



Western and Southern Area Planning Committee

Date: Tuesday, 13 December 2022
Time: 10.00 am
Venue: Council Chamber, County Hall, Dorchester, DT1 1XJ

Members (Quorum 6)

Dave Bolwell, Kelvin Clayton, Susan Cocking, Jean Dunseith, Nick Ireland, Louie O'Leary, Paul Kimber, Bill Pipe (Vice-Chairman), David Shortell (Chairman), Sarah Williams, Kate Wheller 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 elaine.tibble@dorsetcouncil.gov.uk 01305 224202

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

For easy access to all the council's committee agendas and minutes download the free public app called Modern.Gov for use on any iPad, Android, and Windows tablet. Once downloaded select Dorset Council.

Agenda

Item	Pages
1. APOLOGIES	
To receive any apologies for absence.	
2. DECLARATIONS OF INTEREST	
To disclose any pecuniary, other registerable or non-registerable interest as set out in the adopted Code of Conduct. In making their disclosure 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

5 - 10

To confirm the minutes of the meeting held on 17th November 2022.

4. PUBLIC PARTICIPATION

Members of the public wishing to speak to the Committee on a planning application should notify the Democratic Services Officer listed on the front of this agenda. This must be done no later than two clear working days before the meeting. Please refer to the Guide to Public Speaking at Planning Committee [Guidance for speaking at Planning Committee Guidance for speaking at Planning Committee - August 2022.pdf \(dorsetcouncil.gov.uk\)](https://www.dorsetcouncil.gov.uk/media/1000000/2022-08-01-Guidance-for-speaking-at-Planning-Committee-August-2022.pdf)

The deadline for notifying a request to speak is 8.30am on Friday 9th December 2022.

5. PLANNING APPLICATIONS

To consider the applications listed below for planning permission

- | | | |
|----|--|---------|
| a) | P/FUL/2022/002660 Fishing Lake, Charity Farm, Litton Cheney, DT2 9AP
Continued use of agricultural land as a camping site, Retention of static caravan, log cabin for use as farm/site shop and café, WC shed, storage building, laying of hard standing and tracks for internal access and parking - Erect shower/toilet block | 11 - 34 |
| b) | P/FUL/2022/00228 Old Dairy Site, Rope Walks, Bridport, DT6 3RH
Erect building to be used for storage, offices and associated ancillary uses. | 35 - 48 |
| c) | P/FUL/2022/05509 Scoutland, Land opposite Holy Trinity Burial Ground, Beaminster, DT8 3FF
Re-erection of open sided shelter sited adjacent to existing scout hut. | 49 - 58 |

6. URGENT ITEMS

To consider any items of business which the Chairman has had prior notification and considers to be urgent pursuant to section 100B (4) b) of the Local Government Act 1972

The reason for the urgency shall be recorded in the minutes.

7. EXEMPT BUSINESS

To move the exclusion of the press and the public for the following item in view of the likely disclosure of exempt information within the meaning of paragraph 3 of schedule 12 A to the Local Government Act

1972 (as amended).

The public and the press will be asked to leave the meeting whilst the item of business is considered.

8. APPEALS REPORT FOR INFORMATION ONLY

59 - 60

This page is intentionally left blank



WESTERN AND SOUTHERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON THURSDAY 17 NOVEMBER 2022

Present: Cllrs Dave Bolwell, Kelvin Clayton, Jean Dunseith, Louie O'Leary, Paul Kimber, Bill Pipe (Vice-Chairman), David Shortell (Chairman), Sarah Williams, Kate Wheller and John Worth

Apologies: Cllrs Susan Cocking and Nick Ireland

Also present: Cllr David Walsh

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

Ann Collins (Area Manager – Western and Southern Team), Hannah Massey (Lawyer - Regulatory), Robert Parr (Planning Officer), Katrina Trevett (Development Management Team Leader), Elaine Tibble (Senior Democratic Services Officer) and Joshua Kennedy (Apprentice Democratic Services Officer)

45. **Declarations of Interest**

Cllr Williams, Cllr Clayton and Cllr Bolwell declared an interest in item 5a as members of Bridport Town Council. They did not take part in the debate and vote.

Cllr Bolwell also declared an interest in item 5d as he was pre-determined. He did not take part in the debate and vote.

Cllr Wheller declared an interest in items 5b and 5c as a member of Weymouth Town Council. She did not take part in the debate or vote.

Cllr O'Leary was not a member of a Town Council but was a candidate in the election period and governed by the rules of Purdah. He would take this into account but was not pre-determined on any of the applications. He did not take part in the debate and vote on items 5b and 5c.

46. **Minutes**

The minutes of the meeting held on 13 October 2022 were confirmed and signed as a correct record.

47. **Planning Applications**

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

Application No: P/FUL/2022/03511 Station Yard Car Park, Station Yard, West Bay, DT6 4EW

- a) Cllrs Williams, Bolwell and Clayton left the room and did not take part in the debate and vote.

The Planning Officer presented the report which proposed the erection of a disabled changing room extension to existing public toilets. The application had been brought to committee under the Scheme of Delegation as Dorset Council was the landowner.

The proposed plan was to provide wheelchair accessible toilet/shower facilities in an extension to the existing building. Matching materials would be used to ensure the extension would not overpower the site or setting in general and would be in keeping with the character of the location.

The application was considered to be an enhancement of local facilities in the community, the key issues were highlighted and the recommendation was to grant permission.

Proposed by Cllr O'Leary, seconded by Cllr Dunseith

Decision: that the application was granted subject to the conditions outlined in the appendix to these minutes.

Application No: P/FUL/2022/04600 Beach Control Office, The Esplanade, Weymouth, Dorset, DT4 7AN

- b) Cllr O'Leary and Cllr Wheller left the room and did not take part in the debate and vote.

The Planning Officer presented the application for the installation of two roof mounted solar arrays on the south and west facing roof slopes of the Beach Control Office. The application had been brought to committee under the Scheme of Delegation as Dorset Council was the landowner.

Members were shown slide presentations of aerial photos showing the location of the site in relation to the road and beach, the street scene, the existing room plan and the two elevations where the solar rays were proposed.

The application was considered to offer an improvement to the community facility and provide a small contribution towards reducing carbon emissions.

Proposed by Cllr Pipe, seconded by Cllr Kimber.

Decision: that the application was granted subject to the conditions outlined in the appendix to these minutes.

Application No: P/FUL/2022/04176 Lodmoor Country Park, Main Car and Coach Park (public toilets) Greenhill, Weymouth, DT4 7SX

- c) Cllr O'Leary and Cllr Wheller remained outside of the council chamber and did not take part in the debate and vote.

The Planning Officer presented the application for the installation of 15 panel roof mounted solar arrays on the public toilets in Lodmoor Country Park. The application had been brought to committee under the Scheme of Delegation as Dorset Council was the landowner.

In summarising, the proposal was considered an enhancement to the local community building and would be more sustainable. The recommendation was to grant.

Proposed by Cllr Worth, seconded by Cllr Kimber

Decision: that the application was granted subject to the conditions outlined in the appendix to these minutes.

Application No: P/RES/2022/03490 Land south of Langdon Green, Marrowbone Lane, Bothenhampton, Bridport, DT6 4BU

- d) Cllr Bolwell left the room and did not take part in the application as he had declared pre-determination of the item.

The Development Management Team Leader presented the report for the erection of 1 dwelling with access (reserved matters application to determine appearance, landscaping, layout and scale following the grant of outline planning permission number WD/D/20/002660).

Amended plans had reduced the height of the dwelling and overcome initial concerns regarding scale & bulk. The site section drawing demonstrated that the new dwelling would follow the rhythm of properties stepping 'down' the slope without needing to adhere to a bungalow design format. The new dwelling would feature traditional materials (natural stone, brick, coloured render). As such, the proposal would sit in harmony with the site & surrounding area.

In terms of AONB impact and concerns by Bothenhampton Town Council, the principle of development had already been established with outline planning permission granted. The Development Management Team Leader drew the committee's attention to a neighbouring property chalet bungalow which was slightly higher than the proposed application and pointed out how the hillside mitigated the impact of the sense of prominence.

Oral representation was received from Simon Ludgate the agent for the application in support of the application.

In response to member questions the Planning Officers confirmed that the height and scale of the proposed building had not been determined at outline stage, so was within the gift of the committee to have full control over the scale, height, appearance and other reserved matters.

Proposed by Cllr O'Leary, seconded by Cllr Pipe

Decision: that the application was granted subject to the conditions

outlined in the appendix to these minutes.

Application No: P/ADV/2022/05237 116 The Esplanade, Weymouth, Dorset, DT4 7EJ

- e) The Development Management Team Leader presented the application for the installation of 1no. illuminated hanging box sign and 1no. bump top sign

The application had been brought to committee under the Scheme of Delegation as the building to which the application related was leased from Dorset Council and therefore the site was Council owned land.

The Development Management Team Leader advised that the proposed signage and illumination were in keeping with the character of the area and the neighbouring properties within the terrace. Many of those having similar signage. It was considered acceptable on the Grade II listed building and would cause no harm to the landscape or heritage assets.

The application together with the Listed Building Consent at item 5f was recommended to grant.

Proposed by Cllr O'Leary, seconded by Cllr Wheller

Decision: that the application was granted subject to the conditions outlined in the appendix to these minutes.

Application No: P/LBC/2022/05238 116 The Esplanade, Weymouth, Dorset, DT4 7EJ

- f) This application for listed building consent (in relation to item 5e) was before Planning Committee because the building to which the application relates was owned by Dorset Council and let to the applicant.

Proposed by Cllr O'Leary, seconded by Cllr Wheller

Decision: that the application was granted subject to the conditions outlined in the appendix to these minutes.

Application No: P/FUL/2022/05448 The Boat, DSK2 Kiosk opposite 41-42 The Esplanade, Weymouth

- g) The Development Management Team Leader presented the application for a proposed decking extension area over the beach. The application had been brought to committee under the Scheme of Delegation as Dorset Council was the landowner.

