



## Eastern Area Planning Committee

**Date:** Wednesday, 6 April 2022  
**Time:** 10.00 am  
**Venue:** The Allendale Centre, Hanham Road, Wimborne, Dorset, BH21 1AS/  
Virtual

### **Members (Quorum 6 )**

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

**Chief Executive:** Matt Prosser, County Hall, Dorchester, Dorset DT1 1XJ

For more information about this agenda please contact Democratic Services Meeting Contact 01305 224175 - [david.northover@dorsetcouncil.gov.uk](mailto:david.northover@dorsetcouncil.gov.uk)

Members of the public are welcome to attend this meeting, apart from any items listed in the exempt part of this agenda.

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## Agenda

Item	Pages
<b>1. APOLOGIES</b>	
To receive any apologies for absence	
<b>2. DECLARATIONS OF INTEREST</b>	
To disclose any pecuniary, other registrable or personal interest as set out in the adopted Code of Conduct. In making their decision councillors are asked to state the agenda item, the nature of the interest and any action they propose to take as part of their declaration.	
If required, further advice should be sought from the Monitoring Officer in advance of the meeting.	

- 3. MINUTES** 3 - 14
- To confirm the minutes of the meeting held on 9 March 2022.
- 4. PUBLIC PARTICIPATION** 15 - 18
- 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.
- The deadline for notifying a request to speak is 8.30am on Monday 4 April 2022.**
- Please refer to Guide to Public Speaking at Planning Committee attached.
- 5. PLANNING APPLICATIONS** 19 - 108
- To consider the applications listed below for planning permission:-
- 5a) 6/2021/0314 - Demolition of former school, buildings & structures. Erection of 90 dwellings & the formation of a new vehicular access from Northbrook Road at the Purbeck Centre (former Grammar School), Northbrook Road, Swanage.
- 5b) 3/19/2378/FUL - 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 and plans rec'd 4/1/22 to propose access via the existing road to the south only (and not to the west via the existing agricultural track) at Grange Farm, Colehill, Wimborne, Dorset, BH21 4HX.
- 5c) 3/21/1277/FUL - Change of use and conversion of existing redundant agricultural building into 2 no 4 bedroom dwellings at Bedborough Farm, Uddens Drive, Colehill, Wimborne, BH21 7BQ
- 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.



## EASTERN AREA PLANNING COMMITTEE

### MINUTES OF MEETING HELD ON WEDNESDAY 9 MARCH 2022

**Present:** Cllrs Toni Coombs (Chairman), Shane Bartlett (Vice-Chairman), Mike Barron, Alex Brenton, Barry Goringe, David Morgan, David Tooke, Bill Trite and John Worth

**Apologies:** Cllrs Robin Cook, Mike Dyer and Julie Robinson

**Officers present (for all or part of the meeting):** Kim Cowell, Liz Adams, Claire Hicks, Peter Walters, Diana Mezzogori-Curran, Cari Woodridge, Chris McDermott, Phil Crowther, Susan Dallison and David Northover

#### 257. **Apologies**

Apologies for absence were received from Councillors Robin Cook, Mike Dyer and Julie Robinson.

#### 258. **Declarations of Interest**

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

#### 259. **Minutes**

The minutes of the meetings held on 28 July 2021, 25 August 2021, 29 September 2021, 13 October 2021, 27 October 2021, 1 December 2021, 5 January 2022 and 9 February 2022 were confirmed.

#### 260. **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.

#### 261. **Planning Applications**

##### **6/2021/0262 - Wither Lakes, Church Knowle, BH20 5NG - Erect detached self-build rural exception site dwelling**

The Committee considered application 6/2021/0262 to erect a detached self-build rural exception site dwelling, at Wither Lakes, Church Knowle – the definition of a rural exception site being a small site used for affordable housing, in perpetuity, where the site would not normally be used for housing,

in addressing the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. How any resale value formula was derived was clarified, with the District Valuer recommending a resale value of 47% of the market value. The prescriptions on self-build affordable housing were drawn to the attention of Members and, due to the increasing numbers on the housing register and the shortage of general needs affordable housing, officers considered it was vital to provide such affordable housing.

With the aid of a visual presentation, and taking account the detail in the report, officers provided context of what the main proposals, principles and planning issues of the development were; how these were to be progressed; 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, taking into account the policies against which this application was being assessed.

Plans and photographs provided an illustration of how the development was to look – including its design, dimensions and appearance; access and highway considerations; environmental and land management considerations; drainage and water management considerations, the means of landscaping and screening and the development's setting within that part of Church Knowle and the Dorset AONB.

Officers showed the development's relationship with other adjacent residential development, with the characteristics and topography of the site being shown. Views into the site and around it was shown, which provided a satisfactory understanding of all that was necessary.

What assessment had been made in the officers coming to their recommendation were drawn to the attention of the Committee, with the proposal being considered to be acceptable in relation to material planning considerations, with all significant planning matters having been appropriately, or adequately, addressed.

Church Knowle Parish Council opposed the application on the grounds that it would be development of agricultural land outside the defined settlement boundary and in the AONB.

Steve Tapscott, the agent, considered the application to be of merit and was designed to meet a specific need with the development not being remote from and village and adjacent to an already established property.

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 opportunity was then 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.

Some important points raised, some of which they considered still required clarification, were:-

- access, road maintenance issues and ownership of the road
- how the S106 agreement would be enacted and on what basis this would be, in the event this element was required
- what self-build development entailed and how this was applied
- the prescriptions associate with rural exception sites

Officers addressed the questions raised – and provided what clarification was needed - providing what they considered to be satisfactory answers, which the Committee understood to be, and saw, as generally acceptable.

Of importance was that officers considered there to be no material considerations which would warrant refusal of the application and that this was the basis of the assessments made and the recommendation before the Committee.

From debate, the majority of the Committee considered the proposal to be acceptable - in meeting an identified need and in making the best use of the land available – and considered that this development would be of benefit to the Church Knowle community and serve to meet the issues Purbeck had in being able to satisfy its identified housing need.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having taken into account the officer's report and presentation; the written representation; and what they had heard at the meeting, in being proposed by Councillor Shane Bartlett and seconded by Councillor Alex Brenton, on being put to the vote, the Committee agreed - by 7:1 - to grant permission, subject to the conditions and informative noted set out in paragraph 17 of the officer's report.

### **Resolved**

a) That permission be granted subject to conditions and the completion of a satisfactory S106 Legal Agreement to secure the provision of the affordable housing in perpetuity

or

b) That permission be refused if the legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) is not completed within 6 months from the date of committee or such extended time as agreed by the Service Manager for Development Management and Enforcement.

### **Reasons for Decision**

- Para 11 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 proposal is compliant with the NPPF, Purbeck Local Plan Part 1 and the Affordable Housing SPD in terms of Rural Exception Site Affordable Housing provision.
- There is not considered to be any significant harm to neighbouring residential amenity.

- There are no material considerations which would warrant refusal of this application.

**6/2021/0249 Tower House, Tower Hill, Bere Regis - Demolish existing property and erect 5 detached properties with associated parking, access and landscaping.**

The Committee considered application 6/2021/0249 to demolish an existing property and erect 5 detached properties with associated parking, access and landscaping at Tower House, Tower Hill, Bere Regis.

With the aid of a visual presentation, and taking account the detail in the report, officers provided context of what the main proposals, principles and planning issues of the development were; how these were to be progressed; 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, taking into account the policies against which this application was being assessed.

Plans and photographs provided an illustration of how the development was to look – including its design, dimensions, configuration and appearance; along with its ground floor plans; the materials to be used; access and highway considerations; environmental and land management considerations; drainage and water management considerations, the means of landscaping and screening and the development's setting within that part of Bere Regis and the Conservation Area.

Officers showed the development's relationship with other adjacent residential development, with the characteristics and topography of the site being shown. Views into the site and around it was shown, which provided a satisfactory understanding of all that was necessary.

What assessment had been made in the officers coming to their recommendation were drawn to the attention of the Committee, with the proposal being considered to be unacceptable in relation to material planning considerations as the proposed development would erode the existing transitional character of the area by establishing a development which will be highly visible in the Tower Hill streetscene given the two dwellings proposed to the front of the plot. Accordingly, the proposal would cause less than substantial harm to the character of the Bere Regis Conservation Area due to the intensification of development on the application site which will result in detrimental impacts on the characteristics of the Conservation Area.

The Conservation Area Appraisal (CAA) and the Bere Regis Townscape Character Appraisal (TCA) were considered to be of relevance when assessing the application with the CAA emphasising the importance of the village edge and transitional qualities of the various back lanes which form a legible boundary along the north side of the village core. Whilst bringing some highway access benefits, the proposed carriageway widening would further alter the character of this established 'back lane' which was considered to be a significant characteristic of the Bere Regis Conservation Area.

These assessments formed the basis of the officer's recommendation to refuse the application.

From formal consultation, Bere Regis Parish Council supported the application on the grounds that the widening of the road would be beneficial.

Peter Rennison objected to the proposal on the grounds of overlooking, the destruction of a natural hedgerow, traffic and access issues and that it was not included in the Neighbourhood Plan. A submission by Patrick Hamilton was read to the Committee who also objected on the grounds of traffic, townscape, history/heritage and overlooking.

Jonathan Blackmore - the applicant - supported the proposals as he considered the application to be of public benefit and would provide much needed housing in the village and there were mitigating measures to address issues of concern and the parish council were supportive too. Suzie Gee was unable to attend as expected but her views were read to Committee in that there was need for more houses in the village to meet local need, that the site would still be quite secluded and not prominent and that there would be benefits from the road widening proposal.

Parish Councillor Ian Ventham agreed that whilst there were some concerns of overlooking, the benefits of widening the road would outweigh this. He confirmed the Parish Council was in favour of this development and supported in full development and, whilst this site was not in the Neighbourhood Plan, it did abut it.

Giles Moir, the agent, considered the development to be acceptable and provided much needed housing for Bere Regis.

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 opportunity was then 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.

Some important points raised, some of which they considered still required clarification, were:-

- access arrangements and what weight should be given to the benefit of the road widening proposal
- How this development contributed to meeting housing need in Bere Regis.
- how the Conservation Area would be impacted by the development and what effect there would be on neighbouring amenity
- The proximity between Plots 1 and 2 and the neighbouring established properties in Tower Hill – this being a distance of only some 11 metres instead of the recommended 21 metres and how this might have a bearing on privacy and overlooking.

Officers addressed the questions raised – and provided what clarification was needed - providing what they considered to be satisfactory answers, which the Committee understood to be, and saw, as generally acceptable.

Of importance was that taking the CAA into consideration officers considered there to be less than substantial harm caused by this proposal and on that basis could not recommend approval.

From debate, the majority of the Committee considered the recommendation was acceptable in the circumstances given the adverse effect it would have on the conservation area and consideration that given the proximity of the development to Tower Hill properties this should also be a reason why the application should be refused. Should the scheme be able to be redesigned to increase the said distance, then this was likely to be more acceptable but, as it stood, this was not the case. However, some members considered the application to be acceptable as it was – especially as the Parish Council was supportive - and would provide much needed housing to meet local need.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having taken into account the officer's report and presentation; the written representation; and what they had heard at the meeting, in being proposed by Councillor Shane Bartlett and seconded by Councillor Mike Barron, on being put to the vote, the Committee agreed - by 5:4 - to refuse permission.

### **Resolved**

That application 6/2021/0249 be refused.

### **Reasons for Decision**

As set out in paragraph 16.1 of the officer's report:-

The proposed development, by virtue of the infilling of the site, is considered to cause less than substantial harm to the Bere Regis Conservation Area.

The public benefits offered are not considered to outweigh the less than substantial harm caused.

and

The proposal would introduce two new units in close proximity to The Poppies and Meadow View Barn on Tower Hill which would introduce harmful overlooking to the front of those dwellings resulting in loss of privacy to the detriment of the occupants' amenity. The proposal is therefore contrary to Policy D of the Purbeck Local Plan Part 1, paragraph 130 of the NPPF and the Purbeck Design Guide.

**P/HOU/2021/04823 - 7 Stanbarrow Close, Bere Regis, Wareham - Proposed single/two storey extension to rear elevation. Extension of side boundary wall and form new pedestrian access.**



The Committee considered application P/HOU/2021/04823 – for a proposed single/two storey extension to rear elevation, an extension of a side boundary wall and to form a new pedestrian access at 7 Stanbarrow Close, Bere Regis, Wareham.

With the aid of a visual presentation, and taking account the detail in the report, officers provided context of what the main proposals, principles and planning issues of the development were; how these were to be progressed; 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, taking into account the policies against which this application was being assessed. The planning history of the site was explained too.

Plans and photographs provided an illustration of how the development was to look – including its design, dimensions and appearance; access considerations; the means of landscaping and the extension's setting within that part of Bere Regis.

Officers showed the development's relationship with other adjacent residential development, with the characteristics of the site being shown. Views into the site and around it was shown, which provided a satisfactory understanding of all that was necessary.

What assessment had been made in the officers coming to their recommendation were drawn to the attention of the Committee, with the proposal being considered to be acceptable in relation to material planning considerations, with all significant planning matters having been appropriately, or adequately, addressed.

Bere Regis Parish Council supported the application.

The opportunity was then 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.

Some important points were raised, some of which they considered still required clarification, which Officers addressed to the satisfaction of the Committee. It was also clarified that this application required a Committee decision given that a Council employee had a vested interest in it.

Of importance was that officers considered there to be no material considerations which would warrant refusal of the application and that this was the basis of the assessments made and the recommendation before the Committee.

From debate, the Committee considered the proposal to be acceptable – given that amended plans had now overcome initial amenity issues relating to unreasonable loss of light or an overbearing impact and had also scaled back the proposal which could be accommodated on the site without harm to the character of the area. The proposal now accorded with the policies of the Local Plan.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having taken into account the officer's report and presentation; and what they had heard at the meeting, in being proposed by Councillor Shane Bartlett and seconded by Councillor David Morgan, on being put to the vote, the Committee agreed – unanimously - to grant permission, subject to the conditions and informative noted set out in paragraph 17 of the officer's report.

### **Resolved**

That application P/HOU/2021/04823 be granted permission, subject to the conditions set out in paragraph 17 of the officer's report.

### **Reasons for Decision**

- The proposal was acceptable in its design and general visual impact – paragraph 15.3.
- There was not considered to be any significant harm to neighbouring residential amenity - paragraph 15.4.
- There were no material considerations which would warrant refusal of this application.
- There was no adverse impact on the character of the area.

### **P/FUL/2021/04102 - Pear Tree Nursery School, Parley First School, Glenmoor Road, Ferndown, BH22 8QD - Demolition of existing nursery structures and construction of replacement nursery building.**

The Committee considered application P/FUL/2021/04102 for the demolition of existing nursery structures and construction of replacement nursery building at Pear Tree Nursery School, Parley First School, Glenmoor Road, Ferndown. Officer's confirmed that this application required a Committee decision given that it was a Council led application.

With the aid of a visual presentation, and taking account the detail in the report, officers provided context of what the main proposals, principles and planning issues of the development were; how these were to be progressed; 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, taking into account the policies against which this application was being assessed.

Plans and photographs provided an illustration of how the development was to look – including its design, dimensions, configuration and appearance; along with its ground floor plans; the materials to be used; access and highway considerations; environmental and land management considerations; drainage and water management considerations, the means of landscaping and screening and the development's setting within that part of Ferndown.

Officers showed the development's relationship with other adjacent residential development, with the characteristics and topography of the site being shown. Views into the site and around it was shown, which provided a satisfactory

understanding of all that was necessary. The need for the development was explained and this investment was designed so as to ensure that the facility would be able to provide for the quality of service being maintained: there would be a public benefit by replacing the existing prefabricated nursery building with a more modern and sustainable structure. It would be situated within the same footprint of the existing buildings on site.

What assessment had been made in the officer's coming to their recommendation were drawn to the attention of the Committee, with the proposal being considered to be acceptable in relation to material planning considerations, with all significant planning matters having been appropriately, or adequately, addressed.

Tina Henning-Stevens - who ran and managed the facility - considered the development to be necessary so as to be able to continue to provide a good quality standard of service to those using it. The current facilities were gradually becoming unfit for purpose so this replacement was essential to have. She and her staff remained wholly committed to maintaining the service it had and this investment would go a long way in helping to achieve that.

West Parley Parish Council had raised no objection to the application.

The opportunity was then 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.

Some important points were raised, some of which they considered still required clarification, were

- What eco features might be able to feature in the development
- How this more sustainable building would benefit those using it
- What planting would be done in terms of screening

all of which officers were able to answer to the satisfaction of the Committee.

Of importance was that officers considered there to be no material considerations which would warrant refusal of the application and that this was the basis of the assessments made and the recommendation before the Committee.

From debate, the Committee considered the proposal to be acceptable and would provide for a more sustainable, practical and good facility in improving the lives of children that was able to continue offering the good quality standard of service for which it had become known.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having taken into account the officer's report and presentation; and what they had heard at the meeting, in being proposed by Councillor Barry Goringe and seconded by Councillor Shane Bartlett, on being put to the vote, the Committee agreed – unanimously - to grant permission, subject to the conditions and informative noted set out in paragraph 17 of the officer's report.

## **Resolved**

That application P/FUL/2021/04102 be granted planning permission subject to the conditions set out in paragraph 17 of the report.

### **Reasons for Decision**

The proposal would be of public benefit by replacing the existing prefabricated nursery building with a more modern structure

- The location was considered to be sustainable, and the proposal was acceptable in its scale, design, materials and visual impact.
- There was not considered to be any significant harm to neighbouring residential amenity.
- There were no adverse landscape impacts.
- There would be no additional traffic movements generated by the development.
- There were no material considerations which would warrant refusal of this application

### **P/FUL/2021/03912- Hayeswood First School, Cutlers Place, Colehill – Formation of a new vehicle entrance, relocate existing pedestrian entrance and reformation of the car parking and car park spaces. New access ramp, fencing and gates.**

The Committee considered application P/FUL/2021/03912 for the formation of a new vehicle entrance, relocate existing pedestrian entrance and reformation of the car parking and car park spaces, together with a new access ramp, fencing and gates at Hayeswood First School, Cutlers Place, Colehill. Officers confirmed that this application required a Committee decision given that it was a Council led application.

With the aid of a visual presentation, and taking account the detail in the report, officers provided context of what the main proposals, principles and planning issues of the development were; how these were to be progressed; 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, taking into account the policies against which this application was being assessed.

Plans and photographs provided an illustration of how the improvement works would take place and look – including its design, configuration and appearance; access and highway considerations; environmental and land management considerations; and the development's setting within that part of Colehill.

Officers showed the development's relationship with other adjacent residential development, with the characteristics and topography of the site being shown. Views into the site and around it was shown, which provided a satisfactory understanding of all that was necessary. The need for the improvement works was on the grounds of safety, access and traffic flows.

What assessment had been made in the officer's coming to their recommendation were drawn to the attention of the Committee, with the

proposal being considered to be acceptable in relation to material planning considerations, with all significant planning matters having been appropriately, or adequately, addressed.

