04.2020)

Summary: Objection- the proposed change in the buildings use constitutes inappropriate development in the Green Belt as the activities and structures connected with the use of gardens and associated parked vehicles would result in loss of openness. The applicant has failed to demonstrate that there are very special circumstances which clearly outweigh the harm to the Green Belt arising from the inappropriate development. The case officer will need to consider whether the proposed development would lead to an enhancement to the sites immediate setting as part of their consideration of the application.

5. Natural England (comments received 03.03.2020)

No objection subject to mitigation being secured for the proposal's impact on the Dorset Heaths Sites of Special Scientific Interest (SSSIs). Recommend that the Biodiversity Plan is endorsed by the Council's Natural Environment Team, and a condition imposed to require the mitigation to be carried out.

6. DC Tree & Landscaping Officer

No objection. Conditions required for tree protection and detailed landscape/implementation proposals to be submitted and approved by LPA
Landscape proposals need to include the recommendations included in the Biodiversity Mitigation & Enhancement Plan.

8.0 APPRAISAL

The main issues for consideration are;

- The principle of the development
- Impact on the Green Belt
- Impact on the amenities of the occupants of adjacent properties and those of future occupants of the proposed dwelling
- Impact on road safety
- Impact on biodiversity
- Contamination
- Refuse collection

Principle of the development

8.1 The application site is outside any settlement identified in CS Policy KS2. This policy sets out the district's settlement hierarchy stating that the location, scale and distribution of development should conform to the settlement hierarchy.

8.2 The proposal would not result in additional built form or sprawl in the countryside as it would re-use existing buildings. Therefore, no clear harm would arise from it in respect of the aims of Policy KS2. This view was held by the Planning Inspector at the recent appeal for the conversion of a building in the Green Belt adjacent to 6 Leigh Lane, Colehill (APP/U1240/W/18/3214442) re: planning application 3/17/3064/COU dated 30/4/19.

8.3 The Council does not have a 5 year housing supply at present (when applying the 20% buffer as introduced in the revised NPPF) and given this situation, Policy KS2 is over-ridden by paragraph 11 of the NPPF as it is out-of-date in respect of d) footnote 7 of para 11.

8.4 NPPF (2019) para 11 advises,

'Plans and decisions should apply a presumption in favour of sustainable development.

For decision making this means:

d) Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁷, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁶; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.'

⁶ The policies referred to are those in this Framework (rather than those in development plans) relating to:

habitats sites (and those sites listed in paragraph 176) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 63); and areas at risk of flooding or coastal change.'

⁷ This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years. Transitional arrangements for the Housing Delivery Test are set out in Annex 1.

8.5 There are no development plan policies that address conversion of rural buildings to dwellings and the plan is silent on this aspect. For the above reasoning it is considered that the proposal to convert the buildings to residential use would be acceptable in principle, provided that NPPF policies that protect areas of particular importance (in this case Green Belt) do not provide a clear reason for refusing the development proposed. An assessment is also needed of whether any adverse impacts of permitting the proposal would significantly and demonstrably outweigh the benefits, when assessed against NPPF policies taken as a whole.

Impact on the Green Belt

8.6 The application site lies within the SE Dorset Green Belt, where there is a presumption against inappropriate development. The existing agricultural use of the site is appropriate within the Green Belt. The NPPF identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open (para 133-134). Local Plan policy KS3 provides the Council's overall approach to Green Belt, including maintaining open land around the conurbation.

8.7 Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The NPPF advises that '*When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations*' (para 144).

8.8 The construction of new buildings is inappropriate in the Green Belt but there are exceptions set out in NPPF para 145 and other forms of development that are not harmful are listed in para 146. Those relevant to this application include those listed under para 145 criterion (c) *the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building*; and at para 146 criterion (d) *the re-use of buildings provided that the buildings are of permanent and substantial construction and (e) material changes*

in the use of land. Limitations on development falling under paragraph 146 stipulate that the re use of buildings and material change of use of land is not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it.

8.9 The CS has no policies relating to the conversion of buildings in the Green Belt to dwellings and therefore policy in the National Planning Policy Framework (NPPF) is applicable as a material consideration.

8.10 As re-use of buildings is proposed, the proposal may be considered under NPPF paragraph 146 d). This permits the re-use of buildings provided they are of permanent and substantial construction,

Whether the buildings are of permanent and substantial construction – NPPF para 146 d)

8.11 Units A, B, C and E to be converted are all utilitarian structures whose former use was for agricultural purposes. The application is accompanied by a structural survey which advises they are suitable for conversion to residential use and the works needed would not amount to a rebuild.

8.12 In respect of the conversion, the application has generated an objection from a neighbouring property and the agent for the objector considers the recent works undertaken to Building A (see below) are not a repair but development which needed planning permission.

8.13 From the photos submitted by the objector's agent and following an officer's site visit, it is apparent that replacement of the lower sections of the steel upright supports on the front (east) side of Unit A have been carried out. The agent advises this was done before the prior approval applications were submitted. The works to Unit A are evident from the photo below submitted by the objector's agent and site photographs taken by officers assessing the earlier prior approval applications in 2019;



8.14 Para 55 (2) (a) of the 1990 Town & Country Planning Act states that maintenance, improvements or other alterations to a building which do not materially affect external appearance are not development. This appears to be the case here and it is considered that these works would not have needed planning permission, nor do they represent commencement of development to convert the buildings. In any case the test is whether the buildings are of 'permanent and substantial construction' for the purposes of NPPF green belt policy in respect of paragraph 146d), and this test applies at the time a planning application is assessed, and there is nothing in the provisions that prevents repair prior to making an application.