Members were presented with slides detailing the aerial view of the site and the current decking in place and steps leading to the beach.

Concerns raised by the Conservation Officer had been noted but in weighing up the planning balance the Development Management Team Leader did not consider that the proposal would cause any damage to the conservation area. The key issues were highlighted and the recommendation was to grant.

Members discussed the opportunity of including a ramp for wheelchair users to link the current decking area to the new decking at beach level. On reflection and having regard to the limited space within the development boundary it was not considered necessary as part of this scheme. There were ramps onto the beach provided by Weymouth Town Council already in situ to enable access to the beach and the existing area of decking could be accessed by wheelchair users. The addition of a ramp to the application site would reduce the space available for seating to an extent that the extension may not be worthwhile. Cllr Kimber requested that his concern to not include a ramp be minuted.

Proposed by Cllr Wheller, seconded by Cllr O'Leary

Decision: that the application was granted subject to the conditions outlined in the appendix to these minutes.

48. **Urgent items**

There were no urgent items.

49. **Exempt Business**

There was no exempt business.

Duration of meeting: 9.30 - 10.55 am

Chairman

.....

This page is intentionally left blank

Application Number:	P/FUL/2022/02660
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	Fishing Lake Charity Farm Litton Cheney DT2 9AP
Proposal:	Continued use of agricultural land as a camping site, Retention of static caravan, log cabin for use as farm/site shop and café, WC shed, storage building, laying of hard standing and tracks for internal access and parking - Erect shower/toilet block
Applicant name:	Dean and Romans
Case Officer:	Thomas Whild
Ward Member(s):	Cllr Roberts

1.0 The application has been brought to committee at the request of the Service Manager for Development Management and Enforcement as the case officer's recommendation is contrary to the views of the parish council.

2.0 Summary of recommendation: Refuse planning permission for the reasons set out at the end of this report.

3.0 Reason for the recommendation:

- The principle of development is only supported insofar as there would not be a harmful impact upon the landscape of the Area of Outstanding Natural Beauty.
- Notwithstanding the landscape assessment and proposed planting it is considered that the proposed development has a harmful impact upon the landscape and special character of the Dorset AONB.
- The economic benefits associated with the development are relatively modest and are not considered sufficient to outweigh the harmful landscape impacts in this instance.

4.0 Key planning issues

Issue	Conclusion
Principle of development	The establishment and expansion of camping and caravan sites is only supported insofar as the development would not harm the landscape. In light of identified landscape harm the proposals are not considered acceptable.
Design, character, landscape and visual impacts	The site is highly visible in the landscape and would result in a harmful impact upon the landscape and visual beauty of the Dorset

	AONB which would not be adequately mitigated by the proposed mitigation.
Economic benefits	There would be economic benefits through job creation and the contribution to the local economy. However, taking into consideration the size of the site and the number of jobs created the benefits would be relatively modest.
Highways	The site provides an appropriate and safe access arrangement and there is no objection from the Highways officer.
Amenity	Owing to the site's location and the scale of the development it is not considered that the development will have an unacceptable impact upon amenity.
Biodiversity	Notwithstanding the conclusion of the biodiversity survey, the proposal falls within the scope of the Dorset Biodiversity Appraisal Protocol. No biodiversity plan has been provided.

5.0 Description of Site

- 5.1 The application site comprises an undeveloped, flat, agricultural field which is located on the south side of a rural road (Litton Lane) which leads through Litton Cheney valley to the south west of Litton Cheney Village. A large fishing lake lies to the south of the application site and on land within the applicant's ownership. This was granted planning permission along with a new vehicular access track along the western boundary leading from Litton Lane to a hardstanding area for the parking of 12no. vehicles and a fisherman's hut immediately to the east of this area. The fisherman's hut and the vehicular access are all situated within the confines of the current application site although the former has since been removed from the site.
- 5.2 The site is set in an isolated location within the open countryside at approximately 700m from Litton Cheney village. The application site is partially bounded by hedgerows. There is some tree planting and a hedgerow along the northern boundary of the site fronting the rural lane. Although it is partly enclosed by trees along the southern and western boundaries, there is no boundary treatment along the eastern boundary.
- 5.3 The site lies within the AONB and outside any defined development boundary (DDB). The site occupies a central position within Bride Valley which sits between the coast and the A35 and is therefore within uninterrupted panoramic views of the valley from higher ground. The LCA describes the Bride Valley as "clay valley floor has an intimate and tranquil character with small regular pastures, dense hedgerows, and ribbons of wet woodland. A network of rural winding lanes connects a series of small nucleated villages of limestone and thatch with locally

prominent churches along the valley sides and isolated manor houses along the valley floor. The open valley sides are more arable in character with larger fields and blocks of occasional broadleaved woodland". One of the defining characteristics of Bride Valley is its "continuous patchwork of regular neutral pastures along valley floor with larger fields of arable on open valley sides with patches of scrub and calcareous/limestone grassland on steeper slopes". There are a number of public rights of way within the vicinity of the site. Notably, Footpath W12/8 which lies some 270m to the south east in the adjacent field and bridleway W12/11, located to the north west of the site.

- 5.4 The development that this application is seeking planning permission for currently exists on the site. The retrospective nature of the application is however in itself not a factor which can influence the determination of this application.

6.0 Description of Development

- 6.1 The proposal comprises the use of the site for camping, which comprises a total of 29 camping and touring caravan pitches, together with internal access tracks and parking areas, the construction of a log cabin for use as a site shop and café, new buildings to provide a shower / wc block and a storage building and the siting of a static caravan to be used as manager's accommodation.
- 6.2 The application is partially retrospective. The use of the land as a campsite has been ongoing for 2 years and the associated access tracks and car parking have already been created. The static caravan is on site, although it is understood that this is not currently in use, and the shop/café has been constructed and is in use.
- 6.3 The proposed shower and WC block has not yet been constructed. During a visit to the site, it was also evident that there are some additional unauthorised activities on the site including a touring caravan which is occupied by the site manager. The applicant has advised that this is to be removed if planning permission is granted. There is also an area of the site that is in use for the sale of pots and plants. The applicant has provided an updated site plan which sets out the extent of this activity.
- 6.4 The application follows a previously refused retrospective application to regularise the camping use of the site. That application was more limited in its scope however and did not include the café/shop, or the unauthorised sales use which have been carried out without planning consent since that application was refused.

7.0 Relevant Planning History

WD/D/20/001114 Decision: REF Decision Date: 14/04/2021

Change of use of agricultural land to caravan and camping site. Siting of a mobile home for permanent residential occupation by site manager. Construction of hardcore access track for caravans and parking. Construction of small fish "stocking lake" (retrospective)

1/W/06/000310 Decision: GRA Decision Date: 05/05/2006

Create fishing lake with fisherman's hut and 12No parking spaces. Construct new vehicular access

8.0 List of Constraints

- Landscape Character; Clay Valley; Bride Valley
- Land Outside DDBs
- 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)
- Risk of Surface Water Flooding Extent 1 in 30
- Risk of Surface Water Flooding Extent 1 in 100
- Risk of Surface Water Flooding Extent 1 in 1000
- Special Area of Conservation (SAC) (5km buffer): Chesil & The Fleet (UK0017076); - Distance: 3502.87
- Minerals and Waste Safeguarding Area
- Minerals and Waste - Sand and Gravel

9.0 Consultations

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

Consultees

Consultation Responses	No Objection	Object	Brief Summary of Comments
Town or Parish Council			<p>Litton Cheney Parish Council met to consider this application on 12 July. The meeting was well attended by 50 members of the public.</p> <p>At the meeting it was clear that many locals visit the lakeside for leisure/recreational use and enjoy its environment. The site therefore provides an important community resource within walking distance of Litton Cheney. The café is also used by passing walkers and cyclists and has been visited by a care home and the local school. The facilities are free for the local community use but the</p>

		<p>lake is subsidised by camping and the café.</p> <p>The development provides employment and supports farm diversification. The local PH and nursery also benefit from the business, especially since the Youth Hostel closed.</p> <p>It is essential to conserve the quality of the AONB landscape for future generations and the PC shares local objectors', AONB and Landscape Consultee concerns about the visual impact of the campsite and notes their comments. However, the PC feels these need to be balanced against local benefits and can be mitigated by appropriate landscaping and the fact the camp site will not be used for camping during winter when the site is more visible within the landscape.</p> <p>The Parish Council concluded that, in this case, landscape concerns are outweighed by the advantages set out above. Litton Cheney therefore SUPPORTS this application subject to conditions/legal agreement set out below. The agent/applicants have confirmed to the Parish Council that these would be acceptable.</p> <ul style="list-style-type: none"> • Operation of the campsite shall be restricted to 1 April to 30 September. • There shall be no more than 30 caravans and tents in total on the site at any one time. • There shall be no overwinter storage of caravans. • The landscape mitigation strategy as shown in plan 678/01 shall be implemented
--	--	--