Colehill Parish Council fully supported the application.

The opportunity was then 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.

Some important points were raised, some of which they considered still required clarification, were

- What eco features might be able to feature in the development
- How this more sustainable building would benefit those using it
- What planting would be done in terms of screening

all of which officers were able to answer to the satisfaction of the Committee.

Of importance was that officers considered there to be no material considerations which would warrant refusal of the application and that this was the basis of the assessments made and the recommendation before the Committee.

From debate, the Committee considered the proposal to be acceptable and would provide for a more sustainable and safer route into the school in avoiding conflict between traffic and persons.

Having had the opportunity to discuss the merits of the application and an understanding of all this entailed; having taken into account the officer's report and presentation; and what they had heard at the meeting, in being proposed by Councillor Shane Bartlett and seconded by Councillor David Morgan, on being put to the vote, the Committee agreed – unanimously - to grant permission, subject to the conditions and informative noted set out in paragraph 17 of the officer's report.

### **Resolved**

That planning permission in respect of application P/FUL/2021/03912 be granted, subject to the conditions set out in paragraph 17 of the report.

### **Reasons for Decisions**

- The proposal will be of public benefit as it re-routes the accessible pedestrian route away from vehicle routes into and out of the school site.
- The location is considered to be sustainable and the proposal is acceptable in terms of its design and general visual impact.
- There is not considered to be any significant harm to neighbouring residential amenity, landscape or highway safety
- There are no material considerations which would warrant refusal of this application.

**262. Urgent items**

There were no urgent items for consideration.

**Duration of meeting:** 10.00 am - 12.30 pm

**Chairman**

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## **A Guide to Public Speaking at Planning Committee**

All members of the public are welcome to attend formal meetings of Planning Committees to listen to the debate and the decisions being taken.

If you have written to the Council during the consultation period about an application that is to be considered by the committee, any relevant planning or rights of way issues raised in your letter will be appraised by the case officer and summarised within the committee report. You will also receive a letter informing you of the committee date and inviting you to attend the meeting.

The agenda for the meeting is normally published five working days before the committee date and is available to view on the council's website at <https://moderngov.dorsetcouncil.gov.uk/mgListCommittees.aspx?bcr=1> or via the Modern.gov app which is free to download.

You can also track progress of a planning application by visiting the council's website at <https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning/planning-application-search-and-comment.aspx>. Alternatively you can contact a member of the Democratic Services Team on 01305 251010 or email [david.northover@dorsetcouncil.gov.uk](mailto:david.northover@dorsetcouncil.gov.uk) for Eastern Area Planning Committee, [megan.r.rochester@dorsetcouncil.gov.uk](mailto:megan.r.rochester@dorsetcouncil.gov.uk) for Northern Area Planning Committee [denise.hunt@dorsetcouncil.gov.uk](mailto:denise.hunt@dorsetcouncil.gov.uk) for Western and Southern Area Planning Committee and [elaine.tibble@dorsetcouncil.gov.uk](mailto:elaine.tibble@dorsetcouncil.gov.uk) for Strategic Planning Committee. They will be able to advise you on whether an application will be considered by a committee meeting.

Formal meetings are open to the press and the public and during the meeting you may come and go as you wish. Please keep disruption to a minimum to allow the business to be conducted smoothly. Members of the press and public will normally only be asked to leave the meeting if confidential/exempt items are to be considered by the committee.

Members of the committee and the public have access to individual representation letters received in respect of planning applications and rights of way matters in advance of the meeting. It is important to note that any comments received from the public cannot be treated as confidential.

### **How do I register to speak?**

Planning committee meetings are held in public but they are not a public meeting; as a result you need to register to speak as below.

The first three members of the public, including any community or amenity group, who register to speak, for and against the application, including the applicant or their representative (maximum six in total) will be invited to address the committee. If the applicant or their representative registers to speak, then only the first two members of the public who wish to speak for the application may address the Committee. MPs need to register in the same way and will count as one of the six speakers.

If you wish to address the committee at the planning meeting it is essential that you contact the Democratic Services Team on 01305 251010 or email addresses set out above before 8.30am at least two clear working days before the meeting. If you do not register to speak, you will not normally be invited to address the committee. When contacting the Democratic Services Team you should advise which application you wish to speak on, whether you are objecting or supporting the application and provide your name and contact details.

### **The Member who chairs Planning Committee**

Ultimately the Chairman of the Planning Committee retains the power to determine how best to conduct a meeting. The processes identified below are therefore always subject to the discretion of the Chairman.

### **What will happen at the meeting and how long can I speak for?**

The Chairman will invite those who have registered to speak to address the committee. Each speaker will have up to **three** minutes each to address the committee.

When addressing the committee members of the public should:

- keep observations brief and relevant;
- speak slowly and clearly;
- for rights of way matters, limit views to those relevant to the legal tests under consideration;
- for planning matters limit views to relevant planning issues such as:
  - the impact of the development on the character of the area;
  - external design, appearance and layout;
  - impact of the development on neighbouring properties;
  - highway safety;
  - planning policy and government guidance.
- avoid referring to issues such as safety, maintenance and suitability for rights of way definitive map modification matters, as they cannot be taken into account;
- avoid referring to matters, which are not relevant to planning considerations, such as:
  - trade objections from potential competitors;



- personal comments about the applicant;
  - the developer’s motives;
  - moral arguments;
  - matters covered by other areas of law;
  - boundary disputes or other private property rights (including restrictive covenants).
- remember you are making a statement in public: please be sure that what you say is not slanderous, defamatory or abusive in any way.

### **Can I provide handouts or use visual aids?**

No. Letters and photographs, or any other items must not be distributed at the meeting. These must be provided with your written representations during the consultation period in order to allow time to assess the validity, or otherwise, of the points being raised. To ensure fairness to all parties, everyone needs to have the opportunity to consider any such information in advance to ensure that any decision is reasonably taken and to avoid potential challenge.

### **What happens at the Committee?**

After formal business such as declarations of interest and signing of minutes the meeting moves on to planning applications.

- The planning / rights of way officer will present the application including any updates.
- The Chairman will invite those who have registered to speak to address the committee and each speaker is allocated a maximum of three minutes.
- The applicant or their representative will be allowed up to three minutes speaking time in total between them both.
- The order of speaking will normally be: individual members of the public and groups; the applicant or their representative and then; parish/town council representative. Any such group or council will normally be given one three minute slot each for any representations to be made on its behalf.
- If one or more of the relevant Dorset Council Ward Members wishes to address the committee, they will each be allowed three minutes to do so.
- Neither the objectors or supporters will normally be questioned. However, the Chairman may ask questions to clarify a point of fact in very exceptional circumstances.
- Public participation then ends and the committee will enter into the decision making phase. During this part of the meeting only members of the

committee and officers may take part.

- The Chairman of the Committee has discretion over how this protocol will be applied and has absolute discretion over who can speak at the meeting.

You should not lobby members of the committee or officers immediately prior to or during the committee meeting. Members of the public should also be aware that members of the committee are not able to come to a view about a proposal in advance of the meeting because if they do so it may invalidate their ability to vote on a proposal. Equally any communication with members of the committee during the meeting is to be avoided as this affects their ability to concentrate on the matters being presented at that time.

You should note that the council has various rules and protocols relating to the live recording of meetings.

### **What happens after the Committee?**

The minutes, which are the formal record of the meeting, will be published after the meeting and available to view in electronic and paper format, as a matter of public record, for a minimum of six years following the date of the meeting. Please note that if you attend a committee meeting and make oral representations to the committee, your name, together with a summary of your comments will be included in the minutes of the meeting.

# Agenda Item 5

Eastern Planning Committee

6 April 2022

<b>Application Number:</b>	6/2021/0314		
<b>Webpage:</b>	<a href="https://www.dorsetcouncil.gov.uk/planning-application/6/2021/0314">Planning application: 6/2021/0314 - dorsetforyou.com (dorsetcouncil.gov.uk)</a>		
<b>Site address:</b>	Purbeck Centre (former Grammar School), Northbrook Road, Swanage, BH19 1QE		
<b>Proposal:</b>	Demolition of former school, buildings & structures. Erection of 90 dwellings & the formation of a new vehicular access from Northbrook Road.		
<b>Applicant name:</b>	Barratt David Wilson Homes Southampton		
<b>Case Officer:</b>	Peter Walters		
<b>Ward Member(s):</b>	Cllr Suttle and Cllr Trite		
<b>Publicity expiry date:</b>	31 January 2022	<b>Officer site visit date:</b>	various
<b>Decision due date:</b>	3 September 2021	<b>Ext(s) of time:</b>	30 January 2022

1.0 The application is referred to Committee at the request of the nominated officer.

2.0 **Summary of recommendation:**

**A) GRANT subject to conditions** (see section 16.0 and 17.0) **and the completion of a satisfactory planning obligation to secure Affordable Housing and SANG Management**

OR

**B) Refuse permission if the required Legal agreement to secure Affordable Housing and SANG Management is not completed by 6 October 2022 or such extended time as agreed by the Head of Planning.**

3.0 **Reason for recommendation A):** as set out in paras 16 at end

- 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 site is identified in the Swanage Local Plan as being suitable for the provision of 90 dwellings.
- The location is considered to be sustainable and the proposal is acceptable in its design and general visual impact.

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- There is not considered to be any significant harm to neighbouring residential amenity.
- There are no material considerations which would warrant refusal of this application
- The development will secure **30** affordable housing units and an integrated SANG Management through a section 106 legal agreement.

OR

- **B) Refuse for the reasons set out in the officer report if the Legal agreement is not completed:** as set out in paras 16 at end

#### 4.0 Key planning issues

Issue	Conclusion
Principle of development	Acceptable
Impact on the character of the area	Acceptable subject to conditions
Impact on the AONB	Acceptable subject to conditions
Impact on neighbouring amenity	Acceptable subject to conditions
Affordable Housing Provision	Acceptable subject to S106 agreement
Loss of community facility	Acceptable
Loss of Sports Pitch	Acceptable
Access and Parking	Acceptable subject to conditions
Flooding and Drainage	Acceptable subject to conditions
Biodiversity	Acceptable subject to condition
Protected heathlands	Acceptable subject to mitigation through CIL

#### 5.0 Description of Site

5.1 The application site is a two-hectare plot of land situated on urban land to the east of Northbrook Road in the northern end of Swanage.

The site comprises land formerly in use as a secondary school. At the southern end of the site is the former two storey Grammar school building with associated ancillary buildings.

The school closed in the 1970s, the last implemented lawful use of the site was as a residential field centre 'The Purbeck Centre' and holiday letting units (use class C2 "Residential Institutions) (application references 6/2005/0344 and 6/2006/0548).

The northern portion of the site which previously comprised the school playing field has permission for 52 dwellings (6/2005/0344 & 6/2006/0548), the permission has been legally commenced but the houses have not yet been built. Also present on the northern part of the site is a two-storey building known as the Lodge, which was associated with the school. The Lodge, which was previously in residential use has consent to be demolished. At the southern end of the site is the former outdoor

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swimming pool associated with the former school. The former school building and the swimming pool have consent to be demolished.

- 5.2 The topography of the application site is largely flat, with the site set slightly below the road level. Aside from trees on the southern and eastern boundaries of the site and surrounding the outdoor swimming pool, the site is largely open.
- 5.3 The grammar school building is a prominent feature in the local landscape, it dates from the 1920s and is an attractive red brick building with period fenestration and a long narrow form. The long roof form is broken by the bell tower and wind vane, forming a local point of interest.
- 5.4 To the north of the site is 'St Mary's' primary school and 'Little Birds' pre-school and their associated playing fields. Beyond the primary school are open fields. To the east of the site is the Swanage Cricket Club, comprising of the cricket pitch and club house. To the south of the site is Days Park, an area of public open space that comprises a mix of open fields, wooded walks, Swanage Town Football Club and a children's play area.

To the west of the site, across Northbrook Road is a recent residential development of 90 houses with a SANG ('Compass Point' - granted under reference 6/2017/0713)

D'Urberville Drive opposite the site to the south-west is a mid-twentieth century suburban development comprising of detached bungalows. Greensands Way to the west is higher density development, forming part of the Compass Point development, granted planning permission (6/2017/0713) and comprising of predominantly 2 storey buildings.

To the north of the Compass Point development are three areas of land dedicated to use as Suitable Alternative Natural Greenspace (SANG), in connection with the Compass Point development and the planning permissions granted on the application site.

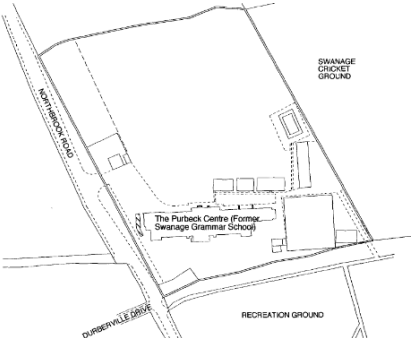
- 5.5 In common with all of Swanage, the site is situated within the Dorset Area of Outstanding Natural Beauty (AONB). The area is defined as the Corfe Valley Character Area in the AONB Management Plan's landscape character assessment.

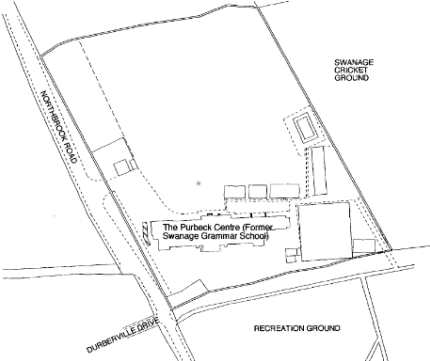
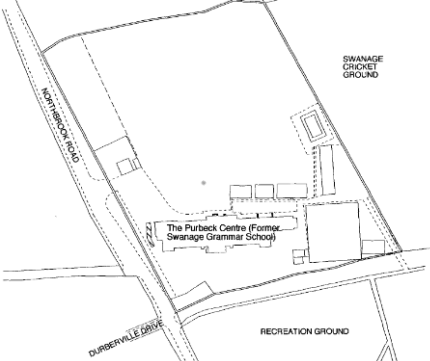

## **6.0 Description of Development**

- 6.1 The application, submitted in Full, seeks planning permission to erect 90 Dwellings together with the formation of access roads and open space. The dwellings range from 1 storey to 3 storey in height and comprise a mixture of detached, semi-detached houses and blocks of flats Accommodation mix ranges from. . 30 affordable dwellings will be provided as part of the scheme, comprising 1-to-4-bedroom units. to include 8 one-bedroom units, 12 two-bedroom units, 8 three-bedroom units and 2 four-bedroom units.
- 6.2 The accommodation schedule is as follows:

Swanage Grammar School - Overall							idp PARTNERSHIP NORTHERN				
BDW SOUTHAMPTON							ha	acres			
							GROSS SITE AREA	2.03	5.03		
							NET SITE AREA	1.71	4.23	14-Sep-2021	
HOUSE TYPE	BEDROOM	CONFIG	STOREYS	NO	MIX	SQ FT	SQ M	TOTAL SQ FT	TOTAL SQ M		
<b>PRIVATE</b>											
FALKIRK (GROUND FLOOR)	2	Apartment	3	4	4	636	59.09	2544	236.36		
FALKIRK (UPPER FLOOR)	2	Terr/semi	3	8	9	665	61.78	5320	494.24		
ROSEBERRY	2	Terr/semi	2	4	4	679	63.08	2716	252.32		
RICHMOND	2	Terr/semi	2	4	4	711	66.00	2844	264		
ELLERTON	3	Terr/semi	2	16	18	830	77.11	13280	1233.76		
MORESBY	3	Terr/semi	2	10	11	854	79.34	8540	793.4		
KINGSVILLE	4	Terr/semi	2.5	10	11	1072	99.59	10720	995.9		
KINGSLEY	4	Detached	2	2	2	1085	100.80	2170	201.6		
KENFORD	4	Detached	2	2	2	1139	105.82	2278	211.64		
<b>AFFORDABLE</b>											
CHUDLEIGH (GROUND FLOOR)	1	Apartment	2	4	4	454	42.18	1816	168.72		
DURSLEY (UPPER FLOOR)	1	Apartment	2	4	4	576	53.51	2304	214.04		
HT1 (GROUND FLOOR)	2	Apartment	2	3	3	620	57.6	1860	172.8		
HT2 (FIRST FLOOR)	2	Terr/semi	2	3	3	724	67.2	2172	201.6		
T51	2	Terr/semi	2	6	7	838	77.85	5028	467.1		
T52	3	Terr/semi	2	7	8	927	86.12	6489	602.84		
T55	3	Terr/semi	2	1	1	957	88.91	957	88.91		
T54	4	Terr/semi	2	2	2	1103	102.47	2206	204.94		
			<b>TOTAL</b>	<b>90</b>	<b>100</b>			<b>73244</b>	<b>6804.17</b>		
<b>OVERALL TOTAL S</b>				<b>90</b>				<b>73244</b>	<b>6804.17</b>		

## 7.0 Relevant Planning History

Application reference	Description	Decision	Comment / Plan
6/2001/0787  Purbeck Centre, Northbrook Road, Swanage.	Change of use to self-catering holiday accommodation.	<b>Approved:</b> Decision notice issued 20/12/2001	
6/2005/0344  Purbeck Centre, Northbrook Road, Swanage.	Use of the premises for Class C2 use (Residential Institutions) - Approved	<b>Approved:</b> Certificate issued 01/06/2005	Certificate of Lawful Use (Existing) established that sufficient evidence has been submitted to show that the premises have been used for a period in excess of 10 years pursuant to an express grant of

			<p>planning permission in 1977, as a residential education and activity centre falling within the definition within Class C2 and the Town and Country Planning (Use Classes) Order 1987 as a residential school, school, college or training centre.</p> 
<p>Purbeck Centre, Northbrook Road, Swanage.</p>	<p>Change of use to self-catering holiday accommodation Class C1 - (Renewal of PP 6/2001/0787).</p>	<p><b>Approved:</b> Decision notice issued 01/08/2006</p>	<p>Restriction of use to holiday accommodation only (condition 3) with a maximum 4-week occupancy (condition 4).</p> 
<p>6/2012/0079  Former Grammar School Site/Purbeck Centre, Northbrook Road, Swanage, BH19 1QE</p>	<p>O/A - Demolition of existing house. Outline application for a residential development of 52 units (50/50 mix market and affordable housing) with access via Northbrook Road. Change of use of former school from C2 (Residential Institutions) to D1 (Non-Residential Institution). This will involve the</p>	<p><b>Approved:</b> Decision issued 31/07/2012</p>	<p>Relates to northern part of site only. Planning permission legally commenced but houses not built.</p> 

	demolition of existing extension, portable buildings and hut, combined with a new single storey and two storey extension and sports hall. Create new access to Northbrook Road and move existing access.		
6/2013/0150  Former Grammar School Site/Purbeck Centre, Northbrook Road, Swanage, BH19 1QE	O/A - Demolition of existing house. Outline application for a residential development of 52 units (50/50 mix market and affordable housing) with access via Northbrook Road.	<b>Refused – allowed on appeal</b> Initial decision notice issued on 29/05/2013. Appeal decision 17/06/2014 (appeal reference: APP/B1225/A/13/2209425)	Relates to northern part of the site only.  Reasons for refusal (summarised): 1. Outside the defined settlement of Swanage, approval would be premature and prejudicial to the Swanage Local Plan achieving its objectives.  2. Harm to the AONB surroundings from urban character and potential loss of landscaping.  3. Disturbance arising from activities at adjoining school harmful to amenities of future occupiers.  4. Contrary to Policy AH (affordable housing) of the adopted Purbeck Local Plan Part 1 as no affordable housing secured by planning obligation.  5. Impact on European Sites- no commitment to SANG provision  6. Failure to secure Development Contributions towards Transport Infrastructure in Purbeck
Appeal decision: Refusal reasons 4, 5 and 6 were not pursued by the Council as a CIL charging schedule had been introduced and a Unilateral Undertaking offered by the applicant to provide a SANG.			