8.15 The submitted structural surveys of the buildings to be converted advise the following in their conclusions;

'Structural Survey conclusions;

Unit A

- *The present structure is suitable for conversion to single storey residential use subject to the recommendations in the structural report.*
- *The building is considered structurally stable and capable of being converted and the extent of works will clearly comprise retention of the main building elements including the steel frame and walls, with replacement of roof sheeting and erection of a new front wall and openings. This would not amount to a re-build*

Unit B

- *The present structure is suitable for conversion to residential use subject to the recommendations given in the structural report.*
- *The building is considered structurally stable and capable of being converted, and the extent of works will clearly comprise retention of the main building elements.*
- *The timber roof beams and trusses, and steel beams and posts of the building frame are considered to be permanent and sufficiently substantial for conversion.*
- *Roof cladding side rails will require replacement as part of the conversion works. This would not amount to a re-build.*

Unit C

- *The present structure is suitable for conversion to single storey residential use subject to the recommendations given in the structural report*
- *The building is considered structurally stable and capable of being converted, the extent of works will clearly comprise retention of the main building elements including the steel frame, walls, and possibly the purlins; with replacement of roof sheeting and erection of a new front wall and openings. This would not amount to a re-build.*

Unit E

- *The present structure is suitable for conversion to residential use subject to the recommendations given in the structural report*
- *The steel trusses and posts of the building frame are considered to be permanent and sufficiently substantial for conversion. Cladding, purlins and side rails will require replacement as part of the conversion works.'*

8.16 Having considered the submitted structural reports, and from a visual inspection of the buildings on site, it is considered the buildings to be converted are of permanent and substantial construction for the purposes of planning policy and the proposal may be assessed under NPPF para 146 exception d). The change of use of the surrounding land to ancillary residential purposes can be considered under para 146 NPPF exception e) and the extension to Unit E (Unit D as proposed) may be assessed under NPPF para 145 exception c).

8.17 The objection received in response to the application considers that the works undertaken to Unit A prior to submission of the application are not repairs as they involved removal of the lower part of the steel uprights along the front of the building together with digging out the old foundations and replacing these with new ones in addition to welding in new sections of steel uprights.

8.18 The Council has previously considered the condition of Building B in its assessment of application 3/20/0558/PNAGD where it was resolved that works to the roof were repairs and did not represent commencement of the proposed conversion. This view followed legal advice. The same view is maintained for Unit A. For the above reasoning, the application proposes the re use of existing buildings, which are of permanent and substantial construction, in compliance with paragraph 146(d) of the Framework

Extension to Unit E – NPPF para 145 c)

8.19 The extension to Unit E (Unit D as proposed) may be assessed under NPPF para 145 c). To fully assess whether the proposed extension would be appropriate development in the Green Belt a view has to be taken as to whether the extension would result in a disproportionate addition over and above the size of the original building.

8.20 To assess this the increase in floor space and volume is helpful. The proposed extension has a gross floor area of approx. 138sq metres and Unit E to be retained (and form proposed Unit D) has a floor area of approx. 212sq meters. This represents an increase of 65% above that of the retained floor space.

8.21 The volume of Unit E to be converted is 1270 cubic metres and the volume of the proposed single storey lean to extension is 485 cubic metres representing an increase of approximately 38%.

8.22 As the volume increase would be less than 50% and the form is subordinate, the proposed extension is not disproportionate to the size of the original building and as such this aspect is therefore not inappropriate development in the Green Belt.

Whether the proposal would preserve Green Belt openness

8.23 The forms of development set out at Framework paragraph 146 (a) to (f) as being not inappropriate in the Green Belt are qualified in that they must preserve the openness of the Green Belt and not conflict with the purposes of including land in the Green Belt. It is therefore necessary to consider both the spatial and visual aspects of the development in this respect.

8.24 The creation of enclosed residential gardens for the new units and vehicular parking bays would alter the character of the farmyard from a space that is largely undeveloped to one which is domestic in character. The proposal would bring vehicles onto the site and these would include private cars and other vehicles associated with a residential use such as trade and delivery vehicles. Other domestic paraphernalia sited in the open such as garden furniture, children's play equipment and refuse bins would cumulatively have some impact on openness which weighs against the proposal.

8.25 However, the proposal would not encroach into the countryside. Rather, the extent of the residential garden plots would be pulled back from the existing areas of hard standing and buildings would be removed. Of those buildings to be removed, several could be considered as outlying being sited on the site's periphery and their removal would reduce the physical spread of the proposal when compared with the spread of the existing buildings.

8.26 The removal of the existing use and several buildings are a factor for consideration as is the prior approval fallback position and these need to be weighed in the planning balance.

8.27 The removal of several farm buildings will see a reduction in both building volume and building footprint within the site. Due to the dilapidated nature of some of the remaining buildings some of that improvement could occur without the proposed development.

8.28 The change of use will also see the removal of large farm vehicles and other machinery from the site which would result in some visual improvement. In addition to the removal of buildings, the space around the buildings is dominated by concrete hardstanding.

8.29 Although officers are concerned about the introduction of domestic paraphernalia, it is accepted that the proposal would result in a more open site and such matters would not materially compromise the increase in openness that the removal of buildings proposed would bring about and it could be argued that the proposal would increase openness and would therefore go beyond the Framework's requirement to merely preserve openness.

8.30 The proposed extension to unit E would represent a modest spatial increase in floor area to that building but the volume of built form for that building is countered by the removal of other buildings from the site which would avoid a reduction in the openness of the GB.