			<p>in full during the first available planting season.</p> <ul style="list-style-type: none"> • The static caravan shall only be occupied by the manager of the site during the period 1 April to 30 September. • The static caravan shall be removed from the site should the campsite cease to operate. • In accordance with Local Plan Policy ECON8 (camping and caravan sites), the diversified business (in this case the campsite) is tied to the parent farm (Charity Farm). <p>The Parish Council considers the above restrictions to be essential and, should the LPA be unable to achieve them via use of conditions/legal undertakings attached to any grant of planning permission, the PC would wish to review its position of support.</p>
Ward Member(s)			No comments received.
Highways Officer	x		
Natural Environment Team			<p>The application is within the scope of the Dorset Biodiversity Appraisal Protocol (DBAP) criteria which includes all development sites of 0.1 ha and over. If they have not done so already, we recommend that the applicant engage with a suitably qualified and experienced ecologist to conduct an Ecological Impact Assessment and submit a Biodiversity Plan (BP) to DC NET. We would then review the BP to ensure compliance with wildlife legislation, NPPF (2021) and that</p>

			biodiversity enhancements/ net gain are secured.
Landscape officer		X	<p>The development site is located in the Bride River Valley in open farmland within the Dorset Area of Outstanding Natural Beauty (AONB).</p> <p>I consider that, as currently proposed, the development is likely to have an adverse landscape and visual impact and that it has not been properly evidenced that this adverse landscape and visual impact can be adequately mitigated through the proposed layout and the implementation and maturation of mitigatory planting.</p> <p>As a consequence I consider that the proposed development fails to comply with the requirements of national and local planning policy relevant to landscape and visual considerations and that it is not in accordance with the planning guidelines and objectives of the AONB Management Plan.</p> <p>I am therefore unable to support the planning application.</p>
Building Control			<p>There are no Building Regulations applications associated with this location. Should the planning permission be granted, retrospective submissions will be required for regularisation of any controllable buildings.</p>
Dorset AONB Team		X	<p>The AONB Team notes that the proposal follows application WD/D/20/001114, which was refused. The application now provides a landscape appraisal and planted mitigation. Furthermore, the following differences are noted:</p> <ul style="list-style-type: none"> • The previous application showed a central grassed area for camping and parking,

			<p>whereas the latest plans indicate regularly spaced pitches running around the edge of the field. N.B. It is stated that there are 20 grass pitches and 10 'winter pitches', which utilise a reinforced mesh. However, the number of pitches shown on the plans totals 29.</p> <ul style="list-style-type: none"> • A toilet/shower block is now included, to the west of the stocking lake, close to Litton Lane. • A relatively substantial new area of car parking, with storage shed, is included to the north of the site manager's caravan. • A café/shop is included in the southern portion of the site, close to the lake. • It is now stated that the static caravan would be occupied on a seasonal basis, from 1 April – 30 September, whereas year-round occupation had been previously proposed. <p>Overall, the above amendments do not tend to suggest that the impacts of the development would be substantively reduced, as compared to the refused application. Rather, the introduction of further areas of parking, alongside structures such as the storage shed and café/shop, have added to the landscape and visual effects of the unpermitted development within the site since our review of the refused application.</p>
--	--	--	--

Economic growth and regeneration	X		<p>We support the diversification of farm businesses and redundant farm buildings which incorporate benefits to local employment and enhances former agricultural business opportunity within rural Dorset</p> <p>The current employment references two full time posts and part time posts. The expansion of the business with increased facilities would create further job opportunity.</p> <p>The current business supports tourism as a key sector of Dorset's Economy, and also the Food & Drink sector in supplying locally sourced food and drink to the farm shop and the opportunity to increase business at other farm shops within the local community.</p>
Environmental protection			No comment from environmental protection.
Wessex Water	X		<p>Wessex Water has no objections to this application and can advise the following:</p> <ul style="list-style-type: none"> • There is an existing 225mm public foul sewer crossing the site which must be accurately plotted. Wessex Water require unrestricted access at all times for repair and maintenance activities. • The planning authority will need to be satisfied that soakaways will work and arrangements are clear for any shared obligations. There must be no surface water connections to the foul sewer network.

Natural England	X		
Housing Improvement Team			<p>I would recommend the following:</p> <ul style="list-style-type: none"> • The static caravan for seasonal managers occupation has a specific condition restricting use for residential occupation. • A condition restricting the use of the campsite to the period 1st April to 30th September. • A condition restricting the maximum number of units to 29. • If planning permission is granted, an application for a tent site licence will need to be made and the relevant site licence conditions complied with.

Representations received

Total - Objections	Total - No Objections	Total - Comments
4	59	1

Petitions Objecting	Petitions Supporting
0	1
0 Signatures	0 Signatures

9.2 In addition to the comments set out above, a total of 64 third party comments have been received – 4 in objection, 59 in support and 1 making comments.

9.3 Points raised in support of the application are:

- Contribution the site makes to the local economy and jobs.
- Site is well managed and looked after with a clear investment made by the owners.

- Site owners are respectful of the quiet nature of the village.
- The site is an oasis of peace and tranquillity.
- The site is a valuable facility for the community given the village does not have a shop or bus services.
- Low environmental impact of the recreational activities.
- Refusal of planning permission may lead to further issues for the village if the pub could not survive.
- While the site can be seen it doesn't harm the valley.
- Vehicle movements are inconsequential.
- The employment the site brings should outweigh the AONBs concerns.
- The campsite helps to support the pub.

9.4 Points raised in objection are:

- Landscape impacts and visibility of the site.
- Potential for the development to establish a precedent.
- The camping ground is a scar on the landscape.
- The mitigation proposals will take several years to establish.
- Concern that the creeping development of the site has been allowed to occur without planning permission and action is needed to prevent further damage.
- The visual impact of the site is significant with the site standing out in the landscape.
- Enhancements will lead to more visitors and traffic through Long Bredy where the roads are already collapsing at the edges and where the roads form part of the national cycle way network.

10.0 Relevant Policies

Adopted West Dorset and Weymouth & Portland Local Plan:

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

- INT1 - Presumption in favour of Sustainable Development
- ENV1 - Landscape, seascape & sites of other geological interest
- ENV2 - Wildlife and habitats
- ENV5 - Flood risk

- ENV10 - The landscape and townscape setting
- ENV 12 - The design and positioning of buildings
- ENV 16 - Amenity
- SUS2 - Distribution of development
- ECON7 - Caravan and camping sites
- ECON8 - Diversification of land-based rural businesses
- COM7 - Creating a safe & efficient transport network
- COM9 - Parking provision
- HOUS6 - Other residential development outside defined development boundaries.

Other Material Considerations

Supplementary Planning Documents/Guidance

Dorset AONB Landscape Character Assessment

Dorset AONB Management Plan 2019-2024

WDDC Design & Sustainable Development Planning Guidelines (2009)

Weymouth & Portland Listed Buildings and Conservation Areas (2002)

Landscape Character Assessment February 2009 (West Dorset)

National Planning Policy Framework:

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 79-80 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:
 - 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 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.
- Section 16 'Conserving and Enhancing the Historic Environment'- When considering designated heritage assets, great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (para 199). The effect of an application on the significance of non-designated heritage assets should also be taken into account (para 203).

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.

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

12.0 Public Sector Equalities Duty

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

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

12.2 Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty. The proposals incorporate measures to provide for persons with a disability through a dedicated disabled WC and shower.

13.0 Financial benefits

What	Amount / value
Material Considerations	
Job Creation	2 FTE jobs created (existing), rising to 3 FTE with proposed works
Non Material Considerations - None	

14.0 Climate Implications

14.1 There will be additional CO2 emissions as a result of travel to and from the site and from the operation of the café on the site.

15.0 Planning Assessment

Principle of development

15.1 The application is made for retrospective planning permission to regularise the unauthorised change of use of the land to a permanent campsite, which has involved the laying of an internal access road and a static caravan to serve as a site manager’s accommodation and the construction of a log cabin which is used as a café/shop. In addition to regularisation of the unauthorised development the

application proposes the construction of a new shower block to be provided in the north western corner of the site.

- 15.2 The site is located in the open countryside outside of any defined development boundary and is therefore in a location where policy SUS2 indicates that development will be strictly controlled, having particular regard to the need for the protection of the countryside and environmental constraints. The policy does list a number of potentially acceptable forms of development in rural areas which include farm diversification, tourism and recreational and leisure related development. However, proposals for these are to be considered in the context of the environmental constraints of the site and other policies of the plan.
- 15.3 Policy ECON7 specifically relates to the provision of new camping and caravan sites and states that these will be supported but only insofar as they do not individually or cumulatively have a significant adverse impact on the distinctive characteristics of the areas landscape, heritage or built environment. In view of the concerns expressed by both the Dorset AONB team and the Council's Senior Landscape Architect which are considered further below this requirement cannot be said to have been met and the principle of development is not therefore accepted.
- 15.4 The application also includes a café/farm shop (which has already been constructed) and a static caravan to be used as manager's accommodation. The static caravan is already present on site but is not currently occupied. The caravan is stated to be required for the management of the campsite as well as for overseeing the lake and providing for security and emergencies. However, it is noted that the use of the lake is year-round while the managers accommodation would only be during the period of camping, and it is stated in the Design and Access Statement that wild-swimming, which forms a significant portion of the use is a predominantly winter activity. Based upon the limited justification that has been provided it is not considered that an essential need for the manager's accommodation has been demonstrated, particularly given that the main camping use is considered to be contrary to policy.
- 15.5 The cafe may be considered as a tourist facility given the close relationship with the other activities on the site. Policy ECON 5 encourages new tourist facilities, particularly where they would provide wider community benefits such as through the provision of a new recreational facility which would be used by the local community. It also states that development should, where possible be located within or close to established settlements or make use of existing or replacement buildings. In this case there are a significant number of comments which indicate that the café element of the scheme does provide some wider community benefits. The café does not however utilise an existing or replacement building, instead being located in a new, purpose built building which has been constructed with neither planning or building regulations approval.

15.6 In respect of the manager's accommodation, the location of the property is such that additional residential accommodation would not normally be supported in accordance with policy SUS2. Policy HOUS6 does allow for new housing for rural workers where it can be demonstrated that there is an essential need for a worker to live at or near their place of work. Given the relatively limited scale of the campsite use and the supplementary presence of the site shop in addition to the manager's accommodation and the restrictions on overnight vehicle movements referred to in the design and access statement it is not considered that the essential need for a residential presence on the site has been demonstrated or that these functions could not be provided through the use of alternative accommodation.