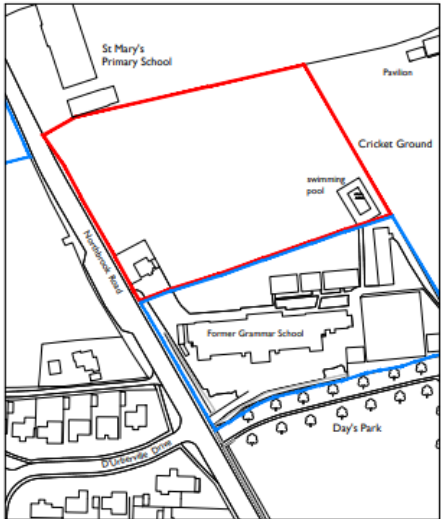

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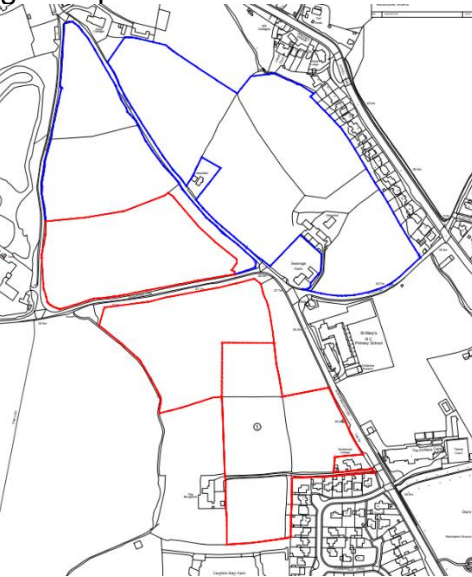

The Inspector felt that it would not be premature to grant permission as the Swanage Local Plan was being drawn and the subject of consultation at the time of the appeal. Also considered that extant permission for residential development as part of a larger scheme for the use of the buildings back to a school weighed in favour of the scheme. The Inspector concluded that the site is inherently suitable for housing.


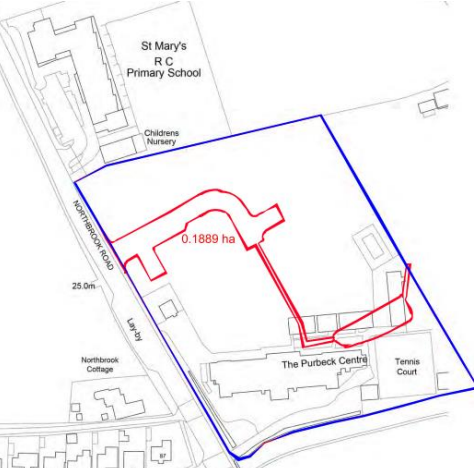
The Inspector concluded that the proximity of the (then) proposed school to the residential development. They concluded that the two uses were not incompatible, and the relationship is one that is established in other locations up and down the country. 6/2013/0150 plan:



<p>6/2016/0278</p> <p>Land to West of Northbrook Road and South of Washpond Lane, Swanage, BH19 1QA.</p>	<p>Change of use of land from agriculture to public open space for use as suitable alternative natural green space.</p>	<p><b>Approved:</b> Decision issued 11/07/2016</p>	<p>Planning permission for SANG to serve application 6/2013/0150</p> 
<p>6/2016/0769</p> <p>Land Adjacent Swanage Grammar School, Northbrook Road, Swanage, BH19 1QE</p>	<p>Demolition of existing house, construction of residential development of 52 units (50/50 mix market and affordable housing) with access via Northbrook Road - Reserved matters</p>	<p><b>Approved:</b> Decision issued 31/5/2017</p>	<p>Relates to the northern part of the site only</p>

	<p>application seeking approval for access, appearance, landscaping, layout and scale.</p>		
<p>6/2016/0753 Purbeck Centre, Northbrook Road, Swanage, Dorset, BH19 1QE</p>	<p>Demolition of the former Swanage Grammar School and ancillary buildings and erection of 39 new dwellings with associated infrastructure.</p>	<p><b>Refused:</b> Decision issued on 31/05/2017</p>	<p>Relates to the southern part of the site only. Reasons for Refusal (summary): 1. Lack of 'bespoke' measures to mitigate harm to biodiversity and geodiversity, DH – Dorset heaths international designations as supported by the Dorset Heathlands Planning Framework, Supplementary Planning Document and Policy SS (Swanage Settlement) of the emerging Swanage Local Plan. 2. Lack of affordable housing provision</p> 
<p>6/2017/0713 Compass Point, Land West of</p>	<p>Erection of 90 dwellings with access via Northbrook Road, associated</p>	<p><b>Approved:</b> Decision issued 25/01/2019</p>	<p>Planning permission for development on the western side of Northbrook Road. Includes permission for SANG that will be incorporated with the SANG</p>

<p>Northbrook Road, Swanage</p>	<p>landscaping, drainage and provision of a Suitable Alternative Natural Greenspace (SANG) to the north and south of Washpond Lane.</p>		<p>approved by planning permission 6/2016/0278 to form a larger greenspace.</p> 
<p>6/2019/0221  Purbeck Centre, Northbrook Road, Swanage, BH19 1QE</p>	<p>Demolition of the former Grammar School and ancillary buildings and erection of 39 new dwellings with associated infrastructure</p>	<p><b>Approved:</b> Decision issued 24/03/2021</p>	<p>Relates to the southern part of the site.</p> <p>Agreement by Natural England regarding the SANG provision overcame previous reason for refusal (second related to a S106 not being prepared for affordable housing – this matter was acknowledged as being able to be overcome if there were not other reasons for refusing the application.)</p> 
<p>6/2021/0074  Land east of Northbrook Road, Swanage</p>	<p>Temporary permission for a period of 12 months to use the land East of Northbrook Road, and the existing access thereto, for a Site Compound in association with the</p>	<p><b>Approved:</b> Decision issued on 17/12/2021</p>	<p>Temporary planning permission for a site compound. If this application is refused the site must be restored after 12 months.</p>

	<p>adjacent development (reference: 6/2017/0713; granted 25/01/2019 to erect 90 houses and associated infrastructure) at Land West of Northbrook Road, Swanage (retrospective)</p>		
<p>P/FUL/2021/02799  Former Grammar School Site/Purbeck Centre Northbrook Road Swanage</p>	<p>Create new vehicular access road from Northbrook Road into the site of the former Swanage Grammar School (temporary 1 year permission)</p>	<p><b>Approved:</b> Decision issued on 23/12/2021</p>	<p>Road must be removed by Jan 2025 if planning permission for development it is intended to serve is not granted.</p> 

## 8.0 List of Constraints

Area of Outstanding Natural Beauty : (statutory protection in order to conserve and enhance the natural beauty of their landscapes - National Parks and Access to the Countryside Act of 1949 & Countryside and Rights of Way Act, 2000)

Heathland Consultation Area: within 5km of a European Habitat (SSSI).

Record of protected species: Bats have been recorded on the site.

## 9.0 Consultations

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

### Consultees

#### 1. Natural England - Somerset and Dorset Team (11/08/2021)

- No objection – as long as SANG Management Plan has an integrated approach to the two former SANGs.

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**2. Sport England (08/07/2021)**

- No objection to loss of sports pitch subject to appropriate level of contributions and/ or playing pitches.

**3. Swanage Town Council (25/11/2021)**

- No objection
- Wish to see existing brick wall retained
- Wish consideration to be given to access point, given proximity to the school due to highway safety concerns.
- Wish to see footpath connection to Days Park

**4. Ward Member – Cllr Suttle (26/07/2021)**

- Concerns regarding whether the development would be in keeping with existing development.
- Overdevelopment of the site.

**5. DC - Urban Design (13/08/2021 and 15/12/2021)**

- Initial objection to layout, design approach, building heights, on street parking and use of materials
- Following further discussions and some amendments to the scheme objections are now overcome.

**6. Wessex Water (16/07/2021)**

- No objections

**7. Southern Gas Networks (was Transco) (07/07/2021)**

- No objection – advise that gas pipelines are in vicinity of site – take note of no dig zones

**8. Dorset AONB Team (23/07/21 and 19/01/2022)**

- No objection in principle to the development
- Consideration should be given to the materials used and the planting provided

**9. DC – Landscape (19/10/2021)**

- Initial objections overcome.

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- No objection subject to conditions and informatives
- 10. DC - Transport Development Management (04/08/2021)**
- No objection, subject to conditions and informatives
- 11. DC - Housing Policy (12/07/2021)**
- Identified need for affordable housing
  - Quantum of affordable housing acceptable
  - Tenure mix acceptable subject to capacity of two-bedroom flats
- 12. DC - Minerals and Waste (27/07/2021)**
- No objection
  - Recommend consideration of dust potentially generated by brickworks 434m from site
- 13. DC - Lead Flood Authority (22/12/2021)**
- No objection in principle
  - Drainage scheme considered to be acceptable, subject to it performing its landscape function
- 14. DC - Planning Policy (19/10/2021)**
- Principle acceptable
  - Need to ensure officers are satisfied with housing mix
  - Ensure that Natural England are satisfied with SANG arrangement
  - First homes not applicable to this application as previously granted planning permission
- 15. DC - Env. Services – Protection (26/22/2021)**
- Any expected contamination must be reported
  - Submitted construction management plan considered to be acceptable
  - Conditions and informatives required
- 16. DC – Design and Conservation (05/08/21)**
- No objections

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**17. DC – Countryside Team (18/01/2022)**

- No objections subject to conditions and informatives

**Representations received**

The application was advertised by means of a site notice on the 05/07/2021 with an expiry date of 29/07/2021 and a press advert (Bournemouth Echo) with an expiry date of 01/08/2021

<b>Total - Objections</b>	<b>Total - No Objections</b>	<b>Total - Comments</b>
41	1	27

In addition to letters of representation, an online petition has also been submitted to the Council with 1109 signatures (at the time of preparing the report). The petition raises concerns about the potential impact of construction works on the health of the children in the neighbouring school and pre-school and also concerns regarding the safeguarding of the children. It is noted that the petition includes comments made by people from across the country and internationally.

**Summary of comments for:**

- Provides homes on a brownfield site
- Buildings fit with the character of the area
- Sufficient parking spaces provided

**Summary of comments against:**

- Should not be allowed in an AONB
- Increasing road traffic with resultant highway safety and pollution concerns
- Lack of provision for infrastructure and lack of amenities (e.g. supermarket)
- Loss of wildlife habitat and biodiversity interests and impact on trees
- Concerns of overlooking onto the school from the houses
- Impact of the construction process
- Boundary treatments should be confirmed
- Density of development too high
- Loss of informal footpath to Ulwell

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- Significant increased surface water run off and risk of flooding to other properties
- Query the need for further housing and the sustainability of the housing
- Concerns for the potential of asbestos to be present in the existing building
- Objections to the demolition of the old school building – could be converted into flats
- Safeguarding concerns of children in the neighbouring school
- Affordable housing units are not sufficiently tenure blind

## 10.0 Relevant Policies

### The Development Plan

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.

#### Purbeck Local Plan Part 1

Policy LD: General Location of Development

Policy HS: Housing Supply

Policy AHT: Affordable Housing Tenure

Policy AH: Affordable Housing

Policy BIO: Biodiversity and Geodiversity

Policy DH: Dorset Heaths International Designations

Policy FR: Flood Risk

Policy D: Design

Policy LHH: Landscape, Historic Environment and Heritage

Policy IAT: Improving Accessibility and Transport

#### Swanage Local Plan

Policy SS: Swanage Settlement

Policy SHM: Swanage Housing Mix

Policy SGI: Swanage Green Infrastructure

### Other Material Considerations

#### Emerging Purbeck Local Plan:

Officers have considered the emerging Purbeck Local Plan when assessing this planning application. The plan was submitted for examination in January 2019. At the point of assessing this planning application the examination is ongoing following hearing sessions and consultation on proposed Main Modifications (carried out between November 2020 and January 2021). The council's website provides the



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latest position on the plan's examination and related documents (including correspondence from the Planning Inspector, council, and other interested parties). Taking account of Paragraph 48 of the National Planning Policy Framework, the plans progress through the examination and the councils position following consultation on proposed Main Modifications, at this stage only very limited weight can be given to this emerging plan.

The following policies of the emerging Local Plan are considered relevant to the application but cannot be given any significant weight in the decision-making process:

Policy E1: Landscape

Policy E4: Assessing flood risk

Policy E5: Sustainable drainage systems (SuDs)

Policy E7: Conservation of protected sites

Policy E8: Dorset heathlands

Policy E10: Biodiversity and geodiversity

Policy E12: Design

Policy I2: Improving accessibility and transport; and,

Policy I3: Green infrastructure, trees, and hedgerows

Supplementary Planning Documents/Guidance:

- Purbeck District Design Guide Supplementary Planning Document adopted January 2014.
- The Dorset Heathlands Planning Framework 2020-2025 adopted March 2020
- National Planning Policy Framework revised July 2021
- National Planning Practice Guidance
- Affordable housing supplementary planning document 2012-2027 adopted April 2013.
- Purbeck Strategic Flood Risk Assessment 2018
- Bournemouth, Poole, and Dorset residential car parking study May 2011 – guidance
- Dorset Biodiversity Appraisal and Mitigation Plan.

National Planning Policy Framework

Section 2: Achieving sustainable development:

Paragraph 11 sets out the presumption in favour of sustainable development. Development plan proposals that accord with the development plan should be

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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.

#### Section 4: Decision-taking:

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

#### Section 5: Delivering a sufficient supply of homes

Outlines the government's objective in respect of land supply with subsection 'Rural housing' at paragraphs 78-79 reflecting the requirement for development in rural areas.

#### Section 9: Promoting sustainable transport

Requires potential impacts of development on transport networks to be addressed and opportunities for sustainable travel to be identified.

#### Section 12: Achieving well-designed places

Indicates that all development to be of a high quality in design, and the relationship and visual impact of it to be compatible with the surroundings. In particular, and amongst other things, Paragraphs 126 – 136 advise that:

- The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces, and wider area development schemes.
- Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

#### Section 14: Meeting climate change, flooding, and coastal change

Requires development to avoid areas of highest flood risk and be made safe for its lifetime without increasing flood risk elsewhere.

#### Section 15: Conserving and enhancing the natural environment

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Requires Local Planning Authority to give “great weight” to conserving and enhancing landscape in AONBs (paragraph 176). Paragraph 177 states that permission should be refused for major development in the AONB other in exceptional circumstances. An assessment of the exceptional circumstances should be taken considering the need for development, the cost of and scope for developing outside of the designated area and any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which it can be moderated.

### **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.

- An off-road pedestrian access will be provided to Days Park.
- A condition is proposed requiring measures to be taken to safeguard the amenity of the children and staff at the neighbouring primary school and pre-school.

### **13.0 Financial benefits**

What	Amount / value
Material Considerations	
Affordable Housing	30 units
Non Material Considerations	
CIL	£1,857,571.34
New Homes Bonus	£2340pa paid for 6 years

## 14.0 Climate Implications

- 14.1 The site is within one of the towns in Purbeck, providing amenities that can be accessed without requiring the use of a car.  
The development on this site will need to comply with the current Building regulations in terms of energy efficiency

## 15.0 Planning Assessment

The main considerations involved with this application are:

- Principle of development
- Scale, design and impact on the character of the area
- Impact on the AONB
- Impact on neighbouring amenity
- Affordable housing
- Loss of a community facility
- Loss of a sports pitch
- Access and parking
- Drainage and flooding
- Biodiversity/heathlands

These points will be discussed as well as other material considerations under the headings below.

### **Principle of development**

- 15.1 The site is situated within the settlement boundary of Swanage. Policy LD: Location of Development of the Purbeck Local Plan Part 1 states that development should be situated within settlement boundaries. The policy also provides a hierarchy of settlements, with the towns, including Swanage, being at the top of the hierarchy.
- 15.2 The Swanage Local Plan forms part of the development plan document. The site is identified in Policy SS: Swanage Settlement of Swanage Local Plan as being suitable for the provision of 90 dwellings. The policy sets out the requirement for development on the site to achieve “*an appropriate balance in maximising the opportunity to provide housing, whilst minimising negative landscape impact on and, where possible, enhancing the AONB*”.

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- 15.3 Policy SS of the Swanage Local Plan also requires development to deliver appropriate new public open space (Suitable Alternative Natural Greenspace). The development should provide safe and sustainable access to local facilities, particularly for pedestrians, cyclists and public transport users. Where appropriate it should also provide an improvement to the local highway network. The policy also requires the development to be in accordance with all relevant policies in the Purbeck Local Plan Part 1 including Policy D: Design.
- 15.4 Subject to meeting the requirements of the above policies and subject to other material planning considerations, the proposal is considered to be acceptable in principle. As detailed in the report it is considered that these are all suitably resolved, therefore the principle is considered to be acceptable.
- 15.5 Officers have conducted an EIA Screening and concluded that the development, while meeting the criteria of paragraph 10(b) of Schedule 2 of the EIA Regulations 2017, it falls below the threshold of 150 houses set out in the schedule. However, as the site is in a sensitive location (within the Dorset AONB), the development has been further screened. Officers conclude that the proposal is not to have a likely significant impact and therefore is not considered to be EIA development. The Screening Opinion is available on the planning file.

### **Impact on the character of the area**

#### **Building Heights**

- 15.5 The proposed development will be characterised by predominantly two storey dwellinghouses, the majority of which are semi-detached or terraced properties. The proposal includes five pairs of 2.5 storey semi-detached dwellings, largely focussed around the south eastern corner of the site. In addition, the proposal includes two blocks of apartments that are three storeys tall. These follow the rough alignment of the existing school building that will be demolished. Some of the properties have detached single storey garages. The building heights are comparable with the Compass Point development across Northbrook Road. The three storey apartment blocks will be of a comparable height to the existing school building. Officers are satisfied that the building heights are not incompatible with the character of the area, particularly in the context of the former buildings on the site.

#### **Layout**

- 15.6 The site is accessed by means of one access road to the north western end of the site leading to a number of cul-de-sacs. While the Senior Urban Design Officer has stated that the use of cul-de-sacs is not the preferred layout for housing developments, it is acknowledged that the layout of the site is constrained by the allocation for this site.