8.31 When considering the visual or perceived impact on openness, the site is set back from the highway at the end of a lane. The site would be contained by the existing trees that grow along its north and east boundaries, and the hedge along the west boundary and buildings to the south and there is a building to be removed to the north of Units B & C.

8.32 The proposal would improve site permeability by opening up views into the site by the removal of buildings, the size of the vehicles using the site would reduce and the balance of hardstanding and garden would represent an improved level of visual openness compared to the existing agricultural yard use.

8.33 In this instance, the proposal is considered to go beyond preserving the openness of the Green Belt and would increase openness at the site. Any domesticating factors such as garden paraphernalia arising from the scheme of conversion would be limited by the manner and extent of plot demarcation within the development and would be more than offset in any event by the reductions in both building footprints and volumes, associated existing hardstanding, and the consequential increase in openness that would follow. It is relevant and necessary in this case to secure the removal of permitted development rights for extensions to the buildings, outbuildings and means of enclosure so that these can be controlled in the future in the interests of maintaining openness and the character of the converted buildings (condition 10).

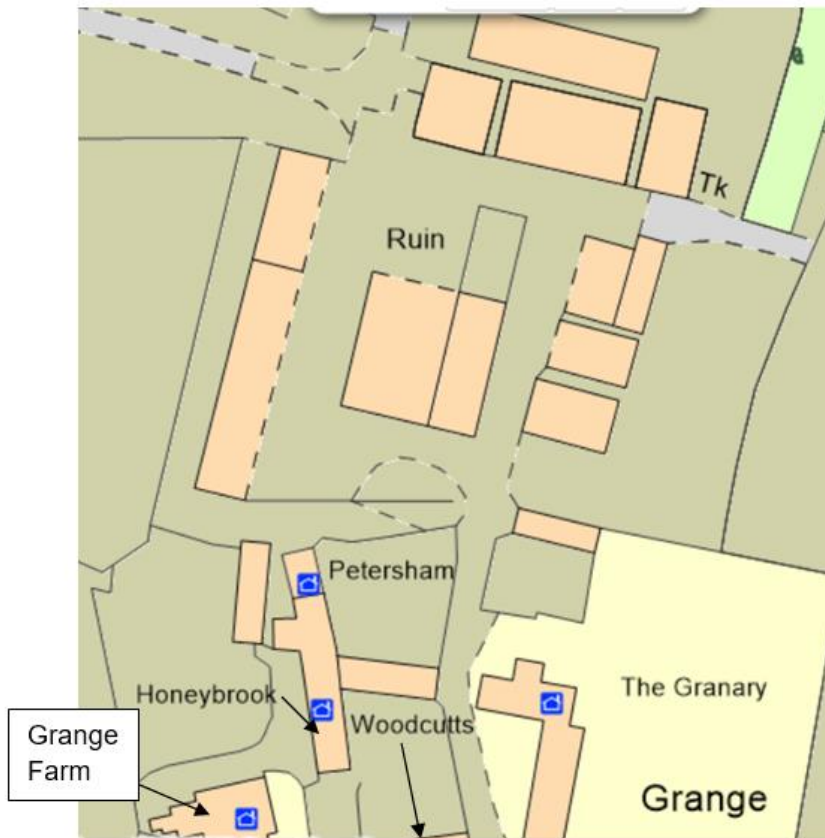
8.34 Openness is the counterpart to urban sprawl and is linked to the purposes that the Green Belt serves. For the above reasons, the proposal is not considered to be in conflict with the purpose of including land within the Green Belt and is appropriate development in the Green Belt in respect of paragraph 146 d) and e) of the Framework

Impact on the amenities of the occupants of adjacent properties and those of future occupants of the proposed dwelling

Impact on occupants of adjacent dwellings

8.35 The nearest dwellings to the application site are to the south at Petersham and The Granary. The dwellings at Woodcutts and Grange Farm lie immediately to the south of these properties;

Location of neighbouring dwellings



8.36 The distance between the nearest part of Unit D to the nearest part of the dwelling at Petersham is approx. 23m. This distance is acceptable to prevent any adverse impact from overlooking arising from the first-floor windows (bedroom and bathroom) in the south side of Unit D that would face this direction, and no adverse impact on the amenity of the occupants of Petersham would result from this relationship.

8.37 As the works proposed are to convert the buildings and no new buildings are proposed, there would be no change in the impact from the physical presence of the buildings on the amenity of the occupants of adjacent dwellings. There would be a betterment in the form of visual enhancement given the utilitarian appearance of the buildings to be converted. There would also be an enhancement from the removal of buildings and the use of the site for a residential use which would tidy its appearance. There may also be less noise disturbance from a residential use when compared to a situation if an agricultural use was in full operation on the site.

8.38 The separation distances between the buildings to be converted and the amenity spaces of the properties to the south are generous and no adverse effects would occur given this factor. There would be the inevitable noise from vehicle movements and the activity associated with a residential use, but this would not be

significant and could be less than the noise emissions if the site's use for agriculture was reinstated.

8.39 The site is to be served by the long private access track to the west and south of the site and this would reduce the disturbance from vehicle movements to and from the site given the track's distance from the adjacent properties. If the existing southern access was used (this would be possible if the applicant could gain agreement from the landowner who controls this land), the vehicle movements from 9 dwellings would not be significant in the context of the site being brought back into an agricultural use and the vehicle movements this would entail, some of which would be by heavy and noisy vehicles with no control over the hours they operate at the site.