Design, character and Landscape and visual impacts

5.7 The site is located within the Dorset Area of Outstanding Natural Beauty and is within the Bride Valley landscape character area. The Landscape Character assessment notes important features of the area as including the intimate and tranquil character of the clay valley floor, with a continuous patchwork of small regular neutral pastures, and the road network of rural winding lanes with an intimate character. The intrusive impact of car parks and visitor based development is noted as a negative feature within the landscape character area.

15.8 The Dorset AONB management plan identifies recreation and traffic from residents and visitors as well as high visitor numbers as being key pressures on the AONB, with consequential impacts upon the landscape and rural character, with pressure for additional camping uses being specifically identified as a pressure. In this context the objectives for the AONB as set out in the management plan identify that development which supports and enhances the AONB will be supported, but that where development does not support or enhance the AONB it will only be supported if the development can be demonstrated to be necessary and in the public interest (objective C1). Objective C4g of the management plan specifically seeks to protect the AONB from overprovision of visitor accommodation, including camping, caravanning and glamping where existing development weakens the character and appearance of the countryside.

15.9 Comments have been received from both the Dorset AONB team and the Council's senior landscape architect. The AONB team notes that in comparison to the recently refused application for the site, there are a number of changes with the current application which include the provision of a landscape appraisal and planted mitigation but also additional physical works (both proposed and retrospective) including a toilet block, car parking and café/shop. The AONB Team comments that, notwithstanding the additional landscape planting shown, there are additional landscape impacts from the new development.

- 15.10 The AONB Team also notes that the assessment carried out in the landscape appraisal underlines the impact that the development has had – comparing the ‘excellent’ value of the wider landscape with the ‘fair’ quality of the site, and therefore considers that the baseline position should not be the current development on the ground, given that significant proportions have been carried out without planning consent. These comments also raise concerns as to the fundamental suitability of the site for an enterprise of the scale and nature that has been implemented on the site. In particular, these concerns are held with regard to the camping and touring caravan element, and, to a lesser extent the expansion of recreational activities at the lake.
- 15.11 In considering the proposed landscape mitigation measures the AONB team is concerned that the mitigation would not overcome the visual impact of the development, in particular from the elevated view points to the north of the site. They also comment that the approach of relying on as yet unrealised screening in order to achieve consent for unpermitted development which would otherwise be regarded as unacceptable, would not optimally manage the AONB for its conservation and enhancement.
- 15.12 The Senior Landscape Architect has commented that they are unable to support the application as they consider that as currently proposed the development is likely to have an adverse landscape and visual impact and that it has not been properly evidenced that this adverse landscape and visual impact can be adequately mitigated through the proposed layout and the implementation and maturation of mitigatory planting. The landscape officer has provided a comparison of the scheme to the previously refused proposals for the site (ref: WD/D/20/00114) which sought retrospective planning consent for the camping/caravan use, hard standing and manager’s accommodation and which was refused on the basis of its landscape impact.
- 15.13 In their assessment the Senior Landscape Architect notes that the submitted landscape and visual appraisal does not contain accurate visual representations or verifiable visual montages to support the assertions that the landscaping proposals would be successful in reducing the landscape and visual impacts to the level of ‘slight adverse’ or neutral within a 10 year period. The Landscape Architect ultimately concludes that in order to achieve a suitable level of mitigation the planting would need to be of a greater depth than the 5m currently proposed and would need to be supported by the augmentation of field boundary hedgerows to the north of the site and additional tree planting.
- 15.14 In concluding, the Senior Landscape Architect states that they consider that the proposals would not contribute to enhancing the natural and local environment and would detract from local landscape character, while the mitigation measures proposed would be insufficient. They also comment that the siting, alignment, design, scale, mass and materials of the buildings do not complement or respect

the character of the surrounding area and that the activities at the site would detract from the tranquillity and sense of remoteness. It is therefore concluded by the Senior Landscape Officer that the development would be likely to have a significant adverse impact on the distinctive characteristics of the area's landscape in a form which would not be in keeping with the rural character of the area.

- 15.15 At the time that the site was visited the camping area was not fully occupied with only a relatively small number of tents and touring caravans being present. However, those elements were clearly visible within the landscape, in particular from the elevated viewpoints to the north of the site. This is also confirmed in the viewpoints which have been provided by the applicant in the landscape appraisal.
- 15.16 In light of the concerns expressed by both the AONB team and the council's Senior Landscape officer it is considered that in their current form the proposals do have a harmful impact upon the landscape and that this will continue if the proposal were to be allowed. In view of this, it is considered that the proposal is contrary to policy ENV1 of the local plan as it would harm the character, special qualities and natural beauty of the Area of Outstanding Natural Beauty (criterion i). The proposal is also considered to fail against criterion ii of policy ENV1 which requires that development should be located and designed so that it does not detract from local landscape character, and states that where development would significantly adversely affect the character or visual quality of the local landscape, it will not be permitted. In respect of Criterion (iii), given the detailed assessment carried out by the Senior Landscape Architect, it cannot be concluded that the mitigation proposed would be sufficient to moderate the adverse effects of the development.
- 15.17 In addition it is considered that the proposals are contrary to the objectives of the Dorset AONB management plan in that they would undermine landscape character without being in the public interest. The proposals are also considered contrary to the provisions of the National Planning Policy Framework in respect of the protection of important landscapes. In particular it is considered that the proposal is contrary to paragraph 174(d) of the framework, which requires that planning decisions should protect and enhance valued landscapes in a manner commensurate with their statutory status. The proposal is also contrary therefore to paragraph 176 which requires great weight to be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty (which are confirmed as having the highest status of protection in relation to these issues).
- 15.18 The buildings which form part of this application are largely utilitarian in their appearance, all being single storey. The structures are all relatively modest in scale and appearance, although the siting of the existing café and proposed shower block puts both in relatively prominent positions which both contribute to the landscape impacts of the site. The layout of the site also gives it a manicured

parkland appearance which stands in contrast to the open and rural setting in the Bride Valley.

Economic benefits

- 16.19 The scheme is proposed as a diversification project of Charity Farm, which the applicant runs as a dairy farm. The lake to the south of the site is already run as a fishing lake with wild swimming and paddleboarding and the current application is promoted as a natural extension of those uses. The applicant's supporting statement also refers to the economic benefits of the scheme to the local economy, in particular the local pub, The White Horse Inn, which is sited between the site and Litton Cheney. Several of the letters received in support of the application, including from the landlord of The White Horse have referred to the contribution made by the site.
- 15.20 Comments have also been received from the Council's Economic Growth and Regeneration Team which notes the support that the business gives to the tourism sector as well as the food and drink sector in supplying locally sourced food and drink to the farm shop. Reference is also made in comments to the potential for job creation.
- 15.21 However the application is not supported by any detailed figures or analysis of the economic benefits or impacts of the scheme, beyond the employment figures quoted on the application form, that the site currently employs 1 person full time, with 4 part time employees (total of 2 Full time equivalent jobs), whereas the proposed level of employment would raise this to 2 full time employees and 4 part time (total of 3 full time equivalent jobs).
- 15.22 It is therefore considered that although the site does and would continue to make a contribution to the local economy, the contribution is a relatively modest one.

Highways

- 15.23 The site is served by an existing access route from Litton Lane which provides adequate visibility and an ability for cars to pass. The Highways authority does not object to the scheme, subject to the imposition of conditions requiring that the indicated turning and parking areas are provided and remain available.
- 15.24 Objections have noted the traffic impacts of the proposal. However, the scale of the development is relatively small, and it is considered that in light of there being no objection from the Highway Authority, that a refusal on the grounds of the additional traffic created by the development could not be sustained.

Amenity

- 15.25 The site is geographically separate from potentially sensitive receptors, being approximately 500m from Litton Cheney, over 2km from Long Bredy and over 1km

from Puncknowle. While there are some scattered dwellings closer, these are still relatively separate from the site. Taking into consideration the distances involved and the nature of the site's use it is not considered that it will give rise to unacceptably harmful impacts on residential amenity.

Biodiversity

15.26 The application has been accompanied by a biodiversity report and statement which advises that there are no biodiversity interests that would be impacted by the scheme. Nonetheless the application is within the scope of the Dorset Biodiversity Appraisal Protocol due to the site area and nature of the proposal and a biodiversity plan should have been provided to the Natural Environment Team in order to secure biodiversity enhancement measures. However, in light of the submitted report it is not considered that a refusal of planning permission on this basis would be justified.

Flood Risk and Drainage

- 15.27 Part of the site is affected by areas identified as being at risk of surface water flooding, in the south western corner of the site, and a smaller area in the north eastern part of the site. The applicant has provided a site specific flood risk assessment considering all sources of flooding.
- 15.28 The flood risk assessment confirms that the site is at low or no risk of flooding from rivers, the sea, sewers and groundwater. The assessment identifies that surface water flooding is concentrated on the parking area within the site and, in more significant events the access track, while a small area in the north eastern part of the site follows the track formed for the camping use. The Flood Risk Assessment identifies that all surface water flow depths are expected to be below 300mm in depth with a velocity exceeding 0.24 m/s. However the flow rate is not expected to exceed 2.0 m/s which is the threshold at which flood water of the depth predicted would be considered dangerous.
- 15.29 Following the receipt of a proposed drainage strategy and amended flood risk assessment the Lead Local Flood Authority has confirmed that it does not have an objection to the proposals and has commented that flood risk and drainage will be managed appropriately.
- 15.30 The use of the site for camping is considered to be a 'more vulnerable' use as defined in annex 3 of the National Planning Policy Framework. Therefore the flood risk assessment indicates that as the site is identified as being within flood zone 1, the sequential test is passed in this instance. The flood zone categorisation only takes into consideration risk of flooding from rivers and the sea. Paragraph 162 of the National Planning Policy Framework clearly requires that the sequential approach to the siting of development should be used in areas known to be at risk from any form of flooding.