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15.7 The development will have a mixture of an active frontage onto Northbrook Road at the northern end and car parking for units 71-80. It is acknowledged that car parking on the road frontage is not a preferential layout design, however, this will be offset by the inclusion of tree planting on the boundary of the site.

15.8 The layout is considered not to be unduly harmful to the character of the area.

#### Landscape

15.9 A landscaping plan has been submitted with the proposals. It relies largely on tree planting along the western boundary of the site (fronting on Northbrook Road) and some tree planting within the site. In accordance with paragraph 131 of the NPPF, the roads are all tree lined. In terms of green open space, the applicant is proposing that the SUDs basin can also function as a public open space. It is not expected that water will be retained in the basin all year around. Clarification has been sought on the gradient of the basin and the applicant has confirmed that the gradient will not exceed 1:3. This is the maximum gradient that can be accommodated while safely allowing public access. Policy SGI of the Swanage Local Plan requires all development to take account of the Swanage Green Infrastructure Strategy, and that applications for major development should be accompanied by a statement setting out how the proposals:

- Will avoid damage or loss to the existing green infrastructure network (as defined in the Swanage Green Infrastructure Strategy) unless such damage or loss is outweighed by other benefits of the development.
- Will maximise any opportunities to improve and enhance the green infrastructure network, in line with the Swanage Green Infrastructure Strategy.

15.10 In this instance, officers are content that these matters are suitably resolved by the application. In terms of hard landscaping, the applicant has proposed the use of tarmac with the exception of the shared surface area, which will be block paving in a burnt ochre colour, and private paths and patios within curtilages which will be grey paving slabs. Officers had concerns that the block paving may give an urban looking finish if they are a functional concrete block, this has been addressed by the applicant, proposing instead Contrysetts in grey with white blocks to demarcate parking spaces. This is considered to be a more suitable solution. The submitted hard landscaping proposals are therefore considered to be acceptable.

15.11 In principle the proposed landscaping is considered to be acceptable, although additional detail will need to be provided, including plant schedules and maintenance and management details in order to meet the requirements of Policy SGI. This can be dealt with through a planning condition. (Condition 6)

#### Design and materials

- 15.12 The area is a modern suburb of Swanage and as such there is no established architectural style or use of materials (the historic core of Swanage utilises Purbeck Stone however this is largely not reflected in the mid twentieth century development that characterises this part of the town). The form of the buildings is traditional, with two storey pitched roofs on all the buildings and the use of dormer windows on some of the buildings. This form is considered to be acceptable in the area, given the variety of architectural styles employed and while not distinctive, is not considered to be harmful to the character of the area. The design of the units closely follows that of the neighbouring Compass Point development and as such provides a degree of uniformity in design.
- 15.13 The three-storey apartment block also features gable ends on the roof providing a focal point to the front elevation. Officers have raised concerns about the rear elevation of the apartment block which initially featured a continuous roof form. The design has been amended to provide a feature gable end on the rear which softens the visual impact of the building and is considered to be acceptable.
- 15.14 In terms of materials the proposal primarily utilises brick for the walls, using Lingfield Red Multi bricks and Sandallwood yellow multi bricks. Units at key focal points in the development will also be coursed with Purbeck Stone. The roofs will all be charcoal Bute slate grey interlocking tiles following feedback from the AONB Management Team. The proposed materials are considered to be acceptable.

#### Boundary Treatment

- 15.15 A boundary treatment plan has been submitted. The northern boundary will feature 1.8m high close boarded timber fencing. The same will be used for units 43 and 46-49 on the southern boundary of the site. Within the site, the boundary treatment is comprised of a combination of 1.8m close board timber fencing, 1.8m reducing to 1.2m close board timber fencing, 1.8m Purbeck Stone wall with coping in prominent areas and 1.8m brick wall with brick plinths.
- 15.16 The proposed boundary treatment details submitted are considered to be acceptable however details have not been provided of boundary treatment for site boundaries not attached to the curtilage of the residential units. A condition will be required to ensure that all site boundaries are adequately considered. ( Condition 5)

#### Impact on the AONB

- 15.17 The site is situated within the Dorset Area of Outstanding Natural Beauty (AONB). The character area is defined as the Corfe Valley Character Area which is a clay valley. These are characterised as having a settled rural character with coastal influences, featuring a patchwork of rolling pastures and scattered woodlands. In this instance, the site forms part of the periphery of Swanage as it transitions from an urban to a rural character.

15.18 Paragraph 177 of the NPPF states that:

**177.** When considering applications for development within National Parks, the Broads and Areas of Outstanding Natural Beauty, permission should be refused for major development <sup>60</sup> other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

(a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;

(b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and

(c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

Footnote 60 advises that whether a development is considered to be “major” for the purposes of paragraph 177 is a matter for the decision maker, taking account of the nature scale and setting and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.

15.19 In this instance, the Dorset AONB Management Team advise that this development could reasonably be considered “major” for the purposes of paragraph 177 and advise that the above test should be taken into consideration when determining whether the development is acceptable. Taking each point in turn, the need for development is considered to be established as the site is allocated for development within the Swanage Local Plan. The need for housing in Swanage is established by the development plan and is to be addressed through the development of allocated sites, including this one.

15.20 The boundary of the AONB is approximately 8 miles away, to the south of Wareham and in a different market housing area. Consequently, there is considered to be little scope to provide the proposed scale of housing for Swanage elsewhere.

15.21 With regards to the extent of any detrimental impact upon the AONB, it is acknowledged that there is already extant outline and reserved matters applications granting planning permission for housing development on the northern part of the site. The proposed development is overtly suburban and this contrasts with the transitional nature of the site. However, it is noted that similar development has been approved at the Compass Point development to the west of the site.

15.22 In their consultation response, the AONB Management Team have advised that the use of different roof materials would have the effect of causing a colour contrast that increases the visual impact when viewed from elevated vantage points along the Purbeck Ridge. In response the applicant has amended the design to utilise slate grey coloured roof tiles. It is suggested that further consideration should be given to



landscaping, which the applicant has also done, providing a more detailed landscape plan.

15.23 Therefore, taking into account the amendments that have been made by the applicant to the scheme, the proposal is not considered to have an unduly harmful impact upon the AONB. Having assessed the proposal against the factors set out in paragraph 177 of the NPPF, it is considered that the circumstances support approval of the proposed development which is in the public interest.

#### **Impact on neighbouring amenity**

15.24 The site is situated in an area with a number of mixed uses. To the north of the site is a Primary School and a Pre-School. To the east of the site is Swanage Cricket Club. To the south of the site is Days Park, which is a large public open space. To the west, across Northbrook Road is Compass Point residential development and the established residential street D'Urberville Drive. None of the existing uses in the area are considered to be incompatible with residential development.

15.25 The residential properties to the west of the site are situated on the opposite side of Northbrook Road. They are approximately 15m from the neighbouring residential properties opposite. While this falls below the 21m threshold suggested by the Purbeck Design Guide to avoid overlooking, the relationship is considered to be acceptable given that Northbrook Road is between the properties. It is noted that a number of the properties in Compass Point and some of the units proposed as part of this development are set further back from the road further increasing the separation between the properties.

15.26 The Cricket Club to the east of the site would not be impacted by the proposed development. The applicant has discussed the possibility of assisting the cricket club to purchase portable screens however this is not considered to be essential to ensure an acceptable relationship between the uses. The applicant proposes planting on the boundary between the Cricket Club and the application site to provide additional screening. This is considered to be acceptable.

15.27 To the north is the primary school and pre school. The Council has received correspondence from members of the public who are concerned about the proposed development on the grounds of the disruption during the construction process and the potential for harmful overlooking once the development is complete. The Council has also been made aware of an on line petition raising the same issues.

#### **Concerns regarding the construction process**

15.28 Concerns have been raised regarding the impact of the construction process on those using the neighbouring school and pre-school. It is anticipated that a degree of dust and noise will be generated during the construction process. The applicant has

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prepared a construction management statement in which they outline a number of ways in which they will seek to reduce the impact of the works. These include:

- Acoustic fencing along the northern site boundary
- All subcontractors will be provided with a briefing regarding minimising noise levels and upholding high standards of conduct.
- Where possible, plots nearest the school will utilise strip foundations instead of piling. According to the plan attached to the management statement, no houses on the boundary with the school will require piling foundations.
- Plots on the northern boundary to be constructed during the winter season to reduce dust generation, and windows in the school are less likely to be open.
- Bricklayers instructed to undertake cutting as far away as possible from the school
- Scaffolding on the northern side of the site will be netted to reduce dust
- Water suppression methods will be used across the site to reduce dust and this will be monitored.
- Regular contact with the headteacher and management of the school and pre-school
- An in person briefing meeting for parents, teacher and neighbours will be arranged at the start of the construction process.
- The site manager will be available via mobile phone to address any issues that arise.

15.29 The Environmental Health Team are satisfied with this approach and officers consider that subject to a planning condition requiring the implementation of this management plan the proposal would be acceptable. ( Condition 4)

#### Potential overlooking of the school

15.30 Concerns have been raised regarding the potential for overlooking of the pre-school and school from units in the northern part of the site. The applicant proposes 1.8m close board fencing in order to address this concern. Officers consider that education facilities and residential properties are not incompatible planning uses. Officers note that in allowing the appeal for application 6/2013/0150, the appeal inspector explicitly made the point that it is commonplace for schools to be located adjacent to residential properties.

15.31 It is considered that the proposed screening for properties on the northern edge of the site will provide an acceptable degree of privacy for both the users of the schools and the residents of the dwellings.

### **Affordable Housing provision**

15.32 The proposed development includes 30 affordable units, equating to 33% affordable housing provision. Policy AH of the Purbeck Local Plan Part 1 specifies that 50% affordable housing should be provided on sites within the AONB. However, it is noted that vacant building credit can be applied to the buildings on site, in accordance with the planning practice guidance. The reduced provision is therefore identical to the provision formerly provided across the two applications for the site. This being the case, 30 units is considered to be acceptable.

15.33 Eight of the affordable housing units will have one bedroom, all of these will be affordable/ social rented units. Twelve of the units will have two bedrooms. Of these, 10 will be allocated as affordable/ social rented units, while 2 will be shared ownership. Eight of the units will have three bedrooms, of these 1 will be social rented, while 7 will be shared ownership. Finally, two 4 bedroom units will be provided. One will be affordable/ social rented, while the other will be for shared ownership.

15.34 The Council's Senior Housing Officer has been consulted on the proposal and highlighted that the proposed tenure splits do not match that of Policy AHT: Affordable Housing Tenure of the Purbeck Local Plan Part 1. However, she has indicated that she would be satisfied with this tenure split subject to the two bedroom flats being able to accommodate 4 people, instead of 3 as proposed. Officers have been in discussion with the applicant about whether this can be achieved. They have indicated that the constraints of the site prohibit this, given the allocation of 90 houses on the site. Officers therefore accept that the tenure split does not match Policy AHT but consider that the application would still meet an identified need for affordable housing in the area.

### **Loss of a community facility**

15.35 The site previously has a lawful use as a residential field centre (C2 use) and letting units, which is considered to be a community use. Policy CF: Community Facilities and Services of the Purbeck Local Plan Part 1 states that the loss of community facilities will be resisted unless it can be established that sufficient and realistic marketing, for a period of at least 9 months has occurred. However, in this instance, the site has been allocated for development in the Swanage Local Plan.

15.36 The Swanage Local Plan has been adopted more recently than the Purbeck Local Plan Part 1 and therefore in this instance, the allocation within the plan is considered to supersede Policy CF. In addition it is noted that there are two separate extant planning permissions covering the site for the development of housing. While the

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southern end is covered by an outline planning permission for 39 dwellings, the northern end of the site for 52 dwellings has commenced. Therefore, the lawful use of the northern part of the site is for residential use.

15.37 Taking the above into account of the above, the proposal is considered to be acceptable in relation to Policy CF of the Purbeck Local Plan Part 1.

### **Loss of Sports Pitch**

15.38 The site includes the former playing field associated with the school and latterly the residential centre. Paragraph 99 of the NPPF states that playing pitches should not be built on unless better or equivalent playing pitches are being provided. In this instance, the site was allocated for development by the Swanage Local Plan. The development of the new primary school to the north of the site includes a playing pitch which replaces the one that would be lost. It should be noted that the site has not functioned as an active sports field for at least 8 years as indicated by a Google Street View search.

15.39 Sport England were consulted on the proposals and so long as the replacement provision is demonstrated or appropriate contributions are made, they have no objections to the proposal.

### **Access and Parking**

15.40 Access to the site has been established through planning permission P/FUL/2021/02799. There will be a single access point for vehicles at the north western end of the site leading to a number of cul-de-sacs. There will be additional pedestrian access points to the site from the west, as well as from the south eastern corner leading to Days Park and the north east. The Highways Team have raised no objection to the proposed estate road and raised no concerns regarding highway safety concerns.

15.41 The majority of parking is provided within the curtilage of individual residential plots, with the exception being the apartment block. Each residential unit has at least one parking space. Visitor parking spaces are also provided, largely as on street laybys. In total, 150 allocated parking spaces, 14 visitor spaces and 24 unallocated spaces are provided. In accordance with the Dorset Residential Parking Study, as each residential unit has an allocated parking space, there is less need for unallocated and visitor spaces. It is also noted that previous appeal decisions have established Swanage as being considered to be a sustainable location, with previous appeal decisions allowing smaller residential developments to provide no parking provision at all.

### **Flooding and Drainage**

- 15.42 The site is situated within Flood Risk Zone 1 and therefore there is not considered to be at risk from coastal or fluvial flooding. As the site area exceeds 1 hectare, a flood risk assessment has been provided. The applicant contends that the area should be considered to be a brownfield site for the purposes of considering run-off and considering discharge rate. The Lead Local Flood Authority (LLFA) contends that the majority of the site should be considered to be greenfield. However, as part of the site is brownfield, the LLFA has accepted a higher discharge rate of surface water run off of 15l/s.
- 15.43 The surface water run-off will be discharged to a pond in the eastern end of the site where it will be attenuated and released at a rate of 15 l/s into the existing surface water sewer at the eastern site boundary. The Lead Local Flood Authority are satisfied that this scheme will work, subject to conditions regarding a detailed surface water management scheme for the site and a maintenance and management scheme. (Conditions 9 and 10)

### **Biodiversity**

- 15.44 In accordance with the Dorset Biodiversity Protocol, the applicant has submitted a survey to establish whether there are protected species on the site. The survey established the presence of bats (grey long eared and common pipistrelles) in the former school building. In accordance with the Dorset Biodiversity Protocol, a mitigation plan has been prepared and submitted to the Council's Natural Environment Team for consideration. Initially, the proposed mitigation involved the erection of a bat roost on the SANG situated between Washpond Lane and Northbrook Road. However, as the SANG is outside of the application site a further planning application would be required and a Grampian condition would need to be used to tie the two permissions.
- 15.45 The applicant has opted to consider whether alternative solutions for biodiversity mitigation could be considered. A revised mitigation plan includes the proposed bat roost situated in the south-eastern corner of the application site as opposed to the SANG. The proposal has been submitted to the Council's Natural Environment Team who have approved this approach to mitigating the impact caused to the protected species.
- 15.46 The proposals are therefore considered to be acceptable in terms of the impact upon protected species.

### **Protected heathlands**

- 15.47 The site is within 5km of SSSI and Ramsar protected heathland, but beyond the 400m buffer for development. An Appropriate Assessment has been undertaken in accordance with requirements of the Conservation of Habitats and Species

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Regulation 2017, Article 6 (3) of the Habitats Directive having due regard to Section 40(1) of the NERC Act 2006 and the NPPF, which shows that there is no unmitigated harm generated by the proposals to interests of nature importance. Natural England was consulted on the application and have advised that an Appropriate Assessment should be completed to consider the pressures generated by the development on protected heathlands and Poole Harbour for recreational purposes.

The Appropriate Assessment concludes that these matters can be satisfactorily resolved through the provision of a SANG, contributions made to the Community Infrastructure Levy (CIL) in accordance with the Dorset heathlands planning framework 2020 – 2025, and the Poole Harbour Recreation 2019-2024 SPD.

- 15.48 Policy DH: Dorset Heaths International Designations and the Dorset Heathlands SPD also advise mitigation is required to ensure that the residential development does not have a harmful impact upon the protected heathland through increased recreational pressure. To alleviate this, and in accordance with the requirements of Policy SS: Swanage Settlement of the Swanage Local Plan, a Suitable Alternative Natural Greenspace (SANG) should be provided for the development. An accompanying map relating to Policy SS outlines the proposed location for the SANG.
- 15.49 The SANG is split in 2, dissected by Washpond Lane. The majority of the land identified in the Swanage Local Plan to be used as a SANG was already in the ownership of the applicant, who developed the site to the west of Northbrook Road, now known as Compass Point. A small parcel of land designated as a SANG was in the ownership of the previous owner of the land. This parcel of land formed an inverted “L” shape and separated the SANG to the north of Washpond Lane from the SANG to the south of Washpond Lane. The two SANGs therefore functioned independently.
- 15.50 On acquiring the site, the applicant has also acquired the small SANG. Natural England have been consulted on the proposal. They have stated that while the SANG associated with the previous applications for development on land to the east of Northbrook Road is smaller than would usually be considered to be acceptable, in combination the larger SANG (in conjunction with the SANG to the north of Washpond Lane) is sufficient to mitigate the impact on the protected heathlands.
- 15.51 Natural England have asked for a revised SANG management plan to be submitted in order to ensure that the two SANGs function effectively together. The applicant has provided a Management Plan to demonstrate this.

## **16.0 Conclusion**

The proposed development is considered to be in accordance with the development and there are no material considerations that mean that the application should not be granted.

## **17.0 Recommendation**

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**a) Grant, subject to the completion of a legal agreement under section 106 of the town and country planning act 1990 (as amended) in a form to be agreed by the legal services manager to secure the following:**

Affordable Housing  
SANG Management

And subject to the following conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 100 P1, 103 P6, 105 P6, 104 P6, 110 P2, 101 P11, 102 P6, PL14 and Housetype Booklet Dec 2021

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

3. The materials used for the walls and roof of the dwellings hereby approved must be those detailed in the supplied specification document reference N81:2413 102 P6 unless otherwise agreed in writing by the Local Planning Authority.

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

4. The demolition and construction works shall be carried in accordance with the Construction Traffic & Construction Environmental Management Plan Swanage Grammar School submitted on 23rd December 2021.

Reason: In the interests of the amenity of the neighbouring school

5. The hard surfacing/paving, walls, fences or other external structures detailed on approved drawing numbered BDWS23003 Sheet 12 (Hard Landscaping Proposals) shall be completed before the first occupation of any of the dwellings hereby approved and permanently retained and maintained for the lifetime of the development

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

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6. Before groundworks take place above damp course level, a soft landscaping and planting scheme shall be submitted to, and approved in writing, by the Local Planning Authority. The approved scheme shall be implemented in full during the planting season November - March following completion of the development or within a timescale to be agreed in writing with the Local Planning Authority. The scheme shall include provision for the maintenance and replacement as necessary of any trees, shrubs or plants that die or become seriously damaged or diseased within a period of not less than 5 years from completion of development.