8.40 The proposed residential use would bring light emissions from the dwellings and vehicles, and this could have some impact on the tranquillity of the site and occupants of the adjacent dwellings. However, given the small-scale of the development, this impact would not be significant, and an objection cannot be upheld on this basis. It is also to be noted that a reinstatement of an agricultural use could bring light emissions. A condition is advised to require all external lighting to be installed so that light is directed downwards onto the area it is intended to light and there is no upward light spill and this would address light pollution from external sources.

8.41 The use of outside spaces associated with the proposed dwellings would bring some impact from noise for the occupants of adjacent properties. However, given the nature of the residential use and small areas of private outdoor space available to the nearest dwellings in Unit A, this impact would not be significant.

8.42 For the above reasons, the proposal would be compatible with its surroundings in respect of its relationship to nearby properties and accords with Policy HE2 of the Core Strategy.

Impact on road safety

Vehicular access

8.43 The proposal shows vehicular access to the site via the existing 374m long and 3.7m wide unsurfaced agricultural track that runs between Grange and the NW corner of the application site.

8.44 This track was the subject of a prior approval application 3/19/1735/PNAGD which was not determined by the Council in the required time period and consequently the development set out in the application may go ahead under the applicable regulations. The DAS advises that the applicant has largely carried out the works to the track and will be completing the works in accordance with the details submitted with the associated prior approval application.

8.45 From the case officer's site visit during the application under consideration, it appears that this track has not been completed and is currently formed of tipped rubble and not ideally suited for domestic vehicles as it has no topping of scalplings as advised in the prior notification application.

8.46 The Design & Access Statement (DAS) states that Grange Farm is served by two points of access both comprising private ways. One is wholly in the ownership of the applicant (the longer of the two that is proposed to serve the development) and one over which the applicant has a right of access for agricultural purposes (the access immediately to the south).

8.47 The DAS advises that both points of access serve the farmyard and its existing operations, and that the applicant has recently upgraded the western (longer) access to the farm which serves both the farmyard and the agricultural pastureland which surrounds it. The pastureland is farmed by way of a tenancy agreement with an agricultural tenant. However, the farmyard is not included within the tenancy as there is no requirement for its buildings in connection with the farming of the land for maize crop. The farmyard buildings have been used for agricultural storage by the estate for various machinery but are largely redundant and are not currently required for any agricultural function.

8.48 The supporting planning statement for the prior approval application advised that the track was required to gain access to the fields on the agricultural holding as well as the farmyard at Grange Farm. Therefore, even with the farmyard redeveloped for housing, access to the fields would be needed which makes the prior notification application valid in respect of the works needing to be reasonably necessary for the purposes of agriculture.

8.49 This access track lies outside the application site, but within the ownership of the applicant and leads up to a highway (Grange Road). Therefore, a Grampian type condition may be used if improvement of the access surfacing or control of visibility splays is required. As the track is not in the application site, it is not part of the application, but when finished with compacted scaplings as the prior notification application proposes, it would be a suitable means of access to the site. A Grampian type condition is suggested to ensure details of the construction of the access road are agreed and the access finished in accordance with them prior to the occupation of the dwellings.

8.50 The Council's highways officer has advised that the access road to the south would have been the better access route. However, provided the access to the west is made appropriate for its use and it has adequate visibility, then it will be acceptable for the development. Highway Searches have confirmed the land in the Council's ownership at the access and this would incorporate the required access visibility splays. Condition 3 would require this.

8.51 Conditions are advised to;

- require the first 7m metres of the vehicle access, measured from the rear edge of the highway (excluding the vehicle crossing) to be laid out and constructed to a specification submitted to and approved in writing by the Local Planning Authority. This is 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.
- require the turning and parking shown on the submitted proposed site plan to be installed before the development is occupied and then permanently maintained and kept free from obstruction and available for parking and turning.

8.52 There is adequate visibility where the private driveway joins Grange Road and this road is unclassified and lightly trafficked. The additional vehicle movements that would be generated by the access from the 9 dwellings would not adversely impact on road safety, and the proposal accords with CS Policy KS11.

Parking & turning

8.53 The proposed site plan shows 19 allocated parking spaces with parking spaces to include 3 within the car ports at the side (S) of Unit A. There are also 4 visitor spaces. This totals 23 spaces which complies with the Council's residential parking standards guidance. The parking provision is therefore acceptable and CS Policy KS12 is complied with. There is sufficient space to manoeuvre vehicles on the site and they would be able to leave the site in a forward gear.

Impact on biodiversity

8.54 Objectors have raised concerns about the impact on biodiversity including bats and barn owls. The application site triggers the need for a biodiversity assessment and is accompanied by an Ecological Report and Biodiversity Plan signed 12/11/19 which has been approved by the Council's Natural Environment Team (also signed 12/11/19). The submitted information identifies the following ecological issues;

8.55 The Ecological Report (ER) advises that no bats, evidence of bats, or potential roost features (PRFs) for bats were observed in or on any of the buildings on site, and the buildings all have negligible bat potential. No evidence of birds nesting in or on any of the buildings was found.

8.56 The ER advises that the two trees proposed for removal have negligible bat potential.

8.57 The ER advises that there are no protected sites within 2km of the site. However, there are known bat roosts within 5km including Serotine, Common pipistrelle, and Brown long-eared bats.

8.58 The ER concludes that none of the buildings on site have any bats or evidence of bats and there are no protected species or habitats suitable for protected species on site.