15.31 Therefore it is necessary to consider the sequential test in this instance due to the surface water flood risk which has been identified and which affects not only the car parking areas, but areas within the camping field itself. The applicant has not provided any analysis of the availability of alternative sites for the camping element of the proposal, which falls within the 'more vulnerable' category and the sequential test has not therefore been passed. As the proposal is for a form of farm diversification it would be considered appropriate to restrict the sequential test to the farm holding in this instance. However, in order for the sequential test to be passed further information in respect of the extent of the applicant's holding and the suitability of the land within it would be required.

15.32 Therefore, notwithstanding the Lead Local Flood Authority's view in respect of the flood risk and drainage of the site, the applicant has failed to demonstrate that there are no more sustainable locations for the proposed development. The proposal is therefore contrary to policy ENV5 of the local plan and paragraph 162 of the National Planning Policy Framework.

16.0 Conclusion

16.1 The application seeks planning consent (in part retrospectively) for the creation of a campsite, with car parking and access tracks, manager's accommodation and new buildings to provide WC/shower facilities, a café and shop and storage. The scheme is proposed as a farm diversification scheme.

16.2 This application follows a previous refusal of retrospective planning consent for the camping use of the site, which was refused on the basis of landscape impacts and the lack of justification for permanent manager's accommodation. While the current application is now accompanied by additional landscape mitigation proposals which are also informed by a landscape appraisal, comments from both the Dorset AONB team and the Council's Senior Landscape Architect have raised concerns in respect of the impact of the proposals on the landscape of the Dorset Area of Outstanding Natural Beauty, with the additional landscape planting being assessed as insufficient to successfully integrate the development with the character of the site and the surrounding area. The current application also has a wider scope than the previously refused scheme, comprising additional unauthorised structures and uses.

16.3 The landscape impacts of the scheme must be weighed against the benefits to be derived from the proposals, which in this instance are principally economic benefits. As noted above these benefits are modest, with limited job creation and unquantified wider economic benefits. It is not considered that these modest benefits are sufficient to outweigh the harm that has been identified to the Area of Outstanding Natural Beauty.

16.4 Additionally the site is subject to surface water flood risk. Although a flood risk assessment and drainage strategy has been submitted to the satisfaction of the Lead Local Flood Authority, the applicant has not adequately demonstrated that the sequential test can be passed. The proposal is therefore contrary to policy ENV5 of the Local Plan and paragraph 162 of the National Planning Policy Framework.

16.5 It is noted that several of the letters received in support of the scheme have referred to the value of the site as a recreational resource. However, these comments are

focussed mainly upon the use of the lake for recreational purposes. The lake is beyond the scope of this application, which is concerned with the camping uses and associated facilities and works.

- 16.5 Taking the above into consideration, the benefits of the scheme in terms of the economic contributions are not considered to be sufficient to overcome the harm that are caused to the landscape and scenic beauty of the Dorset Area of Outstanding Natural Beauty.

17.0 Recommendation: Refuse for the following reasons:

1. The proposed use of this land for the camping and caravanning in conjunction with the associated hard standing, car parking and ancillary buildings and café/shop results in a detrimental landscape impact on the open character of the Bride Valley landscape within the Dorset Area of Outstanding Natural Beauty, the character of which should be respected, protected or enhanced for its intrinsic value. It is considered the harm would outweigh any benefit the proposed development would have for the rural economy. Therefore, the proposal would be contrary to Policies ENV1, ENV10, ECON7 and ECON8 of the West Dorset and Weymouth Local Plan, the National Planning Policy Framework Paragraph 172; as well as the Objectives C1a, C2d, C2e, C2f, C4a, C4c, C4d of the Dorset AONB Management Plan 2019-24 and the West Dorset Landscape Character Appraisal 2009: Bride Valley Character Area.
2. This proposed mobile home amounts to a new dwelling in an isolated and unsustainable location in the open countryside with any future occupiers being reliant on a car to access services and facilities. The applicant has not demonstrated an essential functional and financial need to live on the site in support of the existing fishing lakes or proposed camping and caravanning site. In the absence of adequate justification there would be insufficient benefit arising of sufficient weight to outweigh the harm which would result from the mobile home and the associated domestic paraphernalia, in this rural and unsustainable location in the Dorset Area of Outstanding Natural Beauty. Therefore, the proposal would be contrary to Policies INT1, SUS2, HOUS6 and ENV1 of the West Dorset, Weymouth and Portland Local Plan and the National Planning Policy Framework Paragraph 80.
3. Parts of the application site, including the proposed camping areas are affected by surface water flood risk with a 1 in 30 and 1 in 100 annual event probability. In the absence of any evidence to the contrary, it cannot be concluded that there are no more sustainable sites available at a lower risk of flooding which could accommodate the development. Therefore, the sequential test has not been passed and the proposal is contrary to Policy ENV5 of the West Dorset, Weymouth and Portland Local Plan and the National Planning Policy Framework, paragraph 162.

Informative Notes:

1. The development is hereby refused in accordance with the plans listed below:

Location Plan received on 23/06/2020

Proposed Site Plan received on 23/06/2020

Section Plan for Small Stocking Lake Drawing Number WW/ZB/002 received on 23/06/2020

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

2. National Planning Policy Framework

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 did not take the opportunity to enter into pre-application discussions.
- The applicant was advised that the proposal did not accord with the development plan and that there were no material planning considerations to outweigh these concerns.

This page is intentionally left blank

Application Number:	P/FUL/2022/00228
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	Old Dairy Site Rope Walks Bridport DT6 3RH
Proposal:	Erect building to be used for storage, offices and associated ancillary uses
Applicant name:	Mr D Chambers
Case Officer:	Thomas Whild
Ward Member(s):	Cllr Bolwell; Cllr Clayton; Cllr Williams

1.0 The application is being considered by planning committee as it relates to land owned by Dorset Council.

2.0 Summary of recommendation: GRANT, subject to conditions.

3.0 Reason for the recommendation:

- The site is sustainably located within the town centre and would provide for a use which is considered appropriate in the town centre location.
- The amended design of the scheme is considered appropriate to the conservation area setting of the site, would reflect and enhance local distinctiveness and avoid harm to the character of the conservation area and the setting of neighbouring heritage assets.
- The proposal would avoid harm to amenity of neighbours
- There would not be an unacceptable impact upon highways, and car and cycle parking would be provided.

4.0 Key planning issues

Issue	Conclusion
Principle of development	The site is sustainably located within the town centre and would provide an acceptable use within this location.
Scale, design, impact on character and appearance and heritage assets	Following the receipt of amended drawings to address concerns with the design of the scheme the proposal would achieve a form of development that respects local distinctiveness and avoids harm to the character of the Bridport Conservation Area and the setting of neighbouring listed buildings.

Archaeology	An archaeological investigation has confirmed that there is no remaining archaeological interest at the site and no further investigation is required.
Impact on amenity	The proposals would avoid harmful overlooking, overbearing or loss of light and would not therefore have an adverse impact upon amenity of neighbours.
Access and Parking	The proposals are not considered to present a hazard in highways terms and will provide a car parking space (with electric vehicle charging) and cycle spaces. The level of parking is considered appropriate for the sustainable location and proximity to Rope Walks car park.

5.0 Description of Site

- 5.1 The application site comprises a small rectangular parcel of land within the town centre of Bridport. The site is previously developed land but is currently vacant save for a small kiosk structure operated by Jurassic Fibre, which is in the south eastern corner of the site.
- 5.2 The site is located within the Bridport Conservation Area. The Bridport Decorator Centre is located immediately to the south. That is an attractive and historic commercial building identified in the Bridport Conservation Area Appraisal as forming an attractive focal point.
- 5.3 The Rope Walks Car Park is located to the south east and plots to the west comprise the rear of commercial properties which front on to West Street, including several modern commercial structures. Immediately to the west of the site, 31 Ropewalks is identified as a grade II listed building. However, the building is not currently present on the site, with only a single wall which forms the western site boundary remaining.

6.0 Description of Development

- 6.1 The proposals comprise the construction of a new building which is to be used for storage, office and workshop space for use for cultural and community organisations within Bridport. The ground floor of the building is divided into five separate storage areas. The first floor comprises five rooms which will provide workshops, a photography studio, meeting room and kitchenette.
- 6.2 There will be a single car parking space and a separate loading bay in front of the building, and cycle parking is proposed in front of the building.
- 6.3 As originally proposed, the building had a utilitarian appearance with brick walls to the ground floor, with a first floor proposed to be composite cladding with a trapezoidal profile coloured grey. The building has a shallow pitch roof, proposed to be of composite cladding with a trapezoidal construction and gables to the southern and northern elevations. The roof would be grey in colour with photovoltaic panels proposed to both the east and west roof slopes. The design features limited windows

at the ground floor level, with only a single window serving the WC. At first floor level there is a row of windows in the southern elevation with a single window in the north elevation and two windows in the west elevation.

- 6.4 Following the receipt of comments from the council’s senior conservation officer which raised a number of concerns in respect of the building’s utilitarian appearance, a number of changes have been made to the design of the building. While retaining the overall internal layout, the northern and southern elevations now have three linked gables with vertical columns of rusticated brick between them, and a corresponding triple pitch roof, allowing the roof pitch to have been increased without significantly increasing the overall ridge height.
- 6.5 The walls are to be formed in brickwork above a 500mm stone plinth with soldier courses of rusticated brick between the ground and first floor and the first floor and roofscape. The principal (southern) elevation features shuttered doors within the gables intended to contribute to the appearance as a series of traditional linked warehouse buildings.
- 6.6 The fenestration of the current design is largely similar to the original, featuring limited windows at the ground floor level, reflecting the intended use of the space for storage. The upper floor has the principal windows in the southern elevation, with these being reduced from five in the original scheme, to three at present. There is a window to the office space and a small window to the WC in the western elevation and a window in the northern elevation to the kitchenette. The eastern elevation does not feature any windows. However, in order to provide some relief to the elevation, six blank ‘tax’ windows have been incorporated. Similarly, two blank ‘tax’ windows are incorporated into the southern elevation, where the building would have its main relationship with the street.
- 6.7 Externally the site will be predominantly hard surfaced with a strip along the western boundary allowing for some landscape planting. The frontage of the site will comprise a single off road car parking space with electric vehicle charging, a loading bay and covered space for parking 4 cycles. It is proposed that the boundary of the site is to be defined by a 1.2m brick wall in place of the existing post and rail fence.