Reason: In the interest of visual amenity.

7. Before the development is occupied or utilised the access, geometric highway layout, turning and parking areas shown on Drawing Number 101 Rev P11 Proposed Site Layout must be constructed, unless otherwise agreed in writing by the Planning Authority. Thereafter, these areas must be maintained, kept free from obstruction and available for the purposes specified.

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

8. Prior to any groundworks starting, a detailed surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, and providing clarification of how drainage is to be managed during construction shall be submitted to and approved in writing by the Local Planning Authority. The surface water scheme shall be implemented in accordance with the submitted details before the development is completed.

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

09. Prior to any groundworks starting, details of maintenance and management of the surface water sustainable drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained for the lifetime of the development in accordance with the approved details. The scheme should include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

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

10. In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority and an investigation and risk assessment must be undertaken in accordance with requirements of BS10175 (as amended). Should any contamination be found requiring remediation, a remediation



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scheme, including a time scale, shall be submitted to and approved in writing by the Local Planning Authority. This must be carried out prior to first occupation of the dwellings. On completion of the approved remediation scheme a verification report shall be prepared and submitted within two weeks of completion and submitted to the Local Planning Authority.

Reason: To ensure risks from contamination are minimised.

11. The detailed biodiversity mitigation, compensation and enhancement/net gain strategy set out within the approved Biodiversity Plan certified by the Dorset Council Natural Environment Team on 08/12/2021 must be strictly adhered to during the carrying out of the development.

The dwellings hereby approved must not be occupied unless and until the mitigation, compensation and enhancement/net gain measures detailed in the approved biodiversity plan 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 for the lifetime of the development 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.

12. Prior to any groundworks starting, a detailed Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The statement shall include details of how the existing trees are to be protected and managed before, during and after development and shall include information on traffic flows, phased works and construction practices near trees. The development shall thereafter be carried out in accordance with the approved Statement.

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

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

Reason: In the interests of the amenities of the area

#### **Informative Notes:**

1. The applicant is advised that, notwithstanding this consent, if it is intended that the highway layout be offered for public adoption under Section 38 of the Highways Act 1980, the applicant should contact Dorset Council's Development team. They can be reached by telephone at 01305 225401, by email at

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dli@dorsetcc.gov.uk, or in writing at Development team, Dorset Highways, Environment and the Economy, Dorset Council, County Hall, Dorchester, DT1 1XJ.

2. 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.
  
3. Informative: This development constitutes Community Infrastructure Levy 'CIL' liable development. CIL is a mandatory financial charge on development and you will be notified of the amount of CIL being charged on this development in a CIL Liability Notice. To avoid additional financial penalties it is important that you notify us of the date you plan to commence development before any work takes place and follow the correct CIL payment procedure.
  
4. Informative: This permission is subject to an agreement made pursuant to Section 106 of the Town and Country Planning Act 1990 dated ## ## relating to [Insert key matters covered in the agreement]
  
5. Informative: National Planning Policy Framework Statement  
In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.  
The council works with applicants/agents in a positive and proactive manner by:
  - offering a pre-application advice service, and
  - as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

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

OR

**B) Refuse permission for the reasons set out below, if the required Legal agreement to secure Affordable Housing and SANG Management is not completed by 6 October 2022 or such extended time as agreed by the Head of Planning**

Reasons for Refusal

1. The application site has an area in excess of 2ha and the proposed development would result in a net increase of 90 dwellings. Therefore,

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in accordance with Policy AH: Affordable Housing of the Purbeck Local Plan Part 1, the development is required to make a contribution towards the provision of affordable housing. In Swanage this is at least 50% (subject to vacant building credit) of the development and must be secured by a Section 106 Legal Agreement. A Legal Agreement containing the required affordable housing detail has not been signed by the applicant. Therefore, the proposal is contrary to National Planning Policy Framework: Section 2: Achieving sustainable development, Section 4: Decision-making, and Section 5: Delivering a sufficient supply of homes; Purbeck Local Plan Part 1: Policies AH: Affordable housing and AHT: Affordable housing tenure; National planning practice guidance; and Affordable housing supplementary planning document 2012-2027 adopted April 2013.

2. The site lies within 5km of a number of Sites of Special Scientific Interest (SSSIs) which are also designated European wildlife sites, namely Dorset Heathlands Special Protection Area, Dorset Heaths Special Area of Conservation and Dorset Heathlands Ramsar. The proximity of these European sites means that determination of the application should be undertaken with regard to the requirements of the Conservation of Habitats and Species Regulations 2017, in particular Regulation 63. The proposal fails to secure the avoidance measures identified as necessary to mitigate the impact of the development, in combination with other plans and projects, on the integrity of the designated site as set out in the Dorset Heathlands Planning Framework Supplementary Planning Document (SPD) 2020-2025 and there are no imperative reasons of overriding public interest in support of the proposal. The development is therefore contrary to policy DH: Dorset Heathlands International Designations of the Purbeck Local Plan Part 1 and the NPPF paragraphs 180-182 and the Conservation of Habitats and Species Regulations 2017.
3. If planning permission is subsequently granted for this development at appeal, it will be subject to the Community Infrastructure Levy (CIL) introduced by the Town and Country Planning Act 2008. A CIL liability notice will then be issued by the Council that requires a financial payment, full details of which will be explained in the notice.

**Background Documents:**

Case Officer: Peter Walters

Eastern Planning Committee

6 April 2022

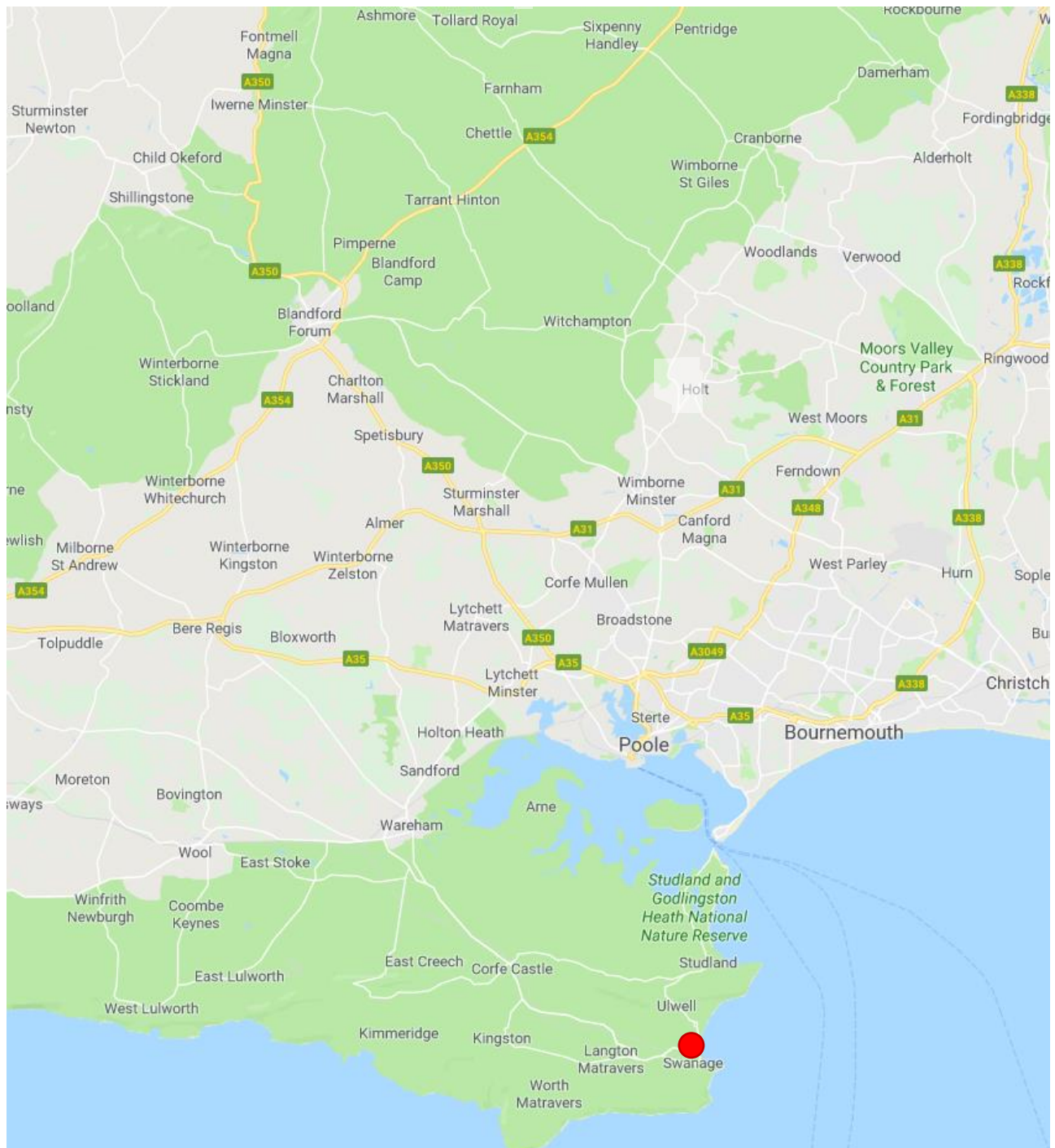
NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.

● Approximate Site Location

Application reference: 6/2021/0314

Site address: Purbeck Centre (former Grammar School), Northbrook Road, Swanage, BH19 1QE

Proposal: Demolition of former school, buildings & structures. Erection of 90 dwellings & the formation of a new vehicular access from Northbrook Road.



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<b>Application Number:</b>	3/19/2378/FUL		
<b>Webpage:</b>	<a href="https://www.dorsetcouncil.gov.uk/planning-application/3/19/2378/FUL">Planning application: 3/19/2378/FUL - dorsetforyou.com (dorsetcouncil.gov.uk)</a>		
<b>Site address:</b>	Grange Farm, Colehill, Wimborne, Dorset, BH21 4HX		
<b>Proposal:</b>	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 and plans rec'd 4/1/22 to propose access via the existing road to the south only (and not to the west via the existing agricultural track).		
<b>Applicant name:</b>	Gaunts Estate		
<b>Case Officer:</b>	James Brightman		
<b>Ward Member(s):</b>	Cllr Cook		
<b>Publicity expiry date:</b>	7 August 2020	<b>Officer site visit date:</b>	11 March 2020
<b>Decision due date:</b>	29 January 2020	<b>Ext(s) of time:</b>	8 April 2022

## 1.0 Reason application is going to committee:

- 1.1 At the request of the nominated officer in light of concerns raised by the Parish Council, the Planning Policy Officer's comments and the Ward Member's request that the application be referred to the committee.
- 1.2 The application is returned to the Eastern Planning committee for decision following deferral at the 2 December 2020 committee meeting. The reason for deferral concerned the alignment and lawfulness of the western access.
- 1.3 It is no longer proposed to use the access track to the west to serve the proposed development, the proposal has been amended to show alternative access provision to the site via an existing road to the south. The officer report has been updated accordingly.

## 2.0 Summary of recommendation:

- 2.1 GRANT subject to conditions

## 3.0 Reason for the recommendation: as set out in paras 16.1 to 16.4 in the Conclusion.

- The proposal would not result in harm to the Green Belt.
- The proposal has an appropriate layout and design and would not have an adverse impact on the character and appearance of the area or the landscape

- 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

#### 4.0 Key planning issues

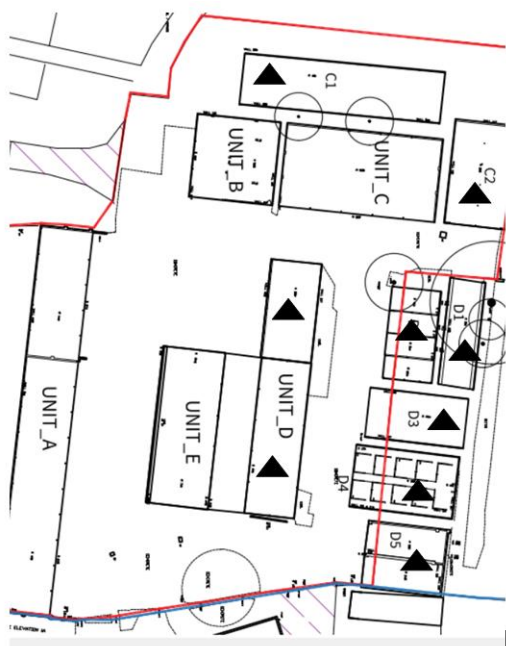
Issue	Conclusion
Principle of development	Acceptable- although the proposed development conflicts with Core Strategy Policy KS2 as the site is located outside any settlement, the site is close to the settlements of Furzehill and Wimborne and is not in an isolated position. The proposal would reuse existing building and result in enhancement to their immediate setting as a result of a reduction in building volume.
Impact on the Green Belt	Acceptable- the proposal is appropriate development in the Green Belt under NPPF paragraphs 149 & 150 and in terms of paragraph 150 would preserve Green Belt openness from the removal of buildings and not conflict with the purposes of including land in the Green Belt.
Impact on the landscape and character and appearance of the area	Acceptable- The proposal would enhance the visual impact of the site and would not result in significant harm to the character of the area
Impact on amenity	Acceptable- The proposal would have no adverse impact on the amenity of the occupants of the adjacent dwellings
Impact on road safety & parking provision	Acceptable- Use of the southern access is appropriate and sufficient on-site parking is provided.
Impact on biodiversity	Acceptable- There would be no adverse impact on biodiversity and biodiversity enhancements are proposed.

#### 5.0 Description of Site



- 5.1 The application site lies to the north of Grange, which is an unclassified public road, and immediately to the north of a small group of dwellings.
- 5.2 The immediate area is rural in character and the site is outside of any recognised settlement in the Christchurch & East Dorset Local Plan, Core Strategy (CS) being sites approximately 500m to the north east of the nearest part of the Village Infilling Area at Furzehill. It is also in the Green Belt, within 5km of internationally protected Dorset Heathland (Holt and West Moors Heath SSSI).
- 5.3 The site is approximately 0.49 hectares, relatively level and has an agricultural use, although the buildings on it are redundant for this purpose. The agricultural buildings are in various states of repair and some are proposed to be demolished.

Existing site plan – Buildings shown with a black triangle to be removed (plan orientated north)



- 5.4 In addition to serving the agricultural use, the private vehicular access to the site from the south also serves a small number of dwellings.
- 5.5 Buildings at the site have no historic merit and are not considered to be Heritage Assets.
- 5.6 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.

## **6.0 Description of Development**

- 6.1 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. The existing building labelled as Unit E on the existing site plan (proposed Unit D) is to be extended on its eastern side as the attached Unit D (as labelled on the existing site plan) is to be removed.

The table below sets out a summary of the works proposed:

Existing building	Size approx.	Proposed units	Bedrooms	Floor area	Materials
A Open fronted single storey shed. Block masonry gables, pitched roof with steel trusses.	57m x 8m Eaves 2.8m	1, 2, 3	2 each	96m <sup>2</sup>	Walls: steelwork/timber Roof: clay tiles with roof lights Fenestration: light grey window frames and doors (aluminium)
B Steel framed shed with offset ridge and lean-to element	12mx12m Eaves 4m	6	4	205m <sup>2</sup>	Walls: steelwork/timber cladding Roof: metal roof with roof lights Fenestration: light grey window frames and doors (aluminium)
C Open fronted, single storey portal framed shed	23mx12m Eaves 3.1m	4 & 5	4 each	176m <sup>2</sup>	Walls: steelwork/timber cladding Roof: metal roof with roof lights Fenestration: light grey window frames and doors (aluminium)
E Steel framed shed with pitched roof, open on three sides	23m x 9m Eaves 4.5m	Building D on proposed plan 7, 8, 9	3/4 each	157m <sup>2</sup>	Extension: Single storey with catslide roof. Footprint approx. 138sqm Walls: steelwork/timber cladding Roof: metal roof with roof lights Fenestration: light grey window frames and doors (aluminium)

- 6.2 Buildings A, B & C have been the subject of earlier Prior Approval applications for conversion to residential use. It should be noted that the prior approval process is limited in scope, any work beyond the scope of the prior approval applications requires express planning consent. Work beyond the scope of a Prior Approval includes the provision of extended residential curtilages. In addition to those buildings which were the subject of earlier applications for prior approval, the proposals also seek consent to extend, convert and change the use of a further agricultural building to residential use (Building E).
- 6.3 A Design & Access Statement (DAS) submitted as part of the application advises 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.
- 6.4 Other works proposed are the conversion of the southern end of Unit A into storage and garaging for the use of the future occupiers of the dwellings within this building, and 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.

- 6.5 The original submission proposed access the site from a long private track to the west. It is no longer proposed to use that western access track, the proposal has been amended to show alternative access provision to the site via an existing road to the south. Third party objections to this scheme advise that the southern road currently offers no right of access other than by agricultural vehicles, but the right for vehicles to use the access is a matter of land law and not a material planning consideration.
- 6.6 All the buildings shown to be demolished are in the control of the applicant and Condition 6 would secure their removal.

#### *Structural survey*

- 6.7 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 that they are suitable for conversion.
- 6.8 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.
- 6.9 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.



#### *Amended plans*

- 6.10 Amended plans submitted during the course of the application which identify the following changes;



## 7.0 Relevant Planning History

Application	Proposal	Decision	Date
P/FUL/2021/05700	Improvement works to existing agricultural access track (to include the provision of 4 passing bays) and the mixed use of the track by both agricultural vehicles and those associated with any planning permission granted at Grange Farm, Grange, Colehill	Pending	
3/21/1070/FUL	Retention of agricultural access track (running from Grange Farm to the west and then joining Grange to the south)	Approved	17/12/21
3/21/0131/CLE	To confirm (1) that the existing private right of way, which exists from the public highway Grange and provides access to Grange Farm, is lawful; and thereafter (2) that the improvement works carried out to the existing lawful private right of way are lawful.	Not Lawful	21/5/21
3/20/0558/PNAGD	Convert Agricultural Building into C3 Residential Dwelling <b>(Unit B)</b>	Prior Approval granted	3/6/20
3/19/2300/PNAGD	Convert an existing agricultural building into a two bedroom single storey dwelling <b>(Unit B)</b>	Prior Approval 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 <b>(Unit C)</b>	Non-determination	14/10/19
3/19/1651/PNAGD	Change of use of an existing agricultural building to three C3 dwellings <b>(Unit A)</b>	Non-determination	14/10/19

## 8.0 List of Relevant Constraints

Grade 3 Agricultural land

Green Belt

Heathland 5 km zone

## 9.0 Consultations

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

### Consultees

#### 1. Natural England (comments received 3/3/2020)

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.

#### 2. Dorset Council Highways

Comments rec'd 24/1/22 in response to proposed access to the site from the south only with no access from the west;

No further comments and would recommend the same conditions as previously recommended in comments dated 29 September 2020. If no changes are to be made to the south access, the vehicle access construction condition, and informative note relating to it are not necessary.