8.59 The following biodiversity enhancements will be provided at the site;

- 4 x bat boxes in west side of Unit C
- 2 x bat boxes in south side of Unit D
- 4 x bat boxes in west side of Unit B
- 4 x swallow cups in car ports of Unit A
- 1 x barn owl box in east side of Unit C
- Hedgehog friendly fencing
- 150m of native hedging
- Wildflower planting area at the site entrance (to long track)

8.60 It is considered that subject to a condition (no.9) to secure compliance with the approved biodiversity plan, the proposal would accord with CS Policy ME1 as it would meet the policy's aims of safeguarding biodiversity. The enhancements would accord with NPPF policy to help achieve net biodiversity gain.

Impact on protected heathland Sites of Special Scientific Interest (SSSIs)

8.61 The application site lies within 5km but beyond 400m of Dorset Heathland which is designated as a Site of Special Scientific Interest and as a European wildlife site.

8.62 The proposal for a net increase of 9 residential units, in combination with other plans and projects and in the absence of avoidance and mitigation measures, is likely to have a significant effect on the sites. It has therefore been necessary for the Council, as the appropriate authority, to undertake an appropriate assessment of the implications for the protected site, in view of the site's conservation objectives.

8.63 The appropriate assessment dated 19/11/20 has concluded that the mitigation measures set out in the Dorset Heathlands 2020-2025 SPD can prevent adverse impacts on the integrity of the site. The SPD strategy includes Heathland Infrastructure Projects (HIPs) and Strategic Access Management and Monitoring (SAMM). The strategic approach to access management is necessary to ensure that displacement does not occur across boundaries.

8.64 The Council collects Heathland mitigation payments via the Community Infrastructure Levy (CIL) and/or legal agreements which will secure the necessary contribution in accordance with the Dorset Heathlands SPD.

8.65 With the mitigation secured the development will not result in an adverse effect on the integrity of the designated site so in accordance with regulation 70 of the Habitats Regulations 2017 planning permission can be granted; the application accords with Core Strategy Policy ME2.

Contamination

8.66 The representations received in response to the application have advised that the site may be contaminated. The Council's Environmental Health Officer (EHO) also advises that the site may be contaminated, and the Council's standard contaminated land condition should be imposed to any planning permission, given the potential for previous agricultural contaminative activities on site and the risk associated with the proposed residential use. The EHO advises that a desktop preliminary risk assessment should initially be undertaken to establish the potential risk of any possible contamination

8.67 With the imposition of the Council's standard contaminated land condition (condition 4), the proposal would accord with Saved Policy DES2 of the East Dorset Local Plan (2002) and also NPPF paragraphs 178 to 180 (Ground conditions and pollution).

Refuse/recycling collection

8.68 The proposal shows refuse/recycling to be collected from the site by the Council's refuse collection service and this would be facilitated by the long private access track to the west of the site. A turning area is shown on the site for refuse vehicles along with a dedicated bin store which is only to be used on collection days with the bins stored in the curtilages of the dwellings at other times.

8.69 In this scenario, residents will be able to wheel their bins the short distance to the storage pad and the pad is positioned close to the turning head for ease of access for the waste collection vehicle operators. The collection pad can cater for 9 x 240 litre recycling bins and ancillary bottle boxes and food waste bins, which will represent the largest single collection at any one time. This would allow appropriate space for storage of bins on collection day and provides a safe and accessible position for siting by residents and collection by operators.

8.70 The Council's Waste Collection service has advised that its vehicles would only be able to use the proposed access if it was constructed to an adoptable standard suitable for a waste collection vehicle. This is not proposed, and it would not be appropriate in visual terms to have a tarmacked access road here.

8.71 The Waste Collection service is content to collect refuse/recycling from the roadside and advise that a communal bin store at an agreed point close to the main highway could be agreed to facilitate this. However, there is no suitable location within land controlled by the applicant that would be within 10m of the roadside edge (which is a requirement for collections). In this case, refuse/recycling bins could be left within 10m of the roadside at the site access for collection on collection day and stored in the curtilages of the dwellings at other times. The Council's Operations Manager has advised that collection from the roadside would be acceptable if a safe location for collection was agreed.

8.72 It is unlikely that this arrangement would be practical for the occupants of the proposed dwellings and therefore if collection arrangements are not acceptable to the Council's refuse collection service, the applicant could arrange for refuse to be collected by a private operator. Private collection would be necessary to meet the Building Regulations Guidance set out in Approved Document H as this advises that usually the distance householders should be expected to carry refuse should not exceed 30m. In planning terms, private or Council arrangements for refuse collection are considered acceptable.

Other issues

Previously developed land (PDL)

8.73 As the buildings are agricultural buildings and last used for agriculture, the site does not qualify as PDL for the purposes of this planning assessment. This view is taken given the definition of PDL in Annex 2: Glossary of the National Planning Policy Framework. Therefore, no weight is afforded to this matter.

Access to facilities and public transport

8.74 The application site is in a location that is not well-served by facilities or public transport and it is highly likely that residents of the proposed dwelling would need to use a private car to access employment, shops and facilities. This factor is given some weight against the proposal, as planning policy generally seeks to locate new development in areas well-served by employment and facilities and that allow a choice on transport methods in addition to the car although the limitations of rural areas is recognised by the NPPF.

Enhancement/maintenance of the vitality of rural communities

8.75 The DAS advises that NPPF Paragraph 78 seeks to direct housing 'where it will enhance or maintain the vitality of rural communities'. There is some argument that housing at the site would make some contribution to the vitality of rural communities, however this is likely to be small and no weight is afforded to it accordingly.

Fall-back

8.76 As previously stated, there is a fall-back position for the conversion of building B to one residential dwelling for which Prior Approval was granted. Buildings A & C also benefit from Prior Approval by default for the creation of a total of 4 dwellings. The prior approval process is one of the requirements set out in the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GDPO) in order to benefit from deemed planning permission for certain classes of development. Schedule 2, Part 3 'Changes of Use', Class Q deals with the conversion of agricultural buildings to residential use and is conditional on a Prior Approval procedure being followed.