7.0 Relevant Planning History

Application Number	Location	Proposal	Decision	Decision Date
P/FUL/2021/02268	Land south of Rope Cottage Rope Walks Bridport DT6 3RH	Construction of a temporary compound comprising of a kiosk unit to house data exchange for telecommunications (Jurassic Fibre) including concrete slab for placement, and 1.8 metre high steel palisade perimeter fencing	Granted	17/12/2021

1/W/91/000435	BUILDING AT REAR 24 WEST STREET, BRIDPORT, DORSET	Demolish building	Granted	31/03/1992
---------------	--	-------------------	---------	------------

8.0 List of Constraints

- Town Centre Areas
- Defined Development Boundary
- Dorset Council Land (Freehold)
- Special Area of Conservation (SAC) (5km buffer): Chesil & The Fleet (UK0017076);
- Grade II listed building – 31 Ropewalks, list entry 1216447.0 (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)
- Within the Bridport Conservation Area (statutory duty to preserve or enhance the significance of heritage assets under section 72 of the Planning (Listed Buildings & Conservation Areas) Act 1990)
- 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)

9.0 Consultations

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

Consultees

1. **Highways** – No objection subject to recommended condition in respect of vehicle access construction.
2. **Conservation Officers** – *Initial response*: Unable to support due to less than substantial harm without public benefit to outweigh the harm.

The principle of a building is supported and a sustainable approach to design is also considered responsible in the face of climate change. The site offers great opportunity for enhancement, but the utilitarian design and massing of the proposed building is not considered to be in keeping with the Conservation Area and setting of a Listed Building and causes less than substantial harm which is not considered to be outweighed by the public benefits of the

scheme. It is recommended that the application be refused or withdrawn to allow for pre-application discussions to overcome the design concerns.

Comments following amendments

The scheme is an improvement and the proposals are moving towards full officer support – some amendments suggested to improve the scheme and to allow full officer support to be forthcoming (amended drawings to address these points submitted and agreed at conservation Surgery).

- 3. **Bridport TC** – No comment as the Town Council is the applicant.
- 4. **Bridport Ward Councillors** – Cllr Bolwell: As a Bridport and Dorset Councillor I have no comment to make.
- 5. **Building Control West Team** – No comments to make.
- 6. **DC - Dorset Waste Partnership** – No comments received.
- 7. **Natural England** – No comments to make on this application, reference made to standing advice.
- 8. **DC Senior Archaeologist** – The site lies within the historic core of Bridport, probably close to or on the boundary between the original Saxon town in South Street and the Medieval expansion along West and East Streets. It appears likely that the proposed development would affect archaeological remains, particularly of the Saxon, Medieval and post-Medieval periods.

Advise that the applicant provide the results of an archaeological evaluation of the site of the proposed development to support this application.

On receipt of the archaeological evaluation the County Archaeologist has confirmed that no further investigation of condition is necessary.

Representations received

Total - Objections	Total - No Objections	Total - Comments
0	1	2

Petitions Objecting	Petitions Supporting
0	0
0 Signatures	0 Signatures

9.2 In addition to the comments listed above, one comment has been received from a member of the public in support of the proposal, noting the redevelopment of a brownfield site and benefits to existing groups.

10.0 Relevant Policies

West Dorset, Weymouth and Portland Local Plan 2015

So far as this application is concerned, the following policies are considered relevant:

- INT1 – Presumption in favour of sustainable development
- ENV4 – Heritage assets
- ENV10 – The landscape and townscape setting
- ENV12 – The design and positioning of buildings
- ENV16 – Amenity
- SUS2 – Distribution of development
- ECON4 – Retail and town centre development
- COM2 – New or improved local community buildings and structures
- COM7 – Creating a safe and efficient transport network
- COM9 – Parking standards in new development
- BRID4 – Future Town Centre Expansion

Bridport Area Neighbourhood Plan

So far as this application the following sections and policies are considered to be relevant:

- AM2 – Managing Vehicular Traffic
- CF2 – New Community Services & Facilities
- HT2 – Public Realm
- COB1 – Development in the Centre of Bridport
- D8 – Contributing to the local character

Material Considerations:

National Planning Policy Framework

The following sections of the framework are considered to be of relevance to the proposals:

- 7. Ensuring the Vitality of Town Centres
- 8. Promoting healthy and safe communities
- 11. Making effective use of land
- 12. Achieving well-designed places
- 16. Conserving and enhancing the historic environment

Other material considerations:

- West Dorset Design and Sustainable Development Planning Guidelines (2009)
- Bridport Conservation Area Appraisal

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.

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

12.0 Public Sector Equalities Duty

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

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

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

12.3 The proposals incorporate measures to ensure access for people with disabilities or mobility issues, incorporating level access and a lift between the ground and first floor levels.

13.0 Financial benefits

13.1 It is not considered that there would be any direct financial benefits as a result of this proposal.

14.0 Climate Implications

14.1 The proposal would give rise to increased CO₂ emissions through construction, operation and as a result of visitor trips to the site. This is however balanced against the sustainable location of the site, which is accessible by public transport, and the fact that the scheme would be built to modern building regulations for energy efficiency and would include renewable energy generation.

15.0 Planning Assessment

Principle of development

15.1 The site is located within the centre of Bridport and is therefore in a sustainable location which is identified as a focus for future development in the local plan. The site is also within the defined town centre of Bridport where policy ECON4 is supportive of the small-scale development of shops, financial and professional

services, food and drink, office, leisure and community uses. The proposed building, being a storage, office and workshop space to support community groups is therefore considered to be an appropriate use for this town centre location.

15.2 In addition the Neighbourhood plan contains a list of community buildings, which policy CF1 of the neighbourhood plan seeks to protect and enhance. That includes several cultural and arts facilities, including the Literary and Scientific Institute, Bridport Arts Centre, the Lyric Theatre and Electric Palace. The proposed building is intended to provide support to the towns cultural and community organisations and although not being open to the general public may be considered to provide new community infrastructure through the provision of facilities of local cultural and arts groups. In this regard the proposal is also supported by policy COM2 of the local plan and policy CF2 of the neighbourhood plan.

Scale, design, impact on character and appearance and heritage assets

15.3 The site is located within the Bridport Conservation area and is also located within the setting of a number of listed buildings to the north and east of the site.

15.4 The conservation officer's comments on the initial submission confirmed that while the provision of a new building in this location was considered acceptable in principle, concern was raised in respect of the design of the proposal which, as originally submitted was considered to be overly modern and utilitarian both in its building form and use of materials. It was therefore considered that the scheme in its original form would lead to less than substantial harm to the character of the Bridport Conservation Area and the setting of neighbouring listed buildings and that the public benefits of the scheme comprised in the provision of facilities to support community and arts groups would not have been sufficient to overcome that harm.

15.5 In response to these comments, the applicant has engaged with officers to respond to the specific concerns held. While the floorspace and internal layout of the building remains unchanged, due to the operational requirements of the building, alterations to the external appearance of the building have been secured. The roof form has been changed from a single gable with a shallow pitch to three linked gables with steeper pitch, offering the appearance of a more traditional linked warehouse.

15.6 The fenestration has been changed from a series of relatively large and modern windows to fewer, traditional casement windows with arched brick headers, with the modern entrance doors being replaced with a more traditional pair of warehouse doors. In addition to the fenestration, blank 'tax' windows have been added to the southern and western elevations, helping to break up what would otherwise be a mass of unrelieved brickwork on these elevations.

15.7 The palette of materials has also been changed in response to officer comments. As originally proposed the materials were utilitarian and typical of a commercial building, comprising grey trapezoidal cladding to the roof and upper floor with red brick to the ground floor. The materials now comprise higher quality bricks to the walls with rusticated brick banding providing vertical emphasis and a stone plinth. Windows and joinery are to be bottle green.

- 15.8 It is considered that the changes have achieved a significant enhancement to the scheme. The appearance and architectural detailing is now considered to be appropriate to the conservation area context of the site, reflecting the surrounding commercial buildings and historic uses of this part of Bridport while also allowing for the productive re-use of a vacant and unattractive site. It is considered that with the changes the proposals will no longer result in harm to the character of the conservation area or the setting of nearby heritage assets, while also delivering public benefits in terms of providing facilities and supports to community and creative groups within the town.
- 15.9 It is therefore concluded that the proposals will contribute positively to the maintenance and enhancement of local distinctiveness, and following the amendments to the scheme, is informed by the character of the site and surroundings. The proposals will have an appropriate quality of architecture and will utilise sympathetic materials. It is therefore considered that the proposals comply with the requirements of policies ENV4 ENV10 and ENV12 of the local plan.
- 15.10 Although the site does not provide extensive space for landscaping, given the site's town centre location this is considered to be appropriate. The proposed landscape treatment of the site would allow for some appropriate buffer planting while the proposed brick boundary wall is considered to be an appropriate form of enclosure. A condition is proposed to require full details of the boundary wall to be submitted and approved.

Archaeology

- 15.11 The county archaeologist has identified that the site's location within the historic core of Bridport means that it is likely close to or on the boundary between the original Saxon town in South Street and the Medieval expansion along West and East Streets. With the potential for ground disturbance from construction a likelihood of affecting archaeological remains of the Saxon, Medieval and post Medieval periods was identified and an archaeological investigation was therefore requested.
- 15.12 An archaeological investigation of the site was carried out which involved the digging of two trial trenches on the site. The investigation did not identify any evidence of remains associated with the development of medieval Bridport, nor structural evidence of the post medieval or modern buildings which are known to have existed on the site, other than concrete surfaces and hardstanding.
- 15.13 The evaluation identified that below modern concrete surfaces and associated sub-bases, the ground comprises mixed garden soils and natural sandy clay deposits. The archaeological evaluation therefore concluded that any remains dating to the medieval period have been destroyed by later building activity and the creation of hardstanding.
- 15.14 The report has been considered by the County Archaeologist who has confirmed that on the basis of the evaluation no further investigation or archaeological condition is required.