Comments received 29/9/2020 - in response to original proposal for access from the west

The site access directly to the south would be the preferable access route, but the proposed access to the west is acceptable provided it is of an acceptable construction to support domestic traffic to the Council's highways specifications and has adequate visibility.

Conditions are advised as below;

- Requirement for the access to the development to be constructed/improved 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

- Requirement for 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 as below;

- 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

### **3. DC Planning Policy (Comments received 16/4/2021)**

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 site's immediate setting as part of their consideration of the application.

### **4. DC Trees & Landscape (comments received)**

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.

### **5. DC Environmental Health (comments received 15/6/2020)**

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)

### **6. Holt Parish Council (received 7/4/2020)**

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

### **Representations received**

The application was advertised by means of a site notice on the 11/03/2020 with an expiry date of 04/04/2020. Neighbours were also sent letters and were reconsulted on amended plans on 4 January 2022.

<b>Total - Objections</b>	<b>Total - No Objections</b>	<b>Total - Comments</b>
<b>2</b>	<b>0</b>	<b>0</b>

### **Summary of comments made by objectors**

- Change of use started as improvements made to buildings despite them not being used for agriculture
- There is no existing vehicular/residential pedestrian access to the west and no right of access elsewhere
- The site contains trees and hedges despite the application form declaring there aren't any
- No mains sewer on the site
- Proposed waste disposal for dwellings not practical from the west and no area to store bins at the access to Grange using this route
- Highway safety issues, lack of safe walking and cycling in the area and increase in traffic, western access unsuitable without modification and not authorised. Need for permanent closure of western access. Construction management plan to minimise disruption to other users of the southern access
- Sustainability of location- proposal would be car-dependent
- Impact on character- design and density of development proposed out of keeping with area, light pollution will result
- Land use- site is not 'previously developed land' for purposes of planning policy, prior approval applications at the site not a realistic fall-back position, land to west of Unit A not part of an agricultural holding
- Planning procedure concerns- 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, demolition of buildings adjacent to site that are not to be converted need planning permission
- Harm to Green Belt- proposal not supported by Green Belt policy
- Functionality issues- bin storage concerns
- Impact on biodiversity- bats and barn owl are present on site
- Contamination- site may be contaminated
- Pre-commencement conditions needed to require surface water and foul drainage schemes to be submitted to and approved by the Council before works start



## 10.0 POLICY AND OTHER CONSIDERATIONS

### Development Plan:

#### Christchurch and East Dorset Core Strategy 2014

#### East Dorset Local Plan 2002 (saved policies)

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.

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

- 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
- DES2 Saved Policy re: types of pollution from development (noise etc)

#### **Other Material Considerations**

##### Supplementary Planning Documents/Guidance:

Dorset Heathlands Planning Framework 2020 - 2025 SPD (DHPF)

##### National Guidance

The National Planning Policy Framework (NPPF) July 2021 and National Planning Practice Guidance (NPPG)

Paragraph 11d 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.

Most relevant NPPF sections include:

- Section 5 Delivering a sufficient supply of homes
- Section 12 Achieving well-designed places
- Section 13 Protecting Green Belt land
- Section 14 Meeting the challenge of climate change, flooding and coastal change

### 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.

The proposal would result in nine dwellings being provided in a rural location where limited opportunities to public transport provision is not unusual. The lack of public transport provision could result in disadvantage to persons with protected characteristics. Within the site, however, the proposed layout for the converted dwellings shows hard surfaced areas for parking and walking with parking spaces close to dwellings which would ensure people with mobility impairments or pushing buggies/prams can move easily about.

### 13.0 Financial benefits

What	Amount / value
Material Considerations	
None	N/A
Non Material Considerations	
Community Infrastructure Levy (CIL)	None as floor space reduction

Estimated annual council tax benefit	£20,502
Estimated annual New Homes Bonus per residential unit (for first 4 years)	£1000 approx

## 14.0 Climate Implications

14.1 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

## 15.0 Planning Assessment

The main considerations involved with this application are:

- the principle of the development
- Green Belt
- Landscape, character and appearance of the immediate area
- amenity
- Road safety
- Biodiversity

These points will be discussed as well as other material considerations under the headings below

### Principle of development

- 15.1 The application site is outside any settlement identified in Local Plan 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. The Council has a 5 year housing supply for the eastern Dorset area at present (when applying the 20% buffer as introduced in the revised NPPF) and therefore, Local Plan Policy KS2 is not out of date in terms of paragraph 11 of the NPPF.
- 15.2 Nevertheless, the proposal would not result in additional built form or sprawl in the countryside as it would re-use existing buildings so no clear harm would arise in respect of the aims of Policy KS2. This view was held by the Planning Inspector at the 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.
- 15.5 There are no development plan policies that address conversion of rural buildings to dwellings so regard is had to the National Planning Policy Framework. Paragraph 152 encourages the reuse of existing resources, included the conversion of existing buildings. Isolated dwellings should be avoided but an exception to this is where the development would re-use redundant or disused buildings and enhance their immediate setting (paragraph 80). For the above reasoning it is considered that the proposal to convert the buildings to residential use can 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.

### Impact on the Green Belt

- 15.6 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 (paragraph 137). Local Plan policy KS3 provides the Council's overall approach to Green Belt, including maintaining open land around the conurbation.
- 15.7 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 and '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*' (paragraph 148).
- 15.8 The construction of new buildings is inappropriate in the Green Belt but there are exceptions set out in NPPF paragraph 149 and other forms of development that are not harmful are listed in paragraph 150. Those relevant to this application include those listed under paragraph 149 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 paragraph 150 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 150 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.
- 15.9 The Local Plan 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.
- 15.10 As buildings are to be re-used, the proposal may be considered under NPPF paragraph 150 (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 150 d)*
- 15.11 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.

- 15.12 Officers have had regard to objections raised by third parties, that the buildings are only suitable for conversion on the basis of recent repair works to steel upright supports in Unit A and the roof of Unit B. This is not a consideration for the current application, as the test is whether the buildings are of 'permanent and substantial construction' for the purposes of NPPF green belt policy as applied at the time a planning application is assessed. However, for clarity, in both cases officers are satisfied that the works undertaken did not represent development in accordance with section 55 of the Town and Country Planning Act 1990 so would not have required planning permission.
- 15.13 The submitted structural surveys of the buildings to be converted advise the following in their conclusions (summarised);

*Unit A*

- *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 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 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 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.'*

- 15.14 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 proposed conversion may be assessed under NPPF paragraph 150 exception (d).

15.15 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 150(d) of the Framework

*Extension to Unit E – NPPF para 149 c)*

15.16 The extension to Unit E (Unit D as proposed) may be assessed under NPPF para 149 c) which allows extensions that are proportionate to the size of the original building.

15.17 To assess whether the proposal is proportionate, the increase in floor area and volume is a helpful indicator. Unit E which is to be retained (and form proposed Unit D) has a floor area of approx. 212sq meters while the proposed extension has a gross floor area of approx. 138sq metres representing an increase of 65% above that of the retained floor space.

15.18 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%.

15.19 Although the floor area increase is significant, the overall volume and subordinate form of the extension would not result in a disproportionate addition to the original building and as such is not inappropriate development in the Green Belt.

*Whether the proposal would preserve Green Belt openness*

15.20 The forms of development set out at NPPF paragraph 150 (a) to (f) as potentially 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 in order to be appropriate development. It is therefore necessary to consider both the spatial and visual aspects of the development in this respect.

15.26 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.

- 15.21 However, the built form and associated curtilages 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.
- 15.22 The removal of the existing use and several buildings are a factor for consideration as is the fallback position provided by the permitted Prior Approval applications ref: 3/20/0558/PNAGD (Unit B to 1 dwelling) & 3/19/1652/PNAGD (Unit C to 1 dwelling) as these are extant permissions and need to be weighed in the planning balance. It is to be noted that conversion of the buildings under permitted development rights would not require any buildings to be removed.
- 15.23 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 might occur without the proposed development but the proposal will provide surety.
- 15.24 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.
- 15.25 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.
- 15.26 Although officers are mindful of the impacts arising from boundary enclosures and the introduction of domestic paraphernalia, these would be limited by the manner and extent of the layout. The proposal would be associated with additional domestic vehicular parking but would see the removal of large farm vehicles and other machinery from the site. The proposal would improve site permeability by opening up views into the site by the removal of buildings and the balance of hardstanding and garden would represent an improved level of visual openness compared to the existing agricultural yard use. Overall, the proposed building works are considered to go beyond preserving the openness of the Green Belt and would modestly increase openness at the site.
- 15.27 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 150 (d) and (e) of the NPPF.

Impact on the landscape and character and appearance of the immediate area

- 15.28 With the exception of the Green Belt designation, the site is not within a landscape that is specially protected. The proposals would enhance the landscape by removing buildings of utilitarian design in poor repair, reducing the predominance of

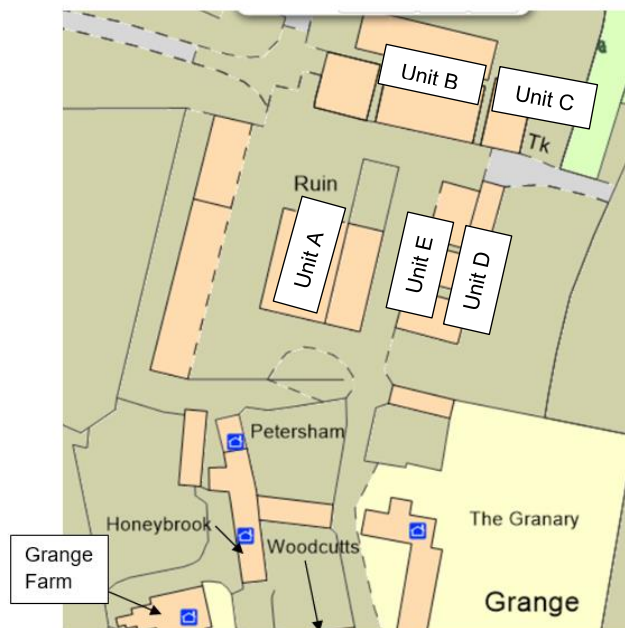
hardstanding, improving the appearance of existing buildings and introducing new planting on the site.

### Impact on amenity

#### *Impact on occupants of adjacent dwellings*

15.29 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*



15.30 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.

15.31 As the works proposed are to convert the buildings, the proposed extension is central in the site 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.

15.32 The separation distances between the buildings to be converted and the amenity spaces of the properties to the south are generous so no adverse effects on residential amenity are anticipated. There would be the inevitable noise from additional vehicle movements along the shared southern access, and the activity associated with residential use by 9 dwellings and their gardens, but this would not be to a level that would be likely to cause harm. The change of use to residential has the potential to



reduce noise disturbance and smells compared to a situation if an unfettered agricultural use was reinstated. There is also the fall-back permission of the 2 dwellings permitted under Prior Approval applications which could already increase traffic.

- 15.33 The proposed residential use would bring emissions of light 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, and the opportunity to control external lighting by condition, this impact is not judged to be significant, and an objection cannot be upheld on this basis. A condition (no. 15) 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 fixed external sources.
- 15.34 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 and parking provision

##### *Vehicular access*

- 15.35 The existing 374m long unsurfaced agricultural track that runs between Grange and the NW corner of the application site (granted planning permission under application 3/21/1070/FUL) is no longer relied upon to serve the development under consideration; the amended plans show vehicular access to the site via the existing road to the south that also serves the adjacent properties.
- 15.36 Grange Farm is currently served by these two private ways. The recently upgraded western access is wholly in the ownership of the applicant and provides access to the agricultural pasture, which is farmed by way of a tenancy agreement, as well as the farmyard which is not required for the farming of the land for maize. A planning application for use of this track for agricultural and residential purposes is yet to be determined. The applicant currently has a right of access over the southern access for agricultural purposes (the access immediately to the south).
- 15.37 The Council's highways officer has advised that the proposed access road to the south is acceptable and it is considered that the additional vehicle movements that would be generated from the 9 dwellings would not adversely impact on road safety. The western access track is currently for agriculture only and is not acceptable for residential traffic. A condition (no 7) can be imposed to require that the western access is not used by residential vehicles unless permission is granted. The proposal accords with Local Plan Policy KS11.

##### *Parking & turning*

- 15.38 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 Local Plan 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

- 15.39 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 Council's Natural Environment Team's certificate of approval for the Biodiversity Plan is valid for 3 years from the date it was signed and expires on the 12/11/22. The submitted information identifies the following ecological issues;
- 15.40 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.
- 15.41 The ER advises that the two trees proposed for removal have negligible bat potential.
- 15.42 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.
- 15.43 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.
- 15.44 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)
- 15.45 It is considered that subject to a condition (no.9) to secure compliance with the approved biodiversity plan, the proposal would accord with Local Plan 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.

#### Other impacts

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

- 15.46 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.
- 15.47 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.
- 15.48 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.
- 15.49 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.
- 15.50 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*

- 15.51 The representations received in response to the application have advised that the site may be contaminated. The Council's Environmental Health Officer (EHO) agrees that the Council's standard contaminated land condition should be imposed on 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
- 15.52 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 183 to 188 (Ground conditions and pollution).

#### *Refuse/recycling collection*

- 15.53 The proposal shows refuse/recycling to be collected from the site by the Council's waste collection service and this would be facilitated by the access to the south shared with the adjacent properties. 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.

- 15.54 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.
- 15.55 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.
- 15.56 If collection arrangements are not acceptable to the Council's Waste Collection service, the applicant would need to arrange for refuse to be collected by a private operator. In planning terms, private or Council arrangements for refuse collection are considered acceptable.

*Previously developed land (PDL)*

- 15.57 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*

- 15.58 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*

- 15.59 The DAS advises that NPPF Paragraph 79 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- Furzehill has a shop and public house- however this is likely to be small and no weight is afforded to it accordingly.

*Planning fall-back position*

- 15.60 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 as a determination was not made by the Council in the required time limits.

- 15.61 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.
- 15.62 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.
- 15.63 In relation to prior approval 3/19/1651/PNAGD, land lease details relating to the land immediately to the west of Unit A have 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 relating to Unit A without planning permission.
- 15.64 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.
- 15.65 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 significant weight in the planning balance.

*Impact on surface water drainage*

- 15.66 The proposal's impact on surface water drainage has been raised in the representations and a small area of the south western part of the application site is in a low-risk area of surface water flooding (adjacent to the most southerly part of the east side of building A). There is also an area of high risk of surface water flooding to the south of the site in the area of the dwellings at 'Woodcutts' and 'Petersham'.
- 15.67 To ensure this surface water flooding is not exacerbated by the proposed development, it is considered necessary to impose pre-commencement conditions to require a surface water and foul drainage scheme to be submitted to and approved by the Council before works are commenced for the development. This would ensure compliance with Core Strategy Policy ME6.

## **16.0 Conclusion**

- 16.1 The Council can demonstrate a 5 year housing supply and Local Plan Policy KS2 is up-to-date accordingly for the purposes of NPPF paragraph 11. Nevertheless, conflict with this policy is judged to be outweighed by the benefits of reusing existing buildings, in a manner which will have a visual improvement to the immediate setting, to provide 9 dwellings with associated economic and social benefits.
- 16.2 Officers have had regard to the Policy Planning advice and representations received from the public but consider that the proposal accords with the exceptions to inappropriate development in the Green Belt provided by the NPPF; the development 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. The proposal would not have an adverse impact on areas or assets of particular importance.
- 16.3 The reliance by future occupants on the private car as a result of the location and resulting modest impact on the rural character of the area weighs against approval but this would not significantly and demonstrably outweigh the benefits of the scheme which will contribute to housing supply and enhance visual amenity.
- 16.4 The proposal is therefore considered to be sustainable development for the purposes of NPPF paragraph 11.

## **17.0 Recommendation**

### **Grant, subject to the following 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 H: 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. No development shall take place until a detailed surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, and including clarification of how surface water is to be managed during construction, has been submitted to, and approved in writing by the local planning authority. The surface water scheme shall be implemented in accordance with the submitted details before the development is completed.

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

4. No development shall take place until details of maintenance and management of the surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details and thereafter managed and maintained in accordance with the approved details for the lifetime of the development. These should include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

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

5. The development shall not be commenced until details of a foul water drainage strategy have been submitted to and approved in writing by the Local Planning Authority. This could either be to connect to the public sewage system (if possible) or to install a package sewage treatment plant/s or other suitable systems of drainage. The foul water drainage strategy shall then be completed in accordance with the approved details prior to the occupation of the dwelling

Reason: To ensure that proper provision is made for sewage disposal from the dwellings.

6. Before works to demolish the buildings on the site or commencing the development hereby approved, a Construction Management Plan shall be submitted to and approved by the Local Planning Authority (LPA). The works at the site shall then be undertaken in accordance with the construction management plan.

Reason: To minimise the impact on the amenity of adjacent residents during the development.

7. Vehicular access to the development hereby approved shall only be from the south using the existing road that also provides access to the adjacent residential properties to the south as shown on approved Drawing No. 116-021 Rev H: Proposed Site Plan & Location Plan. The western access shall be modified to prevent vehicular access and signage erected at the junction of the western access with Grange in accordance with a scheme first agreed by the Local Planning Authority prior to the first occupation of any of the approved dwellings unless express planning permission to use the western access is first obtained.

Reason: To ensure a satisfactory means of access to the development in the interests of the openness of the Green Belt and character of the area.

8. 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 determine 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, if in the opinion of the Local Planning Authority investigation works be required, consultants appointed to carry out intrusive site investigation work must first 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 before being carried out.

(e) No development shall occur until the measures approved in the remediation strategy have been implemented in accordance with the remediation strategy 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 and approved in writing by the Local Planning Authority. Any such scheme shall then be carried out in accordance with the approved details..

(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. Remediation of the site will not be complete until the Planning Authority is in receipt of said Remediation Verification Report and has confirmed in writing that it is satisfied with the contents of the statement and the standard of work completed.

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

9. Details of any access facilitation pruning works and a plan showing the location of barriers to protect trees 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.”

10. Before any works to convert the buildings shown on UX Architects Drawing 116-021 Rev H: Proposed Site Plan 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

11. 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.

12. 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 plant that dies or becomes diseased shall be replaced with planting of the same species.

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

13. 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.

14. Notwithstanding the provisions of Part 1 Classes A, AA, B, E, F 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 (to include new openings), outbuildings (to include garages/car port), hard surfaces 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.

15. 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.

16. 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.

17. Before the development hereby approved is occupied the turning and parking shown on Drawing Number 116-021 H 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.