8.77 The permitted development right for Class Q does not apply a test in relation to sustainability of location, and when considering whether a change of use is

appropriate in a particular location, the location is not a sufficient reason for refusing Prior Approval applications, only as to whether the change to residential use would be impractical or undesirable. In this instance, the proposed development site could accommodate residential units in existing buildings under Class Q permitted development as a fall-back position.

8.78 The applicant's suggested fall-back position of five residential dwellings within buildings A (3 dwellings), B (1 dwelling) & C (1 dwelling), is contested by objectors. They have raised concerns that not all of the curtilage land identified to serve the new dwellings was in agricultural use as required by Class Q, that surveys demonstrating structural soundness were undertaken after repair works to achieve the necessary soundness and that these repair works were development requiring permission. These issues have not been tested by the submission of Certificates of Lawfulness applications but have been considered by officers.

8.79 In relation to prior approval 3/19/1651/PNAGD, land lease details relating to the land immediately to the west of Unit A has been provided which suggests that not all of the site (meaning the building and its curtilage) formed part of an established agricultural unit as required by the permitted development criteria. This would prevent the conversion to 3 dwellings proposed by the prior approval submission.

8.80 In relation to Unit B officers judged that the proposal under reference 3/20/0558/PNAGD did meet the permitted development criteria. The works undertaken to the buildings are mainly internal and have not materially affected their external appearance nor are they considered to represent commencement of conversion for which prior approval was sought. Unit C would also appear capable of conversion in compliance with permitted development requirement. As such, the creation of two large dwellings from Units B and C to the north of the site represents the realistic fall-back scheme. This is more modest scheme than the proposal currently under consideration so cannot be given much weight in the planning balance.

Planning balancing exercise & conclusion

8.81 At present, the Council cannot demonstrate a 5 year housing supply and this renders CS Policy KS2 out of date for the purposes of NPPF paragraph 11. There are also no relevant policies in the CS to deal with conversion of buildings into dwellings. Criterion d) of paragraph 11 is therefore triggered.

8.82 Officers have had regard to the Policy Planning advice and representations received from the public but consider that the proposal does accord with NPPF paragraphs 146 (d) and (e) as it would result in an improvement to Green Belt openness from the removal of existing buildings (secured by condition 6) and would not conflict with the purposes of including land within the Green Belt. As the proposal would not have an adverse impact on areas or assets of particular importance (i.e. Green Belt) there is no reason to refuse the proposal on this basis. Consequently, NPPF Para 11d) i. is accorded with.

8.83 In respect of NPPF Para 11d) ii. the identified adverse impacts of the proposal, in this case reliance by future occupants on the private car, would not significantly and demonstrably outweigh the benefits of the scheme which will contribute to housing supply, enhance visual amenity and biodiversity.

8.84 The proposal is therefore considered to be sustainable development for the purposes of NPPF paragraph 11.

9.0 HUMAN RIGHTS

9.01 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

9.02 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.

10.0 PUBLIC SECTOR EQUALITIES DUTY

10.1 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.

10.2 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.

11.0 CLIMATE IMPLICATIONS

11.1 The proposal will re-use existing buildings with the reduction in the use of new building materials that this would entail and in this respect could potentially have a lesser impact on climate change than if the new housing was new-build, and given the relatively low number of dwellings, the proposal is not considered to have a significant impact on climate change.

12.0 HEALTH AND WELLBEING IMPLICATIONS

12.1 In accordance with the Council's responsibility for promoting health and wellbeing and the reduction of health inequalities across the county, the potential impact of the proposal on general health and wellbeing has been considered.

12.2 The application site lies adjacent to a cluster of dwellings and agricultural land. The amenity of occupiers of the proposed dwelling and neighbours and any third party representations have been taken into account as part of the planning appraisal which has found that the development is acceptable in planning terms subject to conditions. In considering this application regard has been given to the future wellbeing and health of the local population within the scope of the material planning considerations applicable to this application and the realms of planning legislation.

13.0 CONCLUSION

13.1 Having assessed the material planning considerations as outlined in this report, officers consider that the proposal complies with relevant planning policy and the application is therefore recommended for approval subject to conditions.

14.0 RECOMMENDATION –

Grant, subject the following conditions:

Conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

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

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

UX Architects drawing no. 116-021 Rev G: Proposed site plan

UX Architects drawing no. 116-020 Rev C: Location Plan

UX Architects drawing no. 116-026 Rev E: Unit A Proposed roof plan

UX Architects drawing no. 116-040 Rev E: Unit A Proposed elevations

UX Architects drawing no. 116-025 Rev E: Unit A Proposed floor plans

UX Architects drawing no. 116-027 Rev B: Unit B proposed ground floor plans

UX Architects drawing no. 116-029 Rev B: Unit B Proposed roof plans

UX Architects drawing no. 116-041 Rev A: Unit B: Proposed elevations

UX Architects drawing no. 116-031 Rev B: Unit C: Proposed fits floor plan

UX Architects drawing no. 116-030 Rev E: Unit C: Proposed ground floor plans

UX Architects drawing no. 116-033 Rev D: Unit C: Proposed roof plans

UX Architects drawing no. 116-042 Rev C: Unit C: Proposed elevations

UX Architects drawing no. 116-043 Rev A: Unit C Proposed elevations

UX Architects drawing no. 116-034 Rev A: Unit D Proposed ground floor plan

UX Architects drawing no. 116-036 Rev A: Unit D Proposed roof plan

UX Architects drawing no. 116-044 Rev B: Unit D Proposed elevations

UX Architects drawing no. 116-045 Rev B: Unit D Proposed elevations

UX Architects drawing no. 116-035 Rev B: Proposed first floor plan

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

3. The development hereby approved shall not be commenced unless and until construction details of the private way (to include visibility splays onto Grange and specification of the final surfacing) to serve the development (that is shown to run to the west of the application site) have been submitted to and approved by the Local Planning Authority. This driveway is shown as 'existing private driveway' on Drawing No. 116-001 E: Existing Site Plan and runs between the application site and the public highway known as Grange Road. The private driveway shall then be completed in accordance with the approved details before any of the dwellings are occupied and be maintained in accordance with the details thereafter.

Reason: To ensure a satisfactory means of access to the development.

4. Prior to the commencement of development, a scheme shall be submitted to the Local Planning Authority to deal with potential contamination of the site. Such scheme shall include the following actions and reports, which must be carried out by appropriately qualified consultant(s):

(a) A Preliminary Risk Assessment (site history report), which shall, by reference to site layout drawings of an appropriate scale, include a history of the site, past land uses, current and historical maps, site plans, locations of any known spillages or pollution incidents and the location and condition of old tanks, pits, fuel or chemical storage areas, and site reconnaissance to produce a conceptual site model and preliminary risk assessment. (Please note it is the responsibility of the landowner, developer or consultant to provide and disclose all relevant information).

(b) A Field Investigation (site investigations) and Detailed Quantitative Risk Assessment (based on the information contained in the site history report), will be required where the appointed consultant and/or the Local Planning Authority anticipate that contamination may be present in, on or near the proposed development area. The site investigation report must characterise and identify the extent of contamination, identify hazard sources, pathways and receptors and develop a conceptual model of the site for purposes of risk assessment.

(c) Before any works commence on site, should (in the opinion of the Local Planning Authority) investigation works be required, consultants appointed to carry out intrusive site investigation work must submit their sampling strategy to the Local Planning Authority for approval.

(d) Where contamination is found which (in the opinion of the Local Planning Authority) requires remediation, a detailed Remediation Strategy, including effective measures to avoid risk to future and neighbouring occupiers, the water environment and any other sensitive receptors when the site is developed, shall be submitted to the Local Planning Authority. Any remediation scheme(s), or part(s) thereof recommended in the remediation strategy, shall require approval to be obtained in writing from the Local Planning Authority.

(e) No development shall occur until the measures approved in the remediation strategy have been implemented in accordance with the remediation statement to the satisfaction of the Local Planning Authority. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.

(f) If, during works on site, contamination is encountered which has not previously been identified, the additional contamination shall be fully assessed and an appropriate remediation strategy submitted to the Local Planning Authority. Any such scheme shall require approval to be obtained in writing from the Local Planning Authority.

(g) On completion of all the works detailed in the agreed Remediation Strategy, a Remediation Verification Report must then be completed by the environmental consultant(s) who carried out the remediation work confirming that they have supervised all the agreed remediation actions. This report to be submitted to the planning authority confirming that all works as specified and agreed have been carried out to the point of completion. Until the Planning Authority is in receipt of said Remediation Verification Report and is satisfied with the contents of the statement and the standard of work completed it will be viewed that the remediation of the site is incomplete.

Reason: This information is required prior to commencement to safeguard the amenity of the locality and future residents.

5. Details of any access facilitation pruning works and a plan showing the location of barriers in accordance with BS5837:2012 Trees in relation to design, demolition and construction shall be submitted to and approved in writing by the local planning authority before any equipment, machinery or materials are brought on to

the site for the purposes of the development. The barriers shall be erected and maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason: To ensure that trees and their rooting environments are afforded adequate physical protection during construction.”

6. Before any works to convert the buildings are undertaken, existing buildings C1, C2, D1, D2, D3, D4 & D5 shown on the submitted existing site plan UX Architects Drawing No. 116 – 002 E shall be demolished and all resulting materials removed from the site.

Reason: To enhance Green Belt openness and visual amenity

7. Before using any external facing and roofing materials in the construction of the development, details of their manufacturer, colour and type shall have been submitted to and approved in writing by the Local Planning Authority (LPA). All works shall be undertaken strictly in accordance with the details as approved.

Reason: To ensure the development uses external materials appropriate for its context.

8. Prior to the occupation of the dwellings, full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority (LPA). These details shall include means of enclosure; hard surfacing materials, and planting species, density and size of soft landscaping and accord with the planting set out in paragraphs 6.5 to 6.7 of the Biodiversity Mitigation & Enhancement Plan signed by Dorset Council’s Natural Environment Team 12/11/19. All hard and soft landscape works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with the programme agreed with the LPA. The landscaping approved shall be retained for 5 years during which time any species that dies or becomes diseased shall be replaced with the same species.

Reason: In the interests of visual amenity and to ensure the approved landscaping scheme is implemented correctly.

9. The development hereby approved must not be first brought into use unless and until the mitigation, compensation and enhancement/net gain measures detailed in the approved Biodiversity Plan certified by the Dorset Council Natural Environment Team on 12/11/19 have been completed in full, unless any modifications to the approved Biodiversity Plan as a result of the requirements of a European Protected Species Licence have first been submitted to and agreed in writing by the Local Planning Authority.

Thereafter approved mitigation, compensation and enhancement/net gain measures must be permanently maintained and retained in accordance with the approved details, unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To mitigate, compensate and enhance/provide net gain for impacts on biodiversity.