Amenity

- 15.15 The immediate surroundings of the building predominantly comprise service and parking areas to the north and east, which serve commercial units on West Street and South Street, respectively, where there are limited opportunities for harm to amenity. There is a dwelling located to the east of the site, 16d West Street which has windows to habitable rooms facing the site. That dwelling is located 17m from the site boundary. As there are no windows within the eastern elevation of the building, there would be no potential for overlooking to the neighbouring property.
- 15.16 16d West Street is located 17m from the site boundary and will be 18.2 m from the eastern elevation of the building. Due to the separation distance the building would not cross the 25° line from the windows of that dwelling and it is not therefore considered that the building would result in a loss of daylight to the dwelling. In view of the separation distance proposed and the two-storey height of the proposed building it is not considered that there would be an overbearing impact upon this property.
- 15.17 To the south there would be a closer relationship with the neighbouring decorator centre. However there are not any windows in the side elevation of that building and there would not therefore be any potential for conflict with that building as a result. The remainder of the land to the south and southeast of the site is the open land of the rope walks car park where there would not be any potential for harmful impacts in that regard.
- 15.18 It is considered that the proposed use of the building, to provide storage, office and studio space would not be likely to give rise to harmful impacts in respect of noise or disturbance resulting from the proposal.

Highways

- 15.19 The development will utilise an existing access from Rope Walks, with provision made for a single parking space and a loading bay. The Highways Authority does not have any objection to the application, subject to the imposition of appropriate planning conditions relating to the provision of the access. The level of parking provision is considered appropriate for the development, taking into consideration the sustainable location of the site and the close proximity of the site to the Rope Walks car park.

16.0 Conclusion

- 16.1 The proposal is considered to be acceptable in principle as it would provide an appropriate use for this sustainable town centre location while also providing support for cultural and community organisations within Bridport. The proposal therefore complies with policy SUS2, ECON4 and COM2 of the Local Plan and policy CF2 of the Bridport Neighbourhood Plan.
- 16.2 Following the receipt of amended plans it is considered that the development would be appropriate in terms of its character, would reflect and enhance local distinctiveness and would avoid harm to the character of the Bridport Conservation Area and the setting of neighbouring listed buildings, while also providing public benefits. The proposal is therefore considered to comply with policies ENV4, ENV10 and ENV12 of the local plan. The proposal will also avoid harm to neighbouring amenity and there will therefore be no conflict with policy ENV16 of the local plan.

- 16.3 An archaeological investigation of the site has confirmed that there is no remaining archaeological interest to the site and there is no requirement for further investigation.
- 16.4 The proposal would not result in harm to highways and would provide parking with an electric vehicle charging facility.

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 (as amended).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
C2114.03 A Proposed Ground Floor Plan
C2114.04 A Proposed First Floor Plan
C2114.05 C Proposed Elevations
C2114.06 A Proposed Site Plan
C2114.01 Location & Block Plan
C2114.07 Proposed Roof Plan

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

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

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

4. Prior to the installation of any windows or external doors, a schedule and detailed drawings and sections (at a scale of 1:5, 1:10 or 1:20 as appropriate) of all new windows/doors in the development; including additional information relating to (i) the method of opening, (ii) the depth of the reveal from the face of the wall and (iii) the product number where the window is supplied from a manufacturers standard range (copy of catalogue to be included) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall proceed in accordance with such details as have been agreed.

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

5. Prior to the commencement of any development hereby approved, above damp course level, full details of hard landscape proposals shall be submitted to and approved in writing by the Local Planning Authority. These details shall include

proposed finished levels or contours, means of enclosure including elevations and materials of the proposed boundary wall and hard surfacing materials. The development shall be carried out in accordance with the approved details prior to the first occupation of the development.

Reason: To ensure the provision of amenity afforded by appropriate landscape design and maintenance of existing and/or new landscape features.

6. Before the development hereby approved is first occupied the first 5.0m of the vehicular access, measured from the nearside edge of the highway (excluding the vehicle crossing - see the informative note below), must be laid out, constructed, and surfaced, to a specification which shall have been submitted to, and agreed in writing by, the Local Planning Authority.

Reason: In the interest of highway safety.

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

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

8. The development hereby approved shall not be first occupied or brought into use until facilities to enable the charging of plug-in and other ultra-low emission vehicles in safe within the parking area within the development shall first have been provided.

Reason: To promote the use of more sustainable transport modes

Informative Notes:

1. The vehicle crossing serving this proposal (that is, the area of highway land between the nearside carriageway edge and the site's road boundary) must be constructed to the specification of the Highway Authority in order to comply with Section 184 of the Highways Act 1980. The applicant should contact Dorset Highways by telephone at 01305 221020, by email at dorsethighways@dorsetcouncil.gov.uk, or in writing at Dorset Highways, Dorset Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway.

2. 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.

This page is intentionally left blank

Application Number:	P/FUL/2022/05509
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	Scoutland, Land opposite Holy Trinity Burial Ground, Beaminster, DT8 3FF
Proposal:	Re-erection of open sided shelter sited adjacent to existing scout hut
Applicant name:	Mr Richard Hayden
Case Officer:	Charlotte Loveridge
Ward Member(s):	Cllr Knox

1.0 The application relates to land that is in Dorset Council ownership and the application is therefore being reported to Committee in accordance with Dorset Council's Constitution.

2.0 Summary of recommendation:

GRANT planning permission subject to conditions.

3.0 Reason for the recommendation:

- 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 location is considered to be sustainable and the proposal is acceptable in its design and general visual impact.
- There is not considered to be any significant harm to neighbouring residential amenity.
- There are no material considerations which would warrant refusal of this application

4.0 Key planning issues

Issue	Conclusion
Principle of development	Policy COM4 provides principal support for new or improved open space or recreation facilities.
Scale, design, impact on character and appearance	The scale, design and impact on the character and appearance of the area is minimal and appropriate to the location.

Impact on amenity	The existing use of the site is for scout group activities and this structure will not create any additional impact on neighbouring amenity.
Impact on landscape or heritage assets	No harm is created to the setting of the Dorset AONB due to the scale, siting and materials used.
Economic benefits	Additional shelter for the scouts and no loss of facilities.
Access and Parking	No impact or change to the existing provisions.

5.0 Description of Site

- The application site is an area of field situated between Newtown Road at Beaminster (northern part of the town) and the access track to Whatley Mill (which services access to the burial ground). The site is outside of the defined development boundary for Beaminster but is within the Area of Outstanding Natural Beauty, the Beaminster Neighbourhood Plan area and Brit Valley Landscape Character Area. Footpath W21/1 runs along the access track.
- The field is a roughly rhomboid shape approximately 0.16 hectares in size.
- The established use of the site is for scout activities.
- There is a new purpose built timber clad scout hut, granted under WD/D/20/001617, which is sited in the northeastern corner of the site, with a hardstanding area laid from the access gate to the front of the hut, and a bank of Solar Panels on the roof of the hut.
- The site is level ground with a very gentle and barely discernible gradient from north to south. The access track on the eastern side is on slightly lower ground, and the properties on Newtown Road are also set very slightly lower
- There are established hedgerows on the north, east and south boundaries of the site. The western side has a post and rail fence boundary, with the residential property on the other side of the River Brit having an established hedgerow on their rear boundary. There are a number of matures trees in the northwestern corner and some younger ones along the western boundary.
- The residential properties to the west of the application site are bungalows/chalet bungalows that sit opposite the Beaminster School field which lies to the northwest of the application site. Further to the south are newer residential developments of The Orchard, Abbot Close and Fleet Street. To the east of the application site, on the other side of the access track lies the Holy Trinity Burial Ground and open fields. To the north of the site, is a new build property, Oak House, within the extensive grounds of Whatley Mill.

- The access track is accessed between 70 Fleet Street, and Trefoil House, and whilst the southern end of the track is tarmacked, this does not continue up as far as Scoutland which is then a mildly rutted track. However the site is already used for scouting activities, and the proposal will not intensify or change this existing use.

6.0 Description of Development

Re-erection of open sided shelter sited adjacent to existing scout hut

7.0 Relevant Planning History

1/W/06/001408 - Decision: Withdrawn - Decision Date: 13/09/2006
Erect storage unit for scout group equipment

1/W/06/002192 - Decision: Grant - Decision Date: 15/01/2007
Erect storage unit for scout group equipment

WD/D/20/001617 - Decision: Grant - Decision Date: 30/09/2020
Remove existing garage and erect new scout hut building

P/PDE/2022/00335 - Decision: Required - Decision Date: 17/08/2022
Erect shelter (*permitted development enquiry concluded planning permission IS required*)

8.0 List of Constraints

Outside of defined development boundary

Neighbourhood Plan Area; Name: Beaminster; Status Designated 11/12/2017

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)

Right of Way Footpath W21/1 (from Fleet Street to just north of Whatley Farm)

9.0 Consultations

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

Consultees

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

1. **Highways** – the proposal does not present a material harm to the transport network or to highway safety and consequently has no objection.
2. **Trees** – trees to the north of the site not considered a restraint. No objection.

3. **Beaminster Town Council** – recommend approval, the proposed shelter would not impact on the neighbourhood.

Representations received

All representations can be viewed in full on the website.

Total - Objections	Total - No Objections	Total - Comments
1	0	0

One objection received from a neighbour regarding:

- Their neighbouring property is not shown on the plans, nor potential impact assessed.
- Preliminary work has commenced.
- The proposed shelter is much larger than existed previously.
- The lack of construction details, risk assessment or wind load calculation and potential impact to neighbouring amenity from risk of wind damage from the structure.