**N.B: Pre-commencement conditions have been agreed by the applicant's agent on 25/2/22 & 3/3/22.**

**Informatives:**

1. 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.
2. In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

The council works with applicants/agents in a positive and proactive manner by:

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

In this case:

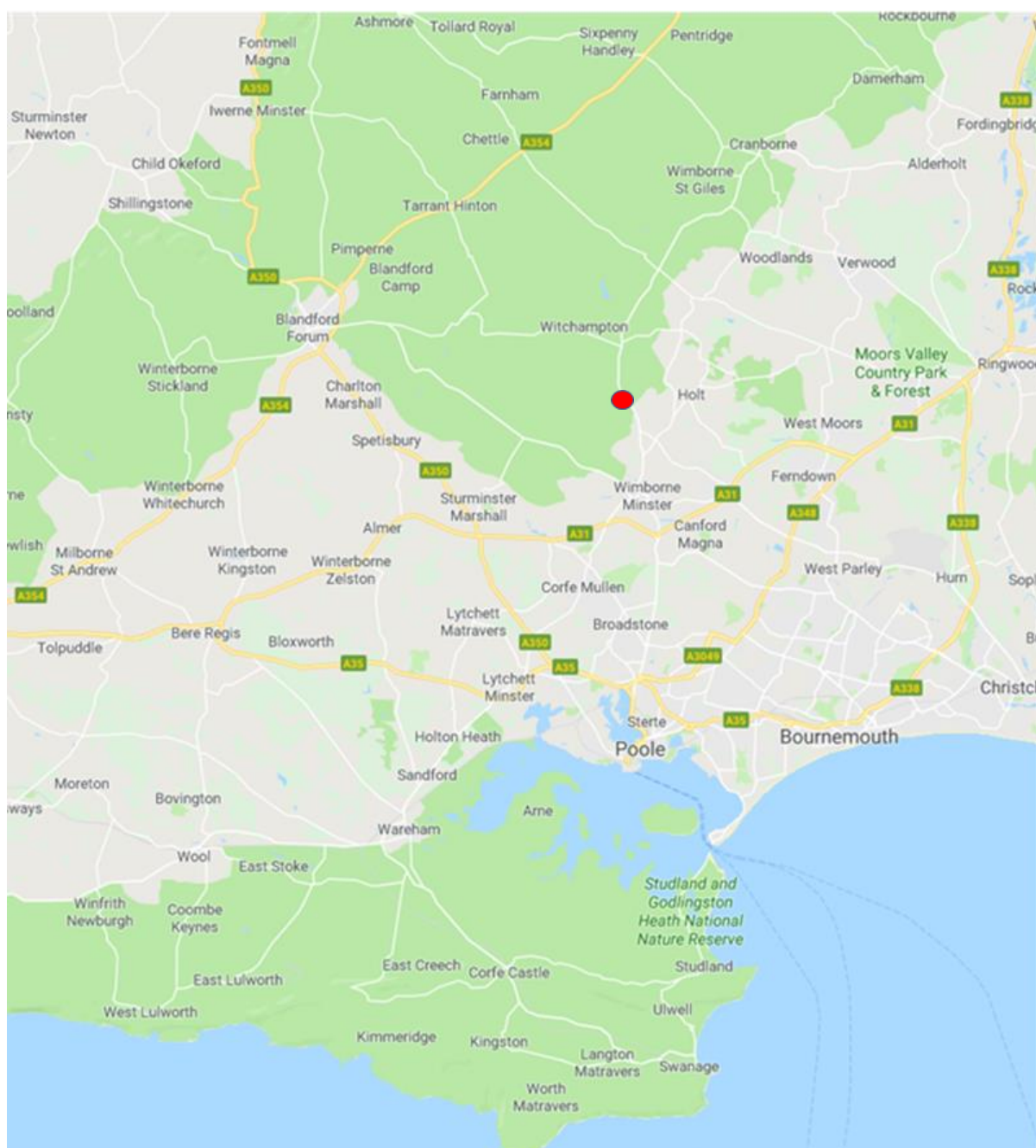
- The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.

● Approximate Site Location

Application reference: 3/19/2378/FUL

Site address: Grange Farm, Grange, Colehill, Wimborne

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 and plans rec'd 4/1/22 to propose access via the existing road to the south only (and not to the west via the existing agricultural track).



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6 April 2022

<b>Application Number:</b>	3/21/1277/FUL		
<b>Webpage:</b>	<a href="http://dorsetforyou.com">Planning application: 3/21/1277/FUL - dorsetforyou.com</a> <a href="http://dorsetcouncil.gov.uk">(dorsetcouncil.gov.uk)</a>		
<b>Site address:</b>	Bedborough Farm, Uddens Drive, Colehill, Wimborne, BH21 7BQ		
<b>Proposal:</b>	Change of use and conversion of existing redundant agricultural building into 2 no 4 bedroom dwellings		
<b>Applicant name:</b>	Mr J Dean		
<b>Case Officer:</b>	Lucy Page		
<b>Ward Member(s):</b>	Cllr Maria Roe, Cllr Janet Dover		
<b>Publicity expiry date:</b>	29 October 2021	<b>Officer site visit date:</b>	October 2021
<b>Decision due date:</b>	4 March 2022	<b>Ext(s) of time:</b>	4 March 2022

1.0 The application has been referred to committee by the nominated officer having gone through the Council's Scheme of Delegation Process.

**2.0 Summary of recommendation:**

GRANT subject to conditions.

**3.0 Reason for the recommendation:** as set out in para 17 at end

- Paragraph 11d of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless the application of the policies that protect areas or assets of particular importance provide a clear reason for refusal or the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the NPPF as a whole. In this instance the proposal would re-use an existing agricultural building to provide two additional dwellings which is considered to represent appropriate development in the Green Belt given that the design and layout of this residential development would ensure that it would not have a greater impact on openness than the existing situation and would not encroach into the countryside in accordance with paragraph 150 of the NPPF. The development is an appropriate layout and design and would not have an adverse impact on the character and appearance of the area or the surrounding landscape.
- The development would not result in any significant harm to neighbouring residential amenity and the occupants of the proposed dwellings would enjoy

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an acceptable standard of amenity in accordance with Policy HE2 of the Local Plan.

- The proposal would not have an adverse impact on road safety and would provide an acceptable level of on-site parking provision.
- The proposal would provide appropriate mitigation for its impact on biodiversity and biodiversity enhancement would be provided.

#### 4.0 Key planning issues

Issue	Conclusion
Principle of development	Acceptable. Although the proposed development conflicts with Core Strategy Policy KS2 as the site is located outside any settlement, the site is not in an isolated location. The proposal would re-use an existing agricultural building to provide two additional dwellings which is considered to represent appropriate development in the Green Belt given that the design and layout of this residential development would ensure that it would not have a greater impact on openness than the existing situation and would not encroach into the countryside in accordance with paragraph 150 of the NPPF.
Scale, design, impact on character and appearance	Acceptable. The proposal is considered to be an appropriate design and scale and the reconfiguration of the external space and changes to the proposed external materials result in a development which would have a positive impact on the character and appearance of the immediate area in accordance with Local Plan policies HE2 and HE3 and Supplementary Planning Guidance (SPG) 21 Countryside Design Guidance.
Effect on biodiversity	Acceptable, subject to condition.
Impact on amenity	Acceptable. No adverse impacts anticipated.
Access and Parking	Acceptable.

#### 5.0 Description of Site

- 5.1 Bedborough Farm comprises of a group of buildings located off Uddens Drive, to the north of Ferndown and the Ferndown by-pass. The agricultural use of the farm has largely ceased, and the land is now used for a variety of purposes including a solar



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farm, equine livery, and a landscaping business. Access is via a track from Uddens Drive.

- 5.2 The farm comprises a range of farm buildings; the main farmhouse stands to the south-west of the site. To the north of the farmhouse an 'L' shaped range of traditional barns have been converted to two dwellinghouses. To the north-west a more modern hay barn has been converted to a further dwelling house. There are currently four dwellinghouses at the farm.
- 5.3 A large traditional barn, Barn A, stands near the entrance this has been granted consent for conversion to a dwelling house (PA 3/19/0699/FUL) and work is underway. To the north-east are two further barns, one open and used for storage and one used for horse livery purposes. It is this open storage barn, Barn B, that is the subject of this planning application (and previous recent applications; 3/19/0854/FUL and 3/20/1648/FUL).
- 5.4 The 4-bay barn is open on two sides and comprises a steel structure with the sides clad with railway sleepers and steel profile sheeting above. The roof is fibre cement. The barn is in a poor state of repair, the main support steels corroded. To the north adjoining the building is a small, fenced compound, to the east a walled area used as a clamp for waste from the adjoining equestrian use.
- 5.5 The buildings lie within the open countryside, Green Belt (GB). The site is within 5km of a protected Dorset Heathland. A footpath crosses the farm close to the north-east corner of the site E42 Route 29.
- 5.6 The site is partially screened by an existing earth bund and from its wider surroundings by mature woodland areas, but the proposed development would nevertheless be visible from the public footpath which runs through Bedborough Farm, and from existing dwellings and their gardens. The site plan indicates that the access for the two dwellings would be shared with the other residential properties on the wider site and would extend along the northern edge of the farmyard.

## 6.0 Description of Development

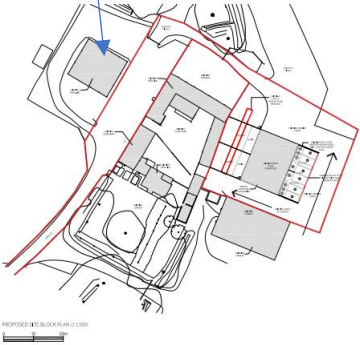
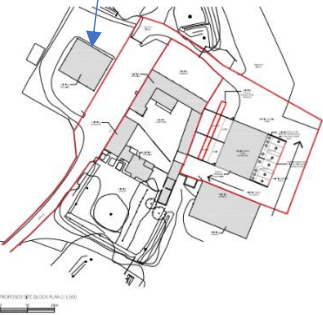
- 6.1 The application is for the change of use and conversion of existing redundant agricultural building into 2no 4 bedroom dwellings.

## 7.0 Relevant Planning History

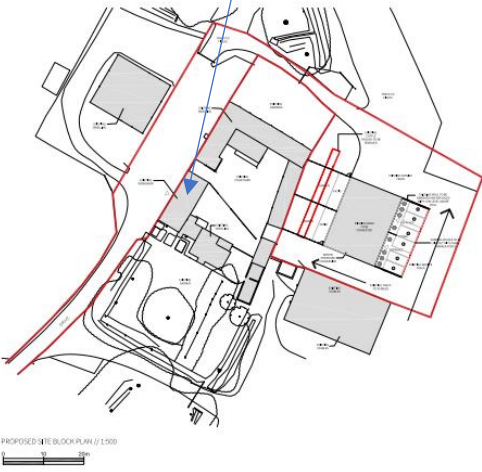
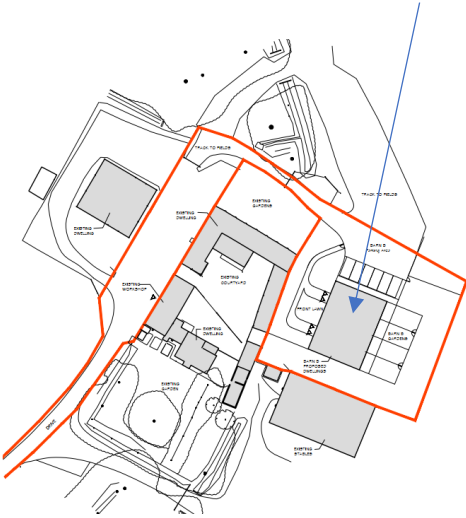
- 7.1 There is significant planning history for the site:

Application	Proposal	Decision	Comments
3/16/2693/PNAGD	Prior Notification of Proposed Change of Use and Building Operations to Convert An Existing Agricultural Building to 2 Residential Dwellinghouses under Part 3 Class Q of the Town and Country Planning	Prior approval not required 18/02/2017	The barn has been converted

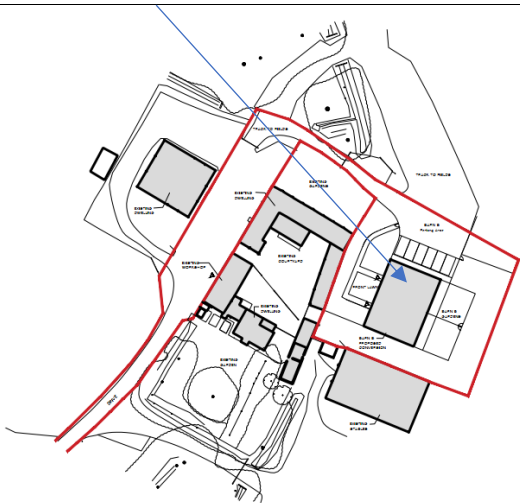
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	<p>(General Permitted Development) Order 2015.</p> <p>Application 3/16/2693/PNAGD relates to this building</p> 		
<p>3/16/1009/CONDR</p>	<p>Variation of Condition 2 of PA 3/14/0790/FUL. 1) Revised Siting, elevations and floor plan of 33KV substation 2 building. 2) Revised siting of 33KV DNO building (form approved via previous NMA. 3) 4m access track to DNO building and the 33KV substation.</p>	<p>Granted 08/09/2016</p>	<p>This relates to land to the north and east of the application site</p>
<p>3/16/2693/PNAGD</p>	<p>Prior Notification of Proposed Change of Use and Building Operations to Convert An Existing Agricultural Building to 1 Residential Dwellinghouse.</p> <p>Application 3/16/2693/PNAGD relates to this building</p> 	<p>Prior notification approved 18/01/2017</p>	
<p>3/19/0699/FUL</p>	<p>Change of use and Conversion of Existing Redundant Agricultural Building to Class C3 Dwellinghouse</p>	<p>Granted 14/05/2020</p>	<p>This is under construction</p>

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	<p>with associated parking and landscaping.</p> <p>Application 3/19/0699/FUL relates to this farm building (Barn A)</p> 		
<p>3/19/0854/FUL</p>	<p>Change of use and conversion of existing redundant agricultural building to form 4 dwelling houses.</p> <p>This application relates to the same building as current application (Barn B)</p> 	<p>Refused</p> <p>Appeal dismissed 26/02/21</p> <p>Refused for the reasons set out in para 7.2 below</p>	
<p>3/20/1648/FUL</p>	<p>Change of use and conversion of existing redundant agricultural building into 2no 4 bedroom dwellings</p> <p>This application relates to the same building as the current application (Barn B)</p>	<p>Refused 22/03/2021 for the reasons set out in</p>	

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		paragraph 7.3 below	
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- 7.2 Planning application 3/19/0854/FUL was refused for the following reasons:
1. The proposed development lies within the South East Dorset Green Belt. Within this area it is intended that only particular types of development set out in the National Planning Policy Framework will be permitted. The structural survey identifies that there will be significant remedial work required to the barn to replace purlins within the roof structure, provide additional tie beams and bracing to the portal frame; the walls and roof will also be removed. Given the significant remedial measures required the building is not considered as of substantial construction and does not meet the test under paragraph 146 (d) of the National Planning Policy Framework (NPPF). As such the proposal would represent inappropriate development in the Green Belt contrary to the provisions of the National Planning Policy Framework. No very special circumstances exist which would outweigh the potential harm to the Green Belt by reasons of inappropriateness and harm to openness.
  2. The proposed development lies within the South East Dorset Green Belt. Within this area it is intended that only particular types of development set out in the National Planning Policy Framework will be permitted. Although the finished building would be a similar size and mass, the creation of four independent unit of accommodation would increase the intensity of residential use on the site and have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development. As such the proposal would represent inappropriate development in the Green Belt contrary to the provisions of the National Planning Policy Framework in Chapter 13. No very special circumstances exist which would outweigh the potential harm to the Green Belt by reasons of inappropriateness and harm to openness.
  3. The proposed fails to pay any design reference to the traditional farm group of buildings and rural character of the area. and appears unsympathetic and inappropriate in design terms. In these respects the proposal represents poor design

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that fails to take the opportunities available for improving the character and quality of an area and the way it functions contrary to Policies HE2 and HE3 of the Christchurch and East Dorset Local Plan (Part 1), Supplementary Planning Guidance (SPG) 21 Countryside Design Guidance, and guidance contained within Section 12 –Achieving Well Design Places of the National Planning Policy Framework (NPPF).

4. The creation of four independent unit of accommodation would increase the intensity of residential use on the site. Notably a large parking area will be provided along with a front communal garden and private rear gardens which are likely to be delineated by fencing to provide security and privacy. These rear gardens spill outside the footprint of the adjoining waste clamp and into the open countryside. The fenced gardens will, with the normal paraphernalia associated with domestic use, detract from the rural character of the area. The proposal would add visual clutter within the landscape and would be harmful to the rural character of the area, and is therefore contrary to Policies HE2 and HE3 of the Christchurch and East Dorset Core Strategy, and Policy DES11 of the East Dorset Local Plan. The proposal would fail to improve the character of the area and fail Section 12 of the National Planning Policy Framework.

5. The proposed parking area and rear gardens to serve the development will obstruct the route of a public footpath (E42 Route 29). A footpath diversion order would be required to move the definitive right or way, this is a separate legal issue to address. By granting permission, and/or applying a condition to ensure the footpath is diverted before commencement, the Local Planning Authority would be unduly fettering the proper consideration of any future application to move the footpath. The proposal in its current form would potentially compromise the safety of pedestrians using the route contrary to Policy KS11 of the Christchurch and East Dorset Core Strategy. The proposal would fail to improve the character of the area and fail Section 12 of the National Planning Policy Framework.

7.3 An appeal against the planning refusal was dismissed but some of the reasons for refusal were judged to fall away- notably the Inspector found that the building was capable of conversion. A further application for the change of use and conversion of existing redundant agricultural building into two 4 bedroom dwellings was subsequently received (3/20/1648/FUL). This application sought to address the reasons that the Inspector dismissed the appeal however that application was also refused for the following reasons:

1. The proposed development lies within the South East Dorset Green Belt. Within this area it is intended that only particular types of development set out in the National Planning Policy Framework will be permitted. Although the finished building would be a similar size and mass, this will result in two distinct plots, which would be formally enclosed. This, together with the domestic paraphernalia which would be associated with the proposed

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residential use, such as garden furniture, washing lines and bin storage, would add visual clutter, thus leading inevitably to a moderate loss of openness. Having regard to the available evidence, there is no certainty that the provision of domestic paraphernalia would have a lesser impact upon openness than the established pattern of open storage associated with the building's present use. The proposal would not accord with the exception set out in paragraph 146 d) of the Framework, and would therefore amount to inappropriate development in the Green Belt. It would have a detrimental impact on the openness of the Green Belt and fail to assist in safeguarding the countryside from encroachment, contrary to one of the five purposes of the Green Belt.

2. The proposal fails to pay sufficient design reference to the traditional farm group of buildings and rural character of the area and appears unsympathetic and inappropriate in design terms. In these respects the proposal represents poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions contrary to Policies HE2 and HE3 of the Christchurch and East Dorset Local Plan (Part 1), Supplementary Planning Guidance (SPG) 21 Countryside Design Guidance, and guidance contained within Section 12 –Achieving Well Design Places of the National Planning Policy Framework (NPPF).
3. The creation of two independent units of accommodation would increase the intensity of residential use on the site. Notably a large parking area will be provided along with a front communal garden and private rear gardens which are likely to be delineated by fencing to provide security and privacy. These rear gardens spill outside the footprint of the adjoining waste clamp and into the open countryside. The fenced gardens will, with the normal paraphernalia associated with domestic use, detract from the rural character of the area. The proposal would add visual clutter within the landscape and would be harmful to the rural character of the area, and is therefore contrary to Policies HE2 and HE3 of the Christchurch and East Dorset Core Strategy, and Policy DES11 of the East Dorset Local Plan. The proposal would fail to improve the character of the area and fail Section 12 of the National Planning Policy Framework.