10. Notwithstanding the provisions of Part 1 Classes A, AA, B, E and Part 2 Class A of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 or any subsequent re-enactment, planning permission will be required in respect of any extension to the buildings, alteration to the roofs, outbuildings (to include garages/car port) and means of enclosure (to include fences/walls).

Reason: To ensure that the design concept of the development is retained and the openness of the Green Belt is not adversely affected by the development.

11. Any external lighting proposed for the development hereby approved shall be installed to prevent any upward light spill into the sky, and to direct light onto the area to be lit only.

Reason: To prevent light pollution of the night sky and immediate area.

12. All hard surfacing areas shall either be permeable to allow surface water to drain into the ground through them or these areas shall be drained into effective soakaways on the application site.

Reason: To reduce surface water runoff from the development.

13. Before the development is occupied or utilised the first 7.00 metres of the vehicle access, measured from the rear edge of the highway (excluding the vehicle crossing - see the Informative Note below), must be laid out and constructed to a specification submitted to and approved in writing by the Local Planning Authority.

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

14. Before the development hereby approved is occupied the turning and parking shown on Drawing Number 116-021 G must have been constructed. Thereafter, these areas, must be permanently maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper and appropriate development of the site and to ensure that highway safety is not adversely impacted upon.

Informatives:

1. 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.
2. In respect of vehicular access, the Council's Transportation Officer advises that the development will need to remain private.

Background Documents:

Case Officer: James Brightman

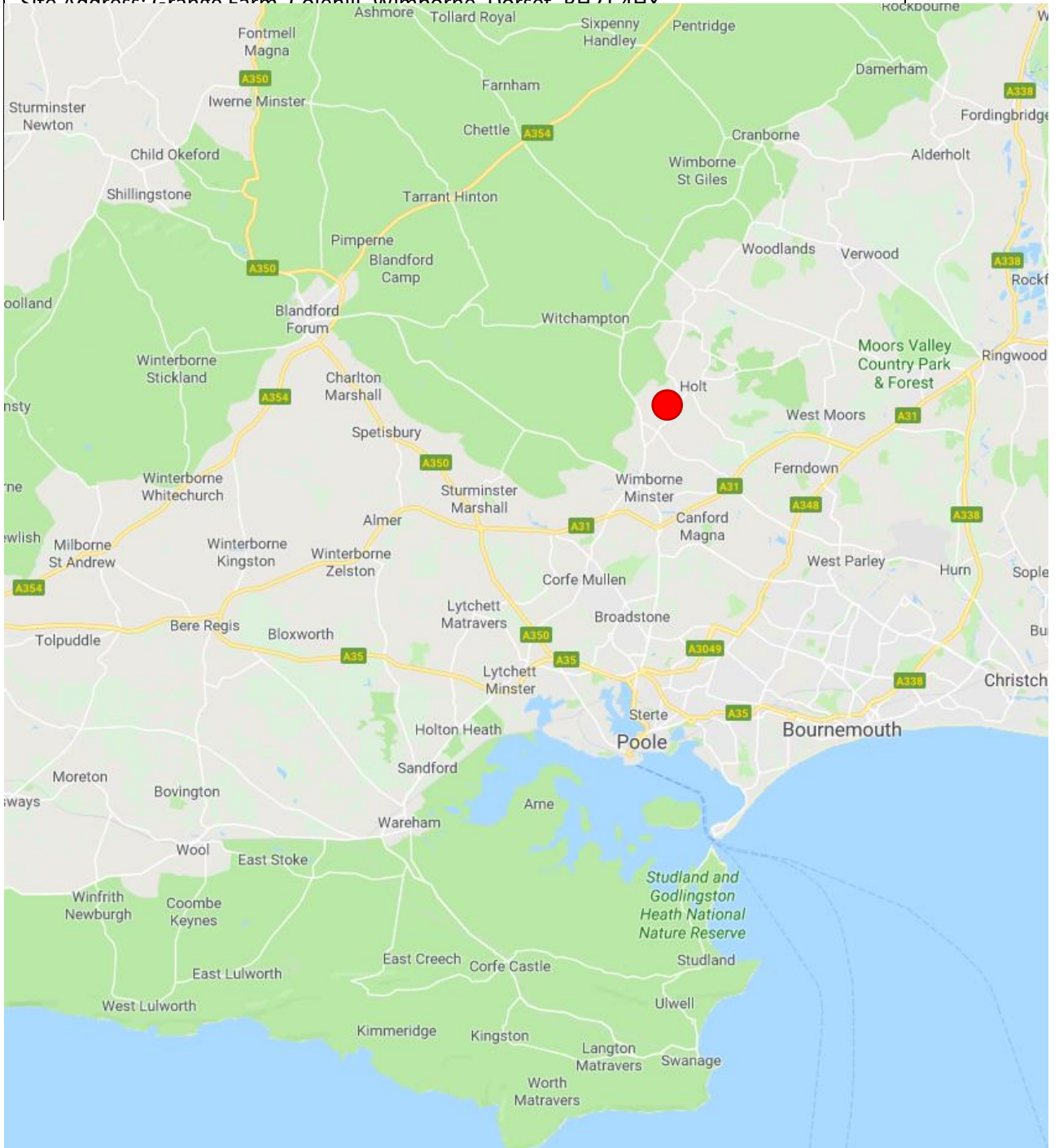
NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.

Approximate Site Location 

Application reference: 3/19/2378/FUL

Site Address: Grange Farm, Colehill, Wimborne, Dorset, BH21 4HY



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