10.0 Relevant Policies

Adopted West Dorset and Weymouth & Portland Local Plan:

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

- INT1 - Presumption in favour of Sustainable Development
- ENV1 - Landscape, seascape & sites of other geological interest
- ENV2 - Wildlife and habitats
- ENV10 - The landscape and townscape setting
- ENV 16 - Amenity
- SUS2 - Distribution of development
- SUS5 - Neighbourhood development plans
- COM4 - New or improved local recreational facilities

Beaminster Neighbourhood Plan – In preparation – limited weight applied to decision making.

Material Considerations:

National Planning Policy Framework:

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 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:

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 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.

Other material considerations:

Dorset AONB Landscape Character Assessment

Dorset AONB Management Plan 2019-2024

WDDC Design & Sustainable Development Planning Guidelines (2009)

Landscape Character Assessment February 2009 (West Dorset)

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.

- Access - the access track to the site ensures that people with disabilities or mobility impairments can have vehicular access to the site.

13.0 Financial benefits

To provide additional shelter and resource for scouts using the site.

14.0 Environmental Implications

None.

15.0 Planning Assessment

15.1 Principle of development

Policy COM4 of the West Dorset, Weymouth & Portland Local Plan (2015) states: *COM4. NEW OR IMPROVED LOCAL RECREATIONAL FACILITIES*

- i) *Proposals for new or improved open space or recreation facilities will be permitted provided that:*
- *The proposal would be well-located to be accessible to its main catchment population and would not generate significant single purpose trips by private car; and*
 - *The proposal would not undermine the commercial viability of nearby community facilities which may be better placed to service the needs of the surrounding community.*

As such, in principle support for the siting of the shelter within the grounds of ‘Scoutland’ is gained from policy COM4. The use of the site is already established for scout group activities and will not generate any additional vehicular movements.

15.2 Scale, design, impact on character and appearance

The proposed structure is a simple 7.50m (l) x 3.10m (w) x 2.10m (h) shelter comprised of timber posts and metal profiled sheeting roof. The structure was previously erected on the site since at least 2009 in the northeastern corner, adjacent to the garage before both were dismantled for the build of the new scout hut (granted under WD/D/20/001617). The shelter is proposed to be re-sited on the western side of the new scout hut, which is roughly central along the northern boundary and is relatively unobtrusive.

Given the simple design of the shelter and its siting next to the new scout hut building (its length is approximately 1.5m less than the depth of the scout hut, and its height is nearly half that to the scout hut eaves) it will not harm the character of the Dorset AONB.

The representation received from a neighbouring property states that the proposed shelter is much larger than existed previously, however plans have been submitted that show the size and appearance of the proposed shelter which is to be constructed using the materials saved from the dismantled shelter.

15.3 Impact on amenity

There are no closely related neighbouring properties that will be adversely affected by this scheme. The existing use of the site is for scout activities and this will provide an additional resource for this use to enable shelter during outdoor activities as they cannot allow children in the hall when doing outdoor activities because of supervision and safety reasons; and also for use as a collection point as parents cannot congregate in the hall during scouting meetings. It is considered that it would not result in any significant additional activity or noise emanating from the site during the use of the site for scouting activities.

One objection has been received regarding a potential neighbouring amenity issue from wind damage. Construction details are not required when the size, appearance and materials for the proposed structure are given, and it is for the applicants to ensure that the structure is safe when constructed and remains safe throughout its lifetime.

15.4 Impact on landscape

The siting of the proposed structure within the existing 'Scoutland' grounds will not create any harm to the wider Dorset AONB given the modest proposal and design of the structure which is considered to be in accordance with Section 15 of the NPPF (2021). The tree coverage will screen the site through summer, and it is discreetly positioned on the western side of the new scout hut. As such it is considered that the AONB landscape character is preserved and the structure will not be visually isolated or in a prominent position such as to impact significantly on the natural beauty.

15.5 Other matters

The representation received from a neighbouring property states that the application is inaccurate as their property is not shown on the plans or any potential impact assessed. The property 'Oak House' on the northern boundary does not currently appear on all mapping systems but was taken into account for the assessment of the impacts of this application by the planning officer.

A concern was also raised that preliminary work has commenced; having viewed the site the proposed site for the shelter is fenced off with orange construction fencing and the materials to be used for the shelter are being stored within the fenced area.

A permitted development enquiry was submitted under P/PDE/2022/00335, and was given the following response:

“From the information provided I would advise that because the site is within the Dorset AONB which is classified as Article 2(3) land, the proposal would not meet the criteria of being permitted development under The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Because it is Article 2(3) land it fails the criteria under Schedule 2, Part 7 (Non-domestic extensions, alterations etc), Class A (extensions etc of commercial, business or service premises) A.1(c)(i)(bb) & A.1(e).”

If the site was not within the Dorset Area of Outstanding Natural Beauty, then the proposed development would have come within the criteria of being permitted development.

The proposals will not have any impact on any existing trees or hedgerows on the site or protected species or biodiversity. There will be no impact or change to the existing provisions for parking/highways.

The scale of the site is below the threshold for requiring a biodiversity appraisal.

The site is not within a high flood risk zone.

16.0 Conclusion

It is considered having regard to the scale, mass and design of the proposed shelter that the development would have an acceptable impact on the visual amenity of the area and the residential amenity of neighbouring properties and provides a public benefit of creating an additional activities resource for scout groups at ‘Scoutland’. Hence the development accords with the National Planning Policy Framework (2021); and policies INT1, ENV1, ENV2, ENV10, ENV12, ENV16, SUS2 & COM4 of the West Dorset, Weymouth and Portland Local Plan (2015).

17.0 Recommendation

GRANT planning permission 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:

Location & Block Plan
Proposed Floor Plan & Elevation – A 01

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

3. The reused metal sheeting roofing material to be used for the roof of the shelter is to remain the existing olive green colour; and the timber posts shall only be treated with clear, protective wood preservatives in order to retain the natural timber colour. Thereafter, the shelter shall be retained as such.

Reason: In the interests of visual amenity within the Dorset AONB .

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.

This page is intentionally left blank

Western and Southern area Planning Committee

13th December 2022

Appeal Decisions

1. PURPOSE AND RECOMMENDATIONS

Purpose of Report: To inform Members of notified appeals and appeal decisions and to take them into account as a material consideration in the Planning Committee's future decisions.

Recommendations: It is **RECOMMENDED** that:
This report is for Information

Wards: Those covered by the area planning committee

2.0 APPEAL DECISIONS

Appeal Reference: APP/D1265/W/22/3296012

Planning Reference: P/FUL/2021/01762

Proposal: Erect 3 dwellings

Address: Land at Watton Lane, Bridport, DT6 5JY

2.1 The planning application was considered by the Western and Southern Area Planning Committee in March 2022. The case officer for the application recommended to the committee that the application be approved. The committee decision was to refuse planning permission for the following reason:

1. Having regard to the formal layout of the development in a grid-like pattern, this would result in the development having an urban character contrary to its rural location within the AONB and outside of the defined development boundary of Bridport. Furthermore the proposed development would result in additional artificial light in the AONB contrary to the prevailing landscape character. Hence the proposed development would be contrary to policies ENV1 and ENV12 of the West Dorset Weymouth and Portland Local Plan 2015 and paragraph 130, 174 and 176 of the National Planning Policy Framework 2021.

2.2 The applicant subsequently appealed the refusal of planning permission. The appeal was dealt with by written representations and the Inspector dismissed the appeal.

- 2.3 The Inspector considered the appeal on the basis of two main issues (i) whether the proposed development would be in a suitable location having regard to the development plan policies; and (ii) the effect upon the character and appearance of the surrounding area, having particular regard to the location of the site within the Dorset AONB. This latter issue was the reason why planning permission was refused by the planning committee.
- 2.4 On this second main issue the Inspector noted that whilst the proposal would be set out with a somewhat regular plot arrangement either side of a central aligned access road, which is a slightly more formal layout when compared against the layout of the scheme previously granted permission, he considered this to be generally in keeping with the character of the local pattern of development. In reaching this view the Inspector had regard to those properties adjacent to the site and noting that properties to the west sit behind other residences long Broad Lane, with straight access roads.
- 2.5 The Inspector considered that the site makes a very limited contribution to the landscape and scenic beauty of the surrounding area and of the AONB and that the development, having regard to its density, design, scale and layout would respect and respond to the local character and vernacular of the existing development within Broad Lane and Watton Lane. The Inspector stated that the proposal would not be read as isolated or irregular dwellings in the countryside, because they would be seen as forming part of the existing residential development around the site.
- 2.6 A condition could be drafted to secure a scheme of external lighting for the development, together with a management plan for its use to ensure that any external lighting is appropriate to its setting and the character of the dark night sky.
- 2.7 The inspector concluded that within the context of the existing residential properties, the proposed development would conserve the character and appearance of the surrounding area and the AONB. Consequently, with regard to this issue the appeal scheme did not conflict in the Inspector's view with the provisions of paragraphs 130, 174 and 176 of the NPPF and complied with Policies ENV1 and ENV12 of the Local Plan.
- 2.8 Since planning permission was refused by the planning committee in February 2022 an up-to-date assessment of the housing land supply in the West Dorset, Weymouth and Portland Local Plan was published in May 2022. As such now that the Council can demonstrate a 5-year housing land supply there is conflict with Policy SUS2 of the local plan. This is a significant material change to the circumstances at the time of the Council's decision to refuse planning permission.
- 2.9 The Inspector concluded that there would be no harm to the character and appearance of the surrounding area and the AONB but that there was conflict with Policy SUS2 of the Local Plan. There was conflict with the development plan as a whole and that the limited social and economic benefits and the previous permissions did not outweigh that conflict and as such the appeal was dismissed.