## 8.0 List of Constraints

Ancient woodland, Sub-Type Ancient & Semi-Natural Woodland - Distance: 473.43

Green Belt

Heathland 5 km zone

Public Right of Way- Status: Footpath, Legal Type: Definitive

## 9.0 Consultations

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

### Consultees

**Natural England (received 27.10.2021)**

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- No objection subject to mitigation being secured.

**Ferndown Town Council (received 21.10.2021)**

- Objection - If approved the development would have a detrimental impact on the openness of the green belt more so than the existing structure, the NPPF states that approval should not be given, except in very special circumstances for the construction of a new building or for the change of use to existing buildings for purposes other than agricultural, sport, cemeteries, and other purposes appropriate to a rural area, the application does not meet these criteria.
- In addition, it was considered the proposed development would be visually intrusive and contrary to planning policy HE2 design and HE3 quality on the landscape. Further concern was raised regarding access to the development especially regarding refuse collection access.
- Members noted that the previous comments made by the planning inspector had not been overcome.

**Representations received**

The application was advertised by means of a site notice on the 05/12/2021 with an expiry date of 29/10/2021. No representations received.

**10.0 Relevant Policies**

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.

**Adopted Christchurch and East Dorset Local Plan and Saved policies within the East Dorset Local Plan:**

The following policies are considered to be relevant to this proposal:

- KS1 - Presumption in favour of sustainable development
- KS2 - Settlement hierarchy
- KS3 - Green Belt
- KS11 - Transport and Development
- KS12 - Parking Provision
- LN1 - Size and Types of New Dwellings
- LN2 - Design, Layout and Density of New Housing Development
- HE1 - Valuing and Conserving our Historic Environment
- HE2 - Design of new development

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- HE3 - Landscape Quality
- ME1 - Safeguarding biodiversity and geodiversity
- ME2 - Dorset Heathlands
- ME6 - Flood Management, Mitigation and Defence

### **Other material considerations**

#### Supplementary Planning Documents/Guidance

Countryside Design Guidance (SPG)  
Dorset Heathlands Planning Framework 2020-2025 SPD

National Planning Policy Framework, July 2021:

Paragraph 11 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 4. Decision taking: Para 38 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- Section 5 'Delivering a sufficient supply of homes' outlines the government's objective in respect of land supply with subsection 'Rural housing' at paragraphs 78-79 reflecting the requirement for development in rural areas.
- Section 6 'Building a strong, competitive economy', paragraphs 84 and 85 'Supporting a prosperous rural economy' promotes the sustainable growth and expansion of all types of business and enterprise in rural areas, through conversion of existing buildings, the erection of well-designed new buildings, and supports sustainable tourism and leisure developments where identified needs are not met by existing rural service centres.
- Section 11 'Making effective use of land'
- Section 12 'Achieving well designed places indicates that all development to be of a high quality in design, and the relationship and visual impact of it to be compatible with the surroundings. In particular, and amongst other things, Paragraphs 126 – 136 advise that:



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- The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
  - It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.
  - Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.
- Section 13 ‘Protecting Green Belt land’- new development is inappropriate within the Green Belt unless it meets one of the exceptions within paragraphs 149-150 or very special circumstances outweigh harm to the Green Belt resulting from inappropriateness and any other harm.
  - Section 14 ‘Meeting the challenges of climate change, flooding and coastal change’
  - Section 15 ‘Conserving and Enhancing the Natural Environment’- In Areas of Outstanding Natural Beauty great weight should be given to conserving and enhancing the landscape and scenic beauty (para 176). Decisions in Heritage Coast areas should be consistent with the special character of the area and the importance of its conservation (para 178). Paragraphs 179-182 set out how biodiversity is to be protected and encourage net gains for biodiversity.

National Planning Practice Guidance

## 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.

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

The proposal would result in two dwellings being provided in a rural location where limited opportunities to public transport provision is not unusual. In this regard the lack of public transport provision could result in disadvantage to persons with protected characteristics, however this is the same as the existing situation with regards to any workers on the farm and those occupying the previously converted farm buildings.

### 13.0 Financial benefits

What	Amount / value
Material Considerations	
None	
Non Material Considerations	
CIL Contributions	£38,830
Estimated annual council tax benefit	£4,556
New Homes Bonus	Approx. £1000 per dwelling

### 14.0 Climate Implications

The proposal is for two new dwellings which would be constructed to current building regulation requirements. The proposal will re-use an existing building with a 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.

### 15.0 Planning Assessment

In considering this current application, the conclusions of the Inspector in relation to Planning Appeal APP/D1265/W/20/3259917 for the conversion of the building to four dwellings, is given weight, along with the assessment of the more recently considered scheme 3/20/1648/FUL for the conversion to two dwellings. This later report confirmed that on the matters where the Inspector found against the LPA, notably reasons for refusal 1 (Building Condition) and 5 (Footpath) it would be unreasonable to advance these arguments again.

The main material considerations for this current application are:

- Principle of development
- Appropriateness within the Green Belt
- Scale, design, impact on character and appearance

These and other considerations are assessed below.

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Principle of Development

The site is located within the south east Dorset Green Belt and within 5km of a protected Dorset Heathland. The Planning Inspector considering application 3/19/0854/FUL judged that the scheme at Bedborough Farm, whilst unacceptable for other reasons, would not result in the creation of isolated homes in the countryside.

Appropriateness within the Green Belt

- 15.1 When considering any planning application, Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt. As set out in paragraph 137 of the National Planning Policy Framework, a fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Openness and permanence are recognised by the Framework as essential characteristics of Green Belts.
- 15.2 Paragraph 147 of the NPPF sets out that inappropriate development is, by definition, harmful to the Green Belt, and should not be approved except in very special circumstances. However, as detailed within paragraph 150 of the Framework, certain forms of development are not considered inappropriate in the Green Belt, provided that they preserve its openness and do not conflict with the purposes of including land within it. These include the re-use of buildings provided that the buildings are of permanent and substantial construction.
- 15.3 The application would re-use an existing agricultural building. In relation to whether the building to which this application relates is suitable for conversion, the Inspector concluded in their assessment of 3/19/0854 that, *“Whilst, taken as a whole, extensive works would need to be carried out to enable the building to function as four dwellings, there is no doubt that it is in itself a substantial and permanent construction, having notably regard to its concrete base, foundations and steel frame.”*
- 15.4 When considering this current proposal to that assessed by the Inspector and the previously refused scheme, it is considered that there are notable differences to this current application. In relation to ‘reason for refusal 1 and 3’ the development has been amended with the re-orientation of living space for the dwellings has been reversed. The rear elevation of the dwellings now face westwards towards some existing buildings rather than extending out towards the farm track as was previously considered. By positioning the rear garden areas in this new location they would sit within a more enclosed setting, framed by buildings which have already been converted to residential use and in a space which is currently used for open storage and agricultural paraphernalia (which can be seen from aerial photographs within the supporting information for the application). It is considered that by utilising this area it would not impact on openness or extend the curtilage of the building. A plan has also been provided which confirms the tight curtilage around the building and gardens which is proposed. Any domesticating factors such as garden paraphernalia arising from the scheme of conversion would be limited by the manner and extent of

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plot demarcation within the development and is unlikely to cause additional harm to openness.

- 15.5 The parking area is shown to be provided immediately adjacent to the building which is a similar approach to that used to serve another residential dwelling converted from an agricultural building within the wider Bedborough Farm site which was approved in 2020 (3/19/0699/FUL). It is considered that the low key use of low level timber posts to mark the parking area is a successful way of maintaining a sense of informality to this area and that a similar informal and rural character could be achieved in relation to boundary treatments for the rear garden areas. A condition requiring landscaping details to be submitted is reasonable and necessary and has been added (condition 6).
- 15.6 The reduction in the number of dwellings proposed from 4 to 2 is also relevant and is likely to result in a reduction in intensity of use, domestic paraphernalia, bins and garden furniture associated with fewer dwelling houses. The current proposal is considered accord with the exception set out in paragraph 150 (d) of the Framework (was paragraph 146 (d)). It would not have a detrimental impact on the openness of the Green Belt and subject to a condition restricting additional development such as further outbuildings and extensions would not appear as encroachment into the countryside (condition 4).

#### Scale, design, impact on character and appearance

- 15.7 The second reason for refusal focused on the design of the barn conversion and the lack of design reference to the traditional group of farm buildings and rural character. The current application has sought to address this in a number of ways:
- The number of openings within the building has been reduced,
  - The windows on the north and south are now smaller and higher level to reduce the domestic appearance.
  - Sliding agricultural style timber doors are to be installed which would enable the glazing on both front and rear elevations to be covered. Whilst these are a positive design addition, there would be no ability to control how often or when they were utilised to screen the glazing.
  - The use of materials has also now changed to create a more agrarian appearance reflecting more suitably the rural and agricultural setting: The building is to be clad in a mid- brown stained vertical timber board with an exposed block work plinth and dark coloured aluminium windows and composite doors. The roof is proposed to be clad in rolled metal sheet.
- 15.8 Overall, notwithstanding the limitation of the timber doors, the changes made to the design are considered an improvement on previously refused schemes and would enable the residential development to sit successfully within the farmyard setting. The development would accord with Policies HE2 and HE3 of the Christchurch and East Dorset Local Plan, Supplementary Planning Guidance (SPG) 21 Countryside Design Guidance, and guidance contained within Section 12 –Achieving Well Designed Places of the NPPF.

#### 15.9 Biodiversity

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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 proposal for a net increase of two 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 site. 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.

- 15.10 The appropriate assessment has concluded that the mitigation measures set out in the Dorset Heathlands 2015-2020 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). In relation to this development the Council will fund HIP provision via the Community Infrastructure Levy and SAMM, which forms the second strand of the strategy, is also now collected alongside CIL. The strategic approach to access management is necessary to ensure that displacement does not occur across boundaries. 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 Policy ME2.
- 15.11 A biodiversity survey has been provided to support the application which indicates that there are no bats or barn owls present on the site. To improve biodiversity within the site a condition requiring that 2 bat and bird boxes and bee bricks per dwelling be placed within the site is necessary and has been added (condition 8). With this in place the proposal meets Policy ME1 of the Local Plan.

#### Highways and Parking

- 15.12 The dwellings would be served by the existing vehicular access to Bedborough Farm, this is unaltered from the previously considered schemes where it was not concluded that the development was unacceptable with regards to highway safety. There is no conflict with Policy KS11 and the proposal is considered acceptable in this regard. The site is in a rural area and the proposal shows six on-site parking spaces for the residential use, which exceeds the Dorset Residential Parking Guidance.
- 15.13 Impact on Amenity  
Bedborough Farm was originally a Dairy Farm which ceased operation over 10 years ago. There is a large solar farm within the associated farmland as well as an equestrian livery use and there are a number of residential properties within the site including barns converted to residential use under Permitted Development rights and through 'full' planning applications. The immediate farm group now comprises of a cluster of residential dwellings rather than a working farm and as such does not suffer with the usual noise and smells that might be associated with the previous use. In this respect the addition of two further residential properties is not unacceptable in amenity terms.

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- 15.14 Each dwelling would be served by a private rear garden area approximately 11m in depth and 9m in width which is considered to provide an acceptable level of external amenity space.

## 16.0 Conclusion

For the above reasons, it is considered that this application has successfully addressed the previous reasons for refusal. The development, as proposed, accords with the development plan and is considered to be sustainable development for the purposes of NPPF.

## 17.0 Recommendation

**Grant, subject to 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 (as amended).

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

Proposed site location 148-010-C

Proposed site plan 148-011-D

Proposed floor plan 148-012-D

Proposed roof plan 148-013-C

Proposed front (west) elevation 148-014-A

Proposed rear (east) elevation 148-015-A

Proposed side elevations 148-016-A

Proposed curtilage plan 148 -18

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

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

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Reason: To protect amenity and the character of the area and to protect the openness of the Green Belt.

4. The development hereby permitted shall be constructed entirely of the materials details of which are referenced on the planning application forms and plans.

Reason: This is required to ensure the satisfactory visual relationship of the new development to the existing.

5. No development above damp proof course level shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include hard surfacing materials; means of enclosure; details of boundary planting, schedules of plants (noting species, plant sizes and proposed numbers/densities where appropriate).

Reason: This information is required prior to above damp proof course level commencing as the long term establishment, maintenance and landscaping of the site is necessary to preserve the amenity of the locality.

6. All hard and soft landscape works shall be carried out in accordance with the details under condition 5. The works shall be carried out prior to the occupation of any part of the development and the planting carried out in the first planting season following completion of the development. Any planting found damaged, dead or dying in the first five years following their planting are to be duly replaced with appropriate species.

Reason: To ensure the implementation of the scheme is carried out in accordance with the approved planting scheme.

7. Prior to the first occupation of the development hereby permitted 2 bat boxes, 2 bird boxes and 2 bee bricks per dwelling shall be installed and photos of these biodiversity features in-situ shall be submitted to and approved in writing by the Local Planning Authority. These boxes/bricks shall thereafter be retained and maintained on site.

Reason: In the interests of nature conservation and to achieve biodiversity enhancements on the site.

#### **Informatives:**

1. Informative: National Planning Policy Framework Statement  
In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

The council works with applicants/agents in a positive and proactive manner by:

6 April 2022

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

In this case:

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

2. Street Naming and Numbering

The Council is responsible for street naming and numbering within our district. This helps to effectively locate property for example, to deliver post or in the case of access by the emergency services. You need to register the new or changed address by completing a form. You can find out more and download the form from our website [www.dorsetcouncil.gov.uk/planning-buildings-land/street-naming-and-numbering](http://www.dorsetcouncil.gov.uk/planning-buildings-land/street-naming-and-numbering)

3. The applicant needs to be aware that the Community Infrastructure Levy (CIL) will be applied to this development. The Council will shortly be issuing a CIL Liability Notice following the grant of this permission which will provide information on the applicant's obligations.

The SAMM payment required under the Dorset Heathland Planning Framework 2020-2025 is now collected alongside CIL.

4. In relation to condition 7 details of the most appropriate location for bird boxes can be found at

<https://www.rspb.org.uk/birds-and-wildlife/advice/how-you-can-help-birds/nestboxes/nestboxes-for-small-birds/making-and-placing-a-bird-box/>

Details of the most appropriate location for bat boxes can be found at

<https://www.bats.org.uk/our-work/buildings-planning-and-development/bat-boxes/putting-up-your-box>

**Background Documents:**

Case Officer: Lucy Page

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



Eastern Planning Committee

6 April 2022

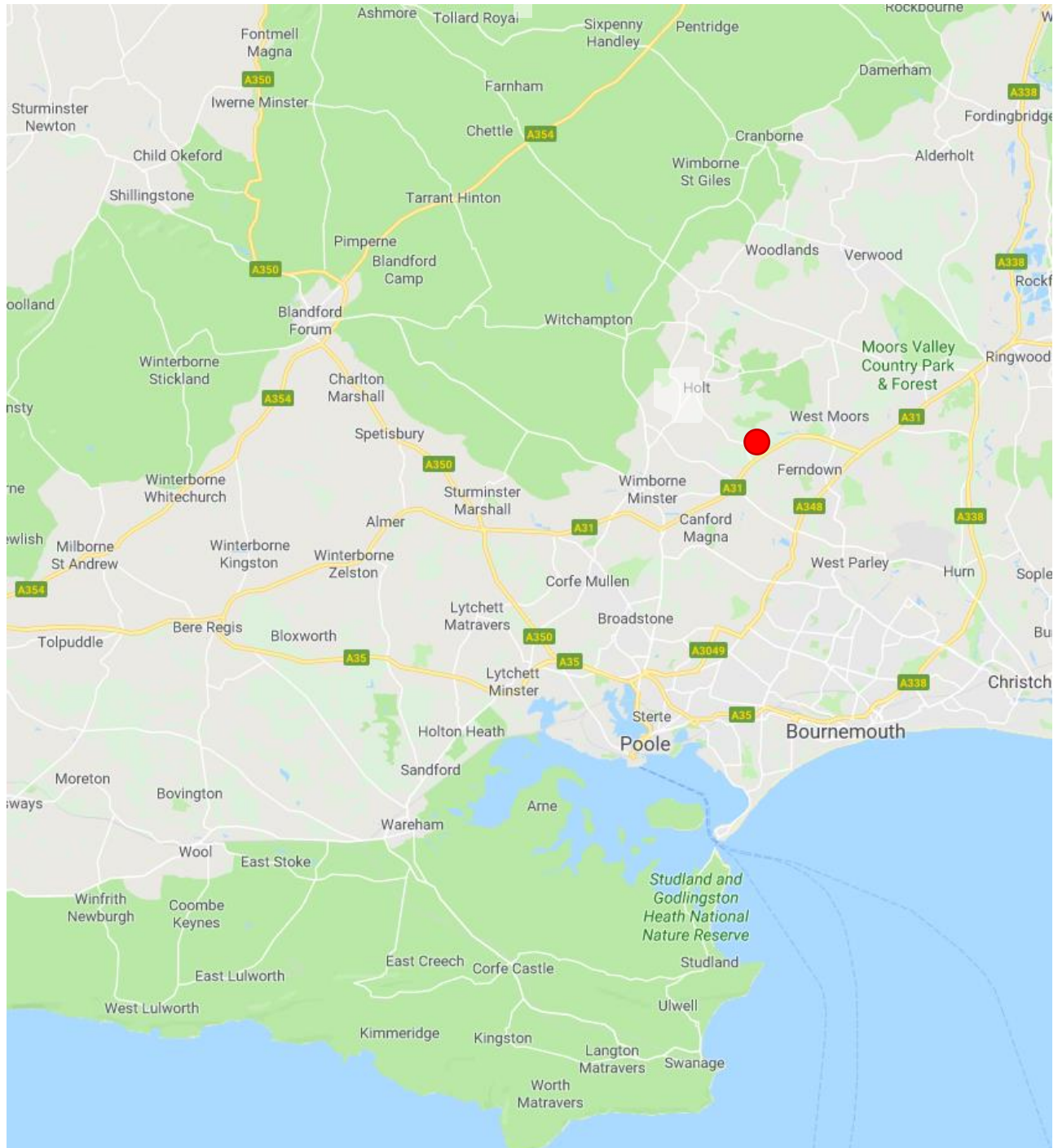
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● Approximate Site Location

Application reference: 3/21/1277/FUL

Site address: Bedborough Farm, Uddens Drive, Colehill, Wimborne, BH21 7BQ

Proposal: Change of use and conversion of existing redundant agricultural building into 2no 4 bedroom dwellings